

1 Wednesday, 20 April 2022

2 [Open session]

3 [The accused entered court]

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

5 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, can you
6 please call the case.

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

9 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Court Officer.
10 Good morning to everyone. First of all, I will call the
11 appearances.

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

14 MS. D'ASCOLI: Thank you, Your Honours. And good morning,
15 everyone. The Specialist Prosecutor's Office today is represented by
16 Associate Prosecutor Filippo De Minicis; Case Manager Julie Mann; our
17 legal intern, Mia Vukovic; and myself, Silvia D'Ascoli,
18 Associate Prosecutor. Thank you.

19 PRESIDING JUDGE VELDT-FOGLIA: Thank you.
20 Victims' Counsel, you have the floor.

21 MS. VOSENBERG: Thank you, Your Honours. Good morning,
22 everybody. The participating victims are represented today by
23 myself, Brechtje Vossenbergh, co-counsel.

24 PRESIDING JUDGE VELDT-FOGLIA: Thank you.
25 Defence Counsel, you have the floor.

1 MR. VON BONE: Good morning, Your Honour. The Defence is
2 represented by my co-counsel, Mr. Betim Shala, co-counsel; myself,
3 Julius von Bone; interpreter/investigator, Mr. Fatmir Pelaj. And
4 joining in the courtroom is also today Mr. Mustafa, the accused.

5 PRESIDING JUDGE VELDT-FOGLIA: Very well. For the record, you
6 are appearing in front of Trial Panel I.

7 Today we will hear the testimony of Defence Witness 1300. This
8 is Mr. Musli Halimi.

9 Can we please usher the witness into the courtroom, please.

10 [The witness takes the stand]

11 PRESIDING JUDGE VELDT-FOGLIA: Mr. Halimi, good morning, and
12 welcome to the Specialist Chambers.

13 THE WITNESS: [Interpretation] Thank you.

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

15 THE WITNESS: [Interpretation] Yes.

16 PRESIDING JUDGE VELDT-FOGLIA: Okay. Very well. First of all,
17 how are you?

18 THE WITNESS: [Interpretation] I'm well. Very well.

19 PRESIDING JUDGE VELDT-FOGLIA: Mm-hm, good. Thank you.

20 Mr. Halimi, today we will start with your testimony, and you are
21 called to testify before the Specialist Chambers in the case of
22 The Specialist Prosecutor's Office versus Salih Mustafa in order to
23 help the Panel to reach a verdict. And after you have taken your
24 solemn declaration, you will be asked questions by the
25 Defence Counsel on your right-hand side, and then by the lawyers for

1 the Specialist Prosecutor's Office, and also by the Victims' Counsel,
2 and, at the end, you could also receive questions from the Panel, who
3 are sitting in front of you. Is that clear?

4 THE WITNESS: [Interpretation] It's clear.

5 PRESIDING JUDGE VELDT-FOGLIA: Very well. I would like to
6 provide you with some guidance for your answering the questions that
7 will be posed to you.

8 Mr. Halimi, please, listen carefully to each question and if you
9 do not understand, feel free to -- the question to be repeated. We
10 want you to tell the truth and we want you to tell us what you saw,
11 what you heard, what you experienced, and what you sensed. And if
12 you found out in some other way, please tell us.

13 You may not remember the details of all the events and that is
14 fine. Please testify on what you remember. Yes? And if you don't
15 know, don't remember, please tell us.

16 Please answer the questions and if clarification is needed, you
17 will be asked to do so. And I might stop you if I think you are
18 deviating from the question that is posed to you, in order to try to
19 focus again on the question. Yes?

20 And I also remind you that you may refuse to answer questions on
21 issues that may incriminate you.

22 Do you understand all this?

23 THE WITNESS: [Interpretation] Yes.

24 PRESIDING JUDGE VELDT-FOGLIA: Very well. I would like to give
25 you some practical advice for your testimony.

1 Mr. Halimi, everything that we say here, as you know, is
2 translated and recorded, so it is important to speak into the
3 microphones in front of you, to speak at a slow pace, and to speak
4 clearly, and this all will allow the interpreters to translate
5 everything.

6 You should only start speaking when the person asking you a
7 question has finished. And when a question is asked, please count in
8 your head up till five, which may seem a little bit artificial
9 because you will be inclined to answer right away, and you might have
10 seen that already if you have been following the procedures. But I
11 insist, count up till five, and then answer the question, and this
12 pause of five seconds is essential for us to properly follow what you
13 are saying. Because, if not, we will have overlapping speakers, and
14 then the interpreters who are sitting in the booths up there cannot
15 properly interpret what is being said in the courtroom.

16 If I raise my hand, please stop talking. I do it with my hand
17 because if I start talking, we get overlapping speakers.

18 Sometimes you will be asked to take off your headphones or you
19 will be ushered out of the courtroom when we need to discuss the
20 content of a question that is going to be posed to you. And in order
21 not to influence you, it is better that you don't hear the discussion
22 that we are having on that matter.

23 If you have any questions, if you need a break, or you need
24 something else, please raise your hand and then I will give you the
25 floor in order to say what -- what you need.

1 Yes? Do you understand all this? I see you nodding. And for
2 the record, I say that you agree. Yes, you agree? Yes.

3 THE WITNESS: [Interpretation] Yes.

4 PRESIDING JUDGE VELDT-FOGLIA: Because the nodding is not very
5 well registered by our stenographer.

6 Last question. Do you speak English, Mr. Halimi?

7 THE WITNESS: [Interpretation] No.

8 PRESIDING JUDGE VELDT-FOGLIA: Okay. Noted.

9 Very well. Thank you. And as I must do with every witness, I
10 will now ask you to read your solemn declaration to tell the truth.
11 And I remind you that it is an offence within the jurisdiction of the
12 Specialist Chambers to give a false testimony.

13 Do you understand that?

14 THE WITNESS: [Interpretation] Yes.

15 PRESIDING JUDGE VELDT-FOGLIA: Good.

16 Madam Court Usher, I see you have already provided the witness
17 with the text of the solemn declaration.

18 Mr. Halimi, please, read the text provided to you.

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

23 WITNESS: MUSLI HALIMI

24 [Witness answered through interpreter]

25 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Mr. Halimi. You are

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3719

1 now under oath to tell the truth.

2 We can now begin with the testimony of Mr. Halimi, starting with
3 the questioning by the Defence Counsel.

4 Defence Counsel, you have estimated two hours for your
5 questioning of this witness. Please inform the Panel as soon as you
6 know if you need less or more time.

7 You have the floor.

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

9 Examination by Mr. von Bone:

10 Q. Good morning, Mr. Halimi.

11 A. Good morning.

12 Q. Mr. Witness, for practical purposes, you might want to get the
13 microphone a little bit closer to you so that everybody can clearly
14 hear your answers.

15 Mr. Halimi, you made a statement with the Defence on
16 17 August 2021; do you recall that?

17 A. Yes.

18 Q. And did you have a chance to review that, your statement?

19 A. Yes.

20 Q. And did you, to the best of your knowledge and truthfully, state
21 whatever you have stated in that statement?

22 A. I tried to tell the truth.

23 Q. Okay. Mr. Witness, I will go step by step through a number of
24 topics that we would like to discuss with you today.

25 Mr. Witness, do you recall when, in 1999, in March, the NATO

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3720

1 bombings started?

2 A. Yes.

3 Q. Do you recall the date; and, if so, would you please tell us the
4 date?

5 A. 24 March 1999.

6 Q. Yes. And do you recall at the time where you actually were?

7 A. I was in Zllash, at the training centre, at the school.

8 Q. Okay. I'll get back to that later. I just want to just have
9 some other initial questions on that.

10 Do you recall when you actually arrived in Zllash?

11 A. Yes.

12 Q. And when was that?

13 A. 15 January 1999.

14 Q. Mm-hm. And where did you actually arrive from before you came
15 to Zllash? From -- from where did you arrive?

16 A. From 1993 to 1998, I was in Germany. From there, I went to
17 Albania in 1998. And from Albania, I went to Zllash.

18 Q. Okay.

19 A. On foot.

20 Q. At the time that you arrived in Zllash, did you actually join
21 the KLA or was that earlier? At what time was that?

22 A. On 5 May 1998, I joined the KLA.

23 Q. Okay. And upon joining the KLA, could you roughly indicate what
24 you were doing at the time? Because I understand that, in 1998, you
25 were not yet in Kosovo, in Zllash. So could you tell us what you

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3721

1 were doing for the KLA?

2 A. I did some training in Albania, a sort of preparation before I
3 joined the war.

4 Q. I understand. And upon your arrival in Zllash, how did you --
5 what was the reason actually to go there, to that particular place,
6 that particular location?

7 A. A training centre was planned to be opened there, and I knew the
8 former brigade commander Agim Shehu in Tirana and that was the reason
9 why I went to Zllash.

10 THE INTERPRETER: Correction: Adem Shehu.

11 MR. VON BONE:

12 Q. And what would you do at the training centre?

13 A. There were 15 days of preparation to open the training centre,
14 from 15 January until 1 February.

15 Q. I understand. And that training centre, where was that located
16 in? What kind of -- what kind of structure was it located?

17 A. The training centre was in Zllash village. There was a primary
18 school there from the first to the fourth grade, and that's where the
19 training centre was. That building was used as a training centre.

20 Q. Okay.

21 MR. VON BONE: At this point, Your Honour, I would like to ask
22 the CMU to show a photograph or actually two photographs. It's
23 DSM00549.

24 PRESIDING JUDGE VELDT-FOGLIA: Please proceed,
25 Madam Court Officer.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3722

1 MR. VON BONE: And maybe it's -- and also next to it
2 SPOE00128412.

3 Yes, maybe we could enlarge the first -- the photograph on the
4 left a little bit. Yes.

5 Q. Mr. Halimi, even though it's in black and white, do you
6 recognise this building?

7 A. I think this is the school in Zllash.

8 Q. Yes.

9 MR. VON BONE: And if we go to the other photograph and enlarge
10 that one.

11 Q. And what is this building, Mr. Witness?

12 A. This, too, I think it's the same one. It's ruined. I think
13 that this, too, is the school in Zllash.

14 Q. Thank you very much.

15 MR. VON BONE: We can keep the photos on for a moment.

16 Q. Was it in these buildings or in this building - it's one and the
17 same building - that the training centre was located, where you were
18 speaking about?

19 A. Yes.

20 Q. Yes. Could you indicate actually whether this school -- how
21 would it look inside? How many rooms would be there, for example, in
22 total? If you recall that.

23 A. It had four classrooms, a small room, a small office where I
24 stayed, and next to it there was a facility where the food for the
25 soldiers were prepared, the kitchen.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3723

1 Q. I understand. If we look at the right side photograph - so that
2 is -- well, right side photograph.

3 MR. VON BONE: Could we enlarge that a little bit.

4 Q. If I would be standing with my back towards the wall, the front
5 wall that we see on this picture, and I would look just forward, what
6 would I see?

7 A. A ruined building.

8 Q. No. Yes, I understand that. I see a ruined building. Maybe I
9 did not pose my question good enough.

10 What I'm trying to say is when I would be with my back -- the
11 back of my body standing at this wall that you see in the front and I
12 would just look forward, what would I see in front of me?

13 A. A field, nature, yard.

14 Q. I understand. And that yard or that field, would that be flat
15 or would it be different?

16 A. Part of it was flat before you entered the yard. That's where
17 we would line up the soldiers and raise the flag. That was before
18 you entered the building. There was this part in front of the
19 building where we would do the lineup.

20 Q. Okay. I'll get back to that later.

21 At this -- I just want to speak about the field that you're
22 speaking about. Would that go -- to be more specific, would that go
23 downhill or uphill, or would it just remain flat all the way?

24 A. Part was flat, but not all of it was flat. There were some
25 points that were higher. But that part, just before entering the

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3724

1 building where we would line up the soldiers, just before the
2 entrance or the exit of the building where we would raise the flag,
3 that part was flat. It was a yard.

4 Q. I understand. If you look at this photograph, where actually
5 would be the entrance of the building? Or if it is actually on the
6 photograph?

7 A. No, it's not on this part, the entrance. It's behind.

8 Q. So on the other side of the building?

9 A. Yes.

10 Q. And when you said that you would line up or raise the flag, that
11 would be at the side of the entrance of the building; is that
12 correct?

13 A. Yes.

14 Q. Okay. Thank you very much. That clarifies.

15 When we --

16 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel.

17 MR. VON BONE: Yes.

18 PRESIDING JUDGE VELDT-FOGLIA: Just one small intervention for
19 the transcript. Apparently on page 8, the reference to SPO 128386
20 was not registered. I just -- I just mention it here for the record.
21 Then afterwards we can always have a look again at it. I mention it
22 here so there is no misunderstanding about what is referred to.

23 Please continue.

24 MR. VON BONE: Okay. To be clear, we are speaking being this
25 particular photograph.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3725

1 PRESIDING JUDGE VELDT-FOGLIA: No doubt about that.

2 MR. VON BONE: No doubt about that.

3 PRESIDING JUDGE VELDT-FOGLIA: Okay.

4 MR. VON BONE:

5 Q. So you just said that the entrance is on the opposite side of
6 the part of the building that we are seeing now; right?

7 A. Yes.

8 Q. And so what would be done actually in the spaces that we are
9 seeing here, in this part of the building? What would be there?
10 Would, for example, there be your office or just something else? You
11 just spoke about your office.

12 A. The office where I was served as an office for the teachers
13 earlier, teachers who worked there. And I used that room as an
14 office and also as a bedroom.

15 Q. I understand. And if we look at the -- at this photograph where
16 we see obviously that it is a devastated building, but we can see
17 some spaces on this photograph. Could you tell us what would be
18 on -- what would be used these spaces for at the time that you were
19 there in that training centre?

20 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, could we start
21 from right to left or --

22 MR. VON BONE: Sure.

23 PRESIDING JUDGE VELDT-FOGLIA: -- from left to right, whatever
24 you prefer.

25 MR. VON BONE: Sure.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3726

1 Q. Well, if you could tell that to us, from left to right, please,
2 what we can see actually. What those spaces were used for?

3 A. Two classrooms were used as rooms for the cadets. They would
4 sleep there. They had no right to go back to their families. It was
5 an intensive training, a 15-day training. Whereas two other
6 classrooms were used for lectures. One for lectures and one for the
7 soldiers to eat. The cadets, they had their breakfast, lunch and
8 dinner there.

9 Q. Okay. Thank you.

10 A. Whereas the cooks, they had a small facility just in front of
11 the building where they prepared the food for the soldiers.

12 Q. And when you say "in front of the building," is that on the side
13 where the entrance is of the building or is it on this --

14 A. Yes.

15 Q. Okay. Thank you very much. Okay.

16 A. Yes, in front of.

17 Q. Right.

18 MR. VON BONE: I think this covers more or less the building,
19 Your Honour.

20 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

21 MR. VON BONE: So we can --

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

23 MR. VON BONE:

24 Q. Mr. Witness, were you -- what was your position in the training
25 centre?

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3727

1 A. I was the commander of the training centre.

2 Q. Right. And were there -- the training centre, was that part of
3 a unit? Was it a separate unit? Or did it belong to a particular
4 unit? And, if so, could you tell us which one?

