

1 Wednesday, 11 May 2022

2 [Open session]

3 [The accused entered court]

4 --- Upon commencing at 9.33 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 number KSC-BC-2020-05, The Specialist Prosecutor versus
9 Salih Mustafa.

10 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

11 Yes, I will call the appearances.

12 Madam Prosecutor, could you tell us who is present today for the
13 Specialist Prosecutor's Office.

14 MS. D'ASCOLI: Yes, Your Honours. Good morning. Good morning,
15 everyone. The Specialist Prosecutor's Office is represented today by
16 Prosecutor Cezary Michalczuk, by Case Manager Julie Mann, and myself,
17 Silvia D'Ascoli, Associate Prosecutor.

18 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

19 Victims' Counsel, you have the floor.

20 MS. VOSENBERG: Thank you, Your Honours. Good morning,
21 everybody. Good morning, Your Honours. The participating victims
22 are represented today by myself, Brechtje Vossenbergh, co-counsel; and
23 Victims' Counsel Anni Poes joining us remotely. Thank you.

24 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

25 Defence Counsel, you have the floor.

1 MR. SHALA: Yes, thank you. Good morning, everybody. Good
2 morning, Your Honours. The Defence today is represented by
3 Avdi Mehmeti, investigator; by Fatmir Pelaj,
4 interpreter/investigator; and by myself, Betim Shala, co-counsel.
5 Also today in the courtroom is Mr. Salih Mustafa.

6 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

7 And, for the record, you are appearing before Trial Panel I.

8 Very well. Today we will hear the testimony today of Defence
9 Witness 1600, Ms. Teuta Hadri.

10 Madam Court Usher, can we please usher the witness into the
11 courtroom.

12 [The witness entered court]

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

14 THE WITNESS: Good morning.

15 THE INTERPRETER: Microphone for Your Honour, please.

16 PRESIDING JUDGE VELDT-FOGLIA: Ms. Hadri, good morning, and
17 welcome to the Specialist Chambers. Can you hear me fine?

18 THE WITNESS: [Interpretation] Yes, I can hear you. I can hear
19 you.

20 PRESIDING JUDGE VELDT-FOGLIA: Very well. First of all, how are
21 you?

22 THE WITNESS: [Interpretation] I'm well. I'm well. It's not a
23 pleasant feeling, but I'm well.

24 PRESIDING JUDGE VELDT-FOGLIA: Very well. Ms. Hadri, today we
25 will start with your testimony. You are called to testify before the

1 Specialist Chambers in the case of The Specialist Prosecutor versus
2 Salih Mustafa in order to help the Panel to reach a verdict.

3 After you have taken your solemn declaration to tell the truth,
4 you will be asked questioned by the Defence Counsel on your right
5 side; and you will also be asked questions by the lawyers for the
6 Prosecution - yeah, I see you nodding already - on the other side;
7 and by the counsel for the -- representing the victims admitted to
8 the proceedings; and in the end, by the Judges of the Panel, as the
9 case may be.

10 I would like to provide you with some guidance for answering the
11 questions that will be asked to you. So please listen carefully to
12 each question that will be posed to you and if you don't understand,
13 you know, feel free to raise your hand and to ask for a question to
14 be repeated. We want you to tell the truth and to tell us what you
15 saw, what you heard, what you experienced, what you sensed, and if
16 you found out in some other way, then you should say so and explain
17 how.

18 You may not remember all the details of the events and this is
19 perfectly fine. Please testify on what you remember. So don't
20 guess, don't make things up. It is perfectly fine to say, "I don't
21 know," "I don't remember."

22 Please answer the questions. If clarification is needed, you
23 will be asked to do. And I might interrupt you if you are deviating
24 in your answer from what you were asked.

25 I also remind you that you may refuse to answer questions on

1 issues that might tend to incriminate you. Yes?

2 Have you understood all this?

3 THE WITNESS: [Interpretation] Yes, I understood all that. Thank
4 you.

5 PRESIDING JUDGE VELDT-FOGLIA: I would like to give you some
6 practical advice for your testimony, Ms. Hadri.

7 Everything what we say here is translated and recorded, so it is
8 important to speak into the microphone, to speak clearly - very well,
9 it's good that you adjust it for yourself - to speak clearly, and to
10 speak at a slow pace to allow the interpreters to translate
11 everything. You should only start speaking when the person asking
12 you a question has finished. And when a question is asked, this will
13 be at the beginning the Defence, please count up in your head till
14 five. This is really important because this five seconds are
15 essential for us to properly follow what you are saying. And when
16 Defence Counsel has finished his questions, you wait those five
17 seconds, and then you start talking. And at the beginning it might
18 seem a little bit artificial, but if you don't do that, we won't be
19 able to hear the last part of what you were saying or -- what the
20 Defence Counsel was saying. So it's important.

21 If I raise my hand, please stop talking. Sometimes I will ask
22 you to leave the courtroom if the Defence Counsel, the lawyers for
23 the Specialist Prosecutor's Office or the Victims' Counsel want to
24 discuss a question that is going to be posed to you, and in order not
25 to influence you on the content of what you will be telling us, you

1 will be ushered out. We will discuss the matter, and then you will
2 be brought back in.

3 If you have any questions, please raise your hand and I will
4 give you the floor in order to discuss it.

5 Is this all -- clear for you, Ms. Hadri?

6 THE WITNESS: [Interpretation] Yes. Thank you.

7 PRESIDING JUDGE VELDT-FOGLIA: Very well. As I must do with
8 every witness, I will now ask you to read your solemn declaration to
9 tell the truth. And I remind you that it is an offence within the
10 jurisdiction of the Specialist Chambers to give a false testimony.

11 Do you understand that?

12 THE WITNESS: [Interpretation] I understand.

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

14 Madam Court Clerk, can you please the witness with her solemn
15 declaration to tell the truth.

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

20 WITNESS: TEUTA HADRI

21 [Witness answered through interpreter]

22 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Ms. Hadri. You are
23 now under oath to tell the truth.

24 We can now begin with your testimony, Ms. Hadri, starting with
25 the questioning by the Defence Counsel.

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1 PRESIDING JUDGE VELDT-FOGLIA: Madam Witness, please answer the
2 question. And the question was: Do you remember where you were at
3 that time? So please don't elaborate on all kind of things. Be
4 precise in your answers. Yes? And also wait those five seconds. So
5 the Defence Counsel asks a question, you wait five seconds, and then
6 you start talking. Thank you.

7 THE WITNESS: [Interpretation] Yes, Madam President. Since you
8 asked me about April, on 1 April, I was in my house and because of
9 the numerous forces, I left the house. I was in the open. I did not
10 want to join the entire population that was fleeing, but I wanted to
11 join the fighters because I was a doctor by profession and I wanted
12 to help those people during the war.

13 MR. SHALA: [Interpretation]

14 Q. Mrs. Witness, why are you referring specifically to 1 April?
15 What made you remember this date?

16 A. I remembered this date because --

17 PRESIDING JUDGE VELDT-FOGLIA: Wait, wait, wait. Please,
18 Ms. Hadri, you really have to wait, because if not, it is very
19 difficult to follow and I have to be able to assess the question
20 posed by the Defence Counsel. So if he asks you a question and you
21 start talking right away, it's for the interpreters, that's the most
22 important thing. It's impossible to continue the whole day like
23 this, so you really have to wait. Please. Yes?

24 Defence Counsel, please repeat your question and then the
25 witness can give the answer.

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1 MR. SHALA: Yes, thank you.

2 Q. [Interpretation] Mrs. Witness, I will repeat the question.

3 You mentioned the date of 1 April as a specific date when you
4 were forced out of your apartment. What made you remember this date?

5 A. I remembered this date because it was an unseen violence and a
6 horrible experience to leave your house and go out under -- in the
7 open, under the sky, as a doctor, to leave your house under pressure.
8 And this date cannot be forgotten because I just left without
9 anything, without clothes, without anything. I left everything in
10 the house.

11 Q. After you were expelled from your house, where did you go?

12 A. After I was expelled from my house -- I apologise.

13 PRESIDING JUDGE VELDT-FOGLIA: Madam -- no, I understand that
14 it's complicated and this is not a normal setting.

15 But what I would propose for now, that you start talking when
16 you see that I give you a nod. Yeah? So don't start talking. You
17 look at me and then when I nod, then you can start talking. And
18 after a while, I won't be nodding anymore and then I hope we will be
19 in a certain pace of questions and answers.

20 I understand that it's not easy.

21 MR. SHALA: [Interpretation]

22 Q. Mrs. Witness, my question was: Where did you go after you were
23 expelled from your house?

24 A. After I was expelled from my house, I fled the column of people
25 that was forced by the Serbian forces to leave towards Albania, and

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1 the reason was because I wanted to give my contribution to the war
2 and help the soldiers. I went to the house of the Professor
3 Sami Peja, he was alive at the time, so I went to shelter in his
4 house.

5 Q. How long did you stay in that house?

6 A. In that house, I stayed for only two or three days, not more
7 than that, because the person who received me, Sami Peja, experienced
8 a trauma by seeing and witnessing the population leaving their houses
9 by force, and he died in my hands of heart attack.

10 After his death, I went to pay condolences to -- as is tradition
11 with the Albanian families, in his house. An owner of dairy products
12 came to pay respects to the family of Sami Peja. Since I wanted -- I
13 had this great wish to go out and help people in need, I asked this
14 person to take me to Zllash, to a war area where I was needed.

15 Q. Did you meet this person in the war zone?

16 A. Yes. We met. The person had come with his wife to pay
17 condolences, and he took me together with his wife in his car and
18 brought me to an area where I could establish contact with our
19 soldiers; that is, with the KLA soldiers.

20 Q. Did he tell you to which zone he wanted to take you or was going
21 to take you?

22 PRESIDING JUDGE VELDT-FOGLIA: Madam Witness, please, you have
23 to wait because I'm still hearing the translation of the question
24 when you start talking. So it's really of the utmost importance that
25 you wait. I don't know how to tell you otherwise, but you really

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1 have to wait. Please count till five after the Defence Counsel has
2 finished talking. If not, it gets very complicated to do this
3 testimony.

4 Please continue, Defence Counsel.

5 MR. SHALA: Yes, thank you, Your Honours.

6 Q. [Interpretation] Mrs. Witness, I will repeat the question.

7 Did this person tell you in which zone or area he was going to
8 take you?

9 A. This person did not tell me where he was taking me, but since he
10 was from Kecekolle, living in Kecekolle, he brought me to Kecekolle
11 where there was a point of the army, where the army was stationed,
12 and he handed me over to the soldiers that were manning the KLA
13 point.

14 Q. You mentioned Kecekolle. Can you tell us where Kecekolle is?

15 A. Kecekolle is a village that I was not familiar with at that
16 time. It's after Grashtice. It's a sort of a mountainous area. I
17 cannot -- and I don't know how to explain it in more detail
18 geographically. I can only say that after Grashtice comes Kecekolle.

19 Q. These two villages, Grashtice and Kecekolle, do you know in the
20 suburbs of which city they are?

21 A. Of Prishtine.

22 Q. Thank you, Mrs. Witness.

23 When you arrived at Kecekolle, this person, did he leave you
24 there or did he continue the journey with you?

25 A. This person left me there in the hands of the KLA soldiers that

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1 were on the check-point. Himself, together with his wife, he went
2 back to his house and I never met him again.

3 Q. Did you stay afterwards in Kecekolle?

4 A. We did not stay in Kecekolle. The soldiers took me and brought
5 me to an area next to Kecekolle. I don't know where it was, but it
6 was called the zone of the Skifterat. They checked my identity from
7 my documents and took all the details that they needed.

8 Q. And what happened afterwards, after they carried out the check
9 of your identity?

10 A. After they carried out the check of my identity, they called the
11 centre or the base, as they called it, and informed them that a
12 doctor from Prishtine has arrived, a specialist, to help with health
13 issues in the war area.

14 Q. After they called by phone the headquarters, as you said, what
15 happened afterwards?

16 A. [In English] Sorry, sorry.

17 PRESIDING JUDGE VELDT-FOGLIA: Can you repeat the question
18 again, because I lost it.

19 MR. SHALA: Yes, thank you. Thank you.

20 THE WITNESS: [Interpretation] I understood. I understood.

21 MR. SHALA: [Interpretation]

22 Q. I need to repeat the question, Mrs. Witness.

23 After they spoke on the phone and after they had identified you,
24 what happened next?

25 A. After he informed the base, as he was referring to it by phone,

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1 those from the base told him, "Bring her here because there's a great
2 need for health services here."

3 So they took me by car to an area which I didn't know at the
4 time and which was called Zllash.

5 Q. Thank you, Mrs. Witness. You said: "They took me by car to the
6 area they called Zllash." When you say "they," who are you referring
7 to?

8 A. I'm referring to the soldiers at the check-point. One of them
9 came and another from the area of Skifterat, and they accompanied me
10 to the area where the destination was, the destination to hand me
11 over.

12 Q. Do you remember, from the moment you left Prishtine, fled
13 Prishtine, to the moment you arrived in Zllash, how much time did you
14 need? How much time passed in between?

15 A. As far as I remember, from Prishtine to Kecekolle, it took about
16 half an hour. From Kecekolle to Zllash, or Skifterat, I think it was
17 not more than 15 or 20 minutes by car.

18 Q. When you arrived in Zllash, the two soldiers that accompanied,
19 escorted you up to there, did they come with you? What happened with
20 them?

21 A. They did not come with me. During the entire journey, we did
22 not speak, we did not exchange any words. I wanted to get know them,
23 to see who they were. We arrived there. They immediately handed me
24 over, and they themselves returned, and they wished me a long life.
25 This was the entire thing.

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1 Q. You said they handed you over. To whom?

2 PRESIDING JUDGE VELDT-FOGLIA: Please.

3 THE WITNESS: [Interpretation] Once we arrived there at the yard,
4 the women came out, two women, that were in those small houses. They
5 came to meet me, greet me. They hugged me, and they were happy to
6 see me there as a doctor. They wished me welcome in the area of
7 Zllash.

8 MR. SHALA: [Interpretation]

9 Q. Mrs. Witness, to have it more clear, "they handed me over," you
10 now explained that you met two women afterwards. Does this mean that
11 they only left you there, you got out of the car, and then you met
12 these two women, or that they handed you over to a particular person?

13 A. After they hugged me, they recounted the sufferings that they
14 had been through. From Prishtine to Zllash, they had come to Zllash
15 to save their own lives and those of their family members. So they
16 invited me to get into the house which they called headquarters. And
17 there, we continued about -- the conversation about the sufferings.

18 At that moment, there was nobody in that headquarters or staff.

19 Q. At the headquarters, after that moment, after you met those two
20 women and talked to them, did anybody come later to meet you?

21 A. Yes. Commander Sejda came. I knew him from before. We had
22 worked together in the clinic of Prishtine. I knew him from before.
23 We had worked in the -- in a laboratory together. So I met him there
24 and we greeted each other.

25 Q. You mentioned Commander Sejda. Can you tell us this person's

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1 first name and last name?

2 A. Yes. Sejdi Veseli. But they called him Commander Sejda.

3 Q. How did you realise that this person was a commander?

4 A. Those women that accompanied me, they said, "Commander Sejda
5 will come here and he will discuss with you the work that you will be
6 doing here."

7 Q. Can you explain us the room or the space where you stayed with
8 these two women? Can you describe it for us, please.

9 A. The house that was referred to as the headquarters, which I
10 thought was a bigger house, was, as a matter of fact, a small house.
11 It had a couple of stairs. I have seen it myself, so I have seen
12 that part, whereas the remainder I have not seen at all. So there
13 were three or four or five stairs. There was a narrow corridor. And
14 there were two rooms, one on the right-hand side and the other on the
15 left-hand side. And we went into one of these rooms.

16 Q. Madam Witness, it's not very clear to me, because you mentioned
17 two rooms. Do you mean that it was only two rooms or there -- or do
18 you mean that there two rooms on each side of the building?

19 A. No, it was only two rooms. One on the left-hand side and the
20 other on the right-hand side. There was nothing else.

21 Q. Thank you. And you told us that you entered into the room. On
22 the left-hand side or on the right-hand side?

23 A. We entered the room on the left-hand side. Just a small room.

24 Q. Do you remember on -- how the room looked like? What was inside
25 the room?

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1 A. The room had nothing. It only had some mattresses on the floor.
2 There was a kind of a cupboard and nothing else.

