

1 Thursday, 21 April 2022

2 [Open session]

3 [The accused entered court]

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 case
8 KSC-BC-2020-05, The Specialist Prosecutor versus Salih Mustafa.

9 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

10 First of all, we'll call the appearances.

11 Madam Prosecutor, you have the floor.

12 MS. D'ASCOLI: Thank you, Your Honours. Good morning, everyone.

13 The Specialist Prosecutor's Office today is represented by
14 Associate Prosecutor Filippo De Minicis; Julie Mann, Case Manager;
15 our legal intern Marie-Cecile Grudzinski; and myself,
16 Silvia D'Ascoli, Associate Prosecutor. Thank you.

17 PRESIDING JUDGE VELDT-FOGLIA: Victims' Counsel, you have the
18 floor.

19 MS. VOSSENBERG: Good morning, Your Honours. Good morning,
20 everybody. The participating victims are represented by myself,
21 Brechtje Vossenbergh, co-counsel.

22 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

23 Defence Counsel, you have the floor.

24 MR. VON BONE: Good morning, Your Honours. Defence is
25 represented by my co-counsel Mr. Betim Shala; myself,

1 Julius von Bone; interpreter/investigator Mr. Fatmir Pelaj. Joining
2 in the courtroom is also the accused, Mr. Salih Mustafa.

3 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

4 You are appearing in front of Trial Panel I for the record.

5 Today we will continue with the testimony of the Defence
6 Witness 1300, which is Mr. Musli Halimi.

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

9 [The witness takes the stand]

10 PRESIDING JUDGE VELDT-FOGLIA: Mr. Halimi, good morning.

11 THE WITNESS: [Interpretation] Good morning.

12 PRESIDING JUDGE VELDT-FOGLIA: And welcome back to the
13 Specialist Chambers. Can you hear me fine?

14 THE WITNESS: [Interpretation] Yes.

15 PRESIDING JUDGE VELDT-FOGLIA: Very well. How are you doing?
16 Did you have time to rest?

17 THE WITNESS: [Interpretation] Yes.

18 PRESIDING JUDGE VELDT-FOGLIA: Okay. Very well.

19 Mr. Halimi, I remind you that you are still under oath to tell
20 the truth. Do you understand that?

21 THE WITNESS: [Interpretation] Yes, I do.

22 PRESIDING JUDGE VELDT-FOGLIA: I will now give the floor to
23 Madam Prosecutor so she can continue with the last part of her
24 cross-examination.

25 Madam Prosecutor, you have the floor.

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1 MS. D'ASCOLI: Thank you, Your Honours, and I should take about
2 15 minutes, as foreseen.

3 WITNESS: MUSLI HALIMI [Resumed]

4 [Witness answered through interpreter]

5 Cross-examination by Ms. D'Ascoli [Continued]

6 Q. Good morning, Mr. Halimi.

7 A. Good morning.

8 Q. I still have a few questions left for you today.

9 So, first of all, I would like to discuss Rrahman Dini. You
10 gave us some evidence about him yesterday. You told us that Mr. Dini
11 was the one who told you that Cali was the commander of BIA. This
12 was at page 3815 of the official transcript of yesterday. And then
13 you also told us that Rrahman Dini, as far as you recall, was the
14 Chief of Staff of Brigade 153. This was at the official transcript
15 pages 3727 to 3728.

16 So I have a couple of questions about it. How often would you
17 have dealings or meetings with Mr. Dini in March and April 1999?

18 A. I have many memories of Rrahman Dini during the war. One of
19 them was --

20 Q. Let's focus on March and April 1999, please. Okay.

21 A. Yes, okay. I am talking about 18 April.

22 Q. Okay. Let me just ask my questions. So my first question was
23 whether you had dealings, meetings with him between March and
24 April 1999. Do I understand correctly that your answer is yes?

25 A. Not meetings, but I carried Rrahman Dini to my house for about 5

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1 kilometres because he was sick and he was together with some wounded
2 persons. And from -- I took them from Prapashtice to Koliq. That's
3 where I knew him.

4 Q. Okay. So how was -- you mentioned he was sick. What can you
5 tell us Mr. Dini's health? And again, I'm talking about March and
6 April 1999.

7 A. I can't tell you precisely what his disease was, but I knew that
8 he had difficulty to move. I think he suffered from his heart, his
9 lungs, and he was unable to walk. He was physically weak. I was the
10 one who had to carry the wounded, together with my soldiers, from
11 Prapashtice to Koliq. As the crow flies, it would be like
12 5 kilometres. And that's where I knew him. We stayed together in a
13 place for two other days because we were surrounded by Serb forces.

14 So we stayed together with Rrahman Dini there for two days and
15 two nights, and I carried him from Kecekolle to Koliq. That's where
16 we had an opportunity to discuss, to talk with each other.

17 Q. Okay. And when was this? I think you said second half of
18 April 1999?

19 A. I can't give you the precise date but I think it must have been
20 18 or 19 April. The time when the Zllash offensive was launched.

21 Q. And you said you carried him from Kecekolle to Koliq. Where
22 exactly did you bring him in Koliq?

23 A. There was another battalion of Brigade 153 in Koliq. And my
24 duty was to take him to that base and then go back to Prapashtice.

25 Q. Did I understand correctly from your evidence yesterday that

1 Mr. Dini was -- between March and April 1999, and I'm talking about
2 the period when you were in Zllash, did I understand correctly that
3 he was staying at the brigade headquarters? Brigade 153, I mean.

4 A. I think so, yes. He had to stay in the brigade.

5 Q. Okay. Mr. Halimi, I want to show you two photos. These are
6 similar to those you discussed yesterday with the Defence Counsel.
7 However, they are in colour, so I think it would be of benefit for
8 our record.

9 MS. D'ASCOLI: Can I please have on the screens next to each
10 other SPOE00287801 and SPOE00287803.

11 PRESIDING JUDGE VELDT-FOGLIA: Please proceed, Madam Court
12 Officer.

13 MS. D'ASCOLI:

14 Q. Mr. Halimi, you see the two photos on the screen. Do you
15 recognise this building?

16 A. Yes.

17 Q. Can you tell us what it is.

18 A. That is the former school of Zllash.

19 Q. Yes. You looked at a similar photo, which was DSM00549, which
20 was in black and white. So this is a similar coloured version.

21 You recognise that's the same building, I understand; correct?

22 A. Correct.

23 Q. And by "the former school in Zllash," you mean the school where
24 the training centre that you commanded was located; correct?

25 A. Correct.

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1 Q. Okay.

2 MS. D'ASCOLI: The photos can be removed. Thank you.

3 Q. Mr. Halimi, yesterday the Defence Counsel asked you some
4 questions about BIA. This was at page 3764 of yesterday's
5 transcript. You said you only heard of BIA and you did not have many
6 contacts with them. Do you remember that?

7 A. Yes.

8 Q. I also asked you during cross-examination whether you knew if
9 BIA had a base in Zllash and you said that you did not know. And
10 that was at yesterday's official transcript, page 3816.

11 Mr. Halimi, we have evidence and I'm putting that to you, that
12 one of the BIA locations was in Zllash. It was uphill from the
13 training centre. Did you know that?

14 A. No.

15 Q. So you're saying you never heard about this while you were in
16 Zllash, in those months? Are you saying that?

17 A. Yes.

18 Q. Did you -- did you ever go uphill from the school?

19 A. No. The shooting ground that I dealt with was located behind
20 the school, not at the front part of the school. So all the activity
21 took place in that shooting ground. It was 4 or 500 metres far from
22 the school. And the training was very intensive. So I was unable to
23 go out and to look around and so. I was busy.

24 Q. Now besides going to that or other locations, did you ever deal
25 or meet BIA members while you were at the training centre or around

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1 it, between March and April 1999?

2 A. Not only BIA soldiers or any other soldiers was among -- were
3 among the people I met. I had contact only with the recruits that
4 came to the centre.

5 Q. Sorry, it's -- your answer is not clear to me.

6 Are you saying that you met BIA soldiers as well as other
7 soldiers?

8 A. No. I think you got it wrong. I said I didn't have contacts
9 with BIA or any other soldiers, other than the recruits. Those were
10 the only persons I had contacts with. Only recruits, instructors had
11 access to this centre. Nobody else had access. It was forbidden,
12 because we didn't want anyone come there and manipulate or do
13 something wrong. It was strictly prohibited. We dealt only with the
14 recruits, instructors dealt only with them, and that was it. Even if
15 someone wanted to come, he wouldn't be allowed to.

16 Q. I understand. So in the -- and you know, you spent almost three
17 months in Zllash during that time. You're saying you never dealt
18 with any other soldiers, whether BIA or other units, except the
19 recruits and the trainers that worked at the training centre; is that
20 correct?

21 A. Yes.

22 Q. Okay. And besides Salih Mustafa, did you know any other members
23 of BIA, whether you interacted with them or not, you know, regardless
24 of that?

25 A. No.

1 Q. Do you know whether you trained any BIA members amongst the
2 recruits across the various generations that you trained?

3 A. I don't think so, no.

4 Q. Is it that you're not sure or is it not for sure? Which one?

5 A. If you allow me to explain, the recruits that came to the
6 training centre, I don't know about who they were, about their CVs.
7 We received a list, an accurate list of them, so it was not my duty
8 to inquire about their records or biographies, who they were. My
9 duty was only to train them and to comply with the list that I
10 received from the command of Brigade 153. That was it.

11 Q. Okay. So are you saying that you don't know whether, in fact,
12 there were BIA members among the recruits because you did not know
13 the recruits one by one? You didn't know their names or their
14 provenance, I understand, and where they would return to after the
15 training.

16 Is my understanding correct?

17 A. Yes.

18 Q. Okay. Mr. Halimi, you gave a statement to the Defence of
19 Mr. Salih Mustafa on 17 August 2021. Can you tell us who put you in
20 touch with the Defence team for -- in order to give that statement?

21 A. The lawyer of Salih Mustafa called me on the phone, so I cannot
22 say that someone came up to me and said this to me. But I met him.
23 Nobody pressured me. I met him willingly. I don't know who told
24 them about me, but I know that they called me. And that quite
25 willingly, I met them and gave the statement.

1 So I want to say that there was no censorship or any pressure.

2 It was -- I gave it out of my own free will.

3 Q. I understand. After giving this statement, did you speak about
4 the fact that you gave a statement with anyone in your circle of
5 contacts?

6 A. No.

7 Q. Did you -- was your family aware of that, the fact that you gave
8 a statement?

9 A. No.

10 Q. So you didn't discuss it with your family and you didn't discuss
11 it with anyone else at all. That's -- that's correct; right?

12 A. No. I don't think it was something that I needed to discuss
13 with anyone. No, I did not discuss it with anyone.

14 Q. Okay. How did you learn about Salih Mustafa's arrest?

15 A. Through the information media.

16 Q. Do you mean news or TV or Facebook? What do you mean exactly?

17 A. Through the news. From television news.

18 Q. Okay. Did you have the opportunity to familiarize yourself with
19 the charges in that case? In the case of Salih Mustafa.

20 A. No, no.

21 Q. So you did not read what the case was about, what the
22 allegations of the Prosecutor's Office were, et cetera? You're
23 saying that?

24 A. I did not read it.

25 Q. Okay. After Mr. Mustafa's arrest, have you been in touch with

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1 any members of Mr. Mustafa's family?

2 A. No. I don't know his family.

3 Q. Also yesterday you told us that you met Mr. Brahim Mehmetaj, aka
4 Bimi, after the war and you were worked together in the municipality.
5 This was at transcript page 3765.

6 Did you speak with Mr. Mehmetaj at any point after Mr. Mustafa's
7 arrest?

8 A. No. I worked with Brahim Mehmetaj during 2018 until 2020. He
9 worked in another department. I worked in another department. But
10 we worked in the same municipality -- in the same institution.

11 Q. Okay. So you said that you did not speak with him recently,
12 namely, after Mr. Mustafa's arrest; correct? Is that what you said?

13 A. Yes.

14 Q. And did you know that Mr. Mehmetaj testified in this case?

15 A. No.

16 Q. Did you follow any of the proceedings in this case whenever the
17 hearings were public or broadcast on TV or media?

18 A. To tell you the truth, no, not so much. No, I would say.

19 Q. When you say "not so much," you mean that you followed some or
20 not at all?

21 A. I can't say I didn't follow them at all, but not very much.

22 Q. Did you mean that you -- what did you mean exactly? Did you
23 follow some of the hearings or did you just read information that was
24 available on the media? Can you clarify the extent to which you
25 followed some of the proceedings?

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1 A. I already told you that I wasn't very keen on following them,
2 but it happened now and again that I heard some news because Kosovo
3 Radio Television broadcast all the hearings. So it may happen that I
4 have listened to them through the television.

5 Q. So you're saying that you remember having listened to some of
6 the hearings?

7 A. I can't tell you what I heard, but I can't say that I didn't
8 hear them at all either.

9 Q. Okay. That's clear. And do you remember what parts you
10 happened to follow or to listen to?

11 A. No, no.

12 Q. Do you remember which witnesses were testifying in the days
13 where you happened to follow some of the hearings?

14 A. I don't know.

15 Q. So you don't remember at all, any details?

16 A. No, I don't.

17 Q. Okay.

18 MS. D'ASCOLI: Your Honours, I'll consult quickly with my
19 colleague and then I think I won't have many questions.

20 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

21 [Specialist Prosecutor confers]

22 MS. D'ASCOLI:

23 Q. Mr. Halimi, thank you very much. Those were my questions.

24 MS. D'ASCOLI: Your Honours, I don't have further questions in
25 cross-examination. Thank you.

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Questioned by Victims' Counsel

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1 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Prosecutor.
2 Yes, Victims' Counsel, you have the floor for your questioning.

3 MS. VOSSENBERG: Thank you, Your Honours.

4 Questioned by Victims' Counsel:

5 Q. Hello, Mr. Halimi. My name is Brechtje Vossenbergh. I'm
6 co-counsel for --

7 A. Hello to you.

8 Q. -- the participating victims. I just have a few short
9 questions, just follow-up questions to some of the things that you
10 said yesterday.

11 My first question pertains to the sleeping arrangements for the
12 recruits. Yesterday in your testimony you told us a bit about that,
13 and I'm on page 3749 of the transcript, the official transcript. And
14 you talked about -- you confirmed that there was a bedding facility
15 at the school.

16 And what I was wondering was: What kinds of beds were available
17 for the recruits? Just the type of bed.

18 A. Yes. They didn't have luxury bedding, I would say, but they
19 knew that -- they were aware that we were at war, I mean, in a war
20 situation. They were like bunks, two -- so bunks. So in this way,
21 we could accommodate more soldiers. They shared the same bed or
22 there were also mattresses used for sleeping because the space wasn't
23 that big.

24 Q. Yeah, that makes a lot of sense. So bunk beds and mattresses,
25 is what you're saying? Okay. Thank you for that. That was my

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1 question on that.

2 Another topic. Yesterday you also told us that you were trained
3 in martial arts. And I'm on page 3792 of the transcript. Martial
4 arts. What type of martial arts were you trained in?

5 A. Other than the faculty of physical education I finished, I also
6 engaged in karate sport, which is my second, let's say, school. So
7 this prompted me to engage in training of soldiers, to prepare them
8 for the war, with the possibilities that were available to me then.

9 Q. And did have you a certain level of karate or, in karate terms,
10 a particular belt?

11 A. A second belt, I think.

12 Q. And ...

13 A. Two Dan. I don't know how you put it. The black belt, which
14 has level 1 and 2. I was level 2. Do you understand what I'm
15 saying?

16 Q. Level 2 black belt. Yeah?

17 A. Yes.

18 Q. Thank you for that. So you dealt with the physical training,
19 but yesterday you also testified that part of the training that the
20 recruits received was also training in weapons.

21 And my question is: What kinds of weapons were the recruits
22 trained to use?

23 A. Armaments were not within my purview. There were other
24 colleagues that dealt with them. But the recruits were trained to
25 use automatic rifles and pistols. TT pistols, we call them.

1 Q. TT. Okay. And did they also practice shooting? And I say that
2 because yesterday in your testimony you also talked about the
3 recruits having to pass a test shooting with weapons; page 3742. And
4 you also mentioned a shooting range; 3791. And I believe you also
5 mentioned the shooting range today?

6 A. Yes. They had to know how to dismantle, to load weapons, and
7 then finally they had to learn how to shoot. But we didn't use those
8 weapons. We had some air rifles, we call them, because we had to
9 preserve, to save the munitions for other -- for war. So testing for
10 them was done with air weapons, as we call them, not real weapons.
11 It's not real munitions.

12 Q. Okay. Thank you.

13 MS. VOSSBERG: Those were my questions, Your Honours. Thank
14 you.

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

16 I now turn to the Defence Counsel. You may proceed with your
17 redirect examination. You have the floor.

18 MR. VON BONE: Yes, Your Honour, very briefly.

19 Re-examination by Mr. von Bone:

20 Q. Yes, Mr. Witness, I have one more question to you.

21 Just earlier on the question of the Prosecution, you said - and
22 that is page 8, line 8 and 9, 7, 8, 9 - "my duty was only" -- and
23 this is in the context of the question of the Prosecution.

24 "My duty was only to train them and to comply the list -- with
25 the list that I received from the command of Brigade 153. That was

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1 it."

2 So my question is: Did you receive any list -- any list from
3 any other brigade than Brigade 153?

4 A. No.

5 Q. And did you ever receive any list from BIA?

6 A. No.

7 Q. Okay. Those were the questions.

8 MR. VON BONE: Thank you very much. Thank you.

9 THE WITNESS: [Interpretation] Thank you.

10 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Defence Counsel.

11 I now turn to the SPO. Do you wish to proceed with a rejoinder
12 examination of the witness?

13 MS. D'ASCOLI: No, Your Honours, nothing further. Thank you.

14 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

15 And Victims' Counsel?

16 MS. VOSSENBERG: No, thank you, Your Honours.

17 PRESIDING JUDGE VELDT-FOGLIA: Okay. Very well. Then at this
18 moment in time, Mr. Halimi, you have been asked several questions by
19 the parties and the Victims' Counsel. It's now the turn of the Panel
20 to ask you some questions, and they will allow us to gain some more
21 clarity about the testimony you have been giving today.

22 And I will look at my right-hand side to see. No? No
23 questions. And the colleague? No. And I have no questions either,
24 so no questions from the Panel for you, Mr. Halimi, and that means
25 that we have arrived at the end of your testimony.

1 And I want to thank you very much for giving us your time and
2 the testimony yesterday and this morning. It will help us in
3 receiving more clarity about what happened back then and to continue
4 in our efforts to find the truth.

5 So thank you very much. I wish you a safe journey home. And I
6 remind you that you should not discuss the testimony you have given
7 before the Specialist Chambers with anyone.

8 THE WITNESS: [Interpretation] Thank you.

9 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Usher, could you
10 usher the witness out of the courtroom.

11 [The witness withdrew]

12 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Court Usher.

13 Yes. It's now five minutes past 10.00.

14 Defence Counsel, I leave it up to you. We can take a break for
15 30 minutes and then we continue with the testimony of the next
16 witness. But if you are ready to proceed right away, which then --
17 then we can do that too.

18 MR. VON BONE: Your Honour, we would prefer to have a short
19 break. Doesn't necessarily have to be 30 minutes, could be
20 20 minutes. But, anyway, we want to do the courtesy to this
21 gentleman.

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

24 MS. D'ASCOLI: Yes, Your Honours.

25 Before we adjourn and we take a break, we have the -- the

1 parties and the Prosecution and the Defence, we have a joint request
2 which is similar to the one we made last month, in relation to the
3 submissions that the parties have to file by the end of the month
4 pursuant to F00170, the decision of the Panel on the conduct of
5 proceedings. We would appreciate if -- for this month, too, we could
6 have a short extension considering the number of the witnesses, which
7 I think were nine, and the fact that some of us will take the
8 opportunity next week to take some leave, so we were wondering if --
9 we discussed this also with the Defence Counsel, if we could file the
10 submission for the admission of the exhibits used with the witnesses
11 heard in the month of April by Monday, 9 May.

12 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

13 MS. D'ASCOLI: That would assist us, Your Honours. Thank you.

14 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Prosecutor. I
15 will come back on that and I will give an oral order, yes.

16 So very well. We will resume in 20 minutes and then it will be
17 less or more 10.30. So at 10.30 sharp we will meet again.

18 The hearing is adjourned.

19 --- Recess taken at 10.08 a.m.

20 --- On resuming at 10.30 a.m.

21 PRESIDING JUDGE VELDT-FOGLIA: Welcome back again. I see that
22 we are in the same composition, so that is noted.

23 We will now proceed to hear the testimony of the Witness 1400,
24 which is Mr. Selatin Krasniqi.

25 Madam Court Usher, can we please usher the witness into the

1 courtroom.

2 [The witness entered court]

3 PRESIDING JUDGE VELDT-FOGLIA: Mr. Krasniqi, good morning, and
4 welcome to the Specialist Chambers.

5 THE WITNESS: [Interpretation] Good morning. Thank you.

6 PRESIDING JUDGE VELDT-FOGLIA: Can you hear me fine?

7 THE WITNESS: [Interpretation] Yes.

8 PRESIDING JUDGE VELDT-FOGLIA: First of all, how are you?

9 THE WITNESS: [Interpretation] I'm fine.

10 PRESIDING JUDGE VELDT-FOGLIA: Okay, good.

11 Mr. Krasniqi, today we will start with your testimony, and you
12 are called to testify before the Specialist Chambers in the case of
13 the Specialist Prosecution's Office against Mr. Salih Mustafa in
14 order to assist the Panel to reach a verdict.

15 After you have taken your solemn declaration to tell the truth,
16 you will be asked questions by the lawyers for the Defence of
17 Mr. Salih Mustafa, sitting on your right-hand side; and the lawyers
18 on your left-hand side from the Specialist Prosecution Office; and
19 after that, from -- by the Victims' Counsel. Yes? And at the end,
20 the Judges of the Panel might ask you some questions.

21 Yes? Did you understand that.

22 THE WITNESS: [Interpretation] Yes.

23 PRESIDING JUDGE VELDT-FOGLIA: Very well. I would like to
24 provide you with some guidance for answering the questions that you
25 will be asked.

1 Mr. Krasniqi, please listen carefully to each question. If you
2 do not understand, feel free to ask for the question to be repeated.
3 We want you to tell the truth and to tell us what you saw, what you
4 heard, what you sensed, what you experienced. If you found out in
5 some other way, then you should say so and explain how.

6 You may not remember all the details of the events, and this is
7 perfectly fine. Please testify only on what you remember. You can
8 say, "I don't know," "I don't remember." That is not a problem.

9 Please answer the questions and if clarification is needed, you
10 will be asked to do so. I might stop you if I see that you are
11 deviating from the question -- from answering the question in order
12 to keep us focused on what we try to elicit from you.

13 And I remind you that you may refuse to answer questions that
14 might incriminate you.

15 Do you understand all this?

16 THE WITNESS: [Interpretation] Yes.

17 PRESIDING JUDGE VELDT-FOGLIA: Okay. I would like to give you
18 some practical advice, Mr. Krasniqi, for your testimony.

19 Everything what we say here is translated and recorded. So,
20 please, speak into the microphones in front of you. You have two.
21 Speak at a slow pace and speak clearly. And this will allow the
22 interpreters to translate everything what you are saying.

23 You should only start speaking when the person asking you a
24 question has finished. And when a question is asked, please count up
25 in your head till five, which might seem a little bit artificial, and

1 only then start answering the question. And this pause of five
2 seconds is essential for us to properly follow what you are saying.

3 If I raise my hand, please stop talking. I will try not to talk
4 because, in that case, we will have overlapping speakers and then the
5 interpreters cannot interpret. So it's you or some of us talking,
6 but both of us doesn't work.

7 If you have any questions, if you need a break or you need
8 something else, just raise your hand, and I will give you the floor
9 and you can explain what is needed.

10 Have you understood also all this?

11 THE WITNESS: [Interpretation] Yes.

12 PRESIDING JUDGE VELDT-FOGLIA: Very well.

13 Do you speak, English, Mr. Krasniqi?

14 THE WITNESS: [Interpretation] No, I don't. Or very little.

15 PRESIDING JUDGE VELDT-FOGLIA: Oh, "very little."

16 But if you say "very little," does it mean that if I speak in
17 English, you can understand a little bit?

18 THE WITNESS: [Interpretation] Little. A little.

19 PRESIDING JUDGE VELDT-FOGLIA: A little, okay. We will see how
20 that proceeds. It means that I might be escorting you -- asking the
21 Court Usher to escort you out if we have to discuss a question before
22 you can answer it, in order not to influence you with regard to the
23 answer you want to give. So -- very well.