5 A. The training centre was subordinated to 153rd Brigade. I myself
6 was a subordinate of 153rd Brigade.

7 Q. Okay. And upon your arrival in Zllash at the time, who was your
8 superior officer at the time?

9 A. Fatmir Sopi.

10 Q. Okay. And did you have any other superiors in that perspective
11 or did you have just one particular superior?

12 A. There were others, of course.

13 Q. Okay. And who were those others? Could you tell us that?

14 A. Rrahman Dini, Sejdi Veseli, and there were also others.

15 Q. Okay. And what was the position of Rrahman Dini actually?

16 A. I cannot tell you what his position was, but he was a
17 subordinate. He was leader in that group of the brigade. My
18 cooperation was mainly with the brigade deputy commander,
19 Fatmir Sopi. And the positions could change. Chief of Staff, chief
20 of operations. But these positions existed the whole time. There
21 was a Chief of Staff, there was chief of logistics, chief of
22 operations. But I didn't know all the positions.

23 Q. Okay. And just to be clear, who was the Chief of Staff of the
24 Brigade 153?

25 A. I cannot be exact, but as far as I know, it was this person

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3728

1 Rrahman Dini.

2 Q. Okay. And did you have any particular dealings with
3 Sejdi Veseli, as far as your work was concerned regarding the
4 training of the -- the people in the training centre?

5 A. Not a particular relation, but there was cooperation with
6 Fatmir Sopi, with Sejdi Veseli, and Rrahman Dini. Of course, we had
7 a cooperation. We cooperated in drawing up the plan. So I would say
8 there was cooperation.

9 Q. I understand. Where would Sejdi Veseli and Fatmir Sopi and
10 Rrahman Dini actually stay with the brigade? What was their
11 location?

12 A. The brigade staff was situated some 500 metres away from the
13 training centre, at a lower position in the village in a private
14 facility, in a home. That's where they stayed.

15 Q. Okay. And during your -- during the entire time that you were
16 in the training centre, did they remain in that location 500 metres
17 away from the training centre? I mean --

18 A. Yes.

19 Q. Was that the headquarters, that other location 500 metres away?

20 A. Yes.

21 Q. Okay. And when you spoke about Fatmir Sopi, would he sleep
22 actually in the building, in the training centre where you were
23 staying?

24 A. No, he did not sleep in the training centre. I don't know where
25 he slept, actually. Because he was from Zllash. He was in his own

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3729

1 place, let's say.

2 Q. "In his own place," do you mean in his own house?

3 A. I don't know. He is from Zllash.

4 Q. Okay, clear. When you would -- you would be in charge of the
5 training centre. Can I call it like that?

6 A. Yes, you can.

7 Q. Would people address you as a commander?

8 A. Yes.

9 Q. And would you be called a commander or would you be called
10 commander by your surname or any other name?

11 A. I had a pseudonym, Llapi.

12 Q. Okay. And what would -- new recruits, how would they address
13 you?

14 A. Some addressed me by my pseudonym, Llap. Some as commander.
15 But they didn't know my real name.

16 Q. Okay, I understand. Mr. Witness, how would you actually receive
17 recruits? From who would you -- from where would they come?

18 A. All the recruits that came to this training centre came from
19 that area, from Gollak area. And every neighbourhood, every village
20 had an activist or someone who was kind of responsible, so it was
21 this person that collected or selected people and sent the list of
22 such persons to Brigade 153. The brigade then examined the list,
23 drew up a final list and sent it to the training centre. I was there
24 only to implement it, not to assess or to inspect the list. That was
25 it.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3730

1 Q. I understand. So you would receive actually a list of people
2 that would arrive at your training centre at some point?

3 A. Yes.

4 Q. Just going one step back again. There was a list drawn up. You
5 would receive it from the brigade. Would the brigade actually make a
6 kind of an assessment of these people?

7 A. I don't know, but I believe it did.

8 Q. Okay. And would you know what such assessment would contain?

9 A. I already said. My duty was only to implement the list.

10 Q. Do you know if -- if people had some form of medical check
11 before they arrived at your training centre?

12 A. In normal condition, that should have been the case. But I
13 don't know. There was a doctor in the brigade, but whether that took
14 place or not, this I can't say.

15 Q. Okay. And how long in advance would you receive a list with the
16 new people who would come to you? How long in advance would you
17 receive that before starting the actual training with such a group?

18 A. I don't remember very well, but I think it was two or three days
19 before the next generation would come up for training. Because once
20 a generation was done with, we started preparation for the next one.
21 So ...

22 Q. I understand. This -- what -- what kind of information would
23 you actually receive? What kind of information would that list
24 actually tell you about the new generation of people?

25 A. The list described the generation, one, two, three, depending

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3731

1 how many there were, the name, last name, the year of birth, the
2 place the person came from.

3 Q. And would the list also give additional information about people
4 or about specific qualities or capacities or ...

5 A. In addition to the name, last name, village, nothing more than
6 that. Of course, the father's name, their last name.

7 Q. I see. Do you recall, during your entire time that you received
8 these lists, whether there were actually people from Prishtine on
9 that list?

10 A. To tell you the truth, no, I didn't know them. For me, it was
11 an unknown zone. I didn't know people from there.

12 Q. Have you ever lived in Prishtine yourself before 1998?

13 A. Can you repeat it, please? Can you repeat the question?

14 Q. Excuse me. Did you ever live yourself before 1998 in Prishtine?

15 A. No.

16 Q. Okay. Mr. Witness, when a new generation would come, would
17 arrive at your facility in that school, in that school building -- I
18 call it sometimes the training centre. I call it sometimes the
19 school. It's the same. We just watched this building and that's
20 where I'm referring to.

21 So when people, when a new generation would arrive at the school
22 for training, what would be the first things that would be done?

23 A. When a generation came to the training centre, they were obliged
24 to line up in front of the facility; namely, the school. And we took
25 the list and called everyone by name and last name, and told them

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3732

1 some rules that they had to abide by in the training centre. We
2 asked them whether someone was -- did not agree with these rules,
3 whether someone had some health issues, couldn't cope with the work
4 there. The person should come out of the line and tell and leave.
5 But this didn't happen. So after this first, let's say, ceremony, we
6 went on with our activities according to plan.

7 Q. Okay. And you were speaking about raising the flag at some
8 point.

9 MR. VON BONE: I'm not sure of the reference, Your Honour, but I
10 believe he said it when we were discussing the school earlier.

11 PRESIDING JUDGE VELDT-FOGLIA: I remembered from the prior
12 statement, but not from discussing it now.

13 MR. VON BONE: Sorry. Then --

14 Q. Would there be any specific thing that would be done every
15 morning, each and every morning?

16 A. Yes. Every morning it was obligatory for us to raise the flag
17 and then in the evening to lower it.

18 Q. And I understand that it was obligatory to raise the flag and to
19 lower it. But who would actually be present when that raising of the
20 flag or lowering of the flag was done?

21 A. The recruits. All of them had to be there. Whereas us, who was
22 in charge for that night, because we stood -- we did guard duty
23 during night. We took turns.

24 Q. Let me just go first to the morning, Mr. Witness.

25 Upon the morning raising of the flag, was there anything else

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3733

1 done every morning?

2 A. Yes.

3 Q. And could you tell us what that would be?

4 A. In the morning, of course, they had to wake up. Then take care
5 of their personal hygiene for ten minutes. Then some morning
6 exercises, come back to the school, make their beds, and prepare to
7 go -- to line up for the raising of the flag. Before that happened,
8 we inspected every single soldier to see whether they were in order.
9 If not, then they were forced to do that. Then after that, we
10 hoisted the flag. Then they had breakfast. And then at 8.00 lessons
11 started. And then we went on with the daily activity until evening,
12 during which time the flag was lowered again, and they rested.

13 Q. I understand. Staying at the morning, would all the persons
14 present be called by their names in order to ensure that they were
15 present?

16 A. Yes.

17 Q. It would be done every day, this ceremony?

18 A. Yes, yes.

19 Q. What would happen if somebody would not be there such a morning,
20 if somebody would be absent? What -- excuse me, I'm going to ask my
21 question again. I'm going to ask my question again.

22 A. I understood it.

23 Q. Oh, sorry.

24 A. It never happened that anyone did not report there.

25 Q. How large was such a group of a new generation? Roughly.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3734

1 A. To my recollection, only the first generation had some 50
2 persons. The others had 100 to 150 persons.

3 Q. Mm-hm. And the first generation, when did that actually start?

4 A. On 1 February. It started and ended on 15 February. Sorry, I
5 made a mistake. I'm repeating. 1 February and ended on 15 February.

6 Q. I understand.

7 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel.

8 MR. VON BONE: Yes.

9 PRESIDING JUDGE VELDT-FOGLIA: Just for the record, you made a
10 reference to the flag.

11 MR. VON BONE: Yes.

12 PRESIDING JUDGE VELDT-FOGLIA: We had a look at it and it was
13 mentioned on page 10, line 13.

14 MR. VON BONE: Okay. Sorry, Your Honour.

15 PRESIDING JUDGE VELDT-FOGLIA: No, sorry to you. It's good.
16 But then we have it on record that you said that.

17 MR. VON BONE:

18 Q. Do you recall actually when was the last generation that was
19 trained in that training centre?

20 A. Yes.

21 Q. And when was that?

22 A. The last generation was trained from 1 to 15 April.

23 Q. I see. And did you actually remain in the training centre that
24 entire generation, so from 1 April till 15 April?

25 A. Only during the last generation I wasn't present for the entire

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3735

1 time. I left it halfway.

2 Q. And approximately when did you leave that generation or that --
3 that centre?

4 A. As far as I remember, on 7 April.

5 Q. I see.

6 A. When the war broke out in Prapashtice, where the border with
7 Serbia was. And I went there and I was appointed battalion commander
8 from Brigade 153. But I returned on 10 April again in Zllash to the
9 training centre. After the 10th, I never returned to this training
10 centre, but I remained in Prapashtice and in some other villages
11 where fightings took place.

12 Q. Okay. And just to be clear, so even though you went on the 7th
13 to Prapashtice, would you stay overnight in the training centre --
14 sorry. Sorry. Let me correct my question. Let me correct my
15 question.

16 Even though you left on 7 April 1999 to Prapashtice, did you,
17 nevertheless, sleep overnight in that training centre in Zllash until
18 10 April?

19 A. My purpose was to conclude the training of that generation until
20 15 April. But the Serb forces entered into some places but withdrew
21 on the same day. Thinking that that would continue to be their
22 scenario, I didn't leave the training centre, thinking to conclude
23 the training, and then go back to Prapashtice. But this didn't
24 happen because we had to take up positions, and I was ordered by the
25 brigade to leave the training centre and go to the battalion of

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3736

1 Prapashtice.

2 That was how it happened.

3 Q. And that happened, what you said, on 10 April, leaving
4 permanently the training centre?

5 A. Yes. And I didn't return to Zllash anymore.

6 Q. Thank you very much. I understand now.

7 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel.

8 MR. VON BONE: Yes.

9 PRESIDING JUDGE VELDT-FOGLIA: For me it's not clear yet if --
10 can you take off your headphones, please.

11 For me, it's not clear yet if from 7 till 10 he -- when he went
12 to Prapashtice, what I understood, if he then slept to Prapashtice or
13 came back to the training centre and slept there. That -- I don't
14 think he answered that.

15 MR. VON BONE: Okay. I'll do that again.

16 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

17 MR. VON BONE: I thought -- yeah. I thought he actually said
18 that. But let me clarify it again.

19 PRESIDING JUDGE VELDT-FOGLIA: Okay. Thank you very much.

20 Can you -- Madam Court Usher, could you -- oh, he already
21 understood it. Thank you, Mr. Witness.

22 Please proceed, Defence Counsel.

23 MR. VON BONE:

24 Q. Mr. Witness, I just want to be clear on some issue. I
25 understand that you went on 7th to Prapashtice.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3737

1 A. Yes.

2 Q. And did you return that evening in Zllash to sleep there, or
3 that afternoon, whenever you came?

4 A. I don't know if you understood me. The purpose was not to come
5 back to Zllash to sleep there.

6 Q. Mm-hm.

7 A. I tried to explain earlier. In some places, the Serb forces
8 entered those places but also left on the same day, didn't remain
9 there, didn't take up positions in those places.

10 Q. I understand. Let me interrupt you. I just -- I'm not
11 interested where the Serbs were. I'm interested where you were. So
12 that was why I'm asking, did you actually go back on the 7th again to
13 -- to stay overnight in the training centre in Zllash or not?

14 A. Yes.

15 Q. And on the 8th, did you go to Prapashtice again?

16 A. Yes.

17 Q. And did you return on the 8th again to Zllash to stay overnight?

18 A. Yes.

19 Q. And the 9th, was that the same?

20 A. Yes.

21 Q. And then the 10th you went to Prapashtice. And if I understand
22 it well, you never went back to Zllash again.

23 PRESIDING JUDGE VELDT-FOGLIA: I think that the microphone is
24 not working because we're not --

25 THE WITNESS: [Interpretation] Yes, that's right.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3738

1 MR. VON BONE: I hope the transcript worked.

2 PRESIDING JUDGE VELDT-FOGLIA: No. It's ...

3 [Trial Panel and Court Officer confer]

4 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, from page 24,
5 line 8, when you're talking about the "and the 10th," if could you
6 repeat that question and then we can proceed with the witness.

7 MR. VON BONE: Okay. Yes.

8 Q. Mr. Witness, I will repeat my last question again.

9 So on the 10th, you went to Prapashtice again. And if I
10 understood you well, it was that day that you did not return anymore
11 in Zllash in the training centre in the school; is that correct?

12 A. Correct.

13 Q. Thank you very much.

14 MR. VON BONE: I think we have it all cleared out now,
15 Your Honour.

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

17 MR. VON BONE:

18 Q. Mr. Witness, I want to speak about you and the trainers. Were
19 you the only trainer at the training centre?

20 A. There were others too.

21 Q. Okay. Could you name for us a number of these other trainers
22 that were there?

23 A. Yes. There was Bexhet Vitia [phoen], a colleague of mine.
24 Another colleague, Triumfi. Teacher, Mesuesi in Albanian, Teacher.
25 And others.

Witness: Musli Halimi (Open Session)

Page 3739

Examination by Mr. Von Bone

1 Q. Okay. And these three people that you mentioned, were they
2 there from the beginning onward until, let's say, the 10th of April?

3 A. No. They remained there until 15 April.

4 Q. Okay. And you were a teacher yourself in the training centre as
5 well?

6 A. Yes.

7 Q. What did you actually train? What was your part of the job, if
8 I may?

9 A. I dealt with the physical preparation of the recruits, because
10 that's also my background. I graduated in physical training faculty.
11 I also dealt with some tactical drilling exercises.

12 My colleagues, Mesuesi and Triumphi, dealt with teaching them how
13 to deal with weapons.

14 Q. Mm-hm. I understand. And as you say you did the physical
15 training, was there any specific place where that would be done,
16 where that physical training would be conducted?

17 A. Yes, we had a place. Let's say, a sports field, not in the true
18 sense of the word. It was some 3 or 400 metres away from the school,
19 and most of the drilling, physical drilling, took place in that
20 place.

21 Q. And were there any -- well, what kind of physical exercise can
22 you tell us about? What would the regular training or physical
23 training consist of?

