

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

1 Monday, 4 October 2021

2 [Open session]

3 [The accused appeared via videolink]

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

5 PRESIDING JUDGE VELDT-FOGLIA: Good morning.

6 Court Officer, can you please call the case.

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

9 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

10 First of all, I will call appearances.

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

13 MS. D'ASCOLI: Of course, Your Honours. Good morning. The SPO
14 is today represented by Deputy Prosecutor Alex Whiting, Prosecutor
15 Cezary Michalczuk, Associate Prosecutor Filippo De Minicis,
16 Case Manager Julie Mann, and myself, Silvia D'Ascoli,
17 Associate Prosecutor.

18 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

19 Victims' Counsel, you have the floor.

20 MS. PUES: Good morning, Your Honours. Good morning, everybody.
21 The Victims' Counsel team is today represented by Marie-Pier Barbeau,
22 senior Legal Associate; Liesbeth Zegveld, co-counsel; and by myself,
23 Anni Pues, as Victims' Counsel. Thank you.

24 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

25 Defence counsel, you have the floor.

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

5 Mr. Mustafa is joining us by remote videolink. He will do so
6 also tomorrow.

7 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

8 Mr. Mustafa, good morning. Does the connection work okay? Can
9 you hear us?

10 THE ACCUSED: [Via videolink] Yes, Your Honour. Yes, I can hear
11 you very well, Your Honour.

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

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

14 Before we begin with the testimony of Witness 01679, I would
15 like to discuss one issue with the SPO.

16 Madam Prosecutor, the SPO has filed a request for admission of
17 exhibits from the direct examination from the witnesses W03593 and
18 W04600, the first SPO witnesses we heard last week. And the Panel
19 notes that the SPO tenders the entire transcript of the UNMIK
20 statement and the SPO interviews which were in part, during the
21 testimony of the Witnesses W03593 and W04600, used in court. And we
22 also noted that the SPO tenders into evidence in its entirety the
23 witness statement of W03593 of 3 June 2021. And that one was not
24 used during the examination of the witness. And the Panel would like
25 to clarify that only the portions of interviews that have been

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1 discussed with the witness during the testimony in court before the
2 Specialist Chambers can be used -- or can be tendered into evidence
3 by the parties and the Victims' Counsel. It is consistent with the
4 principle of orality provided for in Rule 141(1), and none of the
5 exceptions that are foreseen in the law and in the Rules are
6 applicable here. And we therefore consider that part of previous
7 statements not used during the witness testimony in court can be
8 tendered in evidence because we think it's contrary to the principle
9 of orality provided for in the rules and the right to a fair trial.

10 And we would also like to clarify that in our decision on the
11 admissibility of evidence, paragraph 38, we have instructed the
12 parties and the Victims' Counsel to submit lengthy material in their
13 entirety because in that way it will allow the Panel to assess the
14 context of the portion you are tendering into evidence. But this
15 paragraph can, however, not be interpreted as authorising to tender
16 previous witness statements or part of it that were not used in
17 court.

18 So the SPO should therefore be -- should therefore consider to
19 resubmit its request for admission with regard to these exhibits from
20 the direct examination, tendering into evidence only the exact parts
21 that have been used in court.

22 In the alternative, the SPO can file submissions on why it
23 stands by its position on the matter, and it would in that regard be
24 important to specify also the legal basis for doing so.

25 And I can give you the floor now, Madam Prosecutor, but I could

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1 also give you the floor, if you want to discuss with your colleagues,
2 at a later moment and then you come back, and depending on the
3 discussion that follows, we will see how to proceed.

4 MS. D'ASCOLI: Of course, Your Honours. Thank you for the
5 floor.

6 For now, I can just say that we take note of that and we will
7 file submissions. If there's anything else that I will need to add,
8 I can do it at a later stage. But we take note of this and we will
9 resubmit the application. And, if necessary, should we want to
10 submit the entirety of the portions, even those not used, we will
11 file appropriate submissions.

12 Thank you.

13 PRESIDING JUDGE VELDT-FOGLIA: Thank you. But in that case, I
14 will give an oral order. The Panel requests, then, the SPO to
15 resubmit by Friday, 8 October 2021, its request for admission of
16 exhibits from the direct examination of Witnesses W03593 and W04600,
17 tendering into evidence only the exact parts which have been used in
18 court, and reminds the Defence and the Victims' Counsel of the
19 possibility to file responses to such motions within the time-limit
20 set in paragraph 41 of the decision on admissibility of evidence.

21 And this -- yes. And this concludes my oral order.

22 Now, having said this, let's now move to the core business of
23 today, and that is hearing the Witness W01679.

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

25 [The witness entered court]

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1 PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness, good morning.

2 Welcome to the Specialist Chambers. Can you hear me?

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

4 However, the sound is very low.

5 PRESIDING JUDGE VELDT-FOGLIA: And can you hear me now better?

6 THE WITNESS: [Interpretation] Yes. Now it's better.

7 PRESIDING JUDGE VELDT-FOGLIA: Okay. If it needs to be a little
8 bit louder still, we can do that. Is it okay?

9 THE WITNESS: [Interpretation] If possible, yes.

10 PRESIDING JUDGE VELDT-FOGLIA: This is the maximum. Yes? I see
11 two thumbs up. So okay for now. Good.

12 How are you, first of all?

13 THE WITNESS: [Interpretation] I am fine. Thank you. I'm a bit
14 nervous but okay.

15 PRESIDING JUDGE VELDT-FOGLIA: I can understand that. But we
16 will try to explain everything what we will be doing in this
17 courtroom today to you in order to ease it a little bit.

18 THE WITNESS: [Interpretation] Thank you.

19 PRESIDING JUDGE VELDT-FOGLIA: We will start today with your
20 witness statement. Before we begin, I have several remarks for you
21 that are of importance.

22 First of all, I want to explain to you the protective measures
23 that you have been granted for your testimony. You have been
24 assigned a pseudonym and that means that we will never mention your
25 name in court. We always address you as "Mr. Witness." In that way,

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1 the public will not know your name. And you have face and voice
2 distortion, and that makes that people outside the courtroom watching
3 the broadcast cannot see you and they will not hear your real voice.

4 And when you answer questions that will not reveal your
5 identity, we will do so in open court, like we are now, that
6 everybody can see us here but not you. But when you are asked to
7 describe anything that could identify you or that relates
8 specifically to you, we will do in private session. And that means
9 that there is no broadcast and outside the courtroom they cannot hear
10 what we are saying in the courtroom.

11 And -- I see you nodding. And if there is anything said during
12 an open session that may identify you, we will protect this
13 information. Your testimony will be broadcast with a delay, and we
14 can remove any information that has come up that could be seen by the
15 public, and it will also be taken out of the public transcript of the
16 proceedings.

17 And in addition to these protective measures, four additional
18 measures were added upon the request of the Witness Protection and
19 Support Office, that's the WPSO, pursuant to Rule 80(4)(c)(i) and
20 (iii) of the Rules - that's filing 219 and 220 - and these special
21 measures are shielding you from the direct view of the accused;
22 allowing breaks, if you think it's necessary; attendance of a
23 psychologist and also a support staff member. And I inform you that
24 outside the courtroom a support staff member and a psychologist is
25 available for you, if you would need their support in the courtroom.

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1 And this decision of the Panel has been shared through CMU with
2 the parties and the Victims' Counsel by e-mail dated 28 September of
3 this year at 17.41.

4 These protective measure, are they clear to you, Mr. Witness?

5 THE WITNESS: [Interpretation] Yes, they are. Yes, I understood
6 everything.

7 PRESIDING JUDGE VELDT-FOGLIA: Good. Now, needless to say - and
8 I direct myself to the parties and the Victims' Counsel and also for
9 the Panel, of course - you should all respect these protective
10 measures and pay the utmost attention in the course of the
11 examination, avoiding disclosure of confidential information in open
12 session. That's something for all of us.

13 I remind you that this hearing is held in open session unless
14 otherwise requested by you or decided so by the Panel. I remind you
15 to give me prior notice should you require to go into private or
16 closed session for the purpose of your question or making
17 observations. I remind you of the procedure regarding in-court
18 redactions set out in our conduct of proceedings decision, and I
19 remind you -- I remind you of the usual courtroom procedures about
20 the pace of speaking.

21 Mr. Witness, I turn back you to. You are called to testify
22 before the Specialist Chambers in the case of The Specialist
23 Prosecutor versus Salih Mustafa in order to help the Panel reach a
24 verdict. After you have taken your solemn declaration, you will be
25 asked questions by the lawyers of the Specialist Prosecution Office,

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1 the lawyer representing the victims admitted in the proceedings, and
2 the Defence counsel for Mr. Mustafa, and by us, the Judges of the
3 Panel.

4 And I would like to provide you with some guidance for answering
5 the questions that will be put to you, Mr. Witness. First of all,
6 please listen carefully to each question. And if you do not
7 understand, please ask for the question to be repeated.

8 We want you to tell the truth. We want to hear what you saw,
9 what you heard, what you sensed, what you experienced. If you did
10 not see or hear it, please tell us how you found out. You may not
11 remember all the details of what occurred, and this is perfectly
12 fine. Please don't make something up, please don't guess. You can
13 say, "I don't know." That will suffice.

14 Have you understood what I said to you?

15 THE WITNESS: [Interpretation] Yes.

16 PRESIDING JUDGE VELDT-FOGLIA: Now I have some practical advice
17 for you, because we are in this specific setting. Everything that we
18 say is translated and recorded. So it's important to speak in this
19 microphone, to speak clearly and at a slow pace. Because in that
20 way, it will allow the interpreters to do their work properly. And
21 you should only start speaking when the person who is asking you the
22 question has finished. You can count in your head till five and then
23 start speaking, because that will allow the interpreter to finish the
24 sentence, the translation of the sentence, of the person who asked
25 you the question. Okay? Because we all speak a little bit more

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1 slowly in this courtroom.

2 Now, if you have any questions, if you need a break or
3 assistance, you just tell me by raising your hand and then I can give
4 you the floor.

5 Have you understood all that?

6 THE WITNESS: [Interpretation] Yes, Your Honour.

7 PRESIDING JUDGE VELDT-FOGLIA: I'm telling you a lot. I realise
8 that. But it's important for you to know. Very well. Thank you.

9 As we must do with every witness, I will now ask you to read the
10 solemn declaration. And I remind you that giving a false testimony,
11 Mr. Witness, is a crime under the jurisdiction of the
12 Specialist Chambers, so -- do you understand this too?

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

14 PRESIDING JUDGE VELDT-FOGLIA: Please -- I see that he already
15 has the solemn declaration in front of him. Please proceed.

16 You can read the text, Mr. Witness.

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

21 THE INTERPRETER: Interpreters kindly ask the witness to sit
22 closer to the microphone.

23 PRESIDING JUDGE VELDT-FOGLIA: Okay. Mr. Witness, can you sit a
24 little bit more closer to the microphone. In that way, the
25 interpreters can hear your voice better. Or maybe we can put the

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1 microphone a little bit more ... we can push it little bit more
2 towards the witness.

3 Okay. Please, this is for the interpreters, please let me know
4 if it suffices like this. If not, we will have to try to find
5 another way.

6 THE INTERPRETER: We will, Your Honour.

7 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

8 We can now begin with the testimony of Witness W01679 starting
9 with the questioning by the SPO.

10 Madam Prosecutor, you have estimated seven hours for your
11 questioning of this witness. Please inform us when there are any
12 changes you think are relevant to share with the Panel for our
13 planning purposes.

14 MS. D'ASCOLI: Yes, Your Honours. We will monitor the progress
15 of the direct examination.

16 PRESIDING JUDGE VELDT-FOGLIA: Thank you. You have the floor.

17 MS. D'ASCOLI: Thank you.

18 WITNESS: W01679

19 [Witness answered through interpreter]

20 Examination by Ms. D'Ascoli:

21 Q. Good morning, Mr. Witness. I'm the counsel for the Prosecution
22 who will lead your direct examination today.

23 During today's examination, I will be asking you questions
24 related to events in 1999. I will be showing you visual material,
25 including photos and sketches.

