

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

1 Wednesday, 24 November 2021

2 [Open session]

3 [The accused appeared via videolink]

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

5 PRESIDING JUDGE VELDT-FOGLIA: Good morning.

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

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

9 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

10 First of all, I will call appearances.

11 Yes, Mr. Prosecutor, could you tell us who is present for the
12 SPO.

13 MR. DE MINICIS: Good morning, Your Honours. Today appearing
14 for the Prosecution, Cezary Michalczuk, Prosecutor; Silvia D'Ascoli,
15 Associate Prosecutor; Julie Mann, Case Manager; Moira Van de Poel,
16 our legal intern; and myself, Filippo De Minicis,
17 Associate Prosecutor.

18 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

19 Victims' Counsel, you have the floor.

20 MS. PUES: Good morning, Your Honours. Good morning, everybody.
21 The participating victims are today represented by
22 Njomza Haxhibeqiri, Junior Legal Associate; Liesbeth Zegveld, my
23 co-counsel; and by myself, Anni Pues, as counsel.

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

25 Defence Counsel, you have the floor.

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1 MR. VON BONE: Good morning, Your Honour. Defence is
2 represented by Betim Shala, co-counsel; myself, Julius von Bone; and
3 Fatmir Pelaj, investigator and interpreter. And remotely is joining
4 us Mr. Mustafa.

5 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

6 Mr. Mustafa, does the connection work? Can you hear us fine?

7 THE ACCUSED: [Via videolink][Interpretation] Yes, Your Honour.

8 PRESIDING JUDGE VELDT-FOGLIA: For the record, you are appearing
9 before Trial Panel I.

10 MR. VON BONE: Your Honour, we would like to address an issue,
11 if that is possible.

12 PRESIDING JUDGE VELDT-FOGLIA: You may. I will first discuss
13 one matter that is still pending and then we can go to the issue you
14 want to raise.

15 Yes, firstly -- no, not firstly. It's one issue I would like to
16 discuss with you.

17 On 18 November 2021, the Defence raised a question as regards
18 the applicable procedure for requesting verification of translations
19 prepared by a party or a participant, as opposed to official
20 translations prepared by the Language Services Unit, which I will
21 refer to as LSU. Such translations prepared by a party or a
22 participant are not governed by the Registry instruction on
23 requesting translation, interpretation, and verification services,
24 which only pertains to the official LSU translations. The Panel
25 promised to get back to the parties and participates on this matter.

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1 I will now issue an oral order with directions concerning the
2 procedure to be followed for requesting verification of translations
3 prepared by a party or the Victims' Counsel.

4 When an issue with a translation prepared by a party or
5 Victims' Counsel arises in the course of a witness examination, in
6 court, the Panel considers it appropriate for the matter to be
7 resolved on the spot, by requesting the interpreters to interpret the
8 portion, or portions, of the original document in relation to which
9 the translation is contested.

10 In case the interpreters are not in a position to verify the
11 accuracy of the contested translation on the spot, the Panel will
12 order the LSU to verify the contested portion or portions. And the
13 Court Management Unit, I will refer to it as CMU, shall accordingly
14 transmit the verification order to the LSU which can revert back to
15 the Panel during the hearing through the interpretation booth. And
16 should the LSU need more time to carry out a requested verification,
17 it shall provide a revised translation of the contested document as
18 soon as possible.

19 In cases where a party or a Victims' Counsel wishes to request
20 verification of a translation outside of court hearings, the Panel
21 hereby orders the parties and the Victims' Counsel to liaise directly
22 with CMU in order to request verification of the selected portion of
23 the document.

24 In this regard, the Panel expects the parties and the
25 Victims' Counsel to resort to such a verification procedure on an

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1 exceptional basis only, when the document and related translation at
2 stake are essential to the preparation of the requesting entity, and,
3 in any case, only with regard to specific words or sentences. The
4 parties and Victims' Counsel are expected not to the request
5 verification of translations of entire documents, or substantial
6 parts thereof.

7 This concludes my oral order.

8 And, for the record, we have received the revised order of the
9 testimonies from the SPO this morning.

10 Defence counsel, you asked for the floor. Please.

11 MR. VON BONE: Yes, Your Honour. The particularity that I
12 raised earlier regarding the possibility that the members are able to
13 join via remote videolink. Now, the question is whether there would
14 be any alternative possibility possible that they, if it is
15 necessary, could join via remote, whether that be in Kosovo in a
16 court building or maybe through special software installed, anything
17 would be okay. Just we want to make sure that the matter is looked
18 into. [REDACTED] from the Registry, I understand, is busy with that,
19 but just in case that upcoming lockdowns or any other thing might
20 prevent access or going through other countries with an aeroplane, we
21 would just like to have this issue resolved in a timely manner so
22 that we know where we stand, whether it is now for this time in
23 December, or in January, or any other future session. So that at
24 least we know how we are.

25 It -- I'm not sure whether it is because of protective measures

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1 of the witnesses, but if it is, I really hope that there would be a
2 possibility to somehow organise this, if that is possible.

3 That's all.

4 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, I note a further
5 justification for your request, and furthermore, I told you that the
6 Panel would look into it and that's what we are doing. So as soon as
7 we can come back to you, we will do that. And I think that
8 everything has been done in a timely manner and this will be done,
9 too, in a timely manner.

10 We will now continue with the testimony of the SPO
11 Witness W04390.

12 Madam Court Usher, could you please usher the witness into the
13 courtroom.

14 [The witness entered court]

15 PRESIDING JUDGE VELDT-FOGLIA: Please have a seat.

16 Madam Witness, you can take your mask ...

17 Madam Witness, good morning. Please have a seat.

18 Can you hear me fine? Yes, I see a thumbs-up. Welcome to the
19 Specialist Chambers.

20 THE WITNESS: [Interpretation] Thank you.

21 PRESIDING JUDGE VELDT-FOGLIA: You can hear me fine?

22 THE WITNESS: [Interpretation] Yes.

23 PRESIDING JUDGE VELDT-FOGLIA: If you require any assistance
24 with the headphones, please let us know. Okay?

25 THE WITNESS: [Interpretation] I will. I'm okay. Thank you.

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1 PRESIDING JUDGE VELDT-FOGLIA: Madam Witness, today we will
2 start with your testimony, but before we begin, I have several
3 remarks. It's a lot that I will tell you now.

4 I will first explain to you the protective measures that you
5 have been granted for your testimony. You have been assigned a
6 pseudonym, and that means that we will never address you with your
7 real name but only with the words "Madam Witness." That is to make
8 sure that the public does not know your name.

9 You have also face and voice distortion, which means that no one
10 outside the courtroom can -- watching the broadcast can see your face
11 or hear your real voice during the testimony.

12 And when you answer a question that will not reveal your
13 identity, we will do so in open session, which means that the public
14 can hear what is said in the courtroom.

15 When you are asked to describe anything that relates
16 specifically to you, or to mention facts that might reveal your
17 identity, we will do so in private session. And this means that
18 there is no broadcast and no one outside the courtroom can hear what
19 is said in the courtroom.

20 And if anything is said during open session that may identify
21 you, we will protect this information. Your testimony will be
22 broadcasted with a delay, and we can remove any such information from
23 the broadcast that will be seen and heard by the public and also from
24 the public transcript of the proceedings.

25 In addition to these protective measures, two additional special

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1 measures were added upon request by the Witness Protection and
2 Support Office, pursuant to Rule 80(4)(c)(i) and paragraph (5) of the
3 Rules. That is filing F0264 submitted on 22 November 2001.

4 And these special measures are: Attendance of a psychologist
5 during your testimony and in-court assistance by a support staff
6 member sitting next to you. I see you nodding. And adapting ways of
7 questioning where necessary, meaning that the parties and
8 Victims' Counsel will do their best to ask clear and simple questions
9 and that we will avoid to use double negative, confrontational,
10 pressuring or repeat questions during the examination.

11 The decision of the Panel has been shared through CMU with the
12 parties and the Victims' Counsel by e-mail dated 22 November 2021 at
13 2 minutes to 6.00 in the afternoon.

