

1 Monday, 16 September 2024

2 [Open session]

3 [The accused entered the courtroom]

4 [The Accused Thaci appeared via videolink]

5 --- Upon commencing at 9.32 a.m.

6 PRESIDING JUDGE SMITH: Madam Court Officer, please call the
7 case.

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

11 PRESIDING JUDGE SMITH: I note that Mr. Thaci is appearing by
12 videolink at this time. The other accused are all present in court.

13 Mr. Thaci, we understand that you [REDACTED] Pursuant to In Court
Redaction Order F2578RED.

14 that -- oh, I'm sorry.

15 We should be in private session, please.

16 [Private session]

17 [Private session text removed]

18

19

20

21

22

23

24

25

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 [Private session text removed]

2

3

4

5

6 [Open session]

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

8 PRESIDING JUDGE SMITH: All right.

9 Now, Court Usher, please bring Prosecution Witness W04737 into
10 the courtroom.

11 [The witness entered court]

12 PRESIDING JUDGE SMITH: Please stand, Witness.

13 Good morning, Witness. Can you hear me all right?

14 THE WITNESS: [Interpretation] Good morning. Yes, I can.

15 PRESIDING JUDGE SMITH: The Court Usher will provide you with
16 the text of the solemn declaration which you are asked to take
17 pursuant to our Rule 141(2). You can take a look at it and then read
18 it aloud.

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

23 WITNESS: W04737

24 [The witness answered through interpreter]

25 PRESIDING JUDGE SMITH: Thank you, Witness. You can be seated.

1 Witness, today we will start your testimony, which is expected
2 to last approximately one to two days. As you may know, the
3 Prosecution will ask you questions first, and then the Defence has
4 the right to ask questions of you, and members of the Panel might
5 also have questions for you.

6 The Prosecution estimate for your examination is two to three
7 hours. The Defence estimates that it will need close to six and a
8 half hours. As regards each estimate, we hope that counsel will be
9 judicious in the use of their time. The Panel may allow redirect
10 examination if conditions for it are met.

11 Witness, please try to answer the questions clearly with short
12 sentences. If you don't understand a question, feel free to ask
13 counsel to repeat the question or tell them you don't understand and
14 they will clarify. Also, please try to indicate the basis of your
15 knowledge of the facts and circumstances that you will be asked
16 about.

17 In the event you are asked by the SPO to attest to some
18 corrections made regarding your statement, you are reminded to
19 confirm on the record that the written statement, as corrected by the
20 list of corrections, accurately reflects your declaration.

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

24 During the next days while you are giving evidence in this
25 Court, you are not allowed to discuss with anyone the content of your

Examination by Mr. Halling

1 testimony outside of this courtroom. If any person asks you
2 questions outside the court about your testimony, please let us know
3 immediately.

4 Please stop talking if I ask you to do so and also stop talking
5 if you see me raise my hand. These indications mean that I need to
6 give you an instruction.

7 If you feel the need to take breaks, please make an indication
8 and an accommodation will be made.

9 We begin now with the questions by the Prosecution, by the SPO,
10 who are seated to your left. Please give them your attention.

11 Mr. Halling, you have floor the floor.

12 MR. HALLING: Thank you, Your Honour.

13 Examination by Mr. Halling:

14 Q. Good morning, Witness. We've met before, but I'm Matt Halling
15 from the SPO and I'll be asking you questions today.

16 MR. HALLING: For my initial questions, Your Honour, and to
17 protect the identity of the witness, we'd ask to move into private
18 session.

19 PRESIDING JUDGE SMITH: Into private session, please,
20 Madam Court Officer.

21 [Private session]

22 [Private session text removed]

23

24

25

Witness: W04737 (Private Session)

Page 19644

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12 [Open session]

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

14 PRESIDING JUDGE SMITH: Thank you.

15 Go ahead.

16 MR. HALLING:

17 Q. So, Witness, we're now in public session. Have you been
18 previously interviewed by the SPO?

19 A. Yes.

20 MR. HALLING: We'd ask if the Court Officer can please pull up
21 on the screen 083519-TR-AT Part 1 Revised RED2, and just the first
22 page on the whole screen.

23 Q. And, Witness, if you'll just wait one moment. When the
24 document's put on the screen, I'll ask my next question.

25 MR. HALLING: The ERN I can repeat on the record, if that's the

Witness: W04737 (Open Session)

Page 19645

Examination by Mr. Halling

1 question. So 083519-TR-AT Part 1 Revised RED2, page 1. And just the
2 first page. And it can actually take the whole screen. Thank you,
3 Madam Court Officer.