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1 Madam Presiding Judge has already explained to you the
2 protective measures granted in your case and the use of private and
3 public session. I will remind you, whenever it is necessary, about
4 whether we are in open or in private session, so that we can pay
5 extra attention, me with questions and you with answers, to make sure
6 that the information protected remains so.

7 MS. D'ASCOLI: Your Honours, now, since the initial questions
8 will deal with the witness's personal background and other
9 identifying information, I will ask the Trial Panel to move into
10 private session for this initial part of the testimony, which should
11 be brief.

12 PRESIDING JUDGE VELDT-FOGLIA: Thank you. [Microphone not
13 activated] private session, please.

14 ~~[Private session]~~ [Open session]

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

16 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

17 Please proceed.

18 MS. D'ASCOLI: Thank you.

19 Q. Mr. Witness, I will first take your personal details.

20 Can you please state your full name for the record.

21 A. My true name?

22 Q. Yes, please. We are in private session.

23 A. Yes. I am [REDACTED] I was born on [REDACTED]

24 Q. And your place of birth, please?

25 A. [REDACTED]

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1 Q. I'm going to ask you a few questions now about the early part of
2 1999. Again, we are in private session so don't be afraid of giving
3 out personal information.

4 Sir, please think back to the first months of 1999. Where were
5 you living at that time?

6 A. At that time I was living in Prishtine. However, during the
7 war, we went to a village.

8 Q. Okay. I will get to that. Were you working at that time while
9 you were in living in Prishtine?

10 A. Yes, I was.

11 Q. Can you tell us what you were doing?

12 A. [REDACTED]

13 Q. Were you involved in any politics or any political group?

14 A. No, no. I was just an ordinary person.

15 Q. What about spring 1999? Where were you then?

16 A. Spring 1999. I can't remember things now with seasons. Are you
17 talking about the war?

18 Q. Yes, I'm talking about the war.

19 A. If you're talking about the war, after the people were expelled
20 from their homes, I went to join the army.

21 Q. Which army did you join?

22 A. KLA.

23 Q. Why did you want to join the KLA?

24 A. I wanted to contribute to my country's liberation, like
25 everybody else.

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1 Q. Do you remember whether this was before or after the beginning
2 of the NATO bombing?

3 A. This was after the bombing. It was during the war. People were
4 leaving, going to Macedonia. Other people were going to the
5 villages.

6 Q. Okay.

7 MS. D'ASCOLI: Your Honours, we can go back to open session.

8 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, could you
9 bring us back into open session, please.

10 [Open session]

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

12 PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness, and for everybody,
13 we are now in open session.

14 MS. D'ASCOLI:

15 Q. Mr. Witness, you told us you went to join the KLA. Can you
16 please tell us where you went.

17 A. Yes. We went, together with [REDACTED] so we
18 went to [REDACTED] We went through the mountains and arrived at
[REDACTED]

19 Q. What you did find in [REDACTED]

20 A. In [REDACTED] we went to a [REDACTED] There were people there.
We

21 stayed overnight there. We asked people where is the KLA because we
22 want to join the war -- the war, the army. And the next day we were
23 told where, so we went to a village called Zllash.

24 Q. Okay. Tell us what you did next, once you went to Zllash.

25 A. After we arrived at Zllash, we went to [REDACTED] We

1 reported there. There was some soldiers. There was a commander, a
2 superior commander, so we reported to them. They took our details,
3 and we remained there.

4 Q. Do you remember the name of this superior commander?

5 A. Yes, I do. It was Fatmir Sopi. The other one was Adem Shehu
6 and there was another one who they called Triumph.

7 Q. So you said you reported to them, they took your details, and
8 you remained there. What did you do at this school in Zllash?

9 A. We remained there. Every day we would do some military
10 training. Adem Shehu and Triumph led the military training. And four
11 our five days later, another unit arrived and they took me.

12 Q. Before we get there, you said you found these commanders at the
13 school in Zllash. Do you know what KLA unit was there at the school
14 in Zllash?

15 A. As far as I know, it was 153rd Brigade, where we tried to join
16 and where we had that military training.

17 Q. Can you describe some of the training activities that you did
18 there in those days at the Zllash school.

19 A. Well, we would do the training a bit further down from the
20 school. Like climbing, exercises that they do in the army.

21 Q. Okay. Did you already know Adem Shehu and Fatmir Sopi from
22 before you met them at the school or not?

23 A. No, I didn't know them from before. That was the first time I
24 saw them. I met Fatmir Sopi, and they took our details. And then
25 Adem Shehu led our training. That was the first time I saw them, I

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1 met them. I didn't know them from before.

2 Q. How did you learn their names?

3 A. I heard their names from other people, because there were a lot
4 of young men that had joined before us and they told us that this is
5 153rd Brigade. Fatmir Sopi, Adem Shehu and Triumf lead the military
6 training. So this we heard from other people who were there.

7 Q. Do you remember approximately with how many other people you
8 were training? Approximately?

9 A. I don't remember exactly, but perhaps -- there were a lot.
10 Perhaps 40, 50 people. Young men, like us.

11 Q. And how long did you stay at the school for?

12 A. I can't remember exactly. I think it was four days. And then
13 on the fifth day, they came and took me away.

14 Q. Who came?

15 A. I didn't know them. There are four soldiers dressed in black
16 uniform. They were Skifterat. I learned that later. They were like
17 a special unit of some sort.

18 Q. So you said these were four soldiers dressed in black. What --
19 yes, so black uniforms. Were they armed?

20 A. Yes, they were armed.

21 Q. Did they have any insignia on their uniforms? Any badge?

22 A. Yes. They had some emblems. Later on I learned that it wrote
23 "BIA." There were three letters: B-I-A.

24 Q. So did you see any inscription on this badge, on these emblems?

25 A. I saw the three letters BIA.

1 Q. Okay. Can you tell us what happened when these soldiers
2 arrived?

3 A. I was in the yard of the school and they approached me. They
4 asked me my name. I told them. Three of them remained with me
5 outside. One of them went inside. And after he came out, they told
6 me, "You have to come with us. The commander needs to discuss
7 something with you."

8 Q. And what did you do when they told you you should go with them?

9 A. What could I do? I was with them. I went with them.

10 Q. Did you feel you had a choice to go with them or not?

11 A. I didn't understand. They told me that, "The commander needs to
12 talk to you," and I went with them. And there was nothing for me to
13 think. There were people -- four people, armed, who told you, "Come
14 with us." What could I do?

15 Q. Did they show you any documentation to justify you -- taking you
16 elsewhere?

17 A. No, no documents at all. They just said, "Come with us. The
18 commander needs to ask you something." That was all.

19 Q. Did they introduce themselves by name or nickname?

20 A. No. They just said, "We are the special unit, Skifterat, and
21 you have to come with us."

22 Q. Did they tell you where they were taking you?

23 A. To the headquarters, to the staff. Another staff. And their
24 commander.

25 Q. Okay. So tell us what happened, where they took you and how you

1 got there.

2 A. We continued on the road. We walked all the way. We arrived at
3 a place -- I don't know how to describe it to you. It was the first
4 time I was seeing that place. We arrived -- we arrived at that
5 place. They told me, "Lower your head." I didn't know what was
6 happening.

7 When we got closer to some buildings, there was a sack, a black
8 sack, if I'm not mistaken, they put it on my head and they took me
9 into one of the buildings.

10 Q. What happened when they took you inside this building?

11 A. When I was taken inside, there was [REDACTED] there. Their
12 [REDACTED] He was sitting in front and he asked me, "Who are you?"
13 I told him. He asked, "Why are you here?" And I answered, "I have
14 come to join the army and I want to make my contribution." He said,
15 "Why are you lying?" And he started to shout and say things, and he
16 slapped me and they started beating me.

17 Q. Okay. Let's take this bit by bit.

18 So you said you were taken inside this building. There was a
19 [REDACTED] there. He questioned you. So did the other soldiers
20 remain in that room as well?

21 A. Yes, yes, they were there.

22 Q. What did -- did the [REDACTED] introduce himself? Did you
23 understand his name?

24 A. No, I didn't understand his name there and then. But later on I
25 learned from people. I heard that he was [REDACTED]

1 Q. Did you hear the other soldiers addressing the [REDACTED] in any
2 ways?

3 A. No. Just [REDACTED] I heard one of the soldiers saying that,
4 "[REDACTED] we brought this young man here." And I learned later
5 that he was the [REDACTED]

6 Q. What did you mean -- what do you mean, "I learned later that he
7 was the [REDACTED]"

8 A. Well, I knew that I was taken before a [REDACTED] but his name,
9 I didn't know it then. He did not introduce himself. I was just
10 taken before him.

11 Q. Once you were taken inside this room, could you see? Were your
12 eyes uncovered?

13 A. They removed the sack and I could see just like I can see you
14 here.

15 Q. Okay. Do you remember what the [REDACTED] was wearing, how he
16 was dressed?

17 A. A jacket, military camouflage jacket.

18 Q. Anything else? Any badge? Any other detail you remember?

19 A. No, I don't remember. I can't remember.

20 Q. So you said he questioned you. What did he say specifically and
21 what did you reply?

22 A. He asked me, "Why are you here?" And I told him, "I'm here to
23 join the army, to give my contribution, just like all others." And
24 he said, "You're lying. You're here for other purposes."

25 Q. Did he explain you the reasons why you were taken there?

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1 A. No, he didn't explain anything. Absolutely nothing.

2 Q. Did he tell you you were under arrest?

3 A. No, he didn't say that I was under arrest or anything else. He
4 just asked me, "Why are you here?"

5 Q. Did he show you any order? Any warrant?

6 A. No, no. Nothing.

7 Q. And can you think of any reason why the [REDACTED] would say you
8 were lying?

9 A. No, I don't know. They had their own methods, procedures. I
10 don't know.

11 Q. What did the [REDACTED] do while questioning you?

12 A. Well, he started shouting, "Why are you lying? Tell me why you
13 are here." He was cursing. And then he got up and attacked me. He
14 began to beat me, and the others joined in.

15 Q. Can you tell us how he beat you.

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 Q. Did you hear anyone giving orders to the others to beat you?

22 A. When he slapped me, initially I heard him tell the others,
23 "Finish him."

24 Q. And having heard this order, what the [REDACTED] said, did the
25 others act upon it? Did they follow what he said?

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1 A. Yes, they respected it, as I fainted.

2 Q. Can you tell us how did the beating end?

3 A. The beating continued until I fainted. Then they dragged me. I
4 was covered in blood.

5 Q. Where did they drag you?

6 A. From that room to outside, and then they brought me to a barn,
7 to a cowshed.

8 Q. Okay. Before we move to this cowshed where you were taken, I
9 would like to clarify some aspects of the evidence you just gave us.

10 MS. D'ASCOLI: And, Your Honours, with the permission of the
11 Panel, pursuant to Rule 143(1), I would like to show some transcripts
12 to the witness to refresh his memory.

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

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

15 Q. Sir, do you remember giving a statement to the Specialist
16 Prosecutor's Office in [REDACTED]?

17 A. Yes.

18 Q. You were, in fact, interviewed by a Prosecutor of the Specialist
19 Prosecutor's Office, SPO for brevity, on [REDACTED] correct? Do
20 you remember that?

21 A. I don't remember the date. However, I know that I was
22 interviewed by a Prosecutor and I was shown something from former
23 statements, and there were some things that we could not find an
24 understanding about.

25 Q. Okay. We will get to that later. Did you give that statement

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1 freely, voluntarily?

2 A. Yes.

3 Q. Were you threatened or forced in any way to give that statement?

4 A. No. That was out of my free will. Everything was correct.

5 Q. Did you answer the questions by the Prosecutor to the best of
6 your knowledge and belief?

7 A. To what I could remember, to what was still in my head. There
8 were things that we could not find an understanding relating to the
9 former statement. However, everything that I remembered, I did my
10 best to recount that.

