

**In:** KSC-BC-2020-05  
**The Specialist 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:** Fidelma Donlon

**Filing Participant:** Defence

**Date:** 21 March 2022

**Language:** English

**Classification:** Public redacted

---

**Public redacted version of Defence submissions**

on the addition of a person to the list of authorised contacts of Salih Mustafa  
with confidential Annex

---

**Specialist Prosecutor's Office**

Mr. Jack Smith

**Counsel for the Accused**

Mr. Julius von Bóné

**Registry**

Dr. Fidelma Donlon

## I. Procedural Background

1. On 18 March 2022, Trial Panel I of the Specialist Chambers (SC) ordered the Defence to submit submissions on the addition of a person to the list of authorized contacts of Salih Mustafa (the “Order”)<sup>1</sup>. The defence requested that the Accused be facilitated in contact with an immediate Family Member (Family member or individual) due to the medical circumstances of this individual. The individual is not on the list of contacts authorized by the Panel in the Segregation Decision (“Segregation Decision”) of 2 August 2021<sup>2</sup>.
2. The specifics of the submissions were outlined in paragraph 8 of the Order. The defence was ordered to submit it by Monday 21 March 2022.
3. The defence notes Rule 56 (1) of the Rules of Procedure and Evidence.
4. The Defence further notes [Redacted]

## II. SUBMISSIONS

5. With this document the defence files in the Annex, the personal details of the individual, a copy of Identity documents, the language to be used and the manner through which the individual can be contacted.
6. The defence requests only contact between the individual and Mr. Mustafa through the means as indicated in the Annex.

---

<sup>1</sup> KSBC 2020-05/F00347, Trial Panel I, *Order for submissions on the addition of a person to the list of authorized contacts of Salih Mustafa*, 18 March 2022.

<sup>2</sup> KSC-BC—05. F. 00162, Trial Panel I, *Decision on Specialists Prosecutor’s request for segregation and other measures*, 2 August 2021.

<sup>3</sup> KSC-BC-2020-05/F00351. *7th Monthly Registry Report on Segregation of the Accused* with two confidential and *ex-parte* annexes, 18 March 2022, Annex 2 paragraph 4.

7. Should the medical situation of the individual further deteriorate, the defence will file an urgent request for an in-person visit under supervision pursuant to Rule 56 (3) of the Rules of Procedure and Evidence. At this point, the defence submits that it is in any event unlikely that the medical condition of the individual will improve.

### III. Conclusion

8. The defence submits that the Accused will be facilitated in contact with the individual as mentioned in the Annex with conditions to be set by the Panel.

**Word count: 488**



**Julius von Bóné**

**Defence Counsel**

21 March 2022

Done at The Hague, the Netherlands