24 A. All these physical training exercises were for self-defence,
25 things like that.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3740

1 Q. Okay.

2 A. To make them fit.

3 Q. I understand. Could you give us a couple of examples. What
4 kind of physical exercise do I need to think of, what you would be
5 actually doing.

6 A. For example, carrying your friend, your comrade. We improvised
7 situations of someone getting wounded, how you can carry the person
8 from the battlefield to some other place or overcome obstacles or do
9 away with a guard. Lineup was a priority. Staying in columns, two
10 by two. Such kind of exercises. All of these exercises aimed at
11 making them physically fit for battle.

12 Q. Okay. And were there any attributes that you could actually use
13 there in the field where you were training? Were there any
14 attributes that you could use for this physical exercise?

15 A. No, no.

16 Q. Okay. For example, would there be any place where there would
17 be, for example, barbed wire where you need to step over or go under?
18 No.

19 A. No.

20 Q. Or would there be some ropes in trees or on trees where you
21 would need to climb in?

22 A. No.

23 Q. Would there be, for example, big chunks of wood or logs where
24 people would need to jump over or walk through?

25 A. Yes.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3741

1 Q. And where was that?

2 A. The whole space was used -- was in Zllash, partially close to
3 the training centre, away from the training centre. So around it.

4 Q. Okay. And how many people actually would participate in this
5 physical exercise if you would train them?

6 A. I said that the generations included 100 to 150 persons. That
7 was one generation. The only generation -- the first generation
8 included 50 persons.

9 Q. I understand. And would you do this, conduct this physical
10 exercise, all by yourself, or would you have help from other
11 trainers?

12 A. No. The physical preparation -- I was the only one that dealt
13 with the physical preparation. But I did select some of the soldiers
14 who were more capable, more skillful, who provided me with support.
15 Because the number was quite large. So it was very problematic to
16 inspect all of them and check on all of them, how they were carrying
17 out the exercise.

18 Q. Thank you very much. And you mentioned Triumph. I was
19 wondering, could you explain us what he would do actually when he
20 would train there. What kind of training would he conduct?

21 A. He was an officer who trained the soldiers in using weapons.

22 Q. I see. And -- I forgot his name.

23 MR. VON BONE: Could you refresh my mind on this part,
24 Your Honour.

25 Q. The other trainers. Could you explain what the other trainers

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3742

1 would do?

2 MR. SHALA: It's Mesuesi.

3 MR. VON BONE: Mesuesi, yes. Sorry. Thank you.

4 THE WITNESS: [Interpretation] Mesuesi dealt with the logistics.
5 He dealt with the list that I mentioned earlier of the cadets who
6 came from the brigade to the training centre, and when I mention
7 logistics, that includes food, clothes. So everything that is
8 included in logistics. And also the personnel, Mesuesi also dealt
9 with the personnel. Whereas Bexhet Vitia and Triumph, they were
10 instructors and they instructed the cadets in using the weapons.

11 MR. VON BONE:

12 Q. I understand.

13 A. They had to teach them the theory, to teach them how to use it
14 in practice. And in the end, they would also have to pass the test
15 in shooting with the weapons.

16 Q. I understand. Let me get back to what you said at some point
17 earlier in time.

18 You spoke about Adem Shehu. Could you tell us who he was?

19 A. Adem Shehu was an officer of the Albanian army.

20 Q. And did he ever come to Zllash?

21 A. Yes, he did. He did. He did. He came to Zllash.

22 Q. And what did he come to do there?

23 A. Adem Shehu joined voluntarily the war in Zllash.

24 Q. I understand. And what was his position?

25 A. He was the commander of Brigade 153.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3743

1 Q. And do you recall when he became actually the commander of
2 Brigade 153?

3 A. No, I don't remember. No. I don't remember the date. But I
4 know that when he arrived Zllash, he was appointed the commander of
5 Brigade 153, but I don't know exactly when.

6 Q. Okay. And did he ever had any -- where would he stay actually,
7 Adem Shehu, when he came to Zllash?

8 A. I don't know, but most probably at the brigade command where the
9 others also stayed. I don't know exactly.

10 Q. I understand. I just want to make -- I want to get this clear.
11 He never stayed in the school where you were staying?

12 A. No. No.

13 Q. Okay. Then it's clear. Did he have any task as far as the
14 training is concerned in the training centre?

15 A. Even though he arrived quite late, almost at the end of the
16 training centre or preparatory work, he was also one -- the one who
17 drafted the plan. Because he -- in the end, he was also the
18 supervisor of the training centre after I had left Zllash. But he
19 was more supervising the recruits because he was the commander of the
20 brigade and that was his right, to inspect everything at the training
21 centre.

22 Q. I understand. But during your time until you were there, which
23 is -- let me say at least 7 or 10 of April, he was not an instructor,
24 so to speak, of the recruits?

25 A. No.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3744

1 Q. Did he have an office in the training centre?

2 A. Adem Shehu?

3 Q. Yes.

4 A. No.

5 Q. Did Fatmir Sopi have an office in your training centre?

6 A. None of the people from the Brigade 153 had an office there,
7 apart from myself.

8 Q. Okay, thank you. Were there any females under the recruits?

9 A. No. No.

10 Q. Sorry. One more question. Did Triumf sleep in the same school
11 building where you were sleeping?

12 A. No.

13 Q. Would the new recruits be assigned any kind of duties during
14 their period in the training?

15 A. Yes, they had duties. They had additional duties. For example,
16 recruits had to keep guard at night, two hours, and also guard the
17 facility, two hours each of them at night. So that was one of their
18 duties.

19 Q. I understand. Guarding would be done only at night?

20 A. Yes.

21 Q. Thank you very much. I would like to speak about some of the
22 generations and, in particular, the generations starting on
23 15 March until the end of March. It was 15 until 30 March; right?
24 Did I understand that well?

25 A. Yes.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3745

1 Q. Would it be possible if any recruits would join during that
2 particular moment when this generation had started their training,
3 that some other people would join this group?

4 I hope you understand my question.

5 A. Yes, I understand the question. But there was no chance for
6 someone to join the training if he was not included in the list.
7 Because that was a rule, that the list would be received from the
8 village activists, to go to the brigade, for it to analyse it, and
9 then we would receive the complete list, which we had to implement.
10 And we had to go by that list. But we also didn't have any such
11 cases where the generation of recruits would join midway.

12 Q. And if somebody would come to the school and say, "I want to
13 join the KLA and can I join the training," would that be possible?

14 A. No, that wasn't possible. Whoever wanted to join the KLA had to
15 address the -- a brigade. That was the point where they had to have
16 the contact. To -- the brigade command.

17 Q. I understand. But joining halfway a training would not be
18 possible. You would need to wait for the next -- next start of the
19 training, so to speak? Do I understand that?

20 A. Yes. And I take full responsibility in saying that that was not
21 possible and it should not have been possible.

22 Q. Okay. If recruits would take at night this guarding task, could
23 you tell us what would they actually need to report at the end of
24 such a -- such a guarding duty?

25 A. Every 24 hours, we chose the commander of the guard and chose

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3746

1 the persons who were to do the guard duty. We had a schedule
2 assigned. And the leader of the guard duty, who also had a deputy -
3 one of them was to 12, the other one was from 12 until morning -
4 their duty was to wake up the soldiers and send them to the points
5 where they were keeping guard and to return the ones who kept guard
6 until then, to bring them back to the room. And, of course, they had
7 to report to the officer on duty in the morning about the situation
8 at night and if anything happened during the night.

9 So that was it.

10 Q. And how many people would actually have this guard duty in a
11 regular night?

12 A. That was, according to the schedule, two guards at a time, and
13 they followed the schedule that was drafted earlier. It could -- we
14 could have seven to eight or ten persons on guard duty because they
15 changed. And according to the rules, they had to change every two
16 hours. And because of the cold temperatures, because it was winter
17 and it was cold, we tried to shorten that schedule and make it every
18 hour.

19 Q. If you say it was cold temperature, in which period of time are
20 you speaking about actually?

21 A. February and a part of March. But especially in February.
22 Because in the beginning of the March, we continued with the shifts
23 every two hours. But the place where we stayed in Zllash, it was at
24 an altitude of 1.200 metres. It was cold. It had snowed.

25 Q. Okay. If recruits could not keep up with the training, what

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3747

1 would be done with them? If -- so I'm trying to say the following:
2 If during the training recruits would be unable to keep up with the
3 training, what would happen to them?

4 A. We had not -- we didn't have cases where the recruits had to be
5 released. We -- their aim was to become soldiers, to contribute to
6 the liberation of their country, so they had the strong will, the
7 courage, the bravery. So we had no cases when a soldier has said
8 that he was not able to keep up with the training and to return from
9 where he came.

10 Q. And were there -- was there a possibility for recruits during
11 the training - so while they had already started the training and
12 during the training - that they said, "Well, I just don't want to
13 continue, I go home"? Would that be possible?

14 A. No. As I said earlier, all the soldiers came with good
15 intentions and with a purpose to be prepared to become a soldier of
16 the Kosovo Liberation Army and to go back to the place where he came
17 from and contribute there.

18 So we had no cases where a person said that they were not able
19 to keep up or that they wanted to be relieved of that duty.

20 Q. I understand. And you spoke about groups of 100, 200 people.
21 That's a very large group. And my question was: Would these people
22 be located actually in that school building?

23 A. We used another building close to the school and we used that
24 building for sleeping; whereas the lessons, the lectures, the food,
25 those were all activities that took place in the school.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3748

1 Q. So in the school there was no sleeping facility for the
2 recruits?

3 A. Well, of course, because it wasn't a modern academy to allow
4 space for the soldiers to sleep comfortably there, so, of course, we
5 had to -- we had to deal with that. We didn't have conditions that
6 were 100 per cent suitable but we had to adapt to those conditions
7 that we had, even though we didn't have sufficient space. But we had
8 to succeed and deal with it.

9 Whereas the food, we ate in turns. So a part of the food was
10 offered in the school and when that shift -- when those soldiers were
11 finished with the food, the other group came. Or the lessons, we
12 also had the lessons in shifts. A part of them were following
13 lessons in the nature and a part of the group in the school. So that
14 was coordination between the instructors.

15 Q. I understand.

16 A. And simply we had to deal with that.

17 Q. I understand. I just wanted to have the location of the people
18 where they would sleep. So I understand there is a building
19 elsewhere where people could sleep.

20 A. Yes.

21 Q. But in the school building where you had your office and you
22 could sleep there, there were no -- there was no facility where
23 people actually could stay overnight, where they would sleep
24 overnight?

25 A. In my office?

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3749

1 Q. I mean --

2 A. Or in the building?

3 Q. -- in another room in the school maybe.

4 A. Yes, yes. 90 -- it didn't have the modern capacity, but 90
5 per cent of them had the opportunity to sleep at the school.

6 Q. Mm-hm.

7 A. I said earlier there were -- we had generations that included
8 100 to 150 persons. I can't think of the exact number at the moment.
9 But this is how it was. Most of them -- most of the generations
10 slept in the school. But we had an additional facility where we also
11 had to keep guard and to manage. Whenever we didn't have enough
12 space in the school, we used that building additionally. It was
13 about 20 metres or 30 metres away from the school.

14 Q. I understand. And roughly how many people, maximum, would stay
15 in a room or in -- or more rooms in the school? How many people
16 would stay there during their entire training?

17 A. One classroom could sleep up to 40 to 50 or 60 persons.

18 Q. I understand. There was a bedding facility, I understand?

19 A. Yes.

20 Q. I understand. Okay. Thank you [indiscernible] covered.

21 Who would actually provide the food to the school? Where would
22 that come from?

23 A. The food -- the brigade had its own structure, had its own chief
24 of logistics, and logistics dealt with food and clothes. I don't
25 know how the food arrived there, but where I was, we -- we had a cook

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3750

1 where I was who worked in the kitchen. There were several of them,
2 and they prepared the food.

3 I said earlier it was a small building where the kitchen was
4 located. Whereas the soldiers received food three times a day,
5 breakfast, lunch, and dinner.

6 Q. Okay.

7 MR. VON BONE: Your Honour, I want to touch on another topic,
8 but that would be a lengthy one, so I think that it would be the most
9 natural moment to make a break.

10 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Defence Counsel, for
11 taking that into consideration.

12 Could you inform the Panel how much time you think you will be
13 needing after the break?

14 MR. VON BONE: I think about half an hour. I don't know how
15 much time I consumed, actually, but ...

16 PRESIDING JUDGE VELDT-FOGLIA: We are at - what is it? - one
17 hour and a quarter is my estimation.

18 MR. VON BONE: Oh, okay. I think I will have half an hour,
19 Your Honour.

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

21 Mr. Witness, we will have a break for half an hour. I will ask
22 Madam Court Usher to accompany you out of the courtroom, and then at
23 five minutes to 11.30 we will -- we will come back into the courtroom
24 and we will continue with your examination.

25 Thank you for now.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3751

1 THE WITNESS: [Interpretation] Thank you.

2 [The witness stands down]

3 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

4 Very well. We will break and we will resume, I say, at 11.30
5 sharp. Thank you.

6 --- Recess taken at 10.58 a.m.

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

8 PRESIDING JUDGE VELDT-FOGLIA: Welcome back.

9 Madam Court Usher, could you please usher the witness in.

10 And I do appearances. I see everyone is present. Same
11 composition.

12 After the direct examination of the Defence, it is my intention
13 to adjourn the hearing for the lunch break, so we do then the
14 cross-examination and Victims' Counsel's questions, if there are any,
15 after that.

16 [The witness takes the stand]

17 PRESIDING JUDGE VELDT-FOGLIA: Welcome back, Mr. Witness.

18 THE WITNESS: [Interpretation] Thank you.

19 PRESIDING JUDGE VELDT-FOGLIA: I give the floor to the
20 Defence Counsel so he can continue with the examination.

21 Please, Defence Counsel, you have the floor.

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

23 Q. Thank you very much, Mr. Witness.

24 Mr. Witness, we just want to step back at the beginning of a new
25 generation. We want to have some clarification on those issues.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3752

1 When -- so we have all these new generations coming in from time
2 to time. That is basically what you said. And my question is: When
3 a new generation of recruits was to start on the first day, who would
4 address them to welcome them to the training centre?

5 A. In most of the cases, myself.

6 Q. Okay. And if you would not do that, who would do that actually?

7 A. It could be also Fatmir Sopi, the person who could do that.

8 Q. Okay. And in terms of time, do you recall of these -- all the
9 generations that came starting from 1 February until, let's say, the
10 end of the last generation in April, do you recall how many times
11 actually Fatmir Sopi replaced you or ...

12 A. No, I don't remember.

13 Q. But, actually, if Fatmir Sopi would replace you, would you still
14 be present there?

15 A. I was at the training centre all the time, but Fatmir Sopi would
16 come every now and then to greet the generations.

17 Q. Right. I am just talking specifically the new generation on
18 their first day. That is what I'm trying to elicit here. On the
19 first day of a new generation, we start, for example, 1 March or
20 1 April, any time, and on that occasion - that is, the initial day -
21 who would address them?