11 MS. D'ASCOLI: And, Your Honours, for the record, the witness is
12 referring to the old undated UNMIK statement, but we will get to that
13 later, if necessary.

14 Q. So, sir, were your answers truthful during that interview with
15 the SPO?

16 A. Yes, to my recollection they were truthful.

17 MS. D'ASCOLI: Can I please ask Madam Court Officer to call up
18 the transcript marked with the ERN 060698-TR-ET, Part 2, Revised,
19 RED3, which is at tab 3 of the list of exhibits for this witness. I
20 would need page 11 from line 13 of the English transcript and page 11
21 as well from line 9 of the corresponding Albanian transcript.

22 Q. Sir, you will soon see two transcripts appearing on your screen.
23 Please have a look at whether can you follow the Albanian one.

24 Mr. Witness, I'm going to read a portion of the questions and
25 answers during this interview that you had with the SPO on

1 [REDACTED] You can either follow the written text in Albanian on
2 your screen or just listen to the translation in Albanian through
3 your headphones.

4 MS. D'ASCOLI: Your Honours, I will start reading in line 13 of
5 the English, which corresponds to line 9 of the Albanian.

6 Q. So I'm reading now:

7 "Okay. So. Did they tell you what this was all about?"

8 And this is the Prosecutor asking you a question.

9 Your answer is:

10 "No. They only said that the [REDACTED] has something to ask --
11 he has to ask you about something."

12 Question of the Prosecutor:

13 "Did they mistreat you in any way as you walked up to this next
14 building?"

15 "No, no," your answer.

16 "Q. Okay. And so you arrived at this building, and what
17 happened to you?"

18 Your answer:

19 "They put me inside. There were some stairs. I went on the
20 second floor there, and I entered inside the room. There was a
21 person there, the so-called [REDACTED]there. And he said, 'I am
22 [REDACTED]'

23 "Q. Spell that. Can you spell that?"

24 "Interpreter: [REDACTED]"

25 Mr. Witness, do you now remember this portion of your evidence,

1 of your statement?

2 A. Yes, now that I see it, I remember it. Maybe it was because we
3 couldn't find an understanding in relation to the older one.

4 Q. Sorry. Can you clarify what you just said, Mr. Witness?

5 A. I said now that I see it, I remember. However, because of a
6 previous statement, some questions that were asked of me by the
7 Prosecutor, there was a misunderstanding in relation to certain
8 issues. I couldn't understand the questions well. And what is
9 written here is true. I was taken to this [REDACTED] This happened.

10 Q. As I said, we will get to those other corrections to your prior
11 UNMIK statement that you made during the SPO interview. Now I just
12 wanted to clarify this part.

13 So do you now remember that once you were taken to this
14 building, to this room, the [REDACTED] introduced himself as
15 [REDACTED]

16 A. There, I knew it was -- that this person was [REDACTED]
17 And I heard his colleagues call him [REDACTED] I knew that this
18 person
19 was [REDACTED]

19 Q. Okay. Since we are at this point, I'm going now to clarify that
20 part of your statement that you wanted to.

21 MS. D'ASCOLI: Your Honours, I think for this it's better if we
22 move into private session.

23 PRESIDING JUDGE VELDT-FOGLIA: Okay, Madam Prosecutor.

24 Madam Court Officer, could you please bring us into private
25 session.

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1 ~~[Private session]~~ [Open session]

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

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

4 Madam Prosecutor, please proceed.

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

6 Q. Mr. Witness, I'll take to you your prior UNMIK statement, and we
7 are now in private session.

8 A. Yes.

9 MS. D'ASCOLI: Can I please ask Madam Court Officer to call up
10 the document marked with the ERN 7000687 to 7000691, RED3, English
11 page 1, and Albanian page 4. It's the same document. This is a
12 document at tab 1 of the list of documents for the witness.

13 Q. Mr. Witness, again soon you will see appearing on your screen
14 the prior statement that you gave to UNMIK investigators. And,
15 again, you will have both the English and the Albanian, and you can
16 either follow the Albanian from the screen or listen to the
17 interpretation in Albanian of the English sentences that I will read.

18 So I will read from the middle of page 1 of the English.

19 MS. D'ASCOLI: I don't see that it is visible.

20 PRESIDING JUDGE VELDT-FOGLIA: I have something on my screen
21 now. And you?

22 MS. D'ASCOLI: No. I have the statement. However, there's a
23 blank part. There's a part white that I don't see. Okay. Now I can
24 see in the English the relevant part that I need. Yes.

25 Q. So I'll read from -- I think it's the fifth line from the bottom

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1 of the screen.

2 Mr. Witness, in that statement you say:

3 "Then I was sent in the second floor. There, they told me that
4 I was a thief and a spy. I said I was not. [REDACTED]

5 [REDACTED]

6 [REDACTED] It was [REDACTED] who said

7 to me that I was a spy and he started to beat me, punch me, kick me,
8 and ordered four others to beat me with a [REDACTED] and with the
9 handle of a hatchet."

10 A. I'm trying to tell you all this. I don't know if you understand
11 me. There were certain things that were unclear. This statement
12 that we are looking at is not written by me. There are things that
13 are written in certain portions that are -- didn't say. If I'm not
14 mistaken, this statement was written down by an interpreter. She
15 wrote it, because this is not my handwriting and I cannot even read
16 it.

17 Q. Yes, we understand that, Mr. Witness.

18 In relation to the portion of this statement that I read, was
19 that okay, was that correct, or did you have any corrections to make
20 to that part?

21 A. What I remember, this is what happened and there should --
22 shouldn't be any corrections. And this is what I'm trying to tell
23 you all here.

24 Q. Okay. So I understand, the part that I read, the one about you
25 being taken to the second floor and where there was [REDACTED]

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1 [REDACTED] and started beating you, is that part
2 correct? Or do you have any corrections to make?

3 A. I have no corrections to make. That is true. And this is what
4 I'm trying to say here in not so many words. Years have passed, but
5 this is what I'm trying to tell you here, this story.

6 Q. Of course, Mr. Witness. And that's why we want things to be
7 clear and you to be okay with the clarifications made. So this is
8 perfectly clear now.

9 Can I ask you: Did you mean -- because you said it wasn't you
10 writing the statement, and I noticed that here it is written [REDACTED]
11 did you mean to say [REDACTED] to the UNMIK investigators?

12 A. I meant to say [REDACTED] But as I mentioned, I
13 did not write this; a translator did.

14 Q. Okay. That is clear. I know there are other portions of that
15 statement, the UNMIK statement, that you would like to correct.
16 However, let's first get to the part of your evidence and we will do
17 that later. So please bear with me.

18 A. Okay. I just wanted to be clear, to explain things. Because
19 with one of your Prosecutors, there were certain points that we
20 misunderstood each other and that's why I wanted to clarify this.

21 PRESIDING JUDGE VELDT-FOGLIA: Mr. Witness, it's very much
22 appreciated that you want to clarify certain topics, because that's
23 what this whole testimony is about. And you will be, as I understood
24 from Madam Prosecutor, be given the opportunity to say exactly what
25 you wanted to be your testimony here. So that opportunity will come.

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1 [Microphone not activated].

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

3 THE WITNESS: [Interpretation] Thank you.

4 MS. D'ASCOLI: I think we can go back to open session,
5 Your Honours.

6 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, could you
7 bring us back into open session, please.

8 [Open session]

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

10 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Court Officer.
11 Madam Prosecutor, please proceed.

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

13 Q. So, Mr. Witness, you said earlier - and this is at page 23,
14 line 8 of today's transcript - you said: "I heard his colleagues
15 call him [REDACTED]"

16 Can you tell us when? Was that during the beating that you just
17 described to us earlier?

18 A. This happened at that very moment when they started to beat me.
19 They would ask him, "What shall we do, [REDACTED] And he told them,
20 "Finish him." This is what I can still remember, what is still in my
21 head.

22 Q. Okay. And you said the beatings ended up with you being taken
23 away. You mentioned a cowshed.

24 PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor, sorry to
25 interrupt you. But I see that my screen with the transcript is not

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1 proceeding anymore with new text, and I see at my right-hand side one
2 of the Prosecutors is saying that he agrees with me. Yes, this
3 remark for the -- not so much for you but for the technical booth to
4 see what's happening, why the transcript has stopped.

5 [Trial Panel and Court Officer confer]

6 PRESIDING JUDGE VELDT-FOGLIA: I was informed that it's looked
7 at by the IT department. So we have to wait for a moment.

8 Mr. Witness, there is a problem with the transcript, the text
9 that is being said in the courtroom and is being written down. We
10 cannot -- it is not proceeding anymore, so we have to look at what
11 the technical problem there is. Okay? So we wait for a moment.

12 [Trial Panel confers]

13 PRESIDING JUDGE VELDT-FOGLIA: Well, Mr. Witness, there appears
14 to be a technical problem, and that means that, for now, we will take
15 the break a little bit earlier than we had foreseen. So instead of
16 having a break at 11.00, we will have a break now for half an hour.

17 It's back on? Okay. Yes? If I say now yes, I see it
18 appearing? Is it working? Okay. I don't see it appearing on my
19 screen. I don't see it on my screen so --

20 MR. VON BONE: Nor do I.

21 PRESIDING JUDGE VELDT-FOGLIA: Neither do you?

22 MS. D'ASCOLI: We do see it, Your Honours.

23 PRESIDING JUDGE VELDT-FOGLIA: Okay. But then it's still a
24 problem because apparently we are not all connected.

25 MS. D'ASCOLI: Yes.

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1 PRESIDING JUDGE VELDT-FOGLIA: Then we have a half-an-hour break
2 and we will resume at a quarter past 11.00, and I hope that
3 everything will be fixed by then.

4 --- Recess taken at 10.44 a.m.

5 --- On resuming at 11.15 a.m.

6 PRESIDING JUDGE VELDT-FOGLIA: Let us check if it's working.
7 And I see text appearing on my screen, so it means it does. Good.

8 And I look around. If I see nodding heads everywhere, that is a
9 confirmation that -- oh.

10 Are you logging in again? And now it's working? Or are you
11 saying, "Yes, I'm logging in"? Okay.

12 Defence counsel, is everything working fine at your side of the
13 table?

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

15 PRESIDING JUDGE VELDT-FOGLIA: Okay.

16 And the Prosecution, is --

17 MS. D'ASCOLI: Yes, Your Honours. Everything works fine.

18 PRESIDING JUDGE VELDT-FOGLIA: Okay.

19 MS. PUES: [Microphone not activated] Sorry.

20 [Trial Panel and Court Officer confer]

21 PRESIDING JUDGE VELDT-FOGLIA: I asked for a technician to come
22 to the courtroom in order to see what we can do, because apparently
23 now they're all working and one not. I'm very sorry for that.

24 Yes, Victims' Counsel, please.

25 MS. PUES: [Microphone not activated].

1 Q. Mr. Witness, I will go back to some of the questions that we
2 were discussing before the break.

3 So you said earlier that you heard others, the other soldiers,
4 calling the [REDACTED] And this is at page 23, line 8, of
5 today's transcript.

6 Then before the break, in your SPO interview that I read to you,
7 you also said that the [REDACTED] introduced himself as [REDACTED]

8 Do you remember him doing that?

9 A. Maybe I said it, but while they were torturing me and they asked
10 him, "What shall we do, Cal?" And he said, "Finish him." And this
11 is how -- what I meant when I said he introduced himself. I did not
12 quite understand your question.

13 Q. Okay, I see. Mr. Witness, can you tell us how that beating
14 ended?

15 A. The beating ended up with me fainting. They caught me by the
16 arms and dragged me. They took me from that area upstairs outside.

17 Q. And where did they take you?

18 A. They took me to the same building, but downstairs. There was a
19 barn there.

20 Q. Can you describe this place, this barn where they took you after
21 the beatings? Just approximately, whatever you remember.

