

1 Wednesday, 12 February 2025

2 [Open session]

3 [The accused entered the courtroom]

4 --- Upon commencing at 11.00 a.m.

5 PRESIDING JUDGE SMITH: Please call the case,  
6 Madam Court Officer.

7 THE COURT OFFICER: Good morning, Your Honours. This is  
8 KSC-BC-2020-06, The Specialist Prosecutor versus Hashim Thaci,  
9 Kadri Veseli, Rexhep Selimi, and Jakup Krasniqi.

10 PRESIDING JUDGE SMITH: I note that all the accused are present  
11 in court today.

12 Our modified schedule today: We'll start now, of course, and  
13 we'll go till 12.00, take a ten-minute break, go till 1.00, then take  
14 the lunch break, and then we'll have a regular afternoon, two  
15 sessions of one hour each.

16 Today, we will continue hearing the evidence of Prosecution  
17 Witness W04290.

18 There's a preliminary matter that the Panel would like to  
19 address.

20 Yesterday, the Panel marked for identification P02037 MFI.  
21 Having considered the parties' submissions, the Panel finds that  
22 P02037 MFI meets the *prima facie* requirements of Rule 138.

23 In particular, the Panel notes that the SPO tendered the  
24 document for admission after having shown several pages to W04290.  
25 The witness confirmed that it was his handwriting on some of the

1 pages and provided further evidence about those pages, including  
2 about the witness requesting and organising weapons.

3 The Panel is therefore satisfied that P02037 MFI is relevant,  
4 *prima facie* authentic, and has probative value.

5 In light of the fact that the Defence has or will be able to  
6 cross-examine the witness on the document, the Panel is also  
7 satisfied that the probative value of P02037 MFI is not outweighed by  
8 its prejudicial effect.

9 In light of the above, the Panel admits into evidence MFI P02037  
10 and instructs CMU to add it to P01644, the exhibit where a page from  
11 this item had previously been admitted.

12 This concludes the Panel's oral order.

13 We will continue hearing the evidence of Prosecution  
14 Witness 4290.

15 Madam Court Usher, please bring the witness in.

16 MR. HALLING: Your Honour, just very briefly before. In  
17 relation to the exhibit number for what is now P1644, two pages of  
18 this were also admitted at P220. We would just ask that those also  
19 be moved to that exhibit number.

20 PRESIDING JUDGE SMITH: [Microphone not activated].

21 Yes, that can be done. Thank you.

22 [Trial Panel and Court Officer confers]

23 PRESIDING JUDGE SMITH: We will vacate P02037 for later use and  
24 use the old number as requested by the Prosecution.

25 [The witness takes the stand]

1           PRESIDING JUDGE SMITH: Good morning.

2           I note for the record that Duty Counsel, Mr. Qerkini, is in the  
3 courtroom as he has been throughout this witness's testimony.

4           Good morning, Witness.

5           THE WITNESS: [Interpretation] Good morning.

6           PRESIDING JUDGE SMITH: Mr. Selimi, today we're going to  
7 continue your testimony. I remind you to please try to answer the  
8 questions clearly, with short sentences. If you don't understand a  
9 question, feel free to ask counsel to repeat the question or tell  
10 them you don't understand and they will clarify. Also, please  
11 remember to try to indicate the basis of your knowledge of the facts  
12 and circumstances upon which you will be questioned.

13          I remind you that you are still under an obligation to tell the  
14 truth as stated by you in your solemn declaration. I also remind you  
15 that the assurances provided to you by the Panel, namely that any  
16 response provided to relevant questions will not be used either  
17 directly or indirectly against you in any subsequent prosecution  
18 before the Specialist Chambers except under Article 15(2) of the Law  
19 and Rule 65, which are still applicable, and that refusal to give  
20 testimony may be sanctioned with the imposition of a fine.

21          Please also remember to speak into the microphone and wait five  
22 seconds before answering a question, and then speak at a slow pace  
23 for the interpreters to catch up.

24          And if you feel the need to take a break, please let us know and  
25 we will accommodate you.

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1 Just for your information, we will sit now from now until noon,  
2 we'll take a ten-minute break at 12.00, and then proceed on until  
3 1.00 when we have a lunch break, and then we will be back in the  
4 afternoon just as we have been yesterday and on Monday.

5 Are you ready to proceed?

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

7 PRESIDING JUDGE SMITH: Thank you. Thank you.

8 We continue with Mr. Dixon's questions for the Veseli Defence.

9 Go ahead, Mr. Dixon.

10 MR. DIXON: Thank you, Your Honours.

11 WITNESS: SYLEJMAN SELIMI [Resumed]

12 [The witness answered through interpreter]

13 Cross-examination by Mr. Dixon: [Continued]

14 Q. Good morning, Mr. Selimi.

15 A. Good morning.

16 Q. I want to start where we left off yesterday where you had  
17 described the killing of your friend, Mr. Kiqina, when he was  
18 travelling from Drenica to Pashtrik. You remember that?

19 A. Yes, I do.

20 Q. Just so we could date this, you said it was in 1999, would it be  
21 right, as far as you can remember, that this would have been in late  
22 May 1999?

23 A. Yes, correct.

24 Q. Is it also right that the area where he was killed is on a road  
25 that is a main road that is on the southern border of the Drenica

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1 zone which you have to cross over to go into Pashtrik?

2 A. Yes, that's correct.

3 Q. The main road is the road that runs from Prishtine to Pec to  
4 Peje, it goes across from east to west, and it's the border between  
5 the two zones, Drenica and Pashtrik; is that right?

6 A. Yes, correct.

7 Q. And during the war, this is both in 1998 and 1999 when  
8 Mr. Kiqina was killed, that road was for large parts of time  
9 controlled by the Serbian forces?

10 A. Yes, that's right.

11 Q. It was a very difficult and dangerous road to try and cross from  
12 the Drenica zone, where you were the zone commander, into the  
13 Pashtrik zone; is that right?

14 A. Yes, it is.

15 Q. And that applied as well when you became the overall KLA  
16 commander and you moved to the General Staff in the Pashtrik zone.  
17 At that time, it was also very difficult to get from Drenica to  
18 Pashtrik or from Pashtrik back again because of that road being cut  
19 off by the Serbian forces?

20 A. Yes, correct.

21 Q. Thank you. I now want to ask you something about what you said  
22 yesterday in your evidence, and this was at page 102 and 103. You  
23 said that Mr. Jashari was the commander of the military police and  
24 that he reported to you as the zone commander and served under your  
25 orders. And you said as well that:

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1 "Mr. Jashari continued reporting to me throughout the time that  
2 I was zone commander and served under my orders."

3 Do you remember saying that?

4 A. Yes, I do. Correct.

5 Q. Based on that, it's right, isn't it, that Mr. Kiqina, in his  
6 intelligence position, could not give any orders to Mr. Jashari from  
7 the military police? All orders to the military police only came  
8 through you.

9 A. Yes, that's correct.

10 Q. I now want to move on to the end of 1998, going into 1999. At  
11 this time, do you recall knowing that Mr. Kadri Veseli was abroad, he  
12 was not in Kosovo at the end of 1998 and into 1999? I'll come to the  
13 time when you saw him in late March. But before then, he was not  
14 around; is that right?

15 A. It is right that I never met him, and I do not know where he  
16 was.

17 Q. So you had no contact with him during that period up until late  
18 March 1999 when you saw him in the Nerodime zone. I'll come on to  
19 that now. But is that right?

20 A. Are you referring to 1999 or 1998?

21 Q. Yes, 1999. Sorry if I wasn't clear. So January, February,  
22 March 1999, you had no contact with him during that time until you  
23 saw him in the Nerodime zone in late March 1999; is that correct?

24 A. I don't know. I think I have seen him, but I have not had a  
25 proper meeting with him. I think we met once in a village near

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1 Drenica. That was towards the end of September or November. I  
2 cannot place it in time exactly, but I know that I met him once  
3 before the one in Nerodime.

4 Q. Yes. So when you are referring here to the end of September or  
5 November, that's in 1998. You may have seen him then once in  
6 September or November 1998; is that right?

7 A. I'm not certain. I don't know if we are talking about the  
8 offensive of 1998 or the beginning of 1999 when we met, the two of  
9 us, with some wounded people present as well. That was before  
10 Nerodime. However, I am not entirely certain about the timing.

11 Q. Okay. Just so we can place it properly in time, you certainly  
12 met him at the end of March in Nerodime in 1999, and I'll come on to  
13 that now, and then you say you saw him, you think, once before that  
14 in either September or November 1998. Is that an accurate account?

15 A. Yes, it is.

16 Q. Now, in February of 1999, you were shown yesterday some minutes  
17 of a meeting of the General Staff. This was early February,  
18 6 February 1999. You were -- I think you said you recall being at  
19 such a meeting.

20 A. Yes, correct.

21 Q. Yes. It was a meeting with some members of the General Staff  
22 and zone commanders. Is that how you remember it?

23 A. I do not know the exact date. However, it is right that we did  
24 have a meeting with other zone commanders.

25 Q. Yes. This was before, in time, this was before you became the

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1 overall commander of the KLA?

2 A. That's correct.

3 MR. DIXON: If we could have on screen, please, P182.

4 Q. Just so you know, Witness, this is a copy of those same minutes  
5 that you were shown yesterday, and I just want to ask you about one  
6 part of it.

7 MR. DIXON: That's at page 226401. And we'll see it both in  
8 English and Albanian. Now, we might just have to go back one page to  
9 see who's saying this. It's Rustem Mustafa. Two pages back,  
10 please.

11 Q. So you see there Remi at the top is recorded as the person  
12 saying this.

13 A. Yes.

14 Q. And if we go two pages on - thanks - it says this:

15 "The Intelligence Service (SHI) cannot look after the army from  
16 abroad.

17 "I think we should appoint a professional as Commander, who  
18 should be accountable to us."

19 Do you remember Remi saying this about the intelligence service?

20 A. No, I don't.

21 Q. Well, do you remember this - we've seen who is recorded at the  
22 beginning as being at this meeting - that Mr. Veseli was not at this  
23 meeting? You never saw him there?

24 A. No, Mr. Veseli was not there.

25 Q. And do you recall any discussions about his absence, the fact



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1       that he wasn't there, that he was abroad?

2       A.     There was a lot of discussion.  However, I do not recall who  
3       spoke and what was said.  As far as these notes are concerned, I  
4       don't know who authored it.  I don't know if there was somebody who  
5       was taking the minutes of that meeting.

6       Q.     Yes, you don't have to worry about who authored it and where  
7       that all comes from.  I'm just trying to see if you remember, I know  
8       it's sometime ago, but if you remember any discussion at that time.  
9       Mr. Veseli wasn't there.  Was anyone raising an issue about that, if  
10      you can remember?

11      A.     Mr. Veseli did not take part in that meeting.

12      Q.     Okay.  Thank you.

13             If we can then move further on in time - that can be taken down  
14      - to the next meeting of, once again, some members of the  
15      General Staff and some zone commanders.  This was on 13 February  
16      1999.

17             MR. DIXON:  This is Exhibit 1D33 for those following.  We don't  
18      necessarily have to bring it up.

19      Q.     But this was the meeting where you took over as the overall head  
20      of the KLA; is that right?

21      A.     Yes, correct.

22      Q.     And once again, it's correct, isn't it, that Mr. Kadri Veseli  
23      was not at this meeting on 13 February 1999?

24      A.     Yes, that's correct.

25      Q.     So he had no involvement in your appointment as the head of the

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1 KLA? That's correct, isn't it?

2 A. Yes, it is.

3 Q. Now, after you were appointed as the head of the KLA and you  
4 took over, you've said you were in office, as it were, for about six  
5 weeks, until the NATO bombing towards the end of March. Did you  
6 attend any meetings of the General Staff then or with some people  
7 from the General Staff in that period? Do you remember?

8 A. I remember having had a meeting after being appointed commander  
9 of the General Staff.

10 Q. Yes. You were taken to some minutes yesterday - this is  
11 Exhibit 645 - of 26 February 1999. They don't have to be called up.  
12 But I'm asking if you remember attending meetings around that time,  
13 late February?

14 A. I know that I had a meeting with some members of the  
15 General Staff in a village. It was in Berisha or somewhere else.

16 Q. Yes. And you say here "some members of the General Staff."  
17 It's right, isn't it, that Mr. Kadri Veseli wasn't part of that  
18 meeting?

19 A. That's correct.

20 Q. In fact, he wasn't part of any meetings that you had when you  
21 were head of the KLA, other than what we will come on to when you saw  
22 him in late March in Nerodime. That's right, isn't it?

23 A. Yes, that's correct. Kadri Veseli was never in any of the  
24 meetings that I had either as zone commander or as general commander.

25 Q. Yes. And when you were the general commander, you didn't call

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1 him at any stage and speak to him when you were having meetings or  
2 outside of meetings, did you?

3 A. No, I didn't. I have not had any such meetings.

4 Q. Okay. I now want to come to when you did see him, you say, with  
5 some others. This was when you were wanting to withdraw as the  
6 general commander in late March, and you saw him in Nerodime. And  
7 you said that you wanted to be replaced by Mr. Ceku because you  
8 thought that he was more qualified for the position. This is in your  
9 testimony and also in paragraph 89 of Prep Note 2.

10 That's right, isn't it?

11 A. It's either a matter of translation or there is a mistake here.  
12 I did not say that Mr. Veseli should replace Mr. Ceku, but I said  
13 that I -- me and Mr. Ceku should swap around.

14 Q. Yes. That's what I was saying as well that you said. So that's  
15 correctly recorded now.

16 And it's right that Mr. Veseli and the group that he was with,  
17 they tried to persuade you not to step down?

18 A. If I remember correctly, yes, he told me not to step down. And  
19 I replied that it would be best if General Ceku were to take over.

20 Q. Yes. The fact is that you didn't agree with what was being  
21 said, you disagreed, and you decided to leave. You took it in your  
22 own hands and decided to leave. That's what happened, isn't it?

23 A. Yes.

24 Q. So Mr. Veseli and none of the others there had any control over  
25 you to make you stay. You could leave if you wanted and you did.

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1 A. That's correct.

2 Q. Now, at this time, you've said in your evidence the provisional  
3 government was starting to form following the Rambouillet talks,  
4 because that was the next logical step, to set up a provisional  
5 government for Kosovo. Do you recall that?

6 A. Yes.

7 Q. And do you recall that Mr. Kadri Veseli was to move into that  
8 provisional government as the head of the Kosovo civilian  
9 intelligence service around this time, shortly after you saw him?

10 A. I don't know what happened after I left.

11 Q. Well, I'm just going to show you the communiqué that came out at  
12 that time to see if you saw this.

13 MR. DIXON: It's 1D70. If we could have that called up, please.

14 THE COURT OFFICER: I don't see it either in the SPO or the  
15 Veseli queue.

16 [Specialist Counsel confer]

17 MR. DIXON: It seems it was omitted from the queue for some  
18 reason. It has been shown to many witnesses. It's a well-known  
19 document. Could it be added, Your Honours, and shown to the witness?  
20 It's 1D00070.

21 PRESIDING JUDGE SMITH: Unless there's an objection.

22 MR. HALLING: We're familiar with the document, too. He seems  
23 to suggest he's not going to know much about it --

24 PRESIDING JUDGE SMITH: I understand --

25 MR. HALLING: -- but there's no problem with it being added.

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1           PRESIDING JUDGE SMITH: I understand that. But we'll go ahead  
2 and allow it.