22 A. I can only say that Fatmir Sopi was together with me only during
23 the first generation, whereas with the rest of generations it was
24 only me -- it was the generation from 1 April to 15 February [as
25 interpreted], then 15 February until 1 March, then from 1 March to 15

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3753

1 March, and the last generation was from 1 April until 15 April.

2 These were the dates of the generations of training.

3 So the only initial day was Fatmir Sopi. And with the rest of
4 generations, it was me and my colleagues, the instructors that I
5 mentioned.

6 Q. I understand. Thank you very much. And when a new generation
7 would start, how many days after their -- that initial day of their
8 arrival would you start actually with your classes of physical
9 training, or was it the same day, or was it the following?

10 Do you understand -- I hope you understand the question.

11 A. The first day would usually begin at 8.00. Their arrival at the
12 school was at 8.00 in the morning. And the first day involved mainly
13 preparation works. We would explain them the rules in the training
14 centre. And then the day will continue with the activities planned
15 by the 153 Brigade. And the participants had to respect the plan
16 that was drawn up by the brigade. Everything went according to the
17 plan - arrival, introduction, then calling every present person by
18 their name, and then explaining them the situation in the training
19 centre. And then once they would agree, they would be included under
20 the command of the training centre and there was no going back, until
21 they would finish the training.

22 So we always had the right to ask them whether they agreed to
23 continue with the training, whether they had a problem or changed
24 their mind, but we did not have such a case. Everybody had a strong
25 will, had the courage, so they all achieved to finish the training.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3754

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

2 MR. VON BONE:

3 Q. I understand.

4 PRESIDING JUDGE VELDT-FOGLIA: -- for the follow-up answers,
5 please try to slow down the pace of your -- of the speed of your
6 talking. That will help the interpreters to follow you adequately.
7 Yes?

8 It went fine for now, but I think it is better if you speak a
9 little bit more slowly.

10 MR. VON BONE: Okay.

11 Q. And the first class of physical training that you would teach to
12 this new generation, when would that be after that initial day of
13 what you just explained us?

14 A. The first class would be introduction, explanation of the rules
15 in the training centre. Then we would follow the schedule. We would
16 always abide by the schedule, whether it was my turn or a turn of the
17 colleague. But the first day was mainly with me. We would engage in
18 physical activity and also touch upon tactical military topics, but
19 more on a basic level.

20 Q. Thank you very much. And did it happen that a recruit would
21 actually miss your class of physical exercise?

22 A. No.

23 Q. Okay. If anybody would not attend, would that be recorded?

24 A. It did not happen for somebody to be absent from physical
25 training.

Witness: Musli Halimi (Private Session)
Examination by Mr. Von Bone

Page 3755

1 Q. Thank you very much. I understand.

2 MR. VON BONE: Your Honour, may I go into private session, and
3 may I explain then afterwards why?

4 PRESIDING JUDGE VELDT-FOGLIA: Very well.

5 Madam Court Officer, could you bring us into private session,
6 please.

7 [Private session]

8 [Private session text removed]

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Witness: Musli Halimi (Private Session)

Page 3756

Examination by Mr. Von Bone

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Witness: Musli Halimi (Private Session)
Examination by Mr. Von Bone

Page 3757

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18 [Open session]

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

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

21 Defence Counsel, would you mind repeating the question you posed
22 to the witness.

23 MR. VON BONE: Yeah, the previous question. That was the --

24 Q. Mr. Witness, I'm going repeat the same question.

25 That is, would it happen that the recruits who would come from

Witness: Musli Halimi (Private Session)
Examination by Mr. Von Bone

Page 3758

1 around the area of Zllash, that some of them would go to their homes,
2 stay overnight there, and would go back the following morning to the
3 training centre to continue the training?

4 A. No. All the soldiers who would come on the first day had to
5 stay there until the training of their generation finished.

6 Q. Okay. Thank you very much.

7 MR. VON BONE: I think that was it.

8 PRESIDING JUDGE VELDT-FOGLIA: Okay.

9 MR. VON BONE: Then I would like to ask you to go -- the Court
10 to go into private session again.

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

12 Madam Court Officer, could you bring us into private, please.

13 [Private session]

14 [Private session text removed]

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Witness: Musli Halimi (Private Session)
Examination by Mr. Von Bone

Page 3759

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Witness: Musli Halimi (Private Session)
Examination by Mr. Von Bone

Page 3760

1 [Private session text removed]

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4 [Open session]

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

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

7 Defence Counsel, please proceed.

8 MR. VON BONE:

9 Q. Did you ever hear the name of Bimi before?

10 A. No.

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

13 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, can you
14 bring us into private session, please.

15 [Private session]

16 [Private session text removed]

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Witness: Musli Halimi (Private Session)
Examination by Mr. Von Bone

Page 3761

1 [Private session text removed]

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4 [Open session]

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

6 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, you have the
7 floor.

8 MR. VON BONE:

9 Q. Mr. Witness, did you ever receive from either Fatmir Sopi or
10 Adem Shehu, did you ever receive of either of these two persons
11 information about some person that would need to leave the training
12 at the training centre?

13 A. No.

14 Q. Did Fatmir Sopi ever tell you whether Bimi came to pick up some
15 kind of new recruit who was at the training centre at the time in the
16 school?

17 A. No. I mentioned earlier that there was no chance for somebody
18 to come and pick up somebody from the training centre. And I'm
19 stating this with full responsibility. Every recruit that came to
20 the training centre started the training and completed the training.
21 There was no communication. They had no -- and nobody else had the
22 right to communicate with the recruits apart from us who were part of
23 the training staff. That is, the instructors. So this was strictly
24 prohibited for third parties.

25 Q. I understand. Mr. Witness, did the recruits, would they get

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3762

1 some kind of a uniform?

2 A. It was impossible for each and -- each one of them to have a
3 uniform, but they would have a marking, an emblem, an insignia, with
4 Kosovo Liberation Army sign. Every cadet had to have that marking.

5 Q. And if they had such a marking, where would that marking be worn
6 on the clothes?

7 A. In front where it would be visible.

8 Q. I understand "in front," and I saw that you made a motion with
9 your hand. Would you describe where the badge needed to be worn?

10 A. For example, in the front part of the body. Here, for example.

11 Q. Would each recruit receive such a badge?

12 A. Yes.

13 Q. And would they receive only one badge or would they receive
14 multiple badges?

15 A. Of course everyone would receive one.

16 Q. I understand. And what would be the colour of whatever uniform
17 they wore?

18 A. Usually we had uniforms for protection against the rain and
19 snow. We had uniforms that resembled the ones of the Turkish army.
20 We had some such uniforms similar to those of the Turkish army.

21 Q. And what colour would that be, Mr. Witness?

22 A. That would be green.

23 Q. And was there in the KLA any other type of uniform which was
24 used by the brigade or any other unit that you know?

25 A. No.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3763

1 Q. Do you know if the Brigade 153 had military police?

2 A. As far as I understood, they had.

3 Q. And did you ever encounter the military police of Brigade 153?

4 A. No.

5 Q. Do you know, even -- even though you had no encounter with them,
6 but do you know who was in charge of the military police?

7 A. As far as I know, at the level of 153rd Brigade, the commander
8 of military police was Shukri Rafuna. I'm not very sure, but I think
9 he was.

10 Q. And do you know if Mr. Rafuna had a deputy?

11 A. No.

12 Q. Do you know any other member of the military police by name?

13 A. No.

14 Q. Where would the military police be located?

15 A. I don't know where exactly.

16 Q. Okay. And do you know what was actually the competence of the
17 military police?

18 A. The military police, of course, dealt with the rules and orders,
19 military discipline. So this was mainly their tasks. So concretely,
20 with the discipline of the soldiers in the part where they were
21 located.

22 Q. I understand. And were the new recruits instructed about the
23 authority of the military police?

24 A. No. The military police had nothing to do with the training
25 centre.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3764

1 Q. Okay. Have you ever heard of a unit called BIA?

2 A. Yes.

3 Q. What do you know about it and -- no, first a different question.
4 When did you hear about that unit?

5 A. I heard about it as a name but did not have any contact with it.
6 I don't know where they were stationed. However, I heard that there
7 was a unit with the name BIA.

8 Q. I understand. And when did you first hear about this unit, the
9 existence of this unit?

10 A. To tell you the truth, I don't know. It's not engraved in my
11 memory. It wasn't something that I had to remember. So, simply, I
12 don't know. I just heard about it.

13 Q. Okay. And how did you hear about it actually? From whom did
14 you hear about it or -- do you remember that? If you remember.

15 A. I don't remember.

16 Q. Okay.

17 MR. VON BONE: Just one moment for consultation, Your Honour.

18 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

19 [Specialist Counsel confer]

20 MR. VON BONE:

21 Q. I have one more question about Adem Shehu, Mr. Witness.

22 Mr. Witness, do you recall when Adem Shehu arrived in Zllash?

23 A. I don't know the exact date, but I know it was -- it could have
24 been somewhere in the end of March.

25 Q. March 1999, I understand?

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3765

1 A. Yes, yes.

2 Q. And did you ever get to know Salih Mustafa?

3 A. I didn't know Cali from before. But during the war, I knew the
4 pseudonym Cali. But I did not have contact with him because the
5 chain of command was separate. But I did hear about him.

6 Q. And you say "the chain of command was separate." What do you
7 mean with that?

8 A. I was the commander of the training centre and I reported to
9 153 Brigade.

10 Q. I understand. And do you know, actually, if Mr. Salih Mustafa
11 was part of Brigade 153; if you know?

12 A. No, I don't know.

13 Q. Okay. And you spoke earlier about a person with the name of
14 Bimi. When did you get to know this name?

15 A. I met with Bimi after the war, much after the war. And we
16 worked together at the municipality. He worked in a different
17 directorate and I worked in a different directorate. But I do know
18 now who Bimi is.

19 Q. Okay, I understand. And, yeah, it's a question that I ask
20 anyway. Did you, during the time that you were at the training
21 centre in school, ever meet Bimi there?

22 A. No.

23 Q. Did anybody report to you that the person with the name Bimi or
24 Brahim Mehmetaj came to the school? Any of the guards? Persons on
25 duty? Anybody?

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3766

1 A. No.

2 Q. The recruits that came to the training centre, at some point
3 they would have finished their training. Where would they -- where
4 would they go, actually? What sectors or what --

5 A. Everyone who came to the training centre had to finish the
6 training and also had to go back to their respective unit, from where
7 they came from.

8 Q. Okay. And did they have, afterwards or even before, some form
9 of identification that they belonged to a unit?

10 A. No, there was no distinction. But they would go back to where
11 they came from, and probably there, there was a unit, a battalion.

12 Q. I understand.

13 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, you still have
14 ten minutes before we arrive at two hours.

15 MR. VON BONE: Yes.

16 Q. Have you ever heard of a person called Dardan?

17 A. No.

18 Q. Did anybody by the name of Dardan ever come to you in the school
19 in order to pick up some recruit from the training centre?

20 A. No.

21 Q. Did any guard, officer, or person who would stand guard ever
22 report to you that a person with the name of Dardan came to pick up
23 somebody from the training centre?

24 A. No.

25 Q. Did Fatmir Sopi ever speak to you about a person, Dardan, who

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3767

1 would pick up somebody from the training centre?

2 A. No.

3 Q. Did Adem Shehu ever tell you that a person with the name of
4 Dardan would need to pick up somebody from the training centre?

5 A. No.

6 Q. Do you know if, within the KLA, any other insignia would be worn
7 by other units?

8 A. No.

9 Q. Did the school have any vehicle that they could use in order to
10 go somewhere and return?

11 A. No.

12 Q. When you came back on 7 April -- excuse me. Let me introduce
13 the question a little different.

14 MR. VON BONE: I'll make the reference earlier, Your Honour --
15 or later, Your Honour, but it's about 7 April when he left
16 Prapashtice, came back.

17 PRESIDING JUDGE VELDT-FOGLIA: As long as -- because we have
18 been exploring it. As long you cite precisely what he said on that
19 point.

20 MR. VON BONE:

21 Q. Just -- you mentioned that you left on 7 April to go to
22 Prapashtice and you came back.

23 My question is: Did any --

24 A. In Prapashtice?

25 Q. Prapashtice, yes. Did I say Prapashtice? Yes. Sorry.

Witness: Musli Halimi (Open Session)
Examination by Mr. Von Bone

Page 3768

1 Prapashtice and you came back. Did anybody report to you at that
2 time that any of the recruits had been leaving of that generation?

3 A. No.

4 Q. Okay.

5 MR. VON BONE: Just a moment of consultation, Your Honour.

6 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

7 [Specialist Counsel confer]

8 MR. VON BONE:

9 Q. Thank you very much, Mr. Witness.

10 MR. VON BONE: Your Honour, we have no further questions for the
11 witness.

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

13 Very well. Mr. Witness, we will now have the lunch break and --
14 for one and a half hour. And after that, it's the Specialist
15 Prosecutor's Office who will proceed with your questions.

16 So, for now, have a good lunch break. And Madam Court Usher
17 will usher you out of the courtroom.

18 [The witness stands down]

19 PRESIDING JUDGE VELDT-FOGLIA: Very well. We will see each
20 other at a quarter to 2.00, so in one and a half hour, and then we
21 will start with the cross-examination of the witness.

22 Thank you, Madam Court Usher.

23 The hearing is adjourned.

24 --- Luncheon recess taken at 12.15 p.m.

25 --- On resuming at 1.46 p.m.

Witness: Musli Halimi (Open Session)
Procedural Matters

Page 3769

1 PRESIDING JUDGE VELDT-FOGLIA: Welcome. And, for the record, I
2 see that we are in the same composition, so that is noted.

3 Madam Court Usher, could you usher the witness in, please.

4 As soon as the witness is in, I will give an oral order. If I
5 will start now, it will be just when the witness is coming in and
6 doesn't seem appropriate.

7 [The witness takes the stand]

8 PRESIDING JUDGE VELDT-FOGLIA: Welcome back, Mr. Witness.

9 THE WITNESS: [Interpretation] Thank you.

10 PRESIDING JUDGE VELDT-FOGLIA: Very well. Before I give the
11 floor to the Specialist Prosecution's Office for its
12 cross-examination, the Panel will render an oral order regarding the
13 items that the SPO intends to use during its questioning.

14 The SPO has requested leave from the Panel, via e-mail dated
15 19 April 2022, at 9.07 in the morning, to use one newly disclosed
16 item in its cross-examination of Defence Witness 1300. The material
17 concerned was disclosed immediately thereafter, at 9.18 in the
18 morning.

19 The Panel notes that the newly disclosed item has been
20 discovered by the SPO in recent days in preparation for the witness's
21 cross-examination. The Panel also finds that the material is not
22 lengthy, and that the Defence and Victims' Counsel have had
23 sufficient time to study it. Further, the Defence does not oppose
24 the use of this item by the SPO.

25 Accordingly, the Panel finds that the SPO has shown good cause

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3770

1 for not disclosing the material previously and authorises the SPO to
2 use it during its cross-examination of Defence Witness 1300, pursuant
3 to paragraph 31 of the Decision on the Conduct of Proceedings, which
4 is filing 170.

