

Annex 2 to  
Submission of Publicly Redacted Statement of Nasim Haradinaj  
(ENG)  
Publicly Redacted

**WITNESS STATEMENT OF NASIM HARADINAJ*****Background***

1. I, Nasim HARADINAJ, son of Ismajl, was born on 21 May 1963 in Glllogjan, Deçan municipality, Kosovo. I live in Glllogjan, Municipality of Deçan, Kosovo. I am a citizen of the Republic of Kosovo (personal number 2021293167).
2. I completed primary school in the village of Gramoqel, Municipality of Deçan and high school in Deçan. I started my national activism at a young age, initially inspired by my grandparents, who told me stories of how Milic Kerste's Serbian gendarmerie killed Albanians and forced Albanians to go to the Decani Monastery where they used violence to convert them to the Orthodox religion and to also change their national identity. The Monastery Pope forced them to convert by spraying them with water, while in villages, Serbs occupied the homes of Albanians and they forced Albanians to sleep in stables, and Albanians were systematically abused and killed. This persecution of Albanians and our family continued in Ranković's era and beyond during the socialist Yugoslav system.
3. While still in high school, I started my activities for the liberation of our lands. From the age of 15 years old, I engaged in political activity against the Yugoslav oppression and later, with friends, I created the political group called "Shqiponja" (Eagle), where I was also the leader of the group. Following many activities organised by Shqiponja (e.g., deleting Serbian street names) and organizing demonstrations in 1981, at midnight on 1 April of that same year, I was arrested for organising those activities by the Yugoslav State Security together with my father Ismajl HARADINAJ and my 15-year-old sister Shqipe. I was charged with propaganda and enemy activities against the State. My father was engaged much earlier together with Jusuf Gervalla, who in 1982 was killed by the Yugoslav secret security services together with his brother Bardhosh and their friend Kadri Zeka in Untergruppenbach, Germany. Ismail organized and formed political groups operating throughout Kosovo for the liberation of Albanians within the territory of then-Yugoslavia and was the leader of the Decani Committee. They imprisoned my father and me. He was sentenced to an aggregate sentence of 16 years, and I was sentenced to 5 years in prison, a severe sentence for a juvenile. I

was sent to Serbia to serve my sentence out of Kosovo, but in prisons that were for adults and in the harshest and most infamous ones such as Niš and Leskovac.

4. After my release, I was deprived of the right to education, and after eight years, I finally managed to enrol as a part-time student at the Faculty of Chemistry at the University of Prishtinë. Throughout this time, I was periodically raided and summoned for questioning and tortured by members of the Serbian intelligence service. This happened because my father was continuously in jail, and my brother was a fugitive. The Serbian intelligence frequently beat me to try and get me to tell them where my brother, Naim, was – as he had fled to Sweden at the time. The Serbian intelligence kept putting pressure on me to collaborate with them, but I never would. This happened to me approximately four times a year.
5. In 1985 I got engaged to Gjejlone GJIKOKAJ, and for this reason, she was expelled from the Faculty of Physics even though she was in her last year of studies, as she was now considered “an enemy of the system”, and when persecution kept worsening, we decided to flee to Albania. We stayed in Tropoja, Albania, for three weeks, then returned to Kosovo. Upon our return to Kosovo, my fiancée and I were sentenced to prison time for illegal border crossing. I was kept in Peja whilst my fiancée was in Mitrovica serving her sentence. Upon our release from prison, we were married on the very same day, without any ceremony.
6. After many raids by the police, one day in 1989 at approximately 4 am, our house was surrounded by the police; and after a long raid, I was arrested, without saying anything of where they were sending me and how long they would hold me. That day, one hundred and seven (107) intellectuals were arrested throughout Kosovo and sent to isolation outside Kosovo, that is, in Serbia. I and some others were first sent to Leskovac, where we were tortured and brutally beaten and then from the injuries we sustained there, they had to send me to the prison hospital “CZ” in Belgrade. For thirty (30) days, no one knew about us, and during that time, we were continuously threatened that we would be killed by those detaining us. After an intervention by the International Red Cross, we were released, and even then, traces of injuries and beatings were still visible.

7. I was also part of the group initiating the eradication of blood feuds in the nineties, when hundreds of Albanian families reconciled. Albanians used to kill each other to settle disputes – but these murders were not dealt with appropriately in Serbian courts. So, a system of blood feuds was constructed to deal with providing justice to those that were murdered. I was forced to live illegally in Kosovo since then because the state security was looking for me as I had already decided not to surrender.
8. Following a series of raids at our house trying to arrest me, only my grandmother and wife were found at home, I decided to leave Kosovo in April 1990 and arrived clandestinely in Sweden to stay with my brother Naim. After three months, in July 1990, my wife and my three children arrived in Sweden, also clandestinely.
9. In Sweden, I worked as an official translator until 1997. During this time, I intensively engaged in activities organizing and supporting the Kosovo Liberation Army (“KLA”). I was an active and organized member of this voluntary liberation army.
10. I organized many meetings in many countries of the world, and I sensitized the public for the necessary liberation, and the just war and these organizations mobilized thousands of volunteers and funds for the liberation efforts.
11. I entered Kosovo for the first time armed in January 1998. However, in April 1998, I returned to Kosovo permanently to fight with the Kosovo Liberation Army (KLA). In Kosovo, I was on the frontline in some villages of the Deçani area. At the end of May 1998, I was wounded in the head, and at the beginning of June, I returned to Albania where I worked for the unification of the forces located throughout Albania, and we created together with others a force that broke the border and officially took control over the first and the only barracks during the entire war in Kosovo. So, this brigade was specific and in regular coordination with Albanian and American officers. We achieved what is known today as the Battle of Koshare, and Serbia is aware of its effect. During the battle of Koshare (9 April to 10 June 1999), the KLA forces were supported by NATO, and it was one of the bloodiest battles during the war.

12. I never intended to become a commander or assume any specific military post, but my goal was simply the liberation of the Homeland, and my extended family and I spared nothing to achieve the freedom of my country.
13. Following the liberation, I worked for a short time in the Kosovo Protection Corps (KPC) from 1999 to 2001. After that, I went back to Scandinavia and worked for a year and a half in Norway and came back to Kosovo again. During this period, I mainly worked the land and was engaged in agriculture.
14. I first met Hysni GUCATI around March 2004 or 2005 at an event commemorating the war while I was visiting Skenderaj.
15. In 2010 I was appointed director of the Directorate of Agriculture in the Municipality of Deçan, and I held this position until 2019.
16. On 15 September 2017, Hysni Gucati was election was elected as President of the KLA WVA. Following his election, I was elected as Vice President and Spokesperson of the KLA WVA in Prishtinë and served in this role until I was imprisoned by the KSC and the SPO in The Hague on September 25, 2020.