14 Are the protective measures I just explained to you clear,
15 Madam Witness? Yes? You can say it because the stenographer
16 doesn't --

17 THE WITNESS: [Interpretation] Yes.

18 PRESIDING JUDGE VELDT-FOGLIA: -- doesn't see your thumb. So
19 she needs to hear you.

20 THE WITNESS: [Interpretation] Yes.

21 PRESIDING JUDGE VELDT-FOGLIA: Okay, very well. Good.

22 Madam Witness, you are called to testify before the
23 Specialist Chambers in the case of The Specialist Prosecutor versus
24 Salih Mustafa to assist the Panel to reach a verdict. After you have
25 taken your solemn declaration to tell the truth, you will be asked

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1 questions by the lawyers of the Specialist Prosecution Office, who
2 are sitting there with the black and violet robe; the lawyers
3 representing the victims admitted to participate in this case, who
4 are sitting next to them; and the Defence counsel of Mr. Mustafa, who
5 is sitting on the other side with the red robes; and by us, the
6 Judges of the Panel.

7 I would like to provide you, Madam Witness, with some guidance
8 for answering the questions that you will be asked.

9 Madam Witness, please listen carefully to each question and if
10 you do not understand, feel free to ask the question to be repeated.
11 We want you to tell the truth and to tell us what you saw, you heard,
12 you sensed, you experienced yourself. And if you did not see or hear
13 it yourself but you found out in some other way, then we ask you to
14 say so and explain us how.

15 Do not answer questions put to you by simply referring to your
16 prior statement given to the SPO or any other entity. We want you
17 give full response to any question here in court before the Judges of
18 this Panel. And you may not remember all details of the events, and
19 this is perfectly fine. Please testify just on what you remember.
20 Do not guess, do not make things up. There's nothing wrong in saying
21 "I don't know" or "I don't remember."

22 Have you understood all this, Madam Witness?

23 THE WITNESS: [Interpretation] Yes.

24 PRESIDING JUDGE VELDT-FOGLIA: Thank you. I would also like to
25 give you some practical advice for your testimony and that is the

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1 following.

2 Madam Witness, everything that we say here is translated, so it
3 is important to speak into the microphone, to speak clearly, and to
4 speak at a slow pace to allow the interpreters to translate
5 everything. Yes? And you should only start speaking when the person
6 asking you the question has finished. So please, when a question is
7 asked, count in your head up till five and then start speaking
8 because that will allow us to hear, translate, and record what you
9 are saying.

10 And if you have any questions, if you need a break, or you need
11 assistance, please raise your hand and then you will be given the
12 opportunity to speak, and if I think it's necessary, I will also
13 inquire if you need something.

14 Have you understood all this?

15 THE WITNESS: [Interpretation] Yes.

16 PRESIDING JUDGE VELDT-FOGLIA: Very well. Thank you. As we
17 must do with every witness, I will now ask you to read the solemn
18 declaration to tell the truth. And I remind you that it is an
19 offence within the jurisdiction of the Specialist Chambers to give a
20 false statement.

21 Do you understand this?

22 THE WITNESS: [Interpretation] Yes, I understand everything.
23 Only the truth.

24 PRESIDING JUDGE VELDT-FOGLIA: Only the truth. Very well.
25 That's important.

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1 Madam Court Clerk, can you assist the witness with her solemn
2 declaration to tell the truth.

3 Please, Madam Witness, read the text provided to you.

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

8 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Witness. You
9 are now under oath to tell the truth.

10 We can now begin with the testimony of Witness W04390, starting
11 with the questioning by the Specialist Prosecutor's Office.

12 Mr. Prosecutor, on Monday it was indicated that the SPO would
13 need one hour, one hour and a half for the witness. Please proceed.

14 MR. DE MINICIS: Thank you, Your Honours. Indeed, we foresee
15 that perhaps we'll be taking --

16 PRESIDING JUDGE VELDT-FOGLIA: Oh, sorry, Mr. Prosecutor.

17 Madam Witness, is everything okay? Yes? Is it now --

18 THE WITNESS: [Interpretation] Yes.

19 PRESIDING JUDGE VELDT-FOGLIA: Are the headphones on your head
20 in a way that you are comfortable with it?

21 THE WITNESS: [Interpretation] Yes. I need the volume to be
22 turned up some more.

23 PRESIDING JUDGE VELDT-FOGLIA: Oh, this is the maximum. Is this
24 enough?

25 THE WITNESS: [Interpretation] Yes. Now it's better. I can hear

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1 better now.

2 PRESIDING JUDGE VELDT-FOGLIA: Okay. For your information, I
3 have now given the floor to Mr. Prosecutor and he will start with the
4 questioning this morning. Okay? Understood?

5 THE WITNESS: [Interpretation] Yes.

6 PRESIDING JUDGE VELDT-FOGLIA: Mr. Prosecutor, you have the
7 floor.

8 MR. DE MINICIS: thank you, Your Honour.

9 Before we start, I would like to inform the Court, and perhaps
10 for the benefit of those who may be following remotely, that in order
11 to preserve the protective measures granted to this witness, we've
12 done our best but we believe that most, if not all, of our
13 examination will need to be conducted in private session,
14 Your Honours.

15 PRESIDING JUDGE VELDT-FOGLIA: Thank you for informing us and
16 also for saying that at this moment in time to inform the public.
17 That means that we will now be going into private session?

18 MR. DE MINICIS: Yes, Your Honour.

19 PRESIDING JUDGE VELDT-FOGLIA: Very well.

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

22 ~~[Private session]~~ [Open session]

23 THE COURT OFFICER: Your Honours, we're in private session.

24 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

25 Please proceed, Mr. Prosecutor.

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1 MR. DE MINICIS: Thank you, Your Honour.

2 WITNESS: W04390

3 [Witness answered through interpreter]

4 Examination by Mr. De Minicis:

5 Q. Good morning, Madam Witness.

6 A. Good morning.

7 Q. Could you please state your name and surname for the record.

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 Q. What are your date and place of birth?

16 [REDACTED]

17 Q. What was your father's name?

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 PRESIDING JUDGE VELDT-FOGLIA: Yes, it's completely clear what

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1 you meant to say. Thank you.

2 MR. DE MINICIS:

3 Q. Madam Witness, where were you [REDACTED]

4 A. [REDACTED]

5 Q. Do you recall where [REDACTED]

6 A. Yes.

7 Q. And where were you?

8 A. [REDACTED]

9 Q. Thank you. You told us that you were [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 Q. Do you recall anything in particular happening on [REDACTED]

18 A. Yes, I do.

19 Q. Could you please tell the Panel what it is that happened on that
20 day.

21 A. Yes. May I mention names?

22 Q. Yes.

23 PRESIDING JUDGE VELDT-FOGLIA: Please.

24 MR. DE MINICIS: Sorry.

25 PRESIDING JUDGE VELDT-FOGLIA: You may mention names because we

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1 are in private session, so that means that no one outside this
2 courtroom can hear what you are saying.

3 THE WITNESS: [Interpretation] Yes, I understand everything. May
4 I begin.

5 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

6 THE WITNESS: [Interpretation] Yes. [REDACTED]

7 [REDACTED] was abducted.

8 MR. DE MINICIS:

9 Q. Ma'am, I would like to go through what happened on that day step
10 by step and focussing on what you saw directly.

11 A. Yes.

12 Q. So you told us you were in [REDACTED] What
13 happened? What do you recall in relation to this abduction?

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 Q. Madam Witness, I'm sorry to interrupt you. We will get there.
21 I would just like to try to get there with smaller steps.

22 Now, you told us you that were in [REDACTED]

23 A. Yes.

24 [REDACTED]

25 [REDACTED]

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1 A. He was in [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 A. Yes.

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 Q. Okay. Now, let's try to focus on what you experienced directly
9 on that date. [REDACTED]

10 [REDACTED]

11 A. [REDACTED]

12 Q. Did you see anybody? Did anybody come to see you on that day?

13 A. That day, three people came who came to the house where
14 [REDACTED]

15 [REDACTED] They asked us whether we were in need of any
16 aid.

