

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 Tuesday, 18 January 2022

2 [Open session]

3 [The accused appeared via videolink]

4 --- Upon commencing at 9.30 a.m.

5 PRESIDING JUDGE VELDT-FOGLIA: Good morning.

6 Madam Court Officer, can you please call the case.

7 THE COURT OFFICER: Good morning, Your Honours. This is
8 KSC-BC-2020-05, The Specialist Prosecutor versus Salih Mustafa.

9 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

10 Welcome back after the winter recess and good to see you all
11 present.

12 First of all, I will call appearances.

13 Specialist Prosecutor, can you tell us who is present for the
14 office.

15 MR. MICHALCZUK: Good morning, Your Honours. Good morning,
16 everyone. The Prosecution team is represented today by
17 Silvia D'Ascoli, Associate Prosecutor; Julie Mann, our Case Manager;
18 Agathe Tregarot, the SPO intern. And I am Cezary Michalczuk,
19 SPO Prosecutor. Thank you.

20 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

21 Victims' Counsel, you have the floor.

22 MS. PUES: Good morning, Your Honours. Good morning, everybody.
23 The victims participating in this trial are represented today by
24 Marie-Pier Barbeau, now as my co-counsel, and by myself, Anni Pues,
25 as counsel. Thank you.

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1 PRESIDING JUDGE VELDT-FOGLIA: Very well.

2 And, Defence counsel, you have the floor.

3 MR. VON BONE: Good morning, Your Honour. The Defence is
4 represented by myself, Julius von Bone; Mr. Betim Shala, my
5 co-counsel; investigator Fatmir Pelaj. And joining via remote is
6 Mr. Mustafa.

7 PRESIDING JUDGE VELDT-FOGLIA: Mr. Mustafa, does the connection
8 work well? Can you hear me?

9 THE ACCUSED: [via videolink] [Interpretation] Yes, Your Honour.
10 It works well.

11 PRESIDING JUDGE VELDT-FOGLIA: Okay. And for the record, you
12 are appearing before Trial Panel I.

13 Before starting with the testimony of the SPO Witness 4485,
14 Mr. Fatmir Sopi, I would like to discuss a small matter with the
15 Defence.

16 The Panel recalls that according to paragraph 37(e) of the
17 Decision on the Prosecution Application Pursuant to Rule 153 of the
18 Rules, that's filing 286, the Defence was ordered to file a public
19 redacted version of this filing, and that is filing 278, and that's
20 the Defence Response to the Prosecution Application, by Wednesday the
21 12th of this year.

22 We have not seen this filing coming in yet. Does the Defence
23 have any observations in this regard?

24 MR. VON BONE: We have no response to it, Your Honour.

25 PRESIDING JUDGE VELDT-FOGLIA: Okay. Then I will give an oral

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1 order.

2 The Panel orders to file a public redacted version of its
3 filing, 278, as soon as practicable, and no later than Tuesday,
4 25 January of this year.

5 And this concludes my oral order.

6 We will now get back to the testimony of Witness 4485.

7 Madam Court Usher, could we please usher the witness into the
8 courtroom.

9 [The witness entered court]

10 PRESIDING JUDGE VELDT-FOGLIA: Please have a seat, Mr. Witness.
11 Good morning.

12 Mr. Sopi, welcome to the Specialist Chambers. Can you hear me?

13 THE WITNESS: [Interpretation] Yes.

14 PRESIDING JUDGE VELDT-FOGLIA: How are you, first of all?

15 THE WITNESS: [Interpretation] I am well. Thank you.

16 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

17 Mr. Sopi, today we will start with your testimony. Mr. Sopi,
18 you are called to testify before the Specialist Chambers in the case
19 of the Specialist Prosecutor versus Mr. Mustafa in order to assist
20 the Panel of Judges to reach a verdict.

21 After you have taken your solemn declaration to tell the truth,
22 you will be asked questions by the lawyers for the Prosecution, the
23 lawyers representing the victims admitted to participate in the
24 proceedings, the Defence counsel of Mr. Mustafa, and the Judges of
25 this Panel.

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1 I would like to provide you with some guidance for answering the
2 questions that you will be asked.

3 Mr. Sopi, please, listen carefully to each question and if you
4 don't understand, feel free to ask the question to be repeated. We
5 want you to tell the truth and to tell us what you saw, you
6 experienced, you heard, you sensed yourself. And if you did not see
7 it or hear it yourself but you found out in some other way, then you
8 should say so and explain how.

9 You may not remember all details of events, and this is
10 perfectly fine. Please testify on what you remember and do not
11 guess, do not make things up. There is nothing wrong in saying "I
12 don't remember."

13 Have you understood all this, Mr. Sopi?

14 THE WITNESS: [Interpretation] Yes.

15 PRESIDING JUDGE VELDT-FOGLIA: I would also like to give you
16 some practical advice for your testimony, Mr. Sopi.

17 Everything that we say here is translated and recorded, so it is
18 important to speak into the microphone, to speak clearly, and to
19 speak at a slow pace to allow the interpreters to translate
20 everything.

21 And you should only start speaking - and this is very important
22 - when the person asking you a question has finished. So when a
23 question is asked, please count in your head up to 5 and only then
24 give your answer. And this pause of five seconds is essential for us
25 to hear, to translate, and to record what you are saying.

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1 And then if you have any questions, if you need a break or you
2 need something else, please raise your hand and then I will give you
3 the floor and then you can say what you wish to say.

4 Have you understood all this, Mr. Sopi?

5 THE WITNESS: [Interpretation] Yes.

6 THE INTERPRETER: Interpreters kindly ask the witness to sit
7 closer to the microphone. Thank you.

8 PRESIDING JUDGE VELDT-FOGLIA: Can you come a little bit closer
9 to the microphone, Mr. Sopi. Okay. We will see if it works better
10 now. Thank you.

11 As we must do with every witness, I will now ask you to read
12 your solemn declaration to tell the truth. And I remind you that it
13 is an offence within the jurisdiction of the Specialist Chambers to
14 give a false declaration.

15 Court Clerk, can you please assist the witness with the solemn
16 declaration to tell the truth.

17 THE WITNESS: [Interpretation] Do I have to stand up?

18 PRESIDING JUDGE VELDT-FOGLIA: You can stay seated and then read
19 the text.

20 THE WITNESS: [Interpretation] Conscious of the significance of
21 my testimony and my legal responsibility, I solemnly declare that I
22 will tell the truth, the whole truth, and nothing but the truth, and
23 that I shall not withhold anything which has come to my knowledge.

24 WITNESS: FATMIR SOPI

25 [Witness answered through interpreter]

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1 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Mr. Sopi. You are now
2 under oath to tell the truth.

3 And let me remind everybody that this hearing is held in open
4 session unless otherwise requested by the parties or the
5 Victims' Counsel or decided by the Panel. We should, therefore, be
6 careful not to disclose any information that is confidential. And in
7 this regard, I remind you to give me prior notice should you require
8 to go into private or closed session for the purpose of your
9 questioning or to make any other submissions.

10 Now we can begin with the testimony of Mr. Fatmir Sopi, starting
11 with the questioning by the Specialist Prosecutor's Office.

12 Mr. Prosecutor, you can -- I saw that you have estimated four
13 hours for your questioning of this witness. And, as usual, please
14 inform the Panel if your planning would be changed. You have the
15 floor.

16 MR. MICHALCZUK: Of course, Your Honours, I will try to stick to
17 the schedule. If we need less time, we'll give Your Honours an
18 advance notice.

19 Examination by Mr. Michalczuk:

20 Q. Mr. Sopi, good morning. My name is Cezary Michalczuk. I am the
21 Prosecutor representing the SPO.

22 A. Good morning.

23 Q. I'll be directing your examination today. During this
24 examination, I might also be showing you some visual aids. Are you
25 ready to start, Mr. Sopi?

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1 A. Yes.

2 Q. Could you please state for the record your full name and
3 surname?

4 A. I am Fatmir Halim Sopi.

5 Q. And I understand your father's name is Halim; correct?

6 A. Halim.

7 Q. What is the date of your birth?

8 A. 13 April 1961.

9 Q. What is the place of your birth?

10 A. Mramor village.

11 Q. Mr. Sopi, are you a member of the Kosovo Liberation Army
12 Veterans Association?

13 A. Yes.

14 Q. What is your position in that association?

15 A. I am the chairman of the Prishtine branch of the War Veterans
16 Association and a member of the central presidency of this
17 association at the Kosovo level.

18 Q. Since when have you been in that position?

19 A. For a mandate for four years until now. I'm in the fifth year.

20 Q. Were you a Kosovo Liberation Army soldier during the armed
21 conflict of 1998 and 1999?

22 A. Yes. During the liberation war, I was a member of the Kosovo
23 Liberation Army.

24 Q. When did you join the Kosovo Liberation Army?

25 A. In its very beginnings, that's when I joined the Kosovo

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1 Liberation Army.

2 Q. You said it's the very beginning when you joined. Could you be
3 more specific when it comes at least to the month and year?

4 A. In early 1998, beginning of 1998.

5 Q. And where did you join the Kosovo Liberation Army at that time?

6 A. At the time I joined the Kosovo Liberation Army in my place of
7 birth.

8 Q. Did you have any role in establishing the Kosovo Liberation Army
9 in your region?

10 A. Yes, I did have a role.

11 Q. Could you briefly tell the Court what that role was.

12 A. I was in the role of the organiser, that is, to expand the KLA
13 in the Prishtine region, more specifically in the Gollak area.

14 Q. Were you in this role from the very beginning of your engagement
15 with the KLA?

16 A. Yes, this was my role from the very beginning.

17 Q. Was any Kosovo Liberation Army brigade formed in the region of
18 Gollak?

19 A. Yes, there were other KLA units that were stationed in Gollak.

20 Q. My question dealt more precisely with the brigade in that region
21 of Gollak. So my question is, again, was any KLA brigade formed in
22 the Gollak region?

23 A. I don't know how to call it, but the initial organisation of the
24 KLA in the Karadak area began in Gollak. So Gollak was their base.

25 Q. Were you yourself engaged in the creation of any Kosovo

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1 Liberation Army brigade in the Gollak region?

2 A. Which brigade are you referring to?

3 Q. Any brigade. So were you engaged in the creation of any brigade
4 in the Gollak region?

5 A. Yes, I was engaged in the creation of 153 Brigade which was
6 established once the preparation and the necessary organisation was
7 completed. That is, to have the numbers of the units that would
8 become part of the brigade.

9 Q. You mentioned Brigade 153. Could you tell the Court when that
10 brigade was established?

11 A. This brigade. The beginnings -- the organisational beginnings
12 of this brigade was from the very units that were formed in almost
13 every village in Gollak area. Once the conditions were met, once we
14 had enough soldiers in the unit, and when the operational Llap zone
15 saw it fit that the conditions were met for this brigade to become
16 official and to be established, I don't remember the exact date, but
17 it was formed in February 1999.

18 Q. Was there any specific event or moment that you remember when
19 that brigade was formally established?

20 A. Yes.

21 Q. Could you tell the Court about that event.

22 A. Yes. This event took place in my own house which served as a
23 KLA headquarters; that is, the headquarters of 153rd Brigade at the
24 time.

25 Q. And where was your house?

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1 A. My house was in Zllash, which is a neighbourhood of Mramor
2 village.

3 Q. So you have just told us that it was formed in your house or
4 there was some event in your house, and it was February 1999. Could
5 you tell us what happened in February 1999 in your house, precisely,
6 that is linked to the formation of 153 Brigade?

7 A. In February 1999, in my house that served as the headquarters of
8 153 Brigade, there came a representative of the Llap operational
9 zone, the deputy commander of the operational zone, Kadri Kastrati,
10 who inaugurated solemnly the 153rd Brigade.

11 Q. Could you tell us who gave the order to establish that brigade?
12 Was it Kadri Kastrati who visited your house to announce the creation
13 or was it someone else?

14 A. Kadri Kastrati was a representative of the zone, and probably he
15 was ordered by the zone commander, Rustem Mustafa.

16 Q. During that meeting with Kadri Kastrati, who else, apart from
17 you, as I understand, was present in the house of yours when he
18 delivered that message about the creation of the brigade?

19 A. I don't remember all the persons that were present. I think
20 Rrahman Dini was present. If I'm not mistaken, Sejdi Veseli was also
21 present. And myself. As for the others, I don't know.

22 Q. Who was appointed as the brigade commander?

23 A. The brigade commander was not appointed that day.

24 Q. Was it announced by Kadri Kastrati who was about to be the
25 brigade commander?

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1 A. He did not state any name so that position remained open,
2 whereas Sadri Veseli was appointed deputy commander.

3 Q. In the interpretation I got the name Sadri Veseli. Was it
4 Sejdi Veseli or Sadri Veseli?

5 A. Sejdi. Sejdi Veseli.

6 Q. Thank you for this clarification. Were you appointed to any
7 position within that Brigade 153?

8 A. Since I was dealing with the organisation of the KLA on the
9 ground, and since I was on the ground all the time in various
10 villages of Gollak area, I was appointed as a person in charge of
11 civilian protection.

12 Q. Was it a position within the command of the brigade?

13 A. Yes.

14 Q. Mr. Sopi, did you remain in this position until the end of the
15 war?

16 A. No, our positions changed. We began as ordinary soldiers. And
17 at the end of the war, I ended up as a deputy commander and also the
18 position of the brigade commander once the war was over.

19 Q. When did you become the deputy commander of that brigade? Do
20 you remember the time?

21 A. As far as I know, that was after the 18th of April offensive in
22 1999.

23 Q. And who appointed you to that position of the deputy commander?

24 A. The Llap operational zone, more specifically, its
25 commander Rrustem Mustafa appointed me to that position.

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1 Q. And you have also told us that at some point you were also
2 nominated to the position of the commander of the brigade; is that
3 so?

4 A. Yes.

5 Q. And can you tell us when you were appointed to that position?

6 A. I got that position once the war was over, when the
7 demobilisation of the KLA began.

8 Q. You said that at some point, and you told us it was in April -
9 as far as I remember, it was 18 April - you were appointed to the
10 position of the deputy of the brigade, but you have told us before
11 that it was Sejdi Veseli who had that position. So the moment you
12 were nominated deputy head of the brigade, what happened to
13 Sejdi Veseli? Did he change his position?

14 A. Sejdi Veseli was appointed chief of staff of the brigade.

15 Q. At some point you mentioned the position of the commander of the
16 brigade. Did anyone assume the position of the brigade commander
17 during the war of that Brigade 153?

18 A. Yes, yes.

19 Q. If so, could you tell us the name of that person?

20 A. That was Adem Shehu.

21 Q. And who was Adem Shehu? What was his background?

22 A. Adem Shehu came from Tirana. He was from Tirana. He had a
23 professional military experience as an officer in the Albanian army.
24 And as such, he was appointed by the command of the Llap operational
25 zone as commander of this brigade.

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1 Q. When did he assume his position as the commander of Brigade 153?

2 A. I don't know the exact date. This happened at the end of March
3 1999.

4 Q. So you mentioned yourself as the person dealing with civilian
5 protection and then you became deputy of the brigade, deputy
6 commander. You mentioned Sejdi Veseli, who was first deputy
7 commander and then he became the chief of staff of the brigade, and
8 Adem Shehu as a commander. The three of you were part of the brigade
9 command; correct?