### *The KSC and the SPO*

17. It is important to note from early 2019 until before the first disclosure, known as Lighting Strike One (LS1), the KLA WVA faced a lot of criticism from all sides - the government, the opposition, from some media and members of civil society (that were receiving international funds). This pressure against the KLA WVA increased when we collected 11,700 signatures requesting that the Assembly of Kosovo amend the law on the KSC. We were asking for the introduction of an amendment foreseeing investigation into **all crimes** committed, regardless of who committed them. To be clear we were not seeking the abrogation or closure of the KSC, we believed in justice, we wanted to ensure that all persons, including Serbian war criminals, were held accountable. We considered the failings of the KSC to be so significant and contrary to any principle of justice, that it had to be addressed by our lawmakers. This session failed following interference from outside, but we tried again to request another session from the Assembly, to discuss the same issues and to

not extend the KSC mandate that was due to expire in August 2020 due to these failures to uphold standards of justice. We sent requests to the then President of Kosovo (Hashim Thaçi), the Speaker of the Assembly (Mrs Vjosa Osmani), as well as all the chairmen of the parliamentary groups including the Serbian List as the representative of the Serbs in the Assembly.

18. The WVA's main goal was to amend the relevant law so that it ensured that the KSC was to go after all the criminals who committed the crimes – whomever they were – Serb and Kosovan Albanian. WVA's position was that if the Government of Kosovo refused to accept this, WVA would then proceed with not supporting the SPO and the mandate of the KSC. Because the way they (the KSC/SPO) were behaving clearly seemed to be selective and mono-ethnic, otherwise we would have nothing against it. So, we support justice, but not selective justice built only on the data of the Serbian chetnik organs, specifically the executors of crimes.
19. After that, the WVA expected that at least when the government returned from the summer recess that they would organize a session in Parliament on this topic, but they did not. This session was never held even though we had secured the signatures of seven parliamentarians that was enough to make the convening of the session mandatory, on top of requests sent to each political force in the Assembly. They chose to remain silent and find excuses, and to this day, the session has never been convened. From this time, the WVA was not favoured at all by either the Kosovo government or the opposition, and least of all by the SPO. We became a target for all those who wanted to justify their vote. We also became a target from the NGOs and international organisations too.
20. It is important to note here, that during all this time, and despite all the public criticisms made against the failures of the KSC and SPO to uphold transparent standards of justice, equal application of the law and operate as an institution of Kosovo, no person ever came to visit me or any member of the WVA leadership to discuss these concerns. We were ignored.
21. The WVA did not want to impose their wishes but wanted consideration of what they were asking for and then for a vote to take place. However, our opinion expressed in various debates in the media and the unprecedented and

improper actions of the SPO started to have an impact on people who started to realize the truth about the SPO, leading to a change of opinion about KSC and the SPO. The WVA began to realise that the members of the Parliament who had originally voted for the Court were now feeling embarrassed and were trying to find excuses to avoid being blamed for authorising the creation of the KSC. They now said that they did not know that the SPO would cooperate closely only with Serbia and with the Serb chetnik criminals, those very same persons directly involved in numerous massacres in Kosovo and wanted by Kosovan institutions for trial. This should not have happened, otherwise, they would never have voted for this kind of mono-ethnic system and felt betrayed. The WVA requested only one session to discuss our concerns and the prevailing opinion in Kosovo, but this parliamentary session was never convened by Speaker Osmani, although the requirements for such convening the Parliament were met in accordance with the Rules of Procedure of the Assembly.

22. The position of the KLA WVA is that we believe that the KSC had been unjustly established, as it did not consider Serbian perpetrators and only targeted members of the KLA. That is not justice. The main perpetrators of war crimes would not be charged. The Serb military and paramilitary leaders responsible for carrying out massacres throughout Kosovo were not under investigation. This caused real concern as to the legitimacy of the entire process. Before I became vice president and spokesman of WVA of the KLA, as a veteran, I was already aware of the complaints of veterans who were invited by the SPO. Veterans had personally and voluntarily informed me about it. This was from approximately 2015. It was reported that during this time, the SPO began to become more active. Allegations were made that the SPO was interrogating individuals also during the transportation in Jeeps without lawyers present. Then, it was also reported that over the last year, the SPO had begun to send invitations through Viber and WhatsApp. I did not feel that such invitations were legitimate, and I was concerned at reports that the SPO had been calling people in two capacities at the same time, as witnesses and suspects, which I describe further below.

23. When the SPO began calling people in this way, the WVA as an organisation began to hear from a lot of its members. Members would inform us or post on

their Facebook that they were called in for questions by phone via Viber or WhatsApp. Only those members who wanted to inform the WVA did so, and no-one was put under any pressure.

24. When we heard about these methods, in early 2020, I reacted on TV, for example when I appeared on T7 with another lawyer and called these SPO actions as a big and unprecedented problem. I said that the people were being unduly pressured and that the SPO's actions did not seem humane or even legal.
25. Over time (especially from 2018 onwards), it became clear that the SPO was interviewing individuals on the basis that they were witnesses but that they were then telling them they were to be treated as suspects. They were being called "witness/suspects." Several former KLA soldiers reported being summoned in this way. My view was that the SPO was doing this to instil fear in individuals. Some of the former KLA soldiers may not have an educational background. Most of them are in dire economic conditions, meaning very poor and unemployed. So, some of these people can be quite vulnerable and can be manipulated during interrogation, which is what the SPO appeared to be making a practice, using their vulnerability.
26. It is important to remember that since the establishment of the KSC, the previous KLA WVA leadership had decided in 2015 not to cooperate and not to respond in any way to the SPO. This decision is also protocolled.
27. On 15 September 2017, the WVA convention was held, and we took over its leadership sometime in early 2020. After we had publicly criticised the methods used by the SPO on many occasions, the SPO began to change their approach. They tried to set a precedent that it was KLA veterans who were not cooperating with the SPO investigations – not responding to telephone calls etc – but this was simply not true. The media presented as fact the case of Remzi Shala known as "Red Apple". For us, this was an artificially created precedent to be used by the SPO, to enable them to now proceed with unannounced arrests. However, the WVA wanted to use any public appearance (on television etc.) to set the record straight. Both Hysni Gucati and I made public appeals so that anyone contacted by the SPO should respond to their calls and not fall into the trap that the SPO was trying to set for us. From September 2019, I had



said this many times in appearances on television debates on various channels, including the following TV stations: T7, Dukagjini, RTK and many other media outlets. It was our belief that not responding meant that we were afraid to face justice, while there was no reason to be afraid. We did not want the SPO to falsely portray that our members were allegedly fleeing or being non-cooperative.