17 Q. Who were these three people?

18 A. [REDACTED]

19 Q. How were they dressed; if you recall?

20 A. KLA uniforms.

21 Q. Were they carrying any weapons?

22 A. Yes. One of them was carrying a weapon. I can't remember about
23 the other two.

24 Q. Do you remember the colour of the uniforms these three men wore
25 at the time?

A. Yes. [REDACTED]

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1 Q. Were these people sporting any insignia on their uniforms?

2 A. Yes. On their arm, they had the KLA insignia.

3 Q. And did you know the other two people who were together with

4 [REDACTED]

5 A. I don't understand. Could you repeat the question?

6 Q. Of course. Did you -- you told us that one of the three people

7 was [REDACTED] At the time, did you know who the other two

8 people were, their identities?

9 A. No, I didn't know the other two.

10 Q. Now, you told us that they came to the place where you were

11 staying in [REDACTED] to ask if you were in need of any aid. What

12 happened next?

13 A. [REDACTED] We

14 thought that they would come to distribute aid to us, but they were

15 allegedly asking whether we needed aid but their real purpose to ask

16 [REDACTED]

17 Q. Did they ask [REDACTED]

18 A. Yes. They asked how [REDACTED] and

19 [REDACTED]

20 [REDACTED]

21 Q. And, for the record, mainly, what is the [REDACTED]

22 [REDACTED]

23 A. His name is [REDACTED]

24 Q. [REDACTED]

25 [REDACTED] What happened after [REDACTED]?

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1 A. Yes. [REDACTED] they were asking how many [REDACTED]
2 [REDACTED] in order for them to bring aid to us. But they
3 were only asking about the aid we needed only to get to the
4 information [REDACTED].

5 Q. And did you recall what these three men in uniform did after
6 [REDACTED]?

7 A. Yes. [REDACTED], and we were
8 expecting them to bring us aid. We didn't know that [REDACTED]
9 [REDACTED].

10 Q. Do you recall what kind of -- first of all, when these three men
11 came to [REDACTED] did they come on foot or by vehicle?

12 A. I don't know what they came in, but I saw them when they were on
13 foot, standing.

14 Q. And so after [REDACTED], did
15 they -- did these three men leave [REDACTED]

16 A. Yes, they left immediately.

17 Q. And did you remain [REDACTED]?

18 A. Yes.

19 Q. Now, did you learn what happened [REDACTED] or what
20 happened on that day after the three men [REDACTED]

21 A. Yes. I learned about it because [REDACTED] what
22 had happened.

23 Q. What is the name of [REDACTED] who told you what
24 happened?

25 A. Yes. [REDACTED]

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1 Q. And what did [REDACTED] tell you had happened on that day?

2 A. [REDACTED] had been taken away. He was taken
3 into a car.

4 Q. Did they tell you -- [REDACTED]
5 by car?

6 A. Yes. [REDACTED] took him, put him in the
7 car.

8 Q. When did [REDACTED] give you that information? Was it on
9 the same day [REDACTED]

10 A. Yes, the same day.

11 Q. Madam Witness, is [REDACTED]?

12 A. No, [REDACTED].

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 A. He just told us that he had been taken away in a car and went up
17 towards the village. Nothing else.

18 Q. Madam Witness, was [REDACTED] ever a member of the
19 Kosovo Liberation Army?

20 A. [REDACTED]

21 Q. After [REDACTED] was taken, did any of [REDACTED]
22 [REDACTED] take any step [REDACTED]?

23 A. Yes, [REDACTED]

24 Q. And just to clarify one matter on the record. I may have asked
25 you, but I would like to ask you again.

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1 [REDACTED]

2 [REDACTED]

3 A. Yes.

4 Q. Now, do you recall what efforts [REDACTED] made, initially the
5 first steps he took to try and locate [REDACTED]

6 A. Could you repeat the question, please.

7 Q. By all means. What -- you told us that [REDACTED]
8 was taken, tried [REDACTED]. Do you recall what he did at first
9 once he was notified that [REDACTED]?

10 A. Yes. I remember he went to look for [REDACTED]

11 Q. Do you know why he [REDACTED]?

12 A. Yes. He went to look for [REDACTED]

13 [REDACTED]

14 Q. Did [REDACTED] tell you how he had learned that [REDACTED]
15 [REDACTED]?

16 A. Yes. Yes, he told [REDACTED]

17 Q. Could you tell the Panel what [REDACTED], please.

18 A. Yes. [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 Q. So [REDACTED] was told by [REDACTED] that [REDACTED]
22 [REDACTED] That's what [REDACTED] told you?

23 A. Yes.

24 Q. Witness, I would like now to focus again on -- a bit more on
25 what you experienced personally and specifically on steps that you

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1 have personally taken to locate [REDACTED]

2 Did you personally take any steps to find and contact [REDACTED]

3 [REDACTED]?

4 A. Yes. On [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 again. That's what happened.

14 Q. Madam Witness, you told us that you went to see [REDACTED] and --

15 A. Yes.

16 Q. -- there was [REDACTED] there. Do you know --

17 A. Yes. [REDACTED] It looked like a

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 Q. Who were you with on that day when you went to [REDACTED]

22 A. Can you repeat the question, please?

23 Q. Of course. You told us that you went to [REDACTED] on that day.

24 Were you by yourself or was somebody else with you too?

25 A. [REDACTED]

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1 [REDACTED]

2 Q. And did you manage to see [REDACTED]

3 A. [REDACTED]

4 Q. So did you have any information on that day of where [REDACTED]

5 [REDACTED]

6 A. Yes, [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 Q. By then, how did you know that he [REDACTED]

11 that you could see from where you were?

12 A. Yes. I wanted to go and see [REDACTED]

13 did not allow me. [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 Q. Madam, at the time were you familiar with [REDACTED]

18 Had you been there before, before going there on that day?

19 A. No, that was the first time. And because we walked all the way,
20 my feet hurt two days, for two days after that. It was very far.

21 Q. One thing I would like to understand is how did you know that --

22 [REDACTED]

23 [REDACTED]

24 A. Yes. I knew because [REDACTED]

25 [REDACTED]

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 Q. Did these people give you any other detail that you recall today

Examination by Mr. De Minicis

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

1 with regard to the period [REDACTED] For example,

2 [REDACTED]

3 A. No. Well, [REDACTED], but the only thing

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 Q. How - to the best of your recollection, of course, today - would
8 you describe [REDACTED]? And I'm not asking you to

9 give an expert opinion on that, but [REDACTED]

10 [REDACTED].

11 A. I ... [REDACTED]

12 I can't explain it to you. I can't describe it to you. They had

13 [REDACTED]

14 anything. [REDACTED]. I can't describe it to you.

15 Q. And so I understand from your testimony that upon [REDACTED],

16 [REDACTED]?

17 A. Yes. [REDACTED]

18 [REDACTED]

19 [REDACTED] I don't know where they went.

20 Q. Thank you very much.

21 MR. DE MINICIS: Your Honour, could I please request a document
22 to be shown.

23 That would be, Madam Court Officer, ERN 060674-060680. And I
24 would ask the second page of that document to be put on the screen,
25 please.

Examination by Mr. De Minicis

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

1 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, please
2 proceed.

3 MR. DE MINICIS:

4 Q. Madam Witness, who [REDACTED] depicted in that picture?

5 A. This is [REDACTED]

6 Q. Do you know how long before he disappeared, more or less, this
7 picture was taken?

8 A. I didn't understand that. A bit -- turn up the volume a bit,
9 please.

10 Q. Of course. I'm sorry, I'll try to -- do you --

11 A. How long before was this picture taken, you mean?

12 Q. Yes, that's correct.

13 PRESIDING JUDGE VELDT-FOGLIA: And ... please proceed.

14 THE WITNESS: [Interpretation] I don't understand. Could you
15 repeat again, please.

16 MR. DE MINICIS:

17 Q. By all means. I wanted to ask you how [REDACTED]
18 this picture, when this picture was taken.

19 A. I don't remember [REDACTED]. I'm not quite sure. I think
20 [REDACTED]. But I'm not sure about it. [REDACTED]
21 [REDACTED].

22 PRESIDING JUDGE VELDT-FOGLIA: Mr. Prosecutor, we have asked the
23 interpreters to speak louder because that is what will help
24 Madam Witness to understand better, because she is listening to the
25 translation.