3 Q. Thank you very much, Madam Witness.

4 MR. SHALA: Your Honours, with your permission, I would kindly
5 ask the Court Officer to put on screen one document.

6 PRESIDING JUDGE VELDT-FOGLIA: And what kind of document is it?

7 MR. SHALA: The document is DSM00144. It's photograph of one
8 house.

9 PRESIDING JUDGE VELDT-FOGLIA: Okay.

10 Please proceed, Madam Court Officer.

11 MR. SHALA: Yes, thank you.

12 Q. [Interpretation] Madam Witness, do you see a picture in your
13 screen?

14 A. Yes.

15 Q. This photo has your name, a date and a signature. Is that your
16 signature?

17 A. Yes.

18 Q. In this picture, we see that there is a roof and that there is
19 this arrow that is in red; do you see that? Have you marked that
20 arrow yourself?

21 A. Yes, with the lawyer, with the Defence Counsel, Mr. von Bone.

22 Q. Yes, thank you. What have you described in this picture or what
23 was it that you wanted to show by using this arrow in this picture?

24 A. In this picture, I wanted to show that, from what I remember,
25 this was the small house that we referred to as the headquarters.

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1 But this was from the front side. So from the side windows, I could
2 understand that this was the headquarters because, otherwise, I
3 didn't see the building from the other side.

4 Q. Thank you.

5 MR. SHALA: Court Officer, you can remove this. Thank you very
6 much.

7 Q. [Interpretation] Madam Witness, I want to talk to you about the
8 time when you arrived in Zllash. Do you remember when was it that
9 you arrived Zllash?

10 A. Yes, it was 16 April 1999. And when it comes to the time - if
11 you're interested about the time - it was about 3.00 or 4.00 in the
12 afternoon. So this was about the time that I arrived there.

13 Q. Madam Witness, how do you know for a fact that it was 16 April?

14 A. You are right, because in the moments of trauma, of stress and
15 of difficult times, the dates are not that easy to be remembered.
16 But I was fortunate enough because I had this war diary and I marked
17 in that diary the crimes, of the few joys that we had during the war.
18 So those joyous moments were very few. But like I said, I have
19 marked the daily events so that I could not forget the days that
20 would pass by, and this is how I know that it was on 16 April.

21 Q. After you met with Commander Sejda in the house that you
22 described to us a few moments ago, how long did you stay with the
23 commander?

24 A. We didn't spend a lot of time together. We were with one
25 another for about 15 minutes. It was just a conversation. He asked

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1 me, "How are you? How was the journey?" And he seemed to be very
2 human as a person. And he said that he is grateful to me because
3 there were not too many doctors that would help the cause. And he
4 told me that, "We are so grateful because other doctors, I mean, have
5 not joined us." And it's not that he intervened telling me that,
6 "This is what you need to do." Instead, he told me that, "You are a
7 doctor, I know you," and I knew some of his family members as well.
8 And he told me, "Just go ahead with your work." He assigned a nurse
9 that was there, and I started working there.

10 Q. After having a nurse being assigned to you, did he, as well,
11 tell you which was the place that you were about to work, what was
12 the location where you would exercise your work?

13 A. He did not design or assign a location to me. He just assigned
14 a nurse to me and he told me that, "She is the nurse that is going to
15 work with you," and it was the nurse that told me where I was going
16 to work. The location of my work was in the school of the village.
17 So there was this clinic there. There was a doctor working there
18 before the war. Therefore, that clinic was adopted for the war zone
19 and for the war times.

20 However, unfortunately, before I could even enter the room that
21 was assigned to me, there were patients that were in dire situations.
22 And so there were patients coming inside my room and they would not
23 knock at the door, and they had all sorts of weird needs. There were
24 children that were sick of different diseases. There were patients
25 with cardiology issues. And I was, I mean, a gynaecologist in

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1 profession, but, nonetheless, I became a general practitioner.

2 So the patients came to see me on 16 April. So in my -- they
3 came in my own room, not in the clinic. And I tried to keep some
4 order. So I was kind of exercising some pressure as well, just
5 trying to tell people not to come one after the other. But the
6 school itself was about 20 minutes away. There were no vehicles to
7 send the patients there at the school. And we would provide services
8 there where we were, in the room where I would sleep. I mean, there
9 was the place where I would provide my services.

10 Q. As a doctor, you have provided medical assistance. Did you have
11 any kind of appliance? And when I say an "appliance," I mean the
12 equipment, the medical equipment. So I was just talking about the
13 basic medical equipment, such as the stethoscopes, other necessary
14 appliances.

15 A. Yes, I had taken my own equipment. So I had the stethoscope,
16 the blood pressure meter. I had taken the necessary equipment with
17 myself. I had my own personal equipment in my bag, but they were
18 just for small services, for small injuries. Because if I had to
19 have an operation, a surgery, upon the pregnant women, we didn't have
20 necessary equipment. I'm talking here about the light medical
21 issues, not about serious medical issues. Because there was no
22 echography, there was no other device of this nature.

23 Q. What about the medications? In that part where you were
24 staying, in that room you were sleeping, and in the vicinity of this
25 house that you mentioned, in the headquarters, did you have

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1 medications? Were there any medicines available?

2 A. In the room that I was staying, it was only my bags, nothing
3 else. Because the room where I was staying was really very small.
4 It was a room of 2 by 3 and a half, not more than 4 metres, because I
5 can measure that from the beds. Because there was this bed that was
6 about 2 metres and there was some other small space that was left.
7 We had two bunk beds on the one side and two other beds on the other
8 side and there was a posable bed as well. So it was there that a
9 mother with their child was sleeping. The child was five weeks old.
10 And there was another woman that had delivered a baby one month ago.
11 So one had a child five weeks old, the other a child of one month
12 old, and we were staying in the same room. We were sharing the same
13 room.

14 Therefore, in answer to your question, we didn't have any
15 equipment. We had some basic equipment. And we had this other place
16 that was close by, but, I mean, there were no equipments there
17 either. So the equipments were present only in the clinic that was
18 close to the school.

19 Q. In the room you were staying, in the room you were sleeping
20 into, you said that it was -- so there was a medical clinic, you
21 said, close to that -- to that room. Is that the case?

22 PRESIDING JUDGE VELDT-FOGLIA: Madam Witness, so the question
23 was: In the room you were staying, in the room you were sleeping,
24 you said that it was a medical clinic. Is that the case?

25 Okay. Now I have the question.

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1 Please proceed, Madam Witness.

2 THE WITNESS: [Interpretation] In the room I was staying, I mean,
3 that was not a clinic. It was only the beds that we were sleeping.
4 But there was this small room. There was some sort of a space where
5 there was a cupboard that there were ampules. I mean, that's what we
6 had. And that's something that I did not see exactly, but it was the
7 nurse that would go there. For instance, there was a need for an
8 injection for one of the patients, the nurse would go and take the
9 medications. I mean, I would recommend or I would propose that she
10 took a certain medication and she would go and fetch it from there.

11 MR. SHALA: [Interpretation]

12 Q. Today, you told us that in the school there was a clinic that
13 was better equipped. During the days you were in Zllash, did you
14 have the chance of going to that clinic?

15 A. Yes. On the 17th, the next day, I got up and I asked the nurse
16 to see what the supply was. There was no war. It was a free area.
17 It was like a day off for me. And I asked to be sent there at the
18 working place. I went to visit the school. The school was about 20
19 minutes away from the place that we were located, where the small
20 buildings were located. And the school -- for these acute
21 appliances -- I mean, there were some supplies, some donations coming
22 from abroad and I saw them. However, there were no equipment for
23 operations. There were no medical needles, there were no real
24 supplies for real medical treatments. So there was no supplies -- no
25 real supplies there in Zllash.

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1 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, just for my
2 understanding.

3 Madam Witness, did you go to the school on 17 April? Did you
4 enter the building?

5 THE WITNESS: [Interpretation] Yes, I entered the building. I
6 saw the room. It had a desk. It also had a bed. There was a chair
7 where someone would sit, and there were some other boxes that they
8 had tried to supply, but those boxes were not enough. So we could
9 see with the offensive that all the supplies were used within 13
10 minutes or one hour of war.

11 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

12 Defence Counsel, please proceed.

13 MR. SHALA: Yes, Your Honour.

14 Q. [Interpretation] Thank you very much. Madam Witness.

15 You said before that you asked to see this small clinic that was
16 located in the school and you were sent to the clinic.

17 So did you have to ask for permission in order for you to go
18 there?

19 A. I was probably treated a bit differently. I was allowed all the
20 competencies. I should have taken the permission, but I understood
21 from the nurse that there are rules in place and we have to show that
22 we had to go there. But like I said, I have not worked for a single
23 day from the school. Instead, I have worked from the room where I
24 was staying. I was not asked on where I was going, but I applied the
25 rules like everybody else, like every soldier, because I needed to be

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1 in order.

2 Q. Were you specifically told who you had to report to?

3 A. No, I was not told, but the nurse told me that we had to tell
4 the commander. But there was nobody approaching me, telling me --
5 like Sejda or Fatmir or somebody else telling me that we have to do
6 that. I was free because I was the only doctor there. I had a
7 mature age and I did not break the rules.

8 Q. When you went to the school, who were you with? I mean, who
9 accompanied you to the school?

10 A. The nurse. I worked with a nurse. She was 18 years of age. It
11 was with her, with her only, that I went to the school. I didn't
12 have any limitation to say where I was going to.

13 Q. What is the name of the nurse?

14 A. Bahrija Veliu [phoen] is the person that worked with me, if I'm
15 not wrong with the last name. I mean, I think it's her.

16 Q. Madam Witness, during your testimony today, you described this
17 one-storey house with two rooms. You told us of a small room where
18 you were sleeping, and you also spoke about this other space that is
19 used as a small clinic.

20 PRESIDING JUDGE VELDT-FOGLIA: Excuse me.

21 Okay. We are both -- no, no. Madam Prosecutor, please proceed.

22 MS. D'ASCOLI: Thank you, Your Honours.

23 Maybe we can ask the witness to remove her headphones.

24 PRESIDING JUDGE VELDT-FOGLIA: No, no. Even different.

25 MS. D'ASCOLI: Yeah.

1 PRESIDING JUDGE VELDT-FOGLIA: Madam Witness, I will ask the
2 Court Usher to usher you out of the courtroom.

3 Madam Court Usher, could you accompany the witness out of the
4 courtroom. Thank you. Yes.

5 Madam Witness, you will be ushered out of the courtroom and in a
6 few minutes we will ask you to come back. I think she understood,
7 because she also talks English.

8 [The witness stands down]

9 PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor, you have the
10 floor.

11 MS. D'ASCOLI: Yes, thank you, Your Honours.

12 In the last question, the Defence Counsel, he put a compound
13 question which implied that the witness already established the
14 location of the room where she slept. And it seems from the question
15 that the Defence Counsel implied that the room where she slept was in
16 the same one-storey house with the two rooms that the witness
17 initially described.

18 I don't think we are at that stage already, so I think the
19 Defence Counsel should first elicit -- first ask questions related to
20 the location of the room where she slept.

21 PRESIDING JUDGE VELDT-FOGLIA: My point was a different one. I
22 had understood that in the headquarters, that she was staying there
23 and that she -- but okay. I will ask the Defence Counsel to clarify
24 that, yeah, where did she stay, where did she sleep. If that was in
25 the headquarters or somewhere else, yeah? And please, an open

1 question.

2 And my point was that in -- we are now at page 22, line -- from
3 line 3 on, your question was:

4 "Madam Witness, during your testimony today you described this
5 one-storey house with two rooms," to my understanding that is the
6 headquarters. I don't think we have a doubt.

7 "You told us of a small room you were sleeping, and you also
8 spoke about this other space that is used as a small clinic."

9 For me, this got a little bit confusing because what I
10 understood is that she was using her sleeping room as the small
11 clinic, as the place where she would receive patients.

12 So I -- in my understanding, this is not the right summary of
13 what is her testimony. So I don't know what you want to elicit, but
14 this is not a summary of what she has said before.

15 So please take on board the comment of the SPO, so try to elicit
16 where she slept. And if you want to know, again, if she worked in
17 her bedroom, I think she already said that, and if you -- so that's
18 not necessary. If you want to investigate or go into this small
19 clinic which -- what I don't know very well what you mean with that,
20 but I give the floor to you to elaborate on that with the witness.

21 And if you want to comment on what I just said, please go ahead.
22 But if these instructions are enough, we can proceed.

23 MR. SHALA: Yes, thank you.

24 The witness, the witness today told for one house, old house
25 with two rooms, one with left side and in right side. And based on

1 her, that house, it was the HQ.

2 Also, she told us that she slept in another room little bit far
3 from this house.

4 MS. D'ASCOLI: I'm sorry, Your Honours.

5 PRESIDING JUDGE VELDT-FOGLIA: Can you quote the line? Because
6 maybe --

7 MS. D'ASCOLI: She hasn't said that --

8 PRESIDING JUDGE VELDT-FOGLIA: I didn't hear that, but I can be
9 mistaken or missed it. So if you have a line where she has said
10 that, we can have a short discussion between you and Madam
11 Prosecutor. But I have not heard it.

12 MS. D'ASCOLI: Yes, I haven't heard that either, Your Honour.

13 PRESIDING JUDGE VELDT-FOGLIA: So if your colleagues can help
14 you with that. And if not, we just ask this question.

15 MR. SHALA: Yes, I'm going to ask for them, because for me it is
16 a little bit --

17 PRESIDING JUDGE VELDT-FOGLIA: No, I understand.

18 MR. SHALA: Yes, thank you.

19 PRESIDING JUDGE VELDT-FOGLIA: But you can also ask her the
20 question. You can ask her --

21 MR. SHALA: Of course.

22 PRESIDING JUDGE VELDT-FOGLIA: -- where did you sleep? And then
23 we take it from there.

24 MR. SHALA: Okay. Okay. It is better.

25 PRESIDING JUDGE VELDT-FOGLIA: And I can see -- I'm going to

1 look here at some of my notes.

2 Yes. Let us go to page 14, lines 4 till 10. Do I say that?

3 Page 14. A corridor, two rooms, do you mean that only two rooms
4 are ...

5 Let us see. Page 18, line ...

6 [Trial Panel confers]

7 PRESIDING JUDGE VELDT-FOGLIA: Page 18, lines 16:

8 "What about the medications? So in that part where you were
9 staying, in that room you were sleeping, and in the vicinity of this
10 house that you mentioned, in the headquarters, did you have
11 medications? Were there any medicines available?"

12 In this question, you seem to be implying that she was sleeping
13 near the headquarters. But I don't see her saying exactly, the
14 witness saying exactly where that was.

15 So I think it's -- that the point of the -- Madam Prosecutor
16 is -- she has a point. We have to establish this more clearly.
17 Yeah?

18 MR. SHALA: Okay. Just also to clarify for that small clinic to
19 call, she mentioned in this part, because in line 23, page 18, there
20 was some other small space that was left.

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

22 MR. SHALA: 18.

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

24 MR. SHALA: Okay. We can continue.

25 PRESIDING JUDGE VELDT-FOGLIA: I want to proceed as I indicated

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1 to you. I would like you to establish where she slept, to elaborate
2 on this small clinic, which for me, for the moment, is not clear.
3 And then you can proceed.

4 Yes, Madam Court Officer, could you ask Madam Court Usher to
5 come back together with the witness, please.

6 [The witness takes the stand]

7 PRESIDING JUDGE VELDT-FOGLIA: Welcome back, Madam Witness. I
8 will give now the floor again to the Defence Counsel so he can
9 proceed with his questioning.

10 Defence Counsel, you have the floor.

11 MR. SHALA: Yes, thank you.

12 Q. [Interpretation] Madam Witness, today you described the house
13 where the headquarters was located. Can you tell us how far was the
14 room where we stayed from this house?

15 PRESIDING JUDGE VELDT-FOGLIA: No, no, no. Can you tell the
16 Panel where you stayed, I mean where you slept? That's an open
17 question, without putting any other information in it.

18 Please proceed.

19 THE WITNESS: [Interpretation] I slept in the small room that was
20 3 by 4. It had two beds. And that was my place of destination to
21 sleep. In addition to myself, it were four other women together with
22 me. It was the nurse and it were two or three other civilian women
23 that had come from the war areas to get protection there. So it
24 was -- that was the place where I was sleeping.

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

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1 question was: Where did you sleep? So the location. Where was this
2 room situated?

3 THE WITNESS: [Interpretation] This room, from the headquarters,
4 it was on the right-hand side when one would come out of the
5 headquarters. It was about 10 metres, maximum 20 metres, and I
6 remember that from going from the place to the headquarters when I
7 had patients.