5 And this concludes the Panel's oral order.

6 Very well. Madam Prosecutor, you may proceed with your
7 cross-examination of the witness.

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

9 Cross-examination by Ms. D'Ascoli:

10 Q. Good afternoon, Mr. Halimi. I'm the counsel for the
11 Prosecution --

12 A. Good afternoon.

13 Q. -- who will ask you questions in cross-examination this
14 afternoon. Before we start, a general reminder, please try to focus
15 specifically on the question that I ask in order to give me a precise
16 answer without elaborating too much. If there's any need to go into
17 more specific details, I will let know.

18 I might also interrupt you at some point if I see that you're
19 either not answering directly the question or going into too many
20 details. Thank you for your cooperation.

21 PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor, just one
22 general point of scheduling. We intend to sit till quarter past 3.00
23 so one and a half hour, then have 15 minutes of break, and then
24 another half an hour. And if we will not have finished with the
25 examination of the witness, we will continue tomorrow morning.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3771

1 That's how we have foreseen it for today.

2 And for tomorrow, we have an extended schedule, and also for
3 Friday.

4 Thank you.

5 MS. D'ASCOLI: Thank you for the reminders, Your Honours. I
6 will then go on until quarter past 3.00. Thank you.

7 Q. Mr. Halimi, you told us this morning - that was at page 13,
8 lines 22 to 23 - that you were a member of Brigade 153 in 1999;
9 correct?

10 A. Correct.

11 Q. You mentioned among your supervisors the deputy commander of
12 Brigade 153, Mr. Fatmir Sopi, and then also Rrahman Dini and
13 Sejdi Veseli. And this was at page 14, lines 1 to 10.

14 Now when -- was Adem Shehu also one of your superiors when he
15 joined the brigade?

16 A. Adem Shehu came late, by the end of March.

17 Q. And when he arrived, was he also among your superiors in
18 Brigade 153?

19 A. Yes.

20 Q. Okay. You also -- about your role at the training centre in
21 Zllash, you told us that between mid-January and 10 April, your role
22 was the one of the commander of the training centre. This was at
23 page 13, line 18.

24 Did you have any other role in that period while you were in
25 Zllash at the training centre?

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3772

1 A. In Zllash, I was appointed commander of the training centre on
2 1 February 1999. From 15 January to 1 February, I was not commander.
3 I was an ordinary soldier.

4 Q. And I understand from your evidence this morning that you were
5 helping with the preparations for the training centre to start
6 functioning; is that correct?

7 A. Yes.

8 Q. And this was between mid-January and the beginning of February.
9 Then you just said that from 1 February, you were appointed as
10 the commander of the training centre. This was just right now, lines
11 15 to 16.

12 So if I understand correctly, you would deal exclusively with
13 matters related to the training of the generations of recruits that
14 we discussed this morning? Is my understanding correct?

15 A. Yes.

16 Q. Okay. Nothing else?

17 A. Nothing else.

18 Q. Okay. When explaining how you would receive recruits at the
19 training centre, you explained to us this morning - page 16, lines 14
20 to 17 - that the brigade would draw a final list and send it to the
21 training centre. Did you have any authority to admit or dismiss
22 recruits yourself without the authorisation of the 153 Brigade
23 command?

24 A. No.

25 Q. Okay. So I understand that the training of the first generation

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3773

1 of recruits started on 1 February 1999; correct?

2 A. Correct.

3 Q. I think you told us about the number. I don't have the
4 reference right now. But -- you said that this first generation had
5 about 50 people, 50 recruits. Is that correct?

6 A. Yes.

7 Q. And how do you remember that number?

8 A. It was just a number, and usually the beginning is rather
9 problematic, I would say. Whereas the number with the passage of
10 time, the number of recruits increased. But the first generation had
11 more or less that number.

12 Q. Okay. Do you mean more or less 50 or 50 specifically in number,
13 if you remember?

14 MR. VON BONE: Excuse me.

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

16 Can you take off your headphones, please. Thank you.

17 Defence Counsel, you have the floor.

18 MR. VON BONE: Yes, Your Honour. I think the answer was already
19 given. The question was "do you mean more or less 50," and just
20 before the answer was that it was more or less 50. So I think the
21 answer was given.

22 MS. D'ASCOLI: Your Honours, I have now the reference and it was
23 at page 27 that he said 50. So I'm just exploring.

24 MR. VON BONE: Yes. But he just -- he just gave the answer just
25 before. So I don't see the point of getting back to the number of

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3774

1 50. He just said it was more or less 50.

2 PRESIDING JUDGE VELDT-FOGLIA: Where did he say "more or less,"
3 Defence Counsel?

4 MR. VON BONE: Yeah, I heard it. Even though it's not --

5 MS. D'ASCOLI: It's at line 9. Ah, no, sorry, that is
6 Mr. von Bone.

7 MR. VON BONE: More or less 50. Line 9.

8 MS. D'ASCOLI: Line 24 and 25 of page 58. But my question was
9 in relation to what he said this morning.

10 PRESIDING JUDGE VELDT-FOGLIA: But why is it problematic that
11 the counsel for the Prosecutor explores to see if he means it could
12 also be 40 or also 60? Just to see if is he sure about the number?

13 I want to go --

14 MR. VON BONE: He was not sure about the number. He said more
15 or less 50. So I don't see the point in getting back to the specific
16 number of 50 if he did not say that. Even though he did that before
17 maybe, he just explained that, and then the question is simply
18 repetitive.

19 PRESIDING JUDGE VELDT-FOGLIA: I agree that we should not
20 elaborate too much on this, Defence Counsel. But one or two
21 questions to see how sure he is about the number, I don't think that
22 I can prohibit that.

23 Madam Prosecutor, please proceed.

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

25 And it was because this morning, page 27, lines 14, 15, the

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3775

1 witness said: "The only generation -- the first generation included
2 50 persons." So it was rather accurate. And I will not dwell too
3 much into it, but I will explore this with one question.

4 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated] Okay.
5 Mr. Witness.

6 THE INTERPRETER: Microphone, please.

7 PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness, can you put on your
8 headphones. Thank you very much.

9 Madam Prosecutor, Mr. Witness, will continue with her
10 questioning.

11 MS. D'ASCOLI:

12 Q. Mr. Halimi, I was just asking whether you remember it was 50
13 precisely, the number of the first generation, or more or less,
14 approximately 50?

15 A. I think it was 50.

16 Q. Okay. And then because I had asked you -- I had started this
17 line of questioning with asking how you remembered this number, could
18 you explain how you can remember this specific number, please.

19 A. I already stated that for every generation there was a list
20 drafted by the brigade or the activists of the villages or
21 neighbourhoods they lived in. So we received that list from
22 Brigade 153. So we received a final list to our training centre, and
23 we followed that list.

24 Q. Okay. Thank you. Moving to the second -- I will go back to the
25 lists in a second after a few more questions.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3776

1 Moving to the second generation, the one between 15 February and
2 1 March 1999, do you remember how many people, how many recruits did
3 that generation include?

4 A. The second generation, the number of the second generation was
5 greater. Somewhere around 150.

6 Q. Okay. And that -- so I take it, would that be an approximate
7 number or a specific number?

8 A. 150.

9 Q. Specific?

10 A. [In English] Yes. [Interpretation] Yes.

11 Q. Okay. Moving to --

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

13 You just answered in English. Can you understand English? She
14 said, "Specific?" I don't know what the Albanian word for "specific"
15 is, and you said, "Yes." And I asked you, do you understand English?

16 THE WITNESS: [Interpretation] No. It just came to me, yes. I
17 know a little German but not English. I don't know English. But the
18 word came to my mind just like that. Since I'm saying yes.

19 PRESIDING JUDGE VELDT-FOGLIA: And the word "specific," was that
20 already translated?

21 THE WITNESS: [Interpretation] Yes, I think it's a final one.

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

23 Madam Prosecutor, please proceed.

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

25 Q. So moving to the third generation of recruits, the one between

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3777

1 1 and 15 March 1999, again, can you remember the specific number of
2 the recruits in that generation?

3 A. Yes, it was the same number like the second generation. And all
4 the other generations continued with the same number, because we
5 didn't have capacity to accommodate more recruits.

6 Q. And by "the same number," you mean 150?

7 A. I mean 150.

8 Q. Okay. So I understand that from the second generation up until
9 the last one, between 1 April and 15 April, all of these other
10 generations had the number of 150 recruits, trainees; is that
11 correct?

12 A. Yes.

13 Q. So I see we're talking about, if we take into account all of the
14 people, all of the recruits who would pass by the training centre,
15 we're talking about a large number, like hundreds of them. So how
16 would you remember the details of all of these recruits?

17 A. I worked on the basis of the programme that I had, so I followed
18 that plan in order to perform my duties.

19 Q. Yes. My question was more how you would keep records, how you
20 would remember the details of hundreds and hundreds of recruits.

21 MR. VON BONE: Excuse me.

22 PRESIDING JUDGE VELDT-FOGLIA: No, I will ask my --
23 Madam Prosecutor, could the question be more specific? Because I
24 don't think that I understand, I grasp what you mean with the details
25 of all the recruits.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3778

1 MS. D'ASCOLI: Of course, Your Honour.

2 PRESIDING JUDGE VELDT-FOGLIA: Okay.

3 Defence Counsel, has your question been --

4 MR. VON BONE: I had the same.

5 PRESIDING JUDGE VELDT-FOGLIA: Okay.

6 MS. D'ASCOLI:

7 Q. Mr. Halimi when I said "details," I meant their names, I meant
8 where they came from, and all of these details related to each single
9 recruit.

10 A. No, it was impossible for me to remember all their names by
11 heart. As a matter of fact, a small percentage of them I remembered,
12 but I followed the plan. So the recruit came there for training. I
13 was not interested in his name, where he came from. I was interested
14 only to carry out my tasks to realise the topics that there were in
15 the plan.

16 Q. I understand.

17 A. So I didn't deal with that.

18 Q. I understand. When you mean "I followed the plan," you meant
19 the training programme for the training?

20 A. Yes.

21 Q. Now, I have some more questions about the lists that you said
22 you would receive from the brigade.

23 So, first of all, did you have a list for each generation?

24 A. Every time we received a list, one or two days before we started
25 work with the generation.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3779

1 Q. So I understand these would not add up to the lists of the prior
2 generation. So it would be a new list for every generation. Is my
3 understanding correct?

4 A. Yes, for every generation we received a new list of new names.

5 Q. Okay. And can you tell us about the -- how would -- how would
6 this list look like? What was the format?

7 A. The list was simple. We didn't have computers. It was
8 handwritten.

9 Q. Was it on a notebook or on loose pieces of paper?

10 A. On a notebook. On a notebook.

11 Q. And who was keeping it at the training centre?

12 A. There was someone in charge of the list. Mesuesi. The person
13 with the pseudonym Mesuesi. So he was responsible for that and for
14 logistics.

15 Q. Okay. So he was the one responsible for the list. Do you
16 remember where he kept it?

17 A. No.

18 Q. And was this list updated every day with the recruits' presence?

19 A. Can you repeat the question, please?

20 Q. Yes. Was this list updated during the course of the training
21 programme?

22 A. Why should we update it? We followed the list as it came to us
23 from the brigade. We didn't change it. We couldn't remove the name
24 of someone or add the name of someone else on that list.

25 Q. Okay. So do I understand then that the presence of the recruits

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3780

1 would not be recorded every day?

2 A. No. The recruits didn't come there every day. I explained it.
3 The list came, was compiled on the basis of recruits from villages,
4 neighbourhoods by certain activists. They submitted it to the
5 brigade. Then the brigade drafted the list and then it sent the list
6 to our centre, so nobody could be added or removed. The list was
7 fixed from the beginning to the end of the generation training.

8 PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor, wait.

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

10 Madam Prosecutor, I did not understand that there was a
11 connection between the list as it was presented to the witness with a
12 possible -- how you were saying it, their daily presence. That -- I
13 have not understood that that has been said at a prior moment. But
14 you're trying to explore that. But I think the witness is getting a
15 little bit confused because he has not said that, and from your
16 questioning, you could deduct that you deduced that. So I think it
17 is better to reformulate the question.

18 MS. D'ASCOLI: Of course, Your Honours. Thank you for the
19 suggestion.

20 PRESIDING JUDGE VELDT-FOGLIA: Can you put on your headphones.

21 MS. D'ASCOLI:

22 Q. Mr. Witness, a question before going back into what we were
23 discussing.

24 Was the presence of the recruits recorded every day or not?

25 A. Nobody made any absences.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3781

1 Q. Yes. My question is different. Was their presence registered
2 or not every day?

3 A. Yes.

4 Q. And in which way?

5 A. Every morning we called their names and last names. And every
6 time, every morning, we counted their presence in the morning and in
7 the evening. Every time at the time -- every time according to the
8 raising or lowering of the flag, we did that.

9 Q. Okay. And when you say, "Every morning we called their names
10 and last names," was this on the basis of the list of recruits that
11 you had received from the brigade or on the basis of something else?

12 A. On the basis of the list we had received from the brigade.

13 Q. Okay. Before going into the details of what you said, you
14 said -- I just wanted to clarify what you meant when saying "we
15 called their names and last names." What you did mean by "we"?

16 A. But it was not only myself there. There were other officers who
17 were doing that. So I'm saying "we," not "I," because there were
18 others.

19 Q. Okay. So do I understand it correctly that you would not do
20 that, this process yourself, every morning?

21 A. There was -- we took turns. Everyone did that every morning.
22 So that responsibility belonged to the person in charge for that day.

23 Q. I understand. So sometimes it would be you, sometimes someone
24 else; is that correct?

25 A. Yes.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3782

1 Q. Okay. So now what would happen if someone, for example, did not
2 show up in the morning? What would happen?

3 A. This didn't happen. Every time they were present.

4 Q. So you're saying that in the time period -- actually, let me
5 rephrase it.

6 Does this apply to the days in which you were doing your shift
7 and calling out the names of the recruits?

8 A. I already said that we called their names in the morning and in
9 the evening, every day, irrespective of whether it was me or someone
10 else. There was always someone, a duty officer, who did that.

11 Q. I understand. But you said that these -- the list that you had
12 from which you were reading the names was not updated. So how would
13 you know if people were present or not when it wasn't you on duty
14 calling their presence, their names?

15 PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor, wait for a
16 moment.

17 Can you take off your headphones, Mr. Witness?

18 Madam Prosecutor, sorry. I think you lost me. I don't see the
19 relation between the fact that the list was not updated and the
20 presence of the people or not.

21 MS. D'ASCOLI: Your Honours, I was trying to explore the level
22 of certainty of the witness since he said that he was not himself
23 every day during --

24 PRESIDING JUDGE VELDT-FOGLIA: That is for me completely clear.
25 But what has the updating of the list -- if I understand you well,

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3783

1 you mean with "updating" -- but please correct me if I'm wrong, with
2 "updating" is that new people would be added to that list. If not, I
3 don't understand very well what you mean with "updating the list."
4 Because as I see it for now, how you have been exploring it, you have
5 a list, and you call the names of the people on the list and maybe
6 you put even a cross, I don't know, to see if they are there or not.
7 But I don't see the updating, where the updating comes in.

8 MS. D'ASCOLI: By "updating" I meant whether absences or
9 presences were recorded. And I understood that didn't happen, so I
10 was trying to understand --

11 PRESIDING JUDGE VELDT-FOGLIA: I would suggest that you make
12 more clear the word "updating" by just asking if, on that list, a
13 cross or a zero or whatever was written or not. But "update" is a
14 little bit confusing.