22 A. From what I remember, it was a building made of stone. There
23 was a wooden door. There was some hay, dampness.

24 Q. Okay. And was there anyone inside this cowshed? And,
25 Mr. Witness, at this point, a yes-or-no answer would suffice because

1 we are in open session, so please don't mention names. I will go
2 back to this later on in private session, if necessary.

3 So I repeat my question: Was there anyone inside the cowshed?
4 And, again, a yes-or-no answer would suffice.

5 A. Yes, there was.

6 Q. Okay. Can you describe what happened when you were in this
7 barn, for how long you were kept, what happened in the following
8 days? Anything you remember?

9 A. I remember that I stayed there for 17 nights. I was released
10 from that location on the 18th day. Every day I went through
11 tortures of all kind. We stayed there, and you just stayed and
12 waited who will come to get you and take you upstairs for beating.

13 This is what I remember.

14 Q. Can you describe what type of beatings or mistreatment you went
15 through during those days at the barn? Whether it was upstairs or
16 downstairs; you mentioned both locations.

17 A. Well, they would kick us, beat us with wooden sticks, iron rods.
18 They would burn us with candle. They would keep the candle on your
19 back and burn you. With electricity, they had a box and they would
20 wire your legs with wires. So there were all sorts of torture.

21 Q. Mr. Witness, I know this is difficult, but I have to go back to
22 it and ask you for more details regarding each of the mistreatment
23 that you mentioned.

24 So can you describe how you were beaten up? You mentioned
25 kicks, punches, bars. Just can you describe the way you were beaten

1 up.

2 A. The way I was beaten up there, when they would bring you
3 upstairs, they had handles of hatchets. And they also had some
4 batons that resembled police ones. They were of iron. And they
5 would use them to hit me.

6 Q. You mentioned candles as well. Can you explain what they would
7 do with candles?

8 A. They would sit you on a chair, light the candle, put it near
9 your back, and then the drops would fall on your skin and burn you.

10 Q. And was this downstairs or upstairs?

11 A. These were upstairs.

12 Q. You also mentioned an electricity box. Can you explain how the
13 maltreatment with the electricity happened?

14 A. It was a box. They would put the wires on both your legs and
15 then they would turn it on and then it would shake you. They would
16 put the wires on both your legs and then they would turn the box on.
17 I don't know how.

18 Q. Do you remember any other mistreatment? Do you remember any
19 particularly degrading or humiliating treatment that you received?

20 A. I do not understand this, Madam Prosecutor.

21 Q. Were you sexually abused in any way?

22 A. No, I was not sexually abused. However, I was urinated upon.

23 Q. And how did they do that; can you describe?

24 A. This happened downstairs while I was in the basement. I asked
25 for water. I asked them to bring us some water. And then two

1 soldiers came. They beat me. I was lying on the ground and, in the
2 end, they urinated upon me and said, "Here's water for you."

3 Q. Did it happen once or on different times? How many times did it
4 happen?

5 A. As far as I remember, it happened twice. To my recollection, it
6 happened twice.

7 Q. And did you witness anyone else being urinated on? And, again,
8 at this stage, just a yes-or-no answer will suffice and I'll go back
9 to details when we are in private session.

10 A. I don't remember right now. I can't say that I saw this happen
11 to somebody else, but it did happen to me.

12 Q. Okay, I understand.

13 Sir, during the time you were kept in the barn, how many times
14 were you beaten up? How often was that?

15 A. It happened almost every day. Perhaps there was the odd day
16 that I was not beaten that much, so the intensity was less on those
17 days. But I was beaten almost every day.

18 Q. And because you mentioned both the cowshed and the upstairs
19 part, what would they do downstairs in the cowshed? What type of a
20 mistreatment.

21 A. Well, whoever opened that door would kick you or slap you. They
22 wouldn't leave without doing something to you.

23 Q. And did that happen to you and the other people that were in the
24 cowshed?

25 A. Yes, yes. It did happen to me and to other people as well.

1 Q. What about upstairs? When they would take you upstairs, what
2 would happen there?

3 A. Well, they would beat me, and it was a very brutal beating. You
4 can't imagine how brutal it was.

5 Q. And the use of those tools that you mentioned earlier - the
6 candles, the electricity box - do I understand that happened
7 upstairs; correct?

8 A. Yes. Yes, it happened upstairs.

9 Q. Do you remember how many people were involved in these
10 beatings/mistreatments?

11 A. There were three, four, sometimes five people. It depended.
12 Because those people, they would go places. Sometimes they would
13 leave; sometimes other people would come.

14 Q. Do you remember whether it was always the same people or
15 soldiers beating you, or did they change?

16 A. It was the same soldiers that were there. The people who
17 tortured me were -- and who tortured the others were the same.

18 Q. When you were in the stable, in the cowshed, did the
19 beatings/mistreatments happen in front of the others who were also
20 kept there?

21 A. Yes.

22 Q. And when you were taken upstairs, were you taken there
23 individually or in a group? Again, please aware that we're in open
24 session, so no need to mention names.

25 A. No. When they took you upstairs, it was individually. They

1 wouldn't take us in groups. Just one by one.

2 Q. Do you know or did you hear the names or nicknames of the people
3 involved in the beatings and the mistreatment?

4 A. Yes. I heard some names and pseudonyms.

5 Q. Can you tell us what these names and pseudonyms were.

6 A. Yes. As far as I remember, there was one with the pseudonym
7 Tabuti. Ilmi Vela. Afrim. Someone else with the name Dardan.

8 [REDACTED] These were the people who tortured me and I remember
9 their names.

10 There were other names, Avni, Bujar, and others, but the people
11 I mentioned earlier were the ones that tortured us.

12 Q. Okay. Do you remember how were these people dressed? Uniform
13 or civilian clothes, whatever you remember.

14 A. They were wearing black. But on the odd occasion they were also
15 wearing civilian clothes, like jeans and so on. But usually they
16 were in uniform, their uniform.

17 Q. The times that they were in uniforms, do you remember other
18 details about these uniforms; for example, badges, insignia?
19 Anything else you can remember.

20 A. I remember an emblem with the inscription BIA. That's what I
21 remember.

22 Q. Okay. You mentioned Tabuti. Is that a nickname, a pseudonym?

23 A. That's how they called him, Tabuti. However, later on I heard
24 that his name was Nazif.

25 Q. And do you know whether this nickname, Tabuti, has any meaning?

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1 Do you know what it means?

2 A. I don't know. You know when people die, you put them in a
3 coffin. I don't know what that nickname meant.

4 Q. Do you mean to say that "tabut" means coffin, according to your
5 understanding?

6 A. Yes, as far as I understand, that's -- it means something like
7 that.

8 Q. Okay, I see.

9 MS. D'ASCOLI: Your Honours, I'm now moving to an area where I
10 have questions that might reveal identifying details of the witness
11 and other protected witnesses, so I would appreciate if we can move
12 into private session.

13 PRESIDING JUDGE VELDT-FOGLIA: Yes, Madam Prosecutor. I see
14 your point.

15 Madam Court Officer, could we go into private session, please.

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

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

18 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Court Officer.
19 Madam Prosecutor, please proceed.

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

21 Q. Mr. Witness, I would like now to go back to the first moment
22 when you were put in the barn at your arrival. I asked you earlier
23 whether you found other people there in the barn, and you said yes,
24 there were, and this was at page 32, line 10 of today's transcript.

25 So now that we are in private session and you are free to

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1 mention names, to give details, et cetera, can you now tell us who
2 were these other people that you found in the barn at your arrival.
3 Their names, anything you remember.

4 A. When I was taken there, I found there [REDACTED]
5 [REDACTED]. And, in the meantime,
6 they would bring other people.

7 Q. Did you know these people from before? From before you were
8 brought there I mean.

9 A. No, no. I saw them for the first time there.

10 Q. And how did you learn their names?

11 A. Yes, when we talked to each other. We were afraid even to talk
12 to each other, but when we managed to talk, they told me what their
13 name was.

14 Q. And how many people did you find there when you arrived? All of
15 those that you mentioned or only some of them? I'm asking a
16 clarification because you said that people were brought in and out.
17 If you remember.

18 A. I would answer that question by saying that when I got in there,
19 I found those people I mentioned there. And then they would bring
20 other people. They would stay two or three days and then they would
21 leave.

22 Q. Do you remember the names of any other people who were brought
23 there to the cowshed during the period in which you stayed there?

24 A. Yes. [REDACTED] And someone they called [REDACTED] He was a
25 young man. They called him [REDACTED] I don't know his real name. He

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1 was afraid to speak. He didn't speak to us.

2 Q. So did anything happen to them, to these people you mentioned,
3 while you were kept in the barn?

4 A. The same that happened to me. The same tortures. The same
5 things.

6 Q. How often would these other people be beaten or mistreated,
7 whatever you witnessed? How often was that?

8 A. In the beginning, it was the same for everyone. We were beaten
9 every day, all of us.

10 Q. Were these other people beaten up in front of you? Did you
11 witness that while you were in the cowshed?

12 A. As I said, they would kick us or punch us when we were there in
13 the cowshed, but usually they would take people upstairs and torture
14 them there.

15 Q. And could you hear what was happening upstairs when other people
16 were taken out of the barn and, as you said, upstairs?

17 A. Yes, we could hear. I could hear all sorts of voices. And it's
18 there where I learned that somebody's voice can change because of
19 what he's undergoing.

20 Q. What sorts of voices could you hear? I'm sorry, I'm asking you
21 to go into very specific details, but I think it is important that we
22 fully understand. Thank you.

23 A. Well, Madam Prosecutor, you could hear people screaming, howling
24 like dogs, making sounds like cats, screaming cats, because of the
25 torture and the pain. Maybe I uttered the same kind of voices, but

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1 it was because of the torture.

2 Q. I understand. And thank you for those details.

3 Mr. Witness, did the mistreatments happen during the night as
4 well? Was it day and night? Only during the day? Only during the
5 night? If you remember.

6 A. It happened during the day and during the night. Whenever they
7 felt like it. Whenever they came, opened the door, took someone
8 upstairs. Whenever they felt like it.

9 Q. In which conditions did you see the people who were taken
10 upstairs coming back to the barn? In which state would you see them
11 after they had been taken upstairs once they returned to the barn?

12 A. Whoever was taken upstairs to be beaten was taken then
13 downstairs when they had lost consciousness. We tried to help the
14 people that were brought downstairs in that state. We tried to cover
15 them with a blanket or help them in any way we could. We tried to
16 help each other. It was a terrible state that we were in.

17 Q. Sir, I will now go person by person. I will ask you questions
18 related to the mistreatment that each of the people you mentioned by
19 name received, those that you witnessed, of course. So please bear
20 with me. And, again, I know it's a difficult part to go through, but
21 we appreciate your assistance.

22 So what did you see happen to [REDACTED]

23 A. I can say that he was one of the persons who was beaten the
24 most, injured the most. He was brutally mistreated.

25 Q. Please tell us what you remember or what you saw happen to him,

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1 whether he had any signs on his body, anything that justify what you
2 just described as "brutally mistreated"?

3 A. Yes. He was the most ill-treated person. He had marks on his
4 body. He was burnt with an ironing iron. They had stabbed him with
5 a knife. It was a catastrophe. His body had all these marks. It
6 was terrible.

7 Everyone of us was beaten, but he was beaten the most and he was
8 massacred. That's how I can describe it.

9 Q. Was [REDACTED] If you remember.

10 A. Yes. [REDACTED]
11 back. He wanted to [REDACTED]

12 Q. Do you remember [REDACTED] What do you mean by that?

13 A. They usually [REDACTED] And
14 he knew most of them -- or half of them had been his friends, so they
15 were afraid to take his -- [REDACTED] But they beat
16 him so much that he no energy left in his body.