28. Personally, I have never been contacted or had any meetings with SPO officers before 17 September 2020. Also, I have never at any time after the war, met with the predecessors of this SPO, such as UNMIK, EULEX or the SITF. To date, even after 16 months in detention, I have still never been interviewed by the SPO.

29. I have made my concerns about the KSC public since about the end of 2017. From this moment, I expressed these concerns whenever I appeared on expert panels of many television programmes on most of the Kosovo television channels – e.g., RTK, T7, TV Dukagjini, etc., which are the main broadcasters with national coverage.

30. It should be underlined that I publicly and persistently emphasized that there should be no selective and racist responsibility, but that all crimes should be prosecuted and all those who have committed crimes, be they Serbs, Albanians, or others, should be held accountable. So, all those responsible should be prosecuted. I want to point out that this has been my position from the beginning, and I reiterate that it is still my position. I do not oppose justice; I support it. I do oppose injustice and I do oppose selective and one-sided prosecutions; that is not justice and the public in Kosovo have the right to know whether its national institutions are operating in accordance with the law.

31. I publicly called for the SPO to investigate the 460 massacres committed by the Serbs. The victims were aged from babies all the way up to the elderly. I mentioned these facts because it simply was not right. Serb crimes are not prosecuted by the SPO, which does not intend to investigate where Serbs are implicated. The public has the right to know that. Therefore, I have referred to such crimes hundreds of times because it was obvious that the KSC was not going to do anything at all. I wanted the public to know this, as such information

is in the public interest. I further wanted the public to have it explained and clarified that the KSC is a purely monoethnic and selective Court.

32. My second concern about the KSC is its cooperation only with Serbia and specifically with the executors of crimes. I would have no objection to cooperating with Serbia if Serbia were different from what it is today. I emphasize that to this day; Serbia has not distanced itself from the anti-Albanian politics of Milošević. Even today, the Serbian politics and government deny the crimes and massacres that are already known worldwide – more they deny the existence of Kosovo as an independent sovereign state. I recall the recent denial of the Recak Massacre, which was publicly denounced by Ambassador W. Walker himself. So how can there be cooperation with Serbia?
33. The KSC is mono-ethnic, and the SPO only want to prosecute alleged crimes committed by the KLA. If crimes were committed, was it not possible for somebody other than a member of the KLA to commit such crimes? The entire Kosovo is not composed of former members of the KLA.
34. Following the disclosure of the leaked SPO documents, my concerns were justified by the fact that the SPO cooperated with the war criminals themselves, opened their investigations based on the data provided by the same executors and based on investigations that were previously led by [REDACTED] and the Serbian Chief Prosecutor, Vladimir Vukčević - something that came to light and was confirmed, if authenticated, by the files and documents leaked from these chambers themselves.
35. However, the leaks disclosed an even bigger problem - the leak of the SPO documents demonstrated, again if the documents were authenticated and determined to have come from the SPO, one of two things. First, that someone in the SPO had intentionally leaked the documents. Second, that the SPO had suffered a security breach so significant that it undermined the very purpose for its establishment outside of Kosovo. It was the leak, either intentionally or following a security breach, that had caused concern. We still do not know how wide the leak was and it is very possible that documents were given to other persons. This became very worrying, not only that these files did not protect

anyone but showed that their own investigations were based on the data provided by Serbian officials engaged in the commission of war crimes.

36. It was already in the public domain that files of investigations and court proceedings held by prosecutors in Kosovo were handed over at the same time to Serbian bodies and prosecution, thereby exposing Kosovan witnesses and victims. This information had been disclosed publicly ever since the time of the Italian Chief Prosecutor in Kosovo, Salustro – the first prosecutor who was known to have collaborated with the Serbs. Furthermore, I came to know he had cooperated with Serbian investigators and prosecutors and had later moved to Belgrade as an advisor to Serbian institutions, as it was also made public by EULEX judge Malcolm Simmons and former EULEX prosecutor Maria Bamieh. I knew this long before September 2020, so I thought this information was already known to the public. My suspicions of so-called justice institutions, including but not limited to EULEX, were therefore well-grounded. These disclosures from the leaks of SPO documents only served as evidence that the SPO simply followed the same path as SITF and EULEX.

37. We are upfront about our position on the KSC/SPO. As discussed above, we talked to parliamentary groups about ending the SC's mandate in June 2020. We thought that the KSC's mandate would end in August 2020 and sought clarification on that. There is nothing illegal in doing that. We approached them in the most democratic way possible. We have never had any intention to find ways to block the work of the KSC/SPO. Our intention was to try and amend existing laws relating to the KSC/SPO or to abrogate it. If abrogation did not work, then we would at least try to change the KSC/SPO to make sure that the KSC/SPO went after all crimes, including ones committed by the Serbs or others. That is different to trying to block it. I have never had any intention to obstruct justice. Instead, I favoured justice for all.

*Regarding Public Interest*

38. There is public interest in Kosovo to know and understand how its justice institutions operate, particularly regarding its relationship with Serbia. That is a very painful subject for all of us in Kosovo. Many families have suffered at the

hands of Serbian oppression. To suggest that those same Serbian oppressors are directing the prosecutions and providing false testimony was unthinkable.

39. I am not just an ordinary person who by accident came to the helm of WVA. Therefore, it was expected of me to do what I have done. I am a person involved in all patriotic processes and developments for the freedom of my country with 45 years of experience growing up through family and individual sacrifices and a background of a complete political life. I may not have held a senior government or institutional position, but I have been a part of political initiatives and activities for the good of my country. I have been ready to sacrifice for the good of my people – I have never been after any personal gain.

40. I belong to a family where each generation swore on the grave of their predecessors that they would do everything necessary in the lawful defence of their country. For example, my son Gurakuq, born and raised in Sweden, supported by his sisters and my brother and other family members, has returned from Sweden, and is currently serving in the Kosovo Army. He went to his grandfathers' grave and swore there that he would continue the same activities of defence of our country, and this shows that this is our family tradition and pride because we value freedom.

41. At the end of the day, any isolated case, even involving a member of the KLA, should be investigated by the KSC for an alleged crime during the Kosovo war. However, I would see this as fair only when the same SPO would investigate and prosecute criminals now already known from the other party to the war. Only then would this be equality before the law and based on the same standards.

