

**In:** KSC-BC-2020-05  
**The 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:** 4 February 2022

**Language:** English

**Classification:** Public

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**Defence Rule 119 (1) Notice to present a Defence case**

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**Specialist Prosecutor**

Jack Smith

**Counsel for the Accused**

Mr. Julius von Bóné

**Victims' Counsel**

Anni Pues

## I. Introduction

1. In accordance with the Order of the trial Panel<sup>1</sup> (“Order”) and in accordance with Rule 119 (1) of the Rules of Procedure and Evidence before the Kosovo Specialist Chambers (“Rules”), the Defence for mr. Salih Mustafa hereby files its Notice that it will present a Defence case.
2. The list of Witnesses and Exhibits, containing information set out in Rule 119 (2) (a) and (b) of the Rules (Defence list of Witnesses and Exhibits) will be filed as per Order of the Trial Panel.
3. As the current Notice is *subject* to Rule 130 (1) Notice of the Rules, and the Defence has also filed such Rule 130 (1) Notice<sup>2</sup>, this 119 (1) Notice is filed with the expectation that the Rule 130 (1) Notice will take precedence over the Rule 119 (1) Notice.

## II. Submissions

4. The Defence files with this document the Notice as per Rule 119 (1) of the Rules of Procedure and Evidence to present a Defence case.
5. The Defence is of the opinion that the Rule 130 (1) Notice will take precedence over this Rule 119 (1) Notice.

**Word count: 298**



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**Julius von Bóné**  
**Defence Counsel**

4 February 2022  
At the Hague, the Netherlands

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<sup>1</sup> KSC-BC-2020-05, Filing 00296, Trial Panel, Second decision on the conduct of proceedings, 21 January 2022, paras 11-12.

<sup>2</sup> KSC-BC-2020-05, Filing F 00309, 4 February 2022