17 Q. And was anyone [REDACTED], [REDACTED], any other of you?

18 A. No, he was the only one. [REDACTED]. He was.

19 Q. Did you talk to [REDACTED] Did you understand -- or did he
20 say why he was there?

21 A. As far as I remember, his words were that he was a thief and
22 that's why they took him.

23 Q. So you're saying that he believed that that was the reason, that
24 he was a thief?

25 A. Yes. The people who accused him said that to him, that, "You

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1 are a thief." And he said, "They took me because they say to me I am
2 a thief."

3 Q. Okay, thanks for clarifying that. So he said he was told, he
4 was accused to be a thief.

5 A. Yes.

6 Q. You mentioned that he knew the people there. They were his
7 friends. Am I correct? Did you say that [REDACTED] the people who
8 had -- who were there at the barn?

9 A. Yes, he knew most of them.

10 Q. Did he say anything about them? Did he mention whom he knew?
11 Their names? Do you remember any details about this?

12 A. When they took him to beat him, they told him that, "You are a
13 pick-pocket, and [REDACTED] And he
14 would reply, "Well, you were pick-pocketing with me." And that's how
15 I learned that he knew them. [REDACTED]

16 [REDACTED]

17 Q. Did [REDACTED] mention by name or nickname anyone else whom
18 he knew from before?

19 A. You mentioned almost all of them. [REDACTED]

20 [REDACTED] He knew them generally.

21 Q. I will now ask you about [REDACTED]

22 Did you speak to him? And did you understand why he was there?

23 A. Yes. I spoke to him. At the time he was involved with the
24 [REDACTED] And he had come to

25 [REDACTED] and then they had taken him in. I think he

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1 had brought [REDACTED]. And they took him in and ill

2 treated him. Then they told him that, [REDACTED]

3 [REDACTED]."

4 Q. When you said that [REDACTED]

5 them," what did you mean, whom do you mean by "them"?

6 A. I'm trying to remember what [REDACTED]. He said that he had

7 come to bring [REDACTED] They had taken

8 [REDACTED] -- [REDACTED]

9 [REDACTED]

10 Q. And what did you see happen to [REDACTED] if anything? Was

11 he also mistreated?

12 A. He was ill-treated as well. We all were.

13 Q. Was he also taken upstairs? If you remember.

14 A. Yes, yes.

15 Q. And when he was mistreated, was that in the cowshed, in front of

16 you? Did you see that?

17 A. No. They did not ill-treat him in the cowshed. It was

18 upstairs. Myself, [REDACTED] were ill-treated in the

19 stable. However, [REDACTED] was only taken upstairs. But he was

20 ill-treated.

21 Q. Do you remember how he returned when he was taken upstairs? So

22 after he would be back in the cowshed, how did you see him? What

23 conditions was it?

24 A. He was in a terrible state.

25 Q. I will now ask you about [REDACTED]. Did you speak to him and

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1 did you understand why he was there?

2 A. From what I understood and from what he told me, he had come
3 with [REDACTED] He had come to join the army.

4 They had taken [REDACTED] And he
5 was tortured like we were. They told him he was a spy.

6 Q. And, again, same questions I had before. Did you see
7 [REDACTED] being beaten up in the cowshed and in front of you?

8 A. Yes, yes, it happened.

9 Q. Do you remember whether he was also taken upstairs?

10 A. Yes, of course. They did it to all of us, one by one.

11 Q. Do you remember the conditions in which he was when he returned
12 from upstairs?

13 A. He was in the same condition. We were all in a very bad state
14 because of the ill-treatment and the torture. He was so tired and
15 exhausted that he could not stand.

16 Q. You mentioned also a person [REDACTED] What was his full
17 name again?

18 A. I don't know his surname, but they called him [REDACTED] I
19 met him there, I spoke to him there.

20 Q. So you said you spoke to him. Did you understand why he was
21 there? Why he had been taken there?

22 A. According to his words and from what we could hear from them, he
23 was someone who was -- [REDACTED] And they told
24 him that he had cooperated with [REDACTED] with
25 the Serbs because of that.

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1 Q. Did you see him being beaten up or mistreated while in the
2 cowshed? [REDACTED]

3 A. Yes, he was beaten downstairs in the cowshed and upstairs. The
4 only one that was not beaten or tortured in the cowshed was [REDACTED]
5 All the rest suffered something when they came downstairs. They
6 punched us, they kicked us. And he was also tortured.

7 Q. And those sounds that you mentioned you would hear when people
8 were taken upstairs, could you hear those sounds whenever the people
9 you mentioned, for example, [REDACTED], was taken upstairs?
10 Could you hear those sounds that you described earlier for us?

11 A. Yes, we could hear those sounds everytime somebody was taken
12 upstairs. And sometimes they would bring other people upstairs so we
13 could hear other people's voices when we were in the cowshed.

14 Q. So those signs of mistreatment that you mentioned, you saw those
15 signs on [REDACTED]; is that correct?

16 A. Yes, we could see them because we also were all bloodied. We
17 were covered in blood and it was obvious. We were all in a very
18 terrible state. You can see whether blood is coming out of your face
19 or not. It was obvious.

20 Q. Mr. Witness, you also mentioned someone called [REDACTED].
21 Again, did you speak to him? Did you understand why he was there?

22 A. He didn't stay long with us. Three or four days. He was
23 accused of being a collaborator of the Serbs. [REDACTED]

24 [REDACTED] And they told him, [REDACTED]

25 [REDACTED] And that's why they

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1 accused him of being a collaborator.

2 Q. How did you learn his name? Did you know him from before? Did
3 you learn it there?

4 A. Perhaps I knew him from before [REDACTED] I didn't know his
5 surname before. I learned his surname from him. And I also learned
6 the other things about what they accused him of, and so on, when we
7 were there.

8 Q. Mr. Witness, earlier today - that was page 34, line 4 of the
9 transcript - you said that you were urinated upon. Do you remember
10 if this happened -- or did you see this happen to anyone else of
11 these people you mention?

12 A. I did not see that. It could have happened while they were
13 upstairs that I didn't see. But I was urinated upon in the presence
14 of all the others. This happened to me when I was in the basement.

15 Q. I was asking that question because you did mention a name in
16 your prior evidence.

17 MS. D'ASCOLI: And with Your Honours' leave, may I refer to that
18 portion of the SPO transcript to refresh the witness's recollection
19 about this issue?

20 PRESIDING JUDGE VELDT-FOGLIA: Please proceed.

21 MS. D'ASCOLI:

22 Q. Mr. Witness, during the SPO interview, when you were asked
23 whether you remember if anyone else was urinated upon, you said, and
24 I will give the reference, read from the English so that we don't
25 need to bring up the transcript.

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1 The transcript reference is 060698-TR-ET, Part 3, Revised, RED3.
2 And this is again from the -- from tab 3. All of these transcripts
3 are in tab 3 of the witness's list of documents.

4 Page 6, lines 9 to 10, you answered that question saying:

5 "Yes, in the barn, yes. Because, for example, I was nearby
6 [REDACTED] and he urinated -- and the person urinated on both of us."

7 And then you were asked who was -- who did that to you, and you
8 [REDACTED].

9 Does that refresh your recollection about having seen someone
10 else being urinated upon?

11 A. Yes, it does. But what I'm trying to tell you is that I did not
12 see them directly urinating upon somebody else like they did upon me.
13 So this is what I meant. I did not see them directly urinating upon
14 somebody else with that intention. But it is true, I was next to
15 [REDACTED] maybe he experienced that, just like I did.

16 Q. You meant because you were next to him while you were urinated
17 on? Is that what you mean?

18 A. Yes, this is what I meant. But there are things that led to
19 misunderstandings with the Prosecutor because after that previous
20 statement, I was a bit upset and could not follow and understand
21 things properly. But this is what I wanted to say about this point.
22 When I mentioned him being next to me, I did not see them going
23 straight to somebody and urinating upon them, like they did it to me.
24 Because, as I explained, they came to me, urinated upon me and said,
25 "Here's water for you."

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1 Q. Thank you, Mr. Witness. So now it's clear, you were next to
2 [REDACTED] when you were urinated upon and that is the
3 clarification that you're giving us today; is that correct? Is my
4 summary okay?

5 A. This was what I'm trying to say. I don't know how clear is this
6 now to you, but this was what I was trying to explain.

7 Q. It is clear. Thank you.

8 PRESIDING JUDGE VELDT-FOGLIA: I wanted to repeat for the
9 witness that, for now, he has clarified enough on this point. Thank
10 you for that.

11 THE WITNESS: [Interpretation] Thank you.

12 MS. D'ASCOLI:

13 Q. Mr. Witness, did you hear of someone called [REDACTED]?
14 Are you familiar with this name?

15 A. No, I can't remember that name, [REDACTED]

16 MS. D'ASCOLI: Can I please ask Madam Court Officer to call up
17 document number 13 in the list of exhibits for this witness. In
18 particular, the first ERN mentioned there, which is SPOE00127846 to
19 00127847, RED. And I would need page 2, please. And if Madam Court
20 Officer can please zoom in on the photo that is in the middle of the
21 page.

22 Q. Mr. Witness, we now see a photo appearing on the screen. Please
23 have a look at it. It's a photo of a young man. Do you remember
24 this face? Did you ever see this face? Do you recognise this young
25 man?

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1 A. Maybe I have seen this person, but I might be wrong.

2 Q. And when you say "maybe," can you clarify what you mean by that?

3 And where you would have seen this person, if you remember?

4 A. It could have been that he was also in this camp or stable that
5 we were in. The face looks familiar to me, but I cannot quite
6 remember. I cannot tell you precisely who this person is.

7 Q. That's fine. That's fine.

8 MS. D'ASCOLI: We can remove the document from the screens.

9 Q. Mr. Witness, amongst the people whom -- who were there in the
10 stable, you also mentioned a name or a nickname, I would say,
[REDACTED]

11 [REDACTED] right?

12 A. Yes.

13 Q. Did you learn where [REDACTED] was from?

14 A. I don't remember him telling us that, but I think he was from
15 [REDACTED] He was not only scared of them but he was also scared of
16 us. He didn't look like a normal person. He would never speak to
17 us.

18 Q. What do you mean when saying, "He didn't look like a normal
19 person"? If you can clarify that.

20 A. He didn't look like a normal person to me because when you spoke
21 to him, he was like traumatised, like shaking. We all spoke there,
22 but he never joined in. He didn't want to speak.

23 Q. Do you remember anything else about him? For example, how old
24 was he, approximately, if that is something you can tell?

25 A. Well, maybe he was two or three years older than me. [REDACTED]

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1 [REDACTED]. Approximately. But I don't know his exact age.

2 I only know that he was a young man. I would say he was [REDACTED]

3 [REDACTED]

4 Q. Okay, I understand. Was he also beaten, mistreated like the
5 rest of you? Did you see him also being beaten and mistreated?

6 A. Yes, yes. He was also beaten. He was taken upstairs
7 frequently. He was also beaten in the stable. The only person who
8 was not beaten in the cowshed was [REDACTED] The rest of us, we were
9 beaten both in the cowshed and upstairs. We all went through the
10 same things.

11 MS. D'ASCOLI: Your Honours, I think we can go back to open
12 session now. However, I wanted to ask, shall I continue until a
13 quarter to 1.00 or until 1.00? I'm just asking direction about the
14 next break.

15 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Prosecutor. I
16 was informed that we could continue till 1.00. So you -- you have
17 still - what is it? - three-quarters of an hour to proceed with your
18 examination.

19 MS. D'ASCOLI: Okay. That's good to know. Thank you,
20 Your Honours.

21 We can now go back into open session.

22 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, could you
23 please bring us back into open session.

24 [Open session]

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

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

2 Madam Prosecutor, please proceed.

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

4 Q. Mr. Witness, now I would like to address the conditions of your
5 detentions.

6 So in terms of food, were you given sufficient food over the
7 days of your detention?

8 A. Food. Once in two or three days, just a small piece of bread.
9 How can I explain it? Let's say half a loaf of bread and then we
10 would divide it into five, six pieces. And this was brought to us
11 every second or third day.