24 THE WITNESS: [Interpretation] That's fine.

25 PRESIDING JUDGE VELDT-FOGLIA: As I have to do with all

1 witnesses, I will now ask you to read out the solemn declaration to
2 tell the truth. And I remind you that it is an offence within the
3 jurisdiction of the Specialist Chambers to give a false testimony.
4 Do you understand that?

5 THE WITNESS: [Interpretation] Yes.

6 PRESIDING JUDGE VELDT-FOGLIA: Very well.

7 Madam Court Clerk, can you please assist the witness with the
8 text for his solemn declaration to tell the truth.

9 Please, Mr. Krasniqi, read the text.

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

14 WITNESS: SELATIN KRASNIQI

15 [Witness answered through interpreter]

16 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Mr. Krasniqi. You are
17 now under oath to tell the truth. Yes?

18 We can begin with the testimony of Mr. Krasniqi, and we will
19 start with the questioning by the Defence Counsel.

20 And, Defence Counsel, you have estimated two hours for the
21 testimony, and, as usual, please inform the Panel if there are any
22 changes in this regard.

23 You have the floor.

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

25 Examination by Mr. von Bone:

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Examination by Mr. Von Bone

1 Q. Good morning, Mr. Witness.

2 Mr. Witness, do you remember when the NATO strikes happened in
3 Kosovo?

4 A. Yes, I do remember. On 24 March 1999.

5 Q. Thank you. And do you actually remember where you were at that
6 time?

7 A. That night I was at my house in Zllash.

8 Q. Okay. And were you there alone or were you there with other
9 people?

10 A. No, I was there with some other people.

11 Q. Okay. What was actually the reason -- did you -- what was the
12 reason for you that you were in Zllash? Were you living there?

13 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, it's enough that
14 you just the question without proposing possible answers.

15 THE WITNESS: [Interpretation] No, I went to live in Zllash
16 sometime in November 1998.

17 MR. VON BONE:

18 Q. Mm-hm. And what was the reason for you to go to Zllash in
19 November 1998?

20 A. In 1998, July, between July and September, Kosovo Liberation
21 Army asked from my uncles and my parents to make the house available
22 to them. One of the persons who asked for that was Rrahman Dini, who
23 used the pseudonym Bali. After that, myself being a young person, I
24 carried weapons, clothes, and some other equipment, and the Serb
25 police found out about that. In November 1998, I was arrested, and

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1 two or three hours later, my father intervened and I was released.

2 Q. And my question was so what was the reason for you -- this that
3 you were speaking about, is that -- did that happen in Zllash or did
4 that happen elsewhere?

5 A. In Prishtine.

6 Q. And so why did you go to Zllash then?

7 A. It was where -- it was my place, I had no other place to go, so
8 that is the reason why I went there.

9 Q. Okay. The place where you were in Zllash, was that a place of
10 your own or of your family?

11 A. It was --

12 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel.

13 Could you put off your headphone, Mr. Witness.

14 Could you ask a question: To whom belonged the house?

15 MR. VON BONE: Yes.

16 PRESIDING JUDGE VELDT-FOGLIA: No, no, but you are already
17 asking -- proposing answers. So just an open question. I don't mean
18 to interfere but it's -- what was the reason, to whom did it belong.
19 Those are the questions we should ask in order to elicit information.

20 MR. VON BONE: I just thought that there was an answer to that
21 already, so that's why. Anyway, I'll ask. Yes.

22 Q. The house or the place where you stayed in Zllash, to whom did
23 that belong?

24 A. To my uncle.

25 Q. Okay. And since when did that belong to your uncle?

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Examination by Mr. Von Bone

1 A. Since 1920.

2 Q. I see. And when you --

3 A. I think I made a mistake. 1928.

4 Q. I see. And would your -- the rest of your family stay there,
5 too, in that house of your uncle?

6 A. My parents stayed in Zllash until 1999 -- 1990, at which time
7 they moved to Prishtine, including my paternal uncle and his family.

8 Q. I see. At the time that you were in Zllash, was your uncle
9 there too?

10 A. Yes. Are you referring to 1999 or 1990?

11 Q. I'm referring to 1999.

12 A. No, they were not there in 1999.

13 Q. Okay, I understand. Did any --

14 PRESIDING JUDGE VELDT-FOGLIA: Excuse me. For me, it's not
15 clear. Sorry. In the period that you were in Zllash - so from
16 November 1998, yeah? - who was with you in Zllash?

17 THE WITNESS: [Interpretation] There were some other persons
18 there; 20, 30, 50 even.

19 PRESIDING JUDGE VELDT-FOGLIA: Sorry. I mean in the house you
20 were staying.

21 THE WITNESS: [Interpretation] Rrahman Dini was there, Isa
22 Kastrati, Shpend Canolli [phoen]. In fact, Basri Canolli because
23 Shpend was his pseudonym. Sylva was also there. Later I found out
24 that his real name was Besnik Maroca. And many others.

25 PRESIDING JUDGE VELDT-FOGLIA: I think I have not been clear in

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1 my question. I referred to your family. Who was in the house with
2 you? Because that was not clear for me from the question from the
3 Defence Counsel.

4 THE WITNESS: [Interpretation] Your Honour, since 1990, my family
5 only used the house in the village during the summer holidays. The
6 house was vacant.

7 PRESIDING JUDGE VELDT-FOGLIA: That still doesn't answer my
8 question. From November on, from November 1998, when you went to the
9 house in Zllash, who of your family, if any member of your family,
10 was there in Zllash with you, or not?

11 THE WITNESS: [Interpretation] None of them. I was the only one
12 staying there.

13 PRESIDING JUDGE VELDT-FOGLIA: Thank you for that.

14 Defence Counsel, you have the floor.

15 MR. VON BONE:

16 Q. That was November 1998. And later on in 1999 or later on, was
17 there at any point that your family members came; and, if so, who
18 came?

19 A. On 1 of April or 2 April - I'm not quite certain - after the
20 people were expelled from Prishtine, my mother, my sister arrived
21 there. A part of the family, not all of them.

22 Q. And until when did they remain there?

23 A. They stayed for about three days. And I asked my father to
24 leave that area and go someplace else, since we were locals from the
25 village and we had the possibility to go to another location, and so

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1 in order to make two or three places available.

2 Q. And what was the reason that they would -- sorry. First, where
3 did they eventually go to, those family members of yours?

4 A. They went close by, 250 metres, to a neighbourhood called Cubaj.
5 And that is where they stayed until the offensive was launched.

6 Q. And approximately, do you remember, when the offensive was
7 launched?

8 A. On the 17th. In Prapashtice and other villages, the offensive
9 were launched earlier but in that location it was around the 17th.

10 Q. And the 17th of which month and which year was that?

11 A. April 1999.

12 Q. Thank you very much. Between 24 March, the date of the bombing,
13 the date of the NATO bombings, and 17 April, were you in Zllash?

14 A. On 26 or 27 March, we went to Prishtine, and since I was a local
15 from there I knew the terrain. I sent some groups to the village of
16 Butovc. Some people I left in Mramor, a neighbourhood, and finally I
17 arrived myself in Prishtine with some persons.

18 Q. And for how long did you stay in Prishtine?

19 A. I stayed there until the 30th or the 1st, if I'm not mistaken.
20 I don't know the dates accurately.

21 Q. And where did you go?

22 PRESIDING JUDGE VELDT-FOGLIA: Of which month?

23 Defence Counsel, for me it is not clear the --

24 MR. VON BONE:

25 Q. Did you mean to say --

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1 PRESIDING JUDGE VELDT-FOGLIA: No, no, please ask him.

2 MR. VON BONE:

3 Q. You said the 30th of March, so which -- excuse me, I'm sorry.

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

5 MR. VON BONE: I'm sorry. I'm sorry.

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

7 MR. VON BONE: I'm sorry. But I --

8 PRESIDING JUDGE VELDT-FOGLIA: Please ask the question. I
9 understand it was just an oversight.

10 MR. VON BONE:

11 Q. You said until the 30th. Of which month and which year was
12 that?

13 A. March 1999.

14 Q. I'm sorry.

15 When -- from that moment and, where did you go again? Did you
16 stay there or did you move?

17 A. I stayed close to Prishtine, close to Medresa [phoen]. A friend
18 of mine arrived one morning from Kodra e Trimave, the neighbourhood,
19 and told me the Serb forces had entered Kodra e Trimave. We went to
20 Vranjevc. I met Shpend. And they suggested that we were ordered by
21 Rrahman Dini and Commander Cali and Fatmir Humolli not to cause
22 anything or shoot towards the Serbs because the population was there.
23 Keep the population calm.

24 Q. I understand. But that was not my question.

25 My question was simply: You went from Zllash to Prishtine,

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1 stayed there, and then from Prishtine where did you go? Did you stay
2 there or did you --

3 A. No. We moved on to Zllash.

4 Q. Okay. So you went back to Zllash?

5 A. Yes.

6 Q. And when you arrived in Zllash, back, was that the same day of
7 your --

8 PRESIDING JUDGE VELDT-FOGLIA: Please. Can you ask when he
9 arrived there.

10 MR. VON BONE: Yeah.

11 Q. When did you arrive? You say you left Prishtine. When did you
12 arrive in Zllash?

13 A. I arrived there at 3.00 or 4.00 in the morning on the 1st of the
14 month, if I'm not mistaken. 1st of April.

15 Q. 1999, I assume?

16 A. Yes.

17 Q. Okay. And for how long did you stay in Zllash?

18 A. Three or four days later, we returned to Prishtine. And when my
19 family moved to the house that I mentioned before, I went to
20 Prishtine to pick up some food for my family and returned to Zllash.

21 Q. And was that on the same day?

22 PRESIDING JUDGE VELDT-FOGLIA: Could you ask when that was,
23 Defence Counsel. Don't give the answers.

24 THE WITNESS: [Interpretation] It could have been the 3rd or the
25 4th.

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1 MR. VON BONE:

2 Q. Okay. Of which month?

3 A. April.

4 Q. 1999, I assume.

5 A. Yes, yes.

6 Q. Thank you very much. Sorry, I just want make sure that --

7 A. Yes, I'm referring to the month of April.

8 Q. Okay. Upon your arrival in Zllash, which other people that --

9 the other people that you were speaking about, Isa Kastrati,

10 Rrahman Dini, what were they actually doing there?

11 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, wait.

12 Could you take off your headphones.

13 Could you specify which time that he came back? Because if I
14 have now noted well, he came back the 1st of April, he left, and then
15 he came back a second time. And for me, from your question, it is
16 not clear which of those returns you're referring to.

17 MR. VON BONE: I understand, Your Honour. I will do it
18 differently.

19 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated]

20 Mr. Witness, can you put on your headphones. Thank you.

21 MR. VON BONE:

22 Q. Mr. Witness, we spoke earlier about the 24th of March. You were
23 there. You told us earlier that you were with a number of people
24 there. Those people you mentioned - Isa Kastrati and Rrahman Dini -
25 what were they actually doing on that location in Zllash?

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1 A. They were members of the Kosovo Liberation Army. They stayed
2 there. It wasn't my duty to ask them what they were doing.

3 Q. I understand. And in which -- where would they sleep, for
4 example?

5 A. There were many rooms, four in one part, two in another part, so
6 there were plenty places available.

7 Q. Mm-hm. And how -- how come were they able to stay there in that
8 place?

9 A. I don't understand the question.

10 Q. Okay. Who owned these houses?

11 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, we are talking
12 about one house or not?

13 MR. VON BONE: He said there were a number of rooms and there
14 were other rooms as well.

15 PRESIDING JUDGE VELDT-FOGLIA: But then don't imply it. Ask it.

16 MR. VON BONE:

17 Q. On that location, approximately how many houses or buildings
18 were there?

19 A. There were six bedrooms that were ready to be used by people.

20 Q. And is that in -- in one and the same house or is that in more
21 places?

22 A. There was a house and there was also another part, which we call
23 oda.

24 Q. I see. Could you tell us what an oda is.

25 A. Oda served in -- previously only for men. It was used

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1 especially in the villages to receive guests.

2 Q. Okay. And what would men be doing in an oda?

3 A. They talked.

4 Q. Okay. Thank you very much.

5 MR. VON BONE: At this point I would like to ask a photograph to
6 be shown to the witness. It is DSM00026.

7 PRESIDING JUDGE VELDT-FOGLIA: Please proceed, Madam Court
8 Officer.

9 MR. VON BONE: Could we -- could we enlarge that a little bit,
10 please. Maybe a little bit more. I can't see it. Yes, thank you
11 very much.

12 Q. Mr. Krasniqi, do you see this photograph?

13 A. Yes.

14 Q. Do you recognise this place?

15 A. Yes, very well.

16 Q. Could you tell me what is that place.

17 A. This is in village of Zllash. Those are our houses that we
18 owned.

19 Q. And is this the location what you were just speaking about when
20 you said that you were -- was it in these houses that Rrahman Dini
21 and Shpend would stay?

22 A. Yes.

23 MR. VON BONE: Excuse me?

24 PRESIDING JUDGE VELDT-FOGLIA: Wait.

25 [Trial Panel confers]

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1 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, please proceed.

2 But when you finish the part of the photographs, I would like to go
3 back to a question you asked earlier.

4 MR. VON BONE: Okay.

5 PRESIDING JUDGE VELDT-FOGLIA: But please proceed.

6 MR. VON BONE: Yes.

7 Q. Can you explain us what kind of buildings we are seeing on this
8 photograph?

9 A. We see the granary. We see the oda.

10 Q. Let me interrupt you for a moment. Let me interrupt you for a
11 moment, because it will be a little bit unclear if you say it like
12 that.

13 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, could I suggest
14 that we give a pencil to the witness.

15 MR. VON BONE: Yes, please.

16 PRESIDING JUDGE VELDT-FOGLIA: And if Madam Court Usher would be
17 so kind --

18 MR. VON BONE: I have just one question before we start with the
19 pencil.

20 PRESIDING JUDGE VELDT-FOGLIA: Okay. Please proceed with your
21 question and then Madam Court Usher can assist the witness with the
22 pencil.

23 MR. VON BONE: Yes.

24 Maybe it's better to ask that question afterwards because then
25 we have a better indication of what I'm trying to establish.

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1 PRESIDING JUDGE VELDT-FOGLIA: It's your examination --

2 MR. VON BONE: Yes, so let's --

3 PRESIDING JUDGE VELDT-FOGLIA: -- please choose your order.

4 MR. VON BONE: Yes. So let's move on and maybe we can enlarge
5 the photograph a little bit. Yes. So that we have it --

6 Q. Can you see it well, Mr. Witness?

7 A. Yes, yes, I see it well.

8 Q. So if we start, for example, on the right side of this
9 photograph, at the very right obviously there are a lot of trees.
10 But what I'm trying to establish is obviously the remains of
11 structures that are standing there.

12 Could you, from top on the right side to bottom, indicate what
13 these structures would be?

14 A. This is --

15 Q. Excuse me -- sure, go ahead.

16 A. This is where we keep the combines.

17 Q. Would you mark that with a 1, please.

18 Would you -- to the right of that, could you explain what the
19 structures are which are on the right side?

20 A. This was a room.

21 Q. And was there only one room there or were there more rooms?

22 A. There were four rooms, until the next building.

23 Q. Okay. And would you please mark the circle with 2 and the
24 rectangle with 3, 4, and 5.

25 PRESIDING JUDGE VELDT-FOGLIA: For my understanding --

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1 THE WITNESS: [Marks].

2 PRESIDING JUDGE VELDT-FOGLIA: -- Mr. Witness, the numbers 2, 3,
3 4, and 5, you just indicated them with the word "rooms." Do I
4 understand you well that they belonged to the same house?

5 THE WITNESS: [Interpretation] Yes, yes.

6 PRESIDING JUDGE VELDT-FOGLIA: One house. And you're indicating
7 to us several rooms in that house?

8 THE WITNESS: [Interpretation] Yes. Yes, yes.

9 MR. VON BONE:

10 Q. Was that -- to whom belonged that house?

11 A. You are referring to the period before 1998?

12 Q. I'm referring to the period -- before 1998, that's fine.

13 A. The houses belonged to Adem -- Adem Krasniqi. The title deed
14 was in the name of Kadri Krasniqi. I mean, they were brothers.

15 Q. Okay.

16 A. The other brother.

17 PRESIDING JUDGE VELDT-FOGLIA: What is the "other part"? For
18 me, that is not clear. What do you mean with "the other part"?

19 THE WITNESS: [Interpretation] The other part? What I said was
20 'on the title deed.'

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

22 "These houses used to belong to Adem Krasniqi but the other part was
23 on the name of Kadri Krasniqi."

24 Then my question is: What do you mean with "the other part"?
25 Where on the picture is the other part?

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1 THE WITNESS: [Interpretation] No -- not the other part -- I said
2 that on paper, they were in the name of Kadri Krasniqi.

3 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated].
4 Belonged to both of them. They were co-owners. They were both
5 owners of the same building?

6 THE WITNESS: [Interpretation] Yes, yes.

7 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated]. Take
8 off your headphones, please. Witness, please take off your
9 headphones.

10 MR. SHALA: Your Honours, it is not in translation. He said
11 possession list. The possession list is document who show who is
12 owner. So in this case, he explained the real owner is Adem, but in
13 possession list, in cadastre is somebody else as owner, registered as
14 owner. But real owner is Adem.

15 PRESIDING JUDGE VELDT-FOGLIA: That is not what I read in the --

16 MR. SHALA: Yeah, it is not in translation, possession list.
17 [Albanian spoken].

18 PRESIDING JUDGE VELDT-FOGLIA: We will have that checked, what
19 he exactly said. Thank you for that.

20 MR. SHALA: Yes, yes.

21 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, please proceed.
22 And I will ask Mr. Witness to put on his headphones. Thank you.

23 MR. VON BONE:

24 Q. So, Mr. Witness, if I look at 2, 3, 4, and 5, this was one and
25 the same building. Do I understand that well?

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1 A. Yes.

2 Q. These buildings or -- sorry. This building with the rooms
3 belonged to your family. Do I understand that well?

4 A. Yes.

5 Q. Okay. What is the structure which is under 5, in the same line,
6 so to speak? It's a ...

7 A. It was a barn where we kept cattle until 1990. And number 5
8 indicates the area where we -- where there were two rooms, where
9 there was a stove as well.

10 Q. I understand.

11 THE INTERPRETER: A chimney, correction.

12 MR. VON BONE:

13 Q. I just want to interrupt you. I want you -- the stable for
14 sheep - what was it? - the barn for sheep, would you indicate that or
15 mark that with number 6.

16 A. [Marks].

17 Q. Thank you very much. Was this -- yes. I don't know exactly how
18 to put this in words, but to the left side of that number 6 building,
19 there seems to be another structure which is directly perpendicular,
20 I think it is.

21 A. Is this what you mean?

22 Q. That is what I mean, yes. Could you tell us what that was? And
23 will you please mark it with number 7.

24 A. In the 1980s, this was a house where they used to live. I don't
25 know about that. And then it was used as a garage.

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1 Q. Okay. Let me ask you, in the period between -- no. In the
2 period March and April 1999, were -- was the structure which is 2, 3,
3 4, and 5 completely intact?

4 A. Yes.

5 Q. And was this structure with number 6 marked intact?

6 A. The beginning of the building where we had the chimney was in a
7 good state, but the rest of it, we were never able to repair it.

8 Q. Okay. Then number 7, was that, in March and April 1999, was
9 that standing there?

10 A. Yes.

11 Q. How high was that, approximately, if you could estimate the
12 height of the roof of that structure?

13 A. Are you referring to number 7?

14 Q. That's right.

15 A. 2,20, 2,30 metres, I'm not quite certain. But you were able to
16 stand in it.

17 Q. Okay. If you go from number -- sorry, excuse me. If you go
18 from number 6 down, there seems to be some kind of structure standing
19 there again. What would that be?

20 A. Is this what you mean?

21 Q. That is what I mean, yes.

22 A. It was a wall. It was a wall.

23 Q. I see. And would you mark that with 8, please.

24 A. [Marks].

25 Q. Okay. And what was that wall used for?

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1 A. It was the wall of the compound, that part there.

2 Q. I see, okay. And to the left of number 8, directly to the left
3 of number 8, what can I see there? That is indeed what I mean.

4 A. To there?

5 Q. Yes.

6 A. That was the entrance to the yard.

7 Q. I see. Would you please mark that with number 9.

8 A. [Marks].

9 Q. Mr. Witness, if I would walk from 7 up to 9, could you describe
10 to me what that would be like? Is that --

11 PRESIDING JUDGE VELDT-FOGLIA: No. Don't give the answer
12 already.

13 MR. VON BONE:

14 Q. Do you understand my question?

15 A. No.

16 Q. If I --

17 PRESIDING JUDGE VELDT-FOGLIA: Try to reformulate it --

18 MR. VON BONE: Yes.

19 PRESIDING JUDGE VELDT-FOGLIA: -- but by not giving --

20 MR. VON BONE: I understand, Your Honour.

21 PRESIDING JUDGE VELDT-FOGLIA: -- the answer. No, let me talk.

22 MR. VON BONE: I'm sorry. Sorry, yeah.

23 PRESIDING JUDGE VELDT-FOGLIA: By not giving the answer.

24 MR. VON BONE: No.

25 Q. From 7 to 9, approximately what is the distance?

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1 A. 7, 8 metres, to 10, not more than that.

2 Q. And what is the field like if you walk from 7 to 9?

3 A. From 9, it's flat. And then it elevates a bit.

4 Q. Okay. And it elevates to where?

5 A. To 7.

6 Q. I understand. I understand.

7 I go from -- taking point 9 to the very left, I see some
8 structure standing there. Could you point maybe that one out. Yes.
9 And would you mark that with 10, please.

10 A. This was where the food for the animals were kept.

11 Q. Okay.

12 A. It had two entrances.

13 Q. I understand.

14 A. One was here and one on the back side.

15 Q. Okay. I understand. And directly above number 10, could you
16 indicate that with a point? Directly above number 10. Yes. And
17 would you mark that with number 11, please?

18 A. [Marks].

19 Q. What would that be?

20 A. This was an area where we kept the agricultural equipment.

21 Q. Okay. And then above number 11, would you point to the next
22 structure and would you mark that with 12, please.

23 A. [Marks].

24 Q. What would number 12 be?

25 A. Number 12 was the oda that I mentioned, and it had a bedroom

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1 close by, next to it.

2 Q. Okay. And then directly above number 12, could you point that
3 out. And would you mark -- yes, thank you very much.

4 A. [Marks].

5 Q. What would that be, number 13?

6 A. This was a granary where they kept wheat and oat.

7 Q. I understand. What is above number 13, if I ...

8 A. They called it cellar. That's where they kept the milk
9 products; cheese, milk.

10 Q. I understand.

11 MR. VON BONE: Could we zoom out a little bit the -- this ...
12 this -- no, we cannot?

13 THE COURT OFFICER: If we zoom out, we will lose all the
14 markings.

15 MR. VON BONE: Okay. We're not going to do that. Then we
16 remain on this.

17 Q. Let me put it like this. If I see the structure with number 6
18 and I go to the very right of the photograph, I see a lot of green
19 there. Could you tell us what that is?

20 A. You mean here?

21 Q. Yes, from there onwards.

22 A. There was a house here until 1995 or 1996, and from here
23 onwards, there's a forest.

24 Q. Okay. And in the period of March and April 1999, who -- can you
25 tell us who -- no.

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1 First of all, number 6, once again. March-April 1999. Building
2 number 6, was that in use in any manner?

3 A. No. You could go there and shelter if it rained.

4 Q. Okay. And the numbers 2, 3, 4, and 5, was that in use?

5 A. Yes.

6 Q. Who used it?

7 A. All of us who were there.

8 Q. And when you say "all of us who were there," who do you mean?

9 A. I mean the soldiers of the Kosovo Liberation Army who were
10 there. There were some from the Karadak part. Then there was
11 Rrahman Dini with his comrades, Isa Kastrati. I won't mention all of
12 them because there are many.