8 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

9 Defence Counsel, please proceed.

10 MR. SHALA: Thank you.

11 Q. [Interpretation] You said that in the room you were sleeping
12 into, you have also made use of that as some sort of infirmary where
13 you checked the patients. In this room where you slept, were there
14 medications there?

15 PRESIDING JUDGE VELDT-FOGLIA: Madam Witness, a question from
16 the interpreters. When you speak, could you try to speak a little
17 bit more slowly. Yes?

18 Please proceed with your answer. Thank you.

19 THE WITNESS: [Interpretation] There were no other equipments.
20 It was only my bags.

21 MR. SHALA:

22 Q. Now, Madam Witness, I'm talking about medications, medicaments,
23 ampules?

24 A. That's what I was saying. That's what I meant. It was only my
25 bags. It were my bags that I had taken from Prishtine, so I had the

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1 indispensable equipment for very small interventions. So in cases of
2 emergencies and acute cases. It was only my bags, nothing else. And
3 I also had the stethoscope.

4 Q. So in the room you were sleeping and also in the room where you
5 examined the patients, there was nothing else, just your bags. So
6 what about medications? Were there medications somewhere in the
7 vicinity to that place?

8 A. I didn't know that there was that corner up until the offensive
9 broke. So when the offensive started, when the wounded people would
10 come there, and I saw the nurse, that she went to another place when
11 I would prescribe some therapy to the patients. But she would bring
12 the therapy there, and I was not interested to go and accompany the
13 nurse when she would go and get some medications.

14 Q. Madam Witness, can you please describe in the space where this
15 house located, where the headquarters was located, how did it look
16 like?

17 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, what looked
18 like? For me, "the space" is, for me, too general.

19 MR. SHALA: Okay.

20 PRESIDING JUDGE VELDT-FOGLIA: Can you --

21 MR. SHALA: [Interpretation]

22 Q. Were there any other buildings in that space?

23 A. In that area, I had only seen the area from the inside. There
24 were three or four small houses. They had one or two rooms. I don't
25 believe there were more rooms to the houses, because I did not visit

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1 them. But at the time of the offensive, I know because there were
2 patients coming there, there were wounded people, and there was this
3 house that was emptied and used for that. And we had Sokol Sopi,
4 Asim Viti [phoen], and we stitched the wounds of these people. And I
5 know that these two rooms were mostly used for us. They were in our
6 own interests and they were served -- I mean, it was used for the
7 patients. So that was at the time of the offensive. It was on the
8 18th. And the 18th was really, really dire in terms of the medical
9 help that people needed.

10 PRESIDING JUDGE VELDT-FOGLIA: Madam Witness, please stick to
11 the question and not elaborate too much.

12 The question was: Were there any other buildings in that space?
13 Yeah? And then you answer: "... I had only seen the area from the
14 inside. There were three or four small houses. They had one or two
15 rooms."

16 Is there something else you can tell the Panel with regard to
17 the space you stayed those several days? That is the question. All
18 the rest was, for now, not relevant. So please stick to our
19 questions.

20 Is there something else you can tell us about the space outside?
21 You say "I saw four houses." What more?

22 THE WITNESS: [Interpretation] I don't remember. I think there
23 was a granary as well. I don't really remember. There were three or
24 four houses there in the yard, and I don't remember anything else but
25 those three or four houses.

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1 I never got out in the yard expect for the two acquired days of
2 the war on 16th and 17th, whereas on the 18th the offensive came. I
3 don't remember having seen anything else because I was very busy, I
4 had so many patients to examine. There were many people coming,
5 soldiers and others as well. Because usually it was the civilians
6 coming from Prishtine that were given priority.

7 PRESIDING JUDGE VELDT-FOGLIA: Please stick to the question.
8 Yes?

9 THE WITNESS: [Interpretation] No, there were not.

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

11 MR. SHALA: Yes, thank you, Your Honour. Your Honour, with your
12 permission, I would kindly ask the Court Officer to put the document
13 DSM00147.

14 PRESIDING JUDGE VELDT-FOGLIA: What kind of document is it?

15 MR. SHALA: It is blow-up picture of area.

16 PRESIDING JUDGE VELDT-FOGLIA: Very well. Madam Court Officer,
17 could you please proceed.

18 MR. SHALA: [Interpretation]

19 Q. Madam Witness, do you see a photo in the screen?

20 A. Yes.

21 Q. The photo is an aerial photo. Is this your handwriting and your
22 signature?

23 A. Yes.

24 Q. Thank you. Can you tell us, do you recognise this place?

25 A. I remember it and I recognise it, but not from this perspective.

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1 I remember it slightly different. From a different perspective.

2 Q. Could you tell us what does this place remind you of?

3 A. This location is the area of the headquarters, of the three and
4 four houses which you can also see. Those are the houses that were
5 used for the needs of the patients of the population, the soldiers,
6 for medical needs.

7 I don't know what else to add to this.

8 Q. If you look at the photo from this perspective, can you identify
9 the room which was the -- used as the headquarters from this
10 perspective?

11 A. I have -- I wrote it with my own hand. I did not see the
12 place -- I have not seen the place after the war, but I think it was
13 the one that I marked with the arrow.

14 Q. Thank you. Could you tell us from the photo, as far as you can
15 remember, from the house that was the headquarters, in which
16 direction from the -- that house was the room where you slept?

17 A. Yes. Based on the size of the house, I think it is to the left.
18 It is a small house. I was -- I was not very much focused on
19 remembering the exact location of the building.

20 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, I have a
21 preference that she indicates it with a pencil.

22 Madam Court Usher, could you assist the witness with marking the
23 building.

24 Madam Witness, you will be asked to mark it with the pencil.

25 THE WITNESS: [Interpretation] I think, it's been a while since

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1 then, I might have forgotten it, but I think it is this one.

2 PRESIDING JUDGE VELDT-FOGLIA: For the record, Madam Witness has
3 indicated a red arrow pointing at a building next to the building
4 that has already been marked with her with a red arrow on an earlier
5 occasion.

6 Thank you for that.

7 Defence Counsel, please proceed.

8 MR. SHALA: Yes, thank you.

9 Q. [Interpretation] Madam Witness, once more, for clarification.
10 The building that you have marked with a red arrow, as far as you can
11 remember, is the building where you slept?

12 A. Yes. I think so. It seems be to that building.

13 Q. Thank you, Madam Witness.

14 MR. SHALA: Court Officer, please, we can remove this document
15 from the screen. Thank you.

16 Q. [Interpretation] Madam Witness, during the time you stayed in
17 Zllash, except for Commander Sejdi, did you see any other KLA soldier
18 that had a higher rank, a commanding rank?

19 A. I did not know them at the time. I knew Commander Sejda. I
20 explained and described before how I knew him from the past. I did
21 not know the others. They usually had pseudonyms. I did not know
22 them by their real names.

23 MR. SHALA: Your Honour, please, just one ...

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

25 [Specialist Counsel confer]

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1 MR. SHALA: [Interpretation]

2 Q. Madam Witness, when you needed water, where did you get the
3 water from; do you remember?

4 A. We had some barrels. The nurse also helped me. There was a
5 well. But the nurse usually did that and I didn't -- I couldn't do
6 that and I didn't take the water or brought the water.

7 Q. You mentioned the well. Did you personally see that well?

8 A. No, I did not. I didn't.

9 Q. During the time you were in Zllash, did you see a specific
10 building that had guards in front of it or that was guarded?

11 A. There were no such buildings.

12 Q. During the time you were in Zllash, did you see anyone being
13 detained, either a soldier or a civilian?

14 A. No one was detained and I saw no one being detained. The
15 civilians from the village came there wearing uniforms and wearing
16 civilian clothes, and the area where we were, that was an area where
17 also civilians had access to. Fatmir Humolli's wife was there with
18 his family. There was no opportunity for anyone to be detained
19 there. There were no such opportunities.

20 Q. Madam Witness, do you remember when the offensive in
21 April started exactly?

22 A. The offensive began on 18 April. It began in the morning. And
23 we were informed by the soldiers, not by the commanders. The
24 commanders were busy with their own organisation and supplies. And
25 they informed us that we had to be ready because the Serbs were

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1 coming in large forces. And then the shelling started on 18 April,
2 in the morning of the 18 April. And we prepared, the soldiers on the
3 first front lines and the medical staff on the second floor -- second
4 front line so that whenever somebody was wounded, they would be able
5 to withdrawn to us.

6 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, we are
7 approaching 11.00. Could you -- yes, time flies.

8 Could you conclude your questioning so that we can wrap up for a
9 break at 11.00?

10 MR. SHALA: Yes. Yes, Your Honour.

11 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

12 MR. SHALA: [Interpretation]

13 Q. Madam Witness, on 18th, when the offensive started, do you
14 remember on that date in the area where you were, did you see anyone
15 leaving from those houses, persons leaving from those houses, who you
16 did not see up until that time?

17 A. I was not focused on noticing people who left, but usually the
18 people who visited there, such as Commander Sejda -- that is the
19 first time also when I saw Commander Cali. So they were using terms
20 "commanders," "officers," I -- that is where I saw for the first time
21 Commander Sejda wearing uniforms, but they were there to defend the
22 front lines. And the others, I didn't -- I didn't know and there are
23 still people who I don't know.

24 Q. Madam Witness, in the area that you described before, was there
25 a barn?

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1 A. Yes, that was a village. There was a granary. I was not
2 focused on analysing the area. I might have seen it from a distance.
3 I usually kept to the room that was used as an infirmary. I wasn't
4 paying attention to those details.

5 Q. During the time you were there, were you prevented from
6 approaching buildings?

7 A. No.

8 Q. Thank you, Madam Witness.

9 MR. SHALA: Your Honour, it is good time now to have a break and
10 we continue after. Thank you.

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

12 Madam Court Usher, could you assist the witness in exiting the
13 courtroom?

14 We will have a break for half an hour, Madam Witness, and at
15 11.30, we see you back. Thank you.

16 THE WITNESS: [Interpretation] Thank you.

17 [The witness stands down]

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

19 Defence Counsel, for your information, you have used one hour
20 and five minutes of your questioning time.

21 Very well. We will break and we will resume in 30 minutes.

22 Thank you.

23 --- Recess taken at 10.59 a.m.

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

25 PRESIDING JUDGE VELDT-FOGLIA: Welcome back. I will call

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1 appearances again, but we are in the same composition. I see also
2 the Victims' Counsel, Ms. Pues. Very well. Defence, Mr. Mustafa.
3 Very well. Then noted, no change of composition.

4 Madam Court Usher, could you please bring Madam Witness in.
5 Thank you.

6 [The witness takes the stand]

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

8 Very well. Defence Counsel, you will -- I will give you the
9 floor to continue with your examination. Could you indicate how much
10 time you think you will still be needing? Approximately.

11 MR. SHALA: I think maybe 20 minutes.

12 PRESIDING JUDGE VELDT-FOGLIA: Thank you very much. You have
13 the floor.

14 MR. SHALA: Thank you very much.

15 Q. [Interpretation] Madam Witness, do you remember exactly how many
16 days you stayed in Zllash?

17 A. Yes. In Zllash, I stayed for three nights and four days, which
18 includes the last day when we were evacuated together with the
19 wounded from the Zllash area to another area. So it was, in total,
20 four days.

21 Q. Can you tell us, once again, on which day did the offensive
22 started, within that period you stayed in Zllash?

23 A. Yes. The offensive started on the 18th. In my statement, I had
24 the 18th in my mind, but I had said 19th. But the date is the 18th.

25 MR. SHALA: Your Honour, I want to put on screen the statement

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1 given to the Defence to clarify this 18 or 19.

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

4 MR. SHALA: It is DSM00134, the English version. And DSM00887
5 is Albanian version. Albanian version page 5 and English version
6 page 6.

7 Q. [Interpretation] Madam Witness, after you provided the Defence
8 with a statement, was this statement read back to you?

9 A. Yes, it was read back to me and I signed it as my statement.

10 Q. When the statement was re-read, on page 5 of this statement in
11 the Albanian version, you state that there has been a mistake and
12 that after re-reading the statement, the witness says:

13 "I spent here also the night of the 18th, because the offensive
14 started on the 19th. So I stayed until the 19th of April, 1999."

15 Do you remember this?

16 A. As I said, I made a mistake with the date. It was 20 and more
17 years ago. The date of the offensive was the 18th; that is, a day
18 before the date that I gave.

19 Q. Thank you.

20 Madam Witness, during March and April 1999, have you -- did you
21 ever hear of a name BIA?

22 A. No, I didn't. I didn't hear about it during the war, neither
23 after the war.

24 Q. Did you ever hear about the name Skifterat?

25 A. As for Skifterat, only when I arrived there and when they

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1 mentioned the Skifterat zone or area. Not before that.

2 Q. During the time you were in Zllash, did you ever hear someone
3 call somebody else by the name of BIA or Skifterat?

4 A. No, I didn't.

5 Q. During the time you were in Zllash, did you hear of the name
6 Salih Mustafa?

7 A. No. By the name of Salih Mustafa, only when the trial started,
8 when it was explained that Salih Mustafa had the pseudonym Cali. And
9 that's when I realised that Salih Mustafa was Cali. I knew at the
10 time during the war Salih Mustafa only by his pseudonym Cali.

11 Q. Do you remember when you saw Cali for the first time?

12 A. For the first time, I saw him one night before the offensive and
13 I realised or understood that he was Cali during the day of the
14 offensive. A night before, I saw him just like any other soldier of
15 the KLA with clothing, in the yard. We would salute them as
16 officers. Whereas on the 18th, the day of the offensive, I came to
17 know that he was Cali.

18 Cali was a very pedantic commander, very able. He had given up
19 his own freedom instead of fleeing to Germany or France. He was
20 there to protect the population, to supply it with food and
21 medication, as part of the organisation of the KLA. So on 18th, I
22 asked when this great offensive started, when they took up their
23 positions, I asked, "Who is this young man?" And that's when I
24 learned that that was Cali.

25 Q. During this time, during this offensive, did you meet Cali

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1 again?

2 A. During the time of the offensive, on the 18th, heavy shelling
3 began. As a medical team, we had to take the injured and prevent
4 them from falling into the hands of the Serbian forces. So we
5 organised to save the lives of the wounded. I did not see Cali. We
6 went to another zone. And I publicly thank Cali and the other
7 soldiers that, because of them, I'm alive today. I thank for them
8 the organisation they provided to save our lives as medical staff, of
9 the civilians, of the injured. They sacrificed themselves for our
10 own safety for more than 18 hours.

11 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, just a remark
12 with regard to the translation. Maybe a clarification.

13 In line 38 -- page 38, line 22, it is in the English version we
14 have: "Cali was a very pedantic commander." I don't think that that
15 could have meant -- that the witness was intending to say that. But
16 maybe scrupulous. But maybe can you ask the witness again how she
17 wants to define the commander. Or maybe my question is enough.

18 What you did mean? What did you want to say, Madam Witness,
19 when you said that he --

20 THE WITNESS: [Interpretation] Our people uses the word
21 "pedantic." Someone who is clean, to whom the uniform suits, he was
22 able. So this is what we use in our nation. It's a -- someone
23 like -- somebody attractive or good-looking.

24 PRESIDING JUDGE VELDT-FOGLIA: Thank you for this clarification.

25 MR. SHALA: [Interpretation]

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1 Q. Did you meet Salih Mustafa, Cali, after the war?

2 A. I wished I could meet him again and the others as well, but I
3 didn't. And I maybe addressed other people with criticism, why don't
4 we see these people who sacrificed their own lives for our own lives
5 again.

6 Q. Madam Witness, do you know Fatmir Sopi?

7 A. Yes. He was also there, part of that Liberation Army, but
8 unfortunately - and I say unfortunately - I did not meet him or
9 Fatmir Humolli who was the husband of a patient of mine. He -- his
10 wife continues to be my patient. I was a gynaecologist by profession
11 and also had other political activities. But, in general, we did not
12 see each other.

13 Q. [Previous translation continues] ...

14 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

15 MR. SHALA: Yes, thank you.

16 Q. [Interpretation] During the time you were in Zllash, did you
17 meet Fatmir Sopi?

18 A. Yes, from a distance. Just greetings, saluting, just like with
19 all others. We did see each other from a distance, just like in war
20 conditions, but we did not meet up to talk to each other.

21 Q. Do you know Adem Shehu?

22 A. Yes, I met him just like I -- just like with Fatmir Sopi,
23 Humolli, Cali, during the days in Zllash. He was also kind of a
24 senior officer, but I don't know exactly his position or title. As I
25 said, I was there for three, four days, and I was not familiar with

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1 the area and the place we were staying, so I was not in a position to
2 understand who was what.

