



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEĆA KOSOVA

In: KSC-BC-2020-05

The Prosecutor v. Salih Mustafa

Before: Trial Panel I

Judge Mappie Veldt-Foglia, Presiding Judge

Judge Roland Dekkers

Judge Gilbert Bitti

Judge Vladimir Mikula, Reserve Judge

Registrar: Fidelma Donlon

Date: 23 September 2021

Language: English

Classification: Public

**Public redacted version of
Sixth decision on review of detention**

To be notified to:

Specialist Prosecutor

Jack Smith

Counsel for the Accused

Julius von Bóné

Victims' Counsel

Anni Pues

TRIAL PANEL I (Panel) hereby renders this decision on review of detention.

I. PROCEDURAL BACKGROUND

1. On 23 November 2020,¹ 25 January 2021,² and 25 March 2021,³ respectively, the Pre-Trial Judge issued the “Decision on Review of Detention”, “Second Decision on Review of Detention”, and “Third Decision on Review of Detention”, ordering the continued detention of Salih Mustafa (Mr Mustafa or Accused).
2. On 25 May 2021 and 23 July 2021, respectively, the Panel issued the “Fourth decision on review of detention” (Fourth Review)⁴ and “Fifth decision on review of detention” (Fifth Review).⁵ In the Fifth Review, the Panel ordered the Specialist Prosecutor’s Office (SPO) and Victims’ Counsel, if she so wishes, to file submissions on the next review of detention by Monday, 6 September 2021, and the Defence to do the same, if it so wishes, by Monday, 13 September 2021.⁶
3. On 6 September 2021, the SPO filed its submissions.⁷ Victims’ Counsel did not file any submissions.
4. On 12 September 2021, the Defence filed its submissions.⁸

¹ KSC-BC-2020-05, F00052, Pre-Trial Judge, *Decision on Review of Detention*, 23 November 2020, public.

² KSC-BC-2020-05, F00068, Pre-Trial Judge, *Second Decision on Review of Detention*, 25 January 2021, public.

³ KSC-BC-2020-05, F00097, Pre-Trial Judge, *Third Decision on Review of Detention* (Third Review), 25 March 2021, public.

⁴ KSC-BC-2020-05, F00127, Trial Panel I, *Fourth decision on review of detention*, 25 May 2021, public.

⁵ KSC-BC-2020-05, F00158, Trial Panel I, *Fifth decision on review of detention*, 23 July 2021, public.

⁶ Fourth Review, para. 29(b)-(c).

⁷ KSC-BC-2020-05, F00188, Specialist Prosecutor, *Prosecution submissions for the sixth review of detention* (SPO Submissions), 6 September 2021, public.

⁸ KSC-BC-2020-05, F00197, Defence, *Defence submission for the review of the detention of the Accused* (Defence Submissions), 12 September 2021, public.

II. SUBMISSIONS

5. The SPO submits that: (i) the Accused's continued detention remains lawful and necessary, as grounded suspicion continues to exist and there is still a real possibility that, if released, the Accused may interfere with victims, witnesses, and/or their families and, more generally, may obstruct the progress of the proceedings; and (ii) no condition would sufficiently mitigate such risk.⁹ Moreover, the risks of flight and of commission of further crimes also remain high and, since the last detention review, each of the risks referred to in Article 41(6)(b) of Law No. 05/L-053 on Specialist Chambers and Specialist Prosecutor's Office (Law) has increased due to the imminent start of the trial and the related disclosure of information identifying SPO witnesses.¹⁰

6. Regarding the well-grounded suspicion that the Accused has committed crimes within the jurisdiction of the Specialist Chambers (SC), the SPO submits that no circumstances capable of changing this finding, made both by the Pre-Trial Judge and the Panel, have intervened since the Fifth Review.¹¹ Regarding the risk of flight, the SPO submits that: (i) such risk does exist and remains high, for reasons set out in its submissions on the Fourth Review;¹² and (ii) conditional release would be insufficient to prevent a person with the background, experience, and network of the Accused from fleeing, if he decided to do so.¹³ Regarding the risk of interference with witnesses and victims, the SPO submits that not only it remains, but it has increased due to the recent disclosure of witnesses' identities to the Defence, as well as the upcoming disclosure of further such identities on a rolling basis in September and early October.¹⁴ The SPO further avers that knowing the identities of all SPO witnesses will markedly increase the risk of obstruction by the Accused or his network and

⁹ SPO Submissions, para. 2.