13 Q. And how was it possible that they were able to stay there?

14 PRESIDING JUDGE VELDT-FOGLIA: I don't understand the question.
15 What do you mean with "how was it possible"?

16 MR. VON BONE: I'll formulate it different, Your Honour.

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

18 MR. VON BONE:

19 Q. Were they allowed to stay there and to sleep there?

20 A. They were. After they had talked to my parents, to my paternal
21 uncles, my father, they were allowed to stay there and they stayed
22 there. It was their house.

23 Q. I understand. And was this their house in the period of
24 March and April 1999?

25 A. From 15 August, if I'm not mistaken, 1998, until the end of the

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1 war, it was their house.

2 Q. And what do you call "the end of the war"?

3 A. 23 years ago on this day, we left that area and it was destroyed
4 by the Serb forces.

5 Q. I understand. I just wanted to have in time, you said the
6 beginning until the end of the war, but for you, what is the end of
7 the war in that particular time-frame?

8 A. 12 June is the last day of the war, 1999.

9 Q. Thank you very much. And when -- since when were they allowed
10 to stay there? Rrahman Dini, Isa Kastrati, and others that you were
11 speaking of.

12 A. I already mentioned it. Somewhere from around 15 August 1998.
13 I might be mistaken for three days, but it was around that date.

14 Q. Okay, I understand. And in the period of March and April 1999,
15 where did you stay on this location when you were there? When you
16 would be there, where would you stay?

17 A. In the beginning, while there were not others that had come
18 there, I would stay in number 3, 4, 2, and I also slept in number 12.
19 In number 12, there were two rooms, as I already mentioned.

20 Q. And you mentioned Rrahman Dini and others. But --

21 A. Yes.

22 Q. -- were they belonging to a particular unit? Were they KLA
23 persons?

24 A. They were KLA members.

25 Q. I see. And to which part of the KLA did they belong?

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1 A. I later learned that they were part of 153 Brigade. I was not
2 interested at the time with who I was. They all had the same goal.

3 Q. Okay. And you mentioned people from the -- I believe the
4 Karadak zone, if I recall.

5 MR. VON BONE: I don't have the reference number, Your Honour.

6 Q. But you mentioned people from the Karadak zone. Were those
7 people from the same brigade or were they from another brigade?

8 A. No. Until they formed their own zone, operational zone, some of
9 them stayed there in the houses with us.

10 Q. Okay.

11 PRESIDING JUDGE VELDT-FOGLIA: The reference is page 40, line 9,
12 and he referred to Karadak part.

13 MR. VON BONE: Karadak part.

14 Q. And were there any other people who would be using this that you
15 know belonged to particular zones or brigades or ...

16 A. There were no others. There were from Karadak, and the rest
17 were mainly from Gollak.

18 Q. I understand.

19 PRESIDING JUDGE VELDT-FOGLIA: For my understanding, the Defence
20 Counsel asked you "were there any other people."

21 When you refer to "people," do you refer to civilians, to
22 soldiers, to both?

23 THE WITNESS: [Interpretation] There were also civilians. After
24 the 1st of April there were many civilians there.

25 MR. VON BONE:

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1 Q. Approximately -- approximately how many civilians would there
2 be? If can you estimate at all or ...

3 A. More than 100. When I woke up on the 1st of April in the
4 morning and went out to the yard, I saw there many people. There
5 were children, women.

6 Q. And where did all these people come from?

7 A. They all came from Prishtine.

8 Q. And why had they come there?

9 A. Because the Serb forces had forced them out of their houses and
10 they had come to that area.

11 Q. Mm-hm. And why would they choose to come to that area?

12 A. At that time there was no fighting in that area.

13 Q. Mm-hm.

14 A. And between life and death, it was better to go there than
15 remain in Prishtine.

16 Q. And for how long did they remain there, these people, these
17 civilians?

18 A. Defence Counsel, this part of Zllash borders some other
19 villages. Behind number 1, there's a road that takes you to
20 Prapashtice, Kecekolle and Marec. It's a transit road. And
21 civilians stayed there for two, three days, and then we would escort
22 them to another village. And then others, civilians, would come, and
23 so on.

24 Q. I understand. And when you say "we would escort them" --

25 PRESIDING JUDGE VELDT-FOGLIA: Wait, wait. Defence Counsel,

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1 shall we first elicit an answer to:

2 "And for how long did they remain there, these people, these
3 civilians?"

4 I didn't see an answer to that.

5 MR. VON BONE:

6 Q. Can you actually say, Mr. Witness -- Mr. Witness --

7 MR. VON BONE: Excuse me.

8 [Specialist Counsel confer]

9 MR. VON BONE: I believe he said for two or three days. Line
10 19.

11 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated] Okay.
12 Very well. Thank you.

13 MR. VON BONE:

14 Q. And would there be -- when they would leave, you said, "we would
15 escort them." Who are "we"? Who are you referring to?

16 A. "We" is us who were there. For example, I had a tractor and I
17 would take families to Kecekolle, to Prapashtice, to Marec, to Koliq.
18 And just like me, there were many other young men. We would give
19 them food, whatever we had, and then we would escort them. There
20 were children amongst them.

21 Q. I understand. And were there also people just remained there on
22 that location, civilians, who would just remain there? Or would they
23 all be going --

24 A. Yes. They would stay for two, three days and they would leave.
25 Others would come.

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1 Q. Mm-hm. So it was, if I understand you well, a coming and going
2 of people?

3 A. Yes.

4 Q. This location, if I take -- if I take a look at the photograph
5 and I see from 1 until 10, and from 10 up to 8, and from 8 up to 2,
6 was there a fence around this?

7 A. There was before 1990. However, after 1990, it was -- it began
8 to collapse and it was ruined completely.

9 Q. Just if I may, if I may, I just want to determine the period of
10 April -- March and April 1999, was there a fence or was there no
11 fence?

12 A. Very little. Here and there.

13 Q. Could people easily walk in and out of this area?

14 A. They could walk in from whichever side they wanted. If they
15 would come towards 12, there was a field there for 1 kilometre, and
16 there, there was an entrance, at number 12.

17 At number 13, there was also an entrance. Above number 14,
18 there was an entrance. Between 1 and 2, there was an entrance. At
19 number 9, there was an entrance. And there by the oak tree at number
20 10, there was also entrance and it is there to this day.

21 Q. I understand. And if I speak about number 9, was there a gate
22 there? I mean, a bar that would -- that would ...

23 A. No, there was a gate, but at that time, in 1998 and 1999, it did
24 not exist. Wasn't there.

25 Q. My question is specifically about March and April 1999, whether

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1 there was at that point any gate or a bar that was closing off that
2 area.

3 A. No, no. No, there wasn't.

4 Q. Was there any person who was guarding that area?

5 A. No, there was no person guarding that area and there was no need
6 to guard that area. Because 10 kilometres further, there was another
7 guard post at Crvodik. And then in Viti of Marec there was another
8 guard post, and then in Marec, in Kecekolle, at Celevit. So there
9 was no need for guards in this area. To my knowledge.

10 Q. I understand.

11 A. As long as I was there, there was no -- there were no guards.

12 Q. Okay. And in the period of March and April 1999, was there any
13 electricity in that -- in that -- in the houses that are there or in
14 the buildings that are there?

15 A. If I'm not mistaken, up to January there was electricity and
16 then it was cut off. Maybe towards the end of January, it was cut
17 off by the Serbs. And we did not need electricity because we didn't
18 have phones and that sort of technology at the time, so we were not
19 that much bothered about electricity.

20 Q. And how would the rooms, for example, be illuminated?

21 A. We had petroleum lamps. Sometimes we didn't have anything. We
22 had wooden stoves, we had the chimney.

23 Q. I understand. And was there any place where there was a kitchen
24 to prepare food?

25 A. Yes.

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1 Q. And where would that be on this -- on this photograph?

2 A. Number 5 and 6, which I indicated here with the line.

3 Q. Okay. And would there be any other -- the rooms, 2, 3, 4, and
4 5 --

5 MR. VON BONE: Would the witness please take off his headphones
6 for a second.

7 PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness, can you take your
8 headphones off.

9 Defence Counsel.

10 MR. VON BONE: I'm almost positive he mentioned a basement. I
11 just don't want to --

12 PRESIDING JUDGE VELDT-FOGLIA: Please confer with your
13 colleagues to see if you ...

14 [Specialist Counsel confer]

15 MR. VON BONE: Let me just pose the question.

16 PRESIDING JUDGE VELDT-FOGLIA: Please proceed, Defence Counsel.

17 MR. VON BONE:

18 Q. Mr. Witness, would you put your ...

19 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Mr. Witness.

20 MR. VON BONE:

21 Q. Mr. Witness, if you look at number 2, 3, 4, and 5, was this a
22 single-storey building or was it a building which had two floors, so
23 to speak?

24 A. Only under number 5. There was a storage area.

25 Q. I see. And --

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1 A. Because the level of the earth, of the ground, was such.

2 Q. Okay. I do not understand what you mean, "the level of the
3 earth was such."

4 A. I mean it was lower and they could make that a basement. And
5 that's what they did. They made it a basement, like a storage for
6 the food for the family.

7 Q. Okay. And why -- why was that not, for example, under room
8 number 2?

9 A. It wasn't possible because at the time it was built, there was
10 no digging equipment available.

11 Q. Okay. If I would be walking from number 7 to 2, how far would
12 that be, approximately, in distance, if you can give an indication?

13 A. 12, 13 metres. 15, I think. Not more than that.

14 Q. Okay. I want to go back with you to 24 March. How was that you
15 heard about the bombing of the NATO? 24 March 1999.

16 A. I was in room number 3 sleeping, and somebody called me. And
17 Isa Kastrati said, "Congratulations, NATO bombing began." And we got
18 up. We were happy. We continued towards number 2 and then on to
19 number 1. And then 150 metres away from there, you can see a part of
20 Kosovo, and from there we could see the bombing.

21 But the news was given to us by Isa Kastrati.

22 Q. I understand. So when you were walking up that -- towards
23 wherever that was --

24 MR. VON BONE: Let me see for a moment, Your Honour.

25 Q. How is it that you can see from that point the bombing? How is

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1 that possible?

2 A. 150 metres above this location the altitudes is about 1200
3 metres, and you can see a part of Kosovo. You could see Butovc,
4 Lipjan, Obiliq, Vushtrri, Podujeve.

5 Q. Do you mean that it is on a more elevated place than, for
6 example, for number 2, the point that you were looking --

7 A. Yes.

8 Q. -- at this? Can I say that you go uphill?

9 A. Yes.

10 Q. I understand. I would like to --

11 PRESIDING JUDGE VELDT-FOGLIA: Wait. Let us --

12 MR. VON BONE: Yes.

13 PRESIDING JUDGE VELDT-FOGLIA: We see an arrow on the map.

14 MR. VON BONE: Yes.

15 PRESIDING JUDGE VELDT-FOGLIA: I think it's important that the
16 witnesses indicates what he means by this arrow.

17 MR. VON BONE: Yes.

18 Q. Could you explain what that arrow is.

19 A. I made this arrow to explain it to the lawyer in which direction
20 we walked. The 150 metres that I mentioned above this location.

21 Q. I see. I understand.

22 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

23 MR. VON BONE: I'm not sure, have we saved this photograph now
24 in the current formation? Yes. Because I would like to keep this
25 photograph, obviously, as it is and move on to some other photograph.

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1 And then I would like to --

2 PRESIDING JUDGE VELDT-FOGLIA: Wait.

3 Madam Court Officer, is it saved? She's working on it so we
4 will just wait.

5 MR. VON BONE: Okay. Let's wait for a moment.

6 THE COURT OFFICER: Yes, Your Honours, it's saved.

7 PRESIDING JUDGE VELDT-FOGLIA: Thank you very much, Madam Court
8 Officer.

9 Defence Counsel, please proceed.

10 MR. VON BONE: That's a relief that it was saved.

11 Your Honour, I would like to show the photograph which is
12 numbered DSM00031.

13 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, please
14 proceed.

15 MR. VON BONE: Thank you very much.

16 Q. Mr. Krasniqi, do you recognise this photograph?

17 A. Yes.

18 Q. And I see a gentleman in this photograph. Could you tell us who
19 that might be?

20 A. That is Kadri, Kadri Krasniqi, my paternal uncle whom I called
21 father.

22 Q. Thank you very much. I see behind him a building. Could you
23 tell me what that building is. The building is white.

24 A. This is a building marked with number 12, where I said there was
25 the oda and another room. And then you can see the granary and part

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1 of the pantry, the area where they kept the dairy products.

2 Q. I just want to be precise on this. The granary, where is that?

3 Is it possible to point it out on the photograph?

4 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, I think that the
5 witness has pointed it without a little red circle.

6 MR. VON BONE: Oh, I see it now. Sorry. Yes, Your Honour.

7 Q. That is the granary. Would you mark with number 2, please, on
8 this photo.

9 A. [Marks].

10 Q. And the previous building in front of which the gentleman is
11 standing, would you mark that with a 1?

12 A. [Marks].

13 Q. Yes. And lastly, I see to the right of number 2 another
14 building, what would that be? Would you mark it with 3 and explain
15 us what it is.

16 A. This is the pantry where they kept dairy products, milk, cheese,
17 and so on.

18 Q. I see.

19 PRESIDING JUDGE VELDT-FOGLIA: And then to be complete --

20 MR. VON BONE: Yes.

21 PRESIDING JUDGE VELDT-FOGLIA: -- Mr. Witness, the building you
22 marked with 1, can you confirm that that is the oda you just spoke
23 about?

24 THE WITNESS: [Interpretation] Yes. This is the oda. And it
25 also contains a bedroom.

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1 PRESIDING JUDGE VELDT-FOGLIA: Yes, we noted that. Thank you.

2 THE WITNESS: [Interpretation] The building -- the window is on
3 this side.

4 MR. VON BONE:

5 Q. Thank you very much.

6 MR. VON BONE: I would like to show the following photograph,
7 Your Honour.

8 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

9 MR. VON BONE: That is DSM00028. Could we enlarge it maybe a
10 little bit so that we have a full screen on it. Yeah.

11 Q. Mr. Witness, could you tell me what you see on this photograph?
12 And then I want you to indicate first the very right building, the
13 building on the right side of the photograph.

14 A. This is number 5. This is number 10 that I showed earlier which
15 was -- represented a kind of fodder place.

16 Q. Excuse me, I maybe misunderstand. Which building are you
17 referring now to?

18 A. Number 5, that I see here.

19 Q. Okay. Okay, clear. So what is that -- say that again, what
20 that is?

21 A. This was a barn where we kept the fodder base for the animals.
22 You can see the door to that. There are two doors. One from the
23 yard and one from behind.

24 Q. I understand. And to the right of that building, you see
25 another building.

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1 A. Number 4, I explained earlier, is a place where we used to keep
2 the farming machinery.

3 Q. You say number 4. But do you mean number 4A on the photograph?

4 A. Yes, 4A.

5 Q. Okay. And to the right of 4A, what is that building?

6 A. That is that oda that I mentioned earlier. And a bedroom. And
7 there is a cellar underneath.

8 Q. Okay. And if we just concentrate on this oda building, I think
9 in the middle of it I see a kind of door; do you see that?

10 A. You mean here?

11 Q. Yes, that's right. Yes.

12 A. Yes.

13 Q. If I would -- please. If I would walk through that door, where
14 would I end up?

15 A. On the right-hand side, there was a bedroom. On the left-hand
16 side, there was the oda. And straight, if you walked through it
17 straight, you could go outside the house in the yard. There was a
18 kind of corridor.

19 Q. I understand.

20 A. Or hallway.

21 Q. And that was an exit. People could enter also from that side?
22 Do I understand that?

23 A. Yes.

24 Q. And you said there was a --

25 Was that the only room in that building, in that oda, or was

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1 there another room? You said there is the corridor, yeah, there is
2 a --

3 A. On the right-hand side?

4 Q. On the right-hand side, there's a room. On the left-hand side
5 is a room. Is there in this building any other space or room or
6 place?

7 A. This basement underneath that I mentioned.

8 Q. Would you please mark that basement.

9 A. [Marks].

10 Q. Okay. That basement, for what was it used in the period of
11 March-April 1999?

12 A. During March-April 1999, it was not used. Unless there -- it
13 was raining. There were many people and someone might go inside to
14 take shelter.

15 Q. Okay. If you would be in that basement, what would be the
16 height of this? What would be the height of it, the ceiling,
17 approximately, if you know? Could you stand there or ...

18 A. Yes, I believe so. I am short myself, but ...

19 Q. Okay. And in metres, how wide would this be? If you can
20 estimate.

21 A. Maybe 3 by 4.

22 Q. Mm-hm, I understand.

23 A. Or even less. I don't remember. I don't know now.

24 Q. This oda building, in April 1999, what was it used for?

25 A. We used to sleep there. Not only myself. Rrahman Dini, in

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1 fact, stayed in the oda. There were beds there.

2 On 20 April, it was transformed in a kind of makeshift hospital
3 where we brought the wounded from Vitica and Marec there. There were
4 two rooms.

5 Q. And who worked in that hospital, in that makeshift hospital, or
6 kind of hospital?

7 A. There was Teuta and other nurse Ibadete [phoen] that I knew.

8 Q. Have you seen those persons with your own eyes when they were
9 there?

10 A. You mean the wounded?

11 Q. The wounded and the people you just mentioned, Teuta and ...

12 A. Yes, yes, I saw them. Avni. There were two people by the name
13 of Avni. Kadri. There were many, if you want me to mention them, 18
14 or more.

15 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel --

16 MR. VON BONE: Yes.

17 PRESIDING JUDGE VELDT-FOGLIA: -- sorry to interrupt you, but we
18 are approaching 12.00 and we have been examining for one and a half
19 hours.

20 MR. VON BONE: Okay.

21 PRESIDING JUDGE VELDT-FOGLIA: If you find a natural moment for
22 --

23 MR. VON BONE: Yes.

24 PRESIDING JUDGE VELDT-FOGLIA: -- breaking your interrogation,
25 we continue afterwards.

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1 MR. VON BONE: Yes. Okay. Thank you. I'll do that.

2 Q. The person that you mentioned, Teuta, you said, do you know what
3 is her last name?

4 A. If I'm not mistaken, Hadri.

5 Q. And you spoke about the person Avni.

6 A. Avni was wounded. There were two Avni, Avni Aziri and Avni
7 Gashi. Sokol Sopi, Afrim Vitia.

8 Q. You said there were wounded brought there. From where would
9 these people be brought?

10 A. On 20 April 1999, during the shelling of Viti, some soldiers
11 died, some were injured. Not only from Viti and Marec but also from
12 Mramor. They brought from Prapashtice. They brought wounded people
13 from other parts too.

14 When it was -- when arrived there it was midnight. It was a
15 horrible to see the people -- to see them. People asked for help.
16 The doctor and the nurse couldn't provide them -- couldn't administer
17 them the required help because of shortages of medicaments and other
18 means. Ibadete lived in the same neighbourhood where I lived in
19 Prishtine. I knew her from before.

20 Q. I see. And how was it transformed into a hospital? How was
21 that actually done? How was it made, this makeshift hospital?

22 A. I don't know that, because from the 17th, I was in Viti of
23 Marec. And we couldn't leave the wounded outside. We have to bring
24 them in.

25 Q. And where would you bring them in? Would you bring them in

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1 here?

2 A. Yes. Or in the other facility. We would spread them out in
3 different buildings, structures. In number 2, 3, and 4.

4 Q. Okay.

5 MR. VON BONE: Two minutes, Your Honour, and then we'll wrap it
6 up.

7 Q. Who was the one who actually decided to make this into a
8 makeshift hospital? Who decided that? If you know.

9 A. I said I don't know because I was in Viti for three days, from
10 the 17th of April. So I don't know that.

11 Q. I understand. And lastly, we saw the earlier photograph with
12 the entire -- the entire buildings that were -- that you marked from
13 1 up to the end. Who was actually the authority there? Who made the
14 decisions there on that location, who could come in --

15 MR. DE MINICIS: Also the time reference, if possible,
16 Your Honour.

17 PRESIDING JUDGE VELDT-FOGLIA: But I think that this is not a
18 sole question. We are now entering into a new subject, so I prefer
19 to take a break and then we continue.

20 MR. VON BONE: Okay. We'll do that then.

21 PRESIDING JUDGE VELDT-FOGLIA: Yes.

22 Very well. Mr. Krasniqi, we are going for a break. It's a
23 break for one hour. Yeah? So I will ask -- for lunch.

24 So I will ask Madam Court Usher to usher you out and we see you
25 back at five minutes past 1.00. Thank you very much for now.

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1 THE WITNESS: [Interpretation] Thank you.

2 PRESIDING JUDGE VELDT-FOGLIA: You may go with Madam Court
3 Usher.

4 [The witness stands down]

5 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

6 Very well. We now have a lunch break of one hour and ...

7 [Specialist Counsel confer]

8 MR. VON BONE: Sorry, Your Honour.

9 PRESIDING JUDGE VELDT-FOGLIA: No? No request at this moment in
10 time. Very well.

11 And we see each other again at five minutes past 1.00.

12 The hearing is adjourned.

13 --- Luncheon recess taken at 12.05 p.m.

14 --- On resuming at 1.05 p.m.

15 PRESIDING JUDGE VELDT-FOGLIA: Welcome back. Let me see. We
16 are in the same composition as this morning. That is noted for the
17 record. And we can continue where we left. I will usher the witness
18 in.

19 Madam Court Usher, thank you, yes.

20 And then we will give the floor to the Defence Counsel to
21 continue.

22 [The witness takes the stand]

23 PRESIDING JUDGE VELDT-FOGLIA: Welcome back, Mr. Krasniqi. We
24 will now continue with your testimony.

25 And the floor is -- I will give the floor now to the

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1 Defence Counsel so he can continue with posing questions to you.

2 You have the floor.

3 MR. VON BONE: Thank you, Your Honour. I'm not sure how much
4 time I have left.

5 PRESIDING JUDGE VELDT-FOGLIA: I requested, and as soon as I
6 know what exactly --

7 MR. VON BONE: Sure. Okay, Your Honour.

8 PRESIDING JUDGE VELDT-FOGLIA: -- the time is you are still --
9 you can still use, I will inform you.

10 MR. VON BONE: Sure.

11 Q. Hello, Mr. Witness. We have still on the screen the photograph.
12 Do you have that also on your screen? Yes.

13 And you pointed in red to a door and you made a circle on that
14 document.

15 Mr. Witness, I want to ask you would you stay in the period --
16 you indicated that you -- you left Zllash one time to go to Prishtine
17 and then you came back to Zllash. And from that moment on, when you
18 came back to Zllash, was Zllash, more or less, the place where you
19 permanently slept and stayed?

20 PRESIDING JUDGE VELDT-FOGLIA: Wait.

21 Mr. Witness, wait.

22 Defence Counsel, I would like to have it more specific in terms
23 of dates.

24 MR. VON BONE: Okay.

25 PRESIDING JUDGE VELDT-FOGLIA: I remember what he said, but I

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1 think that for the record this is very -- this is not clear enough.

2 MR. VON BONE: Yes, okay.

3 PRESIDING JUDGE VELDT-FOGLIA: And I can tell you that you have
4 still 35 minutes.

5 MR. VON BONE: Great. I need to seek the reference for that,
6 Your Honour, for my question. But I will ...

7 Q. You left one time to go to Prishtine and then at some point you
8 returned back to Zllash. Do you recall which date that was?

9 We discussed this earlier today, but I can't find the reference.

10 A. I went also some other times. I have stayed there one or two
11 nights and returned. But on 27 March, I went to Prishtine, I stayed
12 there for two or three days, returned. And I went again on
13 3 April 1999 and returned again.

14 Q. Okay. But the first time that you returned exactly from
15 Prishtine, would it be fair to say that you would have returned --

16 MR. DE MINICIS: Your Honour, this question should be asked in
17 an open fashion. From the start, it looked like we are going in
18 another direction, so I would like to --

19 PRESIDING JUDGE VELDT-FOGLIA: You were a little bit quicker
20 than I was but --

21 MR. VON BONE: I just need to find the reference, Your Honour,
22 for it.

23 PRESIDING JUDGE VELDT-FOGLIA: Yes.

24 MR. VON BONE: But that's --

25 PRESIDING JUDGE VELDT-FOGLIA: I will give you time to -- I was

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1 also trying to search for the reference so -- to assist you.