15 MS. D'ASCOLI: Of course, Your Honours. I will use the specific
16 language that you suggested. Thank you.

17 Q. Mr. Witness, could you put back your headphones? Thank you.

18 So let me clarify something before you continue. In the days in
19 which you called up the names of the recruits in the morning, would
20 their presence be recorded on the list with, for example, a cross or
21 a mark or any sign to confirm that the names you called up were
22 present?

23 A. Yes.

24 Q. Okay. So there -- the presence of the recruit on any day when
25 their names would be called up would be marked on the list. Is that

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3784

1 what you are saying?

2 A. Yes.

3 Q. Okay. And you said that in the days in which you took the shift
4 and did these duties, no one was absent; is that correct?

5 A. Yes, correct.

6 Q. Okay. So now then I was exploring what would happen if someone,
7 for example, was sick.

8 A. If anyone was sick, seriously ill, there were doctors at the
9 brigade, and we had the right to call the doctor so the doctor could
10 examine that person. But we had no such cases. We had no cases
11 where someone was sick and had to leave the training or not to
12 complete the training.

13 Q. So you're saying there was no one who was sent home for health
14 reasons during the period in which you were at the training centre?
15 Is that what you're saying?

16 A. Not to completely leave the training. There were some cases
17 when we allowed persons to go home and return the following morning.
18 But those were very few cases. One or two.

19 Q. Okay. I understand. So in these situations, in these cases, so
20 someone is sick, health reasons, they would be allowed to -- they
21 would be sent home, as you said, and then return, was this reported?
22 Was this written anywhere in your record-keeping at the training
23 centre?

24 MR. VON BONE: Excuse me.

25 PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor, please.

1 Mr. Witness, I would like Madam Court Usher to usher the witness
2 out.

3 Mr. Witness, you will be ...

4 [The witness stands down]

5 PRESIDING JUDGE VELDT-FOGLIA: Defence Counsel, you have the
6 floor.

7 MR. VON BONE: Yes, Your Honour. I think that the question of
8 the Prosecutor implied that somebody would have been sent home for
9 health reasons. However, I did not see and neither did I understand
10 that the witness actually meant that in cases of a health reason the
11 person would be sent home. On the contrary. I think he said there
12 was a doctor at the brigade and if someone was sick, then somebody
13 could come. But the question implied that a person who would be sick
14 would be sent home. And -- rather than implying something in the
15 question, I think it's better to ask an open question. What would
16 you do or what would be done with people who would be sick? Would
17 they be sent home or not? Or where would they be treated in that --

18 PRESIDING JUDGE VELDT-FOGLIA: Your point is clear.

19 MR. VON BONE: That is my --

20 PRESIDING JUDGE VELDT-FOGLIA: Thank you. My suggestion, Madam
21 Prosecutor, was that in page 70, line 1 and 2, the answer of the
22 witness is:

23 "Not to completely leave the training. There were some cases
24 when we allowed persons to go home and return the following morning.
25 But those were very few cases. One or two."

Witness: Musli Halimi (Open Session)
Procedural Matters

Page 3787

1 MR. VON BONE: It's a transcript issue.

2 PRESIDING JUDGE VELDT-FOGLIA: Okay. Can you take off your
3 headphones, Mr. Witness. Can you take off your headphones. Thank
4 you.

5 MR. VON BONE: We believe that 70, line 6, would need to read
6 not just "then return" but "return the next morning."

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

8 MR. VON BONE: Line 6. Page 70, line 6.

9 PRESIDING JUDGE VELDT-FOGLIA: [Microphone not activated]. Line
10 70. "They would be allowed to" --

11 MR. VON BONE: Page 70, line 6.

12 PRESIDING JUDGE VELDT-FOGLIA: -- "they would be sent home, as
13 you said, and then return ..."

14 MR. VON BONE: The next morning, we think it should be. We
15 think the witness said return.

16 PRESIDING JUDGE VELDT-FOGLIA: The next morning. But this is
17 what Madam Prosecutor said. Not? Or is this what question -- this
18 is the question. So it's a summary of Madam Prosecutor.

19 MR. VON BONE: In any event, the witness said "return the next
20 morning."

21 PRESIDING JUDGE VELDT-FOGLIA: Yes.

22 MR. VON BONE: So not "return" but "return the next morning."

23 PRESIDING JUDGE VELDT-FOGLIA: Yes.

24 MR. VON BONE: It was just the transcript so ...

25 PRESIDING JUDGE VELDT-FOGLIA: He said that exactly as you said,

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3788

1 so I think there's no doubt about that.

2 MR. VON BONE: Yes. No, so if quoted, then let it be quoted by
3 the next -- return the next morning.

4 PRESIDING JUDGE VELDT-FOGLIA: Okay. A fair suggestion.

5 Madam Prosecutor, you have the floor again.

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

7 Q. Mr. Halimi, when you said that --

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

9 MS. D'ASCOLI:

10 Q. Mr. Halimi, when you said that -- I'm reading from page 70,
11 lines 1, 2, 3. When you said that, "There were some cases when we
12 allowed persons to go home and return the following morning. But
13 those were very few cases, one or two," do you remember for which
14 reasons they were allowed to go home and return the following
15 morning?

16 A. I said earlier that those were -- those cases were rare, but we
17 allowed one or two. In all the trainings, we allowed one or two
18 persons to go home.

19 Q. Yes. And my question regarded the reasons for it, if you
20 remember.

21 A. He was not well, he was not feeling well, and we allowed him to
22 go home, but the person had to return again to the training centre.

23 Q. Okay. And do you remember when that happened? In which
24 generation was it?

25 A. No. No, no.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3789

1 Q. Okay. And for such cases, what would be -- would there be any
2 record-keeping in such cases?

3 A. Yes.

4 Q. In which sense? Can you explain what you would do in such
5 cases?

6 A. We had a notebook where we entered all the details of the duties
7 that were performed or not performed. So the duty officer had to
8 fill in the details in the notebook with the dates or anything else
9 that needed to be recorded. That was a notebook.

10 Q. Okay, I understand. Was this the same notebook where the list
11 of recruits appeared or was it a different one?

12 A. No, that was a different one. It was -- that was only for the
13 duty service.

14 Q. Was there any other detail recorded in this notebook? So it
15 would record when someone was sick, for example. Anything else?

16 A. No.

17 Q. Was this notebook recording absences only related to sickness or
18 also other reasons, if any, when people had to be absent?

19 A. We had no absences of recruits during the training because they
20 all arrived of their free will and their intention was to complete
21 the training and to return to the places from which they came. So we
22 did not have cases where recruits were absent or sabotaged the
23 training.

24 Q. And would you inspect this notebook?

25 A. Yes.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3790

1 Q. How often?

2 A. Every day.

3 Q. And what happened -- do you still have these notebooks and/or --
4 and the lists of recruits per generation?

5 A. Unfortunately, not.

6 Q. Okay. And so I understand that without this notebook, you
7 cannot -- you cannot tell us, for example, in relation to these cases
8 of people being sick, when that happened and who these people were?

9 A. These notes were taken at the school or were at the school, but
10 when the Serb forces arrived in Zllash, they burned everything that
11 was in their way. Amongst which the school and, unfortunately, with
12 that, the notebooks, the log-books were burned as well.

13 Q. I understand that you don't have these logs and notebooks any
14 longer. My question was whether, without these records, you are able
15 or not to give details about people, names, and dates when they were
16 recorded as sick, for example?

17 A. No. What I am stating here is true, which -- what I've stated
18 before. Everything that I have said is true.

19 Q. I understand.

20 A. I don't know whether you believe me or not.

21 Q. I understand, Mr. Witness. I'm just exploring facts.

22 So, like, do I understand that this record-keeping, the lists
23 and the notebook were tools that you and the others at the training
24 centre had in order to remember details and - let me be specific -
25 with regards to hundreds of recruits who were trained there; is that

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3791

1 correct?

2 A. Yes.

3 Q. Okay. And without those, you cannot be accurate about the
4 records that were taken in those days. Is that fair to say?

5 A. Yes, it's true.

6 Q. Okay. You told us about the general -- about the size of each
7 generation, which you said from the second onwards was 150.

8 Now, with regard to a regular class, how large would that be?

9 A. Approximately 60 to 70 persons.

10 Q. So I understand all of the recruits, the 150, were not trained
11 all together; correct?

12 A. When referring to schools or to lessons, the theory lessons, we
13 divided them into groups. But we also had trainings where all of
14 them took part; for example, in the field, at the shooting range.
15 Most of my lessons, because I worked with all of them, 70 per cent of
16 the classes or of the programme took part in the nature or in the
17 field, outside of the school building.

18 Q. Okay. But what I meant is the 150 recruits were split into
19 subgroups in order to be trained in the various disciplines --

20 A. Yes.

21 Q. Okay. And would the trainers rotate across these groups?

22 A. Yes.

23 Q. So you said you -- the training you gave was physical
24 preparation of the recruits. This was at page 25, line 16. Correct?

25 A. Yes.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3792

1 Q. You explained that that was because you graduated in physical
2 training. Same page, line 17. Did you have any other specific
3 skills in these physical disciplines?

4 A. Yes.

5 Q. Such as?

6 A. I also have training in martial arts.

7 Q. Okay. So you were trained in martial arts.

8 A. Yes.

9 Q. Yeah. Now, in relation to the other trainers, you told us some
10 of their names. Page 25, lines 8 to 9. Triumphi, Mesuesi and
11 Bexhet Vitia.

12 Can I ask you what was Triumphi's real name?

13 A. Yes. Emin Borovci was the given name of Triumphi.

14 Q. What was Mesuesi's real name?

15 A. His last name is Gashi. I don't know his first name because I
16 always called him by his pseudonym, Mesuesi.

17 Q. Would these trainers be located in the training centre during
18 the day while the training was ongoing?

19 A. Yes.

20 Q. With regard to Mr. Adem Shehu, you told us at page 29, lines 20
21 to 21, that he drafted the plan. I take it you meant the plan for
22 the training centre; correct?

23 A. Yes.

24 Q. What other role did he have in the training programme, if any?

25 A. Adem Shehu was the commander of the brigade. And the training

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3793

1 centre was under the command of the brigade. So he could have
2 inspected it at any time because he was the brigade commander.

3 Q. So you mean inspected, meaning he could have -- go to the
4 training centre at any time?

5 A. He did not come, but he had the right to do that. No one could
6 have prevented him from doing that.

7 Q. Was he at any point also one of the trainers?

8 A. No.

9 Q. Are you sure about that?

10 A. When I left to go to Prapashtice, I think he dealt more with the
11 training centre but not while I was there.

12 Q. Okay. I would then like to clarify one part of the statement
13 that you gave to the Defence Counsel.

14 MS. D'ASCOLI: Your Honours, maybe we can call it up. This is
15 DSM00539 to 00550, and I would please need page 9.

16 PRESIDING JUDGE VELDT-FOGLIA: Please proceed, Madam Court
17 Officer.

18 MS. D'ASCOLI: If we can please zoom in on the fourth
19 paragraph where you see questions and answers. Actually, this is
20 fine. Thank you.

21 Q. Mr. Witness, I will start reading from some questions and
22 answers between the Defence Counsel and yourself, when speaking about
23 Adem Shehu, and then I have a clarifying question.

24 Question of the Defence Counsel:

25 "Where did Adem Shehu actually stay? Where would he sleep?"

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3794

1 "He would stay with the brigade headquarters.

2 "Where was that?"

3 Your answer:

4 "It was about 3 to 400 metres from the school. It was a private
5 house."

6 Question:

7 "Have you visited the brigade command headquarters?"

8 And your answer was:

9 "No, I did not. He would come to us and he had the right to
10 check us. He also participated in the training. He was the
11 principal trainer."

12 Do you remember saying that?

13 A. Yes.

14 Q. But just a minute ago to my question whether Mr. Shehu ever
15 participated in the training, you replied not.

16 A. He had the right to inspect because he was the brigade
17 commander. However --

18 Q. I understand. Yes, please go ahead.

19 A. I said he was the brigade commander and he had the right,
20 whenever he saw it necessary, to inspect the training facility, the
21 centre.

22 Q. Yes, Mr. Halimi, but here the -- your answer, it's not about
23 inspections. When -- you said specifically:

24 "He also participated in the training. He was the principal
25 trainer."

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3795

1 I'm reading from your answer to the questions of the
2 Defence Counsel.

3 A. He was the one who drafted the plan, the main plan. He was also
4 engaged in the drafting of the plan. Therefore, it was unnecessary
5 for him to take part in the training or become an instructor. He may
6 have visited the training centre, but we carried out the training as
7 instructors. For him, it was enough to provide advice or
8 suggestions.

9 Q. Yes, but you said he participated in the training and he was the
10 principal trainer.

11 A. I tried to explain what I am stating now. For him, it was
12 enough to -- to provide an advice, because he was an officer from
13 Tirana and he was more advanced in his occupation. In his military
14 experience, he was better prepared than we were.

15 Q. I understand. So was he one of the trainers?

16 A. I cannot call him an instructor. He was a brigade commander.
17 He was not an instructor. But he was an advisor.

18 Q. So you mean -- so did he have the right to be present at the
19 training centre during training sessions?

20 A. Yes. Yes, he had the right.

21 Q. Okay.

22 PRESIDING JUDGE VELDT-FOGLIA: I agree. We don't have an
23 answer. For me, it's still not clear what do you mean, Mr. Witness,
24 with what you said in the statement to the Defence lawyer, "He was
25 the principal trainer"? "The principal trainer."

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3796

1 I understand that, but please give me what you -- your
2 explanation of what you mean. For me, if you say you are the
3 principal trainer, that's the most important trainer. And it's also
4 written: "He participated in the training."

5 So for me, the answer you gave to - no, wait - you gave to
6 Madam Prosecutor does not clarify it yet.

7 So please try to clarify what you meant with what you said
8 there. Because if I read it from your prior statement, I would say
9 he was one of the trainers and not just a trainer but the most
10 important one, the head.

11 You have the floor.

12 THE WITNESS: [Interpretation] When Adem Shehu arrived at the
13 brigade command from Tirana, he was appointed brigade commander, and
14 in itself, I could call him that he was the principal trainer of the
15 training facility because I was also his student. I learned a lot
16 from him in Tirana so that I could apply that to -- to the training
17 centre in Zllash. So it is in that sense that I referred to him as
18 principal trainer, because he was the brigade commander but he was
19 also the main trainer, principal trainer, for the training centre.

20 This is what I meant, and this is what I meant to explain.

21 PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness, the question was:
22 "Have you visited the brigade command headquarters?"

23 That was the question. "Have you visited the brigade command
24 headquarters?"

25 And then you answer: "No, I did not."

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3797

1 "He," and I understand that you're talking about Adem Shehu,
2 "would come to us. He had the right to check us." And then you say,
3 "He also participated in the training."

4 So I still don't understand very well your explanation because
5 you yourself said that he would come, that you would not go to him,
6 to the headquarters. He would come to you, to the people who were
7 training, yeah, and that he would participate.

8 So could you explain me what you here meant with "participate"?

9 THE WITNESS: [Interpretation] Maybe what I intended to say was
10 that he took part in the drafting of training programmes. Adem Shehu
11 arrived at the end of March in Zllash, and it was a very short time
12 during which I had contact with him. So between the time he joined
13 and when I went to Prapashtice. So he had the right, he could come
14 whenever he wanted.

