

1 Monday, 17 April 2023

2 [Open session]

3 [The accused entered the courtroom]

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

5 PRESIDING JUDGE SMITH: Good morning, everyone.

6 Madam Court Officer, please call the 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 Today we will continue with the evidence of W04474, and we will  
12 aim to begin the evidence of W02652 later today.

13 But first, the first matter that needs to be addressed this  
14 morning is the Selimi Defence motion for the exclusion of evidence  
15 filed on 6 April in F01438. The Thaci Defence and the Krasniqi  
16 Defence joined this request in filings F01439 and F01440,  
17 respectively. The SPO responded on 12 April in filing F01447. The  
18 Panel will dispense with the detailed recitation of the parties'  
19 submissions in order to remain in public session.

20 The Selimi Defence seeks to exclude the anticipated testimony of  
21 W02652 about incidents that falls outside the temporal scope of the  
22 charges in the indictment.

23 Regarding the first incident, as described in paragraph 3 of  
24 F01438, the Selimi Defence submits that the incident is not relevant  
25 and its probative value is outweighed by its prejudicial effect. The

1 Selimi Defence further submits that the Panel should not admit the  
2 evidence with the intention of assessing its weight at a later stage  
3 as such a practice is time-consuming and distracting.

4 Regarding the second incident, as described in paragraph 16 of  
5 F01438, the Defence submits that this testimony is fraught with  
6 inconsistency and should not be relied upon. The Selimi Defence  
7 further argues that the testimony is only "second-hand hearsay" from  
8 an unreliable source and should be approached with caution.

9 Finally, in paragraph 23 of F01438, the Selimi Defence objects  
10 to the admission of the testimony related to two other alleged  
11 incidents that took place outside the indictment period.

12 The SPO opposes the motion, arguing that the anticipated  
13 testimony is admissible under Rules 137 and 138, given that the  
14 testimony is relevant, authentic, and has probative value that is not  
15 outweighed by its prejudicial effect.

16 The Panel recalls that the tendering party must demonstrate that  
17 the fact sought to be established is relevant to the case. Events  
18 that occurred outside the period relevant to the indictment are not  
19 per se irrelevant to the case. Nor is evidence going to prove those  
20 events inadmissible merely because they go to prove a fact outside of  
21 the indictment period.

22 The Panel observes that, here, the SPO alleges in paragraph 32  
23 of the indictment that the accused and other members of the joint  
24 criminal enterprise shared a common purpose to gain and exercise  
25 control over all of Kosovo by, among other things, committing

1 violence against opponents. Paragraph 59 of the indictment explains  
2 that the acts enumerated in the indictment are demonstrative of a  
3 wider campaign of attacks against opponents implemented throughout  
4 Kosovo before, during, and after the indictment period.

5 The SPO has failed to demonstrate the *prima facie* relevance of  
6 these incidents challenged by the Selimi Defence. They are not  
7 alleged to result from the alleged JCE, which only covers the  
8 indictment period, nor are the attacks alleged to be attributed to  
9 any of the accused. Furthermore, none of these incidents are alleged  
10 to have been part of or to provide evidence of a widespread or  
11 systematic attack against opponents or to be materially connected to  
12 the armed conflict charged in the indictment. To the extent they are  
13 said to be evidence of a pattern, this is not, therefore, the same  
14 pattern as is being alleged in the indictment.

15 There appear to be issues with the reliability, credibility, and  
16 probative value of the anticipated testimony that one of the accused  
17 might have been involved in the first incident, and there is no  
18 indication that any of the accused were behind the second incident.  
19 Nor is there verifiable information that the KLA was involved in the  
20 incidents.

21 The admission of such evidence could cause unfair prejudice as  
22 the accused would be placed in the position of challenging  
23 allegations that are, in effect, unverifiable. Given the above, even  
24 if the evidence had been marginally relevant, the Panel considered  
25 its prejudicial effect would outweigh its probative value.

1           Therefore, the Panel grants the Selimi Defence's motion. The  
2 SPO is ordered to exclude questions about the incidents described in  
3 paragraphs 3, 16, and 23 of F01438 during the testimony of W02652,  
4 and to redact references to these attacks from any material it seeks  
5 to tender into evidence.