3           MR. DIXON: I just wanted to see if he did see it at the time.

4           PRESIDING JUDGE SMITH: Yes, go --

5           MR. DIXON: He might not have.

6           PRESIDING JUDGE SMITH: -- ahead.

7           MR. DIXON: Thank you, Your Honours.

8           Yes, thank you.

9           Q. Now, Mr. Selimi, this is a communiqué of the Government of  
10 Kosovo dated 2 April 1999. Are you familiar with it? Have you seen  
11 it before?

12          A. Yes, it's a document of the Government of Kosovo which I haven't  
13 seen before.

14          Q. Very well. Can I just ask you whether, though, that you knew at  
15 this time that persons were being appointed into ministries for the  
16 Government of Kosovo?

17          A. Yes, correct. I was aware of that.

18          Q. There was a lot of reassigning of roles going on, including you  
19 moving, but others were moving as well. Do you remember that?

20          A. Yes, that's correct.

21          Q. And do you recall if Mr. Kadri Veseli moved from the KLA  
22 intelligence, G2 that we talked about yesterday, to the civilian  
23 intelligence at this time?

24          A. Yes, I do recall.

25          Q. And it's right, isn't it, that the Kosovo civilian intelligence

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Cross-examination by Mr. Dixon (Continued)

1 service became known as SHIK?

2 A. That's correct.

3 Q. Was this the first time that SHIK as a formal body came into  
4 existence?

5 A. I believe so.

6 Q. Thank you. I want to just ask you one or two other questions  
7 before we move on just about the General Staff, and the first of  
8 those concerns P142.

9 MR. DIXON: We don't necessarily have to bring it up.

10 Q. You'll recall you were shown this yesterday, a request which you  
11 sent to the General Staff for the provision of funds. Do you  
12 remember that?

13 A. Yes, I do.

14 Q. And at page 93 of the provisional transcript, you said:

15 "I don't know whether it reached the General Staff."

16 Do you remember saying that?

17 A. That's correct.

18 Q. Did you not receive any response from the General Staff to your  
19 request? Is that what you're saying?

20 A. As far as I can remember, I did not receive any response to  
21 that.

22 Q. And you didn't have any follow up or interaction with anyone  
23 from the General Staff; is that right?

24 A. To my recollection, no.

25 Q. So you just had to get on with it and deal with it yourself.

1 You said you can't recall whether the funds ever came; is that  
2 correct?

3 MR. HALLING: Objection, asked and answered.

4 MR. DIXON: Well --

5 PRESIDING JUDGE SMITH: Overruled.

6 Go ahead. Answer the question.

7 THE WITNESS: [Interpretation] The Drenica operational zone dealt  
8 with this matter itself.

9 Q. And it's right, isn't it, that -- and we're talking here about  
10 1998 when this request was made and after that, that you didn't have  
11 any knowledge of how the General Staff worked internally? You knew  
12 what was happening in your zone, but you didn't know about the  
13 General Staff?

14 A. Correct. I never knew how the General Staff was organised or  
15 how it functioned.

16 Q. And when you yourself became the overall head, so now within the  
17 General Staff, you got to understand a bit more then, didn't you?

18 A. Correct.

19 Q. And it's right - we've looked at some of the meetings that took  
20 place - that sometimes people attended the meetings who were part of  
21 the General Staff, other times they didn't?

22 A. I can say that's correct.

23 Q. So would you say it's correct that it was quite an *ad hoc*  
24 arrangement; sometimes people were there, sometimes they weren't? It  
25 wasn't something where the General Staff was consistently and on a

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1 regular basis all meeting and communicating with each other?

2 A. That's correct.

3 Q. Thank you. I want to ask just one question which touches on  
4 this regarding Mr. Ferat Shala.

5 You gave evidence and you said that he was head of the Pellumbi  
6 unit. This is at preparation note paragraph 45, and you testified as  
7 well about it yesterday at page 115, if I'm correct. I'll correct  
8 that if I need to.

9 MR. HALLING: Actually, it was two days ago.

10 MR. DIXON: Two days ago. That's good. Thank you.

11 Q. You said sometime around April, May, he left to instead be  
12 attached to the General Staff. You did not know what his tasks were  
13 with the General Staff. Do you remember saying that?

14 A. Not Ferid Shala but Ferat Shala.

15 Q. Sorry, my pronunciation. It's my fault. Ferat Shala.

16 A. Yes, I recall him. I recall him. And that's correct.

17 Q. Now, I just wanted to ask you about these dates, because we've  
18 heard testimony from Bislim Zyrapi in this Court and I'm going to  
19 tell you what he said as the chief of staff of the KLA.

20 MR. DIXON: And for those following, this is at page 18426 of  
21 the transcript.

22 Q. I'll just read out what he said. When he was asked about Ferat  
23 Shala, he said:

24 "I know that in 1998, up until the end of 1998, he was the  
25 commander of Pellumbi unit in Negroc village near Llapushnik. He was



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1 on that post. And he then -- and then he was transferred and  
2 promoted higher up. To what post, I don't know."

3 So this is what Mr. Zyrapi said. He said he was the commander  
4 of the Pellumbi unit until the end of 1998. Having heard that  
5 testimony, are you still saying he was there till around April, May  
6 1998 in that role, or could it have been later that he was in that  
7 role?

8 A. I am not certain. I do not know for certain. But it's correct  
9 that he was commander of the Pellumbi points. I think he took part  
10 also in the Llapushnik gorge battle, and I do not know how long after  
11 this he stayed on until he went to the General Staff.

12 JUDGE METTRAUX: Mr. Dixon, maybe you could ask the witness if  
13 he recalls when the Pellumbi unit ceased to exist? That might help  
14 you get to a date.

15 MR. DIXON:

16 Q. You've heard His Honour Judge Mettraux's question. Do you know  
17 when the unit continued to exist until?

18 A. The Pellumbi unit was there until the formation of 113th Brigade  
19 which incorporated it. But this group, this unit kept its name,  
20 Pellumbi unit, even after it became part of Brigade 113, and Ferat  
21 Shala was heading this unit.

22 JUDGE METTRAUX: Do you recall when 113 was created, Witness?

23 THE WITNESS: [Interpretation] Sometime around June, I think.  
24 After I was made commander of the Drenica zone and started the  
25 consolidation of the brigades.

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1 JUDGE METTRAUX: Thank you.

2 And thank you, Mr. Dixon.

3 MR. DIXON: Thank you, Your Honour.

4 Q. Can I just follow up from that to ask about your answer where  
5 you said the unit continued to exist within the 113th Brigade. So it  
6 continued to use that name even after the formation of the brigade;  
7 is that right?

8 A. Yes, that's correct.

9 Q. And could it therefore have been in existence with Mr. Shala as  
10 part of it until later in 1998, towards the end of 1998?

11 A. It is possible. Every time we had contacts with or interacted  
12 with, they were -- they referred to themselves as Pellumbi unit, and  
13 the other members were members of the Brigade 113.

14 Q. Yes. And when you say Mr. Shala was attached to the  
15 General Staff later, you say you don't know what tasks his were.

16 A. Correct. I don't know.

17 Q. Is that right?

18 Mr. Zyrapi, I read you his testimony, has said that he does not  
19 know what his post was. You heard that evidence?

20 A. Yes, correct.

21 Q. So Mr. Zyrapi is not saying that he was attached to the  
22 General Staff or part of the General Staff. Do you still maintain  
23 that he went there, to the General Staff, to be attached to it?

24 A. As a matter of fact, he was no longer in the Pellumbi unit. I  
25 don't know which period of time exactly, but I know he moved on to

1 the General Staff. I don't know when. I don't know his role or his  
2 tasks, or if he was given any.

3 Q. Okay. And you had no contact with him when he moved on; is that  
4 right?

5 A. I did not have contacts.

6 Q. Thank you. Okay. I want to ask you one question about the use  
7 of the word "Luli".

8 MR. DIXON: And this is at Prep Note 2, paragraph 83 for those  
9 following.

10 Q. I'll read it out to you and just ask you some questions about  
11 it.

12 You say here that you believe Mr. "Kadri Veseli was 'Luli', but  
13 is not sure and noted there may be someone else with this name."

14 Do you remember saying that to the SPO?

15 A. Yes, that's correct.

16 Q. And when you say there may be someone else with this name, did  
17 you have anyone in mind or is it just that the Luli nickname is  
18 widely used?

19 A. No, I don't have any specific case in mind. I just thought like  
20 that.

21 Q. No. But is it right that the nickname Luli is widely used at  
22 the time in Kosovo as a shortened version for the name Lulzim or  
23 other names like that?

24 A. I don't know.

25 Q. Okay. Thank you. I want to now go back to where we started

1 earlier on yesterday regarding Mr. Kiqina, and you were asked whether  
2 he was part of Mr. Sabit Geci's group. You remember you were asked  
3 about that yesterday, and you said no, he was not.

4 A. Yes, that's correct.

5 Q. And then you were asked further questions about Mr. Geci in  
6 relation to allegations about Person 1, and I'm just going to refer  
7 to the person as Person 1, and you said this in response to questions  
8 from the SPO about when you say you spoke to Mr. Geci about this  
9 matter. You said:

10 "I have explained this. They invoked having acted in the name  
11 of SHIK at the time."

12 This is page 122:

13 "And the persons who were with him, one or two, I don't  
14 remember, Ismet Haxha [who] I know was there, he invoked SHIK. And  
15 I've explained this on the first occasion and during the conversation  
16 about Person 1 in my statement."

17 And then you were asked: And on this occasion, did they also  
18 indicate on whose behalf they were acting in SHIK?

19 And you said:

20 "They did not mention on whose behalf, but they referred to as  
21 acting in the name of SHIK."

22 And then you said this:

23 "And later on, I believe it turned out not to be true."

24 You then went on to say:

25 "They introduced themselves as SHIK" - this is just further down

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1 the page - "and mentioned the name of Kadri Veseli, as acting on his  
2 behalf, but they did not show any document proving this. And I asked  
3 for clarifications, explanations at the time."

4 And then over the page, just to complete the sequence, you said:

5 "Sabit Geci was undergoing medical treatment and he moved to  
6 various locations frequently, and then at a later stage he left to  
7 Albania for further treatment. Ismet Haxha went to the Shala  
8 operational zone."

9 Do you remember giving that evidence yesterday?

10 A. Yes.

11 Q. Now, I want to come back and ask you about what you said here  
12 where you said:

13 "And later on, I believe it turned out not to be true."

14 Is it right, Mr. Selimi, that you found out that it was not true  
15 that they were acting for SHIK or any intelligence unit on behalf of  
16 Mr. Veseli? Is that what you were meaning there?

17 A. Yes.

18 Q. And how did you find that out?

19 A. Because I had no contacts with Mr. Veseli, and also there was no  
20 such service, I had not heard of it, and there was no such service in  
21 the Drenica operational zone.

22 Q. Yes. It's right, isn't it, that there was no SHIK at the time.  
23 That only came later in 1999. There was no such thing as SHIK in  
24 1998, let alone operating in your zone; is that correct?

25 A. Correct.

1 Q. And you say that Mr. Geci and the others invoked SHIK. Are you  
2 saying that you now know that that is false, that they weren't  
3 working for SHIK or any intelligence unit at the time?

4 A. I had my doubts at the time, and I believe now that, indeed,  
5 this was not true. They just claimed to operate, invoking various  
6 names.

7 Q. Yes. When you say they had their -- that you had your doubts at  
8 the time, you did say in your testimony, when the SPO asked you about  
9 this, that you had asked for clarifications and explanations at the  
10 time. So is it right that you had doubts then?

11 A. Yes. And to my recollection, I asked for clarifications, and I  
12 also said that this should not happen anymore, meaning that somebody  
13 would operate, claiming to do that on behalf of or in the name of the  
14 Drenica operational zone.

15 Q. Did you say that to them at the time or thereafter?

16 A. I don't recall exactly when, but I think I must have said that  
17 to them there and then.

18 Q. So is it right then that when you say they said this to you, you  
19 didn't believe them at the time and you don't believe them now?

20 A. That's correct.

21 Q. And when they claim, as you say, that they were acting on behalf  
22 of Mr. Veseli, similarly, you didn't believe them then and you don't  
23 believe them now?

24 A. I didn't believe them then and I don't believe them now.

25 Q. And just so we are absolutely clear on this. You say that you

1 had no contacts with Mr. Veseli. This is at page 21, line 14. At  
2 the time and thereafter, you never went to Mr. Veseli and checked on  
3 this matter, did you?

4 A. Correct. I could not have met him because he was not in  
5 Drenica. I don't know where he was. I did not meet with him in  
6 relation to this matter.

7 Q. At any time in 1998 or 1999, on this matter, you never raised it  
8 with him. That's right, isn't it?

9 A. I believe I never did.

10 Q. In Preparation Note 1 at paragraph 8, you've called this group  
11 under Geci a "so-called intelligence unit," and you've said that they  
12 were referring to themselves either as intelligence unit or SHIK.  
13 Did you use that wording because, in fact, they weren't such a unit?

14 A. I said it earlier. I am not aware that it existed as a unit.  
15 However, these two individuals claimed to act on behalf of this SHIK.

16 Q. And it's right, isn't it, that SHIK was the name of intelligence  
17 in Albania, this was before the war in 1997, and it was a word used,  
18 because of it being intelligence from Albania, often to refer to  
19 intelligence?

20 A. That's correct.

21 Q. You've said that this group or so-called group didn't have any  
22 post in your zone. They weren't an official group in any way.

23 A. Correct.

24 Q. And you've said that you told them that they shouldn't continue  
25 to invoke being an official group or an intelligence unit or SHIK.

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1 Did they listen to you?

2 A. I believe they stopped operating, or at least they did not  
3 invoke this any further.

4 Q. Well, do you know if they started calling themselves something  
5 else like military police?

6 A. No, this has nothing to do with the military police.

7 Q. Yes, I know that. But do you know if Geci and co. started  
8 saying, "Well, we are the military police" or "the secret military  
9 police"?

10 A. I haven't heard this [Indiscernible].

11 Q. I just want to read you one bit of testimony from a case against  
12 Mr. Geci regarding crimes that were committed in Albania, so not in  
13 Kosovo but in Albania, in April 1999, where a witness said there --

14 MR. DIXON: And I'll give the reference now for those following,  
15 it's P01584 at page 8.

16 Q. This witness, [REDACTED] Pursuant to In Court Redaction Order  
F2922RED. said that Geci told him:

17 "... 'I am the chief of the military police of Kosovo, do you  
18 know me?'"

19 Have you heard of this statement or evidence before?

20 A. No, I haven't. I'm hearing this for the first time.

21 Q. Would you agree with me that Geci and his group, whatever it  
22 was, were a self-styled group that weren't answering to anyone?

23 A. I must mention here that during this period of time, Mr. Geci  
24 was constantly under medical observation because he was wounded. He  
25 had people around him who helped him in his movements. And on a



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1 particular occasion, he invoked this name, then he moved somewhere  
2 else and was not based any longer in the Drenica operational zone.