42. In May 1998, when the war started, the Serb Chetnik army entered the village of Lubeniq in Peja and shot six civilians. Also, in April of the next year, in 1999, again in the same village Lubeniq, they entered and emptied the village from all the inhabitants forcing them to leave for Albania and separated from the crowd about 61 people and executed them. There were men, women, elderly, and infants amongst them, and later some were burned alive in their homes. There are also many other documented testimonies of eyewitnesses who, in addition to the names of police officers, also gave some names of Serb and Roma

residents of the same village, who selected some individuals to execute. These testimonies have been given to UNMIK and to EULEX, but nothing was investigated. Also, regarding the disappearance of Professor Ukshin Hoti there has been an authentic story this year from a member of the Serbian murderous unit who stated on a Serbian TV that: "*Ukshin Hoti was arrested immediately after he was released from Dubrava prison, and he was brought to the village of Lubeniq where he was executed by attaching TNT to his head.*" All these events should also fall under the mandate of the SPO, and some of these criminals are also residents of Kosovo, but nevertheless, none of them or these events appear to be prosecution targets for the SPO.

43. These events in Lubeniq, but also those in Drenice, Llap, Llaushe, Rahovec, Krushe e Vogel, Meje and around Kosovo, are described in the wartime press as the current SPO Coordinator [REDACTED] was ordered and instructed by Milošević himself. [REDACTED] and his subordinates were receiving instructions about legal descriptions from the Chief Prosecutor for War Crimes, also now a key collaborator of the SPO, namely Vladimir Vukčević. These massacres were justified by the fact that it was a reaction of the Serbian army as they were attacked somewhere along the way.
44. This Court should have tried to get this information from its coordinator and the Serbian government, but it is clear that the search for information has been selective and discriminatory. Why isn't the SPO calling Serbs and other nationalities of Kosovo who are hiding in Serbia and interviewing them as well? As citizens of Kosovo, they can bring them to The Hague if they have no facts, then they can gather evidence; they have had years to do so and yet have failed or refused to do so. The question must be asked as to why.
45. The SPO only wants to punish us. For example, the SPO is not even proving to us how the material was brought and who brought the material to the WVA. While they insist that we be punished. But still, they want to persecute us by seeking to punish the President and the Vice President of the WVA. I have had and still have the impression that I had a duty to share this information for the sake of the public interest and the people we represented. The Kosovan people began to trust us, and the people concluded that the KSC was indeed a mono-

ethnic court. When the documents were leaked, the WVA felt that we had to release the documents in the public interest. If we had just informed the public that there had been a leak, then the WVA knew that we would be accused of forging or fabricating the documents. The public had an interest in knowing the extent of the cooperation with Serbian war criminals.

### ***The Material Facts***

#### **The first disclosure**

46. 7 September 2020 was a Monday. On Mondays, as it was the beginning of the week, we would usually gather in the President's office and assign the work of the week, and it was during that time that the documents arrived (the first disclosure). This delivery is known as "Lightning Strike One" (LS1), it arrived between 10:00 - 10:30.
47. At the time the delivery arrived, I was in Mr GUCATT's office with Faton KLINAKU and Cele GASHI.
48. Taibe MIFTARI rushed into the office and told all of us inside that somebody came and left a package and then left immediately. I asked her who it was, she said that the person who had dropped the documents had said something along the lines of: "these are for the guy who speaks on television". This meant that he was alluding to me since I also had the role of WVA spokesman. It was something surprising. Taibe told us that the delivery man was wearing sunglasses, a face mask, and a baseball cap.
49. Taibe Miftari was so terrified by the entire incident. I and the others present went out into the corridor to where the batch was because we wanted to see what it was. Taibe was worried and said, "no, no, no, there may be something inside," alluding to a bomb, and was screaming "don't touch it!". We were all worried, I approached the package, and as far as I remember, Hysni or someone else told me not to touch it then. I was also worried that it could be something dangerous. One of the men (I do not remember exactly who) grabbed the box and removed it from the table in the hallway and sent it to Hysni's office, and we started to see what that delivery was. There was nothing written on the

outside of the package – it was simply closed. The width of the package was roughly of A4 format, and when we opened it, we realized that inside it was four stacks of paper that were not tied. We pulled the documents out and put the empty package under the table.

50. We took the papers out of the package, placed them on the table and assessed what they were. None of us had any idea who was behind this and where this delivery came from. For this reason, we had no idea whatsoever what these documents were.

51. Then we placed them on the table in bundles as they were placed in the package 1-2-3 etc., and we started to quickly check what they contained. Firstly, we wanted to see whether they were all the same or like each other, but when we looked at the top page and compared them to the others, they were not similar. We were all involved in checking these papers – I was checking one pile of papers, and the other people present (like Faton, etc.) were checking the other piles of papers. I asked the others not to mix up the papers. Following a quick review to compare the papers, as far as we could, it appeared that the batches contained similar content.

52. At that moment, we, as a close presidency, decided to call the press conference. The reasons for calling the press conferences were (1) to be transparent about the circumstances of the deliveries (2) to allow the press/media to see what we had received and to confirm the contents of the documents (3) to leave to the press/media to do with those documents what they thought best, using their professional judgment, and (4) to show that the KSC/SPO was cooperating with the Serbian Authorities, namely with those involved in numerous massacres in Kosovo. This was important because at the time the Court was established, the public were told both by the Court and the Kosovan Government that the Court would not cooperate with Serbian authorities. In 2014 and 2015, the public was told that the Specialist Chambers would be established as a special chamber of Kosovo and would investigate several cases. Then we, the KLA WVA, realised (probably a little too late) that the Court was going to investigate only the KLA. We then called for the establishment of a local court under international supervision to prosecute all crimes committed in

Kosovo, as it started to become obvious that the SPO was acting unilaterally and selectively. It was in the public interest to inform what had been brought to us.

53. When the journalists came, they asked what the papers contained. We told them that, in our opinion, the papers all looked similar. But admittedly, this was based on what we could check at the time because, realistically, we could not check all the 1000s of pages there (4 batches – with each batch containing approximately 1000 pages). We believed that we had four copies of the same documents, although we could not be certain due to the shortness of time and that many of the documents were in a language that we could not easily understand.

54. As mentioned earlier, in 2015, there was a protocolled decision by the then Chairmanship of the WVA, which directed the veterans not to reply to any summons that they may receive from the SPO and not cooperate with them in any way. However, we asked the veterans to at least respond to the calls of the SPO, just to prevent scenarios of violent arrests and spectacles and capturing of people on the streets and elsewhere. Therefore, in accordance with this earlier decision, we did not think that we should call them directly as this could create the wrong impression and it was the conduct of the SPO itself that led to this decision being taken in the first place. We, therefore, decided to call them indirectly through the media as such an action was in the public interest. I was concerned about the total disregard and indifference of the SPO. Because the very arrival of these documents was an extraordinary event and a public concern as to how such material ended up in our offices, and that looked like a trap for us.