Examination by Mr. De Minicis

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

1 MR. DE MINICIS: Yes, that's correct, Your Honour. It doesn't
2 help if I speak louder.

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

4 MR. DE MINICIS:

5 Q. And this may sound as an obvious question to you, but it will
6 help the record. You said that the [REDACTED]

7 [REDACTED]

8 that we are seeing now on the screen.

9 [REDACTED]

10 [REDACTED]

11 Q. Thank you very much.

12 MR. DE MINICIS: Thank you, Madam Court Officer. Your Honours,
13 we're done with this picture for the time being.

14 PRESIDING JUDGE VELDT-FOGLIA: Madam Witness, do you need a
15 break or do you need anything at this moment in time?

16 THE WITNESS: [Interpretation] No, no. I'm okay. You may
17 continue.

18 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

19 MR. DE MINICIS:

20 Q. We are almost done. I just want to go back for a second to that
21 time when [REDACTED]

22 [REDACTED].

23 Do you recall who else was with you [REDACTED]

24 [REDACTED]

25 A. Yes. [REDACTED]

Examination by Mr. De Minicis

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

1 [REDACTED] That day, there were many other
2 refugees in that area. We prepared food for them because they were
3 hungry and thirsty. I also mentioned earlier that [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 Q. And do you recall if, in addition to [REDACTED] that
9 you've mentioned, any other person who had been [REDACTED]
10 [REDACTED]?

11 A. Yes, they were three people, but I don't remember the name of
12 the third one now. [REDACTED]

13 [REDACTED]

14 person, I don't remember anything about the name. But they were
15 three people.

16 Q. So I notice you now said that [REDACTED]

17 [REDACTED] Earlier you [REDACTED]

18 A. Either [REDACTED] I don't remember it very well now. I
19 apologise. It's been a long time. I apologise. And I apologise
20 again. It's been many years since then. I'm not sure now if he is
21 called [REDACTED] But regarding the [REDACTED] that I
22 remember well. So I apologise, but 22 years is a long time.

23 If I'm not wrong, I think it's [REDACTED] if I'm not wrong.

24 Q. Madam Witness, it's completely understandable. It's -- a lot of
25 time has passed. Thank you for your efforts.

Questioned by Victims' Counsel

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

1 MR. DE MINICIS: Your Honours, this concludes my examination of
2 this witness, and I have no further questions.

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

4 We go now into public session again. Madam Court Officer, could
5 you bring us into public session.

6 [Open session]

7 THE COURT OFFICER: Your Honours, we're in public session.

8 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

9 Madam Witness, Mr. Prosecutor has finished asking the questions
10 he wanted to put to you for now.

11 I will now revert to the Victims' Counsel. Are you ready to
12 start your questions for this witness?

13 MS. PUES: Yes, Your Honour. Just one minute, please.

14 PRESIDING JUDGE VELDT-FOGLIA: Of course.

15 Questioned by Victims' Counsel:

16 Q. Good morning, Madam Witness. Thank you for your informative
17 testimony. I am the counsel representing the participating victims,
18 and I would like to ask you some further questions. Most of this
19 will be done in -- will have to be done in a private session.
20 However, I have one very brief part that I would like to ask you
21 while we are still in open session. This means, Madam Witness, that,
22 therefore, I will make sure to do my best and want you to make sure
23 as well not to mention any names or any places. Okay?

24 PRESIDING JUDGE VELDT-FOGLIA: I see Madam Witness nodding and
25 the thumbs-up.

Questioned by Victims' Counsel

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

1 MS. PUES: Okay.

2 Q. Madam Witness, you told us earlier today that the [REDACTED] was
3 [REDACTED] in a village on the day he was abducted. This is -- I
4 refer to page 14, line 3/4 of the transcript.

5 I have one question in this context. Would it be accurate to
6 say that [REDACTED] was very passionate about Kosovo?

7 A. Yes.

8 Q. And was [REDACTED] in previous years involved in any
9 demonstrations against Serbs? A yes-or-no answer will suffice here.
10 I do not want to hear any details.

11 A. Yes.

12 Q. Thank you very much for that.

13 MS. PUES: I would request that we move into private session now
14 because questions on other parts will include identifying
15 information.

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

17 Madam Court Officer, can you bring us into private session,
18 please.

19 ~~[Private session]~~ [Open session]

20 THE COURT OFFICER: Your Honours, we're in private session.

21 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Court Officer.
22 Victims' Counsel, you have the floor.

23 MS. PUES: Thank you.

24 Q. Madam Witness, now we are in private session, which means there
25 will be no broadcast and we can speak more openly.

Questioned by Victims' Counsel

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

1 You already -- no. I should perhaps first just clarify that my
2 first few questions follow up on some of the information that you
3 have given us already this morning and they relate only to some
4 further detail that I would like to explore with you.

5 So you were speaking this morning about the day when some people

6 [REDACTED]

7 and you described - and in this is, for example, on page 22, lines 13
8 to 15, but also at later points in the testimony - that those people

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]. And there's only one small aspect

12 here that I would like to ask you on.

13 MS. PUES: And just for the record, I am now referring to the
14 interview with ERN number 060680-TR-ET, Part 1, page 26. However,
15 there's no need to bring this up. I'm reading just one very, very
16 small passage to refresh the memory.

17 Q. Madam Witness, you described all this in your interview with the
18 Prosecutor as well, and I understand, because it's such a long time,
19 it's really difficult to remember all the details. I'll read you
20 just one very brief part here when you described the situation and
21 the state of those people [REDACTED]

22 You said:

23 [REDACTED]

24 [REDACTED]

25 And then you say:

Questioned by Victims' Counsel

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

1 [REDACTED]

2 [REDACTED]

3 Do you remember that you said that in your interview with the
4 Prosecutors?

5 A. Yes.

6 Q. And was that accurate?

7 A. Yes.

8 Q. Thank you for this information.

9 There's also one very small aspect again following up on the
10 information that you have given us already, and this refers to the
11 names of those who you remember [REDACTED] You do
12 mention -- or you did mention the [REDACTED]
13 I don't -- I apologise, I don't have the transcript number just
14 now but I think we --

15 PRESIDING JUDGE VELDT-FOGLIA: I have it. I have it.

16 MS. PUES: Yes, okay.

17 PRESIDING JUDGE VELDT-FOGLIA: And that's several pages, but
18 transcript page 25, lines 24 and 25.

19 MS. PUES: Thank you very much for that.

20 Q. I only want to follow on from this, and again now I'm referring
21 to your interview with the SPO.

22 MS. PUES: It's the same ERN number and, again, no need to bring
23 up the evidence on screen. One page only, on page 25, for the
24 reference -- for the benefit to everyone here.

25 Q. Madam Witness, my question relates to a small passage on what

Questioned by Victims' Counsel

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

1 you said in the interview with the Prosecutor at the time in 2019,

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 Do you remember that you said that in your SPO interview?

9 A. Yes.

10 Q. And was that correct?

11 A. Yes.

12 Q. Thank you very much, Madam Witness.

13 From here, I would now like to move on and explore much more how
14 all those events we heard about today have affected you and your
15 life.

16 You told us today about the situation when you encountered
17 [REDACTED] and I refer here, for example, to page 19 of today's
18 transcript and lines 21 and following, as well as on page 21, lines 5
19 and 6. Just to give the context here, you said, [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 Let me first ask you related to this: How long did your head
24 hurt after this incident?

25 A. My head hurts even today, since then. I'm -- [REDACTED]

Questioned by Victims' Counsel

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

1 [REDACTED]

2 Q. Now, when you say it hurts even today, in which ways does it
3 hurt or affect you? Is it headaches or what is it? Could you
4 describe that, please.

5 A. Yes. [REDACTED]. Whenever I remember that case, that bad
6 memory never leaves my mind and my heart. I also feel [REDACTED], so
7 [REDACTED] I cannot calm down. But that's life. I might
8 not be crying or smiling, but my heart is weeping.

9 I don't know what to say more.

10 Q. Thank you for sharing that with us, Madam Witness. And I'm
11 sorry I have got to explore all these painful details.

12 You say "that's life." But it's important for us to fully
13 understand how these events and how the crimes that are on trial here
14 have affected you.