2 MR. VON BONE: Yeah. Let's do that first, because otherwise we
3 get into ... just a minute.

4 PRESIDING JUDGE VELDT-FOGLIA: I would -- page 26.

5 MR. VON BONE: Okay.

6 PRESIDING JUDGE VELDT-FOGLIA: And then it starts somewhere, as
7 my colleague indicated, line 6 but then it goes on. We get a -- he
8 says in line 8: "I stayed there until the 30th or the 1st ..."

9 He stayed in Prishtine.

10 MR. VON BONE: "... if I'm not mistaken." Yes. Yes.

11 PRESIDING JUDGE VELDT-FOGLIA: And then a little bit -- then we
12 go to page 27. You say you -- it's line 18:

13 "You say you left Prishtine. When did you arrive in Zllash?

14 "I arrived there at 3.00 or 4.00 in the morning on the 1st of
15 the month ..."

16 MR. VON BONE: I will take it from there, Your Honour, with
17 those references. Thank you very much.

18 Q. Mr. Witness, I was looking for a reference, and earlier today
19 you said that -- and that is then page 27, line 20:

20 "I arrived there" - "there" meaning Zllash - "at 3.00 or 4.00 in
21 the morning on the 1st of the month, if I'm not mistaken. 1st of
22 April."

23 That is what you said earlier today.

24 So my question was then, did you stay from that moment on, more
25 or less all the time in the location of your family in Zllash that we

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1 have been discussing all day?

2 A. More or less, yes. I stayed there most of the time.

3 Q. Thank you very much.

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

5 MR. DE MINICIS: Your Honour. I'm sorry. We should be looking
6 at page 28 because it would appear that the witness did, in fact, at
7 the point go back to Prishtine.

8 PRESIDING JUDGE VELDT-FOGLIA: Yes, you're taking the words out
9 of my mouth. That's a Dutch saying. I don't know if it works in
10 English.

11 He said, Defence Counsel, afterwards that after that first time,
12 he left again.

13 MR. VON BONE: Again. That's what he just said, too, earlier
14 on.

15 PRESIDING JUDGE VELDT-FOGLIA: But I understood from the way you
16 were asking it --

17 MR. VON BONE: I said "more or less."

18 PRESIDING JUDGE VELDT-FOGLIA: May I finish the question --

19 MR. VON BONE: Sorry.

20 PRESIDING JUDGE VELDT-FOGLIA: -- because if not, it's a problem
21 for the interpreters.

22 What I understood was that it was that after that first time, he
23 stayed till the -- he left on a certain date.

24 MR. VON BONE: Right.

25 Q. So the question remains the same. From 1 April when you arrived

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1 back, did you remain all the time at the location which we discussed
2 today?

3 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel --

4 MR. VON BONE: What is the problem?

5 PRESIDING JUDGE VELDT-FOGLIA: -- he already stated --

6 MR. VON BONE: Yes.

7 PRESIDING JUDGE VELDT-FOGLIA: -- that he did not remain all the
8 time. He told to us that he left for some days.

9 MR. VON BONE: Yes. That's why I said "more or less."

10 PRESIDING JUDGE VELDT-FOGLIA: No, it doesn't work. Please be
11 precise. And you can take, if I may suggest, that if he -- after the
12 second time if he remained there or not. I mean, that could be a
13 question. But not taking as a point of departure the 1st of
14 April because we all know that he has given in evidence - and he is
15 listening to us, the witness - he has given in evidence that he left.

16 So I would suggest that you restrict this question to the second
17 time he came back.

18 MR. VON BONE: Second time. Okay.

19 PRESIDING JUDGE VELDT-FOGLIA: Does that satisfy --

20 MR. DE MINICIS: Perfectly, Your Honour. Thank you very much.

21 MR. VON BONE:

22 Q. So you left one more time. And my question was: When you
23 arrived back on that second moment, which is, in time, the 3rd of
24 April, did you stay more or less all the time at that location?
25 Day-time? Evening? Or did you move around?

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1 A. I stayed there most of the time.

2 Q. Okay. Now, if you take a look at the picture that you see in
3 front of you, you would -- would you -- you'll see the --

4 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated]

5 Defence Counsel, could you wait for a moment. I want to --

6 THE INTERPRETER: Microphone, please.

7 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel -- can you take
8 off your headphones? Thank you, sir.

9 Defence Counsel --

10 MR. VON BONE: Yes.

11 PRESIDING JUDGE VELDT-FOGLIA: -- I will take the reference from
12 my colleague who noted it down.

13 On page 59, line 8, he says that he left the 3rd of April for
14 Prishtine and then returned. But for us, well, for me, it's not
15 clear when he returned.

16 MR. VON BONE: Okay.

17 PRESIDING JUDGE VELDT-FOGLIA: And you were now indicating that
18 he returned on the 3rd. But let us ask that to the witness.

19 MR. VON BONE: Thank you very much, Your Honour. I'll do that.
20 I just had the feeling that the witness had just answered that,
21 actually. But I will ask him again.

22 Q. Would you ...

23 Mr. Witness, on page 59, line 8, if I'm right, you indicated
24 that you left on the 3rd of April again. And could you tell us when
25 you returned?

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1 A. I returned on the same day, after 12 or 13 hours. I went to
2 Prishtine and then came back.

3 Q. Thank you very much. And from that moment on, from that moment
4 on, when you returned from Prishtine, did you stay more or less all
5 the time there at the location that we spoke about and that we showed
6 you the picture of this morning?

7 A. Yes. Most of the time, I stayed there. I went out in the
8 village or to some other villages to accompany people who went back
9 to their homes. I couldn't say refugees for them. But most of the
10 time I remained there.

11 Q. Okay. And you slept there as well?

12 A. Yes, yes.

13 Q. Thank you very much. Then we turn back to the photograph that
14 was on the screen. Is it on your screen, Mr. Witness?

15 A. Yes.

16 Q. There is a red circle that you put on the right building.
17 Now my question is --

18 A. Yes.

19 Q. I put it to you that people claim that they have been detained
20 in that building. What would your reaction be?

21 A. As far as I know, there have never been detained people in this
22 building.

23 Q. Okay.

24 MR. DE MINICIS: For the record, Your Honour, we -- sorry.

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

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1 THE INTERPRETER: Microphone for Your Honour.

2 PRESIDING JUDGE VELDT-FOGLIA: Yes, I just realised.

3 Can you put off your headphones, Mr. Witness, please. Thank
4 you.

5 MR. DE MINICIS: For the record, Your Honour, I don't think that
6 that's an accurate claim, that people claim they were detained in
7 that building that the witness has circled with the red circle. But
8 I just wanted to put that on the record that we don't accept that
9 statement of fact.

10 PRESIDING JUDGE VELDT-FOGLIA: Could you please proceed. But
11 you could also ask the question, Defence Counsel, if he knows if
12 people were detained there.

13 MR. VON BONE: Yes. And I will follow all these questions on
14 from now on, Your Honour.

15 PRESIDING JUDGE VELDT-FOGLIA: Very well.

16 MR. VON BONE:

17 Q. Have you ever seen --

18 PRESIDING JUDGE VELDT-FOGLIA: No, no. Wait, wait. I have to
19 have him put on his headphones again.

20 Can you put on your headphones again? Thank you, Mr. Witness.

21 MR. VON BONE:

22 Q. Have you ever seen whether there has been in any other building
23 on the location that we have discussed this morning, whether there
24 were any people detained there?

25 A. No, I didn't see any. And I say it in full belief, that there

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1 wasn't any, and that I haven't seen any such people.

2 Q. Thank you very much.

3 MR. VON BONE: Could I have the picture that we have been
4 showing this morning with all the markings on it.

5 THE COURT OFFICER: Should the current one be saved?

6 MR. VON BONE: And, please, we would like to have this picture
7 as evidence, obviously, so that it is being saved as it stands now.
8 And the --

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

10 MR. VON BONE: I'm not sure what number has been given to the
11 photo with all the markings, but I would like to have that photo on
12 the screen. Yes. And can we enlarge it.

13 Q. Mr. Witness, on this photograph you have marked the buildings on
14 this site. Have you ever seen --

15 PRESIDING JUDGE VELDT-FOGLIA: Side?

16 MR. VON BONE: Yeah, on this site.

17 PRESIDING JUDGE VELDT-FOGLIA: Ah, site. Site.

18 MR. VON BONE: The site, yes.

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

20 MR. VON BONE:

21 Q. On this location. Have you ever seen on this location, in any
22 of these buildings that you have marked, whether there have been
23 people detained on that location?

24 A. No, I didn't see.

25 Q. Mr. Witness, have you ever heard from anybody whether there have

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1 been persons detained on this location?

2 A. No, I have not heard.

3 Q. Mr. Witness, the Prosecution has a map called "Zllash detention
4 camp" in which this location appears as a detention camp. What is
5 your reaction to that?

6 A. I don't know where the Prosecutor has got that information, but
7 I can say that there has never been a detention centre in Zllash
8 village.

9 I don't know where they have got those information -- that
10 information from, who has given that information to them, but I may
11 say that as a family, this has caused us a great damage.

12 Q. Mr. Witness, have you seen anybody guarding a specific building
13 on this location?

14 A. I said earlier, there was no need to guard it, to protect it.
15 There were three, four entrances to that. There were guards around
16 the village at Buna 29, Viti of Marec, Prapashtice, Kecekolle. There
17 was in another neighbourhood, Kurtovit [phoen]. So we didn't need
18 any guards there because we were in the hinterland of the village.

19 So there was a point every 7 or 8 kilometres far from us where
20 there were guards.

21 Q. Mr. Witness, who was in charge of this location at the time that
22 you were there? Was there any person who would decide in any manner
23 what would be done with people who would be there or any person who
24 would be commanding soldiers? Was there any such person there?

25 A. To my recollection, Rrahman Dini, Bali, was or Isa Kastrati, who

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1 were people with more experience, older, and we turned to them every
2 time we had a question.

3 Q. I see. Mr. Witness, do you know a person with the name of
4 Fatmir Sopi?

5 A. Yes, I do. I was fortunate to know him.

6 Q. Okay. Have you seen him on this location?

7 A. I don't remember that. But if I'm not mistaken, in April it
8 was -- he was with Adem Shehu about 2 kilometres away. They were
9 trying a weapon. That was a time that I saw them, but not in the
10 house.

11 Q. Okay. And --

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

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

15 MR. VON BONE: Yes.

16 PRESIDING JUDGE VELDT-FOGLIA: And you will explain us
17 afterwards why.

18 MR. VON BONE: Yes.

19 PRESIDING JUDGE VELDT-FOGLIA: Very well.

20 Madam Court Officer, can you bring us into private session,
21 please.

22 [Private session]

23 [Private session text removed]

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1 [Private session text removed]

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1 [Private session text removed]

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5 [Open session]

6 THE COURT OFFICER: Your Honours, we're back in open session.

7 PRESIDING JUDGE VELDT-FOGLIA: Thank you very much, Madam Court
8 Officer.

9 Defence Counsel, please proceed.

10 MR. VON BONE:

11 Q. Mr. Witness, do you know a person with the name of Sejdi Veseli?

12 A. Yes, I do.

13 Q. And how do you know him?

14 A. In 1998, in October, mid-October, I went with -- I went to
15 Zllash with a neighbour of mine and spoke to him for a little bit.
16 He gave us some newspapers, and we went to Prishtine and distributed
17 those newspapers. In April 1999, I met him at the neighbourhood of
18 Cubaj where he was staying. There were some other soldiers who were
19 staying there, such as Valon Murrati, and I do not remember the names
20 of the rest. The distance from our house to where he was staying is
21 about 270 metres, no more than that.

22 Q. I understand. But my question was actually did he also come
23 here on this location?

24 A. I didn't see him there.

25 Q. Do you know a person with the name of Fatmir Humolli?

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1 A. Yes, it's -- I'm very fortunate to have known him.

2 Q. And have you seen him on this location?

3 A. Yes, he was also here.

4 Q. Do you know whether he was married, Mr. Humolli, or whether he
5 is married?

6 A. Yes, he is married. He was.

7 Q. And just to be sure, Mr. Witness, when you say that you saw him
8 there, the meaning of my question was whether that was actually in
9 the period March and April 1999 when you saw Mr. Humolli there.

10 A. I may have seen him.

11 Q. Okay.

12 A. And his family was also there, if I'm not mistaken, for a while.

13 Q. Okay.

14 PRESIDING JUDGE VELDT-FOGLIA: I see Mr. Prosecutor standing.

15 Mr. Witness, can you take off your headphones, please.

16 MR. DE MINICIS: I'm just saying that at some point,
17 Your Honour, the leading must stop. Because he asked when he -- you
18 know, if he saw Mr. Humolli, and then he told him the time period
19 when that question referred to. It would have been more appropriate
20 to ask him "when you saw him."

21 PRESIDING JUDGE VELDT-FOGLIA: I agree on that.

22 MR. VON BONE: Fair enough.

23 Q. Mr. Witness, do you know a person with the name of
24 Hidajet Hyseni? Hidajet Hyseni, I think.

25 A. I did not hear you.

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1 PRESIDING JUDGE VELDT-FOGLIA: Can you repeat the question?

2 MR. VON BONE: Okay.

3 Q. Do you know a person with the name Hidajet Hyseni?

4 A. I met him on 1 April when they left Prishtine. He also stayed
5 there for one night, if I'm not mistaken. I know that he is a
6 political activist, that he is in a political party.

7 Q. And when you say "he stayed there," what do you mean?

8 A. He slept at our houses.

9 Q. I understand.

10 PRESIDING JUDGE VELDT-FOGLIA: But where?

11 THE WITNESS: [Interpretation] Exactly? If I remember correctly,
12 at number 3.

13 PRESIDING JUDGE VELDT-FOGLIA: Yes, but in Zllash or in --

14 THE WITNESS: Yeah. [Interpretation] Yes, in Zllash. When they
15 left Prishtine with the rest of the population, he arrived there.

16 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

17 MR. VON BONE:

18 Q. Mr. Witness, earlier today you said on page 43 of the
19 transcript, and I will repeat here lines 17 and 18. We were
20 discussing this picture, and I quote:

21 "Behind number 1, there's a road that takes you to Prapashtice,
22 Kecekolle, and Marec. It's a transit road."

23 A. Yes.

24 Q. And, Mr. Witness, approximately, from this photograph, from
25 number 1, approximately how far is that road that you are speaking

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1 about?

2 PRESIDING JUDGE VELDT-FOGLIA: What do you mean with "how far is
3 the road"?

4 MR. VON BONE: In -- in distance. What is the distance to that
5 road?

6 MR. DE MINICIS: Your Honour.

7 PRESIDING JUDGE VELDT-FOGLIA: From point?

8 MR. VON BONE: From point 1.

9 PRESIDING JUDGE VELDT-FOGLIA: Okay. So what is the distance
10 from point 1 to where the road starts?

11 MR. VON BONE: Wherever that road is.

12 PRESIDING JUDGE VELDT-FOGLIA: Yes.

13 MR. VON BONE:

14 Q. Mr. Witness, is the question clear to you?

15 A. Yes, it is. So from number 1, the road that leads to
16 Prapashtice, Kecekolle, and other villages is 200 metres. But also
17 where the number 10 is, or 9, or 10, you can see a road --

18 THE INTERPRETER: Correction, 8.

19 THE WITNESS: [Interpretation] This one also takes you to the
20 same direction. Before you reach number 10, there is a road that
21 brings to villages Krileve and Kamenice, villages towards Gjilan.

22 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, I just want to
23 remind you that according to the two hours allocated, it will be at a
24 quarter to 2.00 that your two hours are used.

25 MR. VON BONE: Finished, yes.

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1 Q. Mr. Witness -- I would like to show the witness a part of the
2 statement that he gave to us.

3 MR. VON BONE: And that is DSM00014.

4 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, before you
5 proceed.

6 Mr. Witness, can you take your headphones off.

7 Defence Counsel, is it because you want to confront him with
8 something he said now and that -- it's different from what he said in
9 his prior statement?

10 MR. VON BONE: Different. He said something earlier today on a
11 particular date. Here in that statement, the date is also, but
12 there's also two dates preceding that particular date that he
13 mentioned in his statement.

14 PRESIDING JUDGE VELDT-FOGLIA: But you want to refresh his
15 memory.

16 MR. VON BONE: That's right. Yeah, I just --

17 PRESIDING JUDGE VELDT-FOGLIA: Did you already ask him about it?

18 MR. VON BONE: So I just want to make sure that what he stated
19 on page 56, line 14 and 15, I can quote it for you.

20 PRESIDING JUDGE VELDT-FOGLIA: Yeah.

21 MR. VON BONE: "I said I don't know because I went -- I was in
22 Viti for three days, from the 17th of April."

23 And in the statement he says:

24 "I think it was around 15 or 16 or 17th of April, or around that
25 time, because I cannot exactly remember the date, when we were woken

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1 up at 5.00 a.m. in the morning when they told us to go to the Viti of
2 Marec about 4 kilometres of the location of the house."

3 So that is the --

4 PRESIDING JUDGE VELDT-FOGLIA: The context.

5 MR. VON BONE: -- the context of this.

6 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

7 Mr. Witness, can you put on your headphones again. Thank you.

8 Madam Court Officer, please proceed.

9 MR. VON BONE:

10 Q. So there we can see it in the second paragraph, the bottom
11 four -- three lines.

12 Mr. Witness, this morning, you answered to a question and you
13 said in that answer:

14 "I said I don't know because I was in Viti for three days, from
15 the 17th of April."

16 Now -- and in the statement that you gave to us, to the Defence,
17 on 23 February, you said -- and if you want can I quote it. It is in
18 the second paragraph, but the translation is next to it.

19 I will quote it:

20 "I think it was around 15 or 16 or 17 of April, or around that
21 time, because I cannot exactly remember the date, when we were woken
22 up at 5.00 a.m. in the morning when they told us to go to Viti of
23 Marec about 4 kilometres from the location of the house."

24 And "the house" is the house in Zllash, to be -- to give full
25 context.

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1 And this morning, you specifically mentioned the 17th. Now, I
2 just want to know are you certain about this specific date that you
3 gave? Because in the statement you say it was around 15 or 16 or 17
4 of April.

5 Could you clarify that for us?

6 A. I mentioned in the beginning that I cannot remember the dates
7 very accurately. However, on the 17th, I remember the date, because
8 the fighting began in Viti of Marec and we went there on the 17th.

9 Q. Okay.

10 A. And the date of 17 April is accurate. Until the 20th of April.

11 Q. So that means -- is it fair to say that at the moment that you
12 gave the statement to the Defence that you were not sure about the
13 date and that today you are?

14 A. Yes, today I am certain.

15 Q. And how is that, that you are today certain about that? Is
16 there something that came to your mind or ...

17 A. There isn't anything specific, but while travelling in
18 The Hague, I was following the news and that our friends went to
19 visit the cemetery of the martyrs, so the families, the co-fighters,
20 and that is why I remember it now.

21 Q. I understand. Okay.

22 Lastly, Mr. Witness --

23 MR. VON BONE: And I will be short, Your Honour. I will be
24 finishing.

25 Q. -- we spoke today a lot about the location in Zllash. You were

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1 shown the photograph. You indicated that area. Have you ever seen
2 on that location Salih Mustafa?

3 A. Yes, I saw him. And I was very fortunate to have met him.

4 Q. Okay. And for how many -- for how much period of time was he
5 there?

6 A. Salih Mustafa stayed for two or three days, at most, and then he
7 moved on. If I'm not mistaken, I met him for the first time in
8 October, before the new year. He arrived there with a group. Those
9 men went to Majac to join the fighting because there were no
10 fightings in our village. He came, stayed for a day or two, then
11 left. It wasn't my duty to ask him where he was going. He was very
12 polite towards us.

13 Q. And in the period of March and April 1999, did you see him then
14 in Zllash on that location that we spoke about this morning, the
15 location of the house of the family?

16 A. Yes, yes. He was there before the offensive. I believe he
17 stayed for one night, and then I didn't see him until the 21st of
18 April. On the 21st of April, I met him, not only me but my other
19 friends as well, with the wounded. We met him in the evening. I
20 think it was the evening when I saw him. We went together to Koliq
21 or up to Koliq. At Koliq, we parted ways. We continued towards
22 Majac with the wounded, and that is where we parted ways.

23 Q. And the -- can you actually recall how many times in April he
24 was there in 1999?

25 A. I said earlier that he was there a few days before the

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1 offensive. He stayed one night and then he continued. I'm not -- I
2 don't know where he went and I'm not very certain about the dates.
3 He probably had other duties to perform.

4 Q. Okay. And can you tell me what was it that he came to do there;
5 do you recall that?

6 A. It was not up to me to ask him why he was there.

7 Q. And where did he stay? In which house?

8 A. In room number -- in room number 2.

9 Q. I see.

10 A. There was a TV there as well.

11 Q. And was that actually working?

12 A. No. Because we had no electricity.

13 Q. Okay. Oh, I just thought about that.

14 And, lastly, was he accompanied by somebody that you know?

15 A. Yes. I recognised Cufa, but I don't know his real name. He
16 came with him several times. I do not know his real name. And also
17 I never asked about his real name.

18 Q. And, Mr. Witness, did you ever hear from people on that location
19 where your -- where you were staying, whether Mr. Salih Mustafa ever
20 mistreated somebody there?

21 A. No, I have not heard, and neither have I seen that.

22 Q. Okay.

23 MR. VON BONE: Just a minute, Your Honour.

24 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

25 MR. VON BONE: My microphone.

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1 [Specialist Counsel confer]

2 MR. VON BONE: Yes, one last question, Your Honour.

3 Q. Mr. Witness, we spoke earlier today about Rrahman Dini. Have
4 you ever been questioned by him for some reason?

5 A. Yes. It was on the 6th or the 7th of April. A Red Cross
6 helicopter of the Serb forces was observing us several times, and we
7 attempted to fire at it. And Rrahman Dini came from number -- room
8 number 12, from the window he called me to go inside. I went inside.
9 He told me that I should never fire at the Red Cross and it -- it
10 doesn't -- it doesn't matter that they were observing us. It's a
11 Red Cross helicopter and we should not repeat those mistakes.

12 Q. Okay.

13 MR. VON BONE: We have no further questions, Your Honour.

14 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Defence Counsel.

15 I have one follow-up question for clarification, Mr. Witness.

16 For reference, we are at page 77 and then lines 7 and 8.

17 Defence Counsel was asking you about Mr. Mustafa, if he would be at
18 this location we have been discussing. And then the question was, in
19 line 6: "Was he accompanied by somebody that you know?"

20 And then you said: "Yes, I recognised Cufa ..."

21 And then you say: "He," so Cufa, "came with him," I imagine
22 Mr. Mustafa, "several times."

23 And when were those times?

24 THE WITNESS: [Interpretation] In January, February, March. But

25 I also said earlier that most of the time when he came there he

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1 stayed for a night or two and then moved on.

2 PRESIDING JUDGE VELDT-FOGLIA: And how often that would that be
3 in January, February, and March that Mr. Mustafa would come with this
4 Cufa?

5 THE WITNESS: [Interpretation] He might have been in the whole
6 month of January once or twice, most twice. I was not keeping
7 records. I did not have to keep records of people who were coming
8 and record how many times they were coming and how many -- how long
9 they were staying.

10 PRESIDING JUDGE VELDT-FOGLIA: You're not --

11 THE WITNESS: [Interpretation] I don't know if I'm making myself
12 clear.

13 PRESIDING JUDGE VELDT-FOGLIA: No, I think I'm not making myself
14 clear neither. I'm just asking you a question. I'm not doing an
15 exam. I'm just asking you.

16 So how many times in January. You said twice. And in February,
17 how often you think? And if you don't know, it's also an answer.

18 THE WITNESS: [Interpretation] I can't give you an exact number
19 of the times he visited.

20 PRESIDING JUDGE VELDT-FOGLIA: I don't want an exact number, but
21 would it be once a week or twice a week or --

22 THE WITNESS: [Interpretation] Once in two weeks.

23 PRESIDING JUDGE VELDT-FOGLIA: And in March?

24 THE WITNESS: [Interpretation] In March, he stayed there before
25 the offensive. I don't know the date. He went somewhere else. And

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1 then on 21st, in the evening, I don't know at what time, we met him
2 in the village of Kecekolle at Celevit.