¹⁰ SPO Submissions, para. 2.

¹¹ SPO Submissions, para. 3.

¹² SPO Submissions, para. 4, referring to KSC-BC-2020-05, F00122, Specialist Prosecutor, *Prosecution Response on the Fourth Review of Detention* (SPO Submissions on Fourth Review), 17 May 2021, public.

¹³ SPO Submissions, footnote 8.

¹⁴ SPO Submissions, paras 5-6.

[REDACTED] only confirm the accuracy of such assessment.¹⁵ The SPO therefore submits that the Accused's continued detention remains essential to mitigate such risk.¹⁶ Regarding the risk of committing further crimes, the SPO incorporates by reference its previous submissions and argues that the risk of committing further crimes has only increased with the release of witness identifying information to the Defence and the Accused.¹⁷

7. The SPO further submits that the risks posed by the Accused can only be effectively managed in the SC detention facilities, particularly at this advanced stage of the proceedings.¹⁸ Any assurances that the Accused may give would be insufficient to eliminate or mitigate the existing risks.¹⁹ Lastly, the SPO notes that the Panel's prior findings regarding the reasonable duration of the detention in this case still stand.²⁰

8. The Defence submits that Mr Mustafa should be released from detention, with or without conditions set by the Panel.²¹ Regarding the existence of a grounded suspicion that a crime within the jurisdiction of the SC has been committed, the Defence submits that: (i) Mr Mustafa denies the charges and disputes the evidence submitted by the SPO thus far; and (ii) there is no correlation between the Accused and the evidence disclosed by the SPO in the present case.²²

9. Regarding the risk of obstructing the progress of the proceedings, the Defence avers that: (i) the Accused has no incentive to obstruct the proceedings as doing so would be to the detriment of his case; (ii) the Accused has been at liberty for a long time after his initial interview with the SPO – for which he voluntarily travelled to the Netherlands – and not a single incident regarding alleged interference has been

¹⁵ SPO Submissions, para. 6, also referring to [REDACTED].

¹⁶ SPO Submissions, para. 6.

¹⁷ SPO Submissions, para. 7, also referring to SPO Submissions on Fourth Review, paras 11-12.

¹⁸ SPO Submissions, paras 8-9.

¹⁹ SPO Submissions, para. 9.

²⁰ SPO Submissions, paras 10-11, also referring to Fifth Review, para. 29.

²¹ Defence Submissions, para. 39.

²² Defence Submissions, paras 6-8.

reported during such time; and (iii) whilst holding public office in his home country, Mr Mustafa has been regularly evaluated by his employer and, during such evaluations, no issues have arisen indicating that he would have interfered with anybody or abused his position to investigate matters related to the current case or the people involved therein.²³ Therefore, the Defence submits that there is neither a real and objective risk nor any factual support of the claim that Mr Mustafa would interfere with either the (progress of) the proceedings, or witnesses, victims, and/or their family members; rather, any such risk is merely theoretical and cannot justify a decision to prolong his detention.²⁴

10. The Defence further avers that the Accused could be released under any conditions to be set by the Panel, by which the Accused would abide, in order to eliminate any risks that the Panel may find.²⁵ Such conditions could include, *inter alia*, surrender of Mr Mustafa's passport, prohibition of employment, controlling those that may visit Mr Mustafa at home, and controlling his telephone conversations and social media activities.²⁶

11. Lastly, the Defence argues that the personal circumstances of the Accused, including the possibility for him to lose his job and hence the income for his family, should be taken into account when deciding on the prolongation of detention.²⁷ In this respect, the Accused's conditional release would limit the damage to his economic life and that of his family.²⁸

²³ Defence Submissions, paras 10-11, 13-14.

²⁴ Defence Submissions, paras 10-12, 14-15.

²⁵ Defence Submissions, paras 16-21, 24, 34, 37-38.

²⁶ Defence Submissions, paras 22-23.

²⁷ Defence Submissions, paras 25-32, 35-36.

²⁸ Defence Submissions, para. 33.

III. APPLICABLE LAW

12. The Panel notes Articles 29, 31(5), and 53 of the Constitution of the Republic of Kosovo (Constitution), Articles 3(2), 21(3), and 41(6), (10), and (12) of the Law, and Rule 57(2) of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers (Rules).