15 PRESIDING JUDGE VELDT-FOGLIA: I remain somewhat puzzled by what
16 you mean, but I don't won't insist on this point.

17 Madam Prosecutor, you have the floor.

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

19 Q. Mr. Witness, when you said "he would come to us," so I do
20 understand correctly that you did see Mr. Shehu at the training
21 centre?

22 A. Yes.

23 Q. I will move to a different topic.

24 You told us this morning that you were -- you -- sorry, that,
25 actually, you arrived in Zllash on 15 January.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3798

1 And this was at page 7, line 10.

2 Can you tell us how you remember this exact date of 15 January?

3 A. Well, I remember because on 5 January, I set off from Albania on
4 foot to Zllash. It took me ten days to arrive in Zllash. So I
5 cannot forget this date. It was a long, difficult journey, winter
6 conditions, with a heavy weight on my shoulders, so I cannot forget
7 the date. It was the first time that I arrived in Kosovo to join the
8 Kosovo Liberation Army.

9 Q. Okay. Are you familiar with the -- with the book entitled:
10 "The KLA Llap Operational Zone" by Skender Zhitia that was published
11 in 2008?

12 A. No, but I know him by name. I know who this name is.

13 Q. But you're saying you're not familiar with the book? If I
14 understood you well.

15 A. Are you asking me about the book or about the person?

16 Q. Well, let's, first, deal with the book. Are you familiar with
17 the book?

18 A. Yes, yes.

19 Q. And what about with Mr. Zhitia? Did you ever meet him?

20 A. Yes, he worked at Kosovo Protection Corps, where I worked too.

21 Q. Were you interviewed by Mr. Zhitia about the facts underlying
22 his book?

23 A. Yes.

24 Q. Okay. So you did know him and you did meet him; correct?

25 A. I met once with him.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3799

1 Q. Okay. No, it's just because your answer to my question at line
2 15: "No, I know him by name. I know who this name is."

3 So you actually know and you have met with Mr. Zhitia.

4 A. Yes, I met with him once.

5 Q. And was this -- was this time that you met with him in relation
6 to giving an interview, to explain facts that then he recounted in
7 his book? Was that the purpose?

8 A. Yes.

9 Q. So I would like to ask you to comment about a part that relates
10 to your arrival in Zllash -- in Kosovo.

11 MS. D'ASCOLI: Can I please have on the screens ERN SPOE00055870
12 to SPOE00055988-ET. And I would need page 24 of the PDF. I also
13 have the references of the Albanian, of the book, which could help
14 the witness, so I would call that up too, if Your Honours -- if
15 that's okay.

16 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

17 MS. D'ASCOLI: Thank you.

18 So on the one hand, we have the English version. Can I have the
19 Albanian who -- which is at SPOE00055678 to 00056018, and page 216.
20 216 of the Albanian. Thank you.

21 Q. Now, Mr. Witness, I will be reading in English but it is
22 basically the second paragraph in the Albanian. You can follow both
23 through the interpretation and through the text in the Albanian book.

24 So I'm reading from the second paragraph:

25 "At this time of constant fighting, some of the fighters who had

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3800

1 gone to Albania for weapons in October 1998 returned on 22
2 January after an arduous and dangerous journey from fighting in harsh
3 climate. The soldiers who brought back weapons were Nazmi Ajeti,
4 Milaim Berisha, Muhamet Alia, Shaban Kurtolli, Halim Potera, Musa
5 Salihu, and Musli Halimi, with several fighters from the Karadak
6 operational zone."

7 So, Mr. Halimi, it looks like you were part of this group of
8 soldiers who returned from Albania on 22 January 1999. So was it the
9 22nd rather than the 15th when you, in fact, arrived in Kosovo from
10 Albania? I know it's been a long time ago, but ...

11 A. No. The date that I gave you is more precise. With them, I
12 parted ways at the Llap zone. They continued their way to Majac and
13 I had to go from Majac to Zllash. So there we parted our ways.

14 So the date stated by Skender Zhitia does not correspond with
15 the date I gave you. I think that the date I gave you is precise,
16 exact.

17 Q. Okay. So you're saying that you remember it was, rather, the
18 15th and not the 22nd, when you returned from Albania; correct?

19 But did you --

20 A. Yes.

21 Q. Okay. Did you give these and other details to Mr. Zhitia when
22 discussing the events that brought you back in Kosovo during the
23 interview with him?

24 A. Mr. Zhitia asked me mainly about my activities at the Zllash
25 training centre and the battalion to which I belonged.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3801

1 So these were the main topics that his questions for me dealt
2 with.

3 Q. Okay, I understand. Now, if we move to another page of this
4 book, I would like to ask you about -- about page 71 of the English
5 version.

6 MS. D'ASCOLI: And in the Albanian, the corresponding page would
7 be page 263.

8 Actually, if we go to page 70 of the English, I will start
9 regarding from the end of the -- from the beginning of the sentence
10 to give context, and the same in the Albanian is 262, the previous
11 page. Thank you. Towards the bottom of the page. Yes.

12 Q. I'll start reading some excerpts from this book. The paragraph,
13 it's related to the Llap operational zone from 7 April till 20
14 April 1999.

15 So I'm reading from the very last sentence at page 263 of the --
16 sorry, 71 of the PDF.

17 "In this situation, Commander Shehu decided to close the
18 training centre and he sent Musli Halimi to Prapashtice ..."

19 Can we please move to page 71.

20 "... and Bexhet Vitia to Marec in order to build the command and
21 organisational structures in the unit of the area."

22 And then the book speaks about the fighting of 7 and 8 April in
23 Prapashtice. That is also what you told us earlier today.

24 So now in relation to this paragraph, I understand Vitia was
25 also one of the trainers; right?

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3802

1 A. Yes.

2 Q. So did he also leave the training centre and went to Marec?

3 A. Bexhet Vitia did not leave for good because he was from that
4 village where the training centre was. And the combat did not start
5 in Marec on 7 April. They started in Prapashtice. And Bexhet Vitia
6 stayed until the end of the training of that generation. And I did
7 not have the opportunity to complete the training of that generation.
8 As of the 7th, I wasn't there all the time. And as of the 10th, I
9 went to Prapashtice and stayed there, did not stay in Zllash. I
10 stayed in Prapashtice until the end of the war.

11 Q. Yes. We will get to your movements. Now I simply wanted to
12 understand whether you knew when Vitia left the training centre. You
13 said he stayed there until 15 April, and you said that also today
14 that was page 25, line 12. Just a second.

15 I wanted to ask, are you aware whether in this period of the
16 beginning of April he -- Mr. Vitia, he also moved back and forth to
17 places like Marec, like you did when going to Prapashtice?

18 A. I cannot be precise, but I think that Bexhet Vitia had the
19 opportunity to finish the training of the generation. The combat
20 began at Prapashtice, not in Marec, and therefore there was no reason
21 for him to leave the training centre and go to Marec. But I cannot
22 tell you for sure, 100 per cent this was how it was. It was the
23 commander who decided who would go where.

24 Q. Okay. So I understand that -- is -- is your conclusion that
25 Mr. Vitia remained at the training centre until 15 April?

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3803

1 A. I think that --

2 Q. Sorry, I was -- exactly. So is your conclusion an opinion, like
3 it's based on what you actually observed or just what you believed
4 the situation was at that time?

5 A. I cannot say 100 per cent that Bexhet Vitia left the training
6 centre on 7 April. I think that he stayed there until the training
7 was completed. He was from that village. There was no reason for
8 him to leave the training centre because there was no fighting at
9 Marec on 7 April.

10 Q. Okay. With regard to your movements, your trips to Prapashtice,
11 I understand that these started on 7 April. So you would go from
12 Zllash, from the training centre, to Prapashtice; correct?

13 A. Yes.

14 Q. And you mentioned that the fighting, the offensive in
15 Prapashtice started on 7 April; correct?

16 A. Yes.

17 Q. Were there -- how were the days leading to 7 April? How was the
18 situation in those days?

19 A. Before 7 April, everything was normal. Now, when I say
20 "normal," of course, we expected that something will happen. It was
21 a state of war. But after 7 April, from 7 April onwards, it was more
22 difficult. 7 April itself was a difficult day.

23 Q. And what I meant is were there any preparations ongoing in the
24 area, in order to reach combat readiness?

25 A. There were some units there in villages, neighbourhoods. There

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3804

1 was presence of the KLA there even before 7 April. "There," meaning
2 in Prapashtice and some other villages. With the beginning of the
3 war, the brigade saw it fit to send me there as a commander of the
4 battalion to unify those units and place them under one command, so
5 that the fighting would be more under control.

6 Q. In order to participate in the fighting on the 7th, when did you
7 actually leave Zllash?

8 A. I left Zllash for good on 10 April and after that, I did not go
9 back to Zllash anymore.

10 Q. What I meant is when you went to Prapashtice on the 7th, at what
11 point in time you left Zllash? Was it during the night between the
12 6th and the 7th? Was it the 7th early in the morning? If you
13 remember the moment.

14 A. During the night.

15 Q. So during the night between 6th and the 7th; correct?

16 A. Yes. Before the morning. That would be dawn. It would be
17 dawn, still dark.

18 Q. Okay. And how far is Prapashtice from Zllash?

19 A. I don't know exactly, but we walked for an hour and a half.
20 10 kilometres or something like that. I'm not precise.

21 Q. And would you go back to Zllash from Prapashtice during the same
22 day?

23 A. At night, yes.

24 Q. Okay. So you could go to -- from Zllash to Prapashtice and back
25 within the same day; correct?

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3805

1 A. Yes.

2 Q. So then you would arrive in Zllash and would -- what would you
3 do? Would you spend the night there?

4 A. Yes.

5 Q. Was this -- would you sleep at the training centre?

6 A. Yes.

7 Q. And then when would you leave again to go back to Prapashtice?

8 A. Again, early in the morning. Because the Serb forces did not
9 leave. They had started to take up positions.

10 Q. Okay. So is it fair to say that you would spend just a few
11 hours in ... in Zllash during the night?

12 PRESIDING JUDGE VELDT-FOGLIA: Maybe you can ask --

13 MS. D'ASCOLI:

14 Q. How much time would you spend during the nights at Zllash at the
15 training centre?

16 A. I cannot say in terms of hours, but I can tell you I slept for
17 three to four hours.

18 Q. Okay. I understand. Let me see if I'm done with this topic.

19 PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor.

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

21 PRESIDING JUDGE VELDT-FOGLIA: We have still have five minutes
22 till I would like to have a break of 15 minutes.

23 MS. D'ASCOLI: Yes. Maybe we could have a break now so that I
24 check the last questions and then I see -- I'll move to a different
25 topic, and I don't have too much left.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3806

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

2 Mr. Witness, we will have a break now of 15 minutes.

3 Madam Court Usher will accompany you out of the courtroom. And we
4 see you back in a while. Thank you.

5 [The witness stands down]

6 PRESIDING JUDGE VELDT-FOGLIA: Very well. We have a 15-minutes
7 break. We meet again at 25 minutes past 3.00.

8 Yes, the hearing is adjourned.

9 --- Recess taken at 3.12 p.m.

10 --- On resuming at 3.25 p.m.

11 PRESIDING JUDGE VELDT-FOGLIA: Welcome back. I call
12 appearances. I see we are in the same composition. That is noted.
13 Madam Court Usher, could you usher the witness in. Thank you.
14 So we will now continue till 4.00.

15 [The witness takes the stand]

16 PRESIDING JUDGE VELDT-FOGLIA: Welcome back, Mr. Halimi.

17 THE WITNESS: [Interpretation] Thank you.

18 PRESIDING JUDGE VELDT-FOGLIA: We will now continue for half an
19 hour, till 4.00. We will see where we are at that moment in time.

20 Madam Prosecutor, you have the floor again.

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

22 Q. Mr. Halimi, before the break we were discussing the amount of
23 time that you spent at the training centre between the 7th and the
24 10th, when would you go back and forth between Zllash and
25 Prapashtice.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3807

1 So you said, in answering my question regarding how much time
2 you would spend during the nights at Zllash at the training centre,
3 you said:

4 "I cannot say in terms of hours, but I can tell you I slept for
5 three to four hours."

6 So was that the total amount of time that you would spend every
7 night in -- at the training centre in those days?

8 A. Yes.

9 Q. So is it fair to say that you were unable to know what was
10 happening there in those days? At the training centre, I mean.

11 A. I may say that everything was in order, even when I was not
12 there. The colleagues who were present worked based on their
13 programme and the training went on.

14 Q. I understand that. My question was more in relation to what you
15 would personally know, not being at the training centre in those
16 days. You couldn't know what was happening; is that correct?

17 A. Correct. But I want to repeat: Nothing happened.

18 Q. I understand. Like I -- my question was since you were not
19 there, you could not know what happened during the days; is that
20 correct?

21 A. [No interpretation].

22 MR. VON BONE: Excuse me.

23 PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness, can you take off
24 your headphones, please.

25 Please.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3808

1 MR. VON BONE: Just not knowing, knowing himself, but maybe he
2 spoke to others or -- knowing through others something. That's just
3 what I wanted to --

4 PRESIDING JUDGE VELDT-FOGLIA: I hear you. I hear you. I hear
5 you.

6 MR. VON BONE: Just to complete it.

7 PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor, I suggest to
8 also investigate that part.

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

10 PRESIDING JUDGE VELDT-FOGLIA: Can you put on your headphones
11 again.

12 MS. D'ASCOLI:

13 Q. Mr. Halimi, during those days in which you were not at the
14 training centre during the day, how would you -- how would you know
15 what was happening, if you were not personally there?

16 A. I already said that there was someone in charge every -- or on
17 duty every day. And I was the commander of the centre. And
18 according to the rules, they had to report on the situation at this
19 centre. So -- and this is what happened.

20 Q. Did you have a chance of speaking to anyone who was in charge in
21 those days?

22 A. Yes.

23 Q. And when would that happen?

24 A. Every time I went there, I met the person on duty who was
25 supposed to stay up until midnight. After that, his assistant took

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3809

1 over, so I found the person awake.

2 Q. And what would the -- what would the conversation or the
3 information that you exchanged with the person who was on duty was --
4 or would be like?

5 A. Merely reported to me on the training held during the day.

6 Q. Was he -- was the person on duty reporting on how the training
7 went?

8 A. Yes.

9 Q. Did you have the chance to personally consult the notebook or
10 the logs that were kept at the training centre in those few hours in
11 which you were back?

12 A. Yes.

13 Q. And so how would that -- how would that work? Like, you would
14 go back there and do what? Describe us what would happen when you
15 returned to Zllash during those nights.

16 A. I did that, thinking that the Serb forces would go back. It
17 happened many times in Kosovo that the Serbian forces entered a
18 place, didn't take up any positions, and withdrew. So my purpose was
19 not to leave the centre and remain there until 15 April, but it was
20 impossible, so I had then to make up my mind and to go to Prapashtice
21 and not come back, like I did until then.