6           Finally, the parties should file redacted versions of their  
7 submissions by Monday, 24 April 2023.

8           This concludes the Panel's oral order.

9           So we are ready to continue with the evidence of W04474.

10          First, Mr. Halling, do you anticipate any redirect at this  
11 stage?

12          MR. HALLING: A short one, Your Honour. Ten minutes, maximum.

13          PRESIDING JUDGE SMITH: Pardon me?

14          MR. HALLING: Ten minutes maximum.

15          PRESIDING JUDGE SMITH: Thank you.

16          Madam Court Usher, please bring the witness in.

17          MR. KEHOE: May I -- Your Honour, if I may. I filed a matter  
18 this morning, F01458, for the Court's attention concerning a filing  
19 due today. I just wanted to bring it to Your Honours' attention.

20          PRESIDING JUDGE SMITH: All right. Thank you.

21          MR. MISETIC: Good morning, Mr. President.

22          PRESIDING JUDGE SMITH: Mr. Misetic.

23          MR. MISETIC: Just -- good morning. I just wanted to make an  
24 additional appearance. To my right is Ms. Hysnie Haxhiaj with the --  
25 a legal assistant for the Thaci Defence. Thank you.

1           PRESIDING JUDGE SMITH: Thank you very much.

2           Anybody else?

3           MR. ROBERTS: Very briefly, Your Honour.

4           PRESIDING JUDGE SMITH: Mr. Roberts.

5           MR. ROBERTS: Just following on from your decision, I can just  
6 update the Prosecution that I will, therefore, need far less time to  
7 cross-examine the next witness. And as a consequence, my estimate, I  
8 believe, was four hours, will be reduced to one hour. Just to inform  
9 them as soon as possible. Thank you.

10          PRESIDING JUDGE SMITH: Thank you, Mr. Roberts. Welcome news.

11                               [The witness takes the stand]

12          PRESIDING JUDGE SMITH: Be seated, please.

13          Good morning, Witness. Today, we are going to begin --

14          THE WITNESS: [Interpretation] Good morning.

15          PRESIDING JUDGE SMITH: Today we are going to begin with  
16 questions asked by counsel for Jakup Krasniqi.

17          I remind you again to please try to answer the questions clearly  
18 with short sentences. If you don't understand a question, feel free  
19 to ask. Counsel will repeat the question or you can tell them that  
20 you don't understand and they will clarify. Also, please remember to  
21 try to indicate the basis of your knowledge of the facts and  
22 circumstances when asked.

23          I remind you that you are still under an obligation to tell the  
24 truth as stated by your solemn declaration. Remember to speak into  
25 the microphone and wait five seconds before answering a question, as

1 you have been instructed before.

2 If you feel the need to take a break, please let us know.

3 Ms. Alagendra, you may start.

4 Court Officer, please go into private session to protect the  
5 identity of witnesses and others.

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Witness: W04474 (Resumed) (Private Session)

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Witness: W04474 (Resumed) (Private Session)

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Witness: W04474 (Resumed) (Private Session)

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Witness: W04474 (Resumed) (Private Session)

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Witness: W04474 (Resumed) (Private Session)

Page 2903

Further Cross-examination by Mr. Misetic

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Witness: W04474 (Resumed) (Private Session)

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Page 2905

Further Cross-examination by Mr. Misetic

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3 [Open session]

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

5 PRESIDING JUDGE SMITH: Okay. It appears that we have now  
6 completed the testimony of W04474.

7 Witness, thank you for giving your testimony in this case. You  
8 may be excused.

9 Madam Court Usher, please escort the witness out of the room.

10 THE WITNESS: [Interpretation] Thank you. Thank you.

11 [The witness withdrew]

12 PRESIDING JUDGE SMITH: Next, we will have the testimony of  
13 Witness W02652. And it will take -- yes.

14 MR. EMMERSON: I'm sorry, just to let Your Honours know, before  
15 this witness is brought into court, there is a matter that needs to  
16 be raised in private session concerning that witness.

17 PRESIDING JUDGE SMITH: We will go into private session now.  
18 Yes, Ms. Lawson.

19 MS. LAWSON: Your Honour, if I may, we're aware of this issue  
20 and ...

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7 [Open session]

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

9 MR. HALLING: Your Honours, just in public, we had one quick  
10 remark, if you have a moment.

11 PRESIDING JUDGE SMITH: All right.

12 MR. HALLING: In relation to the application that the Thaci  
13 Defence raised this morning, this is F01458, we do oppose that  
14 application. We can make the submission now in open session or  
15 whenever the Court would like.