12 Q. What about water? Were you given enough water to drink?

13 A. No, not even water. As I explained earlier, I asked for water.
14 I was beaten and urinated upon. No water, nothing. You could not
15 even ask.

16 Q. Can you describe the sleeping conditions?

17 A. Sleeping conditions. We slept on the ground. We had, if I'm
18 not mistaken, three blankets. There was here and there some hay and
19 the rest was stone ground. We would usually give the blanket to the
20 person who was in worse condition. But we slept on the ground, on
21 earth, stone, dampness.

22 So this -- these were the conditions that come to my head.

23 Q. Were you able to wash during those days while you were kept in
24 the barn?

25 A. No, Madam Prosecutor. They did not give us water to drink, let

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1 alone to wash.

2 Q. What about going to the toilet?

3 A. We had a bucket inside the stable. This is where -- what we
4 used.

5 Q. Did you all have to use the same bucket in the stable?

6 A. Yes.

7 Q. And urinate or defecate in front of each other?

8 A. Yes, there inside the stable.

9 Q. Did any of you receive any medical attention while you were
10 there?

11 A. No.

12 Q. Did anyone medicate your wounds after the beatings?

13 A. No. We helped each other to the extent we could.

14 Q. Did any of you ask for medical attention?

15 A. No, Madam Prosecutor. As I said earlier, you couldn't dare ask
16 for water, drinking water, let alone for something else. Whatever
17 you asked for, to that as a reply, you would get more beating.

18 Q. Were you allowed to contact or send a message to your family?

19 A. No.

20 Q. How did you feel during those days while you were kept in the
21 barn?

22 A. How can one feel? Terribly. You were just waiting for death,
23 when it will come. Today, tomorrow. You were waiting for you to be
24 killed.

25 Q. So let's now move to your release.

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1 Can you tell us how you were released, how that happened?

2 [REDACTED]

3 [REDACTED]

4 Q. And, again, I will ask you details about names later on when we
5 are in private session. So, for now, since we are in open session,
6 please remember, as you did, not to mention names.

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 A. As far as I remember, and if I'm not mistaken, it was [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 Q. Did you see other people outside, whether they were soldiers or
17 civilians, outside of the barn when you were released?

18 A. There were some on guard duty, their soldiers, some further up,
19 some further down. There were.

20 Q. Were you told why you were being released?

21 A. No. I asked this [REDACTED] "Can you tell me why I was kept here
22 until now?" And he said, "Your father is a bad person. Just shut up
23 and continue." And this is what we did. We continued.

24 Q. Were you given any release paper?

25 A. No, nothing. If I'm not mistaken, there were some ties from my

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1 sneakers and a belt that they took when they brought me there. So
2 they returned these to me. Laces, sneaker laces. So they gave them
3 back to me and said, "Now you can continue."

4 MS. D'ASCOLI: Your Honours, I have again a couple of questions
5 that should be asked in private session to protect protected
6 witnesses.

7 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Court Officer.
8 Madam Court Officer, could you bring us into private session,
9 please.

10 ~~[Private session]~~ [Open session]

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

12 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Court Officer.
13 Madam Prosecutor, please proceed.

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

15 Q. Sir, who was left behind in the stable? So can you now tell us
16 the names -- we're in private session. Can you tell us the names of
17 the people who were released and those -- the names of those who
18 stayed, if anyone.

19 A. Yes, Madam Prosecutor. [REDACTED] were released whereas
20 [REDACTED] remained behind.

21 They were released. They remained inside. And they told us that
22 these three would be released later.

23 Q. Did the people who released you say anything about why the
24 others would be released later? Did they give any explanation?

25 A. We asked them, because we were still there in front of that

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1 building for sometime, and we asked them, "Why aren't you releasing
2 them? We're waiting [REDACTED] and the others." And they told us,
3 "No, no, you just go ahead, continue, and we will release these three
4 later." This is what [REDACTED] told us.

5 Q. Okay. Do you remember the conditions -- I mean, in what
6 conditions was [REDACTED] at that point; if you remember?

7 A. [REDACTED], at that point, when we left, that last day, was
8 - how can I describe it? - he could not even stand. He was in a
9 terrible state. He looked very tired, exhausted, deformed.

10 Q. Okay. From being there and seeing things at that point in time
11 of your release, did you get any understanding of why [REDACTED] was
12 not
13 being released with you?

14 A. We had no idea. As I said, we asked [REDACTED] we told him that
15 we
16 were waiting for the rest to be released, but he said to us, "You go
17 ahead, leave." So there was nothing more to it about them. We just
18 continued and left.

19 Q. Okay. So can you tell us where you went after you left the
20 barn?

21 A. We continued along the road, as we were told. [REDACTED] was the
22 one
23 who was showing us the direction. [REDACTED]

24 I had no idea where I was. So he was giving us directions. So we
25 walked along the road that people was indicating to us.

26 Q. And to go back also to -- you described the conditions in which
27 [REDACTED] was when you were -- you and the others were released.
28 You mentioned that, together with him, also [REDACTED] stayed behind.

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1 Do you remember the conditions in which [REDACTED] was at that stage?

2 A. Well, [REDACTED] was in a bad state, just like the rest of
3 us. But [REDACTED] was in a terrible state. I cannot even find words
4 to
5 describe the state he was in.

6 [REDACTED] was not in a good condition, neither was [REDACTED]
7 But

8 [REDACTED] was exceptional. You cannot even describe his state in
9 words.

10 His body, his injuries. The smell, the smell of flesh that we could
11 sense. It was terrible. In my opinion, it's a massacre.

12 Q. Okay. Thank you for clarifying that.

13 MS. D'ASCOLI: Can I ask for advice? The computer is saying
14 that in one minute it will go off. What do I do at this point? I
15 tried to move the mouse, I tried to move the keyboard, but I'm still
16 getting these words. All I see is the monitor. Thank you.

17 THE COURT OFFICER: Is it okay?

18 MS. D'ASCOLI: Yes. Thanks.

19 Sorry, Your Honours.

20 PRESIDING JUDGE VELDT-FOGLIA: No, no, it happens -- sometimes
21 it happens to me too.

22 Thank you, Madam Court Officer, for helping her.

23 MS. D'ASCOLI: Now I know what to do next time. Thank you.

24 Q. Mr. Witness, you said when you left, [REDACTED] was showing
25 the way, leading the way. Can you tell us where you went?

26 A. We continued along that road and arrived at a different staff.
27 That location was called Cervadik as far as I remember. I heard it
28 from the rest of the people. There was another staff headquarters

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1 there. We stopped there. We spoke to a commander or whatever he was
2 in that location. We wanted to remain there, but he said to us,
3 "There's no reason for you to stay here. We have nothing left. Just
4 continue and go home."

5 Q. Do you know who that commander was?

6 A. As far as I remember, this person's name was Fatmir Humolli or
7 Fatmir Havolli [phoen]. This is what I still have in my head. His
8 name is Fatmir but his surname, whether it's Havolli or Humolli, I
9 don't remember.

10 Q. And how did you learn his name? Did he introduce himself? Did
11 you hear it there at these headquarters? If you remember how you
12 learned it.

13 A. He introduced himself with his name as Fatmir Humolli or
14 Havolli. That was a sort of a house, their staff. There was some
15 soldiers there. They asked us, "Where are you coming from?" We told
16 them. And then we asked them, "Can we stay here? Maybe we can help
17 you, contribute to what you are doing." And they said, "No, there's
18 nothing for you to do here. It's an offensive. It's better that you
19 continue and go to your homes or wherever you can save yourselves."

20 Q. You said you told them where you were coming from. Do you
21 remember exactly what is it that you told them?

22 A. We told them, yes. However, it was [REDACTED] who spoke to them
23 the
24 most because he was older than us. We, the younger ones in the
25 group, did not say much.

He asked us, "Where are you coming from?" We explained that we

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1 had been detained [REDACTED] explained those things.

2 Q. Do you remember what they answered, whether this was the
3 commander, Fatmir or anyone else? Do you remember what their answer
4 was when you told them what had happened to you?

5 A. It was Fatmir Humolli. I'm not sure about the surname, as I
6 said. Humolli or Havolli. [REDACTED] spoke to Fatmir personally. We
7 were there. His soldiers were there and were listening in, in the
8 conversation. They felt sorry for us and they were trying to give us
9 some solace, if they could.

10 Q. Did Fatmir say what his role was?

11 A. No, I don't know what his role was. From what I remember, I
12 think he was commander of that staff there.

13 Q. Do you remember how this place was called?

14 A. This place was close to the Cervadik. I have this Cervadik
15 stuck in my mind, so that place was called something like Cervadik.

16 Q. And so, again, with whom were you at this point when you arrived
17 at this headquarters and then were told to leave? You mentioned
18 [REDACTED] Anyone else?

19 A. It was [REDACTED] and myself. [REDACTED]

20 Q. And where did you go next?

21 A. We continued towards the village, through the village, and then
22 we got out into the main road.

23 Q. And then from there, where did you go?

24 A. In the main road, the place was called Stalov [phoen], where the
25 asphalted road was, we could see people in a column and we continued

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1 with them, resting, then walking again. And I think we went to

2 [REDACTED] I'm not sure about the names of the places. [REDACTED]

3 [REDACTED]

4 Q. When you mentioned the main road, was this the main road to
5 where?

6 A. The main road to Prishtine.

7 Q. Okay. So you walked through -- towards Prishtine. You arrived
8 [REDACTED] Do you remember whether anyone else joined you
9 at some point during your walk?

10 A. No. We continued like that, straight ahead, and we went to
11 [REDACTED] I'm not sure about the name of the place. We
12 asked some people that were there about [REDACTED] and they told
13 us where to go. So we went to [REDACTED]

14 Q. What did you do there? Who did you meet? Who did you found
15 there?

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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1 Q. I understand. [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 Q. Okay. You said that [REDACTED] left towards the evening at
10 some point. Where did you go? Did you go away together? Did you
11 part ways? What happened?

12 A. We continued. Arrived in Prishtine. [REDACTED]

13 That's how we call it. [REDACTED] I continued

14 further on. We parted ways [REDACTED]

15 [REDACTED]

16 Q. And what did you do [REDACTED]

17 A. Nothing. [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 Q. I have a few more questions about your fellow detainees and then
21 we will be able to move back into open session.

22 Mr. Witness, so you mentioned that [REDACTED] was left in the
23 stable

24 together with [REDACTED]. Do you know what happened [REDACTED]

25 A. No, I don't know anything about [REDACTED]

[REDACTED] I learned after some time that he died. I don't

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1 know anything about the other two.

2 Q. Okay. So I take it that you didn't meet -- you heard that
[REDACTED]

3 died, but I take it that you didn't meet again [REDACTED] is
4 that correct?

5 A. Yes, that's correct. I never saw them again. [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 Q. Okay. I'll ask you some questions about [REDACTED] So,
11 first of all, [REDACTED] I take it you mean [REDACTED] whom
12 mentioned as one of the persons being brought to the stable; is that
13 correct?

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

15 I saw some movement in the back of the courtroom. I don't know
16 exactly what is happening, but please inform me.

17 THE COURT REPORTER: [Microphone not activated].

18 MS. D'ASCOLI: I think the court reporter has the same issue
19 with the monitor, it was going to go on standby --

20 PRESIDING JUDGE VELDT-FOGLIA: Oh, okay.

21 MS. D'ASCOLI: -- so she's asking for assistance.

22 PRESIDING JUDGE VELDT-FOGLIA: Okay. I didn't hear her well.

23 MS. D'ASCOLI: Sorry, I didn't realise --

24 PRESIDING JUDGE VELDT-FOGLIA: No, no.

25 MS. D'ASCOLI: I think we can continue.

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1 [Trial Panel and Court Officer confer]

2 PRESIDING JUDGE VELDT-FOGLIA: To all -- as a general
3 instruction or general information, we will try to organise it in
4 such a way that it will not happen in the future, but for now, I was
5 told and that's the way I do it, too, to touch under the screen,
6 wiggle a little bit a little thing that is there and then it will go
7 away, the message. So you can just feel it halfway it is, okay?
8 Good.