22 Q. I understand that. I was asking what you -- what checks you
23 would do when returning to Zllash from Prapashtice.

24 A. The officer on duty had a notebook or a log-book where he
25 used -- he had to write or to record everything that happened during

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3810

1 the day, how the activity went on, what happened, every hour. So
2 every time I came, I read that log-book, which he also reported to me
3 orally in case there was something special happening. But there
4 wasn't anything extraordinary happening, no problems or any problems
5 with the training. Everything went on smoothly.

6 Q. I understand. But not having those records, do you agree that
7 it is difficult for you to remember precisely everything that was
8 logged, everything that happened?

9 A. I had if -- I wish we had those notebooks because everything
10 would have been recorded. I wish very much to have those notebooks
11 with me and speak on the basis of them, but unfortunately I don't.

12 But what I'm saying here, I'm saying this in full
13 responsibility, and this is the truth.

14 Q. Yes. But my question was without the books, without the notes,
15 like, how can you be sure that you remember everything that happened
16 or that did not happen in those days in which you were not there?

17 A. Things you experience, you go through, you never forget. And I
18 experienced them, I witnessed them, so I will never forget them. I
19 can assure you, Prosecutor, that our life was not secure, so I have
20 to say and it's up -- what happened. And it's up to you believe me
21 or not.

22 Q. I understand, Mr. Witness. But we are discussing exactly things
23 that you did not witness because you were not there.

24 MR. SHALA: Your Honour.

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

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3811

1 MR. SHALA: [Microphone not activated].

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

3 THE INTERPRETER: Microphone, please.

4 PRESIDING JUDGE VELDT-FOGLIA: Yes. We will just continue now.

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

6 Q. Mr. Witness, how can you exclude that if something was not
7 reported to you, that did not happen?

8 A. It could never happen that something -- if something happened,
9 it would go unrecorded. Everything went according to plan. And the
10 officer on duty was obliged to describe the situation every 24 hours.
11 And until 10 April, I was the commander of that centre and they had
12 to report to me. That is all.

13 Q. I understand. But how can you be sure that everything was
14 reported to you?

15 A. I'm telling you, I cannot assure you 100 per cent, because we
16 are not sure of our lives 100 per cent. I'm repeating it for the
17 umpteenth time. This is how it was.

18 Q. Okay. Thank you for clarifying.

19 Mr. Halimi, today you were asked about your knowledge of
20 Mr. Salih Mustafa. This was at page 50. You said -- I'm reading
21 from page 50, lines 20 to 22:

22 "I didn't know Cali from before. But during the war, I knew the
23 pseudonym Cali. But I did not have contact with him because the
24 chain of command was separate. But I did hear about him."

25 You were asked to clarify the chain of command was separate.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3812

1 However, I would like to go back to that because I don't think
2 your answer was responsive.

3 You said:

4 "I was the commander of the training centre and I reported to
5 Brigade 153."

6 Then you were asked whether Mr. Mustafa was part of Brigade 153,
7 and you said no. You remember that?

8 A. I remember that.

9 Q. So can you tell us how you knew Mr. Mustafa during the war?

10 A. I knew Cali, I heard about him, and from others, I realised that
11 he was the commander of BIA. Until I started working for the
12 Kosovo Protection Corps, I didn't know his name. But since, after
13 the war, we worked together in this corps, then I knew him.

14 Q. Okay. So during the war, you knew him as Cali; right?

15 A. Yes, yes.

16 Q. And you said:

17 "... from others, I realised that he was the commander of BIA."

18 I'm reading from lines 2 to 3 of page 97?

19 What do you mean -- actually, so first let's go into when did
20 you realise that he was the commander of BIA?

21 A. I can't be precise as to the time, but I realised that I can't
22 give you precise date. Because in my mind, I didn't pay much
23 attention to that. I didn't consider it something that I should
24 remember. But this is what I heard.

25 Q. Okay. Do you remember when you first met him during the war?

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3813

1 A. We may have met once or twice, just a greeting. I didn't have
2 any long contact with him, like to engage in a conversation. We just
3 greeted one another. Even though I respected him because, based on
4 what I heard, he was a political prisoner in the past at a very young
5 age, so I had respect for him.

6 Q. And was this during the period in which you were in Kosovo in
7 1999?

8 A. What do you mean?

9 Q. You said: "We might have met once or twice, just a greeting,"
10 so I was trying to understand when was that?

11 A. Yes, yes. Yes.

12 Q. So this period being between mid-January and April 1999; is that
13 correct?

14 A. Yes.

15 Q. And do you remember where that happened?

16 A. No.

17 Q. You were in Zllash in that period; right?

18 A. Yes.

19 Q. So was it in Zllash that you met Mr. Mustafa?

20 A. On the way, yes.

21 Q. What do you mean "on the way"?

22 A. While passing. Somewhere on the road. Not in the facility, not
23 in the brigade, but along the way.

24 Q. So you mean not at the training centre where you were staying,
25 for example; yes or no?

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3814

1 A. Not in the centre.

2 Q. Okay. So not in the training centre, not at the facility of the
3 brigade. I take it you mean Brigade 153; correct?

4 A. I already said that -- this was not something that I should
5 remember. I merely met him once or twice and the meeting consisted
6 in just greetings. That's it.

7 PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor, just for me.

8 Mr. Witness, when you say, I met him "on the way," what do you
9 mean with that? Because for me, it's kind of vague.

10 THE WITNESS: [Interpretation] I'm saying how it was. It
11 happened that we met each other on the street once or twice.

12 PRESIDING JUDGE VELDT-FOGLIA: Where on the street?

13 THE WITNESS: [Interpretation] In Zllash.

14 PRESIDING JUDGE VELDT-FOGLIA: Okay. But you can say that: I
15 met him in Zllash on the way. That would have -- that are ten lines
16 of translation. So please try to keep focused. I know it has been a
17 long day, but try to keep focused with your answers to the questions.

18 Madam Prosecutor, you have the floor.

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

20 Q. You said "once or twice." Is that the extent of the times you
21 met him, only once or twice in that period?

22 A. Once or twice.

23 Q. And did you know back then when you met him and you said greet
24 him, do you know what role he had in the KLA?

25 A. At that moment, no. But from other friends I became aware of

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3815

1 his role. Because, of course, he didn't introduce himself as like
2 being: I am this and that. So I didn't know.

3 Q. Okay. Back then when you met him you didn't know who he was;
4 however, from friends you became aware of his role.

5 So who told you about his role?

6 A. There was a friend of mine in the brigade, he was also a
7 political prisoner in the past, and he told us that he was in the
8 prison with him.

9 Q. Anything else?

10 A. No.

11 Q. Did he tell you about the role that Mr. Mustafa had back then?

12 A. Yes, yes.

13 Q. What did he tell you?

14 A. He told me that Salih Mustafa was a political prisoner and that
15 he is the commander of BIA. That was Rrahman Dini who told me this.
16 He was in prison with Salih. He told me that he was in prison at a
17 very young age and that he was a political prisoner.

18 Q. Okay. So you learned, when you were in Zllash, that the person
19 you knew him as Cali was the commander of BIA. Did you also learn
20 his full name back then, besides knowing that he was -- his nickname
21 was Cali?

22 A. No.

23 Q. So you knew that Cali was the commander of BIA.

24 When you said today, "I did not have contact with him because
25 the chain of command was separate," were you referring to the chain

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3816

1 of command of Brigade 153 and BIA?

2 A. I meant the hierarchy. I reported to Brigade 153. I was a
3 subordinate to that brigade. And it was not up to me to know or to
4 ask, to inquire, after his position. I didn't have the right to, you
5 know, explore who he was.

6 Q. Okay. But my question was whether you're referring -- you were
7 referring to the fact that Brigade 153 and BIA had a separate chain
8 of command. Were you referring to that earlier?

9 A. Yes. The brigade had its own structure. BIA had its own
10 structure. Both were under the Llap operational zone command.

11 Q. Okay. And did -- what did you know about BIA?

12 A. I don't know much.

13 Q. Did you know whether they had a base in Zllash? BIA, I mean.

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

15 Q. But you did see Mr. Mustafa in Zllash; correct?

16 A. Yes.

17 Q. So what was -- what were you thinking he was doing there?

18 A. I was not interested to know what he was doing there. He also
19 was not interested in what I was doing. It was not the time for us
20 to deal with what we were doing. My purpose was to train the
21 soldiers and to perform my duty. Because I travelled over
22 2.000 kilometres to join the war. So I minded -- I mind my own
23 business.

24 Q. And you -- you didn't think it was -- let me put it this way.

25 You were not interested in knowing what KLA units were doing at

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3817

1 the location where you were the commander of a training centre?

2 A. No.

3 Q. So are you saying had you no information whatsoever of what was
4 happening in the rest of the village, in Zllash?

5 A. No, I wasn't.

6 Q. Did you work together with Mr. Mustafa at any point after the
7 war?

8 A. No. You mean in the Kosovo Protection Corps? Yes, we worked,
9 but in different commands.

10 Q. Okay. So you were both in the Kosovo Protection Corps; correct?

11 A. Yes.

12 Q. Did you have the chance of getting to know Mr. Mustafa better
13 while you were in the Kosovo Protection Corps?

14 A. Yes.

15 Q. Did you speak with him? Did you exchange information about your
16 period in the KLA, for example?

17 A. With Cali and with many other comrades, we met in commemorative
18 rallies. When we commemorated the heroes of Gollak, a ceremony that
19 happened every day on 18 April, there we met many other friends in
20 addition to Cali.

21 Q. And for how long did you work in the Kosovo Protection Corps?

22 A. I worked there until 2010.

23 Q. How often did you maintain contact with Mr. Mustafa in this
24 period after the war?

25 A. I already told you with Cali and many other comrades, we met

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3818

1 during some commemorative events for heroes, especially in Viti of
2 Marec, where every year there was a ceremony held in memory of the
3 heroes. So there I met not only Cali, but many other comrades. And
4 we will meet again.

5 Q. And would Mr. Mustafa know you also with your nom de guerre,
6 Commander Llapi?

7 A. I think Cali didn't know my name either during the war. He knew
8 only my pseudonym, Llapi.

9 Q. And did you have each other's phone number during the war, you
10 and Mr. Mustafa?

11 A. Unfortunately, during the war we didn't have phones.

12 Q. Sorry. I meant after the war. I misspoke.

13 A. No. I am repeating it because you're asking me the same
14 question three, four times. And it's not only that I didn't want to
15 meet him, but if I could, I would have met him every day out of my
16 respect. But we had different duties. I lived in the village so it
17 was impossible for me to contact many people.

18 Q. But I repeat, as my question wasn't clear, because I said during
19 the war, so I meant did you have each other's phone number after the
20 war?

21 A. No.

22 Q. So would it surprise you to learn that your name appears in
23 Mr. Mustafa's address book, his phone book?

24 A. I don't remember. Even if that is the case, it wouldn't be
25 something out of the usual. It was not forbidden for me to have his

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3819

1 number or to talk with him.

2 Q. No one is talking about things that are forbidden or not,
3 Mr. Halimi. I simply asked you whether you had each other's phone
4 number. That's all.

5 A. I don't remember.

6 Q. So you're saying you -- you don't remember whether you and
7 Mr. Mustafa have each other's phone number? Is that what you are
8 saying?

9 A. Yes, I don't remember.

10 Q. Okay. But, in fact, we have record.

11 MS. D'ASCOLI: And, Your Honours, this is SPOE00325983. I don't
12 see the necessity to call it onto the record because it's just a
13 screen shot with the recorded phone number. But maybe I can ask the
14 witness if that is his phone number actually.

15 So could I have on the screen SPOE00325983, please. Of course,
16 not to be broadcast.

17 PRESIDING JUDGE VELDT-FOGLIA: You may proceed. And allow me to
18 tell that you we are approaching 4.00 and I would like to conclude
19 for today.

20 MS. D'ASCOLI: Of course, Your Honours, I'll do this and then I
21 will conclude. Thank you.

22 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

23 MS. D'ASCOLI: [Microphone not activated].

24 THE INTERPRETER: Microphone, please.

25 MS. D'ASCOLI: Sorry. If we can zoom in on the entries.

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3820

1 Q. So your contact is recorded as "Llapi i Gollakut." And can you
2 tell us whether the phone number appearing in the first column under
3 "Entries" is your phone number? You don't need to read it for the
4 record, of course.

5 A. Yes.

6 Q. Yes, you mean it is your phone number? Can you please answer
7 for the record.

8 A. Yes.

9 Q. Thank you.

10 PRESIDING JUDGE VELDT-FOGLIA: Yes, what?

11 MS. D'ASCOLI:

12 Q. I was asking because just nodding is not recorded on the record.
13 Thanks.

14 PRESIDING JUDGE VELDT-FOGLIA: Is this -- Mr. Witness, is this
15 your phone number what is reflected under the entry under number 3?
16 Would you say: Yes, this is my phone number.

17 THE WITNESS: [Interpretation] Yes.

18 PRESIDING JUDGE VELDT-FOGLIA: It's very difficult to say that
19 it is your telephone number?

20 Do you understand me, what I'm saying?

21 THE WITNESS: [Interpretation] Yes, this is my phone number.

22 Yes.

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

24 MS. D'ASCOLI:

25 Q. Okay. Mr. Halimi, are you trying to minimise your knowledge of

Witness: Musli Halimi (Open Session)
Cross-examination by Ms. D'Ascoli

Page 3821

1 Mr. Mustafa?

2 A. No. But I didn't remember that I gave him my number. I can't
3 remember everything.

4 Q. That's fine.

5 MS. D'ASCOLI: Your Honours, probably it's a good point where to
6 stop. It is 4.00. I don't have much more. Probably ten minutes
7 left for tomorrow.

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

9 Let us see where we stand at this moment in time.

10 Victims' Counsel, would you have any questions tomorrow for the
11 witness.

12 MS. VOSENBERG: Thank you, Your Honours. Yes, I would, but not
13 much.

14 PRESIDING JUDGE VELDT-FOGLIA: Okay. Can you give me a rough
15 estimation.

16 MS. VOSENBERG: Five, maybe ten minutes. No more than that.

17 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

18 Defence Counsel, would you want to do a re-direct of this
19 witness?

20 MR. VON BONE: Very, very little, I think.

21 PRESIDING JUDGE VELDT-FOGLIA: It's good for our planning.
22 Thank you for that.

23 Mr. Witness, thank you for today, for today's testimony. We
24 will continue tomorrow in the morning. I think we will be done, in
25 principle, during the first session. I remind you not to discuss

1 your testimony with anybody here before this Panel. Yes?

2 Madam Court Usher will accompany you out, and I wish you a
3 restful evening.

4 THE WITNESS: [Interpretation] Thank you.

5 [The witness stands down]

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

7 Before -- let me do it like this: Is there something parties
8 would like to raise? Victims' Counsel? Defence Counsel? Would you
9 like to raise something with the Panel at this moment in time? No.

10 Before we adjourn, I would like to ask Madam Court Officer to
11 bring us for just a short moment into private session.

12 [Private session]

13 [Private session text removed]

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24 [Open session]

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

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

2 We will resume tomorrow at 9.30. We will continue with the
3 testimony of Witness 1300, and then we will proceed as soon as we
4 finish with the testimony of Witness 1300 with the testimony of
5 Witness 1400.

6 The hearing is adjourned.

7 --- Whereupon the hearing adjourned at 4.05 p.m.

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