55. Then we held the press conference at approximately 13:00, which was aired live. During the press conference, I informed the Kosovo Police, the Special Prosecutors' Office of Kosovo, and the SPO of The Hague, that I was saving a copy of the documents for them so that they could see what they are and was awaiting an explanation. I, therefore, considered this as a very public invitation to these organisations – although I decided to not directly call the SPO.



56. I was very disappointed with the SPO, and by calling the press conference, we invited the press to come and see exactly what the SPO was doing and to explain themselves. The invitation to the press was sent via email by Faton Klinaku.
57. At the press conference, over 25 journalists were present. The press conference lasted for approximately 30 minutes. We had the material on the desk in front of us during the press conference, and the journalists would approach, browse the papers, and discuss them with one another. I did not mention the identities of witnesses or individuals or speak about evidence that these people may have given. No Serbian names were mentioned as far as witnesses were concerned. All I did was mention communication between the SPO and the institutions in Serbia and mention by name the same Serbian officials who were public people in public offices in Serbia.
58. There were representatives from several Kosovo news agencies, including: RTK, Kosova Press, T7, Ekonomia Online etc. Kosova Press News Agency has everything recorded.
59. The journalists had decided to come and get a copy of the documents – everyone for themselves. I said that we were going to save a copy for the SPO and put one aside. I recall speaking to Halil Berisha at the time. He was the first to come and request a copy. Other journalists protested. They started getting copies from the third pile. They asked me if there were other copies. I said that I did not have any more copies, only these that were brought, nor would we make any copies.
60. I do not accept what Halil says in his statement – I did not ask him to make the copies for the other journalists.
61. The batch of leaked documents that we received contained four copies of the documents – one we reserved for the SPO and one which Halil took. The other two were taken by journalists.
62. Everybody was interested in getting as many documents as possible to break the news for themselves. All the journalists were very excited and surprised by the appearance of such material. We learned from the media that the SPO had

called all the media that evening after they had seen the story to calm down the situation. The editors who made the documents public – did so of their own initiative and free will.

63. I think that by 14:00, there was nobody left in the room. Maybe the office was still open until 16:00.

64. Sometime after the press conference, I travelled to Albania for five days but continued to have a lot of pressure by phone – lots of journalists asking for copies. I told them that no copy was left in our offices and suggested they approach Halil.

65. I went on vacation to Albania together with my son, my daughter-in-law, and their child, as they had prepaid our vacation.

66. I found out from the media that the SPO had contacted the WVA Secretary, Faton Klinaku, to get a copy of those documents. Speaking in his capacity as a secretary, Faton told them that according to a decision we had taken together, he was not going to give the documents to the SPO before the Kosovo Prosecution or the Kosovo police were involved and invited the SPO to come back the following day.

67. Sometime in the evening, Faton Klinaku and Cele Gashi called me and let me know that Mr Gucati had ordered Faton to give the SPO the copy of the documents and that Faton had done so. I had no objection to this.

68. It should be noted here that no search of the premises was conducted by the SPO following the receipt of the documents.

69. I returned from my holiday in Albania on Sunday, 13 September 2020. For the five days that I was away, no one from the SPO or the local police or prosecution had tried to contact me.

### **The Second Disclosure**

70. On Wednesday, 16 September 2020, between 09:30 – 10:30, the second batch of documents arrived at WVA. This is known as “Lightning Strike Two” (LS2). Wednesday 16 September was a working day. Taibe informed us that she saw a

masked man deliver a package of documents. When this happened, I was in Hysni's office with Faton and Faik Fazliu. Taibe came into Hysni's office and said: "Another package came". At this point, Faton quickly left the office, and later I learned that he had attempted to chase the delivery person while he was leaving the building.

71. I did not see Faton chase the man, but when he returned, Faton told me, Hysni and Faik, that he had approached the delivery man on the staircase. I asked why Faton had done so; I was concerned as it could have been dangerous. Faton replied that he had wanted to try and find out who the delivery man was.

72. After the second delivery, I recall us approaching the Kosovo police to ask them for help and for protection because we saw all sorts of unusual activity from strange unknown vehicles, but we never received a response from them and never saw any action.

73. After the first disclosure, the WVA called a meeting to decide what to do if there was ever another disclosure. It was a unanimous decision that we would disclose any subsequent disclosures that were delivered. In turn, following the second disclosure the press conference was announced to be held at the WVA conference room, on the upper floor, around 11:00 - 12:00. Even more, journalists came this time – the room was full of journalists. I recall seeing the microphones representing all the main media agencies. I did not notice whether Halil Berisha was present or not. I simply do not remember. But even if he was there, I am not sure that I would have recognised him. I am more familiar with the television moderators than the individual news journalists.

74. I never had the telephone number of Halil Berisha registered in my phonebook. It happened that other journalists who wanted to take materials from him asked me for Halil's phone number.

75. The second package seemed to contain three similar copies but rather disordered. The second package was smaller than the first package. It was probably about half the size of the first package. I estimate that it was only approximately 300 - 400 pages – whereas the first must have been 800 – 1200

pages. However, it's difficult to say as the pages were not placed in order and of course, I do not know the exact number as I did not count the pages.

76. These papers contained documents with the name of the then Chief Prosecutor, Clint Williamson, on them. There was also lots of communications with the Serbian authorities. As well as with the coordinator [REDACTED] and Vladimir Vukcevic. There were also thank you letters for the helpful cooperation. We scrolled through the documents, and they seemed to be of the same nature, and so we did not pay much attention.

77. There was not much time for the media to arrive – perhaps only about an hour and a half. But despite the short notice, many journalists still came. They had their doubts and their suspicions (as it was for a second disclosure), but they still came. I had appeared on numerous television programmes with journalists and knew that they held these opinions.

78. This press conference was short and only lasted approximately 30- 40 minutes. The journalists had a few questions. Everything is recorded.

79. All the journalists took copies of the documents. This time nobody asked me if they could get a copy. Once again, the delivery was of three copies of batches of documents. The content of these documents was in English, Albanian, and Serbian.

80. The press conference finished, and Hysni, Faton and I then went downstairs, whilst the journalists stayed in the room for a little longer.

81. Faton later told me that [REDACTED], an SPO investigator in Kosovo, had called Faton Klinaku on the evening of 16 September 2020 at 18:15, and Faton had said that it was too late for the SPO to come to the WVA, but that they could come the following morning. Of course, if the SPO wanted, they could have insisted on coming that evening, but they appeared to not be in a hurry.

82. If the SPO had wanted, they could have ensured that no one entered or left the building until the next day. They would protect the building and send police to

stay there until the next morning. The SPO had all the necessary means, police and resources, but they never did this. It is a reasonable question to ask why.