9 Madam Prosecutor, please proceed.

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

11 Q. Yes. So I was asking, [REDACTED] you mentioned, was he the
12 [REDACTED] that you said was brought at some point to the stable?

13 A. Yes.

14 Q. And you said you saw him, but you did not speak to him; is that
15 correct?

16 A. Yes, I saw him. I don't know how to explain it. I just saw
17 him. [REDACTED]

18 Q. What about [REDACTED]
19 What did you speak about; if you remember?

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 A. He did not behave badly, but he was afraid. It was because of

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 A. Yes, yes. I mentioned it to him. I told him, [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 Q. Okay, I see. [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 Q. Okay. What about [REDACTED] Did you ever meet him again?

16 A. No. I didn't meet him. I haven't heard anything about him, at
17 all.

18 Q. Okay. Thank you.

19 MS. D'ASCOLI: Just a few seconds. I'm checking whether there's
20 anything else I need to ask in private session.

21 I think we can go back into open session, Your Honours.

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

23 Madam Court Officer, could you bring us back into open session,
24 please.

25 [Open session]

1 THE COURT OFFICER: Your Honours, we're now in open session.

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

3 Madam Prosecutor, please proceed.

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

5 PRESIDING JUDGE VELDT-FOGLIA: Just to remind you, we have five
6 minutes left, Madam Prosecutor. But I am aware that you are very
7 well aware of the time, but just to make sure.

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

9 Q. Sir, just a few questions before we break for lunch.

10 You mentioned a downstairs part of the building, in the cowshed
11 where you were kept, and an upstairs part where you were taken at the
12 beginning of the questioning once you arrived there, and later on
13 other times for beatings.

14 Can you describe to us how you would go from the cowshed to the
15 upstairs part of the building?

16 A. They would open the door, put some sort of hood on your head,
17 lower your head, take you upstairs into that room, and they started
18 the procedure.

19 Q. Did you have to take stairs to go upstairs?

20 A. Yes. At the entrance, there were a couple of steps, two or
21 three; but, yes, there were.

22 Q. Were these stairs internal or external to the building?

23 A. They were external. They were in front of the entrance.

24 Q. Okay. So you were taken out of the cowshed, outside, up some
25 external stairs, which would lead you inside this part of the

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1 building which was upstairs.

2 Is my summary correct?

3 A. Yes. In front of the entrance, there were some steps. We were
4 taken from the cowshed. The terrain was a bit elevated. We were
5 taken to the steps and then up the steps.

6 Q. Okay, thank you.

7 MS. D'ASCOLI: Your Honours, I now have a set of questions which
8 will be best to ask together, so I would suggest, if it is okay with
9 Your Honours, that we interrupt for the break.

10 PRESIDING JUDGE VELDT-FOGLIA: Thank you, Madam Prosecutor. We
11 will proceed like that.

12 It's now time for lunch break. We will resume at 1400, at 2.00.

13 So, Mr. Witness, we will see you back in one hour. I hope you
14 will get a rest for a moment after these intensive moments of
15 testifying in court. I apologise for the technical hiccups and
16 interrupting your testimony. Thank you for your patience in that
17 respect.

18 As communicated by CUM last week, today's third session will be
19 from 2.00 till 3.00, so it will only be one hour, and then we will
20 continue tomorrow in the morning.

21 Court Usher, can you please assist the witness in exiting the
22 courtroom.

23 [The witness stands down]

24 PRESIDING JUDGE VELDT-FOGLIA: Okay. Meet at 2.00.

25 The hearing is adjourned.

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1 --- Luncheon recess taken at 1.00 p.m.

2 --- On resuming at 2.02 p.m.

3 PRESIDING JUDGE VELDT-FOGLIA: Welcome back. We will continue
4 with the testimony of Witness W01679, but not before I do a check if
5 all the teams are remained the same, and I see no changes as all. I
6 see also Mr. Mustafa again. Okay.

7 We will discuss at the end of this meeting -- not discuss, just
8 put on record, in the last five minutes, because today we are really
9 bounded by the clock, so five minutes to 3.00 we can put on record an
10 e-mail that has come in through the Trial Panel account from the SPO,
11 and that's something I would like to discuss tomorrow more in extent
12 so, because today we have not that much time. But to put it on
13 record is not a problem. Good.

14 Court Usher, can we please bring the witness back.

15 [The witness takes the stand]

16 PRESIDING JUDGE VELDT-FOGLIA: Good afternoon, Mr. Witness. Can
17 you hear me fine?

18 THE WITNESS: [Interpretation] Yes, Your Honour.

19 PRESIDING JUDGE VELDT-FOGLIA: Very well. I will give the floor
20 now back to the lawyer of the Specialist Prosecutor's Office to
21 continue with the examination. Okay?

22 THE WITNESS: Okay.

23 PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor, you have the
24 floor.

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

1 Q. Mr. Witness, before the break, you described to us how they
2 would take you from the cowshed, the barn, to the part of the
3 building that you called as the upstairs part, and you told us you
4 would take external stairs to go there. Do you remember that?

5 A. [Interpretation] Yes, Madam Prosecutor.

6 Q. Okay. Can you now describe to us the upstairs inside, this part
7 of the building where you were taken at the beginning for
8 interrogation by [REDACTED] and, later on, for beatings, as you
9 told us earlier. Can you describe this part inside?

10 A. As far as I can remember, it was -- there was a corridor and
11 there was a room to the left of that corridor where we were taken.
12 So as you enter that corridor, that room was on the left side. On
13 the other side of the corridor, there was another door but to what
14 kind of room, I don't know.

15 Q. And can you describe this room in which you were taken inside,
16 the inside of the room? What was there, how it looked like, anything
17 you remember.

18 A. There were chairs. Then a desk, like school desks. Then there
19 was a wardrobe. The floor was wooden, a wooden floor. It was wooden
20 planks on the floor. There were, like, boxes where they would keep
21 their things. One did not have enough time to see everything that
22 was in that room and could not pay attention to everything.

23 Q. When earlier you described the mistreatment you received, when
24 you mentioned a number of tools that were used, you mentioned metal
25 bars, an electricity box, candles. Was this happening inside this

1 room that you just described?

2 A. Yes, in that room. Everything that happened, happened in that
3 room.

4 Q. Okay. Now, what about the basement, the barn where you were
5 kept? You described it as a place for animals, as a cowshed. Were
6 there actually animals in this stable with you and the others?

7 A. No, there were no animals. But you could tell that it was a
8 cowshed. You could see that because I've seen in the past such
9 locations, places where cows are kept. So you could tell it was a
10 cowshed.

11 Q. Was this cowshed locked?

12 A. Yes. It was a wooden door that we would use to come in and go
13 out. And there were these wooden posts, beams.

14 Q. And was it guarded, as far as you could tell?

15 A. Yes, the guards were outside by the door.

16 Q. Could you go out if you wanted to?

17 A. No. It was locked with a chain. They used a chain or something
18 to lock it. And you could not just go out because the guard was
19 right there by the door. Even if you dared to go out, there was
20 nowhere to go.

21 Q. Mr. Witness, I'm now going to show you some photographs.

22 MS. D'ASCOLI: Madam Court Officer, can I please call up
23 document tab 10 in the list of exhibits for this witness. The ERN is
24 SPOE00128386 to 00128420. And I would need page 3, please,
25 SPOE00128388.

1 Q. Mr. Witness, can you see the photo on your screen?

2 A. Yes, Madam Prosecutor.

3 Q. Does this place in the photo, what is depicted in there, look
4 familiar to you?

5 A. Yes. To my recollection, this is how it was. And it should be
6 that place. From what is left, from the images still left with me,
7 it resembles that place. It should be that place.

8 Q. What do you mean by "that place"?

9 A. It resembles a lot to the image I had in front of my eyes when I
10 was released. The basement is down there and there's this part when
11 they would take us and bring us upstairs, so it resembles a lot. To
12 me, at least, looks familiar.

13 Q. Sir, in fact, you have identified and marked the building where
14 you were kept in an interview with the Specialist Prosecutor's Office
15 on [REDACTED] do you remember that?

16 A. [No interpretation].

17 MS. D'ASCOLI: Your Honours, I did not receive interpretation.

18 PRESIDING JUDGE VELDT-FOGLIA: Me neither. [Microphone not
19 activated].

20 THE INTERPRETER: Interpreter's note that the microphone was not
21 on and apologise for that.

22 PRESIDING JUDGE VELDT-FOGLIA: Okay. And so I will ask
23 Madam Prosecutor to repeat the question and repeat the -- and then
24 the witness can repeat the answer.

25 MS. D'ASCOLI: Of course, Your Honours.

1 Q. Sir, in fact, you have identified and marked the building where
2 you were kept in an interview with the Specialist Prosecutor's Office
3 on [REDACTED] do you remember that? This is the question that I
4 had asked which was not interpreted. Your answer, I mean.

5 A. Yes, I've -- I saw certain photographs, and things that looked
6 familiar to me, I did my best to mark them on those photographs.

7 MS. D'ASCOLI: I would now ask Madam Court Officer to call up
8 another photo and place it next to the one now on the screens.

9 Can I please have document marked with ERN 100801 to 100806,
10 RED1, and I would need page 3. And this document is at tab 8 in the
11 list of exhibits for this witness. The ERN of page 3 that I need is
12 100803.

13 Q. Sir, can you see well both photos on your screens?

14 A. Yes, Madam Prosecutor.

15 Q. If you look at the photo which appears on your left-hand side,
16 do you see date and signatures on this photo? It's to the extreme
17 left of the screen.

18 A. Yes, yes, I can see that.

19 Q. Do you recognise the signature on the left-hand-side photo?

20 A. Yes, I believe it's my signature.

21 Q. Now, if you look at the left-hand-side photo, there is a
22 building which is encircled in red, with a red line, and there is a
23 number 1 next to it. Can you tell us what you encircled? What
24 building was that that is marked on the left-hand-side photo?

25 A. Number 1 -- let me explain. Number 1 is the part downstairs

1 where we were kept, and with the circle I wanted to show the place
2 upstairs where we were interrogated and ill-treated.

3 Q. So you have encircled the building where, in the basement, you
4 were kept and in the upstairs part you were interrogated or beaten.
5 Am I correct?

6 A. Yes, Madam Prosecutor. This is what I tried to explain with
7 that number 1.

8 Q. Okay. Let me now show you another photograph.

9 MS. D'ASCOLI: It is again from the same photo book, page 7,
10 SPOE00128392. And the marked photo on the left can be removed from
11 the screens, please.

12 Q. Sir, can you see the photo well on your screen?

13 A. Yes, Madam Prosecutor.

14 Q. Does this building look familiar to you?

15 A. It looks similar, even to the one on the first photograph, but
16 this is a more focused one. It's the same building. It has that
17 part downstairs where the barn is. It has that elevated location and
18 the stairs. So it resembles a lot that building.

19 Q. Can you indicate to which side of the photographs is the part
20 downstairs where the barn is? I'm reading from your answer. Is this
21 part on your left-hand side or on your right-hand side?

22 A. The barn is on the left-hand side. You can see it more clearly.
23 It's down there.

24 Q. Sir, in fact, once again you have identified and marked the
25 building where you were kept in the same interview with the SPO on

1 [REDACTED]

2 MS. D'ASCOLI: Madam Court Officer, I will ask again that a
3 second photo be brought up on the screens next to this one. It is a
4 document I called up before, number 8 in the list of exhibits. The
5 ERN is 100801 to 100806RED1. And this time, I, please, need page 5,
6 ERN 100805.