4 Q. So, Witness, the page that you see on the screen now, is this
5 your SPO interview?

6 A. Yes.

7 Q. Have you recently had an opportunity to refamiliarise yourself
8 with the contents of this interview?

9 A. Yes.

10 Q. In your preparation session, you indicated some changes and
11 clarifications to this interview; is that right?

12 A. That's right.

13 Q. And were these changes reflected in a note that was read back to
14 you?

15 A. Yes.

16 Q. And do you confirm that what was read back in that note reflects
17 your changes fully and accurately?

18 A. Yes.

19 Q. Subject to the changes provided in that note, does this
20 interview accurately reflect what you said and what you would say if
21 asked again in court today?

22 A. Yes.

23 Q. Thank you.

24 MR. HALLING: Your Honour, having fulfilled the Rule 154
25 criteria, and in accordance with decision F02571, the SPO hereby

1 tenders all of 083519-TR in English and Albanian along with
2 Preparation Note 1, which is 122722 to 122728. This tender also
3 includes the associated exhibits identified in footnote 115 of the
4 Rule 154 decision with the exception of item U000-4854 to U000-4854.

5 In terms of the numbering for the record, we don't know what
6 Your Honours' preference is. We do want to just note that several of
7 these associated exhibits were recently admitted with redacted
8 versions. I don't know if it's possible to relate those admitted
9 versions to these items, but we at least wanted to put that on the
10 record and defer to the discretion of Your Honours and the
11 Court Officer.

12 [Trial Panel and Court Officer confers]

13 PRESIDING JUDGE SMITH: 083 -- I'm sorry, any objection?

14 MS. TAVAKOLI: No objection.

15 PRESIDING JUDGE SMITH: No objection from anyone.

16 083519-TR, in Albanian and English, is admitted.

17 THE COURT OFFICER: Your Honours, this interview or statements
18 have eight parts, and all those eight parts will be assigned
19 Exhibit P01605.1 for Part 1, .2 for Part 2, .3 for Part 3, .4 for
20 Part 4, .5 for Part 5, .6 for Part 6, .7 for Part 7, and .8 for
21 Part 8.

22 PRESIDING JUDGE SMITH: Thank you.

23 The Prep Note 1 which is 122722 to 122728 is admitted.

24 THE COURT OFFICER: Your Honours, that will be assigned
25 Exhibit P1606.

Examination by Mr. Halling

1 PRESIDING JUDGE SMITH: Thank you. And then the associated
2 exhibits --

3 THE COURT OFFICER: Your Honours, the --

4 PRESIDING JUDGE SMITH: -- with the exception of the item read
5 out by the Prosecution will be admitted.

6 THE COURT OFFICER: Your Honours, if allowed, I can share the
7 numbers for those later. But as counsel mentioned that some of them
8 are already admitted, perhaps counsel can share the numbers with me
9 at the break and then I can try and advise on relating them.

10 PRESIDING JUDGE SMITH: Fine. We'll do that and we'll look for
11 that to be completed after the break, then.

12 Go ahead, Mr. Halling.

13 MR. HALLING: Thank you, Your Honours.

14 Thank you, Madam Court Officer.

15 For -- there is a summary for this witness. It's short. I can
16 read it into the record now.

17 PRESIDING JUDGE SMITH: Yes. We're in public session. You may
18 read the summary.

19 MR. HALLING: W04737 is a former KLA member from the Pashtrik
20 operational zone. He will provide evidence on his activities during
21 the war and the command structure of his brigade.

22 Your Honours, at this point we would ask to go into private
23 session to continue the direct examination.

24 PRESIDING JUDGE SMITH: Into private session, please.

25 [Private session]

Witness: W04737 (Private Session)

Page 19648

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19649

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19650

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19651

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19652

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19653

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19654

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19655

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19656

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19657

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19658

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19659

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19660

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19661

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19662

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19663

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19664

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19665

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19666

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19667

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19668

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19669

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19670

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19671

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19672

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19673

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19674

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19675

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19676

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19677

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21 [Open session]

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

23 PRESIDING JUDGE SMITH: [Microphone not activated].

24 --- Recess taken at 11.04 a.m.

25 --- On resuming at 11.31 a.m.

1 PRESIDING JUDGE SMITH: Ms. Rowan, to answer your query about
2 the document -- the decision to be made should be -- it will be filed
3 yet this week.

4 MS. ROWAN: I'm grateful. Thank you.

5 PRESIDING JUDGE SMITH: Thank you.

6 [Microphone not activated].