15 Now, when you describe all those things, are they linked to the
16 [REDACTED]

17 A. Yes. Everything. Everything has happened because of [REDACTED]
18 [REDACTED]

19 Q. Thank you. And I will get back to that once more in more
20 detail, but for a moment I would still like to stay with this

21 [REDACTED]

22 [REDACTED]

23 Does the [REDACTED]

24 A. [REDACTED]. When I

25 fell down on the -- onto the ground, I heard a crack and I also felt

Questioned by Victims' Counsel

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

1 that my head was hurting, and [REDACTED]. [REDACTED]

2 [REDACTED]

3 Q. And have you ever seen a doctor about this?

4 A. Yes, I have seen a doctor several times. And the doctor asked
5 me whether I was under stress or if I had some sort of troubles, but
6 I couldn't explain it to the doctor. And that's it.

7 Q. Thank you. And now let me turn to, well, some of what you have
8 already described and your heart weeping and, yeah, how painful all
9 this is for you. Are there any other ways in which you feel your
10 health is impacted? You've mentioned [REDACTED] you've mentioned
11 your head hurting. Anything else?

12 A. I suffer some sort of trauma. I don't know how it explain that
13 kind of trauma. I sometimes hear shots, like gun-shots, in a battle,
14 and I don't know how to calm down at such times. [REDACTED]. Also
15 I feel really sad on memorial days, on official holidays, and other
16 celebrations. Just like today, when I am taken back to those moments
17 of 22 years ago, it's very difficult for me to calm down, so I suffer
18 from a trauma.

19 Q. And are there things like, I don't know, high blood pressure,
20 any other sleep disturbances or anything that you would link to those
21 experiences or anything else?

22 A. Yes. [REDACTED]

23 [REDACTED]. [REDACTED] me and [REDACTED]

24 [REDACTED]. [REDACTED]

25 [REDACTED]. It is

Questioned by Victims' Counsel

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

1 mainly caused because of the stress. So this is what I take. I also

2 [REDACTED]

3 [REDACTED]

4 Q. Thank you. And all these effects have been with you for the
5 last 22 years?

6 A. Yes. Before the war, I was never sick. I wish I could show you
7 a picture of me, of what I looked like before the war. But then the
8 war happened and it left me with this trauma. It left me [REDACTED]
9 [REDACTED]

10 I don't know how it describe it. But everything I'd like to
11 mention it with a word, to describe it with one word.

12 Q. Thank you. You are very doing well in helping us to understand
13 what all this did to you.

14 Now, I understand [REDACTED]

15 A. [REDACTED]

16 Q. And does it -- does your situation also affect [REDACTED]

17 A. Yes, it affects [REDACTED] a lot. When I feel sick, when I'm
18 ill, [REDACTED] try to help me, to, I don't know, cover me in a
19 blanket, to give me a pillow, to comfort me. [REDACTED],
20 don't feel -- don't worry." [REDACTED], of what
21 I look like when I'm that sick.

22 Q. Are there any other things, any other experience, any other
23 feelings that you link to [REDACTED] that you would
24 like to share with us?

25 A. I didn't hear the question very well. Can you repeat it,

Questioned by Victims' Counsel

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

1 please. With louder voice, please.

2 MS. PUES: This is a question from me to the interpreters. Do
3 you want me to repeat the question to you, the interpreters as well?

4 THE INTERPRETER: Yes, please.

5 MS. PUES: Okay.

6 Q. Are there any other things, any experiences, any feelings, any
7 other effects that you would like to share with us and which you
8 personally link to [REDACTED]?

9 A. Yes. All the consequences are consequences that have affected
10 me and [REDACTED] but especially I who was [REDACTED]

11 [REDACTED]

12 [REDACTED]. The trauma that I experienced, I cannot really describe.
13 I

14 cannot describe what I have experienced in my life. It's all in my
15 heart. My heart has locked into it the stress, sadness. I don't
16 know what to say more.

17 Q. I just have one very last question. Were you [REDACTED] and
18 you -- well, [REDACTED] and you very close?

19 A. Yes. Very, very close. I was really [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 I don't know how to say more, but this is how I can summarise
it.

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

1 Q. Thank you very much, Madam Witness. Thank you.

2 MS. PUES: And this is the end of my questions. Thank you very
3 much.

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

5 Madam Court Officer, can you bring us into public session,
6 please.

7 [Open session]

8 THE COURT OFFICER: Your Honours, we're in public session.

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

10 Madam Witness, we are now going to take a break. It is 11.00.
11 I will ask Madam Court Usher to usher you out of the courtroom, and
12 then you can take a little bit of rest. Yes? We see you later
13 again.

14 [The witness stands down]

15 PRESIDING JUDGE VELDT-FOGLIA: Before we break for our half an
16 hour of interruption, there is a remark I would like to make. And
17 that I would like to remind the parties and the Victims' Counsel to
18 the rule laid down in Article 33, paragraph 3, of the practice
19 direction on files and filings which is directly applicable to public
20 proceedings, and it says that in public hearings or filings, we
21 should not make any reference to -- that we should make reference to
22 the staff members of the Specialist Chambers only by their functional
23 titles unless otherwise strictly necessary for the proceedings.

24 So no names of people working at the KSC, from the staff.

25 So having said this, we will adjourn for half an hour, till

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

1 11.30.

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

3 --- On resuming at 11.30 a.m.

4 PRESIDING JUDGE VELDT-FOGLIA: Welcome back again.

5 I will first call appearances. I see the SPO. I see the same
6 composition. And I see you nodding, Mr. Prosecutor, yes.

7 MR. DE MINICIS: Yes, Your Honour, same composition.

8 PRESIDING JUDGE VELDT-FOGLIA: And the same goes for the
9 Victims' Counsel.

10 MS. PUES: Yes, it does.

11 PRESIDING JUDGE VELDT-FOGLIA: And that also goes for --

12 MR. VON BONE: No changes, Your Honour.

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

14 I see the Victims' Counsel standing. You have the floor.

15 MS. PUES: Thank you very much, Your Honours. There's one very
16 brief aspect I would like to address before we continue with the
17 witness testimony. However, this, I would request, should be done in
18 private session as it relates to things from within the private
19 session earlier, before the break.

20 PRESIDING JUDGE VELDT-FOGLIA: Very well.

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

23 ~~[Private session]~~ [Open session]

24 THE COURT OFFICER: Your Honours, we're in private session.

25 PRESIDING JUDGE VELDT-FOGLIA: Thank you very much.

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

1 Victims' Counsel, you have the floor.

2 MS. PUES: Yes, thank you very much.

3 Very briefly. It actually also links with what you mentioned
4 this morning about the verification of translations. I was made
5 aware during the break of the fact that some aspects of the current
6 witness's testimony might have not been translated with all the
7 nuances with which the witness did put it in Albanian. One small
8 example, for example, was that she described how she [REDACTED]
9 and that then she says, well, she only [REDACTED]
10 [REDACTED] which wasn't, for example,
11 translated exactly that way.

12 Now, I am aware of the fact that it's an interpretation rather
13 than an accurate, word-for-word translation every time. However, at
14 this stage, I would just like to generally ask for as much detail as
15 possible because I think sometimes these nuances can be very
16 important.

17 Another example was also that she described all her suffering
18 and then finished this description by saying: And then I [REDACTED]
19 [REDACTED] or in the end I [REDACTED] something along those
20 lines. And this sentence at that moment in time was apparently not
21 translated. Obviously because I was asking and focussed on my own
22 role there, this wasn't transmitted to me at that moment.

23 It's now not so much a matter of trying to correct what has been
24 recorded in the previous session, but more, going forward, a call for
25 as great an accuracy as possible so that we don't just hear summaries

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

1 of witness statements in the English version. Okay?

2 Thank you very much. That was all that I wanted to raise here.

3 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Victims' Counsel. I
4 note that there's not a specific request now, but a more general call
5 for accuracy. I will take it up with CMU and if it is necessary, I
6 will come back. But we have noted what you've said.

7 MS. PUES: Maybe also just very briefly. I generally applaud
8 the efforts that the whole language unit makes and all the
9 interpreters, so I don't want this to be understood in a wrong way,
10 but I just think occasionally reminders are important for all of us
11 in our work on how things are done.

