

1 Tuesday, 12 December 2023

2 [Open session]

3 [The Accused Thaci and Krasniqi appeared
4 via videolink]

5 --- Upon commencing at 9.02 a.m.

6 PRESIDING JUDGE SMITH: Mr. Emmerson, I know you would like to
7 have the floor, and we give it to you at this time.

8 MR. EMMERSON: Thank you, Your Honours, members of the Court.

9 Everybody inside the courtroom and very many people outside the
10 courtroom will be today grieving the tragic and untimely death of our
11 friend and colleague Andrew Strong.

12 It may not be obvious to all of you, but Andrew and those of us
13 on this team are not just colleagues. We have been the closest of
14 friends for 25 years. Andrew grew up in Geneva, Illinois, in the
15 suburbs of Chicago, and after attending Middlebury College in Vermont
16 and later Northwestern School of Law, he came to Kosovo as a law
17 student in late 2004.

18 He volunteered himself as an intern to Ramush Haradinaj's
19 defence the day that he was arrested in 2005. He lived in Kosovo for
20 a number of years. He came to know the people of Kosovo extremely
21 well. He spoke Albanian, he learned to speak Albanian and was as
22 invested as it is possible for a foreigner to be in the establishment
23 of a free and independent Kosovo.

24 He was a shining star, a truly good soul, and the most loyal
25 friend it is possible for anyone to have. He is loved by many and

1 respected by many in the international law community, as witnessed by
2 the presence here today of Karim Khan, the Prosecutor of the
3 International Criminal Court, who has come this morning to pay his
4 respects, by many in the United States, of course, his home country,
5 and by very many people in Kosovo to which he devoted so much of his
6 life.

7 He is survived by his partner and by his three young children,
8 Henry, Max, and Ella. Rachel Faraone, his partner, has sent a
9 specific request that she may be allowed to meet in the unit with
10 Mr. Veseli in order to convey her personal respects to him and to
11 Andrew, and I very much hope that that is something that will be
12 facilitated.

13 He is also survived by his parents in a reversal of the natural
14 order of things, Linda and Howard Strong, and by his beloved sister
15 Josie and his brother Reid.

16 Your Honour, may I, with respect, ask, that we observe a
17 minute's silence initially, and after that, and having consulted with
18 my colleagues, we are going to make a request that the Court adjourn
19 for the vacation today. I simply don't think I can ask my team, in
20 good conscience, to continue for the remainder of this week. But I
21 will, of course, work within whatever parameters the Court considers
22 appropriate.

23 But may I first ask that we observe a minute's silence.

24 Thank you, Your Honour. We will remember him and wish him rest
25 in peace.

1 PRESIDING JUDGE SMITH: Thank you, Mr. Emmerson.

2 I know everybody in this room has difficult duties some days,
3 and we all do our jobs. Everyone does the best that they can, and I
4 know Andrew always did. But at the same time, we recognise the
5 humanity in all of us, and we have to do that. We're not just
6 lawyers sitting in a room. We're also human beings.

7 Andrew was a good man. He was dedicated, he was interesting, he
8 was fun, and we will all miss him. Our condolences are sent to
9 Andrew's family.

10 We'll take a brief recess to consider your request to cancel the
11 balance of the hearings this week and be back in just a few minutes.

12 Yes.

13 MR. TIEGER: Thank you, Mr. President. If I could just take one
14 moment --

15 PRESIDING JUDGE SMITH: Sure.

16 MR. TIEGER: -- to express a few remarks on behalf of the SPO,
17 recognising the utter inadequacy of any words at this moment.

18 We, all of us in the SPO, were deeply shocked and saddened to
19 hear this terrible news. We had great respect for Andrew as a
20 talented lawyer and as an obviously wonderfully warm person. And at
21 this moment, all of us in the office extend our deepest sympathies
22 and condolences to Andrew's family, all of his friends, and
23 colleagues.

24 Thank you, Mr. President.

25 PRESIDING JUDGE SMITH: Thank you.

1 We'll be adjourned for just about five minutes.

2 --- Break taken at 9.10 a.m.

3 --- On resuming at 9.13 a.m.

4 PRESIDING JUDGE SMITH: I did not ask the Prosecution for their
5 comments on the request for a continuance or adjournment until after
6 the Christmas break. I assume you would probably just say you leave
7 it up to the Court to make that decision, and we have.

8 So we will grant the request. And we will also do our best to
9 facilitate Andrew's partner's visit to the facilities as soon -- do
10 you have a day that she wants that? Okay. We'll just indicate as
11 soon as she's ready.

12 MR. EMMERSON: May I say on behalf of all of us how grateful we
13 are for that assistance and kindness.

14 PRESIDING JUDGE SMITH: Thank you.

15 So I wanted to have a happy reason to end this session, but we
16 can't. So we will continue to think of Andy over the holidays coming
17 up, and see you all after the winter break.

18 We're adjourned.

19 --- Whereupon the hearing adjourned at 9.14 a.m.

20

21

22

23

24

25