7 Q. Mr. Witness, can you see both photos on the screen?

8 A. Yes, Madam Prosecutor.

9 Q. Do you see a date and signature on the photo on the left-hand
10 side of the screen?

11 A. Yes, Madam Prosecutor, I can see that, more or less.

12 Q. Whose signature is that?

13 A. Mine.

14 Q. Now, if we look actually just below your signature, there is a
15 number 1 indicated there. Can you tell us which part of the building
16 did you mark with that number 1?

17 A. I tried to mark the barn, that part of the building, with
18 number 1.

19 Q. Okay. If you look up, up from the roof of the building, there's
20 a number 2. And there's an arrow going from the lower part of the
21 photo up to the roof. Can you tell us what that number 2 indicates?
22 Which part of the building did you want to indicate with that number?

23 A. With number 2, I tried to explain that we stayed at number 1,
24 and number 2 is the room upstairs where we were taken for
25 ill-treatment.

1 So it's number 2, because this is above the barn, the room where
2 we were mistreated. This is what I tried to explain with number 2.

3 Q. And can you see that door in the middle of the building?

4 A. Yes.

5 Q. It is actually better visible on the photo on the right-hand
6 side. It's a door with some stairs. Does that look familiar to you?

7 A. Yes. And this is how I remembered the stairs. When they would
8 take us from downstairs to upstairs, we had to go through certain
9 steps, and this is how I remember that there were stairs there.

10 Q. Okay. So this was the door with the external stairs that you
11 told us about through which you were taken upstairs. Is my summary
12 correct?

13 A. Yes, Madam Prosecutor, this is how I tried to explain.

14 MS. D'ASCOLI: Both photos can be removed from the screen,
15 please.

16 Q. Sir, I'm going to show you another photograph.

17 MS. D'ASCOLI: Can I please have document at tab 11 of the list
18 of exhibits. The ERN is DSM 00031 to DSM 00031RED.

19 Q. Sir, can you see the photo on your screen?

20 A. Yes, Madam Prosecutor.

21 Q. Does the building, does the photo look familiar to you? Or what
22 do you see in it? What do you recognise in it?

23 A. Well, I don't know if that house is on this photograph. What I
24 can recognise on this photo is the elevated part, the stairs, and the
25 building, the other building. Because, as far as I could see then,

1 there were other buildings around as well.

2 Q. So when you say "the elevated part, the stairs," are you
3 referring to the same building that we looked at in the photo before?

4 A. Yes. From what I remember, it's this elevated part, the stairs,
5 so this is still in my memory. It is still in my memory from this
6 place and from this building.

7 Q. I will call up also the photo that -- the same photo that you
8 marked during the interview with the SPO.

9 MS. D'ASCOLI: And this is the same ERN as before, so tab 8,
10 100801 to 100806RED1, and I need page 6 at this time, ERN 10806. If
11 the photo can be, please, placed next to the other one. Thanks.

12 Q. Sir, can you see the two photos now on the screen?

13 A. Yes, Madam Prosecutor.

14 Q. Do you see date and a signature on the photo in -- on the
15 left-hand side of the screen?

16 A. Yes, Madam Prosecutor.

17 Q. Whose signature is that?

18 A. It's mine.

19 Q. Now, on this photo, just above your signature, there is a
20 number 1 and, although it's not very visible, there is a line that
21 goes from the building to number 1. What did you want to indicate
22 with the number 1? It is on the left-hand side of the photo.

23 A. Yes, Madam Prosecutor. With number 1, I wanted to explained
24 same thing. Number 1 refers to the location where we stayed, the
25 barn.

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1 MS. D'ASCOLI: The photos can be removed. Thanks.

2 Q. Mr. Witness, I'll call up one more photograph.

3 MS. D'ASCOLI: Can I please have page 27 of ERN SPOE00128386 to
4 00128420, which is document at tab 10 of the list of exhibits for the
5 witness. Page 27, please, which is ERN SPOE00128412.

6 Q. Sir, please have a look at the photo on the screen. Can you see
7 it well?

8 A. Yes, madam.

9 Q. Do you recognise this building? Does that look familiar?

10 A. I perhaps could say that this building looks similar to the
11 school where I went to report and join. If I'm not mistaken. This
12 looks like the school, and if I'm not mistaken, that's the one. This
13 is my opinion.

14 Q. And so you said the school where you went to report and join.
15 Is this the school where you had the training that you mentioned to
16 us today at the beginning of your evidence?

17 A. Yes. If this is the school, yes. I'm not sure this is the
18 exact building, but it looks like it. It looks like the building
19 where I stayed for four or five days and where we were trained and so
20 on.

21 Q. And you said this second building where you trained was the
22 school in Zllash; is that correct?

23 A. I think so, yes.

24 MS. D'ASCOLI: I'll now call up a photo, another photo, taken
25 recently.

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1 Q. And again I'll ask you whether you recognise the building.

2 MS. D'ASCOLI: This is document marked with number 31 in the --
3 sorry, tab 12 in the list of exhibits. And the ERN is SPOE00287803
4 to 00287803.

5 Q. Sir, can you see the photo on the screen?

6 A. Yes.

7 Q. Do you recognise anything in this photo? As I said, this is
8 recent, so time, of course, has had its toll on the building.

9 A. Well, I can't say that I recognise it fully, but I can say that
10 it resembles the place where we went and were trained. The first
11 picture looked more like it. It's been a long time, so I cannot say
12 exactly. I can't remember.

13 Q. Thank you, Mr. Witness.

14 MS. D'ASCOLI: The photo can now be removed, please.

15 Your Honours, I have a couple of questions which may reveal
16 identifying details of protected witnesses, so I would like to go
17 into private session for a little while.

18 PRESIDING JUDGE VELDT-FOGLIA: Okay, Madam Prosecutor.

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

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

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

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

24 Madam Prosecutor, you may proceed.

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

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1 Q. Mr. Witness, earlier today before the break, I asked you about
2 the conditions in which you saw the detainees who were left in the
3 stable when you were released, and one of the detainees I asked you
4 was about was [REDACTED]

5 Do you remember those questions?

6 A. Yes, Madam Prosecutor.

7 Q. So at page 55, lines 10 to 14, in answering my question about
8 the conditions in which you saw [REDACTED] at that point, you
9 said:

10 [REDACTED] at that point, when we left, that last day, was
11 - how can I describe it? - he could not even stand. He was in a
12 terrible state. He looked very tired, exhausted, deformed."

13 This is the answer you gave which I read from today's
14 transcript.

15 Now, my question is: You said he could not even stand. Could he
16 walk?

17 A. I don't know what to say. But as I said, he was very exhausted.
18 And on the last days we were there, he was only lying on the ground,
19 all the time. I don't think that he could walk on his own without
20 help from anyone.

21 Q. Okay.

22 MS. D'ASCOLI: Your Honours, I just need a few minutes just to
23 make sure I don't have anything else for private session.

24 PRESIDING JUDGE VELDT-FOGLIA: Please, go ahead.

25 MS. D'ASCOLI: Your Honours, I think we can go back to open

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1 session, and I will have only a few questions left.

2 PRESIDING JUDGE VELDT-FOGLIA: Okay. Very well,

3 Madam Prosecutor.

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

5 [Open session]

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

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

8 You may proceed, Madam Prosecutor.

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

10 Q. Mr. Witness, I will now move to my last area of the direct
11 examination.

12 Can you tell us what consequences did you suffer as a result of
13 what happened to you in Zllash where you were detained?

14 A. I still have consequences today. I was burnt on my arm, cut on
15 my arm, on my [REDACTED] I have injuries in seven or eight places in
my

16 [REDACTED] So I have

17 problems today from what I suffered then, in addition to the bruises
18 and everything that we had at the time. So I have consequences to
19 this day.

20 Q. Did you seek medical attention after your release?

21 A. After some time, perhaps three months later, I went and had
22 surgery in my mouth. I had an infection. And, in the meantime, I
23 would go to other doctors as well. Many doctors.

24 Q. And was this a consequence of the mistreatments you received
25 while detained?

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1 A. Yes, it was a consequence of the mistreatment, because I was a
2 normal person, a normal child at the time, but these individuals did
3 those things to me and brought me to that state.

4 Q. How did the whole experience affect you afterwards, in the
5 months, years after these events and after you were released?

6 A. I have many consequences from that. To this day, I can't sleep
7 properly and I don't feel calm. Even if you think of the nightmares
8 I have, when I think of those voices, and I have those flashbacks, in
9 addition to the consequences, physical consequences that I have to
10 this day.

11 MS. D'ASCOLI: Your Honours, those were all of my questions. I
12 don't have further questions for this witness. Thank you.

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

14 Mr. Witness, for today, I would like to thank you very much.
15 The examination for today is finished. So let me remind you that
16 until tomorrow you should not discuss your testimony with anyone.
17 Yes?

18 THE WITNESS: [Interpretation] Of course, yes.

19 PRESIDING JUDGE VELDT-FOGLIA: You will be assisted by the
20 Registry staff now. Try to rest, and then we will see you again
21 tomorrow at 9.30.

22 THE WITNESS: [Interpretation] Thank you, all. Thank you.
23 Thanks.

24 PRESIDING JUDGE VELDT-FOGLIA: Madam Court Officer, could you
25 usher the witness out.

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1 [The witness stands down]

2 PRESIDING JUDGE VELDT-FOGLIA: Madam Prosecutor, we have
3 received an e-mail of the SPO, and I give you the floor to say
4 something about it. And I would also like to say that we have
5 received an e-mail of the Victims' Counsel in this respect.

6 I don't want to discuss and take a decision on this now, but for
7 the record you have the floor. But today we are a prisoner of the
8 clock.

9 MS. D'ASCOLI: Of course, Your Honours, I will be very brief.

10 It was just to put on the record that, in fact, having had now
11 better insight into the pace of live testimony for the witnesses in
12 direct examination, we have revised our estimate for direct
13 examination, and this affects immediately the two witnesses who are
14 scheduled for the rest of October, 3594 and 4603. So for the first
15 witness, instead of the six hours initially estimated, we are now --
16 we now believe that we will be able to conclude the direct examination
17 between -- in between four to five hours. For the second witness,
18 4603, for whom initially the estimation was five hours, we believe we
19 can conclude the direct examination of maximum two hours, one to two
20 hours.

21 So being aware that this impacts the schedule, also for the
22 other parties and the Trial Panel, we wanted to give ahead notice of
23 this.

24 And, in addition to that, we will do the same, meaning provide
25 revised estimates for the witnesses to come in November, and we will

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1 do so in writing through an updated order of witnesses for the month
2 of October. So that will be filed this week.

3 PRESIDING JUDGE VELDT-FOGLIA: Okay. Thank you,
4 Madam Prosecutor.

5 We will come back on this tomorrow morning and, if need be, also
6 the other parties and Victims' Counsel can take the floor on this, if
7 necessary.

8 Just one remark from the Panel. Also the Panel needs to prepare
9 for the witnesses, of course, so it's not only time of questioning
10 that is important but it's a more complex issue, but, yes.

11 Is there anything else the parties and the Victims' Counsel
12 would like to raise at this moment in time?

13 MS. PUES: No. Mindful of -- Your Honours, mindful of the time,
14 only very briefly. We indicated some flexibility with regard to
15 availabilities, you have that in writing, so that should two
16 witnesses be scheduled next week, we can, together with my
17 co-counsel, ensure that some presence is there.

18 Thanks.

19 PRESIDING JUDGE VELDT-FOGLIA: Thank you.

20 Is there something the Defence counsel would like to raise at
21 this point in time?

22 MR. VON BONE: No, Your Honour. We do not have to raise
23 anything at this point. Thank you.

24 PRESIDING JUDGE VELDT-FOGLIA: Okay. Good.

25 Then I thank the parties and the Victims' Counsel for their

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1 attention. I thank the interpreters, which -- who have still to
2 continue today in another session at 3.30, the stenographer, and the
3 audio-visual technicians - it was a little bit challenging today -
4 and the security personnel for their assistance today.

5 The hearing is adjourned until tomorrow, 9.30.

6 --- Whereupon the hearing adjourned at 2.49 p.m.

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