3 Q. Do you know who Rrahman Dini is?

4 A. I didn't know Rrahman Dini, but when the Serbian forces
5 surrounded and these young men helped us to evacuated us from Zllash
6 to Kecekolle, we sheltered the injured. Rrahman Dini was also there
7 as an ill person. We shelter them in a mountainous area. And I
8 learned from the sound of the weapons that it was the Serb forces.
9 He was there with the injured. Again, he was trying to help, but he
10 also had his health problems. He was coughing heavily. And I would
11 actually tell him, "Cover your mouth because the Serb forces might
12 hear us," and that's where he told me, "I am Rrahman Dini. How come
13 you don't know me?" And I said, "No, I don't know you." I did not
14 see him after that. He died after the war. I did not go to pay my
15 condolences to his family.

16 MR. SHALA: Your Honours, just a short -- with my team to see do
17 I do need something.

18 PRESIDING JUDGE VELDT-FOGLIA: Very well. Just one question.
19 The statements are still on the screen. Shall I ask the Court
20 Officer to take it off?

21 MR. SHALA: [Microphone not activated].

22 PRESIDING JUDGE VELDT-FOGLIA: Very well. Madam Court Officer,
23 you can take them away. Thank you.

24 Please proceed with consulting with your colleagues.

25 [Specialist Counsel confer]

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1 MR. SHALA: Your Honour, I do not have more questions for the
2 witness, so I'm finished now. Thank you very much.

3 Q. [Interpretation] Madam Witness, thank you very much. Defence
4 has no further questions for you.

5 A. Thank you.

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

7 Let us have a look at the clock. Yes. I would propose to have
8 a break now and to start again at - let us see - half past 1.00, if
9 that is okay for the Prosecution's office?

10 MS. D'ASCOLI: Yes, Your Honour. Thank you very much.

11 PRESIDING JUDGE VELDT-FOGLIA: And -- very well.

12 Before -- no, I first do it differently.

13 Madam Witness, we will have now a break for lunch. I will ask
14 Madam Court Usher to escort you out so you can have lunch, and then
15 we will resume again at half past 1.00 and we will continue till
16 4.00, quarter past 4.00. That's our scheduling for this afternoon.

17 So thank you for now.

18 THE WITNESS: [Interpretation] Thank you.

19 [The witness stands down]

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

21 Before we go for lunch, I would like to render an oral order
22 regarding the items that the SPO intends to use during its
23 questioning in cross-examination.

24 This is the oral order.

25 The SPO has requested leave from the Panel, via e-mail dated

1 10 May 2022, at 9.27, to use two newly disclosed items in its
2 cross-examination of Defence Witness 1600. The material concerned
3 has been previously disclosed on the same day at 18 minutes past 9.00
4 in the morning.

5 The Panel notes that the newly disclosed items are versions of
6 the material previously disclosed by the Defence; namely, a marked
7 aerial photo, which is DSM00234, and English translations of the
8 Albanian excerpts of the book written by Defence Witness 1600. The
9 Panel finds that the material is not lengthy and that the Defence and
10 Victims' Counsel have had sufficient time to study it. Further, the
11 Defence does not oppose the use of these items by the SPO.

12 Accordingly, the Panel finds that the SPO has shown good cause
13 for not disclosing the material previously and authorises the SPO to
14 use it during its cross-examination of Defence Witness 1600, pursuant
15 to paragraph 31 of the Decision on the Conduct of Proceedings, which
16 is filing 170.

17 And this concludes the Panel's oral order.

18 Very well. Having said this, we are going for lunch, and we see
19 each other back at 1.30.

20 Thank you.

21 --- Luncheon recess taken at 11.52 a.m.

22 --- On resuming at 1.29 p.m.

23 PRESIDING JUDGE VELDT-FOGLIA: Welcome back.

24 Let me see. I will call the appearances. The SPO is in the
25 same composition. Victims' Counsel's team too. And the same goes

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1 for the Defence Counsel's team. Very well. That is noted.

2 Yes, I already gave the oral order. Before I usher the witness
3 in, something about the schedule for today. For this afternoon, we
4 will sit till 3.00. We will have a 15-minute break. And then
5 depending if we can finish with the testimony of the witness today,
6 we have a 15 minutes to use extra after 4.00, but if it's going to be
7 longer, then we continue tomorrow because we have tomorrow and the
8 day after tomorrow as reserve days, so just to see -- we will just
9 see how it goes.

10 Very well. Madam Court Usher, could you usher the witness in,
11 please. Thank you.

12 [The witness takes the stand]

13 PRESIDING JUDGE VELDT-FOGLIA: Welcome back, Madam Witness. I
14 hope you had a good break. We will now continue with the examination
15 by the Specialist Prosecutor's Office.

16 Madam Prosecutor, you have the floor for your cross-examination.

17 MS. D'ASCOLI: Thank you, Your Honours.

18 Cross-examination by Ms. D'Ascoli:

19 Q. Good afternoon, Madam Hadri. I'm the counsel for the
20 Prosecution who will ask you some questions in cross-examination this
21 afternoon. Just a couple of reminders. Please listen carefully to
22 my questions, allow for a break between my question and your answer,
23 and please try to give me exact answers specifically to what I ask.
24 And then if there is a need to expand further or to go more into
25 details, it will be me asking you to do so.

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1 Now, just a couple of preliminary questions before we start.

2 For the record, Madam Hadri, you gave a statement to the
3 Defence Counsel on 27 March 2021; correct?

4 A. Yes, correct.

5 Q. You were then also interviewed by the Specialist Prosecutor's
6 Office on 11 January 2022; correct?

7 A. Yes.

8 Q. During both interviews, did you do your best to answer questions
9 to the best of your knowledge and recollection?

10 A. Yes, I tried my best.

11 Q. And did you answer the questions truthfully?

12 A. I'm sure I have.

13 Q. Okay. Madam Hadri, you said today - this was between the end of
14 page 10 to lines 1 to 2 of page 11 of the live transcript - that
15 after arriving in Kecekolle, you were taken by soldiers to the zone
16 of Skifterat, and that's where they checked your identity and took
17 all details they needed.

18 Now, was that location where they took your details and checked
19 your ID, was that location a check-point?

20 A. I don't know whether that was a check-point or not, but they
21 received the information on who I was and why I wanted to go to the
22 war zone. They asked me about my name, my last name, and that was
23 it. I don't know whether that was a checking point or not.

24 I was sent to a room and they asked me what's my name and why is
25 it that I went to that place.

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1 Q. Okay. I was asking that question because in your statement to
2 the Defence you refer to this place specifically as "the KLA
3 check-point Skifterat." And this is at page 3 of the Defence
4 statement, DSM00134 to 00147.

5 Do you remember using that specific language? Do you remember
6 saying "the KLA check-point Skifterat"?

7 A. That's what I thought. And they referred to the place as
8 Skifterat.

9 Q. To clarify that's what you thought, you mean that you thought
10 that that was a check-point; is that correct?

11 A. I thought that when I was asked what my name was and when the
12 question was repeated again, I took it as if I had to give the answer
13 so that I was cleared to go ahead.

14 Q. And again, did you consider that a check-point? Because you
15 referred to that with the word "check-point," so I wanted to be clear
16 about what that place was.

17 A. That is what I thought. I don't know on whether the reality was
18 such.

19 Q. Okay. But when you mean -- when you say that "that is what I
20 thought," my question was, so did you think that that was a
21 check-point?

22 A. I thought that was a check-point. For as long as they asked me,
23 that's what I thought.

24 Q. Now, you said that this was called Skifterat. How did you know
25 that it was called Skifterat?

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1 A. I did not know up until I heard them while they were on the
2 phone, when they said, "Hello, it's the Skifterat area here," it's
3 then that I got to know that it was a Skifterat zone.

4 Q. I understand. So it was the soldiers there who refer to that
5 place as the Skifterat, you said, zone; right?

6 A. Yes, yes.

7 Q. Okay. These soldiers who carried out your identifications and
8 checks, how were they dressed?

9 A. They were dressed with a uniform of the Kosovo Liberation Army.
10 They were wearing a uniform.

11 Q. And did you know at that time what Skifterat was?

12 A. No, I didn't.

13 Q. So do I understand correctly that that was the very first time
14 you heard about that term, Skifterat?

15 A. Yes, it was the first time that I heard of the name, there.

16 Q. Okay. Now, we heard your evidence this morning - this was the
17 live transcript page 38, line 17 - that while you were in Zllash, you
18 saw Mr. Salih Mustafa, whom you said you knew only by his nickname
19 Cali by then.

20 Now I would like to clarify how many times you saw him and in
21 which circumstances.

22 So let me first ask you: Did you see him in Zllash one time,
23 two times, or more?

24 A. I think I have seen him two or three times, not more than that.

25 I saw him on the 17th as an appearance. I saw him on the 18th as

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1 Cali, as the man that was organising the withdrawal of the wounded
2 persons, and it was there that I understood from the soldiers that he
3 was called Cali. So this is when I saw him.

4 Q. I wanted to clarify it because I think from what you said at
5 page 38 and then page 39, he appeared, that you saw him only one
6 time. I'm reading from line 17 of page 38: "For the first time, I
7 saw him one night before the offensive ..." And then later on at
8 page 39 when the Defence Counsel, lines 4 to 9, asked you whether
9 during the offensive you met him again, you said: "No, I did not see
10 Cali there," referring to the 18th.

11 So now you're saying that you remember seeing him two or three
12 times. So one time you mentioned was the 17th. Can I ask you
13 whether this was the first, the second -- or the second time you saw
14 him in Zllash, the 17th of April?

15 A. On 17th was the first time that I saw him. I saw him from a
16 distance; whereas on the 18th, I saw him from closer. It was there
17 that I saw that he moved once or twice. It's not that I counted the
18 movements, but this is what it was. So he got the soldiers together,
19 and probably this is when I saw him moving twice.

20 Q. Of course, I understand. So let's go to the first time you saw
21 him which you said was on the 17th. Can you describe the
22 circumstances in which you saw him? Where, for how long, what he was
23 doing? Anything you remember.

24 A. I saw him in movement, like many other soldiers that came in and
25 out of the headquarters. He was coming there and going out, so

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1 that's when I saw him.

2 On the 18th, then I was remembered that I had seen this person a
3 day before that. We didn't have any contacts. I have only seen him
4 pass by.

5 Q. Okay. So when you saw him on the 17th, you said you saw him
6 going in and out, and you mentioned the headquarters. Do you
7 remember exactly where you saw him? From which -- in which building,
8 I mean. If he was out, if he was in --

9 A. In the yard. And he would go inside the headquarters from the
10 yard.

11 Q. Do you remember any other detail about him? Like how he was
12 dressed?

13 A. He was wearing the KLA camouflage uniform and with the emblem.
14 That's what I saw of him.

15 Q. Any other detail? Like headwear, insignia?

16 A. He had the red hat on his head, and it was a very beautiful
17 uniform.

18 Q. Okay. And you said he was entering the headquarters. So did
19 you mean that same building that you had recognised in photos and
20 where you said you were taken initially when in Zllash?

21 A. Yes, yes.

22 Q. Okay. So you described his uniform, headwear, et cetera. I
23 understand you did not speak with him at all this time; correct?

24 A. No, I did not speak to him. We just greeted one another, like
25 you greet every soldier. That was a greeting that you would make

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1 towards everyone, so just nodding the head.

2 PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor, just one remark
3 for the record. When Madam Witness talked about the uniform and the
4 emblem, she pointed at her arm. I just wanted to have that
5 registered for the record.

6 You meant you saw an emblem on the arm part of the uniform; is
7 that correct? Did I understand that right?

8 THE WITNESS: [Interpretation] Yes. Every uniform had an
9 insignia, an emblem. They had the eagle and the KLA marking on it.
10 So this is what I remember of it.

11 PRESIDING JUDGE VELDT-FOGLIA: Okay. Thank you for that.
12 Madam Prosecutor, please proceed.

13 MS. D'ASCOLI: Thank you, Your Honours.

14 Q. Madam Hadri, so you said this morning that you did not know that
15 his name was Salih Mustafa but you knew him by his nickname Cali.

16 So I wanted to ask you how did you know that he was called Cali,
17 that his nickname was Cali?

18 A. On the 18th, when the offensive started, we were all in a alert
19 state, so we all had our own positions. And it was from the soldiers
20 that I heard so -- because he was skilful. He was very resourceful.
21 They were very emergent situations. And he was very skilful. And I
22 asked, "Who is the person with the red hat?" And like I said, the
23 uniform was beautiful, and I was told that his name was Cali.

24 Q. On the 17th and on the 18th, did you see him with -- with whom
25 did you see him, if anyone?

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1 A. I do not remember.

2 Q. Was he with other soldiers? That's what I meant.

3 A. I don't recall. There were other soldiers as well that were
4 moving in the yard.

5 Q. Did you hear anyone calling him Cali?

6 A. I do not remember. I don't know whether I have heard of it, but
7 I was told that he was called Cali, his name was Cali.

8 Q. And do you remember by whom were you told that?

9 A. The soldiers. The day of the offensive, it was a terrible day.
10 It was an attack day. And we wanted to know who was capable of
11 helping the wounded and the citizens. And while we were helping the
12 wounded, we were waiting for the help of other people so that we
13 could organise them and so that we could save their lives. And in
14 that moment, somebody told me that his name was Cali, when I asked
15 him of who that person was.

16 Q. And by "someone," I understand you meant a soldier?

17 A. Yes, a soldier. But they were young men. I didn't know them by
18 names. And I heard of Cali there. I didn't know the names of the
19 soldiers.

20 Q. I understand. On the 17th, when you saw him for the first time
21 entering the building of the headquarters, did you hear -- did you
22 know how was he called? Did you know who that person was with the
23 red hat?

24 A. No, I did not know.

25 Q. And did you ask then on the 17th or not?

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1 A. No. I didn't have the occasion to ask, because there was no
2 need for me to ask. Because there were people moving, there were
3 civilians, there were the villagers. So they were free to enter the
4 headquarters. When I asked, it was on the 18th. It was the moment
5 when he got the people together. And this was an occasion where he
6 was on the fore of the development, and therefore this is why I asked
7 who this skilful person was.

8 Q. I understand. Can we then clarify one part of the SPO interview
9 in light of what you just told us.

10 MS. D'ASCOLI: Your Honours, with your leave, I would like to
11 call up a part of -- Part 2 of the interview with the SPO where
12 Madam Hadri refers to how she learned the name Cali.

13 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

14 MS. D'ASCOLI: Thank you.

15 Can I please have the SPO interview with ERN 104548-TR-ET,
16 Part 2, and I would need page 15.

17 Q. Madam Hadri, you will see the transcript appearing on your
18 screen. I will read the part that I want to clarify in English and
19 you will hear the translation through the interpretation.

20 So the part that I wanted to clarify was -- yes, that's
21 actually, sorry, the page before, page 14. I'll start reading from
22 line 16. And we see from line 8 that you're now answering questions
23 related to the first time you saw Mr. Salih Mustafa on 17 April.

24 So from line 16, I will read your answer in relation to where he
25 was and what he was doing is:

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1 "He was inside the HQ and was coming out as a commander."

2 "Q. And this was the moment when you greeted him from a
3 distance; is that correct?"

4 Your answer:

5 "When he came out, we and the soldiers were all obliged to greet
6 the senior officers.

7 "Q. I understand that. Was it then when you heard other
8 soldiers calling him Cali?"

9 Your answer:

10 "Yes, it was the soldiers that called him either Commander Cali
11 or Cali."

12 So did you hear the soldiers referring to him as Cali or
13 Commander Cali?

14 A. I don't exactly remember, but it might have been the case that
15 they called him Cali. But that was not on the 17th. It was on the
16 18th.

17 Q. Okay. I'll -- I understand it's been a long time. I'm just
18 trying to, you know, clarify the record.

19 Continuing with the question at line 25 of page 14, a further
20 question was:

21 "So it was then that you heard that on the first occasion that
22 you met him on 17 April; correct?"

23 And "that you heard that" was referring to you heard his name
24 Cali or Commander Cali.

25 Now I'm at page 15 reading from lines 2 to 3 and your answer to

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1 that was:

2 "Yes, and that was the first -- the time when I saw him. I did
3 not speak to him. I saw him from distance."

