



In: KSC-BC-2020-06

Name: The Specialist Prosecutor v. Hashim Thaçi, Kadri Veseli, Rexhep Selimi and Jakup Krasniqi

Before: Trial Panel II
Judge Charles Smith III, Presiding Judge
Judge Christoph Barthe
Judge Guénaël Mettraux
Judge Fergal Gaynor, Reserve Judge

Registrar: Dr. Fidelma Donlon

Date: 23 May 2023

Classification: PUBLIC REDACTED

[IN COURT REDACTION ORDER]

The Trial Panel II FINDS that the following blacked out text contains confidential information and ORDERS this information shall be removed/ edited from the PUBLIC broadcast/streaming, audio visual recording and transcripts in all three languages *Albanian/ English/ Serbian*. Hearing of 23 May 2023, transcript reference Page 49 Line 4 to Page 49 Line 5, (time code from 10:52:16 to 10:52:29).

48:25	night, and that was why they wanted to do guard, so that they can	10:51:45
49:1	keep us alert.	10:51:53
2	Q. Okay. Thank you. And was it common for the time for villages	10:51:54
3	to organise a civilian guard like the one you're describing here?	10:52:00
4	A. I don't know about other villages. But since we were close to	10:52:16
5	the leadership of this village decided in	10:52:29
6	this meeting to install guard duty.	10:52:39
7	Q. Okay. Thank you.	10:52:42
8	MR. TULLY: I believe there might be a redaction order needed	10:52:44
9	just at the end there.	10:52:47
10	Q. Thank you, Witness. I have no more questions for you. I wish	10:52:49
11	you a safe travel home?	10:52:51
12	MR. TULLY: Thank you, Mr. President. I have no further	10:52:54
13	questions.	10:52:57
14	PRESIDING JUDGE SMITH: Thank you, Mr. Tully.	10:52:57
15	Mr. Ellis. can you give us an estimate of the time for your	10:52:58

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Presiding Judge

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57:14	JUDGE METTRAUX: And good afternoon, Witness. I'll ask you a	11:46:45
15	couple of questions about both of your relatives. And we are in	11:46:47
16	public session, so please do not mention their names.	11:46:50
17	I first want to ask you about Person 2. Do you know in what	11:46:52
18	circumstances he was released from detention?	11:46:58
19	A. They released number 2 on [REDACTED].	11:47:11
20	JUDGE METTRAUX: And do you know anymore than that? For	11:47:18
21	example, do you know who decided to release him and how Person 2 was	11:47:20
22	informed of that decision? Do you have any information about this?	11:47:27
23	A. No.	11:47:33
24	JUDGE METTRAUX: [Microphone not activated].	11:47:35
25	THE INTERPRETER: Microphone, please.	11:47:38
58:1	JUDGE METTRAUX: Apologies.	11:47:40
2	Moving on to your other relative, Person 1. Do you know if he	11:47:41
3	was released from detention at any point?	11:47:47
4	A. No.	11:47:59

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58:24	Persons 1 and 2? Was there any place you could go to and ask these	11:50:04
25	matters to be investigated?	11:50:10
59:1	A. No, we -- the places we heard about, that's where we went.	11:50:20
2	JUDGE METTRAUX: Thank you, [REDACTED].	11:50:33
3	I have no further questions.	11:50:35
4	PRESIDING JUDGE SMITH: [Microphone not activated].	11:50:36
5	JUDGE GAYNOR: No questions, thank you.	11:50:37
6	PRESIDING JUDGE SMITH: [Microphone not activated].	11:50:40
7	THE INTERPRETER: Microphone, please.	11:50:43
8	PRESIDING JUDGE SMITH: [Microphone not activated].	11:50:45
9	MR. HALLING: No, Your Honour. No further questions.	11:50:46
10	PRESIDING JUDGE SMITH: Anything from the --	11:50:48

