

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 Rapporteur
Judge Vladimir Mikula, Reserve Judge

Registrar: Dr Fidelma Donlon

Filed by: Dr Anni Pues, Victims' Counsel

Date: 18 March 2022

Language: English

Classification: Confidential with one strictly confidential annex

**Victims' Counsel's Submission of a strictly confidential, redacted version of
Annex 1 to Filing 334 (F334_01) pursuant to the Trial Panel's Oral Order of 9
March 2022**

Specialist Prosecutor's Office

Jack Smith

Counsel for the Accused

Julius von Bóné


Victims' Counsel

Anni Pues

I. ORAL ORDER OF 9 MARCH 2022

1. On 01 March 2022, Victims' Counsel filed her confidential submissions pursuant to the Third decision on the conduct of the proceedings.¹ Annexed to those submissions, were strictly confidential, *ex parte* only Annexes 1 and 2. These submissions were filed and registered as filing 334.
2. On 9 March 2022 the Trial Panel issued an Oral Order with regard to filing 334. It held that not all the content of these submissions warranted the *ex parte* classification. As such, it ordered Victims' Counsel to file by Friday, 18 March, a confidential redacted version of filing 334, Annex 1, or to file submissions on why the document must retain the current *ex parte* classification.²
3. In response to this Oral Order, Victims' Counsel hereby submits a 'strictly confidential', redacted version of Annex 1 to filing F334.
4. Regarding the classification of the annex according to Rule 82, Victims' Counsel notes that the document discusses the medical condition of victims, (issues relating to) the protective measures in place, and the question of how she can/must represent their interests as Victims' Counsel. She is therefore of the view that this version of the annex should be filed as 'strictly confidential', so as to ensure that the information is circulated within as limited a group as possible.

Word count: 276



Anni Pues

Victims' Counsel

18 March 2022

At The Hague, the Netherlands

¹ KSC-BC-2020-05-F00334, Victims' Counsel, *Victims' Counsel submissions pursuant to the Third decision on the conduct of the proceedings*, 01 March 2022, filed strictly confidential

² KSC-BC-2020-05, *In Court - Oral Order* issued on 9 March 2022, transcript pagination reference: Page 2527 Line 19 to Page 2528 Line 2) ("*Oral Order to Victims' Counsel Regarding F334_A01*"), 11 March 2022.