

Public Redacted Version of Second Defence Motion for Judicial Notice of Adjudicated Facts

Annex A

Public

PROPOSED ADJUDICATED FACT	SOURCE
<p>The defense has submitted two lists, purporting to identify members of the Local Police. [...] As argued by the Prosecutor, if the KLA had information or was in possession of lists at that time and used them as the basis to suspect that the detainees were Local Police, or were engaged in activities hostile to the KLA, they would surely have confronted the detainees with these allegations. Again as argued by the Prosecutor, [REDACTED] who conducted interviews with the detainees while they in Ivaja, testified that he had no information as to why the detainees were kept there. In any event no claim was made that these lists were used by the KLA as a basis for the detentions. Thus even if these lists are accurate and reliable they fail to establish that they formed the basis upon which the detainees were arrested and held in captivity.</p>	<p><i>Verdict of District Court of Pristina against the accused Rrustem DEMA, Enver AXHAMI, Ejup RUNJEVA, Bujar TAFILI and Nuhi PROVOLIU, P. No. 215/04, 12 May 2005, p. 51.</i></p>