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59:15	MR. TULLY: None, Your Honour.	11:50:56
16	PRESIDING JUDGE SMITH: Nothing from Mr. Tully.	11:50:57
17	MR. ELLIS: No, thank you, Your Honour.	11:50:59
18	PRESIDING JUDGE SMITH: Thank you, Mr. Ellis.	11:51:01
19	Witness, you are finished with your testimony. We will release	11:51:01
20	you at this time, and the Court Usher will take you out of the room.	11:51:04
21	Thank you for being with us and telling us the facts around your	11:51:09
22	██████████ case.	11:51:13
23	THE WITNESS: [Interpretation] Thank you.	11:51:20
24	[The witness withdrew].	11:51:24
25	PRESIDING JUDGE SMITH: Mr. Quick, we will start at this time	11:51:59
60:1	after everybody gets reorganised. We will go until about maybe 1.00.	11:52:05
2	Yes, until 1.00 --	11:52:17
3	MR. QUICK: Okay.	11:52:19
4	PRESIDING JUDGE SMITH: -- and then take a break.	11:52:20
5	MR. QUICK: Yes Your Honour. If I could just have a --	11:52:24

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<p>84:10 Q. When was the photograph taken, please?</p> <p>11 A. It was taken recently. I had also previous photos.</p> <p>12 Q. Yes.</p> <p>13 A. But I submitted them to the Court, but they lost them I think.</p> <p>14 Not -- I submitted them to the Court. Not in this -- to this Court,</p> <p>15 but to the former [REDACTED]. When I started to give testimony.</p> <p>16 Q. Yes, just staying with this photograph. Was it taken in the</p> <p>17 last couple of weeks?</p> <p>18 A. Yes.</p> <p>19 MR. LAWS: May we have on the screen please a slightly closer</p> <p>20 view of the injury, which is V2610003. Again, not to be shown to the</p> <p>21 public.</p> <p>22 Q. And just so that we're clear, Witness. What caused that</p> <p>23 scarring?</p> <p>24 A. I didn't understand the question. I didn't.</p>	<p>12:53:53</p> <p>12:54:06</p> <p>12:54:15</p> <p>12:54:15</p> <p>12:54:22</p> <p>12:54:25</p> <p>12:54:32</p> <p>12:54:38</p> <p>12:54:41</p> <p>12:54:45</p> <p>12:54:48</p> <p>12:55:03</p> <p>12:55:12</p> <p>12:55:16</p> <p>12:55:18</p>
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87:12	then I start to feel the same things again.	13:04:00
13	MR. LAWS: Your Honour, if that's a convenient moment. I have	13:04:05
14	got another five or so minutes.	13:04:07
15	PRESIDING JUDGE SMITH: [Microphone not activated].	13:04:10
16	MR. LAWS: No, I'm happy to take the break and come back.	13:04:11
17	PRESIDING JUDGE SMITH: [Microphone not activated].	13:04:13
18	We are in public session. We will ask the Court Usher to please	13:04:23
19	escort the witness out.	13:04:27
20	██████ Witness, we will take a break now for lunch. Be back here	13:04:28
21	at 2.30. Thank you.	13:04:32
22	[The witness stands down]	13:04:56
23	PRESIDING JUDGE SMITH: We are adjourned until 2.30.	13:04:59
24	--- Luncheon recess taken at 1.05 p.m.	13:05:09

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88:17	in this case in relation to this statement. The Panel is satisfied,	14:32:28
18	however, that the reliability of the record and the witness'	14:32:32
19	attestation of its accuracy was verified through the process of	14:32:34
20	proofing of the witness. When the witness was asked to provide	14:32:40
21	clarifications and corrections to [REDACTED] previous statements.	14:32:46
22	As the proofing notes demonstrate, the witness did review and	14:32:48
23	provide clarifications and corrections to [REDACTED] previous statements,	14:32:52
24	including those now offered for admission by the Defence. This is	14:32:56
25	reflected in the proofing note produced by the SPO bearing ERN 113174	14:33:00
89:1	to 113178 at paragraph 15.	14:33:08
2	Accordingly, the Trial Panel is satisfied that this prior	14:33:12
3	statement of the witness may be admitted pursuant to Rules 137 and	14:33:15
4	154 and that it is in the interest of justice that the Panel should	14:33:23
5	admit it.	14:33:27
6	The statement is admitted together with paragraph 15 of the	14:33:27
7	document bearing ERN 113174 to 113178.	14:33:30
8	The last three items are not objected to and are also admitted.	14:33:39
9	Can the Registry please assign exhibit numbers to the items that	14:33:44

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