12 PRESIDING JUDGE VELDT-FOGLIA: I could not agree more.

13 And, yes, if there is an issue with the transcript, there are
14 ways to resolve that, so even if you would like to come back on what
15 you have just mentioned here in court, there is a procedure.

16 Good. Thank you. We are now in private. Madam Court Officer,
17 could you bring us back into public session, please.

18 [Open session]

19 THE COURT OFFICER: Your Honours, we're in public session.

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

21 Madam Court Usher, could you usher the witness in so we can
22 continue with the questioning of Witness W04390.

23 [The witness takes the stand]

24 PRESIDING JUDGE VELDT-FOGLIA: Welcome back, Madam Witness.

25 THE WITNESS: [Interpretation] Thank you.

Cross-examination by Mr. Von Bone

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

1 PRESIDING JUDGE VELDT-FOGLIA: We will now continue with your
2 testimony, and it's the turn for the Defence Counsel to pose
3 questions to you.

4 Defence Counsel, you have the floor for your questioning. Can
5 you already foresee how much time you think you will take?

6 MR. VON BONE: Your Honour, I do not think we will take long. I
7 do think that we will take most of the time in private session, so
8 whoever is viewing this should be aware of that.

9 PRESIDING JUDGE VELDT-FOGLIA: We will be going into private
10 session. But the answer to my question, "not so long," could that be
11 a little bit more specific for ...

12 MR. VON BONE: I think maybe half an hour, 40 minutes, maximum.

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

14 Madam Court Officer, could you bring us into private session,
15 please.

16 ~~[Private session]~~ [Open session]

17 THE COURT OFFICER: Your Honours, we're in private session.

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

19 Defence Counsel, you have the floor.

20 Cross-examination by Mr. von Bone:

21 Q. Good morning, Madam Witness.

22 A. Good morning to you.

23 Q. [Microphone not activated].

24 PRESIDING JUDGE VELDT-FOGLIA: Please, mic.

25 MR. VON BONE:

Cross-examination by Mr. Von Bone

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

1 Q. I have a couple of questions for you, Madam Witness, and the
2 first part is about [REDACTED] being taken away.

3 You said this morning - I refer to page 14, line 7 - that:

4 "Three KLA members approached them because they wanted to ask
5 them some questions. They distanced [REDACTED] a bit away. They took
6 [REDACTED]

7 Where did [REDACTED]

8 A. Could the interpreter speak up a bit, please.

9 PRESIDING JUDGE VELDT-FOGLIA: Interpreter, could you, I think,
10 repeat the question but with a louder voice in order for
11 Madam Witness to hear it better.

12 I am not hearing anything anymore.

13 I direct myself now to the interpretation booth. Could you
14 repeat the question asked by the --

15 THE INTERPRETER: Yes, Your Honour, this is what I was doing.
16 This is why you were not hearing anything on the English channel.

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

18 [Trial Panel and Court Officer confer]

19 THE WITNESS: [Interpretation] Yes. Yes, [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 MR. VON BONE:

25 Q. And who told you this?

Cross-examination by Mr. Von Bone

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

1 A. [REDACTED] told me that. Somebody had told [REDACTED]

2 [REDACTED] And

3 [REDACTED]

4 [REDACTED]

5 MR. VON BONE: Maybe, Your Honour, I would like to refresh the
6 mind of the witness on one issue. It is Part 1, revised, page 11.

7 And the reference number is 060680-TR-ET, Part 1. It is the
8 testimony of 6 June 2019. And it's page 11, line 15.

9 Q. Madam Witness, I would like to quote on something you said to
10 the SPO and I just want then to ask you a question. The question
11 that the SPO asked you was:

12 "And how was it known that he had been taken [REDACTED]

13 And your answer was:

14 [REDACTED]

15 A. Yes, that's correct.

16 Q. And do you recall maybe anybody who told you that?

17 A. No. This was told [REDACTED]. [REDACTED]. They
18 [REDACTED],

19 [REDACTED]

20 Q. And did you hear this then from [REDACTED]

21 A. Yes.

22 Q. I want to go to a next moment in time.

23 PRESIDING JUDGE VELDT-FOGLIA: With regard to this statement,
24 Defence Counsel?

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

Cross-examination by Mr. Von Bone

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

1 PRESIDING JUDGE VELDT-FOGLIA: Okay.

2 Madam Court Officer, we can pull this statement down. Thank
3 you.

4 MR. VON BONE:

5 Q. The next step I go to is the incident [REDACTED] When you
6 were there [REDACTED] did you speak initially to [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 only tell you that you could see the top of the roof, and it looked
2 like it was a -- like a dilapidated building, but I don't know in
3 metres or kilometres. I only know that it was not too far. We were
4 able to see the top of the roof.

5 Q. I go back to one moment in time again, and that is when you were

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 [REDACTED]

2 A. No, I had never seen him before. I can't say that I recognised
3 him or knew him from before.

4 After the war, [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 Before the time that you mentioned, I had [REDACTED].

19 [REDACTED].

20 And that's the whole story.

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

Cross-examination by Mr. Von Bone

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 A. We don't discuss this much [REDACTED] He knows about the
15 trauma I have suffered, and they don't want to repeat things to me.
16 [REDACTED] People try not to recall these things
17 or speak about these things to me. They try to smile to me and not
18 to worry me too much about these things. We don't speak about them.
19 I don't want to speak about the things that happened. I keep that
20 locked in my heart, the pain that [REDACTED]

21 I always fear that somebody will recognise me and something will
22 happen to me. We don't discuss these things, as I said.

23 Q. I understand. One more question on that issue. Did [REDACTED]
24 [REDACTED] ever tell you that he was afraid or had any fear of
25 [REDACTED]

Cross-examination by Mr. Von Bone

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

1 A. No. Perhaps he keeps it to himself. But all of us are
2 frightened. The fact that we don't express it to each other doesn't
3 mean that we don't have fear. The fear is there. Because what
4 happened [REDACTED].

5 [REDACTED].

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 me. They don't mention these things to me, things about the war.

11 That's it.

12 Q. And do you personally fear [REDACTED]

13 A. Yes, I have the fear. Yes. Not only from him, but also other
14 people. Maybe he will ask other people to do something. He knows
15 what he has done and I fear. [REDACTED] I am frightened. Yes,
16 I am frightened, like everybody else. He did that thing [REDACTED]
and

17 he can do the same thing to others, to other people. One person who
18 does that thing can do everything.

19 Q. Did he ever threaten you or made remarks that felt you -- that
20 you had fear for him?

21 A. No. I told you earlier that [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 person.

25 [REDACTED]

Cross-examination by Mr. Von Bone

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

1 [REDACTED]

2 "Yes, an order." [REDACTED]

3 And that's all. Since then, I haven't seen [REDACTED]

4 I can only tell you about what I have experienced and what
[REDACTED]

5 [REDACTED] That's it.

6 Q. And did you ever -- or do you have any fear of anybody in
7 particular [REDACTED]

8 A. No, we never had any problems. We -- but I'm afraid of this
9 person who took [REDACTED] I told you earlier, I can tell you 100
10 of times, I am afraid. I live in fear. That's true. And that fear
11 never leaves me alone. But I'm not afraid of any other persons.
12 There might be evil persons.

13 Q. Thank you. I understand. [REDACTED]

14 [REDACTED]

15 A. Yes, I know [REDACTED]

16 Q. Can you tell me or can you tell us what your relationship to you
17 or [REDACTED]

18 A. Yes, I can tell you all. [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

Cross-examination by Mr. Von Bone

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 Q. I understand. And last question on this issue. Do you know how

9 [REDACTED]

10 A. I don't know because, I told you, [REDACTED]

11 [REDACTED] I pleaded with [REDACTED] I said, "Please," I said to
12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 [REDACTED] but I attended [REDACTED] if you

2 understand me. Only when [REDACTED]

3 [REDACTED] is engraved in my memory. Whenever the date comes, I pray
for

4 [REDACTED]

5 Q. And do you recall who else was present at that [REDACTED]

6 [REDACTED] [Microphone not activated] apart from yourself.