IV. ANALYSIS

13. At the outset, the Panel recalls that the presumption of innocence, as provided for in Article 31(5) of the Constitution, Article 21(3) of the Law, and Article 6(2) of the European Convention on Human Rights (Convention), is the starting point for the assessment of the continued detention on remand.²⁹ Accordingly, continued detention cannot be maintained lightly and the Accused should be released once his continued detention ceases to be reasonable.³⁰

A. GROUNDED SUSPICION

14. As regards the threshold for continued detention, Article 41(6)(a) of the Law requires, as a pre-condition,³¹ grounded suspicion that a crime within the jurisdiction of the SC has been committed.³²

15. The Panel notes the Defence's submissions that: (i) the Accused "denies the charges" and "disputes the evidence that has been submitted by the SPO";³³ and

²⁹ Fifth Review, para. 14; Fourth Review, para. 13. See also KSC-BC-2020-06, IA004/F00005/RED, *Public Redacted Version of Decision on Hashim Thaçi's Appeal Against Decision on Interim Release (Thaçi Interim Release Appeal Decision)*, 30 April 2021, public, para. 17.

³⁰ Fifth Review, para. 14; Fourth Review, para. 13; ECtHR, *Buzadji v. The Republic of Moldova*, no. 23755/07, [Judgment](#) [GC] (*Buzadji v. The Republic of Moldova* [GC]), 5 July 2016, para. 90.

³¹ Fifth Review, para. 15; Fourth Review, para. 14; ECtHR, [Buzadji v. The Republic of Moldova](#) [GC], para. 87.

³² Fifth Review, para. 15; Fourth Review, para. 14 and footnote 28.

³³ Defence Submissions, para. 8.

(ii) there is “no correlation” between the Accused and the evidence submitted thus far.³⁴ In this regard and with reference to its Fifth Review,³⁵ the Panel recalls that, in the decision on the confirmation of the indictment against Mr Mustafa, the Pre-Trial Judge determined, having analysed the evidence presented by the SPO, that there is a well-grounded suspicion that Mr Mustafa committed a number of crimes within the jurisdiction of the SC.³⁶ The Pre-Trial Judge’s findings were made on the basis of a standard exceeding the grounded suspicion threshold required for the purposes of Article 41(6)(a) of the Law.³⁷ The Panel further notes that, in its submissions, the Defence merely makes general assertions pointing towards its disagreement with the findings made by the Pre-Trial Judge on the basis of the evidence presented by the SPO, including as concerns the correlation between such evidence, the crimes charged, and Mr Mustafa himself, without further elaborating on any particular disputed evidentiary items or parts thereof. Moreover, the Panel recalls that the evaluation of the evidence in support of the charges will occur at trial, when Mr Mustafa’s guilt or innocence will be determined on the basis of the totality of the evidence before the Panel.³⁸ Furthermore, the Panel does not identify any ground to conclude that the confirmation of the indictment against Mr Mustafa was improper or flawed, to the extent that the grounded suspicion threshold is no longer fulfilled.³⁹ Therefore, the Panel finds that the requirement under Article 41(6)(a) of the Law continues to be met.

³⁴ Defence Submissions, para. 7.

³⁵ Fifth Review, para. 15.

³⁶ KSC-BC-2020-05, F00008/RED, Pre-Trial Judge, *Public Redacted Version of the Decision on the Confirmation of the Indictment Against Salih Mustafa*, 5 October 2020, public, para. 163(a).

³⁷ *Similarly*, KSC-BC-2020-06, F00380/RED, Pre-Trial Judge, *Public Redacted Version of Decision on Review of Detention of Kadri Veseli*, 2 July 2021, public, para. 22.

³⁸ Fifth Review, para. 15; Fourth Review, para. 14; Third Review, para. 12.

³⁹ *Similarly*, Fifth Review, para. 15; Fourth Review, para. 14.

B. NECESSITY OF DETENTION

16. The Panel recalls the standard to be applied to its assessment as to whether the continued detention of the Accused is necessary, as set out in the Fourth Review, as well as the importance of (case) specific reasoning and concrete grounds which are required to be relied upon by the Panel, as underlined by the Court of Appeals Panel.⁴⁰

17. Specifically, as regards Article 41(6)(b)(ii) of the Law, the Panel recalls that, as with all other risks under Article 41(6)(b) of the Law, the exercise that the Panel has to conduct is a risk assessment.⁴¹ In this respect, the assessment of whether there is a risk of obstruction occurring in the future does not require proof that obstruction has actually occurred in the past.⁴²

1. Risk of Flight

18. Regarding the risk of flight under Article 41(6)(b)(i) of the Law, the Panel recalls its previous findings that Mr Mustafa is not at flight risk and that such risk, even if existent, could be adequately mitigated by conditions to be imposed upon him.⁴³ The Panel further notes that the SPO has not put forward any facts or circumstances that could lead the Panel to a different conclusion. Therefore, the Panel considers that no intervening information or development has arisen which undermines the Panel's aforementioned findings. Accordingly, the Panel finds that Mr Mustafa is not at flight risk and that such risk, even if existent, could be adequately mitigated by conditions to be imposed upon him pursuant to Article 41(12) of the Law and Rule 56(5) of the Rules.

⁴⁰ Fourth Review, paras 15-17, also referring to *Thaçi* Interim Release Appeal Decision, para. 22.

⁴¹ Fifth Review, para. 17; Fourth Review, para. 17.

⁴² Fifth Review, para. 17. *Similarly*, KSC-BC-2020-06, IA001/F00005, Court of Appeals Panel, *Decision on Kadri Veseli's Appeal Against Decision on Interim Release*, 30 April 2021, public, para. 38.

⁴³ Fifth Review, para. 19; Fourth Review, para. 18.

2. Risk of Obstructing the Progress of SC Proceedings

19. With regard to the risk under Article 41(6)(b)(ii) of the Law, the Panel notes the Defence's arguments concerning the absence of evidence of any purported interference attempts by Mr Mustafa, including after his initial SPO interview.⁴⁴ In this regard, the Panel recalls that, as noted above,⁴⁵ the absence of evidence that the Accused has previously attempted to interfere with witnesses or victims or to obstruct the progress of the proceedings more generally is not determinative to the Panel's assessment under Article 41(6)(b)(ii) of the Law, as the exercise that the Panel has to conduct in this respect is a risk assessment. The Panel further considers that: (i) the nature and the extent of the crimes charged, as informed through the ongoing disclosure of the full, progressively unredacted evidentiary record; (ii) the provision of information going far beyond any information provided on the occasion of his SPO interview; and (iii) the severity of a potential sentence, constitute factors which may incentivise Mr Mustafa, if released, to obstruct the progress of the proceeding by interfering with victims and witnesses, and/or their families. In light of Mr Mustafa's ties to the Kosovo intelligence apparatus and his experience in this respect, such interference could take place by, *inter alia*: (i) exerting pressure, including by violence or threats, or trying to influence victims and witnesses, and/or their families; (ii) intimidating victims and witnesses, and/or their families, directly or through others; and/or (iii) colluding with other potential perpetrators referred to in the indictment, as confirmed (Confirmed Indictment),⁴⁶ or anyone involved in this or other related cases. This is all the more so at the current stage of the proceedings, when the recent as well as ongoing disclosure of further information to the Accused, including and in particular the identities of SPO protected witnesses, would make

⁴⁴ Defence Submissions, paras 10-11, 13-14.

⁴⁵ See *supra* para. 17.

⁴⁶ KSC-BC-2020-05, F00011/A02, Specialist Prosecutor, *Indictment*, 19 June 2020, confidential. A public redacted version of the Confirmed Indictment was filed on 28 September 2020, F00019/A01.

it easier for the Accused, who is an experienced intelligence officer with the required technical knowledge and network, to potentially interfere with victims and witnesses, and/or their families, and more generally, to obstruct the progress of the proceedings. Furthermore, the limited scope of the case and number of witnesses, as well as the fact that the evidence of one witness is often inseparably connected to the evidence of other witnesses may further increase the risk of interference with victims, witnesses, and/or their family members.

20. The Panel further notes that, during his SPO interview, witness W04600, referring to Mr Mustafa and another person, stated that [REDACTED].⁴⁷ The Panel considers the aforementioned statement to be a further factor demonstrating the existence of a serious risk of obstruction by Mr Mustafa with regard to proceedings before the SC.

21. Lastly, the Panel recalls its finding that [REDACTED],⁴⁸ which led the Panel to order [REDACTED].⁴⁹ This further militates against the release of Mr Mustafa.

22. In light of the above, the Panel finds that the risk that Mr Mustafa will obstruct the progress of SC proceedings by interfering with victims and witnesses, and/or their families continues to exist.

3. Risk of Committing Further Crimes

23. The Panel recalls that, as the conditions set out in Article 41(6)(b) of the Law are alternative to one another, if one of those conditions is fulfilled, the other conditions do not have to be addressed in order for detention to be maintained.⁵⁰

⁴⁷ [REDACTED].

⁴⁸ [REDACTED].

⁴⁹ [REDACTED].

⁵⁰ *Thaçi* Interim Release Appeal Decision, para. 78.

24. Having found that there is a sufficiently real possibility that Mr Mustafa will obstruct SC proceedings, including by interfering with victims and witnesses, and/or their families,⁵¹ the Panel finds that it need not address the risk under Article 41(6)(b)(iii) of the Law.⁵²

4. Conclusion

25. In light of the foregoing considerations, the Panel finds that there are articulable grounds to believe that the risk of obstructing the progress of SC proceedings, as envisaged under Article 41(6)(b)(ii) of the Law, continues to exist.

C. CONDITIONAL RELEASE

26. The Panel recalls that detention on remand should only be continued if there are no more lenient measures that could sufficiently mitigate the risks set out in Article 41(6)(b)(i)-(iii) of the Law.⁵³ In this regard, the Panel has the obligation to inquire and evaluate, *proprio motu*, all reasonable conditions that could be imposed on an accused, and not only those raised by the Defence.⁵⁴

27. As regards the risk of obstructing the progress of SC proceedings, the Panel recalls the risk factors identified above.⁵⁵ The Panel further recalls its finding concerning [REDACTED],⁵⁶ which led the Panel to order: (i) [REDACTED];⁵⁷ and

⁵¹ See *supra* paras 19-22.

⁵² Similarly, Fifth Review, para. 24; Fourth Review, para. 22.

⁵³ Fifth Review, para. 26; Fourth Review, para. 24; KSC-CC-2020-09, F00006, Specialist Chamber of the Constitutional Court, *Judgement on the Referral of Amendments to the Rules of Procedure and Evidence Adopted by the Plenary on 29 and 30 April 2020*, 22 May 2020, public, para. 70.

⁵⁴ Fifth Review, para. 26; Fourth Review, para. 24. See also KSC-BC-2020-06, IA003/F00005/RED, Court of Appeals Panel, *Public Redacted Version of Decision on Rexhep Selimi's Appeal Against Decision on Interim Release*, 30 April 2021, public, para. 86.

⁵⁵ See *supra* paras 19-22.

⁵⁶ [REDACTED].

⁵⁷ [REDACTED].

(ii) [REDACTED].⁵⁸ Should Mr Mustafa be released, no conditions could adequately restrict or monitor his private communications, including with members of his family and any approved visitors, which could be used to request or receive information and resources facilitating interference with victims and witnesses, and/or their families; nor could any such conditions be properly enforced and sufficiently monitored. Recalling, specifically, that Mr Mustafa has particular skills due to his intelligence background, a real possibility exists that he could ask others to pass on a message orally or use a device belonging to a third person to do so. In addition, aside from the question whether any such conditions could be effectively implemented in practice, any further conditions, such as monitored visits, would insufficiently mitigate this risk due to the possibility of using coded language which cannot be easily recognised or prevented by persons not familiar with SC proceedings. It follows that Mr Mustafa's communications can only be restricted and monitored in a way to sufficiently mitigate the risks of him obstructing SC proceedings through the communication monitoring framework at the SC detention facilities and [REDACTED].

28. The Panel accordingly finds that no condition, including those previously proposed by the Defence or any additional limitations to be imposed by the Panel, would sufficiently mitigate the risk of obstructing the progress of SC proceedings. Therefore, Mr Mustafa must remain in detention.

D. IMPACT OF DETENTION ON THE ACCUSED'S ECONOMIC LIFE

29. The Panel has taken note of the Defence's argument as regards the potential impact of prolonged detention on the economic life of the Accused and that of his family.⁵⁹ Firstly, the Panel considers such argument to be speculative and

⁵⁸ [REDACTED].

