

1 Thursday, 13 April 2023

2 [Open session]

3 [The accused entered the courtroom]

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

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

7 THE COURT OFFICER: Good morning, Your Honours. This is case
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 And would the Court Usher please bring in the witness into the
12 courtroom.

13 Just a second, Mr. Roberts.

14 Go ahead, Mr. Roberts, if you have something.

15 MR. ROBERTS: Thank you, Your Honour. It's just while the
16 witness is being brought in. I just would like to tender into
17 evidence the criminal complaint that was discussed with the witness
18 yesterday. That was ERN 066676 to ERN 066696.

19 Again, just for clarity, this is not for the truth or
20 reliability of anything that's said within that or any of the
21 attached statements but just the fact of it having been submitted.

22 PRESIDING JUDGE SMITH: [Microphone not activated]

23 MR. HALLING: No objection. Just with the caveat that there are
24 some items within that range that are duplicates of associated
25 exhibits of the witness's interview which have already been admitted

1 for the truth of their contents.

2 PRESIDING JUDGE SMITH: Understood. Thank you.

3 That exhibit is admitted.

4 MR. ROBERTS: Thank you, Your Honour.

5 PRESIDING JUDGE SMITH: And the Court Officer will assign an
6 exhibit number.

7 THE COURT OFFICER: Your Honours, 066676-066696RED 2 will
8 received Exhibit 3D1. And if we could confirm the classification.

9 PRESIDING JUDGE SMITH: Thank you.

10 MR. ROBERTS: Sorry, I didn't hear that. But could I confirm
11 the classification is confidential as far as I'm aware because the
12 attached exhibits from the Prosecution which the Prosecution just
13 mentioned are also confidential.

14 PRESIDING JUDGE SMITH: It will remain as confidential.

15 MR. ROBERTS: Thank you, Your Honour.

16 [The witness takes the stand]

17 PRESIDING JUDGE SMITH: Take us into private session, please.

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22 [Open session]

23 --- On resuming at 10.31 a.m.

24 PRESIDING JUDGE SMITH: So, Madam Usher, will you bring the

25 witness back in.

1 [The witness takes the stand]

2 PRESIDING JUDGE SMITH: Witness, we are ready to proceed.

3 And, Mr. Emmerson, in the Veseli Defence, will be having
4 questions for you at this time.

5 MR. EMMERSON: May we move into private session, please.

6 PRESIDING JUDGE SMITH: And we will be in private session, yes.

7 Please just give the Court Officer a moment to get us hooked up
8 to the private session.

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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14 [Open session]

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

16 PRESIDING JUDGE SMITH: [Microphone not activated] Is there any
17 need, Ms. Alagendra, concerning your client? Is he okay to be in the
18 courtroom?

19 MS. ALAGENDRA: Your Honours, Mr. Krasniqi is not feeling too
20 well.

21 PRESIDING JUDGE SMITH: Yes, I understand.

22 MS. ALAGENDRA: For the moment, I think he's okay to continue.
23 But should he wish to go back, I think he will let us know. If that
24 will be permitted by Your Honours.

25 PRESIDING JUDGE SMITH: Okay. Thank you very much.

1 MS. ALAGENDRA: Can I also take this opportunity to say that I
2 have previously indicated I'll be two hours with the witness, but I
3 anticipate being less than an hour.

4 PRESIDING JUDGE SMITH: Okay. Thank you.

5 All right. See you at 20 to 12.00.

6 --- Recess taken at 11.09 a.m.

7 --- On resuming at 11.40 a.m.

8 PRESIDING JUDGE SMITH: I would like to remind all parties that
9 when interposing an objection, please allow the objection to be made
10 before responding to it. And, number two, please don't cut off the
11 witness when *[REDACTED] Pursuant to In-Court Redaction Order F01453RED.*
trying to complete *[REDACTED] Pursuant to In-Court Redaction Order*
F01453RED. statement.

12 You may bring the witness in now.

13 One final thought. Please address comments to the Bench, not to
14 each other. Thank you.

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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Cross-examination by Mr. Emmerson

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Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

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Cross-examination by Mr. Emmerson

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[Open session]

13 THE COURT OFFICER: Your Honours, we are now in public session.

14 PRESIDING JUDGE SMITH: All right.

15 MS. ALAGENDRA: Your Honours.

16 PRESIDING JUDGE SMITH: Go ahead.

17 MS. ALAGENDRA: I just have one matter to raise. Mr. Krasniqi
18 informs me that he's well and he will be present in the afternoon,
19 for the afternoon session. Thank you.

20 PRESIDING JUDGE SMITH: So we are adjourned until 2.30, and we
21 will take this up again at that time.

22 --- Luncheon recess taken at 1.08 p.m.

23 [The Accused Krasniqi entered court]

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

25 PRESIDING JUDGE SMITH: So before we begin, I want to address

1 the presentation queues. In order to promote efficiency in creating
2 these lists, would the parties and participants object to including
3 only those materials that are additional to the materials listed in
4 the calling party's presentation queue?

5 So, Prosecution, any problem?

6 MR. HALLING: Not only do we not object, we proposed the same
7 thing to the Defence this morning.

8 PRESIDING JUDGE SMITH: I thought that was where it came from.
9 Thaci Defence.

10 MR. KEHOE: No objection, Judge.

11 PRESIDING JUDGE SMITH: Veseli Defence.

12 MR. EMMERSON: No objection.

13 PRESIDING JUDGE SMITH: All right.

14 MR. ROBERTS: No objection, Your Honour.

15 MS. ALAGENDRA: No objections, Your Honour.

16 PRESIDING JUDGE SMITH: All right.

17 Since there are no objections, then the Panel amends the
18 paragraph 83 of the Order on the Conduct of Proceedings, and orders
19 the parties and participants to only upload material additional to
20 the calling party's list to their presentation queues.

21 This concludes this oral order.

22 We can go into private session.

23 [Private session]

24 [Private session text removed]

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Witness: W04474 (Resumed) (Private Session)

Page 2850

Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

Page 2851

Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

Page 2852

Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

Page 2853

Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

Page 2854

Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

Page 2855

Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

Page 2856

Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

Page 2857

Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

Page 2858

Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

Page 2859

Cross-examination by Mr. Emmerson

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Witness: W04474 (Resumed) (Private Session)

Page 2860

Cross-examination by Mr. Emmerson

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18 [Open session]

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

20 PRESIDING JUDGE SMITH: Thank you.

21 Unless there is something else to come before the Panel, we will
22 adjourn for today, to be back here at 9.00 on Monday.

23 Are you completely finished?

24 So you will be up at 9.00. Thank you, Ms. Alagendra.

25 MS. ALAGENDRA: Thank you, Your Honour.

1 PRESIDING JUDGE SMITH: Thank you all for the hard work this
2 week, and we'll see you next Monday.

3 --- Whereupon the hearing adjourned at 4.08 p.m.

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