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

Cross-examination by Mr. Von Bone

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

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 A. I don't remember. [REDACTED]

5 [REDACTED]

6 [REDACTED] I can only tell you about

7 what I remember.

8 Q. Thank you. Who is [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 A. Are you saying that he looks like him? He is similar? He is

14 [REDACTED] I don't know.

15 Q. No. I will do the question again.

16 A. I ask for the volume to be a bit louder, please.

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 But I don't know about any other valuable item. I forget, because I

Cross-examination by Mr. Von Bone

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

1 explained to you earlier that I don't remember certain things because
2 of [REDACTED] because of my sadness. Maybe he has something but I
3 don't know. I can only tell you about what I know and what I
4 remember.

5 Q. [REDACTED]

6 A. I don't know. I don't know. I don't know. I apologise.

7 Q. No need to apologise.

8 Have you ever heard of the name [REDACTED] That is
9 [REDACTED]

10 A. No. I don't know who that person is.

11 Q. At some point you said that there were people who were released
12 that [REDACTED] Could
13 you tell us who was with [REDACTED]?

14 A. Yes. At that time, [REDACTED] and those
15 three persons [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 Q. Did any of these three people, as you said, had [REDACTED]
23 [REDACTED]?

24 A. I don't know. I couldn't tell because they were wearing
25 clothes. [REDACTED]

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

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 explained to you.

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 Q. And in their demeanour, could you -- apart from the fact that
13 they were wearing clothes, was anybody complaining about [REDACTED]

14 [REDACTED]?

15 A. I don't know. I didn't have a long conversation with them.

16 Perhaps they told something [REDACTED],

17 but not to me. [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 Q. I understand. I give it another try to ask you who from your

24 [REDACTED]

25 [REDACTED]

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

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

Cross-examination by Mr. Von Bone

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1 A. I don't remember. [REDACTED]

2 but I don't remember about this occasion. It's a long time and I
3 have forgotten.

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 Q. I understand. Thank you very much.

9 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel --

10 MR. VON BONE: Let me just consult for a moment. I think --

11 PRESIDING JUDGE VELDT-FOGLIA: No, no, I want to --

12 Defence Counsel, before you proceed, for me, something has remained
13 unclear. Because I think there's a difference -- maybe could you
14 put -- take away your headphones, please.

15 A relief for the witness.

16 For me, it's not clear when the witness refers to "here," if
17 she's referring to [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 ask it, but I would like to have that clearer than now because
22 apparently for the witness it is a difference if people [REDACTED]
23 or if people were with [REDACTED].

24 MR. VON BONE: Now, Your Honour, to be quite honest, for me it
25 does not make such a difference. I believe that the [REDACTED]

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1 [REDACTED] It's just something -- I just wanted to determine

2 [REDACTED]

3 PRESIDING JUDGE VELDT-FOGLIA: Okay. But then I will ask --

4 MR. VON BONE: Whether they were at some point [REDACTED]

5 [REDACTED] is for me at this particular moment not --

6 PRESIDING JUDGE VELDT-FOGLIA: Not relevant.

7 MR. VON BONE: Well, not -- I can ask the question, obviously.

8 That is not a problem to do it and then go through that part. Or we

9 might get that one [REDACTED] but I'll ask

10 it, Your Honour. I'll ask it.

11 PRESIDING JUDGE VELDT-FOGLIA: I give you the floor to ask it,

12 but if it is not clear for me still, then I will take over.

13 Please proceed.

14 Could you put on your headphones again. [Microphone not

15 activated].

16 THE WITNESS: [Interpretation] Yes. But please remember to keep

17 the volume up.

18 MR. VON BONE: Yes.

19 Q. Mrs. Witness, [REDACTED]

20 [REDACTED]?

21 A. We call [REDACTED] Now we call it

22 [REDACTED] in Albanian language. But in the villages we

23 still call it the [REDACTED]

24 [REDACTED] Do you understand it?

25 Q. As I understand it, Madam Witness, I understand that [REDACTED]

Cross-examination by Mr. Von Bone

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

1 [REDACTED]

2 A. Yes, yes.

3 Q. Thank you very much.

4 PRESIDING JUDGE VELDT-FOGLIA: Then I will take it over from
5 here.

6 Madam Witness, do I understand well that [REDACTED]

7 [REDACTED]

8 THE WITNESS: [Interpretation] Yes.

9 PRESIDING JUDGE VELDT-FOGLIA: [REDACTED]

10 [REDACTED]?

11 THE WITNESS: [Interpretation] Yes. [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 PRESIDING JUDGE VELDT-FOGLIA: Thank you for that, but I have
17 another question.

18 I think I have understood now what [REDACTED] is. Thank you for
19 that.

20 What I would like to know is if [REDACTED]

21 [REDACTED]

22 And if you don't remember, that's fine too.

23 THE WITNESS: [Interpretation] I said I don't remember [REDACTED]

24 [REDACTED] And I don't know.

25 [REDACTED]

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

1 [REDACTED]

2 [REDACTED]

3 forgotten. I have forgotten. I don't remember it.

4 PRESIDING JUDGE VELDT-FOGLIA: Thank you for your answer.

5 Defence Counsel, please proceed.

6 MR. VON BONE:

7 Q. But, Mrs. Witness, I understand that [REDACTED]

8 [REDACTED] Did I

9 understand that well?

10 A. Yes, [REDACTED]. Yes.

11 PRESIDING JUDGE VELDT-FOGLIA: Now -- it should have been better
12 to making it an open question. But if you say -- no, because I
13 already asked and she said, "I don't know." And now you are asking
14 the question again and then she said [REDACTED]. So
15 that's -- I don't very well understand, Defence Counsel, why you went
16 over the question again.

17 MR. VON BONE: I understand that [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 why I asked the question.

23 PRESIDING JUDGE VELDT-FOGLIA: But I will re-ask the question
24 just to repeat what you have said.

25 In page 56, line 16, you said:

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1 [REDACTED]

2 [REDACTED]

3 Is that correct?

4 THE WITNESS: [Interpretation] Yes, I mentioned I don't remember
5 who talked to them, who didn't talk to them. I don't remember. I
6 don't know.

7 PRESIDING JUDGE VELDT-FOGLIA: Very well. Thank you.

8 MR. VON BONE: To me, Your Honour, talking to somebody does not
9 mean necessarily that [REDACTED] That
10 is why I asked the question. That is -- just want to clarify why I
11 asked that question in that manner.

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

13 Then -- but I have a question still because I think it's
14 important not to leave it for the end.

15 [REDACTED]

16 [REDACTED]

17 THE WITNESS: [Interpretation] Yes, I mentioned it earlier. I

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

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

6 MR. VON BONE:

7 Q. Last couple of questions, Madam Witness.

8 Have you ever heard the name Salih Mustafa?

9 A. Salih Mustafa?

10 Q. Have you ever heard of that name?

11 A. On the media, yes. I've heard it on television. But -- I don't
12 know what else. I don't know.

13 Q. I take it that in the media, you mean that is only after the
14 war, so ...

15 A. Yes, after the war. Yes.

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

17 Your Honours, we have no further questions.

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

19 Now I go back into public session.

20 Madam Court Officer, can you bring us back into public session.

21 [Open session]

22 THE COURT OFFICER: Your Honours, we're in public session.

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

24 Now, pursuant to the rules and our Decision on the Conduct of
25 Proceedings, we may allow for redirect examination.

1 Mr. Prosecutor, do you wish to proceed with the redirect
2 examination of the witness; and if so, how much time will you need?

3 MR. DE MINICIS: Your Honour, with the Court's leave, I would
4 like to briefly consult with my colleagues on this matter. Just one
5 minute, if that's possible.

6 PRESIDING JUDGE VELDT-FOGLIA: Of course. Please proceed.

7 MR. DE MINICIS: Thank you very much.

8 [Specialist Prosecutor confers]

9 MR. DE MINICIS: Your Honours, thank you. We have no re-direct
10 for this witness.

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

12 Victims' Counsel, would you like to pose additional questions?

13 MS. PUES: No, Your Honours. Thank you. We don't have any
14 further questions. Thank you.

15 PRESIDING JUDGE VELDT-FOGLIA: Now, then, Defence Counsel -- we
16 will proceed as follows. I look at the clock. Yes.

17 Madam Witness, you have been asked questions by the Prosecution,
18 by the Victims' Counsel, and by the Defence Counsel, and I ask you to
19 bear a little bit more with us because also the Panel would like to
20 ask you some questions in order to clarify some aspects with what you
21 have said, and they will be very valuable, your answers, for us to
22 understand better the events that you have described.

