



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEĆA KOSOVA

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

Filed by: Dr Fidelma Donlon

Date: 1 February 2023

Language: English

Classification: Public

**Public Redacted Version of "Registry Submissions Pursuant to Order F00492",
filing F00507, dated 31 January 2023**

Specialist Prosecutor's Office

Alex Whiting

Counsel for Mr Mustafa

Julius von Bóné

Victims' Counsel

Anni Pues

I. INTRODUCTION

1. On 15 December 2022, Trial Panel I ('Panel') ordered, among other things, the Registrar to indicate by 31 January 2023 whether certain identified filings can be reclassified as public or to submit reasons for maintaining the classification thereof; and to submit, by the same deadline, public and/or confidential redacted version(s) thereof, as the case may be.¹

II. SUBMISSIONS

A. PUBLIC

2. The Registrar has no objection to the reclassification of the following filings as public: F00473 and F00164 (currently classified as confidential).

3. Pursuant to the Order, the Registrar has submitted public redacted versions of 16 confidential Registry reports related to the conditions of detention of the Accused, namely: F00210, F00240, F00254, F00284, F00293, F00322, F00351, F00384, F00409, F00438, F00461, F00467, F00484, F00488, F00490, and F00499.²

4. Pursuant to the Order, the Registrar has also submitted public redacted versions of four other related submissions: F00146, F00179, F00255, F00367.

B. CONFIDENTIAL

5. The Registrar has no objection to the reclassification of the following filing as confidential: F00141, currently classified as strictly confidential and *ex parte*. The classification of confidential is necessary, as it refers to information that currently bears the same classification.³

¹ KSC-BC-2020-05, F00492, Order for submissions on the reclassification of filings and/or submission of public and/or confidential redacted versions of filings, 15 December 2022 ('Order'), para. 15(d).

² Although F00499 was filed on 10 January 2023, after the Order was issued, the Registrar has also filed a public redacted version of its final and sixteenth report (F00499), currently classified as confidential, consistent with the Order. *See* Order, para. 7 (noting that "the Panel considers it appropriate to make matters related to the variation of the Accused's conditions of detention public").

³ [REDACTED]. [REDACTED].

6. For filing F00174, which is currently classified as confidential (redacted), the Registrar submits that the current classification continues to be necessary, [REDACTED].

C. STRICTLY CONFIDENTIAL

7. For four filings (F00269, F00270, F00273, F00277),⁴ which are currently classified as strictly confidential and *ex parte*, the Registrar submits that the current classification continues to be necessary [REDACTED]. [REDACTED]. Due to the sensitive nature of this information, the Registrar submits that the current limited distribution [REDACTED] is appropriate.

III. CLASSIFICATION

8. Pursuant to Rule 82(4) of the Rules, this filing is submitted as strictly confidential and *ex parte*, as it refers to information that bears the same classification.⁵ The Registrar will file a public redacted version of this submission.

Word count: 420



Dr Fidelma Donlon
Registrar

Wednesday, 1 February 2023
At The Hague, the Netherlands

⁴ [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED].

⁵ Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3, 2 June 2020 ('Rules').