3 Q. Yes, I'll come on to his medical treatment after the break. But  
4 it's right that he moved in a lot of different directions when he  
5 could. He was heavily wounded, as you say. But he was a law unto  
6 himself? He didn't answer to anyone?

7 MR. HALLING: Objection, misstates the evidence.

8 PRESIDING JUDGE SMITH: It was a question.

9 Go ahead. You may answer.

10 THE WITNESS: [Interpretation] That's correct. He did not report  
11 to the Drenica operational zone.

12 MR. DIXON:

13 Q. Yes. And he didn't report to anyone else in the General Staff  
14 either, did he?

15 A. I don't know at the time.

16 MR. DIXON: Yes, well, I want to then bring up -- if I can look  
17 at it just before the break, Your Honour, or would you prefer me to  
18 do the document just after the break?

19 PRESIDING JUDGE SMITH: [Microphone not activated].

20 MR. DIXON: Yes. If I could --

21 PRESIDING JUDGE SMITH: [Microphone not activated].

22 MR. DIXON: -- call up --

23 PRESIDING JUDGE SMITH: He's answered that question.

24 MR. DIXON: Yes, this is a follow-up on precisely that.

25 If I can call up SITF00364447 to 00364456.

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Cross-examination by Mr. Dixon (Continued)

1 Q. Witness, just so you know, this is a record of your testimony in  
2 the Hyseni case where you were interviewed in 2013, and I'm just  
3 going to ask you about one answer you gave about Mr. Ismet Haxha.

4 MR. DIXON: So that's on page 4 of the document in English.

5 Q. I don't believe there's any translation, but I'll read it out.  
6 This is at number 8, Witness. I'll read it out to you and then you  
7 can answer my question. You said here -- you were asked:

8 "Do you know Ismet Haxha?"

9 And you said:

10 "I know him now. I don't remember if I knew him during the war  
11 time. I know he was a KLA soldier and he was active at the time but  
12 he was in the Shala operational zone. He was not under my command.  
13 I am sure that he did not get any assignment from the General HQ or  
14 from the Drenica HQ."

15 Do you remember giving this statement in this case?

16 A. Yes, I do.

17 Q. And that's true, is it? We're talking here about Ismet Haxha  
18 who was part of Geci's group with him, and this is your evidence  
19 about who he got assignments from?

20 A. In the meeting which was presented -- when he was present, and I  
21 explained this earlier, he was with Sabit Geci and -- so Sabit Geci  
22 and Ismet Haxha. And I said at the time that Ismet Haxha went to the  
23 Shala zone and Sabit remained in Drenica until the moment he went to  
24 Albania.

25 PRESIDING JUDGE SMITH: We'll break now.

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Cross-examination by Mr. Dixon (Continued)

1 MR. DIXON: Your Honour, there's one further question, but I'll  
2 come back to it after the break.

3 PRESIDING JUDGE SMITH: All right. We'll break now.

4 We'll give you a ten-minute break now, Witness. Thank you. You  
5 may leave the Court with the Court Usher.

6 [The witness stands down]

7 PRESIDING JUDGE SMITH: We're adjourned for ten minutes.

8 --- Break taken at 12.02 p.m.

9 --- On resuming at 12.11 p.m.

10 PRESIDING JUDGE SMITH: Please bring the witness in,  
11 Madam Usher.

12 Can you just give us an update on timing?

13 MR. DIXON: Yes. Your Honours, I should be done by the lunch  
14 break.

15 PRESIDING JUDGE SMITH: Thank you very much.

16 MR. DIXON: I really hope to be done by then.

17 PRESIDING JUDGE SMITH: Thank you. I'm not asking you to hurry.  
18 I just wanted to know.

19 MR. DIXON: Yes. Thank you, Your Honours.

20 [The witness takes the stand]

21 PRESIDING JUDGE SMITH: Mr. Selimi, the Veseli Defence will  
22 continue with questions now. Please give them your attention.

23 MR. DIXON: Thank you, Your Honours.

24 Q. Mr. Selimi, I just want to keep asking you about the document  
25 that's on the screen still - yes, it's still there - about what you

1 said in relation to Mr. Ismet Haxha.

2 You confirmed that we are talking about the same person who was  
3 with Mr. Geci. I just wanted you to confirm - my question was  
4 slightly different - that what you've said here was correct. You  
5 said:

6 "I am sure that he did not get any assignment from the  
7 General HQ or from the Drenica HQ."

8 Is that right?

9 A. Yes, correct.

10 Q. Thank you.

11 MR. DIXON: We can take that down.

12 Q. I wanted to then move on to what you were talking about in  
13 relation to Mr. Sabit Geci's wounds. You will know because were you  
14 involved in the trial with him on this matter. That's the Drenica I  
15 trial, where you were charged with him. You were both acquitted in  
16 that trial. I'll come on to that in due course. But I want to ask  
17 you if you recall evidence being given by a doctor in that case,  
18 Dr. Arben Grazhdani, who is an orthopaedic surgeon who operated on  
19 Mr. Geci after he was wounded?

20 A. I don't know what was the topic of this process.

21 Q. Yes, I'm just asking if you know there was a doctor, this  
22 doctor, Dr. Grazhdani, who operated on Mr. Geci.

23 A. I don't know how many doctors took part, but I know that his  
24 first treatment came at the hands of Dr. Fadil Beka. There were many  
25 other doctors who treated Mr. Geci at that time or afterwards.

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Cross-examination by Mr. Dixon (Continued)

1 Q. Yes. And just so we have the timeline right, he was wounded in  
2 the battle of Likoshan late February 1998; is that right?

3 A. Yes, correct.

4 Q. And do you recall this: Dr. Grazhdani gave evidence in the  
5 Drenica I trial where he said he operated on him - he was one of the  
6 first people that he conducted the operation on - in June 1998? He  
7 operated on one of his injured legs. Do you recall that?

8 A. I can't recall the details, but it's likely to be accurate given  
9 that he took part in this trial.

10 Q. Yes.

11 MR. DIXON: Well, I'll bring up a document that was used in the  
12 trial. That was 2D00006. It's a report from Dr. Grazhdani from  
13 2010. This is much later. If that could be brought up in -- it's in  
14 Albanian with an English translation, please.

15 Q. This was used in your trial and it's from the doctor.  
16 Obviously, it's much, much later after the events. But he sets out  
17 in his report here, where he says in 1998 this is -- Mr. Geci  
18 "suffered an injuries caused by the fire weapon in both legs." Do  
19 you see that in the second paragraph? And he was operated on 2 June  
20 1998 in Likoc and on 14 January 1999 in Slovenia.

21 A. Yes, I see it.

22 Q. And this is consistent with what you've said, that he was badly  
23 wounded, he had to be operated on, and that he moved to different  
24 places, including here we see Slovenia; is that right?

25 A. I think it is accurate, but I don't know.

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1 Q. Can I then also ask you if you recall during trial the evidence  
2 that was given by the doctor about the injuries to Mr. Geci?

3 MR. DIXON: And this is at SITF000370159 for the record. I  
4 don't need it to be brought up. I'll read it and see if you recall.

5 Q. The doctor said that he visited Mr. Geci and he noticed that "it  
6 was not only about the injury of the leg, as far as I remember, it  
7 was the left leg, because Mr. Sabit Geci also had injuries on the  
8 right leg above the knee. He also had injuries on his left shoulder  
9 and right elbow."

10 Do you remember him having injuries in both legs?

11 A. I know that he had been gravely injured and that he sought the  
12 help of doctors. And each time he had to move, he was in the company  
13 of other people alongside the doctors. He had need for the use of  
14 crutches, but I don't know exactly what kind of injury he had.

15 Q. And do you remember him being put in a cast after the operation  
16 which stretched from his abdomen right down to his foot?

17 A. No, I cannot recall the details.

18 Q. The doctor once again gave evidence about this in your trial.  
19 He said - I don't know if you remember this - that he would have had  
20 to be in that for maybe at least three months. Is that something you  
21 recall?

22 A. No, I cannot recall the details. No. But if a doctor said it,  
23 it would be accurate. However, these are not details that I am able  
24 to recall from this process.

25 Q. Yes, I understand.

1 MR. DIXON: The details are all recorded by the doctor. This is  
2 at SITF00370159.

3 Q. You said, though, that he was moving around on crutches. Do you  
4 recall that, in fact, he couldn't go very far on the crutches because  
5 the leg that was outside of the cast, the knee of that leg was  
6 injured, so he couldn't, in fact, support himself for very long?  
7 Once again, something the doctor gave evidence about.

8 A. I do not recall what was said during this trial, but I can  
9 repeat here that his movement was limited and he needed constant  
10 treatment by the doctors.

11 Q. Yes. He wasn't - do you remember this - actually able to leave  
12 the room because he wasn't able to walk? He could walk a few metres  
13 within the room but not beyond that. This is once again what the  
14 doctor gave evidence about.

15 A. As I said, I cannot recall a single detail from what the doctor  
16 testified on.

17 Q. Okay.

18 MR. DIXON: Well, the record is there, SITF00370168, on that  
19 point, and following.

20 Q. Can I ask, do you know then how he got from your zone to Albania  
21 and when that was?

22 A. I do not know how he made it to Albania, who with or in what  
23 mode.

24 Q. So it's right then that given his condition, as we've gone  
25 through here, he wouldn't have been able to, and you didn't see him,

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1 carry out any tasks in the field?

2 A. As I said earlier, his movement was limited and he had an array  
3 of medical problems to deal with.

4 Q. Yes. So you never saw him or knew of him conducting any  
5 operations in your zone, did you?

6 A. That's correct. With the exception of this case, I cannot  
7 recall another one.

8 Q. Sorry, which case are you talking about?

9 A. The case that I explained earlier. The case that had to do with  
10 the earlier judicial process.

11 Q. Ah, that's the Drenica I case you're talking about?

12 A. That's correct. No, no, not Drenica I. It was another  
13 occasion. It had to do with Person 1.

14 Q. Right. So in relation to that case, you've said -- you've  
15 claimed that you have spoken to him about this case. When you spoke  
16 to him about that case, was he injured, in the cast, and unable to  
17 move at that time?

18 A. Yes, he was injured and going through a difficult phase.

19 Q. But just to follow up, because you haven't answered my question  
20 on this, was he able to move around at that time?

21 A. With crutches or assisted by someone.

22 Q. So that was staying indoors? Do you know that? Did you ever  
23 see him going outdoors?

24 A. I don't recall seeing him outdoors.

25 Q. Yes. And as you said, at sometime thereafter he left for



1 Albania, you don't know how he got there. You say you had no contact  
2 with him after you had spoken to him about this case?

3 A. I have seen him on several occasions, but there was no other  
4 issue with him.

5 Q. So after this occasion when you first spoke to him about  
6 Person 1, you saw him on occasions after that? That's what I'm  
7 trying to clarify. Did you or didn't you?

8 A. Yes, I think I have seen him after this case, but I can't recall  
9 exactly.

10 Q. All right. And when you saw him after that first conversation  
11 about this case, he was still injured, wounded then, and unable to  
12 move freely; is that right?

13 A. Until the moment he left for Albania, he continued to be so,  
14 with injuries and so on.

15 Q. Yes. Thank you very much. I'm going to move off the medical  
16 side now to look at the interview that you gave to UNMIK in 2003.  
17 You mentioned earlier that you'd talked about this case of Person 1  
18 then.

19 This is a statement that is in evidence in this case. It's at  
20 P2025. I'm not going to call it up. I just want to ask you about a  
21 few parts of it, and I'll refer to the pages for those following.

22 On page 1, going over to page 2, when you were asked in the  
23 UNMIK interview:

24 "What was the function of Sabit Geci and his subordinates at  
25 this time?"

1           You said:

2           "I don't know about his function at this time because he was  
3           wounded at the time but he was always with the intelligence unit and  
4           I have heard that he was a commander of intelligence unit for Drenica  
5           at this time."

6           You remember saying that in your interview?

7           A.    I have clarified that he claimed to be acting on that behalf,  
8           and we've discussed it several times. The brother of Person 1 is the  
9           one who is involved with this. And on that -- in relation to this  
10          case, he invoked the claim that he was the chief of SHIK, and I think  
11          we've clarified this.

12          Q.    Yes. So that's what I wanted to make clear with you, that when  
13          you're talking here about him being a commander of the intelligence  
14          unit, what you're referring to is this invocation that he was making,  
15          claiming to be an intelligence unit, which you say is a false one; is  
16          that right?

17          A.    Yes, that's what he claimed at the time.

18          Q.    Yes. And it's a claim that you have said that you have looked  
19          into and it's not true?

20          MR. HALLING: Objection, misstates the evidence, a claim that he  
21          looked into.

22          PRESIDING JUDGE SMITH: Sustained.

23          MR. DIXON:

24          Q.    Well, the claim is not true?

25          A.    It is accurate. I never believed it. And I later came to learn

1     that it had not been true at the time that he claimed to be acting on  
2     that.

3     Q.    Okay.  And when you say here it is "it is accurate," just to be  
4     clear for the record you're saying that what I've said, in that it's  
5     not true, that's -- that's correct.  It's not true.  You've come to  
6     learn it not to be true; is that right?

7     A.    As I said, I did not believe him.  I did not believe it to be  
8     true.  And I later was convinced that it was not true.  And I said it  
9     at the time that this claim was made.

10    Q.    Yes.  I want to go on then, still in the UNMIK interview, a few  
11    pages on, page 4 now.  You say here in response to the question:

12            "Who was Sabit Geci's superior officer at that time?"

13            You say:

14            "As far as I know Kadri Veseli."

15            You were not asked then how you know that.  You just said:

16            "As far as I know Kadri Veseli."

17            Likewise, this claim here is not true?

18    A.    I referred to what Mr. Geci stated -- had stated.

19    Q.    Yes.  You say Mr. Geci had claimed this, but what you are saying  
20    is it's not a true statement.  Mr. Kadri Veseli was not Mr. Geci's  
21    superior; is that right?

22            MR. HALLING:  Objection, foundation.

23            MR. DIXON:  Well ...

24            PRESIDING JUDGE SMITH:  Overruled.

25            You can answer the question if you have an answer.

1 THE WITNESS: [Interpretation] Let me repeat that I was based on  
2 the claims of Mr. Geci. I later became convinced that he was not a  
3 part of that structure and that that structure did not exist at the  
4 time.

5 MR. DIXON:

6 Q. Yes. And it wasn't a structure that was commanded by  
7 Mr. Veseli. That's right, isn't it?

8 A. I don't know, but that's what Sabit Geci claimed. But I don't  
9 believe it existed because there is no evidence whatsoever of its  
10 existence.

11 Q. Yes, thank you. I want to then move on to your article in  
12 *Bota Sot* just to get the timeline correct. The UNMIK interview was  
13 in 2003, so that was after everything had come out in the media in  
14 *Bota Sot*, which was in 2002; is that right?

15 A. I believe it is.

16 Q. So you said when you were asked by the SPO about this that there  
17 were certain allegations -- serious allegations made against you in  
18 an article in *Bota Sot*, and you felt the need to have to respond to  
19 this publicly; is that right?

20 A. Yes, correct.

21 Q. This is all in relation to Person 1, and the allegation was that  
22 you were directly involved in that as Mr. Geci's superior in the  
23 zone, that you were involved with him in the commission of these  
24 crimes. That's right, isn't it? That was the allegation?