10 A. Yes.

11 Q. Was there anyone else who was also part of the command of
12 Brigade 153?

13 A. Yes, Rrahman Dini.

14 Q. What was his position within the brigade?

15 A. Rrahman Dini held various positions, that of civilian-military
16 relations. He also had the -- performed the task related to morale
17 and policies within 153 Brigade.

18 Q. Was he nominated already during that meeting with Kadri Kastrati
19 in February 1999 or later?

20 A. I think that some of the appointments happened that day, but it
21 could also be that they happened later. I do not remember.

22 PRESIDING JUDGE VELDT-FOGLIA: Excuse me, we have to interrupt
23 for a moment because we lost the connection with Mr. Mustafa. And I
24 think we have to go back to what Mr. Sopi was saying because we
25 already lost Mr. Mustafa when he was answering the question.

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1 [Technical difficulties]

2 PRESIDING JUDGE VELDT-FOGLIA: Good.

3 Mr. Prosecutor, I suggest that you start with line 17 of page 13
4 when you asked the question: "What was his position within the
5 brigade?" I think then we are on the safe side.

6 MR. MICHALCZUK: Yes. Yes, Your Honour. I will happily do
7 that.

8 Q. This is for the benefit of Mr. Mustafa, this line of questions,
9 these with Rrahman Dini, and my last question was: Was he - namely,
10 Rrahman Dini - nominated already during that meeting with
11 Kadri Kastrati in February 1999 or later?

12 MR. MICHALCZUK: Shall I continue reading the answer or shall we
13 give the witness again the opportunity to answer again?

14 PRESIDING JUDGE VELDT-FOGLIA: I was going to suggest that you
15 read it out. Thank you. Thank you very much.

16 MR. MICHALCZUK: So to that question, the answer of the witness
17 was as follows:

18 "I think that some of the appointments happened that day, but it
19 could also be that" -- some of the appointments -- "that they
20 happened later. I do not remember."

21 And then we interrupted the questioning.

22 PRESIDING JUDGE VELDT-FOGLIA: Thank you. You may continue.

23 MR. MICHALCZUK:

24 Q. Mr. Sopi, thank you very much for your last answer. And my next
25 question is as follows: What was the physical condition of

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1 Rrahman Dini at that time in February 1999?

2 A. Initially, Rrahman Dini was in good condition, health condition,
3 when we were together to organise the ranks of the KLA in most of the
4 villages in Gollak. But in the meantime, his health condition
5 deteriorated and he was not in good health condition somewhere in the
6 middle and end of the war.

7 Q. Do you remember when his condition deteriorated? Could you
8 point out at the time?

9 A. I don't know when exactly but I know that he complained little
10 by little, so much so that at one point he was unable to act.

11 Q. What was the nature of his complaints about his condition?

12 A. He had issues with breathing. He couldn't walk. Especially
13 with his breathing. And we suspected that he might have issues with
14 his heart. And the doctors we had took care of that.

15 Q. Did Rrahman Dini at any point tell you what the nature of his
16 ailment or condition, if you will, was?

17 A. He didn't know himself. We don't know any -- I don't know
18 anything about health issues. But I know what I said, that he had
19 issues with his breathing, heart, and lungs.

20 Q. Mr. Sopi, do you know whether Rrahman Dini was ever arrested by
21 the Serbian authorities?

22 A. Yes, but this happened before the war.

23 Q. Do you know when he was arrested?

24 A. Yes, I know. In 1984.

25 Q. Do you know how long he spent in jail?

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1 A. Four or five years, the same time that I too spent. We were
2 together in jail.

3 Q. Was he subjected to any mistreatment while in jail?

4 A. All the Albanians who were politically -- political prisoners,
5 when I, too, and Rrahman were there, were mistreated severely. It is
6 very hard to describe what we were subjected to then.

7 Q. Did he suffer any ailments as a result of that time that he
8 spent in prison and also the mistreatment that he was subjected to?

9 A. I can't know that.

10 Q. I understand.

11 MR. MICHALCZUK: Your Honours, with your permission, I would
12 like to read a very short passage from the statement of Mr. Sopi
13 regarding Rrahman Dini, and I would like to have this line of
14 questions concluded by reading this passage and asking the witness
15 whether with he confirms that or he's got comments on it.

16 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

17 MR. MICHALCZUK: Yes, thank you very much.

18 Q. So, Mr. Sopi, I'm going to read you a very short passage from
19 your statement that you gave to the Specialist Prosecutor's Office.

20 MR. MICHALCZUK: And for the record, the number would be
21 069474-TR-ET, Part 2, page 5, lines from 5 to 10.

22 Q. The question of the Prosecutor that was put to you was as
23 follows:

24 "The members of the brigade command was Adem Shehu, Sejdi
25 Veseli, and yourself. Who else?"

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1 Your answer to that question was:

2 "Rahman Dini."

3 The question of the Prosecutor:

4 "And what was his role?"

5 And your answer was:

6 "He was a member of the staff, but he didn't have a particular
7 task because he was ill all the time."

8 Do you confirm that that is what you said and that it
9 corresponds to the truth?

10 A. I said that he didn't have any specific operational task, but he
11 met with people and he did the work regarding political morale. He
12 was in the staff, even -- offices, even when he was sick.

13 MR. VON BONE: May I just briefly interrupt for a second. I
14 think the quotation learned counsel was, on line 10, not "all the
15 time" but "at the time," I think. I think.

16 MR. MICHALCZUK: This is correct, Your Honours. I misquoted and
17 I apologise for that. Indeed, the precise quotation was:

18 "He was a member of the staff, but he didn't have a particular
19 task because he was ill at that time."

20 This is correct.

21 Q. So, Mr. Sopi, saying that "he was ill at that time," you mean
22 the conditions that you have just described to us today of
23 Rahman Dini; correct?

24 A. What conditions are you referring to?

25 Q. You said today that he had difficulty breathing and you

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1 suspected also heart problems; is that correct?

2 A. Yes, yes.

3 Q. Mr. Sopi, let's move on. Where did the Brigade 153 have its
4 headquarters? At some point today, you mentioned it was in your
5 house in Zllash; is that so?

6 A. Yes.

7 Q. Did the brigade have the headquarters in your house until the
8 end of the war?

9 A. No.

10 Q. Did it change at any point; and if so, could you tell us the
11 locations where the brigade headquarters was? And, of course, if
12 possible, if you could give us also timestamps telling us when the
13 change of location happened.

14 A. In the conditions of war and constant Serb attacks, it didn't
15 stand to logic for the staff of the brigade to remain in one position
16 because, in that way, it would be the object of possible Serb
17 attacks. Therefore, the brigade staff moved from my house to the
18 house of my uncle for a while, for some months, maybe two months, and
19 then it moved to the house of some neighbours in another place. Then
20 after the Serb offensive of 18 April, when the overwhelming majority
21 of the houses in the village were burned, the staff was settled in
22 the house of Shaban Gashi in the western part of Zllash village.

23 Q. So could you tell us more precisely until when was the brigade
24 headquarters in your house? So from when to when.

25 A. I can't be accurate regarding dates. After the founding of the

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1 brigade, officially, that is, sometime in February of 1999. Then in
2 March, we moved to the house of my uncle which is situated some --
3 about 1 kilometre away from my home.

4 Q. Is there any schools in Zllash or, to be more precise, was there
5 any school in Zllash in 1999?

6 A. Yes, yes.

7 Q. That house of your uncle, was it in the proximity of that school
8 perhaps?

9 A. It is not far from the school but not at the school.

10 Q. Did at any point Brigade 153 headquarters move to the building
11 of that school?

12 A. No. The school buildings served as a training centre. But the
13 brigade staff had the commander of the training centre and people
14 might have identified it as a staff. But, in fact, it was the office
15 of the people responsible for the training who had an office there,
16 and it was also the kitchen for the soldiers who were training there.

17 But as for the staff being stationed there for a long time,
18 that's not true. No.

19 Q. I understand. What was the area of operations of Brigade 153?

20 A. Brigade 153 covered almost all the villages of the Gollak
21 heights, comprising villages from Rimanishte, Sharban, Koliq, Nishec,
22 Prapashtice, Koliq, Grashtice, Dabishec, Mramor, Marec. More or less
23 these villages.

24 Q. Mr. Sopi, we could come back to that school a bit later today,
25 but let me now move on to another topic.

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1 Are you aware of the Kosovo Liberation Army unit called BIA,

2 B-I-A?

3 A. Yes.

4 Q. Do you know whether that unit went by any other name, other than

5 BIA?

6 A. BIA or Skifterat.

7 Q. Do you know what BIA, this acronym, stands for?

8 A. BIA is an acronym for the first letters of the nation's martyrs,

9 Bahri Fazliu, Ilir Konushevci, and Agron Rrahmani. This name was put
10 to this brigade as a sign of honour for these heroes.

11 Q. Did that unit, the BIA unit, occupy any location in Zllash?

12 A. Yes, they had a location in Zllash.

13 Q. And where was that unit located? Where was that location?

14 A. It was in the highest point in Zllash, in the north-east of the
15 village.

16 Q. What was the distance between your house and that location of
17 BIA in Zllash?

18 A. I'm not very sure. Maybe some 2, 3 kilometres. Something like
19 that.

20 Q. And how much time walking would that take to cover that
21 distance?

22 A. You mean if you walk?

23 Q. If you walk from --

24 PRESIDING JUDGE VELDT-FOGLIA: Please. Sorry, I have to
25 interrupt again because we lost the connection again.

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1 [Technical difficulties]

2 PRESIDING JUDGE VELDT-FOGLIA: Mr. Mustafa, can you hear me?

3 THE ACCUSED: [via videolink] [Interpretation] For the moment,
4 yes. But for two, three minutes I lost you.

5 PRESIDING JUDGE VELDT-FOGLIA: Okay. Can you remember the last
6 thing you heard?

7 THE ACCUSED: [via videolink] [Interpretation] Yes, it was the
8 question about the name BIA.

9 PRESIDING JUDGE VELDT-FOGLIA: Okay. So I will kindly the ask
10 the Prosecutor -- Mr. Prosecutor, read out from, what is it, I think
11 line 9 of page 20 for the benefit of Mr. Mustafa, that he hears what
12 the witness has said.

13 MR. MICHALCZUK: Yes, of course, Your Honour. With pleasure.

14 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

15 MR. MICHALCZUK: The question was:

16 "Do you know what BIA, this acronym, stands for?"

17 Answer:

18 "BIA is an acronym for the first letters of the nation's
19 martyrs, Bahri Fazliu, Ilir Konushevci, and Agron Rrahmani. This
20 name was put to the brigade as a sign of" --

21 I believe there is a wrong word here. But the commemoration of
22 these heroes, I believe that was the answer. The question:

23 "Did that unit, the BIA unit, occupy any location in Zllash?

24 "A. Yes, they had a location in Zllash.

25 "Q. And where was that unit located? Where was that location?

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1 "A. It was in the highest point in Zllash, in the north-east of
2 the village.

3 "Q. What was the distance between your house and that location
4 of BIA in Zllash?

5 "A. I'm not very sure. Maybe 2, 3 kilometres. Something like
6 that.

7 "Q. And how much time walking would that take to cover that
8 distance?

9 "A. You mean if you walk?"

10 And then the connection -- then we interrupted with the
11 questioning and answers.

12 PRESIDING JUDGE VELDT-FOGLIA: Thank you for that. And you may
13 proceed.

14 MR. MICHALCZUK:

15 Q. So how much time would that take to walk from your house to that
16 BIA location in Zllash?

17 A. 20 or 30 minutes, I would say.

18 Q. We discussed briefly the location of the school in Zllash. How
19 much would that take walking from the school to the BIA location in
20 Zllash?

21 A. 20 minutes, 15, depending on how fast you walk.

22 Q. And what was the distance in terms of kilometres between BIA
23 location in Zllash and that school?

24 A. From my house to the school, it's less than 1 kilometre. And
25 the school is situated between my house and the place where the BIA

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1 was situated.

2 Q. Could you please describe that BIA location in Zllash.

3 A. It was a normal village house with a yard and the buildings for
4 living there. The same as our houses, because the KLA didn't have
5 barracks. It was stationed in different houses, houses belonging to
6 citizens who were willing to free their house and let us use it for
7 the purposes of the KLA.

8 Q. Who did that house, plus the yard and the buildings there,
9 belong to?

10 A. The owner was a villager from the same village, Adem Krasniqi.

11 Q. In 1999 was he living within that compound?

12 A. No. The family had moved earlier to Prishtine some years before
13 1999.

14 Q. That building which was the location of BIA unit, could you
15 describe the building? You said it was a normal village building,
16 but we are probably not that familiar with how it looks. So could
17 you describe, in your own words, how that BIA building looked.

18 A. I can't be accurate from the distance. I sometimes, as a
19 neighbour, visited the family before they moved away. I know that it
20 consisted of several houses. There was the guesthouse. The oda, as
21 we call it. There was a barn which was used for keeping the fodder
22 for the animals. There were garages. Like this.

23 Q. So you have discussed more or less the layout. I'm asking
24 particularly about the building occupied by BIA, because you
25 mentioned that there was this building. Was it that oda building,

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1 the guesthouse, or was it another house? Could you tell the Court?

2 A. All these buildings were part of the same compound in the same
3 yard.

4 Q. Are you saying the BIA was occupying the whole compound?

5 A. Yes. In that house, yes.

6 Q. Speaking about that compound, do you remember whether this
7 compound was fenced in any way?

8 A. I don't recall.

9 Q. Do you remember whether this house was guarded, this compound
10 was guarded by anyone?

11 A. In every place where the KLA was stationed, for its own security
12 of course there were guards.

13 Q. So who were the guards? Did they belong to any unit, that BIA
14 unit or any other unit?

15 A. I mean that every unit that was stationed somewhere had its own
16 soldiers guarding it. As usual, they appointed someone to do guard
17 duty. I am talking about my own, let's say, duty where I organised
18 the units. The first duty for every unit was to appoint someone as a
19 guard to protect the soldiers that might be resting, sleeping.

20 Q. I understand. Did you consider this compound where BIA was
21 located as a proper military establishment?

22 A. Yes, I would say so.

23 MR. MICHALCZUK: Your Honours, to the question of the presence
24 of the fence, the answer was negative. I would like to, with your
25 permission, of course, read to the witness a very short excerpt of

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1 his previous statement, if I may.

2 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

3 MR. MICHALCZUK:

4 Q. Mr. Sopi, do you remember giving a testimony to UNMIK court in
5 2003?

6 A. Yes.

7 Q. I'm going to read you a very short part of that testimony, and
8 this is, for the record, testimony of Fatmir Sopi, P.No.178/03 dated
9 29 October 2003, and the ERN number would be 7000593-7000609RED,
10 page 10.

11 And the public prosecutor during that court hearing asked you
12 the following question:

13 "Was the yard enclosed in any way?"

14 And the question was in relation to that BIA compound that you
15 are describing. Your answer was:

16 "Not exactly. There was a fence on one side and then on the
17 other side there were houses surrounding them."

18 Do you remember saying that, that indeed there was a fence on
19 one side at the perimeter of that compound?

20 A. Every house has a fence or part of its yard surrounded. I am
21 not very accurate how many -- what part was fenced. But the house
22 was not -- the family was not living there, so I didn't pay much
23 attention to surrounding it or to a building or fence. It might be
24 that there was part of the fence still on. The war was -- burned it
25 down. For me, it's not important. Maybe for you, it is. But for

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1 me, it doesn't make any difference.

2 Q. Thank you for this clarification. My follow-up question to it
3 would be: Was your memory fresher and clearer when it comes to
4 describing events back then in 2003 or now, further from the events,
5 in 2022?

6 A. I can't know it. I am not sure. One may forget after one day
7 something but may not forget something else for all his life.

8 Q. That is true. Thank you very much for this clarification again.
9 I asked you about that BIA location and you told us already several
10 pieces of information about it. But do you remember whether there
11 was, within that compound, one distinctive house which was bigger
12 than the others? Do you remember such a house?

13 A. Maybe bigger than the others. But that part where the family
14 had lived was bigger than the area where -- that was for the guests.
15 The oda was closer. This is to the extent I remember.

16 Q. Speaking of that biggest house within the compound, could you
17 describe this house from the outside? Even in general terms, tell us
18 what you remember.

19 THE INTERPRETER: Interpreter's correction, line 24: "Closer"
20 should read "smaller."

21 THE WITNESS: [Interpretation] I don't know how to describe it in
22 words. A house, just like any other village house, with rooms where
23 families live, cook, spend time. So I don't know how to explain it.

24 MR. MICHALCZUK:

25 Q. Was it a one-storey house or two-storey, three-storey house?

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1 Bigger than that?

2 A. Usually one-storey.

3 Q. Did it have any stairs?

4 A. I don't remember. I don't remember whether it had stairs.

5 Q. What about the roof? What was the roof covered with? Do you
6 remember?

7 A. With tiles as far as I know.

8 Q. Do you remember the colour of the tiles?

9 A. Red. As far as I know, red.

10 Q. Was this house standing alone or did it have any adjacent
11 buildings immediately standing next to it?

12 A. No, I don't know. A house is a house.

13 PRESIDING JUDGE VELDT-FOGLIA: We lost the connection again but
14 Mr. Mustafa is back. And as a general remark, I was informed that
15 there are issues with the network connection at Raamweg, so it's a
16 more general problem and they're trying to resolve it. But I was
17 informed that we might lose again, so I'm keeping an eye on the
18 screen where Mr. Mustafa is appearing to avoid that at least we talk
19 when he's not present.

20 MR. MICHALCZUK: Your Honours, do I need to assist again with
21 reading some parts that Mr. Mustafa might have not heard?

22 PRESIDING JUDGE VELDT-FOGLIA: No. What I've seen it was just
23 two seconds. The screen went black and he came back, and it was not
24 really on a moment that you were reading out or the witness was
25 saying anything. So please proceed where you had ended.

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1 MR. MICHALCZUK: Yes.

2 Q. Mr. Sopi, I'm going to show you a few images.

3 MR. MICHALCZUK: And, Your Honours, I'll be happy if we could
4 pull up on the screen for Mr. Sopi to see a photograph. The SPO
5 number is -- the ERN number is SPO00128412.

6 Q. Mr. Sopi, can you see on your screen the photograph that --

7 A. Yes.

8 Q. -- we are going to discuss? Could you tell us what is on this
9 photograph?

10 A. On this photograph we see the school in Zllash village.

11 Q. The school that you mentioned before today; correct?

12 A. Yes.

13 Q. You mentioned something, if I am not mistaken, about the
14 training that was being organised in that school. Is that the school
15 in the premises of which that training was organised?

16 A. Yes.

17 Q. We will come back to this issue a bit later. Could you also
18 tell us whether you remember the name of that school?

19 A. Avni Rrustemi was the name of the school.

20 MR. MICHALCZUK: Your Honours, I'm tendering this photo into
21 evidence. And, again, for the record, the number is SPOE00128412.

22 Q. Mr. Sopi, I'm going to show you another photograph.

23 MR. MICHALCZUK: For the record, its number is SPOE00128388.

24 Q. Mr. Sopi, can you see this photograph in front of you?

25 A. Yes.

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1 Q. What is on this photograph?

2 A. A house. Yes.

3 Q. Today, a few minutes ago actually, we discussed the BIA
4 location. Is that the location we were talking about?

5 A. Yes.

6 Q. The big house on the right side of the photo, is this the house
7 where BIA soldiers used as their location?

8 A. I'm not sure which parts they used, for what they used, because
9 I didn't know the place where they were based, but it is part of the
10 compound.

11 Q. So before, today, you said that BIA was using the whole
12 compound; is that correct?

13 A. Yes.

14 Q. And do I understand correctly that BIA was using the compound
15 seen on that photograph? Could you please say that because if you
16 nod, we don't have it on the record.

17 A. Yes, yes.

18 MR. VON BONE: I'm not sure. May I interfere for a second?

19 PRESIDING JUDGE VELDT-FOGLIA: Please, counsel for the Defence.

20 MR. VON BONE: Yes.

21 PRESIDING JUDGE VELDT-FOGLIA: What do you want to say?

22 MR. VON BONE: I understand that the witness is speaking about
23 the compound, and the Prosecution is asking about this specific
24 building. And in the earlier statement, the witness said that he
25 speaks about the compound in general but not the particular buildings

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1 as such as being used by the BIA unit.

2 So I am -- I think that in the last question of the Prosecution
3 the target of the question is rather the specific building, and the
4 answer of the witness is more about the compound as such, the
5 location, in which he says: I'm not sure which buildings they use or
6 do not use.

7 So I think that in order to avoid any confusion, I would like to
8 ask whether the Prosecution can specify or at least distinguish
9 compound and specific buildings, rather than that we have this
10 exchange of compound and a specific building. So that is my question
11 to the Prosecutor, to target that more, either to compound, either to
12 specific building.

13 PRESIDING JUDGE VELDT-FOGLIA: Mr. Defence counsel, I see here
14 so that the -- the question of the Prosecutor was:

15 "So before, today, you said that the BIA was using the whole
16 compound; is that correct?"

17 And then the witness says:

18 "Yes."

19 And then the question is:

20 "And do I understand correctly that BIA was using the compound
21 seen on the photograph?"

22 And then there was a nod. Yes?

23 MR. VON BONE: [Microphone not activated].

24 PRESIDING JUDGE VELDT-FOGLIA: And what would you like to have
25 reformulated?

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1 MR. VON BONE: Whether we can distinguish more compound from
2 specific buildings rather than the entire building -- the entire
3 compound being used as -- by the BIA. In my view, the witness says
4 that he does not know which particular building they were using on
5 that compound. That is why I would like to ask my learned counsel to
6 clarify or make clear or distinguish clearly do we understand
7 correctly this or that so that there is no -- no --

8 PRESIDING JUDGE VELDT-FOGLIA: Wait, wait, wait.

9 MR. VON BONE: -- misunderstanding.

10 PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness, could you take off
11 your headphones.

12 For next time, I realise when we have an interpretation
13 question, we should do it before. And -- oh, that was your point.
14 Okay, thank you for that.

15 Mr. Prosecutor, what is your reaction on this?

16 MR. MICHALCZUK: Yes, my reaction mirrors the reaction of
17 Your Honour. Initially, indeed -- and I understand the concern of my
18 learned colleague. Indeed, my first question was about the house.
19 Then Mr. Sopi clarified that it was about the compound. And then my
20 second follow-up question was about the compound only.

21 So his answer to the question about the compound as occupied by
22 BIA, the answer was "yes." So to clarify the issue, we are talking
23 about the compound right now, and this was what the last question was
24 all about.

25 PRESIDING JUDGE VELDT-FOGLIA: That's how I understood it too.

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1 MR. VON BONE: Well, I'm --

2 PRESIDING JUDGE VELDT-FOGLIA: You will be in the -- I will give
3 you --

4 MR. VON BONE: No, it's just --

5 PRESIDING JUDGE VELDT-FOGLIA: No, I want to finish my phrase.

6 MR. VON BONE: I'm sorry. I'm sorry, Your Honour.

7 PRESIDING JUDGE VELDT-FOGLIA: You will get the possibility if
8 you think that it has not been clarified --

9 MR. VON BONE: Yes.

10 PRESIDING JUDGE VELDT-FOGLIA: -- to ask a question on that, of
11 course.

12 MR. VON BONE: Yes.

13 PRESIDING JUDGE VELDT-FOGLIA: So you will get the floor. But I
14 think that, for now, this line of questioning was not unclear.

15 MR. VON BONE: Okay. Well, it's just my request if we have
16 questions whether we can, as one is speaking about compound and the
17 other about buildings, that we have clarity on that particular issue.
18 It's just my request to the Prosecutor to make that.

19 PRESIDING JUDGE VELDT-FOGLIA: Please proceed, Mr. Prosecutor.

20 MR. MICHALCZUK: Your Honour, I will try my best to be clearer
21 next time if there was any unclarity.

22 Q. Mr. Witness, I'm going to show you --

23 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated].

24 MR. MICHALCZUK: Excuse me.

25 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated].

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1 Please proceed.

2 MR. MICHALCZUK: [Microphone not activated].

3 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

4 [Specialist Prosecutors confer]

5 MR. MICHALCZUK:

6 Q. Mr. Sopi, I'm going to show you another photograph.

7 MR. MICHALCZUK: And, for the record, it would be SPOE00128405.

8 Q. Mr. Sopi, what is on this photograph?

9 A. We see a semi-ruined house, and we see a barn.

10 Q. Is that the same compound that I showed you on the previous
11 photograph?

12 A. This is also in the same yard with that house.

13 Q. Thank you.

14 MR. MICHALCZUK: We can just remove this photograph.

15 PRESIDING JUDGE VELDT-FOGLIA: Excuse me, Mr. Prosecutor. Just
16 to be sure on the number that was cited.

17 MR. MICHALCZUK: Yes.

18 PRESIDING JUDGE VELDT-FOGLIA: Is that correct? Because my
19 colleague pointed out that the number is --

20 MR. MICHALCZUK: Okay.

21 PRESIDING JUDGE VELDT-FOGLIA: -- 28405.

22 MR. MICHALCZUK: That is correct, Your Honour. The last
23 photograph that I showed to the witness indeed bears this number.

24 So, again, it's SPOE00128405. This is the last photograph.

25 PRESIDING JUDGE VELDT-FOGLIA: Yes.

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1 MR. MICHALCZUK: If my quotation was incorrect, I apologise for
2 that.

3 PRESIDING JUDGE VELDT-FOGLIA: No, just to clarify, because it
4 could be an error on our side, but just to be sure that we have the
5 right citation. Thank you.

6 MR. MICHALCZUK:

7 Q. Mr. Sopi, was the BIA unit part of Brigade 153?

8 A. No, it was not part of Brigade 153.

9 Q. Did BIA unit report to Brigade 153?

10 A. No.

11 Q. Who did BIA unit report to then?

12 A. I was not responsible for who was reporting to who. But based
13 on the organisational chart of the Llap operational zone, I noticed
14 that BIA was responsible to Llap operational zone command.

15 Q. [Microphone not activated].

16 A. Reported to Llap operational zone command.

17 Q. [Microphone not activated].

18 THE INTERPRETER: Microphone, please.

19 MR. MICHALCZUK:

20 Q. That organisational chart of the Llap operational zone that you
21 have just mentioned, what was that chart? Could you tell us about
22 it?

23 A. That was the structure of Llap operational zone.

24 Q. [Microphone not activated].

25 THE INTERPRETER: Microphone.

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1 MR. MICHALCZUK:

2 Q. Who prepared that organisational chart?

3 A. The Llap operational zone staff, of course.

4 Q. Do you know who was the commander of the BIA unit?

5 A. Yes.

6 Q. Who was the commander then?

7 A. Salih Mustafa.

8 Q. Did he go by any nickname?

9 PRESIDING JUDGE VELDT-FOGLIA: Mr. Prosecutor, we lost
10 Mr. Mustafa again. And we are approaching -- yes, it's still ten
11 minutes to go, but I just want to put you on notice that we are
12 approaching 11.00.

13 [Technical difficulties]

14 MR. MICHALCZUK: Your Honours, I don't have too many questions
15 with regard to this line of questioning, so probably by 11.00 I'll be
16 done and we could resume after the break.

17 PRESIDING JUDGE VELDT-FOGLIA: Thank you. I propose that you
18 restart with your question who was the commander of the BIA unit. I
19 think there is where we left off.

20 MR. MICHALCZUK: Of course, Your Honour.

21 The question of the Prosecutor was:

22 "Do you know who was the commander of the BIA unit?"

23 The answer was:

24 "Yes."

25 "Q. Who was the commander then?

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1 "A. Salih Mustafa."

2 Q. And my last question that was not answered was:

3 "Did he go by any nickname?"

4 A. Yes.

5 Q. So what was the nickname of Salih Mustafa?

6 A. We knew him also as Cali.

7 Q. Do you know what the role of the BIA unit was?

8 A. As any other KLA unit, the role of the BIA unit was to liberate
9 the country from the Serb occupier.

10 Q. I understand that. And what you said is true, but could you
11 tell the Court what was the specific role of the BIA unit within the
12 KLA?

13 A. A more specific role of this unit can be more specifically
14 explained by the representative of that unit. As far as I knew, it
15 was part of the KLA just like any other unit in the Llap operational
16 zone.

17 Q. No, I understand that the members of that unit could explain
18 that better because they were members of it. But my question was
19 what do you know yourself about the role of the BIA within the Kosovo
20 Liberation Army?

21 A. I cannot know the exact role of every soldier and every unit,
22 but I know that they worked based on the orders and based on the
23 conditions of that time to give their contribution for the liberation
24 of the country.

25 MR. MICHALCZUK: [Microphone not activated].

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1 Excuse me, Your Honour. I constantly switch it on and off. My
2 fault entirely.

3 Could I read to the witness a very short excerpt of his
4 statement to the SPO regarding his knowledge about the BIA. Maybe
5 I'll be able to refresh his memory.

6 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

7 MR. MICHALCZUK: Thank you, Your Honour.

8 Q. Mr. Sopi, I'm going to read you a very short passage from your
9 statement you gave to the SPO.

10 MR. MICHALCZUK: For the record, it would be ERN 069474-TR-ET,
11 Part 2, page 16, lines from 21 to 24.

12 Q. The question was exactly about what was the BIA role, and your
13 answer was:

14 "There wasn't a determined number because their duties were to
15 supervise and to watch out in Prishtine."

16 The question was:

17 "To watch out for who or for what?"

18 And the answer was:

19 "The situation. The movement."

20 So do you confirm that part of BIA's role was to observe
21 movements in Prishtine?

22 A. Yes, I do confirm that part of duties of every soldier of the
23 KLA was to observe the enemy movements that could put the numerous
24 population at the time in Gollak in danger and collect valuable
25 information on the movements of the enemy towards the KLA position.

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1 The civilian population at that time in Gollak was numerous. There
2 were thousands and thousands of people who had been forced out of
3 their houses by the Serbs in Prishtine in the direction of Gollak
4 villages and also in the direction of Podujeve.

5 So it was in our interest to know the movements of the Serbian
6 army and police so that we avoid any casualties and losses amongst
7 the civilian population. So every information on enemy movement was
8 welcome in terms of our preparations.

9 Q. So from what you are saying, also BIA was engaged in the
10 collection of this information? Is that what you're saying?

11 A. Yes.

12 Q. Mr. Sopi, I'm going to read you another, again, very, very short
13 excerpt of your statement that you gave to the investigating judge.

14 MR. MICHALCZUK: And I'm referring to the document which is
15 called Redacted Records on the Witness Hearing of the Witness W04485.
16 And the ERN number is 7000669 to 7000676RED 1, page 5.

17 Q. Mr. Sopi, it was a long time ago when you gave that statement,
18 but this is what you said to the investigating judge at that time in
19 the case of Agron Zeqiri. The question of the investigating judge
20 was as follows:

21 "Do you know anything about an organisation called BIA?"

22 Your answer was:

23 "Yes, I know only that it was a unit under the operative zone of
24 Llap, which used to deal, as I'm not here to talk about the
25 activities of others, was used to provide logistics to the operative

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1 zone of Llap. It used to provide food, nurses, and medical goods."

2 Do you remember having said that to the investigating judge, and
3 is that true what you knew about that unit?

4 A. Yes, I did say that to the investigating judge and I'm saying it
5 again, that those tasks were also performed by the BIA guerilla unit.
6 And it was like a supplier not only for the Llap operational zone but
7 for other units of the KLA in Kosovo. And when necessary, they also
8 took part in battles fought by other KLA units of 153rd Brigade or
9 any other unit that fought battles.

10 Q. [Microphone not activated]. Perhaps the last question before we
11 break. Mr. Sopi, where did the BIA unit operate? Where?

12 A. I don't have information where exactly it operated. I don't
13 have such information. I don't know.

14 MR. MICHALCZUK: Your Honour, with your permission -- and this
15 is my last reference to the SPO statement of the witness. With your
16 permission, I'm going to put it to the witness with a question to
17 confirm it or deny. The number would be 069474-TR-ET, Part 2,
18 page 16, lines 21 to 24.

19 Q. The question of the Prosecutor was:

20 "Where did that unit operate?" Namely, BIA.

21 Your answer to that question was:

22 "There wasn't a determined number," and you were referring to
23 the number of BIA members, "because" --

24 PRESIDING JUDGE VELDT-FOGLIA: Sorry, Mr. Prosecutor, to
25 interrupt you. Just to be sure, you say Part 2, page 16. That is

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1 the same that you already cited before that was about the movement,
2 the enemy movement, the witness talked about.

3 MR. MICHALCZUK: Your Honour, just to be precise, let me consult
4 with my colleague and I'll resume just in a second.

5 [Specialist Prosecutor confers]

6 MR. MICHALCZUK: Your Honours, let's go for a break and we will
7 reassess it, whether it is indeed necessary to ask one of the
8 questions that I had in mind or not.

9 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated].

10 THE INTERPRETER: Microphone for Her Honour.

11 PRESIDING JUDGE VELDT-FOGLIA: Yes. Thank you very much,
12 Mr. Prosecutor.

13 Madam Court Usher, could you assist the witness in exiting the
14 courtroom.

15 We will break, Mr. Sopi, for 30 minutes from now on, and then
16 you will be brought back when we will restart. Yes?

17 THE WITNESS: [Interpretation] Thank you.

18 [The witness stands down]

19 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

20 Before we adjourn, since this is a public session, the
21 questioning party can keep its microphone on, I was told, and there's
22 no problem for security reasons or others. So that may assist us
23 all.

24 The hearing is adjourned. In 30 minutes, we will see each other
25 again.

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1 --- Recess taken at 11.03 a.m.

2 --- On resuming at 11.32 a.m.

3 PRESIDING JUDGE VELDT-FOGLIA: Let us start with appearances for
4 the SPO. I think I don't see any changes.

5 MR. MICHALCZUK: No changes, Your Honour.

6 PRESIDING JUDGE VELDT-FOGLIA: And the same goes for the
7 Victims' Counsel.

8 MS. PUES: [Microphone not activated].

9 PRESIDING JUDGE VELDT-FOGLIA: And --

10 MR. VON BONE: No changes.

11 PRESIDING JUDGE VELDT-FOGLIA: Thank you. Good.

12 Madam Court Clerk, could you please usher the witness in.

13 [The witness takes the stand]

14 PRESIDING JUDGE VELDT-FOGLIA: Please be seated. Welcome back,
15 Mr. Sopi.

16 THE WITNESS: [Interpretation] Thank you.

17 PRESIDING JUDGE VELDT-FOGLIA: Mr. Prosecutor, you may proceed
18 with your questioning.

19 MR. MICHALCZUK:

20 Q. Mr. Sopi, indeed, welcome back.

21 MR. MICHALCZUK: Your Honours, perhaps I'll not use the whole
22 day of today. We might either finish by lunchtime or maybe we'll
23 continue after lunch but rather briefly. So I'm giving Your Honours
24 an advance notice about the timing for today for the
25 examination-in-chief by the Prosecution.

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1 PRESIDING JUDGE VELDT-FOGLIA: Thank you very much. Very
2 useful.

3 MR. MICHALCZUK:

4 Q. Mr. Sopi, I would like to change slightly the area that I would
5 like to explore with you. Today, earlier on, before the break, we
6 mentioned the school and we discussed briefly the school in Zllash.
7 And you also mentioned training. So coming back to that issue, is my
8 understanding correct that there was training organised in the school
9 in Zllash?

10 A. Yes, that's correct.

11 Q. Could you tell me about this training? How was this training
12 organised?

13 A. The training was organised in groups of volunteers coming from
14 units that had been set up in various villages of Gollak. And
15 depending on the need, certain units in a certain village composed of
16 20, 30 members were organised and came to Zllash school for military
17 training, basic military training, the most necessary training that
18 would help them in the battles of the KLA against the Serb forces.

19 Q. How long did your training last for those groups of people
20 coming to Zllash to be trained?

21 A. I'm not very sure but maybe three weeks. Up to four weeks. I
22 can't be very precise because time -- a long time has passed. But
23 until they mustered the elementary knowledge necessary for the
24 soldiers to know.

25 Q. What did that training consist of? What were the elements, the

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1 components of that training?

2 A. The elements of training were their physical training, a
3 demonstration of weapons that they possessed, and other forms of
4 training for battles, the strategic forms during the war operations.

5 Q. The training we are talking about, was it organised for those
6 who were already Kosovo Liberation Army soldiers or was it organised
7 for the raw recruits for the KLA?

8 A. Usually they were initially were recruited in their respective
9 villages. And then to get ready for war, they came there, those who
10 hadn't done the military service. Because, actually, a large number
11 of our fighters had already gone through the military training in the
12 Yugoslav Army, so they didn't need to get supplementary training.
13 But I meant the raw recruits that were in large numbers who came as
14 volunteers and who wanted to get the basic knowledge for war.

15 Q. You said that they were coming from their villages. Were they
16 already registered in their villages or was there any registration
17 system also in place in that school?

18 A. No. They were already registered in their respective villages
19 and came as groups sent by the unit commander, their respective unit
20 commanders.

21 Q. During the training, were those raw recruits provided with
22 uniforms?

23 A. We didn't have enough uniforms. It happened that someone was
24 given a uniform, but the overwhelming majority didn't have uniforms.
25 Part of them had already uniforms. But as I said, we lacked

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1 uniforms. We couldn't provide uniforms for all the soldiers.

2 Q. I understand. During the training, were the recruits provided
3 with weapons?

4 A. Usually they -- we had weapons, enough weapons to provide to the
5 recruits for as long as they stayed in this training site.

6 Q. So I understand --

7 PRESIDING JUDGE VELDT-FOGLIA: Mr. Prosecutor, excuse me. We
8 have lost the connection with Mr. Mustafa. We have to wait for a
9 moment.

10 [Technical difficulties]

11 PRESIDING JUDGE VELDT-FOGLIA: Welcome back, Mr. Mustafa. Have
12 you heard the answer with regard to the weapons?

13 THE ACCUSED: [via videolink] [Interpretation] No, I heard as far
14 as the question for training was concerned.

15 PRESIDING JUDGE VELDT-FOGLIA: Did you hear about the uniforms,
16 if the raw recruits were provided with --

17 THE ACCUSED: [via videolink] [Interpretation] No, Your Honour.

18 PRESIDING JUDGE VELDT-FOGLIA: Okay.

19 THE ACCUSED: [via videolink] [Interpretation] No, I did not hear
20 that. I heard as far as when Fatmir started to explain about the
21 units coming from various villages for training in the school.

22 PRESIDING JUDGE VELDT-FOGLIA: Could you read from there,
23 Mr. Prosecutor. Then we are, I think, on page 43.

24 MR. MICHALCZUK: Yes, I could start from page 43.

25 So the first question on that page was:

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1 "How long did your training last for those groups of people
2 coming to Zllash to be trained?"

3 The answer was:

4 "I'm not very sure but maybe three weeks. Up to four weeks. I
5 cannot be very precise because time -- a long time has passed. But
6 until they mustered the elementary knowledge necessary for the
7 soldiers to know."

8 The question was:

9 "What did that training consist of? What were the elements, the
10 components of that training?"

11 The answer was:

12 "The elements of training were their physical training, a
13 demonstration of weapons that they possessed, and other forms of
14 training for battles, the strategic forms during the war operations.

15 "Q. The training we are talking about, was it organised for
16 those who were already Kosovo Liberation Army soldiers or was it
17 organised for the raw recruits for the KLA?

18 "A. Usually they were initially were recruited in their
19 respective villages. And then to get ready for war, they came there,
20 those who hadn't done their military service. Because, actually, a
21 large number of fighters had already gone through the military
22 training in the Yugoslav Army, so they didn't need to get
23 supplementary training. But I meant the raw recruits that were in
24 large numbers who came as volunteers and who wanted to get the basic
25 knowledge for war."

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1 The question:

2 "You said that they were coming from their villages. Were they
3 already registered in their villages or was there any registration
4 system also in place in that school?"

5 The answer:

6 "No, they were already registered in their respective villages
7 and came as groups sent by the unit commander, their respective unit
8 commanders.

9 "Q. During the training, were those raw recruits provided with
10 uniforms?

11 "A. We didn't have enough uniforms. It happened that someone
12 was given a uniform, but the overwhelming majority didn't have
13 uniforms. Part of them had already uniforms. But as I said, we
14 lacked uniforms. We couldn't provide uniforms for all the soldiers.

15 "Q. I understand. During the training, were the recruits
16 provided with weapons?

17 "A. Usually they -- we had weapons, enough weapons to provide
18 to the recruits for as long as they stayed in this training site."

19 And that was the end of that part.

20 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Mr. Prosecutor, for
21 reading out the two pages for Mr. Mustafa.

22 MR. MICHALCZUK:

23 Q. Mr. Sopi, speaking of training, where were the trainees
24 accommodated during the training in Zllash?

25 A. At the premises of the school in Zllash.

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1 Q. Was the training for those raw recruits organised outdoors,
2 indoors, both?

3 A. Both outside and inside. The physical part of training was
4 conducted on the outside, on the ground, in the mountainous terrain,
5 whereas the theoretical part was held inside.

6 Q. When you say "inside," are you talking about the inside of the
7 school in Zllash?

8 A. In the school inside, in the schoolyard.

9 Q. Who are the trainers who were providing training to those raw
10 recruits in Zllash?

11 A. When it came to physical preparation, that part was given by
12 Musli Halimi; whereas explaining to them the weapons, how they
13 function, that is the theoretical part, by Bexhet Vitia [phoen] and
14 Emin Borovci.

15 Q. I would like to talk to you for a moment about Brigade 153, and
16 my first question would be what was the structure of the brigade? To
17 be more specific, did it have battalions, companies, platoons?

18 A. Initially, we called them military units. Later on, after the
19 official establishment of the brigade, we divided it into battalions.

20 Q. [Microphone not activated].

21 PRESIDING JUDGE VELDT-FOGLIA: Microphone, please.

22 MR. MICHALCZUK:

23 Q. Since when was that division made to the brigade into battalions
24 that you have just mentioned?

25 A. After the official establishment of the brigade, we started to

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1 divide it and nominate the battalions.

2 Q. Are we talking about from February 1999?

3 A. February, March 1999, yes.

4 Q. And who appointed the commanders of the battalions?

5 A. Usually the battalion commanders were nominating the people who
6 were responsible for the organisational aspect of those units.

7 Q. My question dealt more with the person or the persons who
8 nominated the battalion commanders. Who are those who nominated
9 battalion commanders?

10 A. The staff of Brigade 153 appointed them as commanders of the
11 battalions.

12 Q. Did you also have within the brigade also the subdivisions to
13 companies and platoons or just the division was into two battalions?

14 A. The brigade was composed of four battalions and one company
15 appointed to be at the staff.

16 Q. Was there a military police unit within Brigade 153?

17 A. There was not a special unit per se. But in every battalion,
18 there existed -- there were three, four soldiers who performed the
19 duty of military police.

20 Q. Was there any overall commander of the military police of
21 Brigade 153?

22 A. Yes, Shukri Kafuna was appointed commander of military police.

23 Q. I got the interpretation Shukri Kafuna --

24 THE INTERPRETER: Rafuna, correction.

25 MR. MICHALCZUK:

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1 Q. Was it Shukri Rafuna; correct?

2 A. Rafuna, yes.

3 Q. With R. Was Mr. Shukri Rafuna a member of the brigade command?

4 A. Yes, because of his position.

5 Q. What was the role of the military police within Brigade 153?

6 A. The role of the military police within 153 Brigade consisted in
7 monitoring the conduct and discipline within the units of the KLA.

8 Q. Was part of their duties also securing the buildings of the
9 brigade?

10 A. Not as a specific duty, because that was done by the soldiers
11 that were stationed there, not specifically the military police. But
12 the soldiers of the unit, you know, were rotated in general.

13 Q. Who did Shukri Rafuna report to?

14 A. To the brigade commander.

15 Q. Do I understand correctly that Brigade 153 was within Kosovo
16 Liberation Army Llap operational zone?

17 A. Yes, correct.

18 Q. How was the communication between Llap operational zone command
19 and the Brigade 153?

20 A. We had three forms or more of communication: Through satellite
21 phone, communication -- physical, that is, communication, we
22 travelled to the staff of the Llap operational zone, and another form
23 of communication through radio link.

24 Q. Who, on the part of Brigade 153, was communicating with Llap
25 operational zone command?

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1 A. Usually the brigade commander.

2 Q. Who was communicating with Brigade 153 on the part of the Llap
3 operational zone?

4 A. Usually it was the zone commander who communicated with it.

5 Q. And you're talking about Mr. Rustem Mustafa; is that correct?

6 A. Correct, yes.

7 Q. Do you know anybody else from Llap operational zone command who
8 was communicating with Brigade 153 apart from Mr. Rustem Mustafa?

9 A. Yes, the deputy commander, Kadri Kastrati.

10 Q. Anyone else apart from Kadri Kastrati and Rustem Mustafa?

11 A. I don't know. I don't know.

12 Q. The moment Brigade 153 receives an order from Llap operational
13 zone command, how is that order communicated to brigade units for
14 execution?

15 A. It was communicated in various ways: Through radio link or
16 physically by sending one or two persons or to send someone by car.
17 Sometimes in writing, a very rare occasion.

18 Q. So for us to understand it a little bit better. So when there
19 is an order that is received from Llap operational zone command and
20 it is delivered in any way to the brigade command, then such an order
21 is sent to the subordinate units of the 153 Brigade stationed within
22 Gollak in the villages that you mentioned at the beginning of today's
23 testimony. Is my summary correct?

24 A. Yes.

25 Q. Speaking about yourself, you had different positions within the

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1 command of Brigade 153. My question is did you yourself communicate
2 or were in touch with the operational zone command of Llap
3 operational zone?

4 A. Yes, often.

5 Q. Are we talking about you reporting to the Llap operational zone
6 command, or are we talking about them sending you orders or
7 communicating to you, or was that communication with you going both
8 ways?

9 A. It was mutual communication, of course.

10 Q. So when you were in touch with operational zone command of Llap,
11 who was the person or persons you were mostly communicating with?

12 A. I communicated mainly with Mr. Rrustem Mustafa, the commander of
13 the Llap operational zone.

14 Q. Did it happen that you also communicated with Kadri Kastrati?

15 A. Yes.

16 Q. We know from other evidence in this case that one of the members
17 of the Llap operational zone command was also Fatmir Humolli. And my
18 question would be, was Fatmir Humolli one of the persons with whom
19 you also communicated?

20 A. Yes. Fatmir Humolli is the person who came more often to our
21 region and was more linked with the Llap operational zone and with
22 us. He was a person who communicated between us and the Llap
23 operational zone, depending on the movements.

24 Q. Changing the topic just slightly. Before the break, you had
25 told us that the commander of the unit called BIA or Skifteri, as you

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1 said yourself, was Salih Mustafa. My question is do you know who was
2 the deputy of Salih Mustafa within the BIA unit?

3 A. No, I didn't know that.

4 Q. Do you know any other members, apart from Salih Mustafa, of the
5 BIA unit?

6 A. I have problems with names. It's my nature. But I can't
7 remember any specific name for the time being.

8 Q. Mr. Sopi, do you know the person whose name is Nazif Metolli and
9 his nickname is Tabuti?

10 A. I don't know a person by the name of Nazif Metolli. However, as
11 a pseudonym, I did hear of Tabuti. And it kind of left an impression
12 on me as a pseudonym. Otherwise, it wouldn't have remained in my
13 memory.

14 Q. That person, Tabuti, was he a member of Brigade 153?

15 A. No.

16 Q. Do you know whether that person, Tabuti, was a member of the BIA
17 unit?

18 A. Yes, I heard that he was a member of the BIA unit.

19 Q. Mr. Sopi, was there any Serbian offensive in April 1999 in
20 Zllash?

21 A. Yes.

22 Q. Did you take part in fighting during that offensive?

23 A. Yes.

24 Q. Could you tell us a few words about that offensive, about your
25 role in that fighting?

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1 A. In April 1999, there were two Serb offensives. The first was on
2 7 April 1999 coming from the direction of the border of Serbia in
3 Prapashtice village. The Serbian forces penetrated in the direction
4 of the positions of Prapashtice battalion of 153 Brigade. And at
5 noon of 7 April, the confrontation with the Serbian forces began, and
6 I and the commander of the brigade, Mr. Shehu, took part in that
7 battle. The fighting continued until 18 April 1999.

8 From the staff of 153 Brigade, I requested that a commander of
9 combat operations be appointed, and I asked voluntarily for this
10 task, and I was allowed to perform it by the staff of the brigade.
11 So I maintained those positions until 18 April 1999, when a second
12 offensive from all sides was launched towards Gollak villages.

13 At the time, there were thousands and thousands of people who
14 were staying in Gollak villages, people from Prishtine, Podujeve, and
15 other Kosovo regions who had been displaced, who had left their
16 homes, and those persons were deported in the direction of Gollak by
17 the Serbian army and police. And we looked after those people for
18 the entire time.

19 On 18 April, when the general offensive started, almost all the
20 soldiers of 153 Brigade were active and participated in the
21 fightings. This offensive lasted for four days, and we, as soldiers,
22 and civilians as well, suffered many losses. The Serbian forces
23 shelled with all the weapons and technology they had at their
24 disposal from all sides, sparing no civilians, no children, no
25 elderly people. During this offensive, terrible events occurred.

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1 Entire families and houses were shelled and burned alive.

2 On the fourth day, when we saw that there were many losses, both
3 within our ranks and from the civilians' side, the civilians started
4 to withdraw in the direction of Prishtine, because we had to avoid
5 losing anymore civilians as this shelling did not spare civilians -
6 women, children, and elderly.

7 Whenever the Serb forces would suffer a loss by us, they would
8 retaliate on the civilian population by massacring, killing children,
9 elderly, women, and others that were sheltering in our area.
10 Therefore, all the KLA soldiers formed a defence line in order to
11 slow down the penetration of the Serbian forces and avoid any further
12 massacres.

13 We did our best. We had a high military morale on our part, and
14 we were facing strong machinery of the Serbian forces that was using
15 everything against us and against the civilians. If a soldier of
16 ours had a reason to die, that was multiplied by 100 at that point,
17 because the enemy was waging a war to continue their occupation of
18 Kosovo; whereas our forces were fighting for the liberation of the
19 country.

20 Q. And you were active in combat during both offensives; is that
21 correct?

22 A. Yes.

23 MR. MICHALCZUK: Your Honours, I would need just one minute to
24 consult with my colleague whether we have any further questions.

25 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

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1 [Specialist Prosecutors confer]

2 MR. MICHALCZUK: Your Honours, the Prosecution doesn't have any
3 further questions in examination-in-chief.

4 Q. Mr. Sopi, thank you.

5 MR. MICHALCZUK: That will be all on the part of the
6 Prosecution.

7 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Mr. Prosecutor.

8 Now, let me see. We are going to do some planning now for the
9 rest of the day.

10 Victims' Counsel, would you be ready -- do you have questions
11 and would you be ready now?

12 MS. PUES: Yes, I only have one or two very brief questions, and
13 I would be ready to pose them now.

14 PRESIDING JUDGE VELDT-FOGLIA: Okay. Then I give you the floor.

15 MS. PUES: Thank you.

16 Questioned by Victims' Counsel:

17 Q. Mr. Sopi, hello. I am Victims' Counsel here representing the
18 participating victims in this case, and I only have very few
19 questions for you. But before I pose those, I would like to thank
20 you for the statement that you have given this morning, which I
21 believe will be very useful and has, in particular, given us some
22 good insights into what has been happening throughout March and April
23 1999, which, of course, was a very, very tough and distressing time
24 for many reasons.

25 So I would briefly like to take you back to the training of raw

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1 recruits that you described this morning. And we heard you name a
2 few of those who conducted the training with the recruits. And just
3 as a matter of clarification, one of the names that you mentioned was
4 one Ilmi Berovci. That is the transcript, page 48, lines 2 to 3.

5 Now, could I ask you there, is it, and I apologise for any wrong
6 pronunciation on my part, is it Ilmi Berovski [phoen] or could this
7 also be Emin?

8 A. Emin.

9 Q. Ah, thank you. And then Emin Berovski or Borovski?

10 A. Borovci.

11 Q. Thank you. I was wondering whether there was perhaps some
12 slight mistake in there. And would you happen to know what the
13 nickname of Emin Borovci was?

14 A. The nickname. For the moment, I don't remember it. Emin
15 Borovci. I need some time to remember. I can't remember it right
16 now. Triumfi, Triumph. Now I remembered. His nickname was Triumfi.

17 Q. Excellent. Thank you very much.

18 MS. PUES: That was all from my part. Thank you.

19 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Victims' Counsel.

20 Then I turn to the Defence counsel. Do you have questions, and
21 I'm sure you have, and are you ready to pose them now?

22 MR. VON BONE: And we certainly have questions, Your Honour. We
23 would just rather do that up to tomorrow, if that's possible, simply
24 because we want to consult with our client regarding the statement of
25 Mr. Sopi, and then cover a number of topics. We sure have a lot of

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1 questions, but we would sure want to evaluate a number of the things
2 with our client.

3 PRESIDING JUDGE VELDT-FOGLIA: And would it not be possible to
4 do that in the coming hour and a half? Because we have our court
5 time, and I think that it's very precious, and I would like to give
6 you some time to prepare, and you will also have tomorrow.

7 MR. VON BONE: Yes.

8 PRESIDING JUDGE VELDT-FOGLIA: So my proposal would be, because
9 it's only a quarter past 12.00, that I could also give you two hours
10 and then at least you could do a part of the preparation and then we
11 can do afterwards a normal session as we intended to do.

12 MR. VON BONE: So that would be up to --

13 PRESIDING JUDGE VELDT-FOGLIA: A quarter past --

14 MR. VON BONE: -- quarter past 2.00.

15 PRESIDING JUDGE VELDT-FOGLIA: -- 2.00. Normally we have to
16 2.00, but we now --

17 MR. VON BONE: Yes, okay.

18 PRESIDING JUDGE VELDT-FOGLIA: And then we do a quarter past
19 2.00, we do one and a half hour, and then we continue tomorrow. But
20 then we use our court time effectively.

21 MR. VON BONE: Okay.

22 PRESIDING JUDGE VELDT-FOGLIA: And we are now all here. No
23 COVID interruptions. And every day is a different day.

24 MR. VON BONE: Sure, sure. Yes, I think that's okay,
25 Your Honour.

Witness: Fatmir Sopi (Open Session)

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Procedural Matters

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 PRESIDING JUDGE VELDT-FOGLIA: Yes.

2 MR. VON BONE: If we have a connection and then -- we also want
3 to have some lunch too, of course.

4 PRESIDING JUDGE VELDT-FOGLIA: Okay, but, no, I try to calculate
5 in. But we have some -- we have to have some recess too but -- good.

6 Mr. Sopi, look. We are going to have a break of two hours till
7 a quarter past 2.00 for lunch, and I hope you can take some time to
8 rest, and then we will continue with the examination by the Defence
9 counsel. Is that clear for you?

10 THE WITNESS: [Interpretation] It's clear, yes.

11 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Clerk, you already
12 got up. Thank you for ushering the witness out. Okay. Thank you
13 for now.

14 [The witness stands down]

15 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Court Usher.
16 The hearing is adjourned until a quarter past 2.00.

17 --- Luncheon recess taken at 12.16 p.m.

18 --- On resuming at 2.15 p.m.

19 PRESIDING JUDGE VELDT-FOGLIA: Welcome back.

20 Let us first call appearances.

21 For the Specialist Prosecutor's Office, no changes?

22 MR. MICHALCZUK: Your Honours, no changes indeed.

23 PRESIDING JUDGE VELDT-FOGLIA: Okay, thank you.

24 Victims' Counsel?

25 MS. PUES: No changes on our side. Thank you.

Witness: Fatmir Sopi (Open Session)

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Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

2 Defence counsel.

3 MR. VON BONE: No changes.

4 PRESIDING JUDGE VELDT-FOGLIA: And I see Mr. Mustafa with the
5 connection on the videolink, and I hope that this afternoon it will
6 continue to work.

7 Very well. Yes, we continue with the interrogation of the
8 witness.

9 Could you usher the witness in, Madam Court Clerk.

10 [The witness takes the stand]

11 PRESIDING JUDGE VELDT-FOGLIA: Welcome back. Please.

12 Welcome back, Mr. Sopi. We will now continue with your
13 interrogation, and it's the turn of the Defence counsel to proceed
14 and that is with the cross-examination of Mr. Sopi.

15 You have the floor, Defence counsel.

16 MR. VON BONE: Thank you very much, Your Honour.

17 Your Honour, I would like to start with the reference that I'm
18 making, and that is ERN 069474-TR-ET, Part 1, and it's lines 1
19 till 3.

20 Cross-examination by Mr. von Bone:

21 Q. Mr. Sopi, good afternoon.

22 PRESIDING JUDGE VELDT-FOGLIA: And the page number?

23 MR. VON BONE: It's page 10, sorry.

24 PRESIDING JUDGE VELDT-FOGLIA: Okay, very well.

25 MR. VON BONE: Page 10, top three lines.

Witness: Fatmir Sopi (Open Session)

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Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 Q. Mr. Sopi, do you recall your interview with the Special
2 Prosecution's Office?

3 A. Yes.

4 Q. And do you recall whether you wanted to answer questions or not
5 in that interview?

6 A. I answered the questions whose answer I knew.

7 Q. Yes. I just have a question over that, Mr. Sopi. And I would
8 like to recall a sentence that we just wanted to clarify. In your
9 SPO interview, you asked the question:

10 "Can I exercise my right and refuse to answer," and then in the
11 English version it says nothing, but in the Albanian version it says
12 "to all questions."

13 Do you recall asking that?

14 A. Yes.

15 Q. What was the reason for you to ask that question?

16 A. The reason was that when we talk about that period, it brings
17 back emotions to us. When we think of the sufferings of our people
18 over the centuries, the sufferings during the war waged by the KLA
19 during which we witnessed massacres and then nobody dealt with them.
20 We think that the war crimes haven't been investigated into, and the
21 people who are responsible for them were not held responsible
22 before -- were not brought before justice.

23 So as part of my emotional state, I didn't want to answer these
24 questions. That was the only reason why.

25 Q. But other than that, have you come of your own free will in

Witness: Fatmir Sopi (Open Session)

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Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 order to be interviewed by the Prosecution?

2 A. No, I didn't come out of my free will. I was summoned by the
3 SPO.

4 Q. Okay. And did you in any manner get into an agreement previous
5 before giving your statement with the Special Prosecution's Office?

6 A. No.

7 Q. And did you receive before you testified at the Prosecution's
8 office, did you receive any threats in doing that?

9 A. No, I didn't receive any threats.

10 Q. Not before and not after?

11 A. No, no threats whatsoever. I only was summoned to report to the
12 offices of the SPO.

13 Q. And to your knowledge, did your family members have ever been
14 threatened regarding the fact that you would testify in court in this
15 case?

16 A. No, never.

17 Q. Thank you very much for clearing that up. I would like to first
18 go back to the period where you were living in Zllash. By the way,
19 are you still living in Zllash or not?

20 A. No, I live in Prishtine.

21 Q. So I just want to go back to the time, obviously, that you were
22 living in Zllash and, obviously, I want to speak with you about the
23 period of 1998 and 1999. That is clear. That is clear here in
24 court. That is the course of my questioning.

25 Is it correct you know the -- for how long have you been living

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Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 in Zllash at the time? For how long did you live there when -- say,
2 up to -- from 1998 and 1999, how long before did you live there? Did
3 you grow up there?

4 A. My family lives in Zllash -- has been living in Zllash since
5 1878 when the Serb atrocities drove us away from the centuries' old
6 territories in the region of Nis and deported us to Turkey or
7 Albania, as far as possible from our own lands. At that time, my
8 ancestors settled in Zllash, and ever since, we've been living there
9 in Zllash.

10 I was born in Zllash and I lived there during all the time with
11 the exception of the four years that I was suffering in the Serb
12 prison.

13 Q. I understand. Thank you very much. And so you know the area
14 very well, I gather?

15 A. Yes, I do.

16 Q. For how long have you known Mr. Rrahman Dini?

17 A. I have known Mr. Rrahman Dini as of 1983.

18 Q. And for how long have you known the family Krasniqi?

19 A. Which family are you talking about? Which family?

20 Q. The family Krasniqi who has a house at the compound where we
21 spoke of today, at the Zllash compound.

22 A. We are co-villagers, and we know each other for long.

23 Q. And were they, the owners of the house, alone or were there
24 other people who were living there too?

25 A. The owners were only them, but they were not living there.

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Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 Q. I understand. And you say "the owners were only them," and with
2 who exactly are we speaking about?

3 A. Adem Krasniqi was the head of the household.

4 Q. And did he have any brothers or sisters who had a house there on
5 the compound?

6 A. He was the head of the household. There were also brothers, but
7 I think they were dead before. Whereas the owner was he.

8 Q. How was it that -- since when was it that -- no. Is it correct
9 that at some point the KLA could use the houses of the family members
10 while there were none there?

11 A. I didn't understand the question well.

12 Q. When we speak about the houses and the people were not living
13 there, the family Krasniqi was not living there, can you tell us how
14 was it that people from the KLA were able to occupy the houses or not
15 occupy -- or use the houses? How did that come about? Could you
16 explain that to us?

17 A. All the houses in the region of Gollak during the wartime were
18 houses that were used by the KLA. In all the houses, we found an
19 understanding and they allowed us to use them without any
20 reservation. Beginning from my own home, we put it in the service of
21 the KLA. The same could be said of other houses so that the KLA
22 could use them. We didn't have barracks. We didn't have any place
23 to -- any permanent place to be stationed, so we made use of the
24 houses of villagers to get accommodation during the wartime.

25 Q. I understand. So with the villagers you include the family

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Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 Krasniqi who agreed that the KLA could use their houses for
2 accommodation?

3 A. Yes.

4 Q. Since when did that start, that usage?

5 A. I don't have an exact time, but it might be the beginning of
6 1999, sometime like that, or maybe even a little bit earlier than
7 that.

8 Q. And who came to an agreement with the family of Krasniqi that
9 the KLA could use it? Who was it from the side of the KLA who
10 requested that, or how did it come about?

11 A. There was not any specific request, but the owner -- or the head
12 of the household Krasniqi voluntarily offered the houses under his
13 possession to be used by the KLA whenever it needed to.

14 Q. And to who from the KLA did he offer that?

15 A. To all of us. Whenever we needed, we were welcome to every
16 house.

17 Q. And did you speak with Mr. Krasniqi personally about that usage
18 of the houses?

19 A. Yes, I spoke to him too.

20 Q. And do you recall when that was?

21 A. No, I am not sure about the time. But I know that whenever you
22 need to, you can have access to it.

23 Q. And who from the KLA actually used that place, that compound?

24 A. That compound was regarded as the base of the BIA guerilla or
25 Skifteris, but also soldiers from the Karadak operational zone stayed

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1 there for a while. Some of them, to my recollection.

2 Q. And did you actually know who from the BIA were staying there?

3 A. I don't know about the specific persons, but I know that KLA
4 soldiers stayed there. I have no knowledge about any specific
5 persons or individual.

6 Q. And why was it that BIA guerilla or KLA soldiers could use that
7 specific location? What was so interesting about that location?

8 A. Nothing specific. It was just a place they could stay, the KLA
9 soldiers could be accommodated. There was nothing special about it.
10 It was an ordinary house.

11 Q. Now, you said that many villages had their own units, so to
12 speak, of KLA scattered around the Gollak area. Was that also the
13 case with the Zllash compound where the family houses of the Krasniqi
14 family were?

15 A. Yes.

16 Q. And since when did they stay there?

17 A. I said at the end of 1998, beginning of 1999.

18 Q. And were there also people later on when the Brigade 153 was
19 established, were there also members of the brigade who were located
20 there or accommodated there?

21 A. Where do you think?

22 Q. My question is were there also members of the Brigade 153
23 accommodated at the compound of the Krasniqi family?

24 A. I have no knowledge about that. I don't know.

25 Q. When we speak about that compound, and we spoke earlier today

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Cross-examination by Mr. Von Bone

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1 about that, do you recall how many buildings approximately were
2 standing there?

3 A. I don't remember the accurate number of buildings, but there was
4 a line of houses where the family lived.

5 Q. And was it there that KLA soldiers would be accommodated, in
6 those houses?

7 A. Yes, yes, yes.

8 Q. Do you actually know how big the group of BIA was? Do you know
9 that?

10 A. No, I don't have any knowledge about the number of their
11 members.

12 Q. And just before the brigade was established, the Brigade 153,
13 how many people roughly would you say that were KLA members which
14 were living there or staying there?

15 A. I don't know about the number of members because there were
16 different people coming there. For a while, there was a certain
17 number of people. There wasn't a standard number. The number
18 changed. It was not that there was a stable number that -- a fixed
19 number. I have no information.

20 Q. Is it correct that people from other zones could stay there too
21 if they would need to have accommodation?

22 A. Yes, they have stayed there.

23 Q. Do you actually know what the purpose was of each of the
24 buildings on that particular compound, for what purpose they were
25 used?

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Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 A. All the buildings, to my knowledge, were used to accommodate the
2 soldiers. I don't know of any other destination.

3 Q. I want to speak a little bit about the brigade that you were
4 eventually part of the command. My question is: When Brigade 153
5 was established, about how many people were in that brigade?
6 Estimate.

7 A. I didn't know the number then, and I don't know it now either,
8 because the number of -- the KLA numbers kept changing daily because
9 people used -- new people used to come, and there was a growing
10 interest and demand on the part of people to join the ranks of the
11 KLA. It was extraordinarily great. So I am certain that we could
12 not accommodate the wishes of more than 20, 30 per cent of people who
13 wanted to join, even though they very much wanted to. The reason was
14 we didn't have room or space to accommodate them, enough weapons to
15 supply them, ammunition, so we have deprived them unjustly of a right
16 and couldn't, as I said, accommodate their wish to fight for their
17 country.

18 As to the number, the number changed daily. New people used to
19 come and register in our units, so I wouldn't be able to give you an
20 accurate number.

21 Q. Would it be more than 100?

22 A. Yes, yes, more. Most certainly more.

23 Q. And do you recall when the NATO bombings -- the NATO struck in
24 Prishtine? Do you recall when that was?

25 A. Yes. On 24 March 1999, NATO started to launch its air strikes.

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Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 Q. Were there at that time or around that time, after the NATO
2 bombings, refugees coming to the area of Zllash?

3 A. After the beginning of the bombings in Kosovo by the NATO
4 forces, Serbia started to launch a general ethnic cleansing of the
5 Albanian population from Prishtine and its environs and from Podujeve
6 too. And they, let's say, guide -- sent the people in the direction
7 of Gollak region.

8 Q. And did you actually experience or see an influx of people who
9 had left, refugees, from Prishtine towards the Zllash area?

10 A. Yes, we saw it, we witnessed it with our own eyes. And all the
11 families that used to live in those villages received them in their
12 homes and supplied them with necessary food, because they left in
13 their own clothes, without taking anything with them, with small
14 children, with sick people, on tractors, on foot, in whatever way
15 they could under the threat of the Serb weapons.

16 Q. And these refugees that were coming to Zllash, were they, among
17 other places, also staying in or around the compound of the Krasniqi
18 family?

19 A. No. To my recollection, no. I have no knowledge about that.
20 But the people who came from Prishtine and Podujeve, they were
21 accommodated wherever they could. But I don't know whether there
22 were any refugees within this compound.

23 Q. Were you actually there in that compound yourself in that period
24 of time? And I'm trying to say after the NATO bombing, just, let's
25 say, in the couple of weeks that followed.

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All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 A. I am not very sure. Now and again I visited that compound like
2 I did with other KLA bases. I am not sure whether I was precisely at
3 that time, because I was always on the move. I had tasks to perform
4 regarding our organisation vis-à-vis the enemy. I led various units
5 of the KLA to the front line.

6 Q. You said you went there on occasion. Do you recall in the
7 beginning of April how many times you have been there approximately?

8 A. I don't recall that. Now I don't know that.

9 Q. Is that more than two times or is it more than five times? Is
10 it less?

11 A. I am not sure. I don't know.

12 Q. Did you have any particular person that you would have contact
13 with in the compound or with people who were there? KLA soldiers?
14 Anybody?

15 A. I don't recall to have any specific meeting with anyone.

16 Q. Mr. Sopi, the Brigade 153, could you explain us whether there
17 was anything organised regarding internal discipline within the
18 brigade?

19 A. I don't know. What do you mean? We always had discipline. The
20 KLA soldiers were very disciplined.

21 Q. I understand that they were disciplined soldiers. But when the
22 discipline would be breached, then how would that be handled?

23 A. It did not happen. However, in theory, as we thought it, if a
24 soldier of the KLA would breach a rule of the KLA, he could be
25 reprimanded and dismissed or disarmed, because the will of every KLA

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All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 soldier was to be part of the KLA, and the maximum punishment would
2 be to disarm him or to dismiss him from the ranks of the KLA.

3 Q. And who would have the authority to do that?

4 A. The brigade commander had that authority, for example, if a
5 soldier committed a breach, or even a battalion commander had the
6 right to take such a decision. That is, such a measure such as a
7 disarmament or dismissal of a soldier that had breached the KLA
8 rules.

9 Q. And just before the brigade was established, was there also some
10 form of discipline within the KLA existing? So just before the
11 brigade was established.

12 A. This discipline was always there, from the very first moment
13 that the units were created, if somebody committed a breach. In the
14 past, it was only at organisational level because we didn't have any
15 combat. We were not engaged in combat. But in that phase, if
16 someone committed a breach, he would have been refused admissibility
17 in the ranks of the KLA.

18 Q. I understand. And were there, regarding these disciplinary
19 measures, any particular rules? Like a handbook or anything that was
20 instructed to the soldiers or any form of instruction, whether
21 written or unwritten? How would these rules be communicated to the
22 soldiers?

23 A. I didn't see any. I don't know. I didn't see any myself. I
24 didn't see any such rules. But that was understandable from itself.
25 Be it at a unit level or brigade level, those rules were always in

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1 force.

2 Q. You said it would be -- when I asked you about the authority who
3 would do that, it would be the brigade command or the battalion
4 command. And who in the brigade command would actually exercise such
5 authority?

6 A. As I said, the brigade commander could exercise such authority.
7 Since I don't have any concrete example of somebody being disciplined
8 or disarmed or demobilised, I can't say anything more than that. But
9 at the level of the staff of the brigade, we did not discuss such
10 things. We knew that these were the measures that could be taken in
11 case of a disciplinary breach on the part of the soldiers.

12 Q. And there was the military police. And my question -- well,
13 let's start at the beginning. What was the function of the military
14 police? What was here the function specifically for the military
15 police? What would they do, then?

16 A. It was precisely what I said before. The duty of the military
17 police was --

18 PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness --

19 THE WITNESS: [Interpretation] -- within its own unit --

20 PRESIDING JUDGE VELDT-FOGLIA: -- I see the
21 Specialist Prosecutor standing, and I was doubting myself.

22 You have the floor.

23 MR. MICHALCZUK: Your Honour, before the break we had discussed
24 this issue at length. Mr. Sopi volunteered some information himself,
25 and then I followed up with some questions, and we have it pretty

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1 clear what the function of the military police in the brigade was.
2 So I don't think there is a need to repeat those questions, I don't
3 know, in the hope to confuse the witness. I don't know the reason
4 why we should have the same questions and possibly receive the same
5 answers.

6 PRESIDING JUDGE VELDT-FOGLIA: Defence counsel, I would ask you
7 not to repeat this question because we have had it. And if you need
8 it for, as we have seen in the past, as a step up, you just confirm
9 what has been said and then you continue.

10 MR. VON BONE: Okay. Fair enough. And that was at least the
11 idea, in order to introduce that particular topic, actually.

12 Q. But could you tell us, so what would be the relation in
13 authority when there was, for example, a breach of discipline within
14 the brigade? At what moment would the military police come into
15 this, or would they not come into this at all? Or was it solely that
16 -- the internal discipline in the brigade an issue for the brigade,
17 or would there be moments that the military police would have a part
18 in this?

19 A. The military police only monitored the conduct of the soldiers
20 of a particular unit. It did not intervene if there was any breach.
21 In case of a conflict, in case of a battle, in case of a combat, the
22 military police were just like every other soldier. They were
23 engaged in military operations.

24 Q. What would be done with people if they would, for example, be
25 arrested by the military police? What would be done with those

Witness: Fatmir Sopi (~~Private Session~~) (Open Session) *Reclassified pursuant to F493* Page 2098

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 people?

2 A. I don't have such information of somebody being arrested by the
3 military police.

4 MR. VON BONE: Your Honour, I would like to go into private
5 session.

6 PRESIDING JUDGE VELDT-FOGLIA: And when we are in private
7 session, you explain to us --

8 MR. VON BONE: Yes.

9 PRESIDING JUDGE VELDT-FOGLIA: -- why.

10 Madam Court Officer, could you bring us into private session,
11 please.

12 ~~[Private session]~~ [Open session]

13 THE COURT OFFICER: Your Honours, we are in private session.

14 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated].

15 MR. VON BONE: Yes, Your Honour, I --

16 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated].

17 MR. VON BONE: Oh, sorry.

18 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated].

19 THE INTERPRETER: Microphone for Your Honour.

20 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Court Officer.

21 You have the floor.

22 MR. VON BONE: Okay.

23 Q. Mr. Sopi, you spoke about the commander of the military police.
24 That was Mr. Rafuna; right? Since when was he actually commander of
25 the military police?

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1 A. I don't have that information. I don't know precisely when he
2 was appointed. I don't remember.

3 PRESIDING JUDGE VELDT-FOGLIA: Defence counsel.

4 MR. VON BONE: Yes, it --

5 PRESIDING JUDGE VELDT-FOGLIA: No, no, but, Defence counsel, my
6 question was -- I would like to have a small explanation why we have
7 gone into private session.

8 MR. VON BONE: Because --

9 PRESIDING JUDGE VELDT-FOGLIA: Wait.

10 Can you take off --

11 MR. VON BONE: Yes.

12 PRESIDING JUDGE VELDT-FOGLIA: -- your headphones, Mr. Sopi,
13 please.

14 Yes, you have the floor, Defence counsel.

15 MR. VON BONE: Your Honour, I might use names or the witness
16 might use names of people that we do not wish to disclose their
17 names.

18 PRESIDING JUDGE VELDT-FOGLIA: Okay.

19 MR. VON BONE: And that is the reason why. And I will do that
20 maybe a couple of times that -- when I'm not sure, but it's usually
21 first in so-called step-up question, and then we move into a topic in
22 which might come names that we do not wish to disclose.

23 PRESIDING JUDGE VELDT-FOGLIA: And with regard to the step-up
24 questions, if it is something that's already said, you don't have to
25 put it in the form of a question. You can just repeat what the

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1 witness has said.

2 MR. VON BONE: No problem, Your Honour.

3 PRESIDING JUDGE VELDT-FOGLIA: You can put on your headphones,

4 Mr. Sopi.

5 Please proceed, Defence counsel.

6 MR. VON BONE: Yes.

7 Q. Mr. Sopi, do you know if Mr. Rafuna had a deputy?

8 A. No, I don't know. I don't know who that could be.

9 Q. And do you know anybody else who was, let's say, in or near
10 Zllash in the function as a military police officer?

11 A. I don't have any knowledge. I don't know.

12 [REDACTED]

13 [REDACTED]

14 Q. Yes. Do you know anybody by that name?

15 A. There are many people with that surname.

16 Q. And do you know anybody with the name who was having a position
17 in the military police?

18 A. For the time being, I can't remember. I don't know. But there
19 are many people with this surname.

20 Q. Have you ever heard of a person called [REDACTED]

21 A. Yes.

22 Q. How do you know him?

23 A. He was a soldier of the Kosovo Liberation Army.

24 Q. And in which area was he a soldier?

25 A. [REDACTED] It was a unit.

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 A. There was a superior. Superiors changed in that area, so I
16 cannot remember at this moment who was the superior officer there.

17 Q. And approximately how big was the unit of which he was part?

18 A. I believe it comprised 30, 40 members. I cannot be exact. I
19 don't know. As I said, the number of members changed. But in given
20 intervals, it was of that size.

21 Q. Have you ever heard of a person called [REDACTED]?

22 A. No, I have never heard of a person called [REDACTED].

23 Q. Have you ever known anybody with the name of [REDACTED]?

24 [REDACTED]?

25 A. No, no.

Witness: Fatmir Sopi (~~Private Session~~) (Open Session) *Reclassified pursuant to F493* Page 2102

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 Q. Have you ever heard of a person with the name [REDACTED]?

2 A. No.

3 Q. Have you ever heard of anybody with the name [REDACTED]?

4 A. No. Today I am hearing it for the first time.

5 Q. Thank you very much. And have you ever heard of a person called
6 Agron Xhemajli?

7 A. Yes.

8 Q. Could you explain us who that is?

9 A. Agron Xhemajli was also a member of the Kosovo Liberation Army.

10 Q. And was he part of the Brigade 153?

11 A. Yes.

12 Q. And where was he based or stationed?

13 A. Agron was based in Zllash. He moved around. He did not stay in
14 one particular location, but usually in Zllash.

15 Q. And where in Zllash do you mean?

16 A. In Zllash at the headquarters with the units that were stationed
17 in Zllash. Sometimes at Buna 29 unit. So he did not have a
18 permanent place where he was based.

19 Q. And when you speak about the headquarters, where was that
20 exactly? Can you say?

21 A. That was where the headquarters of the 153rd Brigade. That's
22 where he would stay.

23 Q. You said earlier that the brigade headquarters was first in your
24 own house, then it moved to your uncle's house, and then it moved to
25 the school?

Witness: Fatmir Sopi (~~Private Session~~) (Open Session) *Reclassified pursuant to F493* Page 2103

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 A. Yes.

2 Q. Was that the place where Agron Xhemajli would stay usually?

3 A. Yes, from time to time.

4 PRESIDING JUDGE VELDT-FOGLIA: Let me interrupt just for my
5 clarification.

6 You just said that the headquarters were also at the school? Is
7 that what you meant? Because I understood, and we will look it up,
8 that you said that the headquarters were not at the school.

9 THE WITNESS: [Interpretation] The headquarters was not stationed
10 at the school in any period of time. It was stationed near the
11 school. There was an office there that was used by the command in
12 charge of the training, and there was also a kitchen for the
13 soldiers.

14 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

15 MR. VON BONE: Clear.

16 PRESIDING JUDGE VELDT-FOGLIA: Thank you for clarifying that,
17 because on page 78, and then in line 12 till 15, the question was:

18 "You said earlier that the brigade headquarters was first in
19 your own house, then it moved to your uncle's house, and then it
20 moved to the school?"

21 And then you answered:

22 "Yes."

23 And now you have clarified it and made it more specific what
24 your answer was, and that is in line with what you said --

25 MR. VON BONE: Yes.

Witness: Fatmir Sopi (~~Private Session~~) (Open Session) *Reclassified pursuant to F493* Page 2104

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 PRESIDING JUDGE VELDT-FOGLIA: -- this morning.

2 Defence counsel, please proceed.

3 MR. VON BONE:

4 Q. So it was in a house near the school, to be exact. And whose
5 house was that?

6 A. My uncle's house.

7 Q. That was also at your uncle's house. Okay. And did -- at any
8 point in time, do you know if Agron Xhemajli stayed at the location
9 of the Zllash compound, meaning the location where the family
10 Krasniqi accommodated the KLA?

11 A. I am not sure. I could not follow the movements of any person
12 in particular. I couldn't be in position to know that.

13 Q. And just to be clear, was there any specific task that
14 Agron Xhemajli had in the brigade?

15 A. I don't have any knowledge that he had any specific task. He
16 was a soldier of the KLA within the 153rd Brigade. He would be in
17 the best position to speak about his tasks.

18 Q. Clear. And --

19 PRESIDING JUDGE VELDT-FOGLIA: Defence counsel --

20 MR. VON BONE: Yes.

21 PRESIDING JUDGE VELDT-FOGLIA: -- allow me to interrupt you. Do
22 we continue to be in a private session?

23 MR. VON BONE: I think we -- yes, for a little bit.

24 PRESIDING JUDGE VELDT-FOGLIA: Okay.

25 MR. VON BONE: Because I am sure that I have a --

Witness: Fatmir Sopi (~~Private Session~~) (Open Session) *Reclassified pursuant to F493* Page 2105

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 PRESIDING JUDGE VELDT-FOGLIA: Okay, okay.

2 MR. VON BONE: Okay.

3 PRESIDING JUDGE VELDT-FOGLIA: Okay. I follow that.

4 MR. VON BONE:

5 Q. Do you know if Agron Xhemajli had any authority to have people
6 arrested or being picked up or being escorted for whatever reason?

7 A. No, I don't have any such knowledge.

8 Q. Did Mr. Xhemajli have any authority at all in his capacity as a
9 soldier? Was he a unit commander? Was it a special area that he was
10 about, or was he just a normal soldier?

11 A. I don't know if he was a commander of a particular unit.

12 Q. Okay. Thank you very much. Have you ever heard -- did you ever
13 have contact with Agron Xhemajli yourself?

14 A. Yes.

15 Q. And what was that contact about?

16 A. For some time he also stayed in my house.

17 Q. Have you ever heard or had contact with Agron Xhemajli regarding
18 an order given by Agron Xhemajli [REDACTED]
19 [REDACTED]?

20 A. No, I was never in knowledge of that.

21 Q. Also not after the war?

22 A. I never heard about that.

23 Q. Thank you very much.

24 MR. VON BONE: We can go into open session, Your Honour.

25 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Defence counsel.

Witness: Fatmir Sopi (~~Private Session~~) (Open Session) *Reclassified pursuant to F493* Page 2106

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 Madam Court Officer, could you bring us back into public
2 session, please. Wait, wait, wait, wait, wait.

3 [Open session]

4 THE COURT OFFICER: Your Honours, we are back in public session.

5 PRESIDING JUDGE VELDT-FOGLIA: You may proceed, Defence counsel.

6 MR. VON BONE: Yes.

7 Q. We spoke earlier today about Rrahman Dini, and you said: I've
8 known him a long time.

9 Could you tell me where would he be located, where would he be
10 accommodated during the period of March and April 1999?

11 A. For a certain period of time, he stayed in my house and in the
12 offices of the staff of the headquarters when we moved to the house
13 of my paternal uncle. And for some time, and I do not know exactly
14 which time-period, he stayed in the hospital.

15 Q. And the headquarters which was near the school which is where he
16 stayed. And in that period of time, when the headquarters was in
17 that house near the school, do you recall what his task was at that
18 time?

19 A. I don't recall him having any particular task. I don't
20 remember.

21 Q. Did Mr. Rrahmani Dini have any authority to discipline people?

22 A. I don't think he had such authority because he was not at a
23 level to be able to give such orders or to discipline soldiers. I
24 don't know.

25 Q. But he was part of the command of Brigade 153?

Witness: Fatmir Sopi (Open Session)

Page 2107

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 A. That's true.

2 Q. So why would he not be in a position to exercise such authority?

3 A. His health deteriorated and he became less active due to his
4 health condition.

5 Q. Did you have any contact with the family of Rrahmani Dini
6 recently?

7 A. No. Recently, I didn't see them.

8 Q. Do you know if Mr. Rrahmani Dini detained people in the period
9 of March or April 1999?

10 A. I never had such knowledge.

11 Q. And for that matter, did you ever detain any people in the
12 period of March, April 1999?

13 A. No, in any given period, not in March, April, May, June. Never
14 in my life.

15 Q. And do you know if there were people in the area of Zllash that
16 were detained at all?

17 A. I don't know and I'm convinced there weren't any.

18 Q. You have never heard of anybody being detained?

19 A. No.

20 Q. Do you know a person with the name Isa Kastrati?

21 A. Isa Kastrati?

22 Q. Yes.

23 A. Yes.

24 Q. Could you explain us who he is?

25 A. He was a soldier of the KLA who became a martyr.

Witness: Fatmir Sopi (Open Session)

Page 2108

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 Q. And when you say he became a martyr, what exactly do you mean?

2 A. He was killed.

3 Q. I see. And do you remember when he was killed?

4 A. It could be on the 21st or the 22nd April, approximately.

5 Q. And do you recall in which circumstances he has been killed?

6 A. Yes, I do recall the circumstances. I heard about it. He took
7 two wounded persons at the time when they were withdrawing the
8 wounded for further medical treatment. So he lost his way. He
9 separated from the column and went in the direction of Bullaj where
10 he fell together with the two wounded soldiers in an ambush by the
11 Serbian forces. And that's how they got killed.

12 Q. He was a KLA soldier; is that correct?

13 A. Yes.

14 Q. And he was part of the Brigade 153?

15 A. No. At the time, he had moved to the Karadak operational zone.

16 Q. And what does that mean? Did he move to another brigade or
17 what?

18 A. Yes. Because he served at the Llap operational zone in the
19 beginning, I don't know exactly in which brigade, but then he came --

20 PRESIDING JUDGE VELDT-FOGLIA: Mr. Sopi, we have to stop the
21 hearing for a moment because we lost the connection with Mr. Mustafa.
22 Sorry to jump in like this.

23 [Technical difficulties]

24 PRESIDING JUDGE VELDT-FOGLIA: Mr. Mustafa, can you hear me?

25 THE ACCUSED: [via videolink] [Interpretation] Now, yes.

Witness: Fatmir Sopi (Open Session)

Page 2109

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 PRESIDING JUDGE VELDT-FOGLIA: Okay. Can you tell me till --
2 what was the last thing you heard?

3 THE ACCUSED: [via videolink] [Interpretation] The last thing I
4 heard was about Rrahman Dini. There was a disconnection, so I don't
5 know precisely to what it referred.

6 PRESIDING JUDGE VELDT-FOGLIA: Let me see. That seems -- I am
7 having a look when we talked about -- okay. Page 82.

8 And, Mr. Mustafa, what was the last thing you heard about
9 Mr. Rrahman Dini? Was it about him having authority to discipline
10 people?

11 THE ACCUSED: [via videolink] [Interpretation] No, no, that I
12 didn't hear. The last words I heard were that Agron Xhemajli stayed
13 at Fatmir Sopi's house, and that that was for a time the headquarters
14 of the brigade, and that Rrahman Dini slept for some time in hospital
15 or something like that.

16 PRESIDING JUDGE VELDT-FOGLIA: So page 82, line -- but let me
17 now see -- so page 82. And which line are you suggesting?

18 MR. VON BONE: 25.

19 MR. MICHALCZUK: It could be line 3, Your Honours.

20 PRESIDING JUDGE VELDT-FOGLIA: Okay. But then page -- I'm not
21 clear about the page.

22 MR. MICHALCZUK: Okay. It's page 82, line 3.

23 PRESIDING JUDGE VELDT-FOGLIA: Okay.

24 "And for some time, I don't know exactly which time, he stayed
25 in the hospital."

Witness: Fatmir Sopi (Open Session)

Page 2110

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 Very well. Defence counsel, I propose that we follow --

2 MR. VON BONE: Yes.

3 PRESIDING JUDGE VELDT-FOGLIA: -- the same procedure as we did

4 with Mr. Prosecutor, that you read out what --

5 MR. VON BONE: The questioning.

6 PRESIDING JUDGE VELDT-FOGLIA: -- has already been said for the

7 benefit of Mr. Mustafa.

8 MR. VON BONE: Okay, I will --

9 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

10 MR. VON BONE: -- read it out.

11 PRESIDING JUDGE VELDT-FOGLIA: Thank you for that.

12 MR. VON BONE: The question and the answer.

13 PRESIDING JUDGE VELDT-FOGLIA: But if you prefer that I do it, I

14 can do it also.

15 MR. VON BONE: It's okay.

16 The question is:

17 "And the headquarters which was near the school, which is where

18 he stayed. And in that period of time when the headquarters was in

19 that house near the school, do you recall what his task was at that

20 time?

21 "A. I don't recall him having any particular tasks. I don't

22 remember.

23 "Q. Did Mr. Rrahmani Dini have any authority to discipline

24 people?

25 "A. I don't think he had such authority because he was not at a

Witness: Fatmir Sopi (Open Session)

Page 2111

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 level to be able to give such orders or to discipline soldiers. I
2 don't know.

3 "Q. But he was part of the command of Brigade 153?

4 "A. That's true.

5 "Q. So why would he not be in a position to exercise such
6 authority?

7 "A. His health deteriorated and he became less active due to
8 his health conditions.

9 "Q. Did you have any contact with the family of Rrahman Dini
10 recently?

11 "A. No. Recently, I didn't see them.

12 "Q. Do you know if Mr. Rrahman Dini detained people in the
13 period of March or April 1999?

14 "A. I never had such knowledge.

15 "Q. And, for that matter, did you ever detain any people in the
16 period of March, April 1999?

17 "A. No, in any given period, not in March, April, May, June.
18 Never in my life.

19 "Q. And do you know if there were people in the area of Zllash
20 that were detained at all?

21 "A. I don't know and I'm convinced there weren't any.

22 "Q. You have never heard of anybody being detained?

23 "A. No."

24 Next question:

25 "Do you know a person with the name Isa Kastrati?

Witness: Fatmir Sopi (Open Session)

Page 2112

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 "A. Isa Kastrati? Yes.

2 "Q. Could you explain us who he is?

3 "A. He was a soldier of the KLA who became a martyr.

4 "Q. And when you say he became a martyr, what exactly do you
5 mean?

6 "A. He was killed.

7 "Q. I see. Do you remember when he was killed?

8 "A. It could be on the 21st or the 22nd of April,
9 approximately.

10 "Q. And do you recall in which circumstances he was killed?

11 "A. Yes, I do recall the circumstances. I heard about it. He
12 took two wounded persons at that time when they were withdrawing the
13 unit -- wounded persons at that time when they were withdrawing the
14 unit, for further medical treatment. So he lost his way. He took
15 two wounded persons" --

16 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated].

17 MR. VON BONE: Sorry, yes, I'm trying to. Just a minute.

18 PRESIDING JUDGE VELDT-FOGLIA: Line 20.

19 MR. VON BONE: 20.

20 "So he lost his way. He separated from the column and went in
21 the direction of Bullaj where he fell together with the two wounded
22 soldiers in an ambush by the Serbian forces. And that's how they got
23 killed.

24 "Q. He was a KLA soldier; is that correct?

25 "A. Yes.

Witness: Fatmir Sopi (Open Session)

Page 2113

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 "Q. And was he part of the Brigade 153?

2 "A. No. At the time, he had moved to the Karadak operational
3 zone.

4 "Q. And what does that mean? Did he move to another brigade or
5 what?

6 "A. Yes. Because he served at the Llap operational zone in the
7 beginning, I don't know exactly in which brigade, but then he
8 came ..."

9 And that is where the connection ended, Your Honour.

10 PRESIDING JUDGE VELDT-FOGLIA: Defence counsel, my proposal is
11 that you repeat your last question, and then the witness can begin
12 again with his answer to that question because he was interrupted
13 halfway.

14 MR. VON BONE: So --

15 PRESIDING JUDGE VELDT-FOGLIA: Did he move to another brigade.

16 MR. VON BONE: That was exactly.

17 Q. My question, Mr. Sopi, is: And did he move to another brigade?

18 A. Yes. At that time, he was serving within the framework of the
19 Karadak operational zone.

20 Q. Okay. And before he moved to that brigade, was he part of
21 Brigade 153?

22 A. No, he moved from the Llap Brigade. I think he was in 151st or
23 152nd Brigade, I am not quite sure. And from there, he moved to his
24 own area. He originally comes from Karadak area, and that's why he
25 moved to Karadak operational zone. This is how I know it.

Witness: Fatmir Sopi (Open Session)

Page 2114

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 Q. I want to go back on a question regarding detention of people.

2 Have you ever heard if the Llap operational zone had any detention
3 centre?

4 A. During the war, I didn't. I learned about this from the
5 proceedings after the war when the commander of the Llap operational
6 zone admitted that there were. But during the war, I didn't know
7 about that.

8 Q. And in the period that you were in Zllash, have you ever heard
9 anybody speaking about people being detained in a detention centre?

10 A. No.

11 Q. Have you ever heard of people being detained at the Zllash
12 compound?

13 A. No, I didn't hear about that.

14 Q. Has this ever been discussed in the brigade command, whether
15 there were any people ever detained in or around Zllash where your
16 Brigade 153 was?

17 A. No, never. No, never.

18 Q. You spoke today, earlier on, about two offensives that had taken
19 place, and one of that was on 7 April and the other one was on
20 18 April; is that correct?

21 A. In April. Yes, in April.

22 Q. I want to speak with you about the first offensive. Where were
23 the wounded? Was there any facility where wounded would be placed
24 when they would be in Zllash or around Zllash? What would be done
25 with that?

Witness: Fatmir Sopi (Open Session)

Page 2115

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 A. During the first offensive of 7 April, we didn't have anyone
2 wounded.

3 Q. Was there anybody killed in the first offensive?

4 A. No.

5 Q. Were there any people ill in the period of the first offensive?

6 A. Not that I know. I don't remember.

7 Q. In which hospital did Rrahman Dini stay?

8 A. Rrahman Dini stayed for a while at the outpatient clinic or
9 improvised hospital in Marec, Viti.

10 Q. And do you know when that was? Was that after the second
11 offensive or was that before the second offensive?

12 A. I am not sure when it occurred and how long he stayed there, but
13 I do know that he received medical care in that outpatient clinic.

14 Q. Was there any facility at the Brigade 153 for people who were
15 seeking refuge and who would need medical attention? Was there any
16 facility for that?

17 A. That ambulance or outpatient clinic in Viti was used for that
18 purpose. After the offensive, there was a house in the vicinity of
19 the school on its eastern part which was used for that purpose.

20 Q. What ambulance are you speaking about?

21 A. You mean in Marec?

22 Q. No. You just said "that ambulance," but I was wondering was
23 there any facility in Zllash where people could get some medical
24 treatment?

25 A. Yes, yes.

Witness: Fatmir Sopi (Open Session)

Page 2116

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 PRESIDING JUDGE VELDT-FOGLIA: Defence counsel, did he not talk
2 about a house in the vicinity --

3 MR. VON BONE: Yes.

4 PRESIDING JUDGE VELDT-FOGLIA: -- of the school --

5 MR. VON BONE: Yes.

6 PRESIDING JUDGE VELDT-FOGLIA: -- in its eastern part? I am
7 having the impression that you are repeating the question.

8 MR. VON BONE: That's what I did, but I got a little bit
9 confused because of this ambulance and then there was another word or
10 location mentioned.

11 PRESIDING JUDGE VELDT-FOGLIA: Please don't repeat the question.
12 Just ask what you did not understand.

13 MR. VON BONE:

14 Q. Was there any ambulance in or around Zllash to transport people
15 if they would need medical attention?

16 A. No, we didn't have ambulance in that sense. But I had in mind a
17 house that -- we called it "ambulance" in Albanian, even when
18 people -- when we speak about a clinic where people go to get medical
19 care, attention, to get an injection. A place where a sick person
20 can go to and get medical care.

21 There was a house in the eastern part of the school whose owner
22 was Sahit Gashi.

23 Q. And how would people be transported if they would need medical
24 attention? How would that, in practice, be done in that period of
25 time?

Witness: Fatmir Sopi (Open Session)

Page 2117

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 A. When we had some wounded or -- from the war front, his comrades
2 carried him in various ways from the war frontline. Otherwise, we
3 could use our cars that we had then.

4 Q. Just the regular military vehicles that were available or any
5 other vehicle?

6 A. Anything that we had available. We didn't have military
7 vehicles, that is, real military vehicles.

8 Q. I understand. To your knowledge, was there any contact between
9 Adem Shehu and the military police?

10 A. I don't know anything about that. Adem Shehu was a brigade
11 commander. Maybe he had contacts with the military police. I would
12 say yes, with -- he had contacts with soldiers, with anyone.

13 Q. And when the brigade command would have a meeting, would the
14 head of the military police always participate in such meetings?

15 A. I don't recall that.

16 Q. Where would Adem Shehu actually stay? Where would he sleep?
17 Where would he stay?

18 A. Adem Shehu stayed where the staff or the headquarters were.

19 Q. And we spoke earlier about the headquarters that was moved. But
20 at the time that Mr. Shehu came, it was a little bit later in time.
21 So which headquarters do you speak about?

22 A. The headquarters of 153 Brigade.

23 Q. Do you mean, to be exact, was that near that house near the
24 school or was that in your own house?

25 A. Yes.

Witness: Fatmir Sopi (Open Session)

Page 2118

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 Q. You mean in the house near the school?

2 A. Yes, yes, in the house near the school. Where the headquarters
3 was, that was where the commanders stayed.

4 Q. How many people actually stayed in that house from the command?

5 A. I don't remember that. We were appointed tasks and we didn't
6 stay all the time in the command. Myself, I was always on the move,
7 for example.

8 Q. And you did not have central or regular frequent meetings
9 together with the command of Brigade 153? How do I view that? Was
10 there a moment in time that there would be some kind of schedule that
11 you would regularly meet about whatever the issues might be?

12 A. Not in the strict sense of the word. We had meetings depending
13 on the developments.

14 Q. And how frequently were those meetings?

15 A. I don't remember that.

16 Q. Would they be always on the same location or would they be on
17 various locations?

18 A. Usually where the staff was located. That's where the meetings
19 were held.

20 Q. Did you ever have any meetings of the staff at the Zllash
21 compound where we spoke earlier of from the Krasniqi family?

22 A. I don't recall that.

23 PRESIDING JUDGE VELDT-FOGLIA: Defence counsel, we will continue
24 till five minutes till 4.00.

25 MR. VON BONE: Yes.

Witness: Fatmir Sopi (~~Private Session~~) (Open Session) *Reclassified pursuant to F493* Page 2119

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 I would like to ask to go into private session.

2 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, could we go
3 into private session, please.

4 ~~[Private session]~~ [Open session]

5 THE COURT OFFICER: Your Honours, we are now in private session.

6 PRESIDING JUDGE VELDT-FOGLIA: Defence counsel --

7 MR. VON BONE: I am asking for private session because I might
8 use names that we do not wish to have disclosed.

9 PRESIDING JUDGE VELDT-FOGLIA: Thank you. You may proceed.

10 MR. VON BONE:

11 Q. Mr. Sopi, do you know anybody by the name [REDACTED]

12 A. [REDACTED] a surname, and there are many people with that
surname.

13 Q. I understand. Do you know anybody with the name [REDACTED]

14 A. No.

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

Witness: Fatmir Sopi (~~Private Session~~) (Open Session) *Reclassified pursuant to F493* Page 2120

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 Q. Have you ever heard anybody with the name Alban Asllani?

10 A. Alban Asllani, yes.

11 Q. Could you tell me, who is he?

12 A. He was a KLA member in 153 Brigade.

13 Q. And do you recall what unit he was with?

14 A. He was in Prapashtice unit.

15 Q. And what was his function?

16 A. A soldier.

17 Q. And do you know who was his superior?

18 A. Mehmet Bajrami [as interpreted].

19 Q. And what was the function of Mehmet Bajrami, Mehmet Bajrami?

20 A. Momin. Momin. Momin Bajrami.

21 Q. Oh, Momin. Excuse me.

22 A. Momin.

23 Q. Excuse me. Where was he stationed, Momin Bajrami?

24 A. In his village, in Prapashtice.

25 Q. How far is that from Zllash?

Witness: Fatmir Sopi (~~Private Session~~) (Open Session) *Reclassified pursuant to F493* Page 2121

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 A. One hour and a half.

2 Q. And how far is that from Buna 29?

3 A. More than one hour. About two hours.

4 Q. Thank you very much.

5 PRESIDING JUDGE VELDT-FOGLIA: For my clarification, two hours
6 by foot?

7 THE WITNESS: [Interpretation] Yes, yes. I mean if you go on
8 foot.

9 MR. VON BONE:

10 Q. Have you ever heard of somebody with the name of Shemi?

11 A. No.

12 Q. Could that be a nickname, Shemi?

13 A. I don't know what to say.

14 Q. Do you know anybody with the name Shutì?

15 A. No.

16 Q. Have you ever heard of anybody with the name Rabbit Aliu?

17 A. Yes.

18 Q. Could you tell us who is he?

19 A. This person came from Drenica zone to our brigade and stayed
20 there until the end of the war.

21 Q. And what was his function?

22 A. He didn't have any specific function.

23 Q. So he was just a regular soldier?

24 A. Yes.

25 Q. And was he located at a specific battalion that you know?

Witness: Fatmir Sopi (~~Private Session~~) (Open Session) *Reclassified pursuant to F493* Page 2122

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 A. I don't remember exactly where he was stationed. I knew him by
2 name only.

3 Q. And do you recall when he came to the brigade?

4 A. I don't remember exactly. It was later, but I can't be precise.

5 MR. VON BONE: Your Honour, I think we can go into open session
6 again. I'm sure.

7 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated].

8 Madam Court Officer, could you bring us into public session,
9 please.

10 [Open session]

11 THE COURT OFFICER: Your Honours, we are back in public session.

12 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Court Officer.

13 Please proceed, Defence counsel.

14 MR. VON BONE:

15 Q. Mr. Sopi, you explained us how communication went, via satellite
16 telephone or radio or in person or any other means. When the radio
17 would be used, would you use a call sign?

18 A. I don't remember. I'm sure we must have used codes, but I don't
19 remember them.

20 Q. But do you recall at all what the call sign was for the brigade?

21 A. Buna was the code for the brigade.

22 Q. And do you recall what was the call sign of the headquarters of
23 the Llap operational zone?

24 A. If I'm not mistaken, Dardania was the code.

25 Q. And did you ever have contact with the BIA over the radio?

Witness: Fatmir Sopi (Open Session)

Page 2123

Cross-examination by Mr. Von Bone

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 A. I don't remember. Maybe we had, but I don't remember.

2 Q. Do you know if BIA had a call sign?

3 A. I don't remember.

4 Q. Thank you very much.

5 MR. VON BONE: Your Honour, I think this is probably the most
6 appropriate time to stop as any other topic would be much longer than
7 the five minutes that we have left. So I think it would be the best
8 time to stop.

9 PRESIDING JUDGE VELDT-FOGLIA: Very well. Good.

10 Now, we are almost, Mr. Sopi, at the end of the day in court.
11 We will continue with your questioning tomorrow at 9.30. And thank
12 you very much for your time today. And let me remind you that you
13 should not, until tomorrow morning, discuss your testimony with
14 anybody. Do you understand that?

15 THE WITNESS: [Interpretation] Yes.

16 PRESIDING JUDGE VELDT-FOGLIA: You will be assisted by the
17 Registry staff now. Try to rest and we will see each other again
18 tomorrow morning.

19 THE WITNESS: [Interpretation] Thank you.

20 [The witness stands down]

21 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Court Usher.

22 Defence counsel --

23 MR. VON BONE: We will not have a long session tomorrow as far
24 as the Defence is concerned.

25 PRESIDING JUDGE VELDT-FOGLIA: You read my mind.

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 MR. VON BONE: Yes. I am thinking about half an hour,
2 40 minutes maximum. That would be -- provided that the -- what is
3 it? The --

4 PRESIDING JUDGE VELDT-FOGLIA: The connection. But we don't
5 count --

6 MR. VON BONE: No, I understand that.

7 PRESIDING JUDGE VELDT-FOGLIA: -- the connection problems when
8 we look at the time used by the parties and the participants.

9 Very well. Is there something the SPO would like to raise with
10 the Panel at this moment in time?

11 MR. MICHALCZUK: Your Honours, nothing at this moment.

12 PRESIDING JUDGE VELDT-FOGLIA: Okay, thank you.

13 And the Victims' Counsel?

14 MS. PUES: No, only one small suggestion. Should internet
15 problems continue to occur, it might be a useful thing to have the
16 accused present. That would solve all the problems, and maybe return
17 to what we started off with. Thank you.

18 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Victims' Counsel.

19 That is an option that we have taken into consideration. And
20 there are very good reasons, apart from the situation with the
21 connection, to do so. But we leave it up till now how we have agreed
22 on it. But it's sure one of the options we -- if it's going worse,
23 then we will ask Mr. Mustafa to come here. Thank you.

24 And, Defence counsel, is there something that you would like to
25 raise with the Panel?

All redactions applied are pursuant to Orders F493, F509 and CRSPD107

1 MR. VON BONE: No, Your Honour. Thank you very much.

2 PRESIDING JUDGE VELDT-FOGLIA: Very well.

3 Then we will resume tomorrow morning. And I thank the parties
4 and the Victims' Counsel and the -- not the Registry, of course, for
5 their attendance. I thank the interpreters, the stenographer, and
6 the audio-visual technicians, and also the security personnel for
7 their assistance today.

8 We adjourn the hearing until tomorrow morning, 9.30.

9 --- Whereupon the hearing adjourned at 3.55 p.m.

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