4 Do you remember that? And ...

5 A. Yes, that's what it was.

6 Q. So is what I read correct?

7 A. Yes. Like I said, I have only greeted him.

8 Q. And is it correct that you heard soldiers calling him
9 Commander Cali or Cali? Now, you told us today you don't remember
10 whether that was the 17th or the 18th. Is that correct?

11 A. I do not remember, but it was on the 18th when the name of Cali
12 was mentioned. So Commander Cali was preparing the wounded, to
13 displace them, and it's -- it was then that I saw him and I heard the
14 name. On the 17th, no, I didn't hear his name.

15 Q. Of these two times when you saw him, and I guess after the
16 second time especially, did you know what his role was?

17 A. I did not know. But all the soldiers, Cali and other persons,
18 other soldiers, were prepared. The idea was to protect us, to defend
19 us, and to make sure that the injured and the wounded would not fall
20 in the hands of the Serbs. And I have myself carried the wounded in
21 order to transport them from -- within the rooms of the buildings to
22 the open field.

23 Q. So you did not know what his role was. Did anyone tell you what
24 his role was in Zllash?

25 A. I do not know.

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1 Q. And did anyone tell you what his role was in Zllash?

2 A. No, I don't know. Only when I saluted him -- I was told that
3 you have to salute him because he was a superior. So we only
4 saluted, like, the other soldiers would do.

5 Q. So you were told that he was a superior. In the part that we
6 read from page 15, line 15, you said, in fact:

7 "We only greeted him as we would greet a commander."

8 So then my question is: How could you tell that he was a
9 commander?

10 A. Albanians, all those that were involved with protecting the
11 civilians, we referred to all of them as commanders.

12 Q. And was there something about his demeanour, his appearance,
13 that made you salute him as a commander?

14 A. I heard the soldier -- that he is a person we have to salute,
15 that he was a superior. Because all the superiors, Cali, Fatmir, we
16 saluted them all. It is not that we separately saluted him. It was
17 a rule of thumb for us to salute the persons that organised the
18 defence and that provided food, to salute them. Because they have
19 been taking care of the logistics. So the soldiers would salute
20 them, and as a doctor, I was obliged to observe the same rules as the
21 soldiers.

22 Q. Okay.

23 A. It was a sign of respect.

24 Q. I understand.

25 A. A sign of respect.

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1 Q. And so I understand, there were no other times while there in
2 Zllash when you saw him. It was the first time on the 17th and the
3 second time, you said, on the 18th; correct?

4 A. On the 18th. No, there's been no other occasion I have seen
5 him.

6 PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor, just to clarify
7 one thing the witness has said.

8 MS. D'ASCOLI: Of course.

9 PRESIDING JUDGE VELDT-FOGLIA: For the record, page 55, line 9,
10 Madam Witness, you said:

11 "... all those that were involved with protecting the civilians,
12 we referred to all of them as commanders."

13 But who are you referring to? To all the soldiers? Because all
14 the soldiers were protecting the civilians, but they were not all
15 commanders. So I assume there was a limited group of people who you
16 saluted.

17 THE WITNESS: [Interpretation] Yes, it was a limited group of
18 people that we would salute. But even if we saw a soldier, a simple
19 person, a simple soldier that was a different person from a civilian,
20 we would salute that person as well.

21 PRESIDING JUDGE VELDT-FOGLIA: Okay. So everybody would be
22 saluted.

23 THE WITNESS: [Interpretation] Everybody that is wearing a
24 uniform. We would salute everybody. It was a sign of respecting the
25 uniform as well.

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1 PRESIDING JUDGE VELDT-FOGLIA: It was my understanding, for
2 example, as was read out by Madam Prosecutor, page 14 of the SPO
3 witness statement, line 19, I will read it:

4 "When he came out, we and the soldiers were all obliged to greet
5 the senior officers."

6 So from that, I understood that specifically the senior officers
7 or, as you wish, the commanders were saluted but that you were not
8 saluting everybody all the time who was not a civilian.

9 THE WITNESS: [Interpretation] It was a rule for the superiors
10 but for the soldiers as well. We would salute them as well, because
11 we wanted to and we would do that in respect of the uniform they were
12 wearing.

13 PRESIDING JUDGE VELDT-FOGLIA: I will leave it for here.

14 Madam Prosecutor, you have the floor.

15 MS. D'ASCOLI: Yes, thank you, Your Honours. I have, like,
16 follow-up question about that.

17 Q. Ms. Hadri, so I understand that civilians would salute soldiers
18 and commanders in a sign of respect. But when you said "the soldiers
19 were all obliged to greet the senior officers," so did you mean that
20 the soldiers, too, greeted, for example, Mr. Mustafa with the salute
21 as a senior officer? Is that what you meant?

22 A. I have not seen them, but at that moment it was a rule that when
23 the person comes into the area, you had to salute him. So there were
24 moments where probably they knew one another more and probably they
25 didn't have to salute one another. But for us who did not know them

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1 very well, we would salute them.

2 So on the 18th, it was clear that he was a superior and that was
3 what I meant by saluting.

4 Q. Okay.

5 A. It's a moral obligation. That is what I mean.

6 Q. Yes, I understand. So now I want to move to the location where
7 you stayed in Zllash.

8 You said today - and that was at page 16, line 4 of the live
9 transcript - that you arrived in Zllash on 16 April 1999; correct?

10 A. Yes.

11 Q. And you said that you stayed there for three nights and four
12 days. This was at page 36, lines 22 to 23. Is that correct?

13 A. Yes.

14 Q. When referring to the time when you were taken to Zllash - this
15 was at page 11, lines 23, 24 - you said:

16 "So they took me by car to an area which I did not know at the
17 time and which was called Zllash."

18 A. Yes.

19 Q. So was that your very first time in Zllash?

20 A. Yes, that was the first time.

21 Q. So you had never been there before?

22 A. No, I had never been there before.

23 Q. And that also means that you were not familiar with the village
24 of Zllash; correct?

25 A. No, I was not familiar. I had not heard of it before and I was

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1 not familiar with it. I had not heard of it before.

2 Q. And you were not familiar either with the location in Zllash
3 where you were taken.

4 A. No, I didn't know it.

5 Q. So when talking about this location where you stayed, I
6 understand we're talking about a location where you had never been
7 before and where you spent only three nights and four days 23 years
8 ago; correct?

9 A. Yes, yes.

10 Q. I understand that you were first taken to a place that you
11 called the HQ, headquarters, and then to another room where you
12 stayed and slept.

13 A. Yes.

14 Q. Okay. Which you said was 10 to 20 metres from the headquarters
15 building on the right. This was at page 27, lines 10 to 14. Is that
16 correct?

17 A. Yes, that is correct.

18 Q. Did you pay much attention to the outside of the building where
19 you were taken, the one where you slept?

20 A. No, I did not. I didn't see it from the outside, only from the
21 inside. I didn't leave the room. I was very busy with the patients,
22 examining them. I did not see it. But I also did not have much time
23 to go outside the room.

24 Q. I understand that besides the HQ where you were taken initially
25 and the room where then you stayed and worked, you did not go to

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1 other buildings; is that correct?

2 A. No, I did not visit. Only on the day of the offensive, when the
3 wounded were brought, that was when we left. We went to clean the
4 wounds. But we again returned to our rooms after that.

5 Q. And so -- so what you did mean, "we went to clean the wounds"?
6 Did you go outside? Or just outside of the room?

7 A. Outside of the room where we slept, sometimes we had
8 examinations there as well. But when they were wounded, they could
9 not fit in the room or even in the same yard, so we'd go there and
10 clean their wounds. We would just have them either lying down on the
11 ground or anywhere there was room for them to lie down so that we
12 were able to clean their wounds.

13 Q. I understand. So you would treat the wounded outside, like in
14 the yard?

15 A. Yes, in the yard, but also in the room where we stayed.

16 Q. And when you -- the time when you treated the wounded outside in
17 the yard was when the offensive had started; correct?

18 A. Yes. After the offensive started. After the offensive.

19 Q. So before the offensive, I understand that you took care of the
20 wounded or, actually, the people in need of medical care in the room
21 where you slept.

22 A. Yes, in the room where I slept, where we slept.

23 Q. And can you tell us how the situation was in those days? Like,
24 from the 17th, when, you know, you were actually -- from the 16th
25 when you arrived, up until the moment when the offensive started, how

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1 was the situation?

2 A. It was quiet. There were no fightings. I did not feel that we
3 were in -- at war. The civilians were coming to the area as well,
4 civilian patients. So there were -- people were free to move. And
5 there was nothing in particular to be remembered from that period, on
6 16th and 17th. However, on the 18th, the offensive started.

7 Q. Let me go back to the first days before the offensive.

8 What I meant was how was the situation like for you in dealing
9 with the people who came? Like was it chaotic? Was it quiet? Did
10 you have many patients? What can you tell us?

11 A. Yes, as a person, for me, that was very chaotic. We had many
12 patients from the morning till the evening, children, elderly, women,
13 whoever had -- whoever needed medical assistance. We were -- we were
14 busy all day long, and we stayed inside most of the time. That is
15 where we also carried out the examinations. We had a portable bed.
16 That is where the patients would lie down for the -- to be able to
17 perform the examination. Not interventions. Visits.

18 Q. I understand. So you were busy the whole day?

19 A. Yes, all day.

20 Q. Okay. And were you busy immediately as soon as you arrived on
21 the 16th?

22 A. Yes. Since the 16th, when I was told when I needed to sleep and
23 they showed me the room, that is when the patients started coming.
24 They were not even knocking on the door, and they were asking for the
25 doctors' help. I started immediately offering medical assistance to

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1 those patients that arrived there. So we didn't really pay attention
2 to our conditions. There were many cases when I wanted to send them
3 to the school so that we would have an order and be able to provide
4 them with a proper medical help. There was some people who needed
5 acute help.

6 So in our experience -- I had to use my own personal experience
7 and assist them with medical care in the room where they arrived. In
8 most cases, we didn't have the opportunity to bring them to the
9 school.

10 It was very chaotic. That was a terrible -- I -- you were not
11 able to even sit at a desk or properly examine the patient as one
12 would normally would in normal conditions.

13 Q. I understand. So is it fair to say that while in Zllash in
14 those days, you were only concerned with taking care of the people
15 who were in need of medical care?

16 A. Yes, especially the 17th, whenever -- when they -- when the
17 people received the information that there was a doctor present,
18 immediately afterwards the patients started coming in.

19 Q. Now, in relation to whether you needed authorisation to move
20 around or to leave the location, I want to ask you a clarification.

21 You told us this morning -- I'm referring to page 21 of the live
22 transcript. Actually, I will quote what you said. Reading from
23 line 7, you were asked by the Defence Counsel:

24 "So did you have to ask for permission in order for you to go
25 there?"

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1 And this was referring to when you went to the school.

2 And then your answer was:

3 "I was probably treated a bit differently. I was allowed all of
4 the competencies. I should have taken the permission, but I
5 understood from the nurse that there are rules in place and we have
6 to show that we had to go there."

7 So I'm just trying to understand the essence of what you said.
8 So did you mean that a permission or authorisation was needed, in
9 general, but that in your case, a special, let's say, treatment was
10 allowed because you were a doctor?

11 A. Yes, I was allowed because I was a doctor. But on the 17th, I
12 did not need to go to the school or ask anyone. I performed the
13 examinations in that area, so we did not need to go to the -- to the
14 infirmary at the school. We carried out the examinations of the
15 patients in -- where we were.

16 Q. Yes, I understand. But -- so you are basically saying that you
17 did not need to ask for anything that day. You just went to the
18 school. And this was because you were there in your capacity as a
19 doctor. Is that correct so far?

20 A. Yes. We went there to observe and to see the school so that we
21 could send the patients there, as one would in normal conditions,
22 instead of having the examinations in the room where we slept. That
23 is why we went to check, to see if we had any supplies, whether new
24 supplies needed to be ordered, organise an extra service. So we went
25 there to verify. And for those reasons, I didn't need the

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1 permissions.

2 Q. I understand.

3 A. That was normal that you would need a permission.

4 Q. So normally you would. Okay. Now --

5 A. Also I didn't -- I wasn't familiar with the terrain.

6 Q. I understand. Thank you. I'll move to a different area.

7 You were shown today and also during the interview with the
8 Defence team some photos. And you recognised at least one building
9 in those photos as the headquarters where you were taken. Do you
10 remember that?

11 A. The one that I marked with the arrow, I think it is that one,
12 because I hadn't been to the area after the war. To my recollection,
13 that was the place.

14 Q. Let me get into that. So, yes, today we looked at two photos,
15 DSM00144. That was at page 15. And then we looked at DSM00147 at
16 page 31.

17 Now, if you think about the time when those photos were shown to
18 you during the interview, was it easy or difficult for you to
19 recognise the buildings, the location that was shown to you by the
20 Defence? I'm asking that because you mentioned that it was the first
21 time, you had never been there, you had never returned, et cetera.

22 A. It was difficult because they all resembled each other in size
23 and there was nothing that you could differentiate one from the
24 other. They were all small houses. The houses were made from mud
25 bricks, and I wasn't paying much attention to the houses. I didn't

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1 analyse all of the houses.

2 Q. Okay, I see. Now, I'm asking these questions because in the SPO
3 interview, if you did remember, you did express doubts about the fact
4 that -- about the identification of the locations on the photos; do
5 you remember that?

6 A. I remember I saw the pictures from aerial view, and I had only
7 seen the inside of the area, not from above, and that is why I had
8 doubts. Because they all resembled each other. So based on the
9 roof, I was able to identify that it was either one or the other.

10 Q. Yeah, yeah, I understand. Let's look at exactly what you said.

11 MS. D'ASCOLI: With Your Honours' permission, I would like to
12 call this part where the identification of the photos is discussed in
13 the SPO interview.

14 PRESIDING JUDGE VELDT-FOGLIA: Please proceed, Madam Prosecutor.

15 MS. D'ASCOLI: Thank you. This is -- I would need, please, on
16 the screens ERN 104548-TR-ET, Part 1. I would need page 39. And I
17 will read lines 10 to 20.

18 Q. Madam Hadri, you will see the transcript appearing.

19 So we are here discussing photographs 2D which was attached to
20 your Defence statement and which had ERN number -- sorry. Photo --
21 photographs 2D -- B. And which had ERN number DSM00147.

22 So the question was, line 10:

23 "So do you remember what you said to the Defence about this
24 photo?"

25 And your answer was, line 12:

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1 "When I was asked where was the house that you saw the
2 headquarters and the house where you slept, I told von Bone -- from
3 what I remember, because, of course, things look different from an
4 aerial photograph than when you are there and see them in front of
5 you. I said that it seemed to me that this one, judging from the
6 top, rather, the roof, this one was the one that I thought was the
7 house that I stayed."

8 Then the interpreter points out to the house in the middle of
9 the photo.

10 And then you said, line 20:

11 "I did say that I wasn't clear.

12 Do you remember that? And is it correct what I read?

13 A. Yes, yes, yes.

14 Q. So did you tell also the Defence Counsel at that time that you
15 were not sure?

16 A. Yes. Because I had forgotten the views and the events, and from
17 aerial view it was different. I had not seen the roof. I had only
18 seen the front wall. But I had to give a description of the
19 building. I had never seen it from above.

20 Q. I understand. So did you express your doubts to the Defence?

21 A. I was afraid of making a mistake, because I had forgotten that
22 view. I wanted to be as precise as possible. It is my principle to
23 be like so, and I was afraid of making a mistake.

24 MS. D'ASCOLI: Can we please have the next page of the
25 transcript on the screen.

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1 Q. I will read the same expression of doubt. Page 40, lines 4-8.
2 Actually -- yes, I mean, I can start reading from 4 to give context,
3 but your answer is at lines 6 to 8.

4 So the question is: "And there is an arrow," discussing the
5 photo, "a red arrow pointing to a building. This is the one you
6 marked in -- when you were giving --"

7 And then you said:

8 "I did mark this one," line 6, "and I did say -- I did say that
9 I wasn't fully sure, because I only stayed for two days there. But I
10 think it was this one."

11 So does this reflect what happened during --

12 A. Yes.

13 Q. -- the taking of the Defence statement?

14 A. Yes, that is what I said.

15 Q. Now, do you remember whether your doubts or uncertainty were
16 recorded in that statement, in the Defence statement?

17 A. [No interpretation].

18 MS. D'ASCOLI: I did not have interpretation, Your Honours.

19 PRESIDING JUDGE VELDT-FOGLIA: Me neither.

20 So could we please have the translation repeated?

21 THE WITNESS: [Interpretation] I think it was recorded.

22 MS. D'ASCOLI: Your Honours, I do not read anything in the
23 transcript.

24 PRESIDING JUDGE VELDT-FOGLIA: Me neither.

25 THE INTERPRETER: Answer of the witness: I think it was

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1 recorded. I read the statement twice.