25 A. Yes, yes. According to the article.

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Cross-examination by Mr. Dixon (Continued)

1 Q. Yes. And you felt the need to have to respond to that publicly.

2 MR. DIXON: I want to call up what you have written in reply,  
3 and I want to do so by not referring to the exhibit that is admitted  
4 for this, which is P185, but another translation of this document.  
5 And the witness can comment on it and we can compare the documents  
6 quite candidly.

7 If we could get SPOE00003277 to 3279.

8 This, Witness, and for those following, is the EULEX file on the  
9 matter, which includes the *Bota Sot* article that you were shown in  
10 the original Albanian. It's exactly the same in the Albanian, which  
11 is the original, but it has a different -- or slightly different  
12 translation which I wanted to bring up and then ask the witness  
13 about.

14 So that's the first page of the article that came from the  
15 computer of the journalist. If we go over the page, we will get the  
16 EULEX translation. If we could put that on the left side. And then  
17 the original in the Albanian on the right, which is exactly the same  
18 as the original in P185. Page 3 in the Albanian. Yes, on the left  
19 side. Thank you very much.

20 Q. Now, Witness, if you can just look at that. That's the article  
21 in *Bota Sot* that's got your name at the end that you say is your  
22 response to these allegations; is that right?

23 A. Yes, that's right.

24 Q. And did you actually write all the words in this or did somebody  
25 help you?

1 A. I don't remember.

2 Q. Well, let's look at some of the wording then and see if you  
3 remember it. There is one part right in the middle which talks about  
4 the KLA, we've got here in the translation "information service," it  
5 might be "intelligence service." You see line right in the middle  
6 that starts with a -- after "*Drenices*," it starts with a capital E,  
7 "*E ai*"? Can you read out what that sentence says so we can just get  
8 a translation from it when you do so.

9 A. Which part?

10 Q. So the sentence that starts after "operative zone of Drenica."  
11 Full stop. There's a sentence which starts "*E*," which I think is  
12 "and." Just that sentence.

13 A. Yes, I found him.

14 Q. Thank you.

15 A. "And he was called as a chief of the KLA Informative Service.  
16 As an illustration" --

17 Q. Yes, thank you.

18 A. Do you want me to read further?

19 Q. No, no, we just wanted to see what that line came out as. Yes.  
20 So "he was called as a chief of the KLA [Information] Service."  
21 That's exactly the wording that we have in the EULEX translation on  
22 the --

23 JUDGE METTRAUX: "Informative," not "information," Mr. Dixon.

24 MR. DIXON: Yes, that's what I was just checking, Your Honour.  
25 Thanks for speeding it up.

Witness: Sylejman Selimi (Resumed) (Open Session)

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Cross-examination by Mr. Dixon (Continued)

1 Q. Yes, so on the right-hand side we see there the English  
2 translation which reads:

3 "And he was called as a chief of the KLA Informative Service."

4 You see that part that you've read out? You've translated it  
5 as:

6 "And he was called as a chief of the KLA Informative Service."

7 So I think it's the same. I just wanted to read it on the  
8 screen.

9 What I wanted to ask you then, now that we have the translation  
10 clarified, is when you say you wrote here "called as a chief," are  
11 you referring there to what Mr. Geci said he was called?

12 A. Yes, correct.

13 Q. So you took what he said, even though, as you've told us today,  
14 you didn't believe it was true, and you put it down in the statement,  
15 thinking: This is what he claimed. I'll repeat it.

16 Is that a fair assessment?

17 A. Sabit Geci, as I said earlier, claimed to be from this service,  
18 and I have pointed this out on several occasions, including in this  
19 statement.

20 Q. Yes. So what you're saying is you just repeated what he had  
21 told you?

22 A. Correct.

23 Q. And you did so even though you knew it wasn't true?

24 A. I never believed this, but I was not able to prove it otherwise,  
25 though. He claimed to be from this service.

Witness: Sylejman Selimi (Resumed) (Open Session)

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Cross-examination by Mr. Dixon (Continued)

1 Q. And it's correct, isn't it, that when you were having to respond  
2 very publicly in the media to these allegations, it was a convenient  
3 thing for you to repeat because it deflected attention away from you?  
4 That's right, isn't it?

5 A. I had no reason to say such a thing because he himself claimed  
6 to be.

7 Q. Yes, I know he claimed it to be true, but I think we've all  
8 agreed that you say it wasn't true.

9 A. I never believed him.

10 Q. And you never believed him either about the fact that he said he  
11 took orders from the main headquarters and no one else. That wasn't  
12 true either, was it?

13 A. At this time, he claimed to act in the name of SHIK and the  
14 General Staff.

15 Q. Yes, that was something he claimed. But as we've clarified,  
16 there was no SHIK at the time. That was only established later. So  
17 he wasn't telling the truth, was he?

18 A. This is for him to deal with. But, again, on this occasion he  
19 claimed as he did. I did not believe him at the time.

20 Q. Yes, thank you. I want to then just finally, before we  
21 conclude, look at what the SPO asked you about your conviction in the  
22 Drenica II case.

23 In that case, it's right, isn't it, it's final now, that  
24 Mr. Geci was not charged with you in that case?

25 A. That's correct.



Witness: Sylejman Selimi (Resumed) (Open Session)

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Cross-examination by Mr. Dixon (Continued)

1 Q. He was charged with you - and I said I'd come back to this - in  
2 the Drenica I case, where we were looking earlier on at the evidence  
3 given by the doctor in that case. That's correct, isn't it?

4 A. I don't know if he was. I believe so.

5 Q. Yes. I mean, we can bring up the record, but do you recall that  
6 you were charged with him in that case? You as the commander of the  
7 zone and he as somebody within your zone?

8 A. Yes, that's correct.

9 Q. And it concerned crimes committed in Likoc in 1998?

10 A. Correct.

11 Q. That was the allegation. But in the end, it's right that you  
12 were acquitted as was Mr. Geci in that case?

13 A. Correct.

14 Q. And do you recall that the evidence of the doctor who we  
15 referred to later was found to be reliable evidence?

16 A. I don't recall this. I don't recall his evidence, but we  
17 discussed the matter.

18 Q. Yes. Mr. Geci was only ever convicted, if you know this,  
19 regarding certain crimes committed not in Kosovo but in Albania much  
20 later in April 1999. Do you know that?

21 A. No, I don't.

22 Q. But that certainly wasn't a trial that you were involved in? He  
23 was charged separately for those specific offences outside of Kosovo?

24 A. Okay.

25 Q. You weren't involved in that trial?

Witness: Sylejman Selimi (Resumed) (Open Session)

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Cross-examination by Ms. V. Alagendra

1 A. What is the question?

2 Q. The question is you weren't involved in that trial?

3 A. No, I wasn't.

4 Q. Thank you, Mr. Selimi.

5 MR. DIXON: Your Honours, those are my questions.

6 PRESIDING JUDGE SMITH: Thank you.

7 Mr. Roberts.

8 MR. ROBERTS: Thank you, Your Honours.

9 Thank you, Mr. Selimi. I have no questions at this time.

10 PRESIDING JUDGE SMITH: Thank you.

11 Mr. Ellis -- or, I'm sorry, I'm not sure who is handling this.

12 MS. V. ALAGENDRA: If you can just give me one minute.

13 PRESIDING JUDGE SMITH: Yes, of course.

14 Cross-examination by Ms. V. Alagendra:

15 Q. Good afternoon, Mr. Selimi. I am Venkateswari Alagendra, and I  
16 represent Mr. Jakup Krasniqi. I just have a couple of questions for  
17 you now.

18 In Preparation Note 2, you've stated that you did not know  
19 Jakup Krasniqi was a General Staff member until he came out publicly  
20 as the KLA spokesperson. Do you recall saying that to the  
21 Prosecution?

22 A. Yes, that's correct.

23 Q. And just so we have a timeframe on that, that would be around  
24 mid-June 1998; correct?

25 A. I believe it's correct.

Witness: Sylejman Selimi (Resumed) (Open Session)

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Cross-examination by Ms. V. Alagendra

1 Q. Right. And on Monday, you were shown some documents purporting  
2 to be some conversations between yourself and Bislim Zyrapi relating  
3 to the kidnap of five Serb civilians. Do you recall that?

4 A. Yes.

5 Q. And your evidence is that you never had a discussion with  
6 Bislim Zyrapi on the five Serb civilians. Is that your evidence?

7 A. Yes. I stated that I do not recall any such conversation taking  
8 place.

9 Q. Right. And so would it also be correct that you've never had  
10 any conversation with Jakup Krasniqi regarding those five Serb  
11 civilians? It's correct?

12 A. I don't recall having had any conversation with Mr. Krasniqi.

13 Q. Right. One last question. On 1 February 1999, were you in  
14 Kosovo?

15 A. Yes, I was.

16 Q. Right. So if there was any alleged conversation suggesting that  
17 you were in Switzerland on 1 February 1999, that would not be  
18 correct; yes?

19 A. That wouldn't. Correct.

20 Q. Thank you.

21 MS. V. ALAGENDRA: Those were my questions, Your Honour.

22 PRESIDING JUDGE SMITH: Thank you, Ms. Alagendra.

23 Redirect?

24 MR. HALLING: Yes, Your Honour. And we are releasing a  
25 presentation queue in that regard, but I'll start with items that

Witness: Sylejman Selimi (Resumed) (Open Session)

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Re-examination by Mr. Halling

1       aren't on it to make that easier.

2               PRESIDING JUDGE SMITH: Yes, go ahead.

3                       Re-examination by Mr. Halling:

4       Q.     Witness, I want to ask you some further questions about some  
5       matters that were discussed in cross-examination today and yesterday.

6               I want to start with the purported order to arrest Hashim Thaci,  
7       Kadri Veseli, and Rexhep Selimi, and this is from pages 25083 to  
8       25093 of the provisional transcript.

9               Now, you were read one of the two paragraphs from your  
10      preparation note about this item, and that was on pages 25083 to  
11      25084.

12              MR. HALLING: Your Honour, I would now like to read to the  
13      witness the rest of what he said on that item, which is from  
14      paragraph 14 of Preparation Note 2.

15              MR. MISETIC: Objection, Your Honour. That's leading. He can  
16      try to elicit what he wants to, and then if he needs to refresh under  
17      143, he can do that, but I don't think he's allowed to lead. It's  
18      not in evidence.

19              MR. HALLING: Counsel opened the door by reading half of what he  
20      said. I want to read --

21              PRESIDING JUDGE SMITH: Yes, go ahead.

22              MR. HALLING: -- the rest.

23              PRESIDING JUDGE SMITH: The objection is overruled.

24              MR. HALLING: Thank you.

25      Q.     So, Witness, this is what is written in the preparation note

Witness: Sylejman Selimi (Resumed) (Open Session)

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Re-examination by Mr. Halling

1 about this purported arrest order:

2 "Laughing when it was initially shown, [you do] not think this  
3 document is authentic and referred to it as nonsense. [You had]  
4 never seen this document before, it bears no signature, and [you do]  
5 not think that such an order would take this form. It was not  
6 possible to issue an order to arrest someone like Rexhep Selimi  
7 because he is [your] uncle's son."

8 Is that correct?

9 A. Yes, that's correct.

10 Q. Turning now to the questions that were asked of you just now by  
11 the Veseli Defence about your 2003 statement, which is in our record  
12 at P2025. Was that 2003 statement read back to you and signed by you  
13 in 2003?

14 A. I believe it was. I do not recall it specifically, but I think  
15 that's the procedure. Yes.

16 MR. HALLING: If the Court Officer could please pull up P2025,  
17 page SITF0031718. And if we scroll to the bottom of the page.

18 Q. Witness, you can see in the original, which is actually the  
19 English, is that your signature on the bottom of the page?

20 A. Yes, that's correct.

21 Q. And this is part of that 2003 statement. It also says:

22 "Read (or read in the native language to stating person) and  
23 confirmed by the stating person."

24 Is that what happened?

25 A. Yes, that's correct, that I signed it and I gave this statement.

Witness: Sylejman Selimi (Resumed) (Open Session)

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Re-examination by Mr. Halling

1 Q. Now, you had an opportunity in the preparation session to read  
2 this statement again; correct?

3 A. Yes, that's correct.

4 Q. And all of the corrections that you made were recorded in the  
5 preparation note. Is that also correct?

6 A. That's correct.

7 Q. And this was one of the statements that you confirmed in the  
8 courtroom on Monday with your corrections attached reflected what you  
9 would say if examined on these points in this courtroom. Do you  
10 remember that as well?

11 A. Yes.

12 MR. HALLING: If we can now put on the screen P2029, and  
13 specifically page 125421.

14 Q. Witness, I'm afraid this page is only in English, but this is  
15 the relevant part of your preparation note.

16 MR. HALLING: And just for everyone's reference, I wanted it on  
17 the screen, but I'll read the entirety of it into the record so that  
18 you can hear it through interpretation. So for those following on  
19 the screen, this is paragraphs 8 and 9. That ERN is what became  
20 P2025.

21 Q. "This so-called intelligence unit was active in June 1998, but  
22 Sabit Geci did not hold any post in the Drenica Operational Zone.  
23 Sabit Geci and the people with him referred to themselves either as  
24 an intelligence unit or as SHIK. [You do] not know Sabit Geci's  
25 father's name, but he is from Llaushe.

Witness: Sylejman Selimi (Resumed) (Open Session)

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Re-examination by Mr. Halling

1            "[You know] a second Sabit Geci, who was also in the Drenica  
2            Zone and became a member of the 114th Brigade. This Sabit Geci is  
3            not discussed at all in this statement, and he was not part of the  
4            intelligence unit."

5            Witness, were those your corrections from the preparation  
6            session on this statement from UNMIK?

7            A. Yes, that's correct. But with respect to Sabit Geci, this is in  
8            answer to a question that was put to me which was: Was there any  
9            other Sabit Geci? And I gave the answer and explained it. And I  
10           explained about this other Sabit Geci who was a member of the zone.  
11           But that's correct, yes.

12           Now, with respect to whether he was active in SHIK, I'm not sure  
13           what I said. I think I said he was not.

14           MR. QERKINI: [Microphone not activated].

15           THE WITNESS: [Interpretation] Here it reads "the so-called." If  
16           you allow me to analyse. What I think I said is that SHIK at this  
17           time was not operational.

18           MR. HALLING: And I would like it noted for the record that  
19           Duty Counsel said something that's not recorded in the transcript to  
20           the witness during that answer.

21           THE WITNESS: [Interpretation] Yes. I apologise. I asked him:  
22           Did I say that this was not active -- he was not active in this and  
23           ...

24           MR. HALLING:

25           Q. So, Witness, in the 2003 UNMIK statement there's a sentence

1 here. It doesn't need to be on the screen, but it's on the first  
2 page. You were talking about the brigades in your zone, and then you  
3 said:

4 "After this was formed one intelligence unit that received  
5 orders directly from the MHQ, and we didn't know who is operating in  
6 this unit and we always had trouble with this unit."

7 Now, Witness, my question for you is, is that correct that you  
8 were always having trouble with this unit?

9 A. Again, I refer to the problem that was there, the process of  
10 what happened on one occasion. Now, can I say that this was a source  
11 of trouble? I cannot. I always referred to this case, the occasion  
12 on which I had this complaint.

13 MR. HALLING: If the Court Officer could please go back to the  
14 second page of the preparation note, the two corrections paragraphs.  
15 We'd just like them to remain on the screen for purposes of this  
16 conversation.

17 Q. Now, Witness, you didn't correct, in all of the opportunities  
18 you had, this line. Why didn't you correct it if it was just a  
19 single occasion?

20 A. To be honest, I just gave it a look at it and didn't really pay  
21 attention to small details. My position was constantly the  
22 following, which is that Sabit Geci, this group, claimed or referred  
23 to themselves or invoked this institution. I did not believe them at  
24 the time. I don't believe it now. And I have always stated with  
25 respect to Sabit Geci that he was not a member of the Drenica



1 operational zone. He was a member of the army who had been wounded  
2 and was treated by the doctors.

3 So I always gave general descriptions. I didn't necessarily go  
4 into details. That's all.

5 Q. So you considered that this intelligence unit that was claiming  
6 to be receiving orders directly from the General Staff, that you were  
7 always having trouble with them was a small detail?

8 A. It was not insignificant or small detail but -- but when they  
9 invoked or claimed to be from the General Staff.

10 MR. HALLING: Your Honours, we're going to continue along these  
11 lines, but we note the time.

12 PRESIDING JUDGE SMITH: All right.

13 Witness, we'll take a break for lunch now. We'll take this up  
14 again at 2.30. Thank you for being with us thus far. You may leave  
15 the courtroom now with the Court Usher.

16 [The witness stands down]

17 PRESIDING JUDGE SMITH: We're adjourned until 2.30.

18 --- Luncheon recess taken at 1.01 p.m.

19 --- On resuming at 2.30 p.m.

20 PRESIDING JUDGE SMITH: Madam Court Officer, we are going to  
21 issue an oral order, so please take us into private session.

22 [Private session]

23 [Private session text removed]  
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1 [Private session text removed]

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1 [Private session text removed]

6 [Open session]

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

8 PRESIDING JUDGE SMITH: Thank you.

9 Madam Usher, please bring the witness in -- oh.

10 MR. DIXON: Well, Your Honours, could I just use the opportunity  
11 quickly to seek the admission of two documents I used in my  
12 cross-examination while the witness is being brought in, if that will  
13 save time.

14 The first is the EULEX translation of the *Bota Sot* article,  
15 that's 00003277 --

16 PRESIDING JUDGE SMITH: [Microphone not activated].

17 MR. DIXON: -- to 000 --

18 PRESIDING JUDGE SMITH: [Microphone not activated].

19 MR. DIXON: Yes, so the numbers are 00003277 to 00003279.

20 PRESIDING JUDGE SMITH: Any objection to that?

21 MR. HALLING: None, Your Honour.

22 MR. DIXON: And, Your Honours --

23 PRESIDING JUDGE SMITH: Just a second. 00003277 to 00003279 is  
24 admitted and will be assigned an exhibit number.

25 MR. DIXON: Your Honour, it could be added to the existing

1 Exhibit 185. Sorry to interrupt.

2 PRESIDING JUDGE SMITH: Well, you want to add it to something  
3 else?

4 MR. DIXON: Yes. I mean, it could be given a separate number or  
5 just added to the existing Exhibit 185, which is the SPO translation,  
6 so that it's together and they can be viewed easily together.

7 PRESIDING JUDGE SMITH: Any objection to that?

8 MR. HALLING: We have no objection. Just to note that two  
9 different versions are tendered by two different parties. So if it's  
10 possible to relate the numbers in that circumstance, it's fine with  
11 us.

12 PRESIDING JUDGE SMITH: It will be filed with P0185.

13 Go ahead. Now next.

14 MR. DIXON: Thank you, Your Honours. And the only other request  
15 is to admit the record of the examination of the witness in the case  
16 that I referred to. I referred the witness to one particular part of  
17 that, but it's a short transcript, and that is 00364447 to 00364456.  
18 Your Honours will recall the witness was shown one answer that he  
19 gave, and he confirmed that answer.

20 PRESIDING JUDGE SMITH: [Microphone not activated].

21 Any objection?

22 MR. HALLING: Your Honour, as I understand it, this is one of  
23 the statements of the witness --

24 MR. DIXON: Yes.

25 MR. HALLING: -- on the stand that has not yet been admitted.

1 We don't have any objection to admitting that.

2 PRESIDING JUDGE SMITH: 00364447 to 00364456 is admitted.

3 THE COURT OFFICER: Your Honours, that will be assigned  
4 Exhibit 2D44. And if we can clarify classification.

5 MR. DIXON: Your Honours, I think it is -- it's a public  
6 document. We would just --

7 PRESIDING JUDGE SMITH: It will be reclassified as public.

8 MR. HALLING: Actually --

9 PRESIDING JUDGE SMITH: What about the first --

10 MR. HALLING: -- Your Honour, I'm not sure that's entirely  
11 correct. What we would ask is to keep it confidential for now and  
12 then review it with the other statements in the transcript review  
13 process.

14 PRESIDING JUDGE SMITH: All right. That request is reasonable.

15 MR. DIXON: Yes, that --

16 PRESIDING JUDGE SMITH: We will do that.

17 MR. DIXON: I would agree. Thank you, Your Honours. Those are  
18 our requests.

19 PRESIDING JUDGE SMITH: All right. You can bring the witness in  
20 now.

21 [The witness takes the stand]

22 PRESIDING JUDGE SMITH: You may be seated.

23 Mr. Selimi, we continue with questions from the Prosecutor.  
24 Go ahead.

25 MR. HALLING: Thank you, Your Honour.

Witness: Sylejman Selimi (Resumed) (Open Session)

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Re-examination by Mr. Halling

1 Q. Good afternoon, Witness. We were talking before the break about  
2 your 2003 UNMIK statement. And for reference, again in English, we  
3 have the relevant part of the preparation note on the screen. I want  
4 to ask you about a second sentence within it.

5 You were asked following in 2003:

6 "Please tell me the names of the commanders of the special unit  
7 and intelligence unit?"

8 And you responded:

9 "The commander of the special unit was Jahir Demaku, and the  
10 commander of the intelligence unit was Kadri Veseli."

11 Witness, you never said that you didn't believe that  
12 Kadri Veseli was in charge of this unit. Why didn't you correct this  
13 sentence if it wasn't true?

14 A. I don't know. I'm seeing it only now.

15 Q. Witness, the sentence that I read to you you've seen at least  
16 twice because you saw it in -- it was read back to you in 2003 and  
17 you got to read a version in Albanian for your preparation session.  
18 Why didn't you say you didn't believe this?

19 A. The question was never asked.

20 Q. Witness, you were asked in this courtroom if your statements  
21 with your corrections from the preparation session reflect what you  
22 would say if examined in this courtroom. You were asked if this  
23 statement was true. Why didn't you say it wasn't?

24 A. First of all, I only have this in English. Can I see that in  
25 Albanian? The one that's on the screen, that is.

Witness: Sylejman Selimi (Resumed) (Open Session)

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Re-examination by Mr. Halling

1 MR. HALLING: I would like to keep the preparation note on one  
2 side of the screen, but for the benefit of the witness, if we could  
3 please put the Albanian translation of P2025, page 1, on the other  
4 side.

5 Q. Witness, we can do that. It will be on the screen in a moment.

6 A. Thank you.

7 MR. HALLING: And if we scroll to the bottom of the page.

8 Q. So what I was asking you about was this sentence:

9 "Please tell me the names of the commanders of the special unit  
10 and intelligence unit?

11 "A. The commander of the special unit was Jahir Demaku, and the  
12 commander of the intelligence unit was Kadri Veseli."

13 Witness, is this correct?

14 A. I can see it now. This was within the context of Kadri Veseli  
15 having been made chief of G2 or the intelligence unit. The language  
16 there as commander of the unit, I think, is wrong. However, I think  
17 what I said is that he was in charge of the department called G2, or  
18 something like that.

19 Q. So, Witness, is it your testimony that your response to this is  
20 that you were referring to Kadri Veseli being in charge of  
21 intelligence in general?

22 A. I think that it was a mistake because, for this period in  
23 particular, only Mr. Geci's claim is the one to link him to being  
24 chief of intelligence.

25 Q. If it was a mistake, why didn't you correct it in your

Witness: Sylejman Selimi (Resumed) (Open Session)

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Re-examination by Mr. Halling

1 opportunities to do so last week and this week?

2 A. It's my mistake at not having read this detail.

3 Q. You consider that Kadri Veseli being the commander of the  
4 intelligence unit to be a small detail?

5 A. I was wrong not to notice this at the end. But even where I  
6 mention what I mentioned, I based it on what Mr. Geci said about that  
7 particular point in time.

8 Q. We'll look at one more of these.

9 MR. HALLING: If we can go to the second page in the Albanian  
10 version of the statement. The preparation note paragraphs are the  
11 same.

12 Q. You were also asked the following question in 2003:

13 "When you mentioned different people doing these deeds," and  
14 this was in reference to a previous answer involving Person 1, "do  
15 you refer to Sabit Geci and his companions?"

16 And you responded:

17 "I don't know was Sabit that one doing these deeds but  
18 Kadri Veseli was the commander of SHIK (Intelligence Unit) and there  
19 were other groups unknown to us operating in the zone, but I also  
20 know that some of our soldiers had problems with these groups. The  
21 best would be to ask Kadri Veseli because he knows the best about the  
22 structure of his unit and where they were located."

23 Witness, you said to the Veseli Defence counsel that you had no  
24 evidence of the existence of the unit. Aren't you talking here about  
25 evidence of the existence of this unit?



1 A. Again, it is to do with that particular case and what Mr. Geci  
2 stated on this occasion. As far as Mr. Veseli is concerned, this is  
3 wrong in my view. He was in the General Staff but in charge of G2 or  
4 intelligence, and I was not aware of what the structure was like at  
5 the time. So if I referred to it in any shape or form, that was  
6 based on the fact that Mr. Veseli was serving in the General Staff as  
7 the person in charge of G2 or intelligence, because I never knew that  
8 in detail. For this period in time, all my references are to be  
9 traced back to what Mr. Geci stated.

10 Q. Witness, that again calls into question why you didn't correct  
11 this paragraph in your preparation session or at the beginning of  
12 your testimony. Why didn't you do that?

13 A. As I said, I did not peruse it. I just cast a glance over it,  
14 thinking that the themes that we were going to focus on were very  
15 clear to me.

16 Q. And, Witness, you were saying that you understood Kadri Veseli  
17 being in charge of G2. Am I correct that at the time of the events  
18 you're discussing in this statement, this is June 1998?

19 A. No. I'm referring to a later period when things were more  
20 public and which was even discussed earlier. Whilst for this period  
21 of time, my references are only to the statements made by Mr. Geci.

22 Q. Witness, you say in the preparation note on the screen the  
23 "so-called intelligence unit was active in June 1998." Are you  
24 saying that at this point of your UNMIK statement you left that time  
25 period and started talking about information from later?

1 MR. DIXON: Your Honour, can I object to this line of  
2 questioning? Perhaps it's better done without the witness here.

3 PRESIDING JUDGE SMITH: Please take the witness out.

4 [The witness stands down]

5 PRESIDING JUDGE SMITH: Okay.

6 MR. DIXON: Your Honours, of course, there's no objection to  
7 asking the witness about why he might have or not corrected  
8 something, but I object to making reference to paragraphs 8 and 9 as  
9 the places where corrections are meant to be made, because it's not  
10 clear that that's what was asked of the witness: Please put down  
11 here what your corrections are. Rather, those are questions, it  
12 would seem, as the witness has indicated, coming from Mr. Halling,  
13 asking him about, "Who's your father?" "Is there another  
14 Sabit Geci?" So the Prosecutor asking questions, then they are  
15 getting recorded as opposed to the Prosecutor saying, "Okay, come on,  
16 let's go through it step by step now, line by line. Let's list all  
17 your corrections."

18 So I think it's wrong and unfair to put to the witness that when  
19 he talked about what he talked about here at 8, he should have made  
20 the correction, because really he's being asked a specific question,  
21 it would appear, by Mr. Halling at that point. And we don't have any  
22 record of this conversation.

23 PRESIDING JUDGE SMITH: It's proper redirect, and your objection  
24 is overruled.

25 Bring the witness back in.

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1 [The witness takes the stand]

2 PRESIDING JUDGE SMITH: You may continue, Mr. Halling.

3 MR. HALLING: Thank you.

4 Q. Witness, I've been given permission to ask that last question to  
5 you. But just for your benefit, I'll repeat it so you have it again.

6 Witness, you say in the preparation note on the screen that the  
7 "so-called intelligence unit was active in June 1998." Are you  
8 saying that at the point of the UNMIK statement we were just  
9 discussing, that you left that time period and started talking about  
10 information from later?

11 A. No. What I'm saying is that I referred to what Mr. Geci stated  
12 in those proceedings. And I wasn't able to ascertain nor did I  
13 pursue it any further. I had my own issues to deal with. As far as  
14 Mr. Veseli is concerned, I've never met him before and all my  
15 references are based on what Mr. Geci stated. That's it.

16 Q. Now, Witness, you were telling Veseli Defence counsel that you  
17 are not convinced that there was such a unit at this point. When did  
18 you become not convinced?

19 A. On this -- even on this particular isolated instance, when I  
20 inquired, I was not convinced that Mr. Geci was telling the truth.  
21 However, I did not pursue it any further because of the circumstances  
22 of the time. However, I reproduced what he stated at the time.

23 Q. Can you explain why you didn't tell UNMIK in 2003 that you  
24 weren't convinced about Kadri Veseli being in charge of such a unit?

25 A. They never asked that question.

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1 Q. Well, then can you explain why last week in your preparation  
2 session when you had an opportunity to clarify or correct this part  
3 that you didn't say you weren't convinced by Kadri Veseli being in  
4 charge of this unit?

5 A. You didn't ask this question of me directly either.

6 Q. When you were asked on Monday if all of your statements were  
7 accurate subject to the corrections in the preparation note, why did  
8 you say yes if you weren't convinced by this?

9 A. You mean to the concrete question, the one that you're asking  
10 now? You did not ask me that question. It is my belief that I did  
11 not have any further knowledge with respect to this period. But the  
12 fact of the matter is that I did not read every single detail of  
13 this -- of the statement, and you did not ask me that question  
14 directly either.

15 MR. HALLING: The witness's prior testimony is clear from the  
16 record of Monday. I'll move on.

17 The documents can be taken off the screen.

18 Q. I now want to turn to a couple of last points. The first is in  
19 relation to Adem Demaci. The Thaci Defence asked you some questions  
20 about the influence of Adem Demaci around the time of Rambouillet, in  
21 particular whether he was given the competence for the political  
22 leadership of the KLA, and you said you didn't know. And this is  
23 from transcript pages 25068 to 25069.

24 My initial question is, as the KLA spokesperson, was  
25 Jakup Krasniqi better placed to know this than you?

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1 A. I don't know. However, I can add here that Mr. Demaci was one  
2 of the greatest patriots, an individual who had not only my  
3 respect -- the greatest of respects from myself but from the entire  
4 population of Kosovo. Whether between the two of them they were  
5 aware of this or not, I cannot say.

6 Q. My question is not about Mr. Demaci's reputation or influence,  
7 but specifically whether he was the general political representative  
8 of the KLA. Can you say one way or the other whether Jakup Krasniqi  
9 would be well placed to know this?

10 MS. V. ALAGENDRA: Is the witness able to answer the question,  
11 Your Honours?

12 MR. HALLING: That was my --

13 MS. V. ALAGENDRA: He's clearly seeking an opinion from the  
14 witness as to whether or not Jakup Krasniqi would have known.

15 PRESIDING JUDGE SMITH: That was the question he asked.

16 Go ahead. Answer the question if you know. [Microphone not  
17 activated].

18 THE WITNESS: [Interpretation] I don't know. But as a spokesman,  
19 his position at face value would have been lower.

20 MR. HALLING:

21 Q. Well, why don't we see what Jakup Krasniqi said.

22 MR. HALLING: If the Court Officer could please pull up  
23 SPOE00230638 in Albanian and English. And in the English version  
24 it's page 3 of the transcript.

25 Q. Witness, the document on the screen you did not see in your

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1 preparation session. But just for context, this is an interview of  
2 Jakup Krasniqi on 4 March 1999. And he says the following:

3 "In fact, Adem Demaci has never been general political  
4 representative of the KLA. His responsibility was to create these  
5 institutions we are now creating. No individual replacement of  
6 anyone can be a substitute for the collective work of the GS, or the  
7 Political Directorate of the GS of KLA."

8 Do you have any reason to dispute what Jakup Krasniqi is saying  
9 here?

10 A. I can only state that Mr. Demaci was a public figure at this  
11 time, and he was the political representative of the Kosovo  
12 Liberation Army with an office and address in the centre of  
13 Prishtine. I don't know what Mr. Krasniqi is talking about here, and  
14 I cannot comment on it.

15 Q. Very well.

16 MR. HALLING: If we could now put P1883 on the screen, and  
17 specifically page SPOE00131856.

18 Q. Now, Witness, again for context, this is an interview with  
19 Rexhep Selimi, and he is talking about how the KLA ultimately  
20 divorces itself from Adem Demaci after the return of the Rambouillet  
21 delegation. And I just want to read part of that to you. So:

22 "KLA's final divorce with Demaci happened in the Berisha  
23 Mountains, did it not? The delegation returned from Rambouillet on  
24 Thursday, while Demaci met with the General Staff on Saturday. How  
25 did that meeting go?"

1 And the response from Selimi is:

2 "Demaci left the General Staff meeting. He insisted that the  
3 deal was not signed at all and attempted to use his influence on zone  
4 commanders, but the zone commanders ignored him, so his silence since  
5 then has shown his disappointment or failure. His silence or  
6 disengagement in the various processes has been unjustified and has  
7 left a void in his otherwise very fruitful life as a symbol of  
8 national resistance."

9 Is Rexhep Selimi's account of how Adem Demaci stops being the  
10 general representative -- stops his role accurate?

11 A. What I am able to say is that Mr. Demaci remained as a political  
12 representative until the return of the delegation from Rambouillet,  
13 and that has been my assessment all along. Whereas what's being  
14 referred to in this article, that would be an issue that is best  
15 known by those in the General Staff who took part in these  
16 discussions. As far as I'm concerned, Mr. Demaci remained one of the  
17 main prominent public figures in Prishtine. All his statements were  
18 public. And I met him several times in the Drenica operational zone.

19 Q. I understand that. But there is a specific sentence of  
20 Rexhep Selimi that you might be in a position to know. It's the one  
21 where he says:

22 "He insisted that the [Rambouillet] deal was not signed at all  
23 and attempted to use his influence on zone commanders, but the zone  
24 commanders ignored him, so his silence since then has shown his  
25 disappointment or failure."

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1 Is Rexhep Selimi's account of those events accurate?

2 A. Again, there might be something correct in there, but I know  
3 that after the signing of the Rambouillet agreement we had no further  
4 contacts with Mr. Demaci, with the exception of one or two occasions  
5 through the phone. I think at this time he was in Slovenia, on that  
6 occasion when I communicated with him over the phone. With respect  
7 to his position after this, I don't know.

8 Q. And as to the general commander post, did Adem Demaci have any  
9 influence over your election as general commander?

10 A. No, he didn't.

11 Q. Thank you.

12 MR. HALLING: The document can be taken off the screen.

13 Q. The last thing I want to ask you about is you were asked many  
14 questions by the Thaci Defence, and to some extent the Veseli  
15 Defence, as to meetings leading to the general commander post,  
16 including meeting minutes talking about rumours of a coup.

17 MR. HALLING: And you can see this in transcript pages 25053 to  
18 25071 from yesterday and realtime transcript pages 7 to 9 today.

19 P182 has come up a lot. If that could please be put on the  
20 screen, starting at page SPOE00226405.

21 Q. I want to go back to the minutes of the 6 February 1999 meeting  
22 you were asked questions about. Do you recall these questions? So,  
23 Witness, just to orient the part I'm interested in. So this was the  
24 page you were asked questions about where Sami says:

25 "Rexhep Selimi, Hashim Thaci and Kadri Veseli are responsible



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1 for this situation we are in at the moment."

2 Just to orient you.

3 MR. HALLING: If we go to the next page.

4 Q. You were shown this page really just for the fact that it says  
5 "Syla" at the top, and it was put to you this was the beginning of  
6 your intervention, but the intervention itself wasn't put to you.  
7 And this is what it said under "Syla" on this page:

8 "In the Operational Zone of Drenica, we have appointed at the  
9 top those who have fought bravely from the start.

10 "Hashim, Kadri and the '10' have contributed to the war from the  
11 beginning.

12 "The '10' is one of those who has risked most during the war."

13 Is it accurate what is recorded here about what these three men  
14 meant to the war?

15 A. No, I don't think so. First of all, I don't know the origin of  
16 this writing. I'm not aware of this meeting having taken place or  
17 this matter having been discussed.

18 Q. Witness, that's interesting, but that actually isn't the answer  
19 to my question. My question is just about your own position on the  
20 content. Is it accurate what is recorded here about what these three  
21 men meant to the war?

22 A. It is not my position. First of all, I don't know if what's  
23 written here is accurate. I do not recall any meetings where this  
24 thing, where this matter was discussed.

25 Q. Well, let's go to the next page then. You were shown this page

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1 as well. This is on T25059 to 25060, the discussion about it. And  
2 it was this:

3 "Until we have new appointments, I will not respond to any  
4 requests from or brief you and I think [that] even my post as  
5 Commander of the Operational Zone will be contested.

6 "Only then I will carry out all the tasks that the General Staff  
7 assigns us and will not contest any orders."

8 Now, Witness, you did talk about this in the preparation  
9 session.

10 MR. HALLING: Your Honours, if I could go to Preparation Note 2  
11 to read the paragraph that is relevant to this, which is paragraph  
12 45.

13 PRESIDING JUDGE SMITH: Yes, go ahead.

14 MR. HALLING: Thank you.

15 Q. Now, Witness, when you were shown this page in the preparation  
16 session, what you said was:

17 "[You] never said [you] would contest orders in the manner  
18 described here."

19 Is that correct?

20 A. It is correct. I do not recall any such meetings where this  
21 matter was discussed. As far as I am concerned, it is correct that I  
22 have never contested. I might have had remarks on specific persons  
23 holding specific positions, but I have not contested anything.

24 Q. Thank you.

25 MR. HALLING: If we could now have up on the screen a video,

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1 068933B Part 4, and queue it to 00:42:55. And if that can be on one  
2 side of the screen; and on the other side, the English translation,  
3 P761.4, starting at page 13.

4 And, Your Honours, unlike a previous version played, this is  
5 Rexhep Selimi's SPO interview. We don't see any need to play this in  
6 private session, and we would propose to stay in public for this.

7 PRESIDING JUDGE SMITH: Go ahead.

8 MR. HALLING: I'll just wait a moment for it to be queued up.

9 [Trial Panel and Court Officer confers]

10 PRESIDING JUDGE SMITH: We just indicated that the video can be  
11 broadcast.

12 MR. HALLING: And when everything is ready, the full timestamp  
13 will be from 00:42:55 to 00:44:44.

14 Q. And, Witness, for context, this is an interview that  
15 Rexhep Selimi gave to the SPO and it was video recorded. And he's  
16 going to be talking in this portion about you in the general  
17 commander post, and just to watch this and then I'll ask a question.

18 [Video-clip played]

19 "Did I understand you correctly to say that you, yourself, made  
20 the proposal for Azem Sylja to be removed?

21 "Not exactly like this. I kind of went the other way around  
22 with the proposal.

23 "What do you mean?

24 "I asked the zone commanders for them to decide at that meeting,  
25 without leaving at all, without leaving, without going anywhere, who

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1 they wanted to be their commander. And I said that the commander was  
2 to be one of them, and I told them to get together and decide  
3 together. And this is how we acted on that day. They proposed one  
4 of themselves, i.e. Sylejman Selimi, as a general commander. And it  
5 was decided that day that Sylejman Selimi would be the general  
6 commander based on the proposal of the zone commanders. It was  
7 impossible for this to be formalised at night. In the next  
8 General Staff meeting, whoever was there - and I don't remember which  
9 of us was there - accepted their proposal and made it into a  
10 decision.

11 "Was Azem" --

12 MR. HALLING: Thank you, Madam Court Officer.

13 Q. Witness, is what Rexhep Selimi describes here about how you  
14 became the general commander accurate?

15 A. Yes, that's correct.

16 Q. One last item I wanted to ask you about.

17 MR. HALLING: If we could please put on the screen DHT03883 to  
18 DHT03894-ET.

19 Q. Now, Witness, this is provided to us by the Thaci the Defence in  
20 English, but I can explain what it is and read the portions that I'm  
21 interested in. It says:

22 "Kosova, War and Peace, Shkelzen Gashi

23 "Sylejman Selimi"

24 Do you recall giving an interview with Shkelzen Gashi in 2005?

25 A. I don't recall it, but I think I did. Can we have it in

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1 Albanian?

2 Q. I don't have the full version in Albanian, but I'm only  
3 interested in very small parts of it.

4 MR. HALLING: If we can go to the second page.

5 Q. And I'll read you the question and answer.

6 A. [In English] Okay.

7 Q. So IF we scroll down, it begins with:

8 "Who were the commanders that did not agree with Rambouillet?"

9 And then you answer:

10 "All the commanders of KLA operational zones were against it.

11 As zone commanders, we were opposed to it, and every time we  
12 communicated amongst ourselves, we raised as a problem the content of  
13 the Rambouillet agreement. In a way, we pressured them not to sign  
14 this agreement.

15 "Apart from pressure, did you also stage a coup?"

16 Answer:

17 "That is not true. We did not plan a coup."

18 Witness, is what you said accurate?

19 MR. MISETIC: Can we finish the rest of the paragraph, please?

20 MR. HALLING: Happy to.

21 THE WITNESS: [No interpretation].

22 MR. HALLING: I missed the witness's answer.

23 THE WITNESS: [Interpretation] Yes, that's correct.

24 MR. HALLING:

25 Q. And just to finish:

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1            "As KLA zone commanders, we did have very good contacts with the  
2            KLA ... Political Representative, Adem Demaci, and his office in  
3            general. We asked many times to know who the KLA General Commander  
4            was. We were told" - if we can go to the next page - "there was  
5            a ... General Commander, but we did not know who it was. Every time,  
6            in all meetings of KLA zone commanders it was asked to be known who  
7            the KLA General Commander was, to know who was leading us."

8            And, Witness, I believe you were saying that as well to the  
9            Thaci Defence on cross-examination; yes?

10          A.    Yes, correct.

11          MR. HALLING: If we can now go to DHT03890, and at the very  
12          bottom of the page, and the quote will end on page 3891.

13          Q.    There is one last excerpt of this I wanted to read to you. So  
14          the interviewer begins:

15          "I have no dilemmas that the Rambouillet Agreement is  
16          catastrophic, but I have dilemmas if we could have continued the war  
17          and win it."

18          And this is your recorded answer:

19          "The war could have continued. I was against going to the  
20          Rambouillet Conference, and against signing of the Rambouillet  
21          Agreement, but for the sake of friendship, I did not want us to  
22          break. Miserable are those who say we did a coup. I would really  
23          like to face everyone who says that we staged a coup. There was no  
24          coup absolutely."

25          Witness, did you say that?

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1 A. Yes.

2 MR. HALLING: Nothing further.

3 PRESIDING JUDGE SMITH: Thank you.

4 Judge Barthe.

5 JUDGE BARTHE: Thank you, Judge Smith.

6 Questioned by the Trial Panel:

7 JUDGE BARTHE: And good afternoon, Mr. Selimi.

8 A. Good afternoon.

9 JUDGE BARTHE: The Panel has a few more questions for you about  
10 some issues that are still not entirely clear to us, and the  
11 questions I would like to ask you primarily concern information you  
12 provided in your preparation session with the SPO, with the  
13 Prosecution, compared to what you have stated here in court during  
14 the last two and a half days.

15 I would like to start with Preparation Note 1, paragraph 6. And  
16 this paragraph reads as follows. I will read the paragraph for you  
17 in the English because I heard that there is no Albanian version of  
18 that preparation note. So please listen carefully:

19 "Immediately upon W04290's election as General Commander, he  
20 went back to the Drenica Zone and stayed with the same people as he  
21 had before. W04290 could not exercise his functions as General  
22 Commander until the Rambouillet delegation came back because W04290  
23 needed to get back into communication with them beforehand. It was  
24 unclear where negotiations stood at the time, and people were not  
25 informed."

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1           Mr. Selimi, my first question is the following: Can you explain  
2           again why you were not able to exercise your functions as general  
3           commander, and why you needed to get back into communication with  
4           members of the delegation beforehand?

5           A. I can give you a general explanation. After my selection as  
6           commander of the General Staff, the majority of the members of the  
7           General Staff were also members of the delegation in Rambouillet. I  
8           was physically in Drenica with the people I was staying in that area.  
9           We were also expecting the next developments as well. This is what I  
10          meant.

11          JUDGE BARTHE: So were the members of the delegation, the  
12          Rambouillet delegation, informed or were they not informed -- or  
13          involved, excuse me, involved in your appointment beforehand or were  
14          they not involved in your appointment?

15          A. No, those who were members of the delegation were not involved.  
16          The proposal was made by the zone commanders and, amongst them,  
17          members of the General Staff who would then inform the other members  
18          of the staff. So in this meeting, it was decided that I would be the  
19          overall general commander upon proposal from the zone commanders.

20          JUDGE BARTHE: So was the problem that members of the delegation  
21          were not involved in your appointment, that they were not present?

22          A. Not in this sense, but the circumstances were such at that time  
23          that I was not able to extend my functions in general terms as  
24          general commander.

25          JUDGE BARTHE: So correct me if I misunderstand you, but is it



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1 your evidence that you wanted or that you were looking for their  
2 approval, the approval of the members of the delegation who were not  
3 present in the meeting or at the meeting when you were appointed?

4 A. No, this is not what I'm saying.

5 JUDGE BARTHE: Then please explain again.

6 A. I was not waiting for that. The majority of the members of the  
7 General Staff were in Rambouillet as part of the delegation. I, as  
8 an elected commander, stayed in Abri, Drenice, and for my own reasons  
9 did not exercise the functions, not because I was awaiting the return  
10 of the delegation.

11 JUDGE BARTHE: In paragraph 6 of Preparation Note 1, it is  
12 recorded, and I read the sentence again, that you had told the  
13 Prosecution, according to that note, that:

14 "[You] could not exercise [your] functions as General Commander  
15 until the Rambouillet delegation came back ..."

16 So I'm asking you again: Why could you not exercise your  
17 functions as general commander until the delegation came back, or are  
18 you saying now that you didn't say that to the Prosecution last week?

19 A. I'm saying this in general terms. I was commander of the  
20 Drenica zone. I was from that area. There was fighting going on.  
21 And I continued to stay there, close to my soldiers and close to the  
22 people I had operated with before. In this sense, this is how I  
23 thought it.

24 JUDGE BARTHE: So in other words, it had nothing to do with the  
25 fact that members of the delegation or members of the General Staff

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1 were not present during the meeting when you were elected or selected  
2 as general commander? It had nothing to do with that?

3 A. Correct.

4 JUDGE BARTHE: Thank you. I think this is clear now.

5 And I would like to move on to paragraph 16 of Preparation  
6 Note 1. In this paragraph, it is recorded that you told the  
7 Prosecution during your preparation session that your comments on  
8 arrest incidents were incomplete in the Albanian, but the English  
9 version of the statement that was shown to you was correct. And it  
10 is also stated here that as to you being informed about KLA soldiers  
11 being taken for interrogation, that "these were personal problems or  
12 issues amongst the soldiers, including bad behaviour (such as  
13 drinking in the evening and opening fire in the air)."

14 Mr. Selimi, do you remember talking about soldiers that fired  
15 weapons in the air or drank too much in the evening? Do you remember  
16 discussing this with the Prosecution?

17 A. Yes, that's correct.

18 JUDGE BARTHE: Are you aware of cases, Mr. Selimi, in which KLA  
19 soldiers were arrested for detaining or mistreating civilians not  
20 only for firing in the air or drinking in the evening but for  
21 arresting and detaining civilians?

22 A. No, I don't recall any such case.

23 JUDGE BARTHE: So you personally never ordered the arrest of a  
24 soldier in your zone in Drenica who detained, abducted, or mistreated  
25 civilians?

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1 A. Never.

2 JUDGE BARTHE: Thank you.

3 I'd like to move on to paragraph 20, and I think after  
4 discussing this paragraph it would be a good time for a break.

5 In this paragraph, in paragraph 20 of Preparation Note 1, a  
6 document is discussed. That is Exhibit P00140. And you said,  
7 according to the preparation note, that you were "unfamiliar with the  
8 acronym SHOND," or S-H-O-N-D, "but this must be in reference to the  
9 zone archive (meaning this" - the document - "was to be sent to the  
10 General Staff, the zone archive, and the 111th brigade)."

11 And it's also recorded here that you told the Prosecution that  
12 you didn't know where this document would be sent in the  
13 General Staff, "but it was supposed to be sent to them."

14 I'm not interested in the document. But in general, Mr. Selimi,  
15 if you had a message or a document or a copy or the copy of a  
16 document for the General Staff, how did you send that document to the  
17 General Staff? How did you do that in practice?

18 A. Shaban Shala was in charge of information matters and contacts  
19 with the staff. So in this sense, it was either conveyed in person  
20 or orally through the phone.

21 JUDGE BARTHE: Thank you. I think it's a good time for a break.

22 PRESIDING JUDGE SMITH: We'll give you a ten-minute break now,  
23 Witness. You may leave the courtroom.

24 [The witness stands down]

25 PRESIDING JUDGE SMITH: We're adjourned for ten minutes.

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1 --- Break taken at 3.28 p.m.

2 --- On resuming at 3.39 p.m.

3 PRESIDING JUDGE SMITH: Please bring the witness in.

4 [The witness takes the stand]

5 PRESIDING JUDGE SMITH: We'll continue with the Judges'  
6 questions now, Mr. Selimi.

7 Go ahead, Judge Barthe.

8 JUDGE BARTHE: Thank you.

9 Mr. Selimi, my next questions are about Preparation Note 2, and  
10 I would like to start with paragraph 7 of that preparation note where  
11 it is mentioned that you told the Prosecution in your preparation  
12 session that Mr. Selimi, Mr. Rexhep Selimi, your uncle, had a  
13 bodyguard called Avdi Raci or Raci? Is that right? Did you tell  
14 that to the Prosecution? Did you tell the Prosecution this?

15 A. There was a man called Avdi Raci who indeed escorted him.

16 JUDGE BARTHE: And can you explain to us why Mr. Rexhep Selimi  
17 needed a bodyguard?

18 A. We are not talking about a guard as such, but it was somebody  
19 who was always in his company on the majority of cases, and mostly in  
20 Abri or elsewhere we met. But I was asked, and I can say, that  
21 Avdi Raci was indeed for most of the time his bodyguard [as  
22 interpreted].

23 JUDGE BARTHE: So you just mentioned or used the word  
24 "bodyguard" again. Is that -- or the purpose of that person, of the  
25 man who accompanied Mr. Rexhep Selimi, was the purpose that he should

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1 have protected Mr. Selimi, Mr. Rexhep Selimi?

2 A. I don't think the purpose was to protect him, but he was with  
3 him as a close friend.

4 MR. ROBERTS: Your Honour, apologies. I think there was a  
5 transcript error on line 25. My understanding is that the Albanian  
6 should say "for most of the time, he was not his bodyguard." Just  
7 to --

8 JUDGE BARTHE: Thank you.

9 MR. ROBERTS: If we could check with the witness. Thank you.

10 JUDGE BARTHE: This could explain the misunderstanding.

11 So we are not talking about a bodyguard. We are talking about a  
12 friend or a personal assistant? Is that your evidence?

13 A. I believe so. Not as a bodyguard for close protection but as an  
14 associate.

15 JUDGE BARTHE: Mr. Selimi, you also mentioned during your direct  
16 examination by the Prosecution that Mr. Thaci had a bodyguard. At  
17 least it was translated as "bodyguard." So this is my question: Did  
18 Mr. Thaci have a bodyguard or was it also a friend of Mr. Thaci who  
19 accompanied him?

20 A. He did have a bodyguard after the war. During the war,  
21 Mr. Thaci had one of his escorts. Once when I saw him was somebody  
22 who did not serve as a bodyguard but somebody who's with him all the  
23 time, because you couldn't have a bodyguard in conditions of war.

24 PRESIDING JUDGE SMITH: [Microphone not activated].

25 [Specialist Counsel confer]

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1 MR. MISETIC: Thank you, Mr. President. I consulted and  
2 Mr. Thaci just wanted it clarified as to what time period we are  
3 talking about the bodyguard, and the witness has already done that,  
4 so it's resolved. Thank you.

5 PRESIDING JUDGE SMITH: Thank you.

6 Go ahead, Judge.

7 JUDGE BARTHE: Thank you.

8 And were these people who escorted your uncle, Mr. Selimi,  
9 Rexhep Selimi, and Mr. Thaci, were these people armed?

10 A. Yes. During the war they were armed. Everybody was armed  
11 during the war.

12 JUDGE BARTHE: And did you also have a person who accompanied  
13 you? I don't want to call him a bodyguard anymore, but since you  
14 were referring to these people as bodyguards, did --

15 A. Yes. Most of the time when I was on the move I did have people  
16 close to me, when I moved away from the zone or to a different place.  
17 But, yes, there was somebody who stayed close by me not as a  
18 bodyguard but as a comrade, friend.

19 JUDGE BARTHE: And as far as you know, did the other operational  
20 zone commanders, Commander Remi, Commander Drini,  
21 Commander Haradinaj, Commander Rama, Commander Buja, and Commander  
22 Isufi, did they all have persons who accompanied them, who stayed  
23 close to them or by them?

24 A. I do not know. But when they moved from one zone to another or  
25 when they came to take part in a meeting, it was quite natural for

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1       them to come in the company of others.

2           JUDGE BARTHE: Thank you. Do you know whether, since we already  
3       talked about Mr. Rexhep Selimi and Mr. Thaci, whether the other two  
4       accused, Mr. Veseli and Mr. Krasniqi, had bodyguards or people who  
5       accompanied them?

6       A. No, I do not know.

7           JUDGE BARTHE: Thank you.

8           I would like to move on to a different topic and to paragraph 33  
9       of Preparation Note 2. In this note, or in this paragraph of the  
10      note, you discussed an exhibit, Exhibit P00135, with the Prosecution  
11      in your preparation session. I'm not interested in the exhibit but  
12      more in the information you, according to the note, provided to the  
13      Prosecution about the exhibit and about a telephone call or  
14      communication with a person named Ahmet Krasniqi.

15          And it's said here that you called this person because you  
16      wanted to thank him for sending officers like Kemail Shaqiri to the  
17      Drenica operational zone. Do you remember discussing this or  
18      mentioning this during your preparation session, this telephone call?

19      A. Yes, that is correct. Mr. Kemail Shaqiri made the phone call  
20      and passed the phone over to me, during which I thanked him. And  
21      this was in Likoc. This was the time when he arrived.

22          JUDGE BARTHE: Can you confirm when this telephone call was  
23      made?

24      A. I don't know it, but it was via Shaqiri's telephone. But I do  
25      not know the time when he arrived.

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1 JUDGE BARTHE: And the telephone that was used by Mr. Shaqiri  
2 and by you, was that a landline or mobile phone or satellite phone?

3 A. I think that the telephone that was used was not a satellite  
4 phone, the device that was given to me. I did not have such a phone  
5 myself. I used a satellite telephone. I don't recall exactly what  
6 kind of device it was, but it was his device, and I don't think it  
7 was a satellite phone.

8 JUDGE BARTHE: Just to make sure that the record is correct.  
9 The record says that you just said that you used a satellite  
10 telephone; is that right? Did you use a satellite telephone at the  
11 time when you had that telephone communication with Mr. Krasniqi?

12 A. No. I only had a minute or two -- a minute long or two-minutes  
13 long conversation with Mr. Krasniqi on the occasion that I thanked  
14 him, and that was on Mr. Shaqiri's phone.

15 JUDGE BARTHE: Mr. Selimi, I understood that. My question was a  
16 little bit different. Did you have a satellite telephone? I was not  
17 asking whether you used that satellite telephone to call or to  
18 communicate with Mr. Krasniqi, but did you have a phone, a satellite  
19 telephone, at the time when that call was made?

20 A. Yes, that's correct.

21 JUDGE BARTHE: Thank you. That's clear now. But you can't  
22 remember whether Mr. Krasniqi gave you a landline or mobile phone?

23 A. Mr. Krasniqi did not give me a telephone.

24 JUDGE BARTHE: Sorry, maybe it's my mistake. I meant  
25 Mr. Shaqiri gave you. My question was whether Mr. Shaqiri gave you a



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1 mobile or a landline phone.

2 A. I cannot recall exactly, but I think that Mr. Shaqiri at that  
3 point had a small telephone when he passed it over to me to thank  
4 him.

5 JUDGE BARTHE: What was Mr. Krasniqi's role when you talked to  
6 him? Did he have an official function?

7 A. He was a minister of defence in the Bukoshi government.

8 JUDGE BARTHE: Do you know where he was based back then?

9 A. No, I didn't.

10 JUDGE BARTHE: In your *Zeri* interview, Exhibit P01745, in the  
11 English version it's on page 14, I don't think we should -- or it's  
12 necessary to bring that up. But you mentioned that Kemail Shaqiri  
13 was a FARK officer who deserted and who fled to Albania in September  
14 1998, so who left Kosovo without your permission; is that correct?

15 A. I don't know how correct that is. But I know that after the  
16 September offensive, the general offensive, Mr. Shaqiri travelled and  
17 went to Albania, did not stay there until the end of the war.

18 JUDGE BARTHE: And are you aware that Mr. Krasniqi, Ahmet  
19 Krasniqi, was killed in Tirana on 21 September 1998? Are you aware  
20 of that?

21 A. Yes, I heard of this case but I don't know any details.

22 JUDGE BARTHE: So in other words, since you just mentioned  
23 September 1998 as the time when Mr. Shaqiri left Kosovo and you have  
24 heard of the killing of Mr. Krasniqi, this telephone conversation  
25 must have been before September 1998. At least before 21 September

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1 1998; is that right?

2 A. Yes. A lot earlier than that.

3 JUDGE BARTHE: Thank you.

4 Mr. Selimi, I would like to move on to paragraph 42 of  
5 Preparation Note 2. And this paragraph deals with the purported  
6 minutes or notes of a meeting on 6 February 1999. And you were shown  
7 this document a couple of times now, so, again, I think it's not  
8 necessary to show you the notes again or this document again.

9 But in paragraph 42 of Preparation Note 2, it is said that or it  
10 is stated that you had told the Prosecution in your preparation  
11 session that you did have some criticism of Mr. Sokol Bashota and  
12 Mr. Jakup Krasniqi and the work being done at the time. Although,  
13 you could not remember or you did not have a recollection that you  
14 said anything of the kind or of this kind that is contained in the  
15 document.

16 So my question is simply this: If this is true, what did you  
17 criticise? What was your criticism?

18 A. In the case of Mr. Sokol Bashota, he was deputy commander for  
19 operations. And in my capacity as zone commander, I never had the  
20 benefit of any support for the operations or for the operational  
21 planning or for any battle, and that was the reason. That the  
22 criticism, therefore, was focused on the fact that he was the deputy  
23 commander in charge of operations.

24 JUDGE BARTHE: And what about Mr. Jakup Krasniqi?

25 A. Everybody respected Mr. Krasniqi, his activities, but I did not

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1 think that he was the appropriate figure for operational and  
2 commanding functions at the time.

3 JUDGE BARTHE: And why was that? Why did you think so, that he  
4 was not the appropriate figure for operational and commanding  
5 functions at the time?

6 A. Because we hadn't had any meeting at the level of commanders on  
7 operational plans or similar things.

8 JUDGE BARTHE: Do you know what Mr. Krasniqi's function or role  
9 was at the time of that meeting in February 1999?

10 A. No, but the decision that I took described him as deputy  
11 commander of the General Staff.

12 JUDGE BARTHE: Thank you.

13 I would like to move on to paragraph 76 of Preparation Note 2.

14 And I would like to ask the Court Officer to bring us into  
15 private session, please, for the protection of witnesses and others.

16 [Private session]

17 [Private session text removed]

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Witness: Sylejman Selimi (Resumed) (Private Session)

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1 [Private session text removed]

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Witness: Sylejman Selimi (Resumed) (Private Session)

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Witness: Sylejman Selimi (Resumed) (Private Session)

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1 [Private session text removed]

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5 [Open session]

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

7 JUDGE BARTHE: Thank you.

8 Now, Mr. Selimi, I have a question or two about what you said  
9 earlier during your testimony here. You mentioned -- or you were  
10 asked about prior convictions, and if I'm not mistaken, you mentioned  
11 that you were convicted for war crimes in Kosovo allegedly committed  
12 in Likoc; is that correct?

13 A. That's correct.

14 JUDGE BARTHE: And did you spend time in prison?

15 A. Yes, I did.

16 JUDGE BARTHE: How long you were in prison altogether for this  
17 allegation?

18 A. Approximately six years. I was sentenced to eight years, and I  
19 served almost six years, five years and six months. And I finished  
20 also the rest of the procedures.

21 JUDGE BARTHE: I understand. In paragraph 78 of Preparation  
22 Note 2, it is stated that -- or the following is stated, and I'll  
23 read what is in that paragraph to you:

24 "Even with the information W04290 has now, he does not know that  
25 there were any detention centres in the Drenica Operational Zone.

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1 People may have been stopped at a checkpoint in question, but no one  
2 was detained. No one was ever interrogated or detained at  
3 Likoc/Likovac."

4 And yesterday, that's on page 4 of yesterday's realtime  
5 transcript, you said you have no information about people being  
6 arrested and detained in Likoc. Do you remember that you said that  
7 yesterday?

8 A. Yes, that's correct.

9 JUDGE BARTHE: I'd like to ask you how do you explain that the  
10 courts in Kosovo have received evidence from people, from individuals  
11 who claim to have been detained and mistreated in Likoc in 1998 and  
12 1999, especially in the former police station, including by you? How  
13 do you explain that, or do you have an explanation for that?

14 A. Neither then, at the time during the court proceedings, I never  
15 admitted this as the truth. However, based on the testimony and  
16 evidence given by Witness A, the judge believed him and considered  
17 this to be the truth, and as a result I was sentenced. Again, even  
18 despite the fact that I was sentenced and I served my time, I still  
19 think that this person was manipulated and what he stated was not  
20 true.

21 JUDGE BARTHE: Manipulated by who?

22 A. I don't know by whom. But in my opinion, his allegations were  
23 not true. Nevertheless, the court trusted him, and then I was, as a  
24 result, sentenced together with the others. And I complied with the  
25 sentence terms.



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1 JUDGE BARTHE: I understand.

2 I'd like to move on to my next topic, paragraph 82 of  
3 Preparation Note 2. It's about how often or the question of how  
4 often your uncle Rexhep Selimi visited or how he travelled around the  
5 Drenica operational zone. And according to the note, to that  
6 paragraph 82, you told the Prosecution that Mr. Selimi was at the  
7 meeting when you were selected as zone commander, and you believe  
8 that Mr. Sokol Bashota was also there. But I'm more interested in  
9 Mr. Rexhep Selimi's presence.

10 I would like to know in what capacity was Mr. Rexhep Selimi  
11 there during the meeting when you were selected as zone commander?

12 A. I do not know in which capacity but he was present in this  
13 meeting.

14 JUDGE BARTHE: Can I ask Madam Court Officer to put an exhibit  
15 for us on the screen, which is Exhibit P01745-ET. Now, we also have  
16 an Albanian version. That is your *Zeri* interview. And the purpose  
17 of this exercise is to refresh your memory.

18 Can we go to page 14 in the English, please. Unfortunately, I  
19 don't have the page number in the Albanian version, but maybe we can  
20 find that.

21 Could you scroll down, Madam Court Officer? Would that be  
22 possible? I mean in the Albanian version.

23 MR. HALLING: Your Honour, if it assists, I believe this is page  
24 6D00-0773 in the English. The corresponding Albanian page we think  
25 is SPOE00360478. If it's not that page, it's within a page of that

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1 page.

2 JUDGE BARTHE: Thank you.

3 Mr. Selimi, please tell me if you don't see the part I'm  
4 interested in and I'm reading now in the English in the Albanian  
5 version. But in the third paragraph, the centre of the page, it  
6 should be the third, yes, starting with:

7 "After a great deal of work over a long period of time ..."

8 Can you see that in the Albanian?

9 A. Yes.

10 JUDGE BARTHE: Thank you. I continue:

11 "After a great deal of work over a long period of time, all the  
12 persons in charge of the points or the unit commanders gathered  
13 together in Plluzhina in the summer of 1998 to elect the commander of  
14 the Drenica Operational Zone. Rexhep Selimi, a representative of the  
15 UCK General Headquarters," and then other people are mentioned, "were  
16 present there."

17 So my question is, was your uncle Rexhep Selimi present as a  
18 representative of the UCK general headquarters?

19 A. First of all, he's not my uncle but my uncle's son,  
20 Rexhep Selimi, that is.

21 Secondly, yes, in this interview I said that he was there as a  
22 representative of the General Staff of the KLA. That's correct. But  
23 this became known later on; the positions of the members of the  
24 General Staff, that is.

25 JUDGE BARTHE: So just for the record, and I think this is a bit

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1     difficult -- apparently difficult to understand, Mr. Rexhep Selimi is  
2     your uncle's son, meaning he's your cousin? Is that right? Just for  
3     the record.

4     A.    Yes, correct.

5           JUDGE BARTHE: Thank you.

6           So if you look at the paragraph that is above the paragraph I  
7     just read to you, the first sentence of the paragraph I just read to  
8     you, it says here, the paragraph starting with:

9           "So, the reorganisation started with Drenica, which was a  
10    subzone until then ..."

11          Can you see that in the Albanian?

12    A.    Yes, I can.

13          JUDGE BARTHE: If you look at the -- at least in the English,  
14    the third sentence -- the fourth sentence, actually, I have to say,  
15    starting with:

16          "The UCK General Headquarters had tasked Rexhep Selimi ..."

17          Can you see that?

18    A.    Yes, I can.

19          JUDGE BARTHE: And the sentence goes on:

20          "... Rexhep Selimi, the general inspector ... in the  
21    headquarters, with the formation and organisation of the operational  
22    units, particularly the zones."

23          My question is was Mr. Rexhep Selimi already, would you say, the  
24    general inspector when he took part in the meeting or was he -- or  
25    did he have a role at all?

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1 A. No, I don't think so. I don't think he had any position at the  
2 -- and I did not know he was a member of the General Staff. He was  
3 in the meeting. And this was conveyed to the members of the  
4 General Staff through Mr. Rexhep Selimi. Now with respect the title,  
5 as inspector general, this came to be known later on. I referred  
6 here to the position he had in the General Staff but not at the time  
7 when we had not set up the points yet.

8 JUDGE BARTHE: If you look at the next -- or the third paragraph  
9 on that page again, please, the paragraph starting with:

10 "After a great deal of work over a long period of time ..."

11 And look or try to find the sentence starting with:

12 "Rexhep Selimi said the UCK [headquarters] ..."

13 Can you see that in the Albanian?

14 A. Yes. Yes, correct.

15 JUDGE BARTHE: Is that the first sentence you can see on the  
16 page right now?

17 A. Yes, I can see it.

18 JUDGE BARTHE: In the English, it says:

19 "Rexhep Selimi said the UCK [headquarters] would approve who  
20 would be elected commander from this meeting."

21 And if I'm not mistaken, you said that your appointment or  
22 election, whatever you call it, was indeed approved later on by the  
23 General Staff headquarters; is that right?

24 A. Yes, that's correct.

25 JUDGE BARTHE: So it's correct that Mr. Selimi said the UCK

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1     headquarters would approve who would be elected commander from that  
2     meeting? Is this also correct?

3     A.    It is correct that Mr. Selimi would pass on, deliver the  
4     proposal made by the commanders of the points to the General Staff.

5           JUDGE BARTHE: Thank you.

6           And my last topic for today concerns the information that is  
7     contained in paragraph 89 of Preparation Note 2, and that's a topic  
8     that was extensively discussed in this courtroom with, I think, both  
9     or all parties. And it's about the meeting you had with -- maybe,  
10    I'm not sure about that, it depends on your answer, among others,  
11    with Agim Ceku, Hashim Thaci, and Kadri Veseli. And it's about  
12    Operation Arrow. And the meeting apparently took place in the  
13    Nerodime zone.

14          Do you remember that meeting and the discussions we had in this  
15    courtroom?

16    A.    Yes.

17          JUDGE BARTHE: In paragraph 89 of Preparation Note 2, it is  
18    stated that after approving of the plan for the operation, I think  
19    you said earlier after signing off, you met with the three people,  
20    the three persons I just mentioned, Mr. Ceku, Mr. Thaci, and  
21    Mr. Kadri Veseli. And I'm interested in knowing from you what  
22    positions -- or what position, first of all, Mr. Thaci had, if any,  
23    when you talked to him at that meeting? Was he already  
24    prime minister in the Provisional Government of Kosovo or not?

25    A.    I don't think at that time he had that position. I think he had

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1       been tasked to form the government, the provisional government.

2           JUDGE BARTHE: You said on page 51 of yesterday's, Tuesday's,  
3       realtime transcript that Mr. Thaci was receiving people and  
4       delegations with a view of forming the Provisional Government of  
5       Kosovo at the time. So is it your evidence that you don't think that  
6       Mr. Thaci was already prime minister in the Provisional Government of  
7       Kosovo but he was already -- he had already returned from Rambouillet  
8       and had the mandate to form the Provisional Government of Kosovo? Is  
9       that your evidence?

10      A. As a matter of fact, in this period of time, after the return of  
11      the delegation, the provisional government started being formed. I  
12      thought of him as the person having the mandate to form the  
13      government. I do not know the procedures, whether it's the  
14      government to give the person the mandate or determine the role of  
15      the prime minister. In this sense, I don't know. But in this time,  
16      he had the mandate given to him by the entire delegation to form the  
17      provisional government.

18           JUDGE BARTHE: Mr. Misetic, anything, or can I move on?

19           MR. MISETIC: Again, Mr. Thaci just wanted in terms of timing,  
20      but I will deal with that in re-cross-examination. Thank you.

21           JUDGE BARTHE: Of course, you can do that, but I can also ask.  
22           I'm talking about the meeting you had with -- and I think this  
23      is clear when it was, at least after the delegation returned from  
24      Rambouillet. This is --

25           MR. MISETIC: Yeah --

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1 JUDGE BARTHE: -- my understanding. Is that not correct?

2 MR. MISETIC: Since you asked, Mr. Thaci is emphasising that the  
3 provisional government was not formed until into April, and he's  
4 discussing a meeting at the end of March. That's his position.

5 JUDGE BARTHE: This is exactly what I want to find out.

6 MR. MISETIC: Thank you.

7 JUDGE BARTHE: Thank you for the intervention.

8 Please, I'm asking questions to the witness and ...

9 THE ACCUSED THACI: [Microphone not activated].

10 JUDGE BARTHE: So, Mr. Selimi, you heard what Mr. Thaci just  
11 said. He was referring to a meeting at the end -- or he said that  
12 the meeting was supposed to be at the end of March.

13 Is that right, Mr. Thaci -- Mr. --

14 THE ACCUSED THACI: [Microphone not activated].

15 PRESIDING JUDGE SMITH: He can't testify.

16 [Specialist Counsel confer]

17 MR. MISETIC: Yes, our position is that this meeting took place  
18 at the end of March. Yes.

19 JUDGE BARTHE: [Microphone not activated].

20 This is all I wanted to know.

21 So I try again, Mr. Selimi. You heard what was just said. The  
22 meeting was supposed to be at the end of March. And does that change  
23 anything from what you just said in relation to Mr. Thaci's role or  
24 not, what you were aware of?

25 A. I do not know when the delegation returned. I know that there

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1     were meetings going on for the formation of the government and  
2     appointments of people in specific positions. I do not know. I  
3     don't recall when the government was formed.

4             JUDGE BARTHE: That's fine. Thank you.

5             Thank you. We will continue for another three to four minutes,  
6     I hope. I have two more questions.

7             So, Mr. Selimi, a few more questions for you. My next question  
8     is about what you said on pages 83 to 84 of yesterday's realtime  
9     transcript. And you asked by the Thaci Defence, by Mr. Misetic from  
10    the Thaci Defence, whether you could confirm that the Provisional  
11    Government of Kosovo had no role or say in your appointment as second  
12    in command of the Kosovo Protection Corps, the KPC, and you said:  
13    "Correct."

14            Do you remember saying that?

15    A.     Yes, that is correct.

16            JUDGE BARTHE: I would like to know, since you haven't been  
17    asked that, how do you know this? How do you know that the Kosovo --  
18    or the Provisional Government of Kosovo had no role or say in your  
19    appointment? Did anybody tell you this?

20    A.     No, but I took part in meetings that at the time were under the  
21    UNMIK administration, and the minister in charge of security was an  
22    Englishman. The appointments were made by UNMIK.

23            JUDGE BARTHE: So how did UNMIK, or UNMIK, come up with your  
24    name? Were you recommended or proposed by someone; and if so, by  
25    whom? Or did you apply for the job with UNMIK?



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1 A. No, we had our own post. The zone commanders, that is.  
2 Agim Ceku was commander of the KLA being transformed. I was the  
3 guard -- commander of the guard. And that is the line of  
4 appointments that was pursued and followed.

5 Nuredin Lushtaku was appointed a guard commander, I was  
6 appointed deputy commander of the Kosovo Protection Corps, and  
7 Agim Ceku as commander, and this whole procedure was led by UNMIK.

8 JUDGE BARTHE: Thank you.

9 Now, my final question. You were asked several times by counsel  
10 for Mr. Thaci - and I'm referring to yesterday's realtime transcript  
11 page 91 - whether you in your capacity as operational zone commander  
12 could have arrested members of the KLA General Staff, and you were  
13 shown a document 1D -- or the document is now admitted as 1D00247.  
14 Do you remember that, that discussion?

15 A. Yes.

16 JUDGE BARTHE: You said on page 91 the following. I quote from  
17 yesterday's transcript:

18 "Not only against these three persons in particular or anyone  
19 else, but the zone commander had full responsibility and authority to  
20 take action, and the zone commander took responsibility for this with  
21 the brigade commanders at this time.

22 "Now, whether the operational zone commander was -- could be  
23 influenced or not is another matter. However, the zone commander had  
24 the authority. I'm referring to our zone, the Drenica zone."

25 My question is the following: Is it your evidence that you as

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1 operational zone commander could have arrested any person in your  
2 operational zone including members of the KLA General Staff? Is that  
3 your evidence?

4 A. As zone commander, I had full authority and responsibility for  
5 the Drenica operational zone. Anything that had to do with the  
6 organisation, the fighting -- the organisation or fighting was my  
7 responsibility.

8 As far as arresting people is concerned, I have said it before,  
9 and I'll say it again, that I am not aware of ever having issued an  
10 arrest warrant for anyone within the zone, let alone for members of  
11 the General Staff.

12 JUDGE BARTHE: I understand that you haven't done that, but my  
13 question was could you have done that? Did you have the authority?  
14 And this is my follow-up question: If so, on what basis did you have  
15 the authority? Was there a regulation or provision that gave you the  
16 authority to arrest members of the General Staff as an operational  
17 zone commander in your operational zone?

18 A. No, I did not have such powers or instructions or regulations  
19 available.

20 JUDGE BARTHE: Thank you very much, Mr. Selimi. No further  
21 questions. Thank you for your patience.

22 PRESIDING JUDGE SMITH: Mr. Selimi, you are finished for today.  
23 We thank you for being with us. We'll see you tomorrow morning at  
24 9.00. We hope to have you finished with your testimony tomorrow.  
25 Thank you for being with us.

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1 Thank you, Mr. Qerkini.

2 You may leave the courtroom now.

3 THE WITNESS: [Interpretation] Thank you.

4 [The witness stands down]

5 PRESIDING JUDGE SMITH: [Microphone not activated].

6 --- Whereupon the hearing adjourned at 4.38 p.m.

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