



SPECIALIST PROSECUTOR'S OFFICE  
ZYRA E PROKURORIT TË SPECIALIZUAR  
SPECIJALIZOVANO TUŽILAŠTVO

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

**Before:** **Trial Panel I**  
Judge Mappie Veldt-Foglia, Presiding  
Judge Roland Dekkers  
Judge Gilbert Bitti  
Judge Vladimir Mikula, Reserve

**Registrar:** Dr Fidelma Donlon

**Filing Participant:** Specialist Prosecutor

**Date:** 8 April 2022

**Language:** English

**Classification:** Public with confidential Annex

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**SPO Notice of Rule 102(1)(b) disclosure and related request**

**With Confidential Annex 1**

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**Specialist Prosecutor's Office**

Jack Smith

**Counsel for the Accused**

Julius von Bóné

**Victims' Counsel**

Anni Pues

1. Pursuant to the Framework Decision,<sup>1</sup> the Specialist Prosecutor's Office ('SPO') hereby provides notice of disclosure of new material, namely official notes recording a newly obtained statement by a witness in this case ('New Material').<sup>2</sup> Conscious of the expiration of its Rule 102(1)(b) deadlines,<sup>3</sup> the SPO requests the Trial Panel's leave to formally disclose the New Material pursuant to Rule 102(1)(b) the Rules.<sup>4</sup> The reason for the late disclosure is explained in the related official notes: the new statement arose from contact initiated by the witness and was received by the SPO on 25 March 2022. The New Material is provided in *Confidential* Annex 1 to this Notice, in its original version and corresponding translations.

2. Annex 1 to this Notice is filed as confidential in order to protect sensitive information and identification details that need to remain confidential.

RELIEF REQUESTED

3. For the foregoing reasons, the SPO requests the Trial Panel's leave to disclose the New Material pursuant to Rule 102(1)(b).

**Word count: 217**



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**Jack Smith**

**Specialist Prosecutor**

Friday, 8 April 2022

At The Hague, the Netherlands.

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<sup>1</sup> Framework Decision on Disclosure of Evidence and Related Matters, KSC-BC-2020-05/F00034, 9 October 2020, Public, paras.44-49 ('Framework Decision').

<sup>2</sup> ERN 105371-105372 and 105373-105375. *See Confidential* Annex 1.

<sup>3</sup> Framework Decision, KSC-BC-2020-05/F00034, para.90.

<sup>4</sup> Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules'). Unless otherwise indicated, all references to 'Rule(s)' are to the Rules.