2 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

3 MS. D'ASCOLI: Thank you.

4 Q. Okay. So you think it was recorded. Now, I am asking because
5 in looking at the Defence statement, I did not find any record or any
6 mention of this uncertainty by you in the recognition of the
7 location. So let's have a look at that together.

8 MS. D'ASCOLI: Can I have now on the screen DSM00134 to 00147,
9 and I need page 5.

10 Q. Which is the page where your comments about the photos are
11 recorded.

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

14 MS. D'ASCOLI: Thank you, Your Honours.

15 Q. In a minute we will have the statement, page 5, appearing, so we
16 can look at that together. I understand this statement was read back
17 to you in Albanian; correct, madam?

18 A. Yes, yesterday. I read it.

19 Q. Yes. In preparation for your testimony, you re-read the
20 statements, but what I meant is whether this statement was read back
21 to you in Albanian after being taken in March 2021. I think you said
22 that at the beginning. Is that correct?

23 A. Yes, it was read back to me.

24 Q. So if we look at the central part where we have photographs 1A,
25 1B, 2A, 2B, so the Defence Counsel says:

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1 "I would like to show you some photographs. Do you recognise
2 these buildings?"

3 Then there a list of the photographs that were shown to you, 1,
4 2, 3, 4. These were four photos. So do you remember you were shown
5 four photos and no more?

6 A. Yes, as far as I remember, yes.

7 Q. And then I see:

8 "Yes, I recognise the space."

9 And then there a discussion about the marking, what the marking
10 are showing, and a description of the building. I do see a
11 correction towards the end of the page where he says:

12 "Correction upon rereading this, the witness states: I spend
13 here 3 nights and 4 days."

14 This is the very last line of the statement. And we will go
15 into these corrections later.

16 But so for now, I was just looking -- I mean, I was wondering,
17 you said, you expressed your doubts to the Defence but I see that
18 these doubts were not recorded. So is that what happened?

19 A. I said that I wanted to be accurate, because I wasn't familiar
20 and the events are forgotten, and the views. I hadn't been there
21 since. I wasn't paying attention to those details even at that time,
22 and I wanted to be accurate. That is why I said it. And even today,
23 even in those moments, I remember those houses very little.

24 Q. Okay. So I understand only these four photos were shown to you?

25 A. Yes.

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1 Q. Do you remember how those photos were presented to you?

2 A. I don't remember. I was shown the photos. I think that is how
3 they showed them to me. It was a photo, a printed photo. And then,
4 of course -- and then I also marked the photos.

5 Q. Do you remember whether you were given any description about
6 those photos, for example?

7 A. I don't remember.

8 Q. Do you remember whether you were helped with the identification
9 or description of the photos?

10 A. No. I was asked to focus and identify which one was the house.
11 Because it's been 20 years since then, the images might change in
12 your memory. And they only wanted my opinion. So that was it.

13 Q. Did you understand that the images, the photos shown to you,
14 were representing the place where you had been in Zllash?

15 A. Yes, I thought that that was the place.

16 Q. Did you feel pressured into recognising those photos or any of
17 the buildings in those photos?

18 A. No, that -- I wasn't pressured. The pressure came from myself
19 to make sure that I wasn't making any mistakes and to be sure that I
20 was identifying the right ones. There was no pressure against me.

21 Q. And when you say "to be sure that I was identifying the right
22 ones," was that because --

23 A. Yes.

24 Q. -- you believed that the photos you had in front of you, the
25 photos that were given to you, were the photos of the place where you

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1 stayed?

2 A. Based on what I saw in the photograph and based on knowing that
3 I had to give an answer, it -- in the photo the buildings reminded me
4 of the place where I stayed, where I slept, and the headquarters.
5 Those two or three rooms. I wanted to give my best recollection
6 because I had also forgotten a little bit about this part. I wanted
7 to be very accurate about the place where I slept.

8 Q. So in light of what you said, let me also clarify one additional
9 part of the SPO interview which refers to this issue.

10 MS. D'ASCOLI: With Your Honours' leave, I would call up the
11 part of the transcript where the witness discussed the
12 identification. It's an additional part at page -- in Part 2.

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

15 MS. D'ASCOLI: Thank you. I would need again the SPO interview
16 which is ERN 104548, Part 2, page 26, please.

17 Q. If we look at line 3 to 8 of this page, you're discussing the
18 photos. I'm reading from line 6, and you say:

19 "I think there was one more. My concentration was to define
20 where I was, because I didn't know. Putting some sort of pressure on
21 me to define where I was, but I had forgotten things."

22 A. That is only normal that I forgot.

23 PRESIDING JUDGE VELDT-FOGLIA: Stop, stop. Stop.

24 THE WITNESS: [Interpretation] It's normal to forget a place
25 where you slept 20 years ago.

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1 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Witness, for
2 stopping.

3 I see that the Defence Counsel is standing. You want to discuss
4 the content of the question, Defence Counsel? Because in that case,
5 I will usher the witness out of the courtroom.

6 MR. SHALA: No, Your Honour. It is only some technical things.
7 Because this Albanian version, it is not same page as in English
8 version.

9 PRESIDING JUDGE VELDT-FOGLIA: So you're saying the witness is
10 not presented with the same text. That's your point.

11 And what page should it be?

12 MR. SHALA: Yes. I need to check that. But I only know that
13 this is not same page.

14 PRESIDING JUDGE VELDT-FOGLIA: Okay. But the witness was
15 answering the question and was apparently not in need of further
16 clarification, so it's a pity that I interrupted her at this moment
17 in time. But please give us the right page. Or maybe Madam
18 Prosecutor can do that.

19 MS. D'ASCOLI: In relation to the Albanian, Your Honours, I
20 don't have the reference because we normally proceed by reading the
21 English transcript and having the translation.

22 PRESIDING JUDGE VELDT-FOGLIA: Yes.

23 MS. D'ASCOLI: However, of course, if the Defence Counsel wants
24 to put the specific portion as well, he's welcome to let us know.
25 But I proceeded in the usual way.

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1 PRESIDING JUDGE VELDT-FOGLIA: No, yeah, not in the usual way.
2 What we have been doing today is that the text in English, we would
3 have the same text in Albanian. That's what we have been doing
4 today.

5 MS. D'ASCOLI: I didn't call the Albanian transcript up.
6 Otherwise I would have given also a page reference for that. I
7 called only the English.

8 PRESIDING JUDGE VELDT-FOGLIA: Okay.

9 Defence Counsel, do you think it's necessary to have the
10 Albanian version? Because I was not under the impression that
11 Madam Witness was having a problem in understanding what we were
12 discussing. Is it necessary to search for the right page? Because I
13 don't see the additional need.

14 MR. SHALA: If it is this page in Albanian here, and it is not
15 corresponding with English version, yes. But if we remove this
16 Albanian, no.

17 PRESIDING JUDGE VELDT-FOGLIA: Okay. Then we proceed in your
18 last suggestion.

19 MR. SHALA: In this case, now is this --

20 PRESIDING JUDGE VELDT-FOGLIA: Shall we wait for each other?

21 MR. SHALA: Yes.

22 PRESIDING JUDGE VELDT-FOGLIA: We have to apply our rules of
23 waiting for each other.

24 I take your suggestion of removing it.

25 Madam Court Officer, could you remove the version in Albanian.

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1 Okay, very well.

2 I'm sorry, Madam Witness, that I interrupted you halfway your
3 sentence. Let me see what is the best way to proceed.

4 Now, you were -- yes. I think my concentration -- you said:

5 "My concentration was to define where I was, because I didn't
6 know. Putting some sort of pressure on me to define where I was, but
7 I had forgotten things."

8 And then you said:

9 "That is only normal that I forgot. It's normal to have forgot
10 a place where you slept 20 years ago."

11 Was there something else you wanted to add in relation to the
12 question of the Prosecutor?

13 THE WITNESS: [Interpretation] No.

14 PRESIDING JUDGE VELDT-FOGLIA: No. Then, Madam Prosecutor, you
15 may proceed.

16 MS. D'ASCOLI: Yes, thank you, Your Honours.

17 Q. Okay. Madam Hadri, so we were discussing this specific section.

18 So you said you were concentrated to define where you were
19 because you did not remember. And you told us: It is only normal
20 that I don't remember events that happened so -- long time ago.
21 Correct?

22 A. Yes. In a day or two, of course, you cannot remember
23 everything.

24 Q. Okay. And when you said -- yes. Where you said, "My
25 concentration was to define where I was, because I didn't know," can

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1 you explain what you meant when you -- when saying "I didn't know"?

2 A. I didn't know because I slept during the night. During the day
3 I worked. And from an aerial photograph, you cannot tell, a
4 photograph taken by a plane or something. So I was trying to focus
5 to see which one was the room where I slept which was a part of the
6 headquarters. Because I stayed there for two days and for those two
7 days it was impossible for me to have remembered every house.

8 Q. I see. Can you also explain what you meant when you said --
9 when you mentioned pressure, when saying "putting some sort of
10 pressure on me to define where I was, but I had forgotten things"?

11 A. I was embarrassed. This was the pressure that I put myself --
12 on myself. Because I was trying hard to remember the location where
13 I slept. And that's why I said that that was like a pressure on
14 myself. Because it was a room where I had slept for a night, two,
15 and I couldn't remember and that's why I said that.

16 Q. Okay, I understand. Later on, lines 13 to 14, you also said:
17 "I had been inside but I hadn't seen much outside."

18 A. Yes.

19 Q. Is that correct -- I mean, is that true?

20 A. That's it.

21 Q. So does that mean that you didn't remember many details about
22 how the building looked like from the outside?

23 A. This was that one.

24 Q. Okay. And is that because -- I mean, I guess that's because you
25 spent mainly time inside as you told us; correct?

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1 A. Yes.

2 Q. So is it fair to say that you think that was the place, but you
3 cannot be 100 per cent sure?

4 A. I have forgotten this.

5 Q. Now, during the interview with the SPO you looked again at one
6 of the photos attached to your Defence statement. This is the photos
7 that we discussed marked with 2D, ERN DSM00147, and then you marked
8 that photo again. So I would like to discuss that photo with you and
9 to understand the markings you made.

10 MS. D'ASCOLI: And with Your Honours' leave, I would call up
11 that photo.

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

14 MS. D'ASCOLI: The ERN is 104547.

15 Q. Madam Hadri, you will see the photo appearing on your screen
16 soon.

17 A. I can't see any photograph in front of me.

18 Q. Yes. Not yet. It will appear soon.

19 MS. D'ASCOLI: No, I think this is the wrong one. It is ERN
20 104547.

21 Yes, thank you. This is the correct photo.

22 So, first of all, if we can keep it in vertical and then --
23 exactly, first. Because I would like the witness to first recognise
24 her handwriting.

25 Q. Madam Witness, do you see your handwriting or your signature on

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1 this photo? And do you recognise it?

2 A. Yes, I recognise it.

3 MS. D'ASCOLI: Now, if we can turn the photo one time clockwise.
4 Yes.

5 Q. Now, Madam Hadri, we see two markings on this photo. Can you
6 explain what they represent? We see a circle on a larger building
7 and then a cross on a smaller building.

8 What does the circle represent? Let's start with that.

9 A. Based on the roof that I see and to my recollection - and I'm
10 saying again, I've forgotten that building - I think this was the
11 room where we slept. I never saw it again after that day. I did not
12 focus to remember it. If I had gone there, I would have remembered
13 it.

14 Q. Okay. So you're saying the half circle represents where you
15 slept. And then what would the cross represent then?

16 A. That was where I slept. The cross. That was the -- when I was
17 asked was the room where you slept here? I said yes, and I marked it
18 with a cross.

19 Q. So let's go back. What does the half circle represent? Because
20 I understood you said that it was representing the room where you
21 slept.

22 A. Yes. From far, I thought first that it was the first one and
23 then later I said, "No, no, it is this one."

24 Q. The record --

25 PRESIDING JUDGE VELDT-FOGLIA: Excuse me, Madam Prosecutor.

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1 Could you clarify in this sentence which is the first one and "this
2 one."

3 MS. D'ASCOLI: Of course.

4 Q. Madam Witness, you said:

5 "From far, I thought first that it was the first one ..."

6 What did you mean "the first one," in this photo? Which
7 building? And you can refer to the markings that you made in order
8 to be clear.

9 A. The first one is without the cross. It seemed to me as a place
10 where I stayed. As I said, it's been 20 years and I've forgotten.
11 And then I saw and it looked as if it was the other one. I could not
12 remember.

13 Q. When saying "the other one," do you mean -- which one do you
14 mean in the photo? Looking at the markings.

15 A. The second one is with the cross. I was more certain that it
16 could be that one, the place where we slept.

17 Q. Okay. So you're saying that initially you believed that the
18 place where you slept was the one, let's say, the larger building on
19 the photo indicated with a semi-circle; correct?

20 A. No. The house where we slept was the smaller one.

21 Q. Yes, I was saying that you first thought it was that one. And
22 then you looked better and you said it was the smaller house that you
23 indicated with the cross on the right-hand side of the larger
24 building; is that correct?

25 A. Based on how the exit looks like, when I came out, as I remember

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1 it, it should be on the right side. This is how I remember entering
2 it.

3 Q. Okay. So in this case, the cross indicates the place where you
4 believe you slept; right?

5 A. Yes, where I believe I slept.

6 Q. Okay. And you said you were not sure about this identification;
7 is that correct?

8 A. Even then, I said as far as I can remember, because I'm not sure
9 without going to the place and see it for myself where I stayed in
10 the past.

11 Q. Okay. So, now, what would you say if I told you that that
12 building, the one indicated with the cross, was actually a stable for
13 animals?

14 A. I don't remember. I don't know. I don't remember it.

15 MS. D'ASCOLI: We can remove the photo. Thank you.

16 Q. I also want to go now to the time that you spent in Zllash.

17 You said today that you stayed there for three nights and four
18 days. Page 36.

19 A. Yes.

20 Q. And you had told us earlier that you arrived on the 16th;
21 correct?

22 A. Yes, on the 16th I spent the night in Zllash.

23 Q. So this means that the first night you spent -- if it is three
24 nights, you spent the nights of 16, 17 and 18 April in Zllash.

25 A. 18th, yes.

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1 Q. And then you were evacuated and you left on the 19th; correct?

2 A. Yes, yes, we left.

3 Q. Now, in relation to the 18th versus the 19th, and the -- your
4 memory about when the offensive started, you told us -- I wanted to
5 ask a clarification about what you told us today in relation to the
6 date of the offence.

7 So I'm referring to page 37 of the live transcript, lines 3 to
8 4. You said:

9 "Yes, the offensive started on the 18th. In my statement, I had
10 the 18th in my mind, but I said the 19th. But the date is the 18th."

11 Then on the same page, lines 22 to 23 you said:

12 "As I said, I made a mistake with the date. It was 20 and more
13 years ago. The date of the offensive was the 18th; that is, a day
14 before the date I gave."

15 So this is what you told us today.

16 You said you made a mistake. Can you tell us how you realised
17 that you made this mistake?

18 A. When I went, I read the diary and I based myself on the dates in
19 the diary. Because during the war, I did not remember the dates.
20 But when I went there and mentioned it and checked then in the diary,
21 I realised that I had given the wrong date.

22 Q. Okay. So what happened is that -- sorry, let me first ask.

23 When did you do this? When did you check your diary?

24 A. It is a fact that I'm in an age when you forget things. I even
25 forget things that happened within a month. So I went to check

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1 whether I said the things correctly. I took the diary and read it.

2 As I said, maybe in my mind I had the 18th, but in the statement I
3 said the 19th.

4 Q. And when is it that you checked the diary? Was it shortly after
5 the interview? A long time ago?

6 A. Yes, shortly after the interview. That's when I checked and I
7 realised that I had given that date. Because things are forgotten.
8 You forget things. It was not just that offensive. There were
9 consecutive offences. And, of course, after so much years, events
10 are forgotten.

11 Q. Besides looking at your diary - and I will go also -- later I
12 will have some more questions about your diary. But for now, besides
13 consulting that, did you speak with anyone? Did you consult anyone
14 about dates that you mentioned in the statement?

15 A. I did not consult anyone.

16 Q. Now going back -- and before we move to the diary. Going back
17 to the corrections that you made upon re-reading the statement, there
18 were a number related to how many days or nights you spent in Zllash.
19 We have the first at page 5 of the DSM00134-00147, then we have
20 another one at page 6 and another one at page 14.