83. The following day, Thursday 17 September 2020, at around 09:50, the SPO arrived at the WVA. This was when I met [REDACTED] for the first time, he came up to the restaurant. I was sitting drinking tea. He came breathing deeply through a mask. I did not know who he was. [REDACTED] was barely breathing so that I thought that he might be having a heart attack. The person approached me and asked me who I was, to which I replied: "I am Nasim Haradinaj. What do you want?". He said: "Would it be possible to talk to you?" and I said, "yes, but who are you." He explained that he was [REDACTED] from the SPO and showed me his badge. We then went from the restaurant to Hysni's office as he asked for a private meeting. He was speaking to me in Albanian.

84. We went to Hysni's office, and they asked to first see if they were their materials or not. We then visited the WVA conference room with Daniel Moberg (Swedish security office with the SPO) and a man called ([REDACTED]), who said he was an observer. [REDACTED] spoke Albanian fluently.

85. Milaim Zeka (journalist) was present in the room at that time, and he started recording by phone, while the Swedish officer was also recording by phone, and then [REDACTED] asked that the meeting was not to be recorded by anyone. So, then Milaim put his mobile phone on the table during the meeting. I objected because I said that if they were recording by phone, why shouldn't we record it as well. [REDACTED] then reassured me that Mr Moberg was not recording either.

86. However, I had the impression that Daniel Moberg was still recording – at least at the beginning.

87. [REDACTED] said that they had heard that some sensitive material had arrived at the WVA. I told him that they had been here earlier to get some other material but never replied that they were sensitive material. [REDACTED] told me that they had told Faton. Faton objected to this by showing him only two letters, an authorization of persons for sequestration and a handover note.

[REDACTED] said that at first, he just wanted to see them and assess whether it was or was not material for them.

88. I was angry because they did not explain after they had taken the first materials whether they were their files - on the contrary, he only said that they would look at them. "We will check if they are our materials." I responded saying that: "As for the first delivery, you did not give us any answer as to whose documents they were, but even if you think these are yours, we want to submit these materials in the presence of lawyer or Kosovo police". He replied: "look, the police will not be able to come here even for a month. I can leave them here, and the police will not be able to come". "Why not?" I asked. "Because they do not dare come here without receiving the SPO's instruction," he said.

89. I said we were calling the WVA lawyer, and I called Tome Gashi. Tome GASHI is a well-known lawyer and public figure, and normally, I had heard of him in the 1990s. I met him, and I proposed that we engage him pro bono to represent the WVA, and Hysni GUCATI signed the contract.

90. At the time, Mr Gashi said that he was in a court hearing, but as soon as he finished, he would come straight away. Whilst we waited for Mr Gashi to arrive, [REDACTED] said: "wouldn't it be possible to look at the material? And if we discover that they are not ours, then we do not need to take them". That's what we did, I went upstairs with them. He took the documents, and he began to check.

91. When [REDACTED] started checking all three sets of documents, and at the beginning, he showed by blowing his lips as if they were not important and said: "there is nothing interesting for us".

92. Then [REDACTED] and I went back downstairs, and I said: now what are you going to do? Are you going to take the documents, or shall we wait until the lawyer comes?" He then responded saying that we would wait until the lawyer came. When Tome Gashi arrived at approximately 12:30, he asked [REDACTED], "why haven't you decided yet what you are going to do with the material?" – to which [REDACTED] replied saying that he was going to take the documents. I then said, "All right, now we have to call our Court and

the police." [REDACTED] responded, saying: "I told you they would not come". In that case, Tome said it did not matter, asking me why we were not handing them over. "I am your lawyer, and you can hand them over, let them take them as they say they are theirs." As advised by Tome Gashi, I allowed [REDACTED] to take the documents.

93. We went upstairs, and [REDACTED] put the documents under his arm and walked downstairs. It did not seem official to me at all - he did not pay much attention to them, he just collected everything and put them under his arm and took them to Hysni's office. He made no note of how many pages they took or what they contained. He did not put them in sealed envelope he just put them in a backpack.
94. I waited until Hysni signed a handover sheet – I don't remember now if Tome may have signed too. (I only saw the handover sheet that Hysni had signed the following day). Hysni then asked the SPO Officers if they wanted coffee, and they had coffee. We had a quite relaxed meeting with the SPO, and a warm and very friendly, and humane environment was created.
95. My only interaction with Daniel Moberg was when I spoke Swedish with him – to ensure that he was indeed Swedish. I did not trust him at first because he did not look like Swedish, and he didn't take his COVID mask off. But when I heard him speaking proper Swedish, then I knew he was Swedish.
96. I told the SPO Officers to take the video footage of the drop off as the WVA had it recorded. I also told the SPO Officers to take the CCTV footage. However, the SPO officers did not want to take the CCTV. The SPO Officers did not even show any interest to speak to Taibe, even though she was the one who saw the delivery man. She was still in the offices at the time, but they never spoke with her. In fact, they did not question anyone.
97. I believe that the SPO remained at the WVA for approximately two hours in total. At this time, they did not conduct a search of the premises. Nor did they say that they would come back at a later stage to search the premises. No security measures were put in place.

98. [REDACTED] made several phone calls while he was at WVA, then when we proposed to him to take the CCTV footage, he did not change his mind to take it. They then left, and I had no contact with the SPO again until 22 September 2020.

99. I thought that I was being followed the day that I returned from Albania on 13 September 2020. When I entered Kosovo, there was a vehicle that appeared to be following me. But I thought it could just be somebody interested to see me as I was a public figure -and didn't think too much of it.

100. We had already submitted to the police one application for protection. The issue was that Hysni thought that he and I were being followed, as we used to travel very often for our media interviews.

101. Between 17 and 22 September, I stayed in Kosovo the whole time. During this time, I did nothing else in addition to interviews - sometimes two or three a day. I had different sorts of interviews, for example, not only related to this matter but also regarding the courts and veterans etc. During this time, I was critical of KSC. The KSC's suggestion that it was investigating impartially did not stand, and I continued to emphasize that it was conducting selective and one-sided investigations. On the contrary, they investigated only those served by Serbia. And that the SPO was purely political. The SPO did not even protect the witnesses who they promised protection.