7 Please bring the witness in.

8 [The witness takes the stand]

9 PRESIDING JUDGE SMITH: Are you all set, Witness?

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

11 PRESIDING JUDGE SMITH: All right. We continue now with the
12 questions from the Prosecution.

13 Go ahead, Mr. Halling.

14 MR. HALLING: Thank you, Your Honour. To continue our
15 questioning, we would ask to move into private session.

16 PRESIDING JUDGE SMITH: Into private session, please.

17 [Private session]

18 [Private session text removed]

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19679

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19680

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19681

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19682

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19683

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19684

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19685

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19686

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19687

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19688

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19689

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19690

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19691

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19692

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19693

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19694

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19695

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19696

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19697

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19698

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19699

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19700

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19701

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19702

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19703

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19704

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19705

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19706

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19707

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19708

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19709

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19710

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19711

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19712

Examination by Mr. Halling

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)
Procedural Matters

Page 19713

1 [Private session text removed]

2

3

4

5

6

7 [Open session]

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

9 PRESIDING JUDGE SMITH: All right. Now we're adjourned.

10 --- Luncheon recess taken at 12.59 p.m.

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

12 PRESIDING JUDGE SMITH: Please bring the witness in.

13 MS. TAVAKOLI: Sorry, before the witness --

14 PRESIDING JUDGE SMITH: Just a second.

15 MS. TAVAKOLI: Oh. Before the witness comes in, I just wanted
16 to say that there's no objection to the proposed witness for next
17 week to come before Mike Jackson.

18 PRESIDING JUDGE SMITH: Thank you for the update.

19 [The witness takes the stand]

20 PRESIDING JUDGE SMITH: Good afternoon, Witness.

21 THE WITNESS: [Interpretation] Good afternoon.

22 PRESIDING JUDGE SMITH: We start now with cross-examination.

23 Ms. Tavakoli, representing the Thaci Defence, will be first.

24 Go ahead.

25 Cross-examination by Ms. Tavakoli:

Witness: W04737 (Private Session)

Page 19714

Cross-examination by Ms. Tavakoli

1 Q. Good afternoon, sir. My name is Nina Tavakoli, and I represent
2 Hashim Thaci and I'll be asking you questions on his behalf this
3 afternoon.

4 A. Good afternoon.

5 Q. Now, I just want to start with when you joined the KLA --

6 MR. HALLING: Yes, and just apologies to counsel, is it intended
7 for open session, these questions, or private session?

8 MS. TAVAKOLI: Sorry, we can into private session, please.

9 PRESIDING JUDGE SMITH: Into private session, please,
10 Madam Court Officer.

11 [Private session]

12 [Private session text removed]

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19715

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19716

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19717

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19718

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19719

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19720

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19721

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19722

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19723

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19724

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19725

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19726

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19727

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19728

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19729

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19730

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19731

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19732

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19733

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19734

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19735

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19736

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19737

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19738

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19739

Cross-examination by Ms. Tavakoli

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18 [Open session]

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

20 PRESIDING JUDGE SMITH: Thank you.

21 We're adjourned for ten minutes.

22 --- Break taken at 3.32 p.m.

23 --- On resuming at 3.43 p.m.

24 PRESIDING JUDGE SMITH: Madam Usher, please bring the witness

25 in.

Witness: W04737 (Private Session)
Procedural Matters

Page 19740

1 MS. TAVAKOLI: Hi, sorry. I've just been informed by a member
2 of my team that the document that we -- you admitted that I thought
3 might be confidential because of the provider is apparently a public
4 document, so I wonder if it needs to be, in fact, confidential.

5 MR. HALLING: There is so little connection between that
6 document and this witness it can be public.

7 PRESIDING JUDGE SMITH: That was called an editorial comment.

8 MS. TAVAKOLI: I was going to say in my jurisdiction they aren't
9 allowed.

10 [The witness takes the stand]

11 PRESIDING JUDGE SMITH: They aren't in mine either.

12 It will be considered public.

13 THE COURT OFFICER: Your Honours, just for the record,
14 Exhibit 1D188 will be reclassified to public as instructed.

15 PRESIDING JUDGE SMITH: Thank you.

16 Please take us into private session.

17 [Private session]

18 [Private session text removed]

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19741

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19742

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19743

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19744

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19745

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19746

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19747

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19748

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19749

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19750

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19751

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19752

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19753

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19754

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19755

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19756

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19757

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19758

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Witness: W04737 (Private Session)

Page 19759

Cross-examination by Ms. O'Reilly

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 [Private session text removed]

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 [Private session text removed]

2

3 [Open session]

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

5 PRESIDING JUDGE SMITH: We are adjourned.

6 --- Whereupon the hearing adjourned at 4.32 p.m.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25