21 I was not planning to call up all of these corrections. Do you
22 remember what they concerned?

23 A. No.

24 Q. Well, then it's better to call up the statement.

25 MS. D'ASCOLI: Can I have -- with Your Honours' leave.

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1 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

2 MS. D'ASCOLI: Thank you. Can I have DSM300134 to 00147, and
3 first page 5, please. Yes, it's the second paragraph.

4 Q. Madam Hadri, you see the -- after the question, "Upon arrival in
5 Zllash, where could you sleep," there is another sentence in bold in
6 the second paragraph, where it says:

7 "... that is where I spend 1 night."

8 And the correction says:

9 "Correction upon re-reading this, the witness states: I spend
10 here 3 nights."

11 Do you see that on the screen? I know you can also read
12 English. Okay.

13 A. Yes.

14 Q. So this was the first correction. You remember that. You
15 corrected -- you know, it was three nights instead of one that you
16 spent in the room.

17 A. I had forgotten the events, and then I made this correction and
18 said three nights. I counted the days just to help myself remember
19 and I came out with three nights.

20 Q. Yes, I'm -- absolutely. I will just have some questions about
21 the process, not about the content.

22 If we scroll down the page -- yes. The last two sentences here
23 at page 5, they say:

24 "Correction upon re-reading this, the witness states: I spend
25 here 3 nights and 4 days."

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1 And this was correcting three lines above where you had said:

2 "I stayed here two nights."

3 So this is another correction. Do you remember that?

4 A. Yes. Because at the end, as I was counting how many nights I
5 stayed there, I realised that I had made a mistake. I checked with
6 the dates, 16th, 17th, 18th, and there were three nights and four
7 days. Because I myself had forgotten at that time how many days I
8 had spent there.

9 Q. Then the last correction I want to look at is at page 6, the
10 next page.

11 MS. D'ASCOLI: Yes. It's the second paragraph.

12 Q. This is referring again to the dates. And the correction says:

13 "... upon re-reading this, the witness states: I spend here
14 also the night of the 18th, as the offensive started on the 19th. So
15 I stayed until the 19th of April ..."

16 So this was a further correction in the line of the previous
17 ones.

18 Now, my questions were related to how were these corrections
19 made. Can you describe for us how the process went?

20 A. The corrections were made there on the spot, based on counting
21 the days, 18th, 19th, 16th, 17th, when I went there. A month later,
22 I realised that I had forgotten the dates. And there, on the spot, I
23 remembered, based on going back in time, I realised that I stayed
24 there for the 16th, 17th, and 18th, and that the offensive was on the
25 18th. But as I said, I could not remember these dates right on the

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1 spot, and I had to go back in memory to think about them.

2 Q. Okay. So when you said the corrections were made there on the
3 spot, so did you realise it yourself that there was a mistake when
4 the statement was re-read to you?

5 A. I realised because when he asked me how many days you spent
6 there, and I counted them. And there on the spot, I realised that I
7 had made a mistake. As I said, a long time had passed between the
8 time of the interview and the -- of that of the events.

9 Q. So it is mistakes that you realised yourself; right?

10 A. Yes, yes.

11 Q. Okay.

12 MS. D'ASCOLI: Your Honours, I see the time, and I was moving to
13 a different topic, so maybe it's a good time to break.

14 And for our scheduling purposes, I think I have 15 to 20 minutes
15 left.

16 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Prosecutor.

17 Madam Witness, we will have a break for 15 minutes and then we
18 will proceed with your testimony.

19 I will ask Madam Court Usher to accompany you out, and in a
20 while we will call you in again. Thank you.

21 [The witness stands down]

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

23 Then we have a break till a quarter past 3.00.

24 --- Recess taken at 2.57 p.m.

25 --- On resuming at 3.15 p.m.

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1 PRESIDING JUDGE VELDT-FOGLIA: I note that we are in the same
2 composition, so we can proceed.

3 Madam Court Usher, could you bring Madam Witness in, please.

4 [The witness takes the stand]

5 PRESIDING JUDGE VELDT-FOGLIA: Very well. Welcome back,
6 Madam Hadri. I will give the floor to Madam Prosecutor.

7 Please continue with your questioning.

8 MS. D'ASCOLI: Thank you, Your Honours.

9 Q. Madam Hadri, did you keep a diary during the war in 1999?

10 A. Yes, I did keep a diary.

11 Q. Did this diary also described the days of April 1999 when you
12 were in Zllash?

13 A. Yes, it includes these days as well. But the problem was that
14 we -- I mean, I wrote the diary every three days.

15 PRESIDING JUDGE VELDT-FOGLIA: Excuse me. I see that there is a
16 problem, that Mr. Mustafa cannot -- he's indicating to his
17 headphones. Are you not --

18 THE ACCUSED: [Microphone not activated].

19 PRESIDING JUDGE VELDT-FOGLIA: Yes, you don't have translation.
20 Okay. Please put on again to see if it is working now. Can you hear
21 what I'm saying in translation?

22 THE ACCUSED: [Microphone not activated].

23 PRESIDING JUDGE VELDT-FOGLIA: That will not help us.

24 THE ACCUSED: [Microphone not activated].

25 PRESIDING JUDGE VELDT-FOGLIA: You are now hearing something in

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1 Albanian? And if I now talk to you, do you hear me in the Albanian
2 translation?

3 THE ACCUSED: Yes.

4 PRESIDING JUDGE VELDT-FOGLIA: Very well. Good to see that it
5 has been resolved.

6 Madam Prosecutor, please, if you could check if your question
7 has been answered to where it was required by you.

8 MS. D'ASCOLI: Of course, Your Honours. Thanks.

9 Q. Yes. Madam Hadri, you were saying, "I wrote the diary every
10 three days."

11 A. In particular, in the days of the Zllash offensive, the dates
12 were mixed up. Because the offensive happened and we were --
13 remained in the field for two, three days, and we didn't know what
14 was coming next. We didn't even know what day of the week it was.
15 Whether it was Friday or Wednesday. And in the day of the 19th,
16 20th, and 21, there was this summary that I wrote, and I remember
17 that I have written that note in the diary while I was standing. In
18 particular, during that time, on 18th, on 19th, 20th, and the 21st.

19 Q. Yes, I understand during the offensive you couldn't clearly
20 write your diary every day. What about the day before the offensive,
21 like, for example, the days leading to the offensive? April, mid
22 April, up to the 17th, did you record what happened in those days in
23 your diary?

24 A. Even before it has happened that the days were mixed up because
25 of the very serious psychological situation, of the stress, of the

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1 war time. Sometimes even before that, I have put two or three days
2 into a single entry in the diary. I have done that before as well,
3 in order for me to make sure that I have covered all the days.

4 Q. Okay. So let me see if I understand. In some days, on some
5 days when you had the opportunity and when there were no offensives,
6 you -- you would write the diary --

7 A. Yes.

8 Q. -- day by day?

9 A. Yes. Times of peace, I would keep the diary day by day.

10 Q. But in those days as of the 18th or 19th of April, then when you
11 wrote the diary, you grouped days and what happened in those days; is
12 that correct?

13 A. Yes. After the 19th, the 19th, 20th, 21st, up until the 23rd,
14 because it was five days, and we were outside in the open, in the
15 field, in the mountain, and this is how I've put it, into a single
16 entry. And I forget it.

17 Q. I understand. Do you still have that diary?

18 A. Yes, I have published a book. I have reflected that in the
19 book.

20 Q. So did that diary turn into a book? Do I understand that
21 correctly?

22 A. Yes. Later, that diary turned into a book. I wanted to give
23 this message for the next generations, to tell them of the
24 sufferings, of the lives, of the crimes, and that was the idea for
25 myself, just to give that message to the new generation so that the

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1 war would not be repeated again.

2 Q. And are you referring to the book that you authored entitled *The*
3 *Crime I Witnessed*?

4 A. Yes. *Crimes That I Saw With My Own Eyes*. I am a witness of the
5 crimes that were committed by Serbs upon the Albanian population. So
6 I've seen it with my own eyes. It's not that I have heard it from
7 other people. I have been a person myself that has seen with their
8 own eyes in the crimes, in massacres, in the Jashari family massacre,
9 so in Koliq, in the Ahmeti family, where many innocent civilians were
10 killed in Koliq.

11 Q. So do I understand it correctly that this book that you
12 published basically reflects the notes that you took in your diary?

13 A. Yes.

14 Q. And so you said the diary and, therefore, the book, I assume,
15 also describes the days of April 1999 that you spent in Zllash; is
16 that correct? Are those days also in the book?

17 A. Yes. In particular, the 19th, the offensive. Because there was
18 no place where to stay. It was there that I gathered together four
19 or five days, from what I recall. Whereas for the remainder of the
20 days, usually it was one by one, the notes that I kept in my diary.

21 Q. Did you show your diary to the Defence team? Or the book?

22 A. The books, yes, I have the books with me as well.

23 Q. Yes, but did you show it to the Defence team?

24 A. To the Defence? No, they didn't ask for them. They just told
25 me that, "You have wrote this diary and we have also translated those

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1 days and some of the pages of your diary, and that you were telling
2 the truth as the things were happening back then."

3 Q. Okay. So do I understand correctly that you did not give it to
4 them, but they -- they referred to it, that you knew -- they knew
5 that you wrote this book; is that correct?

6 A. Yes.

7 Q. But you did not share anything with them, any copy or any diary,
8 anything?

9 A. No. No, they didn't ask for it. If they wanted it, I would
10 have given it. And I have copies with me today, if you want a copy.
11 I have copies of them here with me in The Hague.

12 Q. Okay. Was your diary or, I mean, your book used during the
13 interview when you gave the statement to the Defence? Was there a
14 copy there that was used during the interview?

15 A. No, no, no copy was used. No, during my interview, no copy was
16 used.

17 Q. And why didn't you use your diary, your book, to navigate those
18 days, those events that you discussed with the Defence team?

19 A. The Defence team, I thought would be a short conversation, and
20 probably things were forgotten, and I didn't take the book with me.
21 I didn't see it fit to take it with me. It would have been a good
22 idea to take a copy of the book so that I would have been more exact
23 in what I told them.

24 Q. But then you said to us earlier that you did, as you say, check
25 the book later on after the interview in order to verify the details

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1 of what you discussed with the Defence; correct?

2 A. Yes. Because I had forgotten of the event altogether. Because
3 if it were not for the book, I would have not recalled anything
4 today. I have forgotten the events, the days, the dates.

5 Q. You were aware that the Defence team that interviewed you was
6 representing Mr. Salih Mustafa in proceedings before this Court;
7 correct?

8 A. Yes, yes.

9 Q. Did you mention also Mr. Salih Mustafa in your book, or Cali?

10 A. Yes, I have wrote Cali in my book. So what I told you before,
11 the fact that he was with the soldiers, Cali was with the soldiers.
12 So I have referred to him by his pseudonym Cali. So that's something
13 that is reflected in the book.

14 Q. And do you remember exactly what you wrote about him?

15 A. Nothing. Just the superior Cali. Like I was told by the guy
16 that he was Cali. And I have described the uniform, that he looked
17 good in the uniform, the red hat. Nothing else. So everything that
18 I told you today is what I have written in the book about him.
19 That's it. It was just one or two days. It was not much time.

20 Q. Do you remember how many times you mention him in the book, for
21 example?

22 A. I don't remember.

23 Q. And what you remember is that you mentioned in the book what you
24 told us today? Those details, those encounters?

25 A. Yes, the same things, from what I remember.

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1 Q. Did you remember whether you mention or describe other soldiers
2 that were with him, for example, whether just their appearance or
3 their names?

4 A. There were some other pseudonyms, some young guys, Luli, and I
5 have taken them as a symbol of youth, of brave soldiers. And I have
6 thought it fit that it's good to speak about those people, to give a
7 message to the new generation, that the current generation has to act
8 in accordance to what the soldiers have done so that we are prepared
9 and so that we don't go through the same acts of history again.

10 So I have described that -- those men because those men deserved
11 to be honoured, to be saluted. So I have described some men.

12 Q. I understand. And my question was specific as to whether you
13 described soldiers or people that were specifically with Cali. What
14 was your answer to that?

15 A. No, I don't think so. No, I don't recall that.

16 Q. So you don't remember, okay.

17 A. I don't remember.

18 Q. Were you aware of the fact that the Defence disclosed to the
19 Prosecution, to the Panel, in -- to the proceedings in this case only
20 some excerpts of your book?

21 A. Yes, this is what I was told. But I was not interested to come
22 here. I didn't want to lose any working days because I work as a
23 doctor, and I've spent time coming here. Therefore, I have not been
24 very much interested to come here. I didn't want to be invested in
25 this case, but the Defence asked me otherwise.

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1 So they told me that they have translated some pages and they
2 told me that, "It's good to tell us what the reality was back then."

3 Q. Yes, we were, in fact, given some excerpts from your book but
4 not the entire book.

5 Were you aware of the fact that, for example, the parts of your
6 book where you say you referred to Salih Mustafa were not among the
7 parts that we had access to?

8 A. There was one day, two days, the 18th, the 19th of April. I
9 have gone to other areas of the war in the other days. From Zllash,
10 we went to Llap and to other parts of the country. Therefore, I
11 don't think that I saw him and I don't think that he is reflected in
12 my book.

13 Q. I'm not sure if you understood my question. What I was
14 saying -- so you told us just a few minutes earlier that you did
15 mention Cali in your book; right?

16 A. Yes, I have mentioned him.

17 Q. You refer to that also in the SPO interview. The reference is
18 page 24 of Part 2, lines 9 to 23. So that is correct, right?

19 A. Yes.

20 Q. Now my question was whether you knew that among the excerpts
21 that were given to the parties in these proceedings, those parts
22 where you mention Cali are not -- were not there, were not provided
23 to the parties? Were you aware of that?

24 A. No, I'm not.

25 Q. And I understand you would have no objections providing the

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1 entire book to the Trial Panel and to the parties; correct?

2 A. I have no objection. That's okay.

3 Q. Before I move to another part, can I ask you whether you could
4 follow the news of what was happening in the rest of Kosovo in the
5 days when you were in Zllash? And I'm talking specifically about the
6 16th, 17th, and 18th before the offensive started, when the situation
7 became chaotic.

8 A. Can you repeat it once again, please.

9 Q. Of course. In those days in Zllash before the offensive
10 started, could you follow the news about what was happening in the
11 rest of Kosovo?

12 A. It was very difficult to do that. Because they had a TV set.
13 The women were in their own rooms. I wanted to follow the news, but
14 it was very, very difficult to listen to the news. Because it was
15 only a TV set and everyone was interested to follow the news. We
16 didn't have internet back then. We had a huge wish to listen to the
17 news, but we could not listen to news.

18 Q. But when you say you could not, was it because -- what was the
19 reason? Why did you say you could not?

20 A. Because there was no space. It was just a small room. We could
21 not listen to the news. It's not that we could go into a big hall,
22 into a big room where you could hear the news. It was just a small
23 space, a small room with one TV set, and it was not possible for us
24 to listen to the news. And then the offensive started and there was
25 no news at the time of the offensive. We only heard of the news from

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1 the Llap area. Because when it comes to our zone, our zone was
2 always on the move. We were only interested into rescuing and saving
3 the wounded. Therefore, I could not listen to any news for five,
4 four, five days. So I was interested to know in whether the members
5 of my family were alive but there was no way for me to find that out.

6 Q. I understand. But you said there was a small TV set there where
7 you stayed. Was that functioning?

8 A. Not in my room, not where I was sleeping. But in the other room
9 where the men were staying, there was a TV set there, I think. And
10 we could not listen to the news.

11 Q. Okay. Well, I wanted to ask you a clarification about this in
12 relation to what you wrote in the diary.

13 MS. D'ASCOLI: If I can call up, Your Honours, with your leave,
14 the relevant part where this is discussed.

15 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, please
16 proceed as soon as you have the references.

17 MS. D'ASCOLI: So in the Albanian, the page is -- the Albanian
18 version of the book is DSM00236 to 00299, and I need page DSM00245.
19 While in the English translation of these excerpts, the ERN that I
20 need is DSM00242 to DSM00246-ET, and the same page, it's -- that I --
21 where the relevant excerpt is DSM00245.

22 Q. Madam Hadri, in a minute you will see the original of the book
23 and then the translation appearing on your screen.

24 So we have here an entry related to Saturday, 17 April 1999. I
25 will read from the last paragraph of the English and in the Albanian

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1 you can also follow at the very bottom of the -- that page.