23 It will be a limited amount of questions, so I will try to
24 finish them before we go to lunch, and that could mean that we maybe
25 go a little bit after 1.00, but not too much.

Questioned by the Trial Panel

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

1 Questioned by the Trial Panel:

2 PRESIDING JUDGE VELDT-FOGLIA: Madam Witness, my first question
3 would be - and then I refer for the record to transcript of today --
4 yes.

5 We are going into private first. Madam Court Officer, could you
6 bring us into private.

7 ~~{Private session}~~ [Open session]

8 THE COURT OFFICER: Your Honours, we're in private session.

9 PRESIDING JUDGE VELDT-FOGLIA: Madam Witness, we have already
10 discussed - and it's transcript page 14, starting with lines 3/4 -
11 [REDACTED] and you have
12 already received several questions on this. And I have a follow-up
13 question and that is: [REDACTED]

14 A. [REDACTED] that they
15 might do something. Nothing else.

16 PRESIDING JUDGE VELDT-FOGLIA: That answers my question enough.

17 Another point is that - I refer to page 43 of the transcript,
18 line 22 - you told us this morning that [REDACTED] was the one
19 who informed you and [REDACTED]
20 That were your words.

21 Who -- and I also heard you saying today, this morning, and that
22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

Questioned by the Trial Panel

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

1 A. Yes, somebody had told [REDACTED] It
2 was war time, but people were seeing things and they knew. And they
3 had seen [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 PRESIDING JUDGE VELDT-FOGLIA: And when you say [REDACTED]
10 what do you mean with that?

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

Questioned by the Trial Panel

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

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 PRESIDING JUDGE VELDT-FOGLIA: In your [REDACTED] statement,
which is

12 already from a long time ago, SPOE00127967, and we don't have to put
13 it up, but you said that [REDACTED]

14 [REDACTED] And I wanted to see if you, yeah, still remembered
15 something about that, but you have confirmed that.

16 I have another question. You just said that [REDACTED]
17 [REDACTED] and you also said it today on
18 page 41, line 5.

19 Do you know by whom [REDACTED]

20 A. His name is [REDACTED]

21 PRESIDING JUDGE VELDT-FOGLIA: So it was -- you say it was
22 both -- [REDACTED]

23 [REDACTED] Okay.

24 A. Yes.

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

Questioned by the Trial Panel

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

1 There's something for us to be clarified. If -- Madam Court
2 Officer, could you pull up 060680, Part 1, Revised, page 14, lines 19
3 till 22, please.

4 Is this the good one? I don't think that -- it's Revised 3, I
5 see here.

6 [Trial Panel confers]

7 PRESIDING JUDGE VELDT-FOGLIA: 14. Sorry. At least I said 14.
8 Okay, yes, that's what I was looking for.

9 It's for me something to be clarified, Madam Witness. [REDACTED]
10 [REDACTED]. And in line 24 you said:

11 "Yes, when he went to [REDACTED] looking for him, there were the
12 zones, those liberating zones there that told him."

13 And I was wondering what do you mean with those "liberating
14 zones"? Who are they?

15 A. The liberated zones, do you want me to explain what they are? I
16 don't understand.

17 PRESIDING JUDGE VELDT-FOGLIA: Yes. Yes. I would like you to
18 explain what you mean by that word because I don't understand very
19 well what was said here. Who told you -- [REDACTED]
20 [REDACTED]

21 A. I don't know who told [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 don't know anything further.

25 PRESIDING JUDGE VELDT-FOGLIA: Okay. Thank you for that.

Questioned by the Trial Panel

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

1 [Trial Panel confers]

2 PRESIDING JUDGE VELDT-FOGLIA: Victims' Counsel, I see you
3 standing.

4 MS. PUES: Yes, I apologise for interrupting. I was just being
5 made aware that with regard to the phrase "liberating zones,"
6 apparently in the original version, it features as "zones with KLA
7 presence," in the Albanian version, page 18, I'm being told. In case
8 this is of assistance to the Trial Panel in their understanding. I
9 thought I better resolve it on the spot where possible. Thank you.

10 PRESIDING JUDGE VELDT-FOGLIA: That's indeed the suggestion we
11 gave earlier. I'm looking again at what you just said, "that with
12 regard to the phrase 'liberating zones,' apparently in the original
13 version, it features as 'zones with KLA presentation.'" Yes.

14 That --

15 MS. PUES: Presence. KLA presence. Sorry.

16 PRESIDING JUDGE VELDT-FOGLIA: In the transcript, in the real
17 time transcript it is "presentation." Therefore I read it like that.
18 KLA presence. I think that makes sense. Thank you. Thank you for
19 that.

20 Madam Witness, there was a clarification made for the Panel.

21 Very well. Madam Court Officer, could you bring us back into
22 public.

23 [Open session]

24 THE COURT OFFICER: Your Honours, we're in public session.

25 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, please bring

Questioned by the Trial Panel

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

1 us back to private session because there is one question we still
2 want to ask.

3 ~~{Private session}~~ [Open session]

4 THE COURT OFFICER: Your Honours, we're in private session.

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

6 Madam Witness, there is still one question we would like to ask
7 you, so bear with us for this last question.

8 And that is: Was [REDACTED]

9 A. No.

10 PRESIDING JUDGE VELDT-FOGLIA: And [REDACTED]

11 [REDACTED]

12 A. I don't know. Maybe [REDACTED]

13 [REDACTED]

14 PRESIDING JUDGE VELDT-FOGLIA: Okay. Thank you.

15 Madam Court Officer, could you bring us back into public
16 session, please.

17 [Open session]

18 THE COURT OFFICER: Your Honours, we're in public session.

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

20 Madam Witness, we have reached the end of your testimony. I can
21 imagine that it must have been very demanding for you. I would like
22 to thank you for all the efforts you put into being here with us and
23 giving your testimony. It will help us in trying to find the truth.
24 So thank you very much.

25 THE WITNESS: [Interpretation] Thank you, Your Honour.

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

1 PRESIDING JUDGE VELDT-FOGLIA: I will ask Madam Court Usher to
2 usher you out. Please be aware that you should not discuss your
3 testimony with anybody that you have given here. I wish you a -- I
4 see you making a sign of understanding, that you won't do that.

5 I wish you a safe journey home and thank you again for giving
6 your testimony here. Bye.

7 [The witness withdrew]

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

9 There was one remark I would like to make in relation to the
10 translation, that the edited version of the transcripts sometimes
11 contains more information on some points than it has in the realtime
12 transcript, so before -- if you would consider to enter into whatever
13 procedures, it's always good to look at that one. I also realise
14 that sometimes references are not put in in the realtime transcripts
15 and afterwards they are put in the -- the definitive one.

16 Good. Is there anything that the Prosecution would like to
17 raise? Mr. Prosecutor.

18 MR. DE MINICIS: No, Your Honour. Thank you.

19 PRESIDING JUDGE VELDT-FOGLIA: No. And the Victims' Counsel.

20 MS. PUES: No, thank you. Nothing from us.

21 PRESIDING JUDGE VELDT-FOGLIA: Okay. And the Defence Counsel.

22 MR. VON BONE: Nothing, Your Honour.

23 PRESIDING JUDGE VELDT-FOGLIA: Okay. Very well. If the parties
24 and Victims' Counsel do not have anything else to raise, we will
25 resume on -- we will adjourn today and we will resume on Monday the

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1 13th, with the testimony of the SPO Witness W04674.

2 And at this moment in time, I thank, as always, the parties and
3 the Victims' Counsel, the stenographer, the interpreters, and the
4 people in the audio-visual booth, and the security.

5 The hearing is adjourned until 13 December at 9.30.

6 --- Whereupon the hearing adjourned at 12.53 p.m.

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