3 PRESIDING JUDGE VELDT-FOGLIA: You're talking about March?

4 THE WITNESS: [Interpretation] Yes, on 21 March. I will never
5 forget it.

6 PRESIDING JUDGE VELDT-FOGLIA: Thank you. That will do for now.

7 MR. VON BONE: Just, Your Honour, one in addition.

8 So that was not, if I understand the answer well, that he was in
9 Zllash, Mr. Mustafa, but in Kecekolle or wherever that was, in
10 Celevit.

11 PRESIDING JUDGE VELDT-FOGLIA: I understood that.

12 MR. VON BONE: Yes, okay. No, I just ...

13 PRESIDING JUDGE VELDT-FOGLIA: Could you talk louder because
14 your microphone is off so we cannot record -- put it on record what
15 you said. Or was it not meant for the record?

16 MR. VON BONE: Yes, Your Honour. I just said that in the last
17 instance he did not speak about Zllash but about another village.

18 PRESIDING JUDGE VELDT-FOGLIA: Yes, that's what he said.

19 MR. VON BONE: That's what I understood.

20 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Mr. Witness.

21 I will now turn to the Specialist Prosecutor's Office.

22 Mr. Prosecutor, would -- we could now adjourn for half an hour,
23 and then you could have a last look at preparation for the
24 cross-examination or we could start right away. It's up to you.

25 MR. DE MINICIS: Your Honour, we are ready to start. But I'd

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1 like to print out something and, in that case, we might take the
2 break now.

3 PRESIDING JUDGE VELDT-FOGLIA: Yes. We could do that and then
4 we continue for one and a half hour for cross-examination.

5 MR. DE MINICIS: Yes, that seems preferable. Thank you,
6 Your Honour.

7 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Usher, could you
8 usher the witness out of the courtroom.

9 Mr. Witness, we will have a break of half an hour.

10 [The witness stands down]

11 PRESIDING JUDGE VELDT-FOGLIA: Very well. We see each other in
12 30 minutes.

13 The hearing is adjourned.

14 --- Recess taken at 1.56 p.m.

15 --- On resuming at 2.26 p.m.

16 PRESIDING JUDGE VELDT-FOGLIA: I see we are in the same
17 composition. That is noted.

18 Madam Court Usher, could you please bring the witness in.

19 So my proposal is to one and a half hour of examination, then
20 have a half an hour break, and then do another hour. And then we
21 will see where we are with the testimony of the witness.

22 [The witness takes the stand]

23 PRESIDING JUDGE VELDT-FOGLIA: Mr. Krasniqi, welcome back. Can
24 you hear me fine?

25 THE WITNESS: [Interpretation] Yes.

1 PRESIDING JUDGE VELDT-FOGLIA: Very well. The schedule is as
2 follows. We will proceed now for one and a half hour, then we will
3 have half an hour of a break, and then we do another hour, and then
4 we call it a day. Okay?

5 Very well.

6 I will now give the floor to the Specialist Prosecution Office
7 in order to start with your examination.

8 Mr. Prosecutor, you have the floor.

9 Cross-examination by Mr. De Minicis:

10 Q. Good afternoon, Mr. Krasniqi.

11 A. Good afternoon.

12 Q. I will be asking you a few questions on behalf of the SPO this
13 afternoon. We have some ground to cover, so please try to answer in
14 a concise and precise way to my questions.

15 Mr. Krasniqi, during your first interview with the Defence on
16 23 February 2021, you worked on a hand-drawn sketch of your family
17 compound created by the Defence; do you remember that?

18 A. Yes.

19 MR. DE MINICIS: Your Honour, could we please have DSM00017 on
20 the screen.

21 PRESIDING JUDGE VELDT-FOGLIA: I suppose that that's the number
22 of the sketch.

23 MR. DE MINICIS: Yeah, that would be correct, Your Honour. I'm
24 sorry.

25 PRESIDING JUDGE VELDT-FOGLIA: Very well.

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1 Please proceed. Madam Court Officer.

2 MR. DE MINICIS: If we could reduce the zoom so that the
3 entirety of the sketch is visible. Yes, thank you very much.

4 Q. Mr. Krasniqi, is that your signature in the bottom left corner
5 of this sketch?

6 A. Yes.

7 Q. According to what is written in your February 2021 statement --

8 MR. DE MINICIS: And the reference, Your Honour, would be
9 DSM00004.

10 Q. -- Defence Counsel produced this sketch when visiting your
11 family compound location in Zllash. Did you accompany
12 Defence Counsel during that site visit?

13 A. Yes.

14 Q. Now, according to the time stamps found in the statement, the
15 interview lasted from 10.00 a.m. until 6.35 p.m.

16 MR. DE MINICIS: And, Your Honour, these time stamps can found
17 on first page, DSM00001, and DSM00015.

18 Q. Now, according to other time stamps, you started discussing
19 buildings in this sketch at around 11.35 a.m.

20 MR. DE MINICIS: This would be DSM00004, Your Honours.

21 Q. Then you took a lunch break, and then you continued to discuss
22 the buildings on the sketch in the afternoon. Does this sound about
23 right? Do you remember that, Mr. Krasniqi?

24 A. Yes, I remember. But we made a mistake here on the sketch.

25 Q. Yeah, yeah, we will get there. Just you remember that this was

1 about the time that you spent working on it, yeah?

2 A. Yes.

3 Q. Now, you had a second interview with the Defence on
4 19 April 2021. The first thing you are recorded saying in that
5 interview is that in the previous map that you made there, there were
6 some slight mistakes.

7 A. Yes.

8 Q. When did you realise that you had made those mistakes,
9 Mr. Krasniqi?

10 A. I realised when I met with the lawyer. Since it was the
11 pandemic, I was a bit sick myself and my family too, and that was all
12 surrounding that mistake. And I gave him, that is, the
13 Defence Counsel, the photographs that were shown here.

14 Q. So you realised that in between the interviews? Before going
15 there to meet the Defence Counsel, had you already realised that you
16 made a mistake?

17 A. Yes, I realised that I made a mistake. I had made a mistake and
18 we corrected it.

19 Q. So it was you who advised the Defence Counsel, look, there was a
20 mistake in the previous sketch, not the other way around?

21 A. I believe I told the lawyer. I don't know. I don't remember.

22 Q. You don't remember. So could it be that the lawyer told you?

23 A. I don't know. I don't remember. And there was nothing to hide
24 there. I just forgot one part.

25 Q. No, no, Mr. Krasniqi, not talking about hiding anything. Just

1 saying that right off the bat, at the beginning of the second
2 interview, you mentioned this slight mistakes, in the plural, and I
3 was wondering whether -- when you realised -- how did you come to
4 realise in between the interviews that there were these mistakes?

5 A. When I saw the sketch, I remembered that I had made some
6 mistakes, and those mistakes were not big mistakes.

7 Q. Did you realise when you saw the sketch or in between the
8 interviews that you had made a mistake?

9 A. Maybe I realised it during making the -- of the sketch.

10 Q. Maybe.

11 A. I don't remember.

12 Q. You don't remember.

13 A. It wasn't of a great importance for me, this mistake.

14 PRESIDING JUDGE VELDT-FOGLIA: Mr. Prosecutor, just for me --
15 no, don't look there. Look here.

16 Mr. Witness, apparently you realised you made a mistake, yeah?
17 Can you tell the Panel, because, in the end, it's not that you have
18 to tell the Defence or the Prosecutor, you have to tell us. You have
19 to tell us. We are trying to understand too. Because, in the end,
20 yeah, we are the ones deciding.

21 Can you explain to us when did you realise, oops, this is not
22 completely how it was?

23 THE WITNESS: [Interpretation] Maybe after the interview I had
24 with the Defence Counsel, I remembered that I had made a mistake.

25 And when I met for the second time, I don't remember on what date, we

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1 corrected this mistake. It's not a grave mistake, but men err. It
2 can happen that you make a mistake. You cannot remember everything.
3 Because I myself was not born there. I was born in Prishtine, and it
4 is possible that I left out a small detail.

5 PRESIDING JUDGE VELDT-FOGLIA: We are not here to tell who was
6 wrong or right or if it's a big mistake or a small mistake. I'm just
7 trying to find out facts, yeah? I'm not here to give any -- I
8 already told you for an exam.

9 So what I now understand is that you're telling us that you gave
10 your first testimony, yeah - I'm summarising - you gave your first
11 testimony, and after that, you gave it another thought and then you
12 realised, hmm, I -- there was something that was not completely how I
13 now remember it.

14 That's what happened or not? Yes.

15 THE WITNESS: [Interpretation] Yes.

16 PRESIDING JUDGE VELDT-FOGLIA: Okay. Now I will give the
17 examination back to Mr. Prosecutor.

18 You have the floor.

19 MR. DE MINICIS:

20 Q. So you made a small mistake. But just to be clear, because you
21 stated to the Defence that you made some slight mistakes, in the
22 plural, was there more than one mistake that you made, Mr. Krasniqi?

23 A. No. There was not more than one. And the door at number 5, I
24 think that I made a mistake there, with that door.

25 Q. Yeah. So it was one mistake that you made or more than one

1 mistake?

2 A. Between number 4 and 5 there was another building, or structure.

3 Q. Exactly. Because -- I'm asking because, in fact, the other
4 mistake I can see you rectifying in your second statement is the --
5 you had left out an entire building in your first interview. Had you
6 not?

7 A. It's not an entire building.

8 Q. Well, we'll see --

9 A. It was, rather, a storage place.

10 Q. Yes, we'll get to that. You left out an entire building and a
11 room there, and that was your slight mistake. That's correct?

12 MR. DE MINICIS: Your Honour --

13 THE WITNESS: [Interpretation] For me --

14 MR. DE MINICIS: Yeah. Could we now please have on the screen
15 what the Defence titled as "MAP Z-100." That would be DSM00035.

16 PRESIDING JUDGE VELDT-FOGLIA: Please proceed, Madam Court
17 Officer.

18 MR. DE MINICIS:

19 Q. Mr. Krasniqi, would building 4A be the slight mistake? I'm
20 sorry.

21 You can see in the map there is now a building titled with a 4A
22 on it. Would that be the slight mistake that you had left out in the
23 first interview?

24 A. Yes.

25 Q. And did you make other mistakes?

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1 A. Yes.

2 Q. Which ones? Between -- which other mistakes did you rectify in
3 your second interview?

4 A. May I?

5 Q. By all means.

6 A. Here, too, I don't know whether the counsel forgot or myself for
7 not marking this structure here, or a bit further up. Now, this is a
8 different sketch.

9 Q. Okay. Now, Mr. Krasniqi, has anybody ever told you that
10 building 4A, the building that you forgot to include during your
11 first interview, is the place where the SPO alleges people were being
12 detained and tortured in that compound?

13 A. No, nobody told me anything. I heard for the first time about
14 it on TV from you.

15 Q. Are you surprised to learn that that is exactly the building
16 that you left out?

17 A. No, I'm not surprised. I just forgot. And I forgot this one
18 here, where I made the marking.

19 Q. So you had no idea of the significance of that building,
20 building 4A, when you omitted to mention its existence during your
21 first interview?

22 A. I didn't even have an idea about the importance it had for you
23 as a Prosecutor. For me it had no importance at all. As the other
24 structures, like the water well that I drew here, they didn't have
25 any meaning to me.

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1 Q. I understand. Well, I'm asking you because in your first
2 interview, you seem to have lingered quite some time on what is
3 referred to in the map as a side A of that sketch.

4 MR. DE MINICIS: Now, Your Honour, if we could go back to the
5 previous map, DSM00017.

6 PRESIDING JUDGE VELDT-FOGLIA: Please proceed, Madam Court
7 Officer.

8 THE COURT OFFICER: Your Honour, it appeared that the witness
9 marked something on the sketch. Would you like it saved?

10 PRESIDING JUDGE VELDT-FOGLIA: Please save it, Madam Court
11 Officer. Thank you for bringing our attention to that.

12 Thank you. Then we will proceed with the --

13 MR. DE MINICIS: DSM00017, please. Thank you. That will do.

14 Q. Now, as I was saying, Mr. Krasniqi, you appear to have spent
15 some time working on that map with Defence Counsel, and also helped
16 Defence Counsel make some corrections.

17 MR. DE MINICIS: And, Your Honour, I'm referring for Your
18 Honours' reference to DSM00005.

19 Q. For instance, you stated that a hay storage that used to be on
20 side A hadn't been included on the sketch. Do you recall that?

21 A. I didn't say that. What I said is between 4 and 5 there was a
22 structure where we kept the farming equipment. And number 5 was
23 where the fodder for the animals was kept.

24 Q. Exactly my point. And that was missing from the map originally,
25 is that correct, and you pointed that out to the Defence Counsel and

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1 helped him rectify that omission, did you not? Yes or no?

2 A. I did not understand the question.

3 Q. You stated: Side 1 is now more or less complete. I can agree
4 with side A now, you've called it side 1 first, but then in fact it
5 was side A, as I have added 5 and indicated the length.

6 So was it you who added building 5 and added its length of 12
7 metres there, indicated with the arrow?

8 A. Yes.

9 Q. So Defence Counsel had omitted that, you know, and you based on
10 your memory helped him out and added it to the sketch. Is that
11 how -- is that correct?

12 A. Yes.

13 Q. And after adding building 5, which you called the hay room, you
14 were satisfied that side A of the sketch was accurate, were you not?

15 A. I said earlier the mistake that I made is between number 4 and 5
16 on the first sketch. On the second sketch we rectified the mistake.
17 The number 5 was there.

18 Q. I understand. I understand. Yeah, I understand. But at the
19 time, on the 23rd February 2001 [sic], you were satisfied, at least
20 you told Defence Counsel, that side A was now complete after you had
21 added building 5. Did you not say that?

22 A. Maybe I did.

23 Q. Well, it's recorded in your statement. Would you -- do you
24 accept that what's recorded in your statement is an accurate
25 reflection of what you told Defence Counsel at the time?

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1 A. It's correct. I told you after we realised that there was a
2 mistake, we corrected it.

3 Q. Yeah, the second interview, not the first one. Right?

4 A. Yes.

5 Q. After that, you went on describing several rooms on the other
6 side of the compound. Side B. At some point you took a break,
7 resumed at 2.00 p.m.

8 MR. DE MINICIS: Your Honour, that would be recorded at
9 DSM00006.

10 Q. After the break, you provided additional detail about several
11 buildings on both sides A and B. Does that sound about right? You
12 went through both sides again?

13 A. Yes.

14 Q. Again, no memory of building 4A emerged during that process, did
15 it?

16 A. I told you --

17 Q. I understand you told me -- I understand --

18 A. -- I just simply forgot about it.

19 Q. Please, at that time -- yeah, at that time you didn't remember.
20 You spent hours on the map and you did not remember that that
21 building existed. You did not tell Defence Counsel. Can we agree on
22 that? Yes or no?

23 A. I didn't told him that. If I had told him that, I would have
24 drawn it there.

25 Q. Understood. Mr. Krasniqi, did you knowingly omit the existence

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1 of that building during your first interview with Defence Counsel
2 because you knew that that's where people were detained and tortured
3 there and you wanted to help out Mr. Mustafa? You spent hours on
4 that map. You didn't forget a tree. You forgot an entire building.
5 Did you knowingly omit that?

6 A. I didn't do it intentionally. I simply forgot about it. It was
7 not with any specific intention, and I didn't know that there were
8 tortures in that part.

9 Q. All right. Now, Mr. Krasniqi, after you were confronted with
10 the pictures of the missing building, Defence Counsel asked you what
11 kind of building that building 4A was. And he asked you what kind of
12 building was building 4A? He didn't ask you if it was used as a
13 living quarters. Then you answered:

14 "It was impossible to inhabit it. It was impossible to stay
15 there."

16 MR. DE MINICIS: This would be DSM00020, the second interview,
17 Your Honour.

18 Q. Do you recall telling that to the Defence Counsel?

19 A. What I said was that both 10 and 4 were not inhabited, and I
20 mentioned this earlier in the interview.

21 Q. Well, not -- in this instance you referred to building 4A.
22 Defence asked you what kind of building that was and you immediately
23 jumped on to say that it was impossible to inhabit it. Now, you had
24 also explored other buildings that contained -- that were used as
25 storage rooms.

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1 A. Yes.

2 Q. Anyway.

3 THE INTERPRETER: Interpreters kindly ask the speakers to make a
4 pause between question and answer.

5 MR. DE MINICIS:

6 Q. Counsel then asked you again: "So during the war in the period
7 of January 1999 until the end of the war, it was not used?"

8 MR. DE MINICIS: Same page, Your Honour.

9 Q. Again, counsel asked you whether it was used, a general
10 reference. And yet you stated:

11 "It wasn't used at all because it was uninhabitable. People
12 could not stay in it?"

13 Do you remember volunteering that information?

14 A. Yes, I remember that. I said it was not inhabitable but you
15 could go inside there to shelter from rain. But not more than that.

16 Q. Now, you told Defence Counsel that that building wasn't used at
17 all. At all. Today --

18 A. Yes.

19 Q. -- you told us that it was used to house agricultural machinery.

20 MR. DE MINICIS: And, Your Honour, I will provide the reference
21 for that shortly. I right now don't have it under my eyes.

22 Q. So what was it? Was it not used at all or was it used for
23 agricultural machinery?

24 A. Up until the 1990s, as I explained, that's where they kept the
25 agricultural machinery. Whatever they had at that time.

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1 Q. But that's not what you told Defence Counsel in your statement,
2 is it? No mention of agricultural machinery at the time. You stated
3 before --

4 MR. DE MINICIS: DSM00020, Your Honour.

5 Q. "Before 1990, the construction was used for oxen." Then there
6 is helpful brackets that an ox is a type of cow used for agriculture.
7 Was it an ox shed or was it used to store machinery? Because you
8 seem to have told Defence Counsel something different from what
9 you've told the Panel today.

10 A. As I told you, I was born in Prishtine, brought up in Prishtine.
11 As far as I know, as far as I -- what I heard from my family, that
12 was used for agricultural machinery.

13 Q. So why did you tell the Defence that it was used to keep oxen?

14 A. Maybe I made a mistake, but I don't think I did. Before the
15 1990s, for the situation there, I spoke based on what I was told by
16 my family members. As I said, I was born in Prishtine, I was brought
17 up in Prishtine. I would go there in the summer for three months
18 with the family.

19 Q. So you don't know if it was oxen or agricultural machinery. It
20 was just guess-work?

21 A. When we brought down this building entirely four or five years
22 ago, there were sheep pens there and some agricultural machinery left
23 over. You can still see a part of that machinery next to number 1.

24 Q. I understand. Now, Defence Counsel asked you, and we're talking
25 about the same room:

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1 "Did you ever see people in April 1999 staying in this
2 particular building, while you were present?"

3 Your answer:

4 "No. Perhaps someone might have taken a look inside, but it was
5 a complete rubble from inside."

6 What do you mean by that?

7 A. I did not understand the question. Can you please repeat it?
8 If possible, more -- make it more short.

9 Q. Absolutely, Mr. Krasniqi. You told Defence Counsel that inside
10 building 4A was "a complete rubble from inside." That -- that are
11 your words as they are recorded in the statement that the Defence
12 disclosed to the Prosecution.

13 What did you mean by that? And I'm referring to "a complete
14 rubble from inside."

15 A. It was uninhabitable. It was destroyed. It was a ruin. I
16 explained it to the counsel as well, that 3 and 4, 7, 8, and 9, they
17 were houses made of mud and stone.

18 Q. I understand. So by that time, had -- I don't know, had the
19 roof collapsed? I'm trying to understand what created this pile of
20 rubble inside. So had the roof collapsed at the time?

21 A. Partly destroyed. There was leakage here and there from the
22 rain. The tiles, roof tiles were damaged.

23 Q. Yes, we've heard that it was a bit wet.

24 Had the walls collapsed?

25 A. The walls were also here and there wet.

1 Q. But what was this pile of rubble? That's what I'm trying to
2 understand. Because you said people couldn't stay there because
3 there was a pile of rubble. I'm trying to understand what would have
4 gotten into people's way in order to stay there, to be housed there,
5 perhaps detained.

6 A. I told you that that house was built of mud.

7 Q. Hmm. Yeah, that doesn't answer the question, though, does it?
8 What was the pile of rubble? Or there was no pile of rubble.

9 A. I don't know. Because -- I'm trying to explain it and I'll do
10 it one more time. That part, meaning 3 and 4, and the part that was
11 not mentioned in the first sketch, as well as 7 and 8, were built out
12 of mud.

13 Q. Sorry. I actually appreciate your efforts to try to explain.
14 I'm just referring to building 4A. So let's just concentrate on
15 that.

16 A. Building 4A was built out of mud. I don't know how to explain
17 mud. It was a mixture of straw and mud. Maybe there is an
18 interpreter who can explain it to you better.

19 Q. I think I'm familiar with both straw and mud. I don't think
20 that's the problem. But I'll move on.

21 MR. DE MINICIS: Your Honour --

22 THE WITNESS: [Interpretation] And when there is a leakage of
23 water, it's not habitable. You cannot live there. Since 1990, there
24 was no work done there, so ...

25 MR. DE MINICIS:

1 Q. I understand. So what you mean is you cannot live comfortably.
2 You wouldn't have lived there, your family wouldn't live there. Is
3 that what you mean?

4 A. We did not live there. It's not a house that we used to live
5 in.

6 Q. It wasn't a very comfortable place to stay for people, was it?

7 A. I explained it earlier. It was not for people. It was for
8 equipment. To leave something there. Not people.

9 PRESIDING JUDGE VELDT-FOGLIA: Mr. Prosecutor, just with regard
10 to the reference, so that we don't forget it --

11 MR. DE MINICIS: Page 38.

12 PRESIDING JUDGE VELDT-FOGLIA: Okay. I had another page, but I
13 leave it to you.

14 MR. DE MINICIS: No, sorry, Your Honour. I jumped the gun. In
15 the meantime, my colleague helpfully found the reference for me and
16 we understand the agricultural equipment was mentioned at page 38,
17 line 19.

18 PRESIDING JUDGE VELDT-FOGLIA: Okay. That is for the record.
19 Very well. We saw also that at page 52, lines 14 to 17:

20 "Number 4, I explained earlier, is a place where we used to keep
21 the farming machinery."

22 "You say number 4. But do you mean number 4A on the photograph?"

23 "Yes, 4A."

24 MR. DE MINICIS: Correct, Your Honour. That was mentioned two
25 times. Thank you very much.

1 Your Honour, I could please have DSM00028 on the screen. That
2 is a photograph. DSM00028.

3 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

4 MR. DE MINICIS: Thank you.

5 Q. So that is building 4A, that's the building that you had
6 forgotten to add in the first interview; correct?

7 A. Yes, yes.

8 Q. And we can agree that the roof and walls were standing. They
9 haven't collapsed. And this picture was taken in 2006.

10 A. You can see the walls were -- even before 2006 and 1999 were in
11 a poor condition.

12 Q. Yes, I can see that, poor condition. But so give you one last
13 chance to explain. Can you explain, if you can, you told us it was
14 made of mud and straw. But what I wanted to assist the Panel in
15 understanding is what was this pile of rubble that people couldn't
16 stay inside that you described in your statement. What was it, this
17 pile of rubble inside 4A? What created it?

18 A. I didn't say "rubble." Because it's something else. I said
19 that because of the water it was demolished.

20 Q. That's what --

21 A. That is the way I see it.

22 Q. Yeah, no, no, I understand that's what you're saying now. But
23 do you agree that is not what you told the Defence, because there is
24 no mention of water leakage. You, in fact, were quite more dramatic
25 as to the state of that room.

1 A. The Defence didn't ask me whether the water penetrated there or
2 not. If they had, I would have answered it.

3 Q. No, no, no. In fact, you are right. The Defence asked you:

4 "Did you ever see people in April 1999 staying in this
5 particular building while you were present?"

6 You said:

7 "No. Perhaps someone might have taken a look inside but it was
8 a complete rubble from inside."

9 So that's what I was struggling to understand also by looking at
10 the pictures and I was hoping that you could assist us get clarity on
11 that.

12 A. I already said it and I am repeating it. It was not a place
13 that one could live in. And people didn't live there before 1990s,
14 in the 1980s, 1970s, no one lived there.

