

1 Thursday, 12 October 2023

2 [Open session]

3 [The accused entered the courtroom]

4 [The Accused Krasniqi appeared via videolink]

5 --- Upon commencing at 9.00 a.m.

6 PRESIDING JUDGE SMITH: [Microphone not activated]

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: Thank you.

11 Today we will continue hearing the evidence of Prosecution  
12 Witness W04769. And Mr. Krasniqi is appearing via videolink, and the  
13 other accused are present in court.

14 Madam Court Officer, you may bring the witness in. I'm sorry,  
15 Madam Court Officer -- Madam Usher, just a moment.

16 Mr. Emmerson, you sought leave to make some statement?

17 MR. EMMERSON: [Microphone not activated]

18 PRESIDING JUDGE SMITH: Oh, you don't? Okay. That's all right.

19 MR. EMMERSON: I was only asking ten minutes' extra time to get  
20 our papers in order, but I think maybe the message got garbled. Did  
21 it?

22 PRESIDING JUDGE SMITH: [Microphone not activated]

23 MR. EMMERSON: The message I had sent was just could we have an  
24 extra ten minutes because our papers need one final issue of order to  
25 be put into them before I begin cross-examination, but I'll do my

1 best and we can proceed.

2 [Trial Panel and Court Officer confers]

3 PRESIDING JUDGE SMITH: [Microphone not activated].

4 We received a message that you might be a little shorter on your  
5 cross-examination, and we thank you --

6 MR. EMMERSON: Yes.

7 PRESIDING JUDGE SMITH: Thank you for letting us know.

8 MR. EMMERSON: Yes.

9 PRESIDING JUDGE SMITH: Did you share that with the Prosecution?

10 MR. EMMERSON: I'm afraid not, no.

11 PRESIDING JUDGE SMITH: Okay. [Overlapping speakers] ...

12 MR. HALLING: It's no issue --

13 MR. EMMERSON: I'm sure nobody is complaining for a short  
14 cross-examination except for --

15 PRESIDING JUDGE SMITH: Well, it's nice to know, though.

16 MR. EMMERSON: Yes. No, no, I'm sorry, I came in -- it's all  
17 been a little rushed this morning.

18 PRESIDING JUDGE SMITH: He believes he will be finished by the  
19 end of this session or shortly thereafter.

20 MR. HALLING: Thank you, Your Honour.

21 MR. EMMERSON: May I apologise in advance if the progress is a  
22 little staccato because there are some documents that are not in a  
23 complete order at the moment.

24 [The witness takes the stand]

25 PRESIDING JUDGE SMITH: Just do your best.

1 Good morning, Witness. We are ready to continue your testimony  
2 beginning with the cross-examination of the Veseli Defence.

3 Mr. Emmerson is standing. He will ask the questions.

4 Before we start, I want to remind you of a few matters. I want  
5 you to be sure to answer the questions clearly with short sentences,  
6 which you were doing yesterday very well. If you don't understand a  
7 question, feel free to ask counsel to repeat the question or tell  
8 them that you don't understand and they will attempt to clarify.  
9 Also, please try to remember to indicate the basis of your knowledge  
10 of the facts and circumstances upon which you will be questioned.

11 I remind you that you are still under an obligation to tell the  
12 truth as stated by you in the solemn declaration.

13 Also, remember to speak into the microphone and to wait five  
14 seconds before answering a question, and speak at a slow pace for the  
15 interpreters to catch up.

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

18 All right, Mr. Emmerson. You have the floor.

19 WITNESS: W04769 [Resumed]

20 [Witness answered through interpreter]

21 Cross-examination by Mr. Emmerson:

22 Q. I am going to ask you just some clarificatory questions on  
23 behalf of Kadri Veseli. I want to focus on the --

24 MR. HALLING: Apologies to counsel. We are in open session.

25 MR. EMMERSON: Yes. I mean, unless there's a particular reason

1 why we should be in closed session, I was proposing to examine the  
2 witness in open session.

3 MR. HALLING: As we stated in our e-mail for this witness,  
4 extensive protective measures are necessary for him. We did the  
5 entire direct examination in private session.

6 PRESIDING JUDGE SMITH: All right. We will continue in private  
7 session.

8 Please take us into private session, Madam Court Officer.

9 I understand your hope to do much of this in public session, but  
10 this witness has additional matters.

11 [Private session]

12 [Private session text removed]

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Witness: W04769 (Resumed) (Private Session)

Page 8796

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8797

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8798

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8799

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8800

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8801

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8802

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8804

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8805

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8806

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8807

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8808

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8809

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8810

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8811

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8812

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8813

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8814

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8815

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8816

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8817

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8818

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8819

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8820

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8821

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8822

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8823

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8824

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8825

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8826

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8827

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8828

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8829

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8830

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8832

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8833

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8839

Cross-examination by Mr. Emmerson

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Witness: W04769 (Resumed) (Private Session)

Page 8840

Cross-examination by Mr. Emmerson

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25 [Open session]

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

2 PRESIDING JUDGE SMITH: Anything else for the Court's attention?

3 MR. KEHOE: No, Your Honour.

4 MR. EMMERSON: Nothing, Your Honour.

5 MR. ROBERTS: Nothing, Your Honour.

6 MR. ELLIS: No, Your Honour.

7 PRESIDING JUDGE SMITH: All right. We'll see you all Monday.

8 Thank you.

9 --- Whereupon the hearing adjourned at 10.35 a.m.

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