### **The Third Disclosure**

102. On 22 September 2020, at 11:00, I had a meeting with the German contingent of KFOR, which was scheduled about a week in advance. These meetings were usually held by me. As soon as I opened the meeting, they immediately got into the topic of the events that had happened recently, specifically about the files that had come, I told them that we had no idea where they were coming from. I only expressed my concern that despite being followed, the documents kept coming. I was asked if I was sure that someone was following me, and I responded that I was quite certain and that it was easy to spot them. They asked me if it was possible to go out onto the balcony and see if I could spot any of them, and I invited them to do so. I said that we could



see if the ones I had previously noticed were still there. We went out on the balcony with the three officers, and the ones that I had spotted were still there, and it was easy to distinguish them because they wore backpacks, sunglasses and baseball caps, safari pants or jeans and anti-COVID masks. That day I noticed a tall blond woman dressed in jeans standing right next to the door; I believe this to be Zdenka Pumper from the SPO. As soon as we went out on the balcony, they noticed us and started looking at us with their heads held high, and I pointed at them to show KFOR officers, and the KFOR officer pointed his camera at them, and one by one, they started to move as we started to laugh at their gesture.

103. Once we returned inside the office, I held the meeting in the office of Migjen Shala that was next to the reception, we had just resumed the conversation with the officers when we heard Taibe's voice and then the door opened without knocking, and she addressed me saying "Vice President they came again and brought them again". The KFOR officers were worried about what happened when they saw Taibe clearly agitated, and their interpreter explained to them what he was hearing. The KFOR officers then jumped to their feet and escorted me as I walked out the door and talked to Taibe, trying to calm her down.

104. So, the delivery arrived about 20-30 minutes after we started the 11 AM meeting. I was talking to Taibe, and she was explaining to me what she had seen, and in the meantime, the files had arrived at the President's office, I wanted to see what the person looked like on the CCTV camera as I had not seen him and at the same time the German officers were looking and recording. I left for the President's office, and the officers asked me if they could come too. I said yes, and they came with me to the President's office. We started to quickly look at what they contained and whether they were complete materials or copies as they were usually brought, and we saw that there were three copies with a considerable number of pages.

105. However, I saw from the CCTV footage that this time the delivery man had entered the hallway and pulled the documents out from under his coat, throwing the batches of papers on the floor. I believe that this was a different

delivery person – based on my viewing of the CCTV footage. So, the person had hidden them under his clothes. At the time the delivery arrived, Taibe was at the reception, a waiter who was bringing coffee and a third party who had come to get something done were also present. This can be seen in the video footage. I could not see the delivery person, as he was inside his office at the time. I only saw Taibe when she came into my office. When she opened the door to his office, she was terrified, and stated: “he brought it again!”. I felt sorry for her because she had been traumatized by these deliveries.

106. The KFOR officials were also in the President's office at the time when we started looking at the documents. These documents were only in English.

107. The documents had this look, giving the impression they were a photocopy. There appeared to be a stamp on the documents, but the logo, for example, was not in colour as it was in the other ones. Whether they were original copies or were made to resemble the original, I don't know, nor can I be certain they were authentic. I scanned the documents quickly in English but was unable to read in detail due to not being able to read English but identified that it appeared to be a draft indictment against former President Hashim Thaçi. We, the close presidency, in consultation with each other, decided to call a press conference.

108. While we were talking and preparing for the conference, KFOR officials browsed the papers systematically. One went to a page, lifted the page, and the other took a picture. When they noticed me looking at them, they asked me if they were allowed to do so, it seemed to me as if they were provoking me, and I told them ironically that it was not a problem as they already had them. I asked if they had them already, they answered, saying, "no, no, no, we do not have them".

109. The KFOR officers did not interfere with anything. The only thing that they asked me was for permission to take the pictures. Other than that, they did not play any role. I noticed that they were very fast in photographing all the papers, and saying they were seeing how busy I was, the meeting could not continue. We exchanged goodbyes, and they left.

110. The WVA sent the journalists the invitation via email, as before, and then we waited an hour or two for them to arrive. The journalists arrived at approximately 13:00. There was then a brief press conference. Again, the room was full of journalists. Then the journalists stayed afterwards as they were busy selecting documents.
111. I believe that the third batch of documents contained a draft indictment against Hashim Thaçi that was approximately 100-120 pages. In June 2020, the Specialist Prosecutor, Jack Smith, had publicly announced that an indictment had been filed against Hashim Thaci, Kadri Veseli and others and therefore we had heard that of the existence of an indictment prior to this disclosure, and now we saw this evidenced on paper. This information was in the public domain in the summer of 2020. The person delivered three copies. The journalists took these copies. These documents were only in English.
112. [REDACTED] arrived at the WVA offices at approximately 15:00, approximately 5 hours after the documents had been delivered. When he arrived, the press conference was already finished, but there were still a few journalists in the corridor. But when the SPO Officers came, and the journalists saw the SPO Officers, the journalists informed their colleagues, and soon the corridor was full of journalists – some of them with cameras. So, Hysni and I held a closed meeting in his office.
113. [REDACTED] arrived with several officers – several of whom were present at the meeting in Hysni's office. [REDACTED] was the only one who spoke (in Albanian) – which was important as there was no interpreter present to translate. Furthermore, nothing was translated into English for the benefit of the other SPO officers present.
114. I saw [REDACTED] was holding a letter in his hand, which he handed to Hysni to sign. Since Hysni was on the other side of the table, I offered to sign it. I signed and immediately gave it back to him. [REDACTED] went upstairs, took the documents, brought them and put them in a plastic bag. It was not sealed.

115. I signed the handover document. It did not appear to list the number of pages seized or state what they were. The first handover sheet after delivery one was signed by Faton (because neither Hysni nor I were present.) The second handover sheet was signed by Hysni. The third handover sheet – was signed by me. I believe all three handover forms were more or less the same in content.

116. [REDACTED] and the SPO officers then left and were photographed by the journalists on their way out of the WVA offices. Before leaving, they did not conduct a search of the premises for the documents. Nor did they ask Taibe any questions about what happened when the documents were delivered. Nor did they question anyone else present. [REDACTED] only took some excerpts of the CCTV footage. I believe that they could have taken the rest when Hysni was arrested and when the offices were searched on 25 September 2020.

117. After 22 September 2020, I had no contact with the SPO. During this time, I conducted many public interviews – so they could have located me whenever they wanted – but they did not.

### ***Arrest***

118. On 25 September 2020, I was in Deçan – which is about 90km outside of Prishtinë. At approximately 10:30, I saw on the news that the SPO officers had entered the WVA offices with large forces and armed with long weapons and dressed in camouflaged uniforms to conduct their search of the premises. I was not there and immediately left for Prishtinë. All the way, I had phone calls from various media, I tried to call Hysni, but no one answered his phone. I tried to ask Faton what was going on there, and he told me that he did not understand anything and that he was trapped by the forces downstairs and that they were not allowing him to go up to the workplace. I asked him if they had called the lawyer. He told me he knew nothing about it and told me to call him as well. I stopped that call and called Mr Tome Gashi, and I asked him where he was and whether he knew what was happening. He told me that he was on his way to the offices and that he would see what it was. Meanwhile, Hysni called me at that moment. He told me that he was being taken to The Hague and that he wanted me to go to the WVA offices as soon as possible because the SPO

wanted me to be present during the search they were going to do and that they were not starting it without me being present and that they were waiting for me to go there. I responded by saying that I was already on the road, and I was trying to get to Prishtinë and the WVA offices as soon as possible.