15 PRESIDING JUDGE VELDT-FOGLIA: Mr. Prosecutor, I just --
16 Mr. Witness, no, you. Just explain to me, because we're already now
17 for ten minutes on this rubble thing, and I just don't get it. What
18 is the pile of rubble? Just explain it to me in words. Is that mud
19 laying there? Is that stones laying there? What is it? Wood? I
20 was not there, so I cannot visualise. You have -- if you can, please
21 help us. Because you used that word. It's not us who put that word
22 in that statement.

23 THE WITNESS: [Interpretation] Your Honour, I am trying to
24 explain. This structure, according to my family, until the 1990s,
25 was used for farming machinery. This is what they told me. And then

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1 after my family left for Prishtine, even my uncle, the house started
2 to deteriorate. The tiles were old. The water got inside it. So
3 this is what I wanted to say.

4 It's not that people threw their rubbish inside. But it
5 deteriorated of itself because of rain, snow, disrepair. It was not
6 inhabited. So there were never people who lived there, not from my
7 family nor from any other family.

8 PRESIDING JUDGE VELDT-FOGLIA: I think you have clarified enough
9 at this moment in time. Thank you.

10 Mr. Prosecutor, you may proceed.

11 MR. DE MINICIS: Thanks, Your Honour.

12 Q. Now, we're going to remain a little -- to linger a little on
13 this page, DSM00020, because after going through building 4A,
14 Defence Counsel asked you about building 5, the building that you
15 also helpfully added during the first interview and that you said was
16 a hay shed.

17 Now, Defence Counsel asked you was this building used in the
18 period of the war.

19 And you stated that when refugees came from Zllash, it was used
20 because there wasn't enough space for everyone. And you were talking
21 about building 5, the hay shed. Do you recall saying that? You
22 stated that it was used to house the refugees that came from Zllash.

23 A. Yes.

24 Q. Thank you.

25 A. Yes. Because there were over 100 citizens, even more than that.

1 Q. And in fact, case in point, you stated that: "When people fled
2 from Prishtine, we would sleep where there would be any place
3 available as there was not sufficient place to sleep."

4 MR. DE MINICIS: This would be, Your Honours, DSM00023, the
5 second statement.

6 Q. Do you recall stating that, that you were sort of trying to find
7 space wherever it would be available?

8 A. That's true.

9 Q. And you stated that building 5 was used even if it was very cold
10 to sleep in there. But I assume circumstances, you know, made
11 comfort a secondary consideration. Do you agree that you stated it
12 was cold to sleep in there? It's in your statement, DSM00020.

13 A. Listen, the purpose was to find a place that snow and rain
14 couldn't reach you. That was important.

15 Q. Hmm. Now --

16 A. You can see it's open.

17 Q. I can see it's open. I also can see it has a woods made of like
18 twigs -- sorry, walls made of twigs, yeah?

19 A. Yes.

20 Q. And this is where, again, I'm a little confused because you said
21 that nobody ever stayed in building 4A, which, differently from
22 building 5, had proper walls and could have seemingly offered better
23 shelter than building 5. But you put refugees in building 5 and
24 nobody ever stayed in building 4. That's what you stated, is it not?

25 A. I said that when we demolished this and pulled it down all

1 together, there was still farming equipment. I can't give you the
2 exact name of the equipment but farming equipment. And it was mud.

3 Q. Mr. Witness --

4 PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness, please answer the
5 question. Yeah? I don't want to hear anything about the
6 demolition. There was a question about why peoples were put in
7 building 5 and not in building 4A. We are there, not at the
8 demolition moment.

9 I give it back to you Mr. Prosecutor.

10 MR. DE MINICIS:

11 Q. You stated that people would sleep wherever there was a place
12 available, and yet you stated that building 4A was never used for
13 that. And that's because in April 1999 that building was used as a
14 prison, wasn't it?

15 A. No, I didn't say that it was used as a prison. You are saying
16 it.

17 Q. I'm saying that and I'm putting that to you. It was used as a
18 prison and you knew that full well, didn't you?

19 A. In Zllash and in this particular house there was no prison.
20 Nobody can say that there was a prison there.

21 Q. You resided in the compound and you knew full well that people
22 being detained there and that's reason why in your first interview
23 you worked on the map for hours - hours - and you omitted to add that
24 building to the map. And that's the truth, isn't it?

25 A. And why did I include it now after some days?

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1 Q. I don't know. You're here to explain that to us.

2 A. I didn't hide anything. I explained to you. We forgot some
3 minor details and then afterwards we included them.

4 Q. Well, the minor detail would be that building, 4A, which is --
5 it's a whole building.

6 A. Mr. Prosecutor, you didn't go through what we did, because you
7 would have forgotten your own name if you had. If you know what I
8 myself, my family, all the population of Zllash, and the people of
9 Kosovo have gone through, now I wonder how I do remember even my
10 name. To see your people, your best people getting killed, your
11 family members getting killed, and to remember all these things, it
12 would -- it is very hard indeed. Believe me, Your Honours. My
13 uncle's wife, 65 years old, was wounded and then she died afterwards
14 in France.

15 PRESIDING JUDGE VELDT-FOGLIA: I don't -- no.

16 THE WITNESS: [Interpretation] My friends have died.

17 PRESIDING JUDGE VELDT-FOGLIA: I -- no. I don't doubt what you
18 are saying. I just ask you not to make it personal. We are
19 listening to your testimony but don't make it personal here. But I
20 understand -- I hear what you are saying.

21 MR. DE MINICIS:

22 Q. Mr. Krasniqi, I have the utmost respect for what you've --

23 A. Your Honour --

24 Q. I have utmost respect for what you went through at the time.

25 But you provided plenty of details to Defence Counsel in that first

1 interview. Plenty. Smaller rooms, what they contained, what they
2 housed, and yet you forgot they had an entire building. And I'm
3 putting to you you did that because you knew full well that's the
4 place where people were detained in Zllash in April 1999. Kosovar
5 Albanians, like you.

6 A. No, never in that house. Historically and in 1999, there has
7 never been anyone detained there in that house. I even said in my
8 statement, Your Honour, that if I lie, I know what the consequences
9 would be for me. So I will never agree that there was a detention
10 place in that house or people were detained. As the Prosecutor is
11 putting it to me now.

12 Q. Okay.

13 MR. DE MINICIS: I think I will move on, Your Honour.

14 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

15 MR. DE MINICIS:

16 Q. Mr. Krasniqi, in your first interview you told the Defence, and
17 today as well, that you do recall some people, and that one of them
18 was yourself, being questioned at the compound. And that happened
19 after the NATO strikes. Is that correct?

20 A. Yes. But when I gave the statement I wanted to explain
21 something. I wanted to say that conversation not questioning, they
22 have written question there.

23 Q. And you stated three or four people were questioned in what you
24 referred to as room 4?

25 A. If I say "questioned," then it means that -- I am not saying

1 "questioned." I mean a conversation. One of them I met, it was
2 someone in his 50s, wearing a military kind of jacket, and I was
3 talking with him. He said, "I'm going to see Rrahman Dini." I went
4 up to the school in Zllash. It was about 1 kilometre away from the
5 house. And then I returned. I met that person on the street and I
6 said, "Where are you going?" He said that, "I went to Rrahman Dini,
7 but there were no weapons." He had come there to become a member.
8 So since there was no weapon for me, he went on his way.

9 Because people came there being keen to join the
10 Kosovo Liberation Army. He talked with Rrahman, there was no weapon,
11 and he went on his way. Because the counsel asked me what was the
12 influence of Rrahman Dini, if I'm not mistaken, or what position he
13 had. And I said that that's when I realised that he must have had
14 some position because he told me, "Don't fire at the helicopter,
15 don't do this, don't do that. We are a young army so we shouldn't
16 make mistakes." That's what I said.

17 Q. This would be after the NATO bombardments, after the NATO
18 strikes?

19 A. Yes. Sometimes the 1st or the 2nd. There were many citizens
20 that came from Prishtine to Gollak. People said -- rumours said that
21 there were about more than 100.000 people who came there.

22 Q. So you had been in the KLA since September 1998, and you said
23 that Rrahman Dini himself asked your family to use the house, and
24 it's only at that point that you realised Rrahman Dini must have some
25 influence. That's your testimony today. You had no idea

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1 Rrahman Dini had any influence?

2 A. My family knew Rrahman Dini. Me too but very little. But my
3 family knew him better.

4 Q. Hmm. So --

5 A. And based on that friendship Rrahman asked to meet my dad and my
6 uncles --

7 Q. And you said that you were present that day too, were you not?

8 A. I was going to explain but you didn't let me.

9 So it was in mid-August or before September. We met
10 Rrahman Dini. He asked for our house, to use it not for himself but
11 for the KLA. And my dad and my uncles agreed, and they were very
12 happy indeed that our house would become the place where the KLA
13 headquarters would be stationed.

14 Q. Thanks, Mr. Krasniqi, and we'll get to that. On this picture,
15 the last thing that I will ask you to do is if you could circle with
16 that pencil you've been using the place where -- first of all, is the
17 place where you were questioned, you and the other people, visible in
18 this picture?

19 A. It is visible, but I am asking the Panel not to question me but
20 to engage in a conversation.

21 Q. Absolutely. The place where you had a conversation, is it
22 visible? Could you please circle it.

23 A. Yes, I can.

24 Q. Okay. So it was upstairs. Did you state there was also a room
25 downstairs, underneath, where you could enter earlier on? Under the

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1 room that you just circled, was there another room or did I
2 misunderstand? Because you see it slopes off the hill and there
3 seems to be a lower ground under the room that you just circled. Was
4 there a room?

5 A. It's not a room. It's a kind of basement.

6 Q. Okay. Thank you very much.

7 MR. DE MINICIS: I'll move on, Your Honour, and -- unless
8 Your Honour wants some further clarification on this?

9 PRESIDING JUDGE VELDT-FOGLIA: Just a question because I am not
10 completely sure if I understood something well.

11 When you made the remark with regard to "I am asking the Panel
12 not to question me but to engage in a conversation," to what were you
13 referring? Page 105.

14 THE WITNESS: [Interpretation] No, I meant that in the statement
15 it is written like that.

16 PRESIDING JUDGE VELDT-FOGLIA: Okay. Okay.

17 THE WITNESS: [Interpretation] Maybe it's a mistake. The word
18 "question" should be replaced with the word "conversation" because
19 otherwise the meaning would be different.

20 PRESIDING JUDGE VELDT-FOGLIA: No, no, your point is -- thank
21 you. Your point is clear.

22 Mr. Prosecutor, please proceed.

23 MR. DE MINICIS: Thank you, Your Honour.

24 Q. Mr. Krasniqi, were you a member of the BIA unit?

25 A. Later, yes.

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1 Q. When did you become a member of the BIA unit?

2 A. On 17 April, that I went to Viti with BIA soldiers to Marec and
3 I stayed there with them ever since.

4 Q. Okay. But you had been in the KLA since September 1998, had you
5 not?

6 A. Not from September. It was a bit later. In September, I
7 started to help them.

8 Q. Okay. Now, for instance, February and March 1999, what unit of
9 the KLA were you part of?

10 A. I went to Prishtine at that time, too, to get weapons,
11 equipment.

12 Q. No, no, my question is --

13 A. And --

14 Q. -- what unit were you a part of?

15 A. In the papers it says that as of February I was a member of BIA.

16 Q. As of February? So not as of -- it says of February now, not
17 April. February 1999. Yes?

18 PRESIDING JUDGE VELDT-FOGLIA: But did I read well here that he
19 says "in the papers," it says.

20 MR. DE MINICIS: Yeah, but --

21 PRESIDING JUDGE VELDT-FOGLIA: No, but just --

22 THE WITNESS: [Interpretation] In my papers.

23 PRESIDING JUDGE VELDT-FOGLIA: May I suggest to clarify what the
24 witness means with "in the papers."

25 MR. DE MINICIS: Yes.

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1 Q. What papers are you referring to?

2 A. In the document that shows that I was registered.

3 Q. And why would that document state that you were registered on --
4 in February, if you only became part of BIA on 17 April?

5 A. They saw that I was there as of November 1998 and have assumed
6 that that was the date. I don't know. In reality, I was not well,
7 feeling well after the war, and I didn't go to apply. Someone else
8 did that for me.

9 Q. I understand. So were you part of BIA, in fact, in
10 February 1999, as the paper says?

11 A. Maybe I was. I went to Prishtine and I met many people.
12 Listen, Prosecutor --

13 Q. So are you telling the Panel that you don't know what unit you
14 were a part of at the time? But no, because that's what you said
15 Mr. Krasniqi. That's what you said. You said, "Maybe I was."

16 A. Let me explain more clearly.

17 In that place, nobody cared whether he was with BIA unit, with
18 Karadak or with Brigade 153. Our upper-most interest was to become a
19 member of the KLA. It didn't matter where.

20 PRESIDING JUDGE VELDT-FOGLIA: But still that is not an answer
21 to the question. It didn't matter but you had -- somebody was your
22 superior. So it should have been clear who was your boss in some
23 way. From somebody would you get orders.

24 But I leave it to the Prosecutor. But I find it -- I don't
25 understand your answer.

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1 MR. DE MINICIS: I share the Panel's difficulty in understanding
2 that.

3 PRESIDING JUDGE VELDT-FOGLIA: I don't understand and -- I don't
4 understand your answer at all. You know very clearly that from 17
5 April you were a member of -- wait, wait -- a member of BIA. In the
6 papers that were -- apparently you were registered after the war as
7 being a member of BIA in February. And then you are asked were you a
8 member of BIA in February? And then you say, "Maybe I was."

9 Just come up with an answer. You have no -- and I will tell you
10 to clearly. You have to answer, and I want to have clear answer.
11 And if you don't know, you know that I told you you can share with
12 us. But now I am under the impression that you're making it a little
13 bit too difficult for us to understand where -- of which unit were a
14 member. So, please.

15 THE WITNESS: [Interpretation] Your Honour, in November when I
16 went there, I didn't know that there was a brigade in existence, that
17 there was a BIA guerrilla unit. I was not interested in that. It
18 was later on that I understood it. I saw soldiers and that was all.
19 Then it was later that brigades started to be formed and Karadak zone
20 and BIA unit. I was there in that place.

21 PRESIDING JUDGE VELDT-FOGLIA: What is "later," later on? So I
22 understand that in the beginning, in 1998, you did not know. But
23 later on you started to realise. And when is this later on? Was
24 that February?

25 THE WITNESS: [Interpretation] It was maybe February or

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1 March that I realised that there was a Brigade 153, BIA guerrilla
2 unit. The person of Karadak left and went to another base, but I
3 remained there.

4 PRESIDING JUDGE VELDT-FOGLIA: Yes. But then my question is
5 again: In February, did you realise that you were a member of BIA?
6 Did you know that you were a member of BIA, that you were in a group
7 that was called BIA?

8 THE WITNESS: [Interpretation] It was -- to understand, to
9 realise it, and to join the BIA unit, this happened on 17 April.

10 PRESIDING JUDGE VELDT-FOGLIA: I leave it to this. You leave me
11 puzzled.

12 Mr. Prosecutor.

13 MR. DE MINICIS: Your Honour, I'm equally puzzled. But perhaps
14 we could -- if I could read to the witness a portion of Mr. Mustafa's
15 interview to the SPO. And I would like to have 069404-TR-ET, Part 3,
16 page 20, on the screen, please.

17 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, please
18 proceed.

19 MR. DE MINICIS: And -- yes. So if you could zoom in a bit
20 starting on line 8. It's a bit small for me to read. Thank you.

21 Q. Now, here -- we were in the context of talking about the safe
22 house used by the BIA unit in Zllash. The Prosecutor asked:

23 "Did the safe house belong to anyone? Meaning, was it inhabited
24 in the meantime?"

25 Mr. Mustafa answered:

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1 "Yes, it was a villager from Zllash.

2 "Do you remember the name?

3 "I can't find the name but -- I can't remember it now. It was a
4 villager that lived in Zllash, but because of the war, he had left
5 the village and left, and he was living in Prishtine at the time. We
6 asked permission from him in Prishtine - not just me but my
7 colleagues - to be staying there. But I know that either two or
8 three members of the same family were members of the KLA. One of
9 them was also a soldier of mine."

10 This person Mustafa is referring to is you, is it not?

11 A. Yes, yes.

12 PRESIDING JUDGE VELDT-FOGLIA: Mr. Prosecutor, you could also
13 have asked the question more open. It was not necessary to close it
14 so.

15 MR. DE MINICIS: I apologise, Your Honour.

16 Q. Now, in this portion I've just read to you, Mr. Mustafa talks
17 about being part of a group, asking permission to the owner of the
18 house to use your family compound. You stated there to the Defence
19 that you were there when Dini asked permission to use the compound.
20 Was Mr. Mustafa there too?

21 A. No, I didn't see it. Because he has said in his statement that
22 a group asked me, not Mr. Mustafa.

23 Q. Well, he said "we," so he included himself in the group.

24 A. In reality, I didn't see Salih Mustafa that day there. There
25 were some others, Agron, I think. But him I didn't see.

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1 Q. Thank you, Mr. Krasniqi.

2 A. Maybe he was inside.

3 Q. Now, you told the Defence --

4 MR. DE MINICIS: That would be DSM00012, Your Honours, the first
5 interview.

6 Q. -- that Cali was the head of BIA. Do you recall saying that?

7 A. Yes. To my knowledge, yes.

8 Q. And when did you realise that?

9 A. Maybe in January, I think it was that I realised it. Maybe. I
10 can't refer to exact dates. There were some young men there who were
11 staying there, and they said -- or maybe it was in December. I asked
12 them who he is and they said Cali. I didn't know his name until
13 after the war.

14 Q. But then you were -- you said that, you know, maybe in February,
15 March, you were a member of BIA, so you would have known by then who
16 your commander was, would you not? Were you telling the Panel you
17 were up in Zllash, a member of BIA, not knowing who your commander
18 was?

19 A. Cali came there even before I said. He came and left.

20 Q. Hmm. So your compound, from what we've read from Mr. Mustafa's
21 statement, that was used as a safe house by BIA; correct?

22 A. It was a little bit safer. It was used not only by BIA. Other
23 soldiers used it too. It was safer because it was some 22 kilometres
24 away from Prishtine and it was surrounded by some villages, and for a
25 time it was safe.

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1 Q. It was used as a safe house, as a place in Zllash for BIA to
2 stay. Do you agree with that?

3 A. It was used for the soldiers of the KLA, not only for BIA. I
4 explained for the Karadak zone and for the brigade.

5 Q. Okay.

6 MR. DE MINICIS: Your Honour, I'd like to read a part of
7 Mr. Fatmir Sopi's public testimony in this trial to the witness and
8 ask him to comment on it, if I'm allowed.

9 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

10 MR. DE MINICIS: Now, this would be the testimony that Mr. Sopi
11 gave on 18 January 2022. It would be page 2045, line 11. Now, I'll
12 read from the transcript, Your Honour.

13 Q. This is what Mr. Sopi, whom you stated you knew, told the Panel
14 on that date, on 18 January.

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

16 Mr. Sopi said: "Yes, they had a location in Zllash."

17 "And where was that unit located? Where was that location?"

18 "It was in the highest point in Zllash, in the north-east of the
19 village."

20 MR. DE MINICIS: And then if we could move to page 2048, please,
21 Madam Court Officer, so three pages ahead, line 2.

22 Q. "Could you please describe the BIA location in Zllash.

23 "It was a normal village house with a yard and the buildings for
24 living there. The same as our houses, because the KLA didn't have
25 barracks. It was stationed in different houses, houses belonging to

1 citizens who were willing to free their houses and let us use it for
2 the purposes of the KLA.

3 "Who did that house, plus the yard and the buildings there,
4 belong to?

5 "The owner was a villager from the same village, Adem Krasniqi.

6 "In 1999 was he living within that compound?

7 "No. The family had moved earlier to Prishtine some years
8 before 1999."

9 Do you dispute what Mr. Sopi told the Panel here on
10 18 January 2022, Mr. Krasniqi?

11 A. I am not disputing that BIA guerrilla stayed there. The house
12 was also of Adem Krasniqi, who was my uncle, paternal uncle. And in
13 the 1990s, since it became very difficult to live in the village,
14 because many young men left Kosovo, young men from my family left
15 Kosovo, we were -- we moved to Prishtine, because we had to.

16 Q. I understand. So you agree with what Mr. Sopi stated?

17 A. As far as I understood, I don't understand the English, but BIA
18 guerilla unit stayed there.

19 Q. Okay. Thank you. In fact, you yourself told that to the
20 Defence.

21 MR. DE MINICIS: Your Honour, I'm referring to DSM00013.

22 Q. You stated, for instance, that some BIA members were sometimes
23 staying at the compound; correct? Do you recall saying that to the
24 Defence?

25 A. Soldiers of BIA guerrilla unit came, stayed for two or three

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1 days, changed. They moved on to other locations. I remember that in
2 October, when some soldiers came - I didn't realise that at the time
3 they were from BIA guerrilla unit - they stayed two or three days and
4 then they moved on to Majac, if I'm not mistaken, where there were
5 fightings happening.

6 Q. Some other BIA soldiers stayed there, though, primarily. Would
7 you agree with that?

8 A. Yes, they stayed, they left. So they changed.

9 Q. You stayed there most of the time, didn't you?

10 A. They rotated. Yes, I did stay. Not the majority of the time,
11 but I stayed, yes. I also travelled to Prishtine.

12 Q. And --

13 THE INTERPRETER: Interpreter's remark: We kindly ask the
14 Prosecutor to make a pause before asking the question. Speakers are
15 overlapping. It is impossible to interpret. Thank you very much.

16 MR. DE MINICIS: I apologise, Your Honour. I -- I --

17 PRESIDING JUDGE VELDT-FOGLIA: No, no. Thank you,
18 Mr. Interpreter, we will do our utmost at this side of the court.

19 MR. DE MINICIS:

20 Q. Do you remember any names of the BIA soldiers you would see
21 there at the compound?

22 MR. VON BONE: Excuse me.

23 PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness, can you take off
24 your headphones. Thank you.

25 You have the floor, Mr. von Bone.

1 MR. VON BONE: I -- maybe I'm mistaken. I just heard the
2 question: Do you remember any names of BIA soldiers at the BIA
3 compound? Did I hear that right or did I hear that wrong?

4 PRESIDING JUDGE VELDT-FOGLIA: At least what is written here
5 is --

6 MR. VON BONE: Is "the compound," yeah.

7 PRESIDING JUDGE VELDT-FOGLIA: -- "do you remember any names" --

8 MR. VON BONE: I just wanted to make sure --

9 MR. DE MINICIS: I --

10 PRESIDING JUDGE VELDT-FOGLIA: No, no. And I will say what is
11 written here, page 114, line 16: "Do you remember any names of BIA
12 soldiers at the compound?"

13 MR. VON BONE: Yeah.

14 MR. DE MINICIS: Yeah, I think I said "who stayed at the
15 compound." I didn't say "at the BIA compound."

16 MR. VON BONE: Okay. No, just that is what I -- I just didn't
17 hear that right and that was the only thing I wanted to clear up.

18 PRESIDING JUDGE VELDT-FOGLIA: No problem, Defence Counsel.
19 Mr. Prosecutor, please proceed.

20 MR. DE MINICIS:

21 Q. So I was asking if you remember any names -- sorry.

22 I was asking if you remembered any names of the BIA soldiers who
23 stayed at the compound, and so I will repeat the question.

24 Did you -- do you remember any names?

25 A. That they stayed there the entire time?

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1 Q. No. That you saw them, perhaps? Not the entire time. We
2 understand that people occasionally moved around.

3 A. Basri Canolli was for a portion of the time at the guerrilla --
4 BIA guerrilla and then he moved on to the brigade. On the 17th, I
5 also learned many of the names. Azem, Avni, Muhamet.

6 Q. Any other?

7 A. Ismajl. There are many --

8 Q. No, I understand.

9 MR. DE MINICIS: Now, if I may refresh the witness's memory with
10 some names, Your Honours.

11 PRESIDING JUDGE VELDT-FOGLIA: You may. But allow me to remind
12 you again to talk more slowly. Because I see that not all the
13 translation had been --

14 MR. DE MINICIS: Sorry. Your Honour, I am guilty of that and
15 I'll try to police my pace a little bit more.

16 Now, DSM00013.

17 Q. The Defence asked you: "And other members of the BIA units were
18 there?" And you stated: "Ahmet, Bimi, and Bahri." Do you confirm
19 that?

