

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: Dr Fidelma Donlon

Filing Participant: Defence Counsel for Jakup Krasniqi

Date: 18 November 2021

Language: English

Classification: Confidential

Krasniqi Defence Joinder to

Selimi Defence Request to Access Confidential Material in *Prosecutor v. Salih*

Mustafa Case

Specialist Prosecutor

Jack Smith

Counsel for Victims

Simon Laws QC

Counsel for Accused

(Case No. KSC-BC-2020-05)

Julius von Bóné

Counsel for Victims

(Case No. KSC-BC-2020-05)

Anni Pues

Counsel for Hashim Thaçi

Gregory Kehoe

Counsel for Kadri Veseli

Ben Emmerson QC

Counsel for Rexhep Selimi

David Young

Counsels for Jakup Krasniqi

Venkateswari Alagendra, Aidan Ellis

1. The Defence for Jakup Krasniqi (“Defence”) hereby joins the Selimi Defence Request to Access Confidential Material in *Prosecutor v. Salih Mustafa* Case.¹ The Selimi Defence requests access to confidential material from the *Prosecutor v. Salih Mustafa* case (“*Mustafa* case”) for the duration of the proceedings in the *Prosecutor v. Thaçi et al.* case (“*Thaçi et al.* case”) and the *Mustafa* case without prejudice to authorised protective measures in both cases, including (i) all confidential closed and private session testimony transcripts; (ii) all closed session hearing transcripts; (iii) all confidential exhibits; and (iv) all confidential filings, submissions and decisions of the Trial Chamber.²

2. The overlap between the charges in the *Mustafa* case and the charges against Mr. Krasniqi in the *Thaçi et al.* case is clearly demonstrated in the Selimi Defence Request.³ The Defence strongly supports the submission that access to the material requested by the Selimi Defence is necessary for the Defence preparations, as provided in the Selimi Defence Request.⁴

3. Accordingly, the Defence respectfully joins the Selimi Defence Request and the relief requested therein.

Word count: 212

¹ KSC-BC-2020-05, RAC001/F00001, Selimi Defence, *Defence Request to Access Confidential Material in Prosecutor v. Salih Mustafa* Case (“Selimi Defence Request”), 16 November 2021, confidential.

² *Ibid.*, paras 1, 17.

³ *Ibid.*, paras 2, 8-15.

⁴ *Ibid.*, paras 2, 8.



Venkateswari Alagenda

Thursday, 18 November 2021

Kuala Lumpur, Malaysia.



Aidan Ellis

Thursday, 18 November 2021

London, United Kingdom.