2 I'm reading the last paragraph:

3 "Bahrija Velju woke up shortly after me." We are at the 17th of
4 April. "We went out to the backyard and drunk some tea. It was cold
5 and we headed inside, into the room with a TV set. We heard the
6 morning news announcing that that day was the biggest exodus of
7 Kosovans towards Kukes."

8 Do you remember that?

9 A. Yes, I do. And I think that that was the day that we watched
10 the TV, and then we didn't listen to anything or watch any news at
11 all on the 17th, 18th, 19th and 20th. So that was the calm day that
12 I was talking about.

13 Q. So this was one event in which you could follow --

14 A. Yes.

15 Q. -- the news on TV and after that you couldn't, for obvious
16 reasons.

17 A. Just one occasion. One case.

18 Q. Okay, that's fine. Thank you. Now I'll move to a different
19 topic.

20 Today at pages 33 and also -- no, actually, page 33, lines 16 to
21 19 for the record, you indicated that in Zllash there were no
22 buildings with guards and that you did not see anyone being detained
23 in Zllash. However, you also told us that you did not visit other
24 buildings apart from the one where you were staying and receiving
25 patients, and apart, of course, from the HQ at the beginning;

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1 correct?

2 A. Yes.

3 Q. The reference to that is also at page 29 of today's live
4 transcript.

5 So how can you be sure that there were no detainees held in
6 other buildings if you did not visit these buildings one by one?

7 A. The yard was small. It was not more than the space that is
8 here. And there were no traces and, actually, you could see the
9 people moving if the door of the room was open. There was no point
10 to go outside in order for you to see what was happening around.

11 Q. I understand about the yard and the fact that you would see
12 people moving in the yard, but my question was different. So you
13 told us you did not visit other buildings or all of the buildings
14 that were in that location; is that correct? Let's take it step by
15 step.

16 A. Yes, yes. There was no point for me to go there, because I was
17 working.

18 Q. So if you did not enter all of the other buildings - and I mean
19 enter, you know, inside, to look what was happening inside, how can
20 you exclude -- how can you say that were no people being detained
21 anywhere there?

22 A. There could not be anyone because the space was very small. It
23 was a small place.

24 Q. I understand. But did you visit all of the buildings in that
25 small place, whether, you know, those were many or little? Did you

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1 visit them all?

2 A. No, I did not visit them all.

3 Q. Okay. So how can you exclude with so much certainty that there
4 were no people detained in that location?

5 A. I am telling you again. Based on the space, because the place,
6 like I said, was very small. I heard nothing. Because the noise
7 itself would be echoed and you would hear something if something was
8 happening. There was this room for the women, there was the
9 headquarters, and there was this other room where the men would stay.

10 Q. So when you say the place was very small, you're referring to
11 the fact that the two rooms you visited, first the one of the men,
12 the headquarters, and the room of the women where you stayed, were
13 very small. Is that what you're saying?

14 A. The rooms are small. They are close to one another. We were
15 all in the same place.

16 Q. And you said in the room where you were, you were busy all the
17 time with people in -- in need of medical attention; correct?

18 A. Yes, yes.

19 Q. So the basis of your answers about no people being detained
20 there is based on the fact that you did not see any such detainees in
21 the rooms where you stayed, in the two rooms that you visited; is
22 that correct?

23 A. That's correct. Because when you said if I have seen or if
24 we've heard anything, we have not done that. We've not heard, we've
25 not seen. I am convinced. Because if it's a question of noise, the

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1 noise would be heard because the space was small, like I said.

2 Q. But, again, you stayed in one room where you were busy for the
3 whole day with people in need of medical attention; right?

4 A. Yes, on the 17th.

5 Q. So you had no time or opportunity to verify what was happening
6 in the rest of the buildings which were in the location?

7 A. No, there was no opportunity because I didn't leave the room. I
8 was busy with the patients.

9 Q. Okay. Do you know someone called Ibadete Canolli-Kaciu?

10 A. I did not know her then, at the time. I knew Ibadete during the
11 offensive when the shells fell at the school and I was making sure
12 not to be hit by those -- by the shells, and so we went to a nearby
13 field close to the school. That is where Ibadete came. I didn't
14 know her name at that time but I learned it later. And she took the
15 soldiers so that she could provide medical assistance that then I was
16 able to provide there at that time.

17 Q. So in terms of timing -- sorry, let's go first location. So in
18 terms of location, you said you met her at the school. I guess
19 outside of the school; correct? In Zllash, this is the school in
20 Zllash?

21 A. Yes, in Zllash. During the offensive. On the day of the
22 offensive.

23 Q. So this was when you left the location where you were sleeping
24 and working. That is on the 19th, as you told us. Is that correct?

25 A. Yes, when we left.

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1 Q. So on the 19th, because of the offensive, the shelling, you left
2 the location where you were staying. You moved down to the school.

3 Correct?

4 A. Yes, we moved from the school.

5 Q. But you were at the school at some point on the 19th?

6 A. We were at the school. We were treating the wounds. We treated
7 the wounded until the shells started falling on the school, on the
8 roof of the school, so that is when we were forced to move. Because
9 our lives and the patients lives were in danger. So we were forced
10 to move them to a nearby field and treat the wounds there.

11 Q. Okay, thank you. And that's -- is that the first time you met
12 Ibadete Canolli?

13 A. Yes, the first time was where we stitched the wounds of
14 Osman Gashi. They came, the soldiers came and they evacuated him.
15 They -- Ibadete asked me who I was. I learned who she was later on.
16 I was very impressed that she asked me, and I told her that I was the
17 doctor. And the soldiers -- she told me that the soldiers would
18 bring that patient to another location. She only asked me who I was.

19 Q. Okay. And did she say who she was?

20 A. No. No, because it was a difficult condition. We were more
21 focused on how to leave that area because the -- because we were
22 being shelled. The school was destroyed during that occasion.

23 Q. And what did you know of her, when you met her and she asked
24 about your name? Did she say anything about herself, leaving aside
25 the name?

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1 A. I didn't know whether she was a nurse, whether she was a
2 technician. I knew that she wasn't a doctor because I knew -- I know
3 doctors from my generation. But I thought that she might have been a
4 specialised nurse from a nearby hospital. I wasn't very familiar
5 with the zone at that time.

6 In the evening, the person whose wound I had not completed
7 stitching, I asked him who was that girl that helped me with your
8 wound. And he told me at the time. And so from then on, I had no
9 contacts with her.

10 Q. I understand. And is that how you learned about her name, when
11 this person told you who she was?

12 A. Yes, that is how I learned her name, when we were stitching the
13 wounds, because I had not completed stitching the wound to that
14 person.

15 Q. And --

16 A. But I didn't know her last name until recently. I only knew her
17 name at the time and I learned her last name much later.

18 Q. Okay. And so did you know whether she was a nurse or a soldier
19 who was helping out, a medical professional? I understand you don't;
20 right? Okay.

21 A. No. I didn't know. I didn't know that at all.

22 Q. And you said you -- yes. You did not know her last name until
23 recently. How did you learn it recently? And why? In what
24 occasion?

25 A. I learned it that day when you interviewed me. And I didn't

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1 know. Mr. Cezary asked me. I told him that her name was so and so,
2 but he told me the last name. So that was the day when I learned her
3 last name.

4 Q. I understand. So you learned it during the SPO interview, okay.

5 And do you remember how she was dressed when you met her at the
6 school in Zllash?

7 A. No, I don't remember. She was wearing civilian clothes.

8 Q. Okay. I'm moving to the last set of questions and then I will
9 be done.

10 PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor.

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

12 PRESIDING JUDGE VELDT-FOGLIA: For planning purposes, because we
13 will not be finishing today with the examination of the witness, we
14 will continue tomorrow, that means that I will not ask the
15 interpreters to continue after the normal time of 4.00.

16 So please, in your continuation of the questioning, take into
17 consideration that in ten minutes I would like to wrap up for today.

18 MS. D'ASCOLI: Yes, absolutely, Your Honours. I will wrap up in
19 ten minutes. Thank you.

20 Q. Madam Hadri, you gave your statement to the Defence of
21 Salih Mustafa on 27 March 2021. How did that happen? Were you
22 contacted? Did you contact them? How did it work?

23 A. No, they contact me by phone and asked me if I was Teuta Hadri,
24 whether I wrote a book, and whether I was willing to testify. That
25 they represented -- that they were from the Defence, and whether I

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1 was willing to testify in the case against Salih Mustafa, that I was
2 there in that area, and, of course, as a citizen I felt obliged to
3 speak about that, and I accepted that.

4 Q. Okay. After giving the statement, did you discuss with anyone
5 the content of that statement?

6 A. No, I did not. I did not discuss it because I'm a public
7 person, and I think the people -- our people do not understand the
8 court very well and that is why I did not discuss it. I, in fact,
9 wanted to see the people who were soldiers before, but I did not --
10 who were soldiers before but I didn't discuss it with anyone. I had
11 the need to discuss it because I had given the statement.

12 Q. Okay. What about the content of the interview with the
13 Specialist Prosecutor's Office? Did you discuss that with anyone
14 after the interview?

15 A. I spoke about it to my family members, because, of course, when
16 I gave the interview that day, I had patients. I have still patients
17 even though I am here testifying, publicly testifying. I have not
18 made it public, but, of course, I told my family members so that they
19 were -- that they are aware of my testimony.

20 Q. Okay. Anyone else except your family -- beside your family
21 members?

22 A. Well, of course, if you are a public person, those things become
23 known. The contact with the counsel, with the interpreter, asked
24 me -- I did not give -- I tried not to make it public or speak about
25 it publicly too much.

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1 Q. But so your answer, is that a yes or a no? I understand that
2 you spoke about it with your family members. And I understand once
3 matters are public and your testimony is public, people would know.
4 But my question was did you discuss specifically the content of -- I
5 was referring to the SPO interview, but -- just a second --

6 A. No, not to anyone.

7 Q. But that also includes the Defence statement. Did you discuss
8 specifically the content of that statement with anyone besides your
9 family?

10 A. No, I did not discuss it with anyone.

11 Q. And have you expressed any views about this Court in the past,
12 including in the interviews?

13 A. What do you mean? Opinions, views?

14 Q. Your views about the Kosovo Specialist Chambers and the
15 Specialist Prosecutor's Office.

16 A. That the Court will judge these cases. Of course, such was the
17 prestigious Court in The Hague. I didn't have any reason to discuss
18 this with anyone.

19 MS. D'ASCOLI: Then without calling up the transcript, I will,
20 if Your Honours agree, just put a question to the witness to ask an
21 explanation regarding what she previously said about -- there's no
22 need to go with the transcript.

23 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

24 MS. D'ASCOLI: Thank you, Your Honours.

25 Q. Madam Hadri, then if you remember, when -- during the SPO

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1 interview, you did say something about what you -- how you believe
2 the Court would work.

3 So I will just read that to you and ask for your explanation.
4 That's all I need.

5 The line that I refer to is at page 25 of Part 2 of ERN
6 104548-TR-ET, and I just want to read you lines 16 and 17, when you
7 said:

8 "... I believe that this Specialist Chambers won't work fairly,
9 and they have to listen to the soldiers and not to listen to the
10 suspicious people ..."

11 So I -- can I have -- can I ask you what you meant when you said
12 that this court will not work fairly?

13 A. No, I think that should have been should work fairly. I don't
14 remember saying that it will work unfairly. And that is what I
15 think. And that is what it should do. And it's true, you also have
16 false witnesses who are interested in either getting a visa to move
17 to France or somewhere else. I also worked in the council for the
18 defence of human rights and freedoms. People were giving false
19 testimonies there as well, and that is what I meant, from that
20 perspective. Because the Judge has to work fairly and that they
21 should be aware that there also be false witnesses.

22 That was the -- that was the context in which I have said it. I
23 don't think that I should have elaborated more on that, but now I am
24 elaborating on that view.

25 Q. Of course. I just wanted to ask for your explanation, and I

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1 understand that you don't remember that it will work unfairly and
2 that you meant that this should work fairly. Is that correct?

3 A. I meant to say that it should work fairly and analyse well
4 because, as I -- I just mentioned that the people came to the defence
5 of human rights and freedoms without being pressured by anyone,
6 either by the Serbs or anyone else, they came and gave false
7 testimonies. I didn't say that it won't work fairly but that it
8 should work fairly.

9 Q. Absolutely. Thank you.

10 A. I don't know whether that was interpreted correctly.

11 Q. Thank you for your explanation. We do have the audio-video
12 recording of the interview so we can easily proceed with the
13 verification of the language you used.

14 A. [Overlapping speakers] ...

15 Q. So there's no problem about that. Thank you for the
16 explanation.

17 A. I might have misspoken.

18 PRESIDING JUDGE VELDT-FOGLIA: Okay. I see that the Defence
19 Counsel is standing. You have the floor.

20 MR. SHALA: Yes, thank you, Your Honour. I'm reading in
21 Albanian version --

22 PRESIDING JUDGE VELDT-FOGLIA: Wait, wait, wait. Are you going
23 to discuss the content of the --

24 MR. SHALA: Yes.

25 PRESIDING JUDGE VELDT-FOGLIA: -- then --

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1 MR. SHALA: Yes.

2 PRESIDING JUDGE VELDT-FOGLIA: Okay. We --

3 MR. SHALA: Yes. Or we can leave that for tomorrow.

4 PRESIDING JUDGE VELDT-FOGLIA: I think that's better because I'm
5 under the impression that it will take maybe a little bit more of
6 time --

7 MR. SHALA: Yes, yes.

8 PRESIDING JUDGE VELDT-FOGLIA: -- because the witness has to be
9 ushered out, ushered in.

10 MR. SHALA: Okay.

11 PRESIDING JUDGE VELDT-FOGLIA: So we leave it there.

12 MS. D'ASCOLI: Your Honours, then that concludes my
13 cross-examination.

14 Q. Madam Hadri, thank you very much. I don't have further
15 questions.

16 PRESIDING JUDGE VELDT-FOGLIA: Good. But we will come back to
17 this specific point tomorrow, or it can be done in the examination by
18 the Defence.

19 Let me see. We will do now an -- thank you, Madam Prosecutor.
20 We do, before we wrap up for today, an estimation of the time we need
21 tomorrow.

22 Victims' Counsel, you have the floor.

23 MS. VOSENBERG: Yes, thank you, Your Honours. I think I have
24 two topics that I'd like to discuss with the witness. It is not
25 going to be as fast as the last time, so maybe ten to 15 minutes max.

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1 Depending on the answers.

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

3 MS. VOSENBERG: Thank you.

4 PRESIDING JUDGE VELDT-FOGLIA: And, Defence Counsel, tomorrow,
5 would you like to ask questions to the witness?

6 MR. SHALA: Yes, yes, Your Honour, I think two, maximum three
7 questions.

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

9 Then for now, Madam Court Usher, could you usher the witness
10 out.

11 Madam Witness, tomorrow we will continue -- oh, please put on
12 your headphones.

13 Tomorrow we will continue, but for sure it won't be longer than
14 a session of one and a half hours, and I think it will be
15 substantially less. So thank you for today.

16 I remind you that you should not discuss your testimony you have
17 given today in court with anyone, and I wish you a restful evening.
18 Thank you.

19 [The witness stands down]

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

21 Madam Prosecutor, is there anything you would like to raise with
22 the Panel at this point in time?

23 MR. MICHALCZUK:

24 MS. D'ASCOLI: Nothing further, Your Honours. Thank you.

25 PRESIDING JUDGE VELDT-FOGLIA: Victims' Counsel?

1 MS. VOSSENBERG: Just the e-mail that I sent about being able to
2 use certain documents. That was okay? Because the --

3 PRESIDING JUDGE VELDT-FOGLIA: You will receive an oral order on
4 that.

5 MS. VOSSENBERG: Of course.

6 PRESIDING JUDGE VELDT-FOGLIA: But -- yes, you will receive an
7 oral order. But I can -- in summary, it will be a yes, so you don't
8 have to -- but the oral order in its completeness will come tomorrow.

9 MS. VOSSENBERG: Okay. Thank you very much.

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

12 MR. SHALA: No, thank you. Nothing further.

13 PRESIDING JUDGE VELDT-FOGLIA: Very well. We will resume
14 tomorrow, 12 May, at 9.30, with the continuation of the testimony of
15 Witness 1600, and then we will continue with Witness 1700.

16 Thank you. The hearing is adjourned.

17 --- Whereupon the hearing adjourned at 4.04 p.m.

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