20 A. Yes, I met them.

21 Q. Shpend was in the beginning with BIA and then joined
22 Brigade 153. Do you recall saying that?

23 A. As far as I know, yes. He was first a member of BIA and then he
24 joined the Brigade 153. The purpose was not to know which brigade
25 they belonged to. The purpose was to fight the enemy.

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1 Q. And then you stated there were also some young soldiers and they
2 would stay there briefly and would depart for the offensive. Do you
3 recall that?

4 A. Yes.

5 Q. And you said that Isa Kastrati stayed there, even though even
6 today you don't know whether he was part of BIA?

7 A. No, I don't know whether he was a member of BIA or any other
8 unit but --

9 Q. What about Dardan? Was he at the compound?

10 A. No.

11 Q. What about Muhamet Ajeti, aka Shyti [phoen]?

12 A. Muhamet Ajeti came in October [as interpreted]. I mentioned it
13 earlier. He stayed for a night or two and went towards Majac or
14 someplace else. I'm not quite certain. And I did not see them until
15 the offensive. In fact, I saw him in Prishtine the day that
16 Prishtine was attacked by Serb forces, and then I did not see him
17 again until the offensive.

18 Q. Is he a friend of yours? Is he a friend of yours, Mr. --

19 A. We live in the same neighbourhood with Muhamet. We also went to
20 the same school. I think he is a year or two older than I am or
21 younger than me.

22 PRESIDING JUDGE VELDT-FOGLIA: You did not answer the question.

23 THE WITNESS: [Interpretation] I think he asked me if he is a
24 friend, Muhamet. Muhamet is a friend of mine. And my answer was
25 that we live in the same neighbourhood. We grew up together. We

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1 don't spend much time together. We didn't socialise a lot. We're
2 acquaintances. We live in the same neighbourhood.

3 PRESIDING JUDGE VELDT-FOGLIA: Okay, but that is an answer. Now
4 I understand better.

5 MR. DE MINICIS: Your Honour, may I take a second to confer with
6 my colleague briefly.

7 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

8 [Specialist Prosecutor confers]

9 MR. DE MINICIS:

10 Q. So I'll just ...

11 So you stated that you saw Mr. Ajeti in October, he stayed for a
12 night or two, and then went somewhere else, and then you did not see
13 him again until the offensive. That's what you stated. Is that
14 correct?

15 A. No, that is not what I said. I said December, not October.

16 Q. Okay. He came in December, stayed for a couple of nights and
17 then left, and you did not see him until the offensive. Is that your
18 testimony?

19 A. I saw him once in Prishtine also.

20 Q. But not at the compound?

21 A. No, not at the compound. Until the offensive.

22 Q. The offensive. What date are we talking about? Do you mean the
23 mid-April offensive when the Serbs attacked the Gollak area?

24 A. Yes. I -- I always refer to the date of the 17th.

25 Q. Would you be surprised to learn that, in fact, Mr. Ajeti stated

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1 that he came up to your compound in Zllash at the end of March 1999
2 and that he met you there?

3 A. He might -- he might have met me, but I don't remember that I
4 met him. I met many people. I told the Prosecutor earlier, or the
5 lawyer, I transported people.

6 Q. [Overlapping speakers] ...

7 A. I may have met him. I cannot -- I cannot deny it. If that has
8 happened, then it has happened.

9 Q. Yeah, because there is a certain trend of you making
10 preassertive statements, then you're confronted with something
11 different, and then you say, "Well, that may have happened." You
12 said you met him in December, you were very certain, I stated October
13 and you corrected me. And then you said that you did not meet him
14 again until the offensive. But in fact, now you are allowing for the
15 possibility that he did come up in March 1999 to the compound.

16 So what's the answer? Did you see Mr. Ajeti at the compound
17 before the offensive?

18 A. I don't remember. I don't remember. He might have been there,
19 but I don't remember. I -- I can't say yes or no.

20 PRESIDING JUDGE VELDT-FOGLIA: Do you have a reference for us?

21 MR. DE MINICIS: Well, Your Honour, yes, I do. It is in the
22 statement that the Defence disclosed to us. It's not on my exhibit
23 list so I'm not tendering it, but that would be DSM00619.

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

25 My microphone was not activated, and I said we always want to

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1 have the references.

2 MR. DE MINICIS: Absolutely, Your Honour. Absolutely.

3 Q. When is the last time you talked to your neighbour Mr. Ajeti,
4 Mr. Krasniqi?

5 A. The last time?

6 Q. Yeah, last time.

7 A. When we arrived, we just greeted each other. But we did not
8 speak to each other.

9 Q. When you arrived --

10 A. We just said hello.

11 Q. When you -- you mean when you arrived here [REDACTED] Pursuant to
12 In-Court Redaction Order F393RED.

13 [REDACTED] Pursuant to In-Court Redaction Order F393RED.

14 [REDACTED] Pursuant to In-Court Redaction Order F393RED.

15 [REDACTED] Pursuant to In-Court Redaction Order F393RED. That was the
16 last time.

17 Q. And what about before then?

18 A. I can't meet with anyone very often because I still live in the
19 village. I don't have much time to meet up with people.

20 Q. Did you discuss being Defence witnesses for the -- in the
21 Mustafa case?

22 A. No, I didn't know that he was until the day that I saw him
23 [REDACTED] Pursuant to In-Court Redaction Order F393RED.

24 [REDACTED] Pursuant to In-Court Redaction Order F393RED.

25 Q. So until the day that you saw him on the [REDACTED] Pursuant to
In-Court Redaction Order F393RED. you had no

idea Mr. Ajeti would come here to testify? Okay.

A. I didn't know that he was coming.

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1 Q. So you didn't talk to him before he was interviewed by the
2 Defence in February 2022?

3 A. No. No.

4 MR. DE MINICIS: Your Honour --

5 MR. VON BONE: 2021 that would be.

6 MR. DE MINICIS: Mr. Ajeti or -- yeah, that would be 2022.

7 I know it's a bit early but I was wondering if we could take the
8 break now and then -- instead of 4.00 p.m. because I need to check a
9 couple of things.

10 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated]. I
11 think that we could do that.

12 Could you indicate to the Panel how much time you think you will
13 be needing still?

14 MR. DE MINICIS: Perhaps half an hour, Your Honour.

15 PRESIDING JUDGE VELDT-FOGLIA: Okay. Thank you.

16 We will now take a break of half an hour, till 20 minutes past
17 4.00, and then we will continue until 5.30. That's the schedule for
18 now.

19 Mr. Witness, Mr. Krasniqi, we're going to have a break for half
20 an hour. Thank you for now. And Madam Court Usher will accompany
21 you out of the courtroom.

22 [The witness stands down]

23 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Court Usher.

24 The hearing is adjourned until 20 minutes past 4.00.

25 --- Recess taken at 3.52 p.m.

1 --- On resuming at 4.20 p.m.

2 PRESIDING JUDGE VELDT-FOGLIA: Yes. Let me see. We are in the
3 same composition as before, so that's noted for the record.

4 Before we continue with the witness, Mr. Prosecutor, I have a
5 question for you, and that is if you could indicate to the Panel
6 which are allegedly the structures in which the -- allegedly people
7 were held?

8 And then we can use a photograph, like the one we have been
9 using today of the --

10 MR. DE MINICIS: If I understand correctly, Your Honour would
11 like me to state now to the Panel what the Prosecution case with
12 respect to that is.

13 PRESIDING JUDGE VELDT-FOGLIA: Yes.

14 MR. DE MINICIS: Well, Your Honour, of course, the indictment
15 does not specify a specific building and we heard the testimony of,
16 for instance, 1679, I believe, who indicated -- and I think I have
17 the references earlier, Your Honour. In fact, I will find it right
18 now.

19 PRESIDING JUDGE VELDT-FOGLIA: For me, I will be very happy with
20 references, but -- and it's not really the norm to ask all kind of
21 detailed questions on this matter, of course. But for me it -- for
22 us it would be sufficient if you would indicate the various
23 structures and you can give some references, but I did not want to,
24 on an improvise, let you give a whole exposé and it. But --

25 MR. DE MINICIS: Your Honour, this would be with no prejudice

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1 for the final submissions that we'll make in the end when all the
2 evidence is before us. But our case is that building 4A is a place
3 where people were detained, and we have witnesses who indicated the
4 path they walked as they were being led out of that building and then
5 upstairs. And I think that we have at least three witnesses who, as
6 we will make it clear in our final submissions, indicated that that
7 was the main building. And we also believe that building where room
8 4 was used for interrogation purposes and perhaps a brief
9 detention.

10 So these are the two buildings that the Prosecution is stating
11 the detention, torture, and cruel treatment were committed.

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

13 Very well. I will now ask Madam Court Usher if she would be so
14 kind to bring the witness in.

15 And we will continue till 5.30 for today. And then we call it a
16 day.

17 [The witness takes the stand]

18 PRESIDING JUDGE VELDT-FOGLIA: Welcome back, Mr. Krasniqi.

19 THE WITNESS: [Interpretation] Thank you.

20 PRESIDING JUDGE VELDT-FOGLIA: We will continue today till 5.30.

21 And I will give the floor again to Mr. Prosecutor.

22 Mr. Prosecutor, please.

23 MR. DE MINICIS: [Microphone not activated].

24 THE INTERPRETER: Microphone, please.

25 MR. DE MINICIS:

1 Q. Not many questions left. Before we move on to my last topic --
2 last two topics, I would like to go back just a second to your friend
3 and neighbour Muhamet Ajeti, also known as Shyti.

4 Now, you told us you did not discuss being Defence witnesses for
5 the Mustafa case with him. That's correct?

6 A. No, I did not discuss it with him.

7 Q. So you were members of the same unit. He stated he came up to
8 the compound in March. You're both witnesses in this case and
9 neighbours. And you never discussed the charges in this case.
10 That's your testimony?

11 A. I am saying this because, if I'm not mistaken, he has left the
12 neighbourhood two or three years ago. He no longer lives in the
13 neighbourhood where we used to live. And for the moment, I live in a
14 village, in Zllash. And I haven't seen Salih Mustafa for 15 years.

15 Q. Salih Mustafa.

16 A. Yes, I did not see him.

17 Q. Okay. Did you talk to Mr. Ajeti before you gave your statement
18 to the Defence in February 2021?

19 A. No, I didn't.

20 Q. And since Salih Mustafa was arrested in the -- did you ever
21 discuss with Mr. Ajeti the fact that your former commander had been
22 arrested?

23 A. No, I didn't talk with him about this case.

24 Q. Not -- not a word.

25 A. Perhaps it seems absurd, but I didn't talk to him. There was no

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1 occasion when I could talk to him.

2 Q. Not a word, nothing.

3 A. No, I did not talk to him.

4 Q. Do you know if Mr. Ajeti and Salih Mustafa are friends?

5 MR. VON BONE: Excuse me, Your Honour. We --

6 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated]

7 Mr. Witness, can you take off your headphones? Thank you.

8 MR. VON BONE: Your Honour, just before we get into a very long
9 or maybe lengthy discussion about what is a friend or what is not a
10 friend, as we had discussed this before in earlier times, when
11 perception of people could differ on that, I think it is maybe better
12 to phrase that in a different way rather than -- because --

13 PRESIDING JUDGE VELDT-FOGLIA: No, I have heard you --

14 MR. VON BONE: We has the -- we had the -- this issue --

15 PRESIDING JUDGE VELDT-FOGLIA: No, I have heard you and I see
16 your point.

17 Before I -- we have asked him -- I asked the witness also about
18 friend.

19 MR. VON BONE: Yes.

20 PRESIDING JUDGE VELDT-FOGLIA: And I think he could very well
21 make --

22 MR. VON BONE: Yes, yes.

23 PRESIDING JUDGE VELDT-FOGLIA: Wait, wait. Don't talk when I'm
24 talking. Very well make a distinction between a friend and an
25 acquaintance.

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1 So if we see that it becomes problematic, I can cut it short and
2 have it rephased. But for now, I think that the concept of friend is
3 a commonly accepted word.

4 MR. VON BONE: Well --

5 PRESIDING JUDGE VELDT-FOGLIA: No, I -- don't. We're not going
6 to discuss it anymore.

7 Mr. Prosecutor, please.

8 MR. DE MINICIS: Yes.

9 Q. Do you know if Mr. Ajeti and Mr. Salih Mustafa -- please.

10 PRESIDING JUDGE VELDT-FOGLIA: Sorry for that. I shall pay
11 attention to it too.

12 MR. DE MINICIS:

13 Q. Do you know if Muhamet Ajeti and Mr. Salih Mustafa are friends?

14 A. We are all friends and will remain friends until we die and
15 after death. But as to where they met, where they met, that I cannot
16 say because I did not see them. I told you, I haven't seen them for
17 years.

18 Q. Did you ever see them hang out socially, for instance, at some
19 KLA commemoration or on any other social occasion?

20 A. It's interesting. I don't have Facebook. I do not use social
21 media, so I did not see them. Because where I live, the internet is
22 not good.

23 Q. Okay. So you -- can you think about one time, you know, if you
24 think about the last time or one time about seeing Mr. Mustafa and
25 Mr. Ajeti together, is that -- do you have such a memory in your --

1 in your head? It maybe may date back months or years.

2 A. Maybe when my father died in 2002. When they came for
3 condolences. If they came together, the two of them. Because many
4 people came to pay their condolences. It can be in that time, if it
5 ever happened.

6 Q. So you're saying that the only time you can think of may have
7 been in 2002, at that time?

8 A. Even for that I'm saying "maybe."

9 Q. I --

10 A. I don't know if you're understanding what I'm saying. I do not
11 live in Prishtine. In the morning, I go at 6.00 in Zllash and return
12 in the evening. I do not use social media because internet is not
13 working there. When I come back, then I go to sleep. This is my
14 life.

15 Q. I understand. I understand it completely. So you say maybe in
16 2002. And is it possible that maybe you had other memories of after
17 2002 of Mr. Salih Mustafa and your friend Ajeti hanging out together
18 socially?

19 A. No, I don't remember.

20 Q. Okay. Thank you, Mr. Krasniqi.

21 Now, today during your direct examination, you have mentioned on
22 a -- more than once, Mr. Rrahman Dini. Do you recall discussing that
23 with Defence Counsel? Rrahman Dini being up at the compound?

24 A. Yes.

25 Q. So in March and April 1999, is it your statement that you

1 Rrahman Dini was residing in your family compound?

2 A. He was there, and he was ill too. It was difficult for him to
3 move.

4 Q. Hmm. So is it your statement that he was ill and spending his
5 ill time at your family compound? Is that what you are saying, that
6 he was up at your family compound? That's where he stayed in
7 March and April 1999?

8 A. I don't know if you understood them. He could not move much.
9 He was infirm. So he could not move much in the area.

10 Q. Exactly. And this, in fact, reinforces the need for me to ask
11 you this question.

12 Was he -- as he could not move much, was he staying -- the place
13 where this sick man was staying, was it at your family compound? Now
14 it's a yes or no, Mr. Krasniqi. It's a very simple question.

15 A. He was staying there, but he was not that ill as you might
16 think. Lying in bed. He was not that the ill. He was using
17 medicine.

18 Q. He just told us that he couldn't move much. I have not made any
19 characterisation of his illness. You just said he could not move.
20 That's what you just said, isn't it?

21 A. I said he did not move much.

22 Q. Okay. So is it your testimony today, your sworn testimony, that
23 in March and April 1999, Rrahman Dini was permanently residing at
24 your family compound? That was his home, where he would wake up in
25 the morning, spend the day, and go to bed at night?

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1 A. Most of the time he was there.

2 Q. Most of the time?

3 A. Yes.

4 Q. Would you see him every day?

5 A. Almost every day.

6 MR. DE MINICIS: Now, Your Honour, if I -- if I could have -- I
7 would like the witness to comment, to offer him the public testimony
8 of two KLA witnesses who testified here, and I would like to hear the
9 witness's view on that. As I think that may be some discrepancy for
10 what he said today.

11 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

12 MR. DE MINICIS: Now, firstly, I'd like to have the transcript
13 of 18 January 2022, that would be the testimony of Mr. Fatmir Sopi,
14 page 2040, please.

15 MR. VON BONE: Your Honour, I would like to --

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

17 Mr. Witness, can you take off your headphones, please. Thank
18 you.

19 Defence Counsel, you have the floor.

20 MR. VON BONE: Yes, Your Honour.

21 The Prosecution implies that -- he says, "I think that may be
22 some discrepancy for what he" - the witness - "said today."

23 Now, that, I think, is a conclusion for the Prosecution, but I
24 would not want to imply that necessarily it is a discrepancy in what
25 the witness says or it could evenly be that what whoever is being

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1 quoted could mistaken or say something wrong or whatever.

2 So implying that it is a discrepancy, I'm not sure whether we
3 can imply that.

4 So I would just want to make sure that the Prosecutor goes
5 carefully on this issue --

6 MR. DE MINICIS: Your Honour, if I may [overlapping
7 speakers] ...

8 PRESIDING JUDGE VELDT-FOGLIA: No, no, wait, wait. Just let him
9 finish the phrase. So -- but I think your point has been made.

10 MR. VON BONE: That's my point. So please --

11 PRESIDING JUDGE VELDT-FOGLIA: But the Prosecutor has not even
12 started yet so --

13 MR. VON BONE: No, that's why I do it in front, because I don't
14 want to interrupt. Neither did I want to interrupt you as I did now.
15 I'm sorry.

16 So that's all I had.

17 PRESIDING JUDGE VELDT-FOGLIA: Yes.

18 Mr. Prosecutor, I would say just start.

19 MR. DE MINICIS: Will do, Your Honour. Thank you.

20 Q. So we're talking about Rahman Dini's condition. I don't think
21 we need to go to the page -- to the earlier page. But Mr. Sopi
22 stated:

23 "Initially," reading from line 2, "Rahman Dini was in good
24 condition, health condition, when we were together to organise the
25 ranks of the KLA in most of the villages in Gollak. But in the

1 meantime, his health condition deteriorated and he was not in good
2 health condition somewhere in the middle and end of the war."

3 And this is pretty much in line with what you stated. You told
4 us that he was ill. So would you agree with what Mr. Sopi said here?

5 PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness, it is not enough
6 that you nod. You also have to say it out loud.

7 THE WITNESS: [Interpretation] I apologise, Your Honour.

8 Rahman Dini was ill. Lately, he was ill, following the
9 tortures he suffered in Serbian prisons. This is what he told us.
10 It was a consequence of the beatings and the maltreatment by the Serb
11 forces, Serbs in prison.

12 MR. DE MINICIS:

13 Q. So you agree with what I've read so far in terms of what
14 Fatmir Sopi said about Rahman Dini. Or do you ...

15 A. He was not that ill, to be unable to move.

16 PRESIDING JUDGE VELDT-FOGLIA: That's not the question of the
17 Prosecutor. He read something out, and specifically:

18 "In the meantime, his health condition deteriorated and he was
19 not in good health condition somewhere in the middle and end of the
20 war."

21 Is that, according to you, true or not true?

22 THE WITNESS: [Interpretation] After 20 April or, rather, after
23 17 April, I didn't see him. So I don't know what happened
24 afterwards. But I know that he was using medicine.

25 MR. DE MINICIS:

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1 Q. Fatmir Sopi then stated -- or was asked:

2 "Do you remember when his condition deteriorated? Could you
3 point out at the time?"

4 Mr. Sopi stated:

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

7 Do you think that is a fair statement of the condition of
8 Mr. Dini, as you recall it?

9 A. I heard after the war that they tried to take him somewhere
10 outside Kosovo. I'm speaking now about the time after the 17th of
11 April, when I did not meet him again. So I heard that during the
12 war, after that date, they tried to take him somewhere outside for
13 treatment, but that was unsuccessful.

14 Q. But I'm talking about the time when you said you saw him almost
15 every day. So I would like you to cast your mind to that time.

16 A. During the period of time when I would see him almost every day,
17 he was using medicine. Now, what kind of medicine he was using, that
18 I don't know. I'm not a doctor. But I know that he was using
19 painkillers.

20 Q. But didn't you tell us earlier that he couldn't move much
21 because he was ill? You stated that a few minutes ago.

22 MR. DE MINICIS: Your Honour, I will find the reference, but
23 it's --

24 THE WITNESS: [Interpretation] Honoured Prosecutor, I'm not
25 saying -- I did not say that he could not move. He moved less. Not

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1 to be able to move is something else.

2 MR. DE MINICIS:

3 Q. Okay. So when Mr. Sopi said that Mr. Dini had issues with
4 breathing and he couldn't walk, you dispute that. That's not how you
5 recall him in March and April 1999, when you claim he was staying at
6 the compound?

7 A. I did not see him in such a state, unable to walk. As for the
8 breathing, yes. But as far as walking is concerned, not being able
9 to walk, I didn't see that.

10 Q. But you did state at page 127, lines 5 to 6:

11 "I don't know if you understood them. He could not move much.
12 He was infirm. So he could not move much in the area."

13 Seems pretty similar to what Mr. Sopi told the Panel in January.
14 Wouldn't you agree?

15 A. Not exactly, but approximately. Because somebody who cannot
16 move, for me, is somebody who is very ill. He could move.

17 Q. But you stated that, page 126, lines 24, 25:

18 "It was difficult for him to move."

19 You stated that; right?

20 A. I accepted that he could not move much, but he could move.

21 Q. Hmm. Okay.

22 MR. DE MINICIS: Now, if we could move to page 2106, please,
23 Madam Court Officer, of the same -- on the same transcript.

24 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

25 MR. DE MINICIS: Thank you.

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1 Q. Now, the Prosecutor [sic] asked Mr. Sopi:

2 "We spoke earlier today about Rrahman Dini and you said: I've
3 known him a long time.

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

6 Mr. Sopi stated:

7 "For a certain period of time, he stayed in my house and in the
8 office of the staff of the headquarters when we moved to the house of
9 my paternal uncle. And for some time, I do not know exactly which
10 time-period, he stayed in the hospital."

11 It would appear that Mr. Sopi, who was a high-ranking officer of
12 Brigade 153, stated that Mr. Rrahman Dini was not where you stated he
13 would be. So do you dispute what Mr. Sopi stated here or would you
14 like to perhaps explain?

15 A. I'm disputing this, and I can tell you of 100 witnesses at least
16 who were there and who saw him on a daily basis or, rather, most of
17 the time.

18 Q. Okay.

19 A. And if the Court allows me, I can give you the names of the
20 witnesses who were there and who saw him.

21 Q. Well, that is hearsay that perhaps we can -- the Defence can
22 keep for their redirect. But now I'm interested in what you saw and
23 what you think of Mr. Sopi's statement.

24 Now, if we could have -- there's another witness and I believe
25 that it was 25 January 2022, Mr. Sejdi Veseli. Do you know what role

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1 Mr. Sejdi Veseli had at the time, March or April 1999?

2 A. He was dealing with papers. I remember it a bit. With
3 documents. Something like that. I don't know exactly what. I know
4 once I took newspaper Clirimi from him with Azem Gashi and we brought
5 that newspaper to Prishtine and distributed it there at night.

6 Q. Okay. Enough, enough.

7 A. Because he --

8 Q. If I told you he was the deputy commander of Brigade 153, would
9 you be surprised to learn that?

10 A. No, I wouldn't be surprised.

11 Q. Thank you.

12 MR. DE MINICIS: Could we please have page 2259 of the testimony
13 of 25 -- of Mr. Veseli. I believe it is 25 February 2022. And it
14 would be -- yes, correct. Thank you very much.

15 Now, if we could zoom in a bit from line 8, Madam Court Officer.
16 Thank you.

17 Q. Now, I asked Mr. Veseli:

18 "Now, Rrahman Dini was a comrade of yours at the time. Did you
19 ever have the chance to visit him in March or April 1999 as he was
20 convalescing?"

21 He had told us previously, as you did and Mr. Sopi did, that he
22 was ill.

23 "Yes, I saw him daily. Every day I saw him."

24 "And where he was he convalescing," I asked Mr. Veseli. "In
25 which location of Zllash? Could you tell us where he was -- you

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1 would see him, where he was stationed ..."