119. By the time that I arrived at the WVA offices, Hysni had already been arrested about one hour and a half earlier. I saw Kosovo police officers in line in front of the WVA building. Behind them, I saw people in combat uniforms with automatic weapons, two in front of the door and two behind the door. The Kosovo police asked me to talk to people because the people had filled the street, and vehicles could not move. There were about 150 people, and there were many journalists who had placed the cameras in the middle of the road. And the police said, “please ask them to leave”. I managed to move and disperse the crowd as requested. I told the gathered people not to block the road and to calm down.

120. The journalists who were present at the previous press conference were asking what was going on with Hysni. They asked me what I was going to do now, and I said that I had an interview with Arsim Lani on T7 TV at 17:00, which I had scheduled over the phone on my way to Prishtinë.

121. I was talking to local Kosovo police officers – none of them were SPO officers. There were SPO officers inside the WVA offices, but I did not speak to them.

122. After I saw that they had not kept their promise and had arrested Hysni, then I gave an interview to the journalists who were there, and when I realized that I was running out of time for the scheduled interview, I took a taxi to go to the interview with Arsim Lani on T7. *En route* to this interview, I saw that there was a large Jeep that appeared to be following my taxi. Whilst on my way to T7, I called Arsim Lani, informing him that I thought that I was being followed and asked him to come downstairs and let me into the building – or give me the code to open the door. Journalist Arsim Lani had come down to meet me.

123. At this point, I was seated next to the driver in the taxi. When I got near the building, I opened the car door and left. At that moment, those who had followed me ran out of the jeep that was following us and stopped me. Before entering the road to the TV, I was told, "stop, you are under arrest", and he started reading something in English from a portfolio hung around his neck. I could see that they were SPO officers.

124. I asked them not to touch me if there were not Kosovo police officers present, and I asked them to be there and make the arrest. I waited next to the SPO car, and when I saw that one of them was the same Swedish officer, and at the same time, I heard another voice in Swedish telling me to stay there and not to move. I started communicating in Swedish with these SPO officials until we heard the sirens and the Kosovo police arrived. The Kosovo police asked me to cooperate, which I did of my own will. I then insisted on being taken in the Kosovo police car. I was not handcuffed as there was no need as I did not resist.

125. When we entered the SPO premises, I was told that I was being sent to The Hague. Then they told me that they could not organize the transport and that I would sleep there until the next day, and they sent me to the military airport where a doctor checked me. I was then put on an airplane alone and brought to The Hague.

126. I do not accept that there was any unlawful action on 7, 16 or 22 September 2020. In relation to the allegation of threatening witnesses, I did not threaten anyone. During the debates in TV panels where apart from civil society people, journalists there were also different lawyers, and the advice I heard from them was that I was acting lawfully for as long as I did not mention names of witnesses. All those people reassured me that I was not doing anything wrong as I never mentioned any names apart from that of [REDACTED] and Vukčević – both of which were already in the public domain. So, I was very careful to avoid this. I have never retaliated against anyone for giving evidence. I never intended to retaliate against witnesses for providing information to the SPO. I did not pressure anyone. I did not take any actions at all that could have

harmed witnesses. I was not aware of anyone else doing that either. The only thing I have done is fight for the freedom of my country, the war against Serbia.

127. I did not reveal the identities of witnesses or individuals or speak about evidence that these people may have given. All I did was mentioned communication between the SPO and the institutions in Serbia which was stated as I believed it was in the public interest. I did not have any desire nor any intention to induce a witness to refrain from making a statement. The only people that I mentioned by name were the Serbian officials who were public people in public offices in Serbia and who are known to have been involved in massacres in Kosovo. No Serbian names were mentioned as far as witnesses were concerned. I only mentioned that which I considered was in the public interest.

128. At the time of calling the press conferences, and throughout the press conferences, I did not consider that the conferences might have had a negative effect on witnesses. Nor did I think that they might cause a witness to refrain from making a statement. These thoughts did not cross my mind, and the reason for this is because I deliberately did not mention any names and cautioned others not to mention any witness names. So, the witnesses were not being harmed. Also, the only persons that we gave access to the documents were responsible and professional journalists – not people that would misuse the material. They were invited to consider the public interest of making the existence of the leaks public.

129. I also did not put pressure on journalists or any media to reveal or publish any confidential material. What I did was advise the media not to make any names public or read the statements in public. I said this in all three press conferences and in television debates. There are recordings of this. Media organisations are, of course, independent. They certainly do not have a disregard for other peoples' safety. Moreover, we believed that these documents were leaked by the SPO – if anyone should be held accountable, it should be the SPO itself.

130. I did not intend to obstruct the course of justice. I did not mention the qualification of any persons, including prosecutors or investigators or SPO

staff. I did not threaten or want to threaten any of the SPO staff. We did not approach any official person to try and obstruct justice. It is not true that we were aware that we were obstructing official persons in their duties. It is not true it was our will to obstruct justice.

131. I do not accept that I committed a criminal offence. What I did was to act in the public interest.

132. I object to the KSC/SPO collaborating with Serbia. There is a long history between Albanians and Serbs. Albanians were occupied by Serbia and ruled by Serbs. Serbs waged war against the civilian population and committed genocide in the Republic of Kosovo.

133. I thought that if we do not react against KSC/SPO, the course they are following will only lead to fabricated indictments against former KLA soldiers based on material from the Serbian authorities and this could have a devastating impact on the security and stability of Kosovo. We still do not know if the material is authentic and have every reason to believe it is not. Consequently, we have no trust in the veracity of its contents.

134. The KSC/SPO are attempting to hide their collaboration with the Serbian Authorities, and their embarrassment of the same, by labelling certain aspects of their investigations as confidential. They should not be allowed to do this.

135. If the three leaks (LS1, LS2 and LS3) had not delivered the documents to the KLA WVA encouraging us to make the material available to the public, we would not have called the press conferences. After all, we would not have had any material to discuss at the press conferences. The events of September 2020 only occurred because someone at the KSC/SPO provided the material to us and encouraged us to present it to the media. We believe that this was done to silence the KLA WVA and the independent media in Kosovo from voicing any criticism of the KSC/SPO.



I declare the contents of this statement to be true to the best of my knowledge and belief.

Signed:

Name:

Date: