



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 Guénaél Mettraux
Judge Fergal Gaynor, Reserve Judge

Registrar: Dr. Fidelma Donlon

Date: 08 November 2023

Classification: PUBLIC REDACTED

[IN COURT REDACTION ORDER]

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59:3	might not need it on the screen, actually. I can just read it. It's	11:43:51
4	easier.	11:43:55
5	Q. So Sanija Zeqiraj said [REDACTED]:	11:43:55
6	"At the time of the ^ , the civilian population did not know him	11:43:59
7	either."	11:44:04
8	Based on what Ms. Zeqiraj has said here, Mr. Selimi was not a	11:44:06
9	public figure in Kosovo in September 1998. Would you agree with	11:44:11
10	that?	11:44:16
11	A. I didn't know him, and I have no comment on Ms. Zeqiraj because,	11:44:16
12	in fact, she and the group of ladies were ordered to return to	11:44:29
13	Prishtine.	11:44:34
14	Q. So you would agree that Mr. Selimi only came to prominence in	11:44:35
15	Kosovo's public life towards the end of the war or even after it	11:44:40
16	later in 1999. Would you agree with that?	11:44:45
17	A. I don't know who knew and who didn't know Mr. Selimi. I have my	11:44:50
18	respect for him. I came to know him only in Baice.	11:45:01
19	Q. But, Witness, is it not after the events in Baice that you	11:45:09
20	associated the name Rexhep Selimi with the person you met in the car	11:45:17
21	after 1998?	11:45:22

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82:3	Kurtesh Devaja, who gave a statement, claimed that the IDs were	12:33:06
4	returned to the group in a meadow on the way to Krajmirovce. That's	12:33:11
5	on [REDACTED] page 26.	12:33:16
6	Simon Augustini states that the IDs were handed back in the	12:33:42
7	courtyard of the school the day the delegation was released. This is	12:33:42
8	also 22 September. That's 034403 to 34441 at page 34417.	12:33:42
9	And Jusuf Telaku states that the IDs were, in fact, handed back	12:33:42
10	to the delegation while they were in the house they were taken to in	12:33:46
11	Krajmirovce, Ismet Mehmeti's house, at the foot of the Cicavica	12:33:50
12	mountain.	12:33:59
13	So, again, bear in mind that I'm not accusing of deceiving	12:33:59
14	anyone here, Mr. Dedaj. But these are four different accounts, four	12:34:04
15	different places, different dates to the ones you were given --	12:34:07
16	you've given investigators. Would you accept then, having seen this,	12:34:10
17	would you agree with my proposition that nobody, including you, has a	12:34:16
18	clear memory as to when and how the IDs were you returned? Would you	12:34:20
19	accept that?	12:34:23

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83:21	tell you.	12:36:27
22	Q. Okay.	12:36:27
23	MR. TULLY: Can I have [REDACTED] at page 34455 on the screen, please.	12:36:34
24	And the Albanian is 34486 to 34487.	12:36:48
25	Q. And this is a description from Kurtesh Devaja of when you were	12:38:14
84:1	taken into the classroom. I'm going to read from it here. It's:	12:38:20
2	"When we got out of the vehicles at the school in Baice, we saw	12:38:23
3	soldiers wearing black masks. We did not recognise any of them	12:38:27
4	because they were wearing mavengz and had KLA emblems on their arms.	12:38:30
5	"Where were you taken?	12:38:35
6	"They puts into a classroom in that school building.	12:38:37
7	"Can you remember what time you arrived?	12:38:39
8	"It was approximately 4pm. It was before it got dark.	12:38:42
9	"What happened when you were in that classroom?	12:38:47
10	"In that classroom we spent some 10 to 15 minutes. We were all	12:38:50
11	confused and hoping all the time that they were going to let us go.	12:38:53
12	We all wanted to return during the daylight and at the same time	12:38:57
13	feared contact with the Serbian police. I never thought they were	12:39:00
14	going to arrest us there."	12:39:04

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85:22	Again, Mr. Krasniqi makes no mention of a man at the tocht room,	12:41:08
23	does he?	12:41:11
24	A. It is his version.	12:41:21
25	Q. And, finally, one last one. This is Mehdi Bardhi. This is [REDACTED]	12:41:22
86:1	at page 034323 to 034324, and he said:	12:41:29
2	"We entered the school in Baice. It was towards the evening	12:41:36
3	hours."	12:41:39
4	The prosecutor asked:	12:41:41
5	"Witness, I don't recall very well but it must have been."	12:41:43
6	Prosecutor:	12:41:48
7	"What happened then?"	12:41:48
8	Witness:	12:41:50
9	"We entered the school building. We were brought into a	12:41:50

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92:6	for free. We didn't charge him. My brother would give food for free	12:53:56
7	to many people who could not afford to pay for it.	12:54:02
8	MR. TULLY: Can I please have [REDACTED], page 34329, and the Albanian	12:54:06
9	is 34343, on the screen.	12:54:20
10	Q. And I'm going to show you a passage from Mehdi Bardhi, because	12:54:26
11	he was also in the room, as you've described. And he --	12:54:30
12	MR. TULLY: It's at the end of the pavenlg.	12:54:36
13	Q. And he remembers the interaction between Mr. Desku and the	12:54:39
14	group, and he gives a slightly different account of Mr. Desku coming	12:54:43
15	into the room. And he says this:	12:54:45
16	"Prosecutor: Is there anything else" --	12:54:48
17	I'll wait for the Albanian. The prosecutor asks:	12:54:57
18	"Is there anything else you remember?"	12:54:59
19	And Mr. ^ said:	12:55:01

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93:6	Q. I'm not trying to disrespect him. I'm just giving the account	12:56:05
7	of what Mr. Bardhi remembers. So what I'm interested then is in,	12:56:08
8	you've alluded to it, is you said others came and others confirmed	12:56:14
9	what ^ and the reference is [REDACTED] at page 34263.	12:56:19
10	So my question is then if Mehdi Bardhi says Tahir Desku walked	12:56:27
11	into the room drunk, very drunk, offering to be everyone's lawyer,	12:56:33
12	how concerned could the other people in the room have been to come to	12:56:37
13	you to find out what Tahir Desku said? Not seriously concerned.	12:56:40
14	Wouldn't that be accurate?	12:56:55
15	A. Look, I don't know how concerned they were. I was not concerned	12:56:56
16	at all, because I knew him. And I did not take him seriously. He	12:57:03
17	walked away and members of the delegation asked me what did he say,	12:57:14
18	and I said everything's fine. Tomorrow we go home and that's it.	12:57:22
19	Q. So when you describe -- when EULEX recorded you as saying that	12:57:25
20	you were calming down the people, it's perhaps an exaggeration to say	12:57:32
21	that they were seriously concerned about what Tahir Desku had said to	12:57:35
22	you even though you sought to keep everyone calm?	12:57:38

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120:10	Further cross-examination by Mr. Tully:	15:25:17
11	Q. I would refer you to questions you were asked by Judge Mettraux	15:25:19
12	concerning [REDACTED]	15:25:23
13	[REDACTED] I	15:25:27
14	want to quote from your UNMIK statement on 4 September 2001.	15:25:32
15	MR. TULLY: And that's at SITF00055954.	15:25:39
16	Q. And near the top of the page, you describe your journey from	15:25:48
17	Baice back to Qirez and further to Krajmirovce, and you say:	15:25:51
18	"They put us in a station wagon in Baice, drove us from there	15:25:55
19	back to Qirez. There in a meadow, they told us we had been freed."	15:26:00
20	[REDACTED]	15:26:04
21	[REDACTED] Would that be	15:26:07
22	right?	15:26:10
23	A. That's right.	15:26:17
24	Q. Then I want to take you to your EULEX statement of 2014 --	15:26:19
25	A. We were freed in Qirez. That's true.	15:26:25
121:1	Q. I understand. So I want to take you to your EULEX statement of	15:26:29
2	2014 where -- this is P680 at page 34266, and you refer to what was	15:26:34
3	said to you. You're talking about a house on the outskirts of Qirez,	15:26:44
4	but I also believe you're talking about the same place, the place you	15:26:49
5	were freed, a house on the outskirts of Qirez, is that right, on	15:26:53
6	22 September?	15:27:04
7	A. There was a courtyard house.	15:27:05

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122:5	nothing wrong."	15:28:29
6	That is at paragraph 32, I believe.	15:28:31
7	You've been consistent on the point, contrary to [REDACTED]	15:28:33
8	You've been consistent on the point, contrary to [REDACTED]	15:28:37
9	said, that an investigation may have been carried out, but whatever	15:29:05
10	you were told was consistently they found nothing to suggest you did	15:29:06
11	anything wrong; is that right?	15:29:06
12	A. No mistake. They did not identify the slightest mistake on us,	15:29:06
13	because we didn't commit any, and for that reason we just resumed our	15:29:09
14	political activity as soon as we returned to Prishtine. We didn't	15:29:12
15	see a doctor. We didn't -- we went out in the streets. And had I	15:29:17
16	had any swollen faces or bruises, I wouldn't have gone out on the	15:29:23
17	street.	15:29:30
18	Q. [REDACTED]	15:29:31
19	[REDACTED]	15:29:34
20	A. Correct.	15:29:36
21	MR. TULLY: Can I have P158 on the screen again, please, in both	15:29:39
22	versions. And can I -- can I draw his attention to the very top	15:29:42
23	right-hand column. Zeri i Kosoves.	15:30:02
24	Q. As I understand that's a very widely known newspaper in Kosovo?	15:30:07
25	A very widely distributed and known newspaper in Kosovo, Zeri i	15:30:12
123:1	Kosoves?	15:30:18

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123:7	was involved in, this article is unlikely to have escaped his	15:30:50
8	attention? Would you agree with that proposition?	15:30:53
9	MS. MAYER: Objection as to the foundation. [REDACTED]	15:30:55
10	[REDACTED]	15:30:59
11	[REDACTED]	15:31:01
12	[REDACTED]	15:31:04
13	[REDACTED]	15:31:06
14	PRESIDING JUDGE SMITH: [Microphone not activated] ^ .	15:31:14
15	THE WITNESS: [Interpretation] He was a author, newspaper	15:31:18
16	analyst. It would perhaps be better to ask him. You're putting me	15:31:24
17	in an uncomfortable position to ask me about what he said, what he	15:31:30
18	thought. I'm responsible for my actions, my thoughts, and spnz.	15:31:33
19	MR. TULLY:	15:31:37
20	Q. Thank you, Witness.	15:31:37
21	MR. TULLY: That's all my questions.	15:31:39
22	PRESIDING JUDGE SMITH: [Microphone not activated].	15:31:41
23	MR. ELLIS: Nothing arising. Thank you, Your Honour.	15:31:42
24	PRESIDING JUDGE SMITH: Witness, your testimony today is	15:31:44
25	finished for good for the entire trial. The Court Usher will escort	15:31:52
124:1	you out of the room	15:31:58

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