2 He said:

3 "In a house. It's not that he knew that he was -- his death was
4 about to come soon, but we knew that there was -- I mean, he couldn't
5 save -- he couldn't escape death."

6 I asked:

7 "Was this house situated there within that compound that hosted
8 the BIA base or outside?"

9 And he stated:

10 "No, no, no, not there."

11 "So it was outside?"

12 "It was near the school."

13 Do you dispute also Mr. Veseli's testimony here about the
14 location of Rrahman Dini in March and April 1999?

15 A. I fully do not agree with it. Because Sejdi Veseli is saying
16 that he stayed only near the house where Fatmir Sopi stayed. He
17 stayed in another house which is only 200 metres away of my house.
18 And a witness to this is my mother who is 80 years old, and there are
19 many other who is saw Sejdi Veseli in that neighbour of Cubaj. There
20 was seven or eight houses there. And I do not why he denied that in
21 his statement.

22 Q. Sorry, what is it that he denied? He didn't deny anything. I
23 asked him. He told us that he would -- whether he would -- that you
24 would see his sick friend, Mr. Rrahman Dini, every day. He would
25 visit him every day. That's what he stated.

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1 So I asked him: Where you would see Mr. Dini?

2 He told us in his house.

3 When I asked him whether it was at the compound where BIA was
4 staying. He said "no" three times, and he said they were staying
5 elsewhere near the school.

6 So what is it that he denied?

7 A. I don't know what he thinks. I am disagreeing with it because
8 he is denying, in his statement, that he stayed for a month in Cubaj
9 neighbourhood. He -- there were family members there, my father, my
10 brother, and many others. And people from Brigade 153 was also using
11 that neighbourhood as accommodation.

12 Q. Yes, there's no denial by Veseli about where he was staying. I
13 read you a very small portion of that. He just talked about visits,
14 courtesy visits he paid to a sick friend. He is not denying anything
15 of what you are saying. Where do you see that? Are you saying that
16 -- are you disputing that Mr. Veseli was visiting Rrahman Dini, he
17 lied?

18 A. No, no.

19 Q. Okay.

20 A. No, I'm not disputing that. I'm not saying he is lying. But I
21 just don't understand why he would deny certain things. The place
22 where Sejdi Veseli was staying was only 250 metres away from our
23 house, Your Honour.

24 Q. What is Sejdi Veseli denying here? I don't understand. Can you
25 please explain it.

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1 A. Why didn't he speak about how things were, the reality? For
2 example, that Rrahman Dini was staying in our houses. What's bad in
3 this, in Rrahman Dini staying in our houses?

4 PRESIDING JUDGE VELDT-FOGLIA: I think this has been clarified.
5 Just for the record, this testimony was given in 25
6 January 2022, not in February. Just for the record.

7 MR. DE MINICIS: Thanks, Your Honour. Thank you.

8 Q. And just to round off this topic, did you know Mr. Musli Halimi?

9 A. A little bit. I know him.

10 Q. And would you be surprised to hear this morning he told the
11 Panel that in March and April 1999 Rrahman Dini was staying at the
12 brigade staff, where the Brigade 153 staff was located?

13 A. It's not surprising to me. I'm not denying it. They know what
14 they're saying for themselves. I said what I had to say and I have
15 witnesses. And I'm addressing the Panel. If they want, I can give
16 you the names of these witnesses. It's not only one person but
17 starting from my mother, who is 80 years old, and others of the age
18 of 40, they can testify to that.

19 Q. Mr. --

20 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated]. Thank
21 you, Mr. Witness.

22 I saw the Defence Counsel standing. So is there something on
23 the question? Then I will ask the witness to take his headphones
24 off.

25 Can you take your headphones off, please.

1 Defence Counsel, you have the floor.

2 MR. VON BONE: I do not think that Mr. Halimi said that he saw
3 that actually, experienced it, noticed that himself, where
4 Mr. Rrahman Dini was staying. And Mr. Halimi, as we know, was
5 staying only in the school. So he does not have any own knowledge of
6 where Mr. Dini would stay.

7 So I think it's unfair to imply that for a fact --

8 MR. DE MINICIS: I did not say that he stated that. And I think
9 these submissions are best saved for closing arguments, Your Honour,
10 as to evaluation of the evidence. I did not misstate what
11 Mr. Musli Halimi said. I think he stated that, according to -- you
12 know, to what he knows, Mr. Rrahman Dini was staying there.

13 MR. VON BONE: And what I'm saying is, is that if that is
14 something that is being put to the witness, that is unfair to bring
15 that as a fact without that, in fact, the person concerned actually
16 testified that he saw him there at the brigade headquarters or
17 wherever that was because Mr. Halimi stayed all the time in the
18 school. So ...

19 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, I -- at this in
20 moment in time, I think the Prosecutor stated what Mr. Halimi said,
21 and if that is true or not, if that is a fact or not, for now,
22 nothing is -- there are some facts, but it's not a fact at this
23 moment, but he can confront the witness with something this witness
24 has -- this witness, yeah, he can confront this witness with what
25 Witness Halimi has said. I don't think there is something unfair in

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1 that. And, yes, we are here to protect the fairness of the
2 proceedings, but this is not unfair.

3 Mr. Prosecutor, you may proceed.

4 And, Mr. Witness, please.

5 MR. DE MINICIS: [Microphone not activated].

6 THE INTERPRETER: Microphone.

7 MR. DE MINICIS: Just a word with my colleague, if I may.

8 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

9 [Specialist Prosecutor confers]

10 MR. DE MINICIS:

11 Q. Mr. Krasniqi, I do not have the precise reference at this time,
12 but today during your direct examination, Defence Counsel asked you
13 who was the person who, according to you, had influence at the -- at
14 your family compound while you were staying there. Do you recall
15 that?

16 A. Yes, I recall that.

17 Q. And what was your answer to that question?

18 A. My answer was that it was Rrahman Dini. He was most elderly,
19 had the merits to lead.

20 Q. So in what way --

21 A. To my knowledge. As far as I know.

22 Q. So Rrahman Dini, the sick man that you stated had difficulties
23 in moving, that other witnesses described was in pretty poor health,
24 he was in charge of operations in war times at that compound. Is
25 that what you are saying?

1 A. That's what I'm saying. But he was not in a state that you are
2 saying, in a difficult, very difficult health condition. He could
3 walk alone, and those problems appeared more -- later.

4 Q. And do you know what --

5 A. The therapies begins before.

6 Q. Hmm. Do you know what role Rrahman Dini had within the KLA?

7 A. No, I don't. I am not good with ranks and levels, commanders,
8 deputy commanders, captains. I don't know that.

9 Q. Would it surprise you --

10 A. He was a sort of commander, but what his position was I don't
11 know.

12 Q. And would it surprise you to learn that he was a member of
13 Brigade 153?

14 A. That I knew.

15 PRESIDING JUDGE VELDT-FOGLIA: Okay. I have some difficulties
16 with the question, "would you be surprised." I would prefer just a
17 question. Because I don't know what the answer means when you ask
18 that.

19 MR. DE MINICIS: Well, Your Honour, the witness stated that -- I
20 will rephrase.

21 But the witness stated that he doesn't know what he -- what role
22 he had. So I'm putting to him whether learning that he a certain
23 position is something that he takes issue with. Perhaps it's
24 ill-phrased and I will keep that in mind, Your Honour.

25 Q. Now, when you said that he was the person of influence at the

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1 compound -- first of all, do you know if the BIA unit was part of
2 Brigade 153?

3 A. I didn't know then.

4 Q. Do you know now?

5 A. Now I do, that it was part of Brigade 153 [as interpreted].

6 Q. You know that BIA was part of Brigade 153?

7 A. Don't misunderstand me. I didn't say that it was part of
8 Brigade 153.

9 Q. So it was not?

10 A. No, it was not.

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

12 Can you take off your headphones, please.

13 THE INTERPRETER: Correction, he said it was not.

14 PRESIDING JUDGE VELDT-FOGLIA: Okay. Then -- and to the
15 interpreter, that was line -- page 140, line 9? Is that the
16 correction?

17 THE INTERPRETER: Yes.

18 PRESIDING JUDGE VELDT-FOGLIA: Okay. Thank you for that. Yes.

19 Mr. Witness, you can put on your headphones again. Thank you.

20 Mr. Prosecutor, please proceed.

21 MR. DE MINICIS:

22 Q. Now, if BIA was not part of Brigade 153, then -- if it was not.
23 You said it was not.

24 A. No, it wasn't.

25 Q. Okay.

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1 A. As far as I know.

2 Q. Then could Rrahman Dini impart orders to members of the BIA
3 unit?

4 A. There were no orders. There was more work to organise
5 ourselves.

6 Q. So it was war time; correct? Mr. Krasniqi, those were war
7 times.

8 A. Yes. But in our part, there wasn't any fighting. Until April.

9 Q. Okay. So you are saying that nobody was giving order to --
10 there were no orders imparted there. Is that your testimony today?

11 A. To my recollection, that's how it was. What I don't know, I
12 cannot testify.

13 MR. DE MINICIS: Your Honour, I need one minute to look for a
14 reference that I have here for the next question for the witness. I
15 ask for the Court's patience.

16 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

17 MR. DE MINICIS: If I could put up a portion of the Defence
18 statement to the witness, Your Honour. That would be DSM00001 to
19 00017. And I would like it at page 9, bottom of page 9, please.

20 PRESIDING JUDGE VELDT-FOGLIA: I see it is already there.
21 Please proceed.

22 MR. DE MINICIS:

23 Q. You were talking about the trip to Prishtine that you did from
24 Zllash. At some point you said: "I met Shpend. He told me that he
25 had an order from Rrahman Dini and from Cali and Baci: Don't fire a

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1 single bullet to the Serbs, Serbian police or military because we
2 were insufficiently armed."

3 So it would appear that you did receive some orders at the time.

4 A. I don't know if you are understanding me right. I didn't take
5 orders, but Shpend conveyed to me the words of Rrahman Dini,
6 Salih Mustafa, and Baci. They said that, "Don't fire any bullets
7 because we don't have sufficient munitions. And the life of citizens
8 is more valuable than the life of a soldier."

9 Q. Okay. But an order was issued which was relayed to you by
10 Shpend. Would you agree with that? You stated that.

11 A. Yes. Yes. Yes, I said that. I don't deny that.

12 THE INTERPRETER: Could the witness be asked to speak closer to
13 the microphone, please.

14 PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness, can you speak closer
15 to the microphone, please. Yes. Because the interpreters have some
16 problems with hearing you fine.

17 THE WITNESS: [Interpretation] What I said, Your Honour, I don't
18 deny, because that was the truth.

19 MR. DE MINICIS:

20 Q. Yes, but you just told the Chamber, the Panel, that at the time
21 there were no orders. And now -- that's why put this to you.
22 Because, frankly, it is difficult to believe that in times of war,
23 people tried to work by consensus. In the military, there are orders
24 that are issued, and you told us there were no orders. So I point
25 out to you an example where an order was apparently relayed to you.

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1 So would you agree that, in fact, there were orders issued at
2 the time?

3 A. Yes, yes, I agree with that. And thanks to these people,
4 Salih Mustafa, Fatmir Humolli, Rrahman Dini, and others, today
5 Prishtine has no longer victims.

6 Q. So what did you mean when you earlier on, before, again, I
7 confronted you with something which differs from your testimony, you
8 stated there were no orders at the time. Can you help me understand
9 what you were trying to say?

10 A. That case of Prishtine and that of Zllash, between them there
11 are great differences. Because in Zllash there was no fighting. It
12 was a quiet atmosphere. We didn't need orders.

13 In the case of Prishtine, the situation was very dangerous. If
14 I or some colleague or someone committed a mistake, I mean, people --
15 100.000 people might be affected by it. So in this way, the number
16 of casualties was small. Thanks to the advice of such people.

17 Q. So you're telling the Panel today that in the area of Zllash,
18 there were no orders imparted. We understand there is different
19 military formations, there is Brigade 153, there's BIA, there's
20 Karadak zone. But there's no orders. There's just a work by
21 consensus sort of thing. Is that what you are saying?

22 A. I am repeating it. In Zllash, in our compound, as you put it,
23 nobody needed any orders. We knew what we were supposed to do. For
24 example, in the morning, I went to collect woods, I lit a fire, and
25 did whatever I had to do. And I didn't need Rrahman Dini to tell me,

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1 "Go fetch woods and come back quickly." He knew I would do what I
2 was supposed to do.

3 PRESIDING JUDGE VELDT-FOGLIA: Mr. Prosecutor, I just want to
4 put something to the witness for my understanding, and I'm talking
5 about something which was elicited from the witness today, page 67,
6 lines 1 till 7.

7 And then, Mr. Witness, you were asked:

8 "Who was in charge of this location at the time you were there?
9 Was there any person who would decide on any matter what would be
10 done with people who would be there or any person who would be
11 commanding soldiers? Was there any such person there?"

12 That was the question.

13 And then you said:

14 "To my recollection, Rrahman Dini, Bali, was, or Isa Kastrati,
15 who were people with more experience, older, and we turned to them
16 every time we had a question."

17 I understood from that testimony of you that there were people
18 in charge, there were commanding soldiers, so people who were in the
19 lead. So maybe we are not understanding each other. They were the
20 boss or not? Maybe I understood it wrong. I'm just hearing --

21 THE WITNESS: [Interpretation] Yes.

22 PRESIDING JUDGE VELDT-FOGLIA: And so if you are the boss, you
23 can say, "Do this, do that," and then you are giving orders. They
24 are in command, they are in charge. They are the boss.

25 Were there such people? Would they say, "You have to do this,

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1 you have to do that"?

2 THE WITNESS: [Interpretation] I said earlier it was
3 Rrahman Dini, Isa Kastrati who told us, "Do this, do that," but not
4 in the sense of strict orders. We didn't need those orders.

5 In the case of Prishtine, it was a strict order.

6 PRESIDING JUDGE VELDT-FOGLIA: I don't want to talk about
7 Prishtine.

8 Mr. Prosecutor, you have the floor.

9 MR. DE MINICIS:

10 Q. I -- it seems to me that every time that you mention some
11 authority's orders being imparted, you name people, but you never
12 name Salih Mustafa.

13 Now, you told us today that he was the head of BIA. You told us
14 that at the compound there were BIA members. You told us you
15 yourself were a member of BIA. How did Salih Mustafa exercise his
16 authority?

17 A. I mentioned Salih Mustafa in my statement and here.

18 In the case of Prishtine, that of 21 April, 23 years ago today,
19 when he received us in Kecekolle village, we went with the wounded to
20 Koliq village, and there he said, "Go, continue with the wounded
21 towards Majac."

22 I don't deny that and this is the reality.

23 Q. So at the compound -- at the BIA -- the compound which hosted
24 BIA, where Salih Mustafa and his men would occasionally stay,
25 according to your testimony, you never saw Salih Mustafa telling

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1 somebody to do anything, ordering, instructing, requesting that
2 something be done?

3 A. No, I didn't see him.

4 Q. He never told you to do anything?

5 A. No. What did he have to say to me?

6 Q. Well, you were one of his soldiers.

7 THE INTERPRETER: The interpreters kindly ask the Prosecutor to
8 make a pause before -- the speakers are overlapping. Thank you.

9 THE WITNESS: [Interpretation] I was there. What did he have to
10 say? I was there.

11 MR. DE MINICIS:

12 Q. Well, I mean, you generally talk to people when they are in your
13 presence. You don't talk to them when they're not there. What do
14 you mean? You were there, you were one of his soldiers. He never
15 told you, "Selat, do this, do that"?

16 A. What could -- what was there to be done? I don't know if you
17 understand me. We might fetch some waters, give him something to
18 eat, some bread. Go to school to get bread from the school. Because
19 we started from the 2nd of February to get the bread from the school.
20 This is something that we knew.

21 Q. So you're saying there was nothing to do for the BIA unit up
22 there apart from fetching bread or water. That was it.

23 A. I think you fail to understand me. I am saying that --

24 PRESIDING JUDGE VELDT-FOGLIA: I -- please, let it be clear.
25 I'm not following it neither very well.

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1 What did you do there?

2 THE WITNESS: [Interpretation] It was winter. I went to fetch
3 wood and lit the fires in the stoves. Somebody wanted to go to --
4 from a village to a village, and he told me, "Take this person with
5 your tractor to that place." And from the 2nd or 3rd of February -
6 I'm not sure - a kitchen started to operate in the school. I went to
7 get the bread from there and brought it. He told me once and then I
8 knew that it was part of my duties. Someone else knew their own
9 duties. We didn't get any clear-cut orders.

10 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Mr. Witness.

11 Mr. Prosecutor, I would like to remind you that you have been
12 using the same amount of time as the Defence. So --

13 MR. DE MINICIS: Your Honour, with the Court's leave, I ask for,
14 like, two, three minutes. I'll move on from this topic. I'll round
15 off my cross-examination with just one last brief topic and then we
16 will be done.

17 PRESIDING JUDGE VELDT-FOGLIA: Okay. Just proceed.

18 MR. DE MINICIS: Thank you, Your Honour.

19 Q. Mr. Krasniqi, were you ever convicted of a criminal offence?

20 A. Yes, but I'd rather not discuss it.

21 Q. I am afraid you might need to. What was -- what were you
22 convicted for?

23 PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness.

24 THE WITNESS: [Interpretation] May I -- may we go into private
25 session, please?

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1 PRESIDING JUDGE VELDT-FOGLIA: We can go into private session.

2 Madam Court Officer, please bring us there.

3 [Private session]

4 [Private session text removed]

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Witness: Selatin Krasniqi (Private Session)

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Cross-examination by Mr. De Minicis

1 [Private session text removed]

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Witness: Selatin Krasniqi (Private Session)

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Cross-examination by Mr. De Minicis

1 [Private session text removed]

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Witness: Selatin Krasniqi (Private Session)

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Cross-examination by Mr. De Minicis

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Witness: Selatin Krasniqi (Private Session)
Questioned by Victims' Counsel

Page 4002

1 [Private session text removed]

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11 [Open session]

12 THE COURT OFFICER: Your Honours, we're back in open session.

13 PRESIDING JUDGE VELDT-FOGLIA: Thank you for that.

14 Victims' Counsel, do you have questions?

15 MS. VOSENBERG: I do, Your Honours. Thank you. But I'm

16 looking at the clock. It's 17.25. I believe I could be able to

17 finish that off within the next five minutes.

18 PRESIDING JUDGE VELDT-FOGLIA: Okay. Then have you the floor,

19 Victims' Counsel.

20 Questioned by Victims' Counsel:

21 Q. Hello, Mr. Krasniqi. My name is Brechtje Vossenbergh. I

22 represent the participating victims in this case.

23 My question to you concerns the building 4A. We were talking

24 about building 4A, and you told us that it was built out of mud. And

25 then you clarified that it was built out of a mixture of straw and

Witness: Selatin Krasniqi (Open Session)

Page 4003

Questioned by Victims' Counsel

1 mud. Do you remember saying that?

2 A. Yes.

3 Q. My question specifically is about the house next to building 4A.
4 So just to be clear, I'm talking about the building that's been
5 referred to as 3 to 4, so the oda with the bedroom and the basement
6 underneath. You told us that that was also made out of mud. And I'm
7 on page 95, lines 10 to 12 of the transcript.

8 Would I be correct in saying that that house was made out of the
9 same mixture of mud and straw, just to be clear?

10 A. The upper floor and the oda is made out of the same material, as
11 you are saying.

12 Q. So the upper floor and the oda. And what about the basement or
13 the lower bit?

14 A. The basement too. As far as I know, it is made of wood and hay.

15 Q. So mud and hay --

16 THE INTERPRETER: Sorry, mud.

17 MS. VOSSENBERG: I understood "wood and hay" in the translation.

18 Q. But that was mud and hay. Okay.

19 A. Because there was no concrete then.

20 Q. Makes sense. Thank you. Now, my final question concerns -- I'm
21 going to go back a little bit. You were answering questions this
22 afternoon about when had you to go to Viti of Marec, if I pronounced
23 it correctly. And the issue came up that you were today in court
24 certain that was on the 17th. Now, I'm on page 75, lines 9 to 12 of
25 today's transcript.

Witness: Selatin Krasniqi (Open Session)
Questioned by Victims' Counsel

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1 Now I'm not interested in the date itself, but what I would like
2 to ask you is about something that you said when asked how you
3 could -- how became certain of the date, the 17th, in court today and
4 you said, I'm quoting:

5 "There isn't anything specific, but while travelling in
6 The Hague, I was following the news and that our friends went to
7 visit the cemetery of the martyrs, so the families, the co-fighters,
8 and that is why I remember it now."

9 Do you remember saying that?

10 A. [No interpretation].

11 Q. Yeah. Now, which travels in The Hague were you referring to?

12 A. Yes.

13 Q. Which travels? Recent travels? Travels longer ago?

14 A. Yeah. When I came here [REDACTED] Pursuant to In-Court Redaction
 Order F393RED.

15 Q. And you say that you were following the news. Now, what is it
16 that you saw in the news that was relevant for you to remember this
17 date?

18 A. I saw some comrades, family members had gone to Viti of Marec.
19 People from -- politicians.

20 Q. And was that news in any way related to these proceedings or was
21 that something separate to these proceedings?

22 A. No, no. Just they do every year, you know, to pay commemorative
23 visit to the cemetery.

24 Q. Okay. Well, those are my questions. Thank you very much.

25 MS. VOSSENBERG: Thank you, Your Honours.

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1 PRESIDING JUDGE VELDT-FOGLIA: Victims' Counsel, that was very
2 precise. Okay. We will wrap up for today.

3 Mr. Witness, we will continue, I think, tomorrow, but before I
4 usher you out, I'm going to do a short inquiry to see where we stand
5 with the examination.

6 Defence Counsel, would you like to do tomorrow a redirect
7 examination?

8 MR. VON BONE: Yes, Your Honour.

9 PRESIDING JUDGE VELDT-FOGLIA: And could you give the Panel an
10 estimation, approximate?

11 MR. VON BONE: It will be short, but what is short? Maybe 15,
12 20 minutes, something like that, maximum.

13 PRESIDING JUDGE VELDT-FOGLIA: What is short, okay.

14 MR. VON BONE: That is what I said. 15, 20 minutes, maximum.

15 PRESIDING JUDGE VELDT-FOGLIA: Okay. Thank you for that.

16 Is it too early for the SPO to ask if there will be a rejoinder?
17 That is difficult, I understand.

18 MR. DE MINICIS: Yes, Your Honour, I'm afraid.

19 PRESIDING JUDGE VELDT-FOGLIA: Yes. Okay. Very well.

20 Mr. Witness, we will continue tomorrow morning. I don't expect
21 it to be very long. But we will be here for something like one
22 session. So one and a half hour, or less. That's what I -- what is
23 my estimation.

24 I remind you that you should not discuss your statement you have
25 given before the Specialist Chambers with anyone. And I wish you a

1 restful evening today. And thank you. We see you tomorrow.

2 THE WITNESS: [Interpretation] Thank you.

3 [The witness stands down]

4 PRESIDING JUDGE VELDT-FOGLIA: And before I adjourn this hearing
5 and before I will be asking you if there is anything else to raise
6 with the Panel, I would like to give an oral order and then we call
7 it a day.

8 The Panel notes the joint request of the SPO and the Defence
9 made this morning in court seeking an extension of the time limit
10 until Monday, 9 May 2022, for the applications for admission of
11 material used during their respective questioning of the witnesses
12 who testified in the month of April 2022.

13 The Panel notes that a relatively high number of witnesses are
14 expected to have testified by the end of April, namely, nine
15 witnesses, in addition, only two more Defence witnesses are scheduled
16 to testify in the month of May.

17 In order to allow the parties and Victims' Counsel sufficient
18 time to prepare their applications, and with a view to improving the
19 efficiency of the proceedings, the Panel decides, pursuant to
20 Rule 9(5)(a) of the Rules of Procedure and Evidence before the Kosovo
21 Specialist Chambers that the parties and Victims' Counsel shall
22 submit their respective applications for the remaining Defence
23 witnesses by Wednesday, 25 May 2022.

24 And this concludes the Panel's order.

25 Yes?

1 Very well. Then we will meet again tomorrow at 9.30. We will
2 continue with the testimony of Witness 1400 and then proceed with the
3 testimony of Witness 1500.

4 And the hearing is now adjourned.

5 --- Whereupon the hearing adjourned at 5.32 p.m.

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