⁵⁹ Defence Submissions, paras 25-32, 35-36.

theoretical, as the Defence refers to a mere possibility for the Accused to lose his job and hence the income for his family.⁶⁰ Further, and more importantly, the Panel notes that the grounds for ordering and maintaining detention of a person are exhaustively set out in Article 41(6) of the Law, subject to the requirement referred to above that detention should only be continued if there are no more lenient measures that could sufficiently mitigate the Article 41(6)(b) risks.⁶¹ Contrary to the Defence's allegation in this respect, the fear of losing one's job may not be regarded as a decisive factor for the purposes of the Panel's assessment as to whether detention should be continued. Rather, the fear of losing one's job is a direct (potential) consequences of detention ordered under the Law.⁶² Accordingly, the Defence's arguments in this respect are dismissed.

E. REASONABLENESS OF DURATION OF DETENTION

30. The Panel notes that, pursuant to Rule 56(2) of the Rules, it must ensure that a person is not detained for an unreasonable period *prior* to the opening of the case, which in the present instance took place on 15 September 2021.⁶³ However, the Panel recalls its obligations under Article 3(2)(a) and (e) of the Law to adjudicate in accordance with the Constitution and international human rights law. Therefore, the Panel considers that it shall continue to assess the reasonableness of the duration of Mr Mustafa's detention after the opening of the case, until a decision on the charges against him is taken, or until proceedings are otherwise

⁶⁰ The Panel notes that the Defence made similar arguments concerning the possibility for the Accused to lose his job and hence the income for his family in its submissions for the purposes of the Third Review (KSC-BC-2020-05, F00095, Defence, *Defence submissions for the review on the detention of the Accused*, public, 11 March 2021, public, paras 40-49), which goes to further proof of the fact that the Accused's expressed fears as concerns the potential loss of his job may or may not materialize in the future.

⁶¹ *See supra* para. 26.

⁶² *Similarly*, Third Review, para. 28.

⁶³ KSC-BC-2020-05, Transcript of Hearing, 15 September 2021, public, pp. 301-382.

terminated, in line with Article 53 of the Constitution and the jurisprudence of the European Court of Human Rights.⁶⁴

31. In the circumstances of the present case, the Panel notes that Mr Mustafa has been in detention for one year since he was arrested and transferred to the detention facilities of the SC in The Hague, the Netherlands, on 24 September 2020. The Panel further notes that Mr Mustafa is charged with serious war crimes under Article 14 of the Law, including murder and torture, allegedly committed under multiple modes of criminal responsibility under Article 16 of the Law. The Panel does not identify any period of inactivity in the proceedings against the Accused before the SC, such that could lead to a finding that the duration of the detention has become unreasonable. The Panel also notes that: (i) the trial commenced, as scheduled, on 15 September 2021, with the procedures prescribed under Rules 124 and 125 of the Rules, followed by the opening statements of the SPO and Victims' Counsel; and (ii) the Panel started hearing the testimony of the first SPO witness on Monday, 20 September 2021. Moreover, the Panel notes that the Parties intend to call a limited number of witnesses.

32. Accordingly, the Panel does not find that Mr Mustafa has been detained for an unreasonable period.

⁶⁴ See, e.g., ECtHR, *Solmaz v. Turkey*, no. 27561/02, *Judgment*, 16 January 2007, paras 23-24; *Kalashnikov v. Russia*, no. 47095/99, 15 July 2002, para. 110; *Wemhoff v. Germany*, no. 2122/64, 27 June 1968, para. 9, noting that, in determining the length of detention pending trial under Article 5(3) of the Convention, the period to be taken into consideration begins on the day the accused is taken into custody and ends on the day when the charge is determined, even if only by a court of first instance.

V. DISPOSITION

33. For the above-mentioned reasons, the Panel hereby:

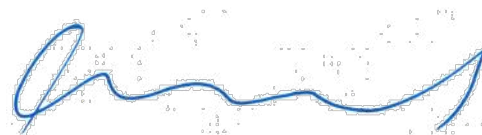
- a. **ORDERS** Mr Mustafa's continued detention;
- b. **ORDERS** the SPO and Victims' Counsel, if she so wishes, to file submissions on the next review of detention by **Monday, 8 November 2021**; and
- c. **ORDERS** the Defence to file submissions on the next review of detention, if it so wishes, by **Monday, 15 November 2021**.



Judge Mappie Veldt-Foglia
Presiding Judge



Judge Gilbert Bitti



Judge Roland Dekkers

Dated this Thursday, 23 September 2021

At The Hague, the Netherlands.