16 PRESIDING JUDGE SMITH: [Microphone not activated]

17 MR. HALLING: That's correct. It is a deadline for today, but  
18 it's whenever the Court pleases.

19 PRESIDING JUDGE SMITH: We'll take it up later.

20 We will step aside for about five to ten minutes. Well, that  
21 doesn't make much sense. I'll tell you what we'll do. We'll take  
22 the half-hour break now, and that way we can start with this witness  
23 fresh. So be back here at quarter past the hour, and we will start  
24 at that time. Thank you.

25 --- Recess taken at 10.44 a.m.

1 --- On resuming at 11.15 a.m.

2 PRESIDING JUDGE SMITH: Does the SPO wish to resist the  
3 application for additional time at this time? Mr. Halling had  
4 indicated he wanted to.

5 MR. PACE: Yes, Your Honour. I understand you're referring to  
6 the Thaci application. Yes, we do oppose the request. The filing  
7 was actually due today. So, first of all, it's a very late request.  
8 It doesn't really enable a timely consideration thereof.

9 But having considered the request, there is nothing in it that  
10 wasn't or couldn't have been raised initially. The Panel had  
11 considered a request for a longer period of time and issued its  
12 decision, so there is no reason to grant the extension requested.

13 Those are our submissions, Your Honour.

14 PRESIDING JUDGE SMITH: We will render an oral order on this  
15 later today.

16 MR. KEHOE: [Microphone not activated]

17 PRESIDING JUDGE SMITH: So you may bring the witness in.

18 MR. KEHOE: Your Honour, I apologise. My microphone was not  
19 activated there when I said, "Yes, Your Honour."

20 PRESIDING JUDGE SMITH: That's okay.

21 MR. KEHOE: So --

22 PRESIDING JUDGE SMITH: I heard you. I can't criticise anybody  
23 for not turning their microphone on.

24 MR. KEHOE: [Microphone not activated]. I said I have a problem  
25 with that myself.

1 [The witness entered court]

2 PRESIDING JUDGE SMITH: Can you hear me, Witness? Can you hear  
3 me?

4 THE WITNESS: [Interpretation] Yes.

5 PRESIDING JUDGE SMITH: Good morning, Witness.

6 The Court Usher will now provide you with the text of a solemn  
7 declaration, which you are asked to take pursuant to Rule 141(2) of  
8 our Rules of Procedure. Please read them aloud.

9 THE WITNESS: [Interpretation] Solemn declaration, Rule 141:  
10 Conscious of the significance of my testimony and my legal  
11 responsibility, I solemnly declare that I will tell the truth, the  
12 whole truth, and nothing but the truth, and that I shall not withhold  
13 anything which has come to my knowledge.

14 WITNESS: W02652

15 [Witness answered through interpreter]

16 PRESIDING JUDGE SMITH: Witness, we will start your testimony,  
17 which is expected to last approximately five days. As you may know,  
18 the Prosecution will ask you questions first, and then counsel for  
19 victims. Once they are done, the Defence has the right to ask  
20 questions of you. Members of the Panel might also ask questions of  
21 you.

22 The Prosecution estimate for your examination is seven hours.  
23 Victims' Counsel will take up 15 minutes for questions. The Defence  
24 estimates that it will need 12 hours. As regards each estimate, we  
25 hope that counsel will be judicious in their use of time. The Panel

1 may allow redirect examination if conditions for it are met.

2 Please try to answer the questions clearly with short sentences.

3 If you don't understand a question, feel free to ask counsel to  
4 repeat the question or tell them that you don't understand, and they  
5 will clarify. Also, please try to indicate the basis of your  
6 knowledge of facts and circumstances that you will be asked about.

7 In the event that you are asked by the SPO to attest to some  
8 corrections made regarding your statements, you are reminded to  
9 confirm on the record that the written statement, as corrected by the  
10 list of corrections, accurately reflects your declaration.

11 Please also speak into the microphone and wait five seconds  
12 before answering a question, and speak at a slow pace so the  
13 interpreters can catch up.

14 During the next days while you are giving evidence in this  
15 court, you are not allowed to discuss with anyone the content of your  
16 testimony outside of the courtroom. If any person asks you questions  
17 outside of this courtroom about your testimony, please let us know.

18 If you feel the need to take a break, please make an indication  
19 and accommodation will be made.

20 You will be referred to by all parties as "Witness." They are  
21 not being rude, but they are following the dictates of an order of  
22 this Court.

23 Also, if I need to have you stop, I will say so. But if you  
24 can't hear me, I'll raise my hand and that's an indication that you  
25 should stop. Do you understand?

Witness: W02652 (Private Session)

Page 2917

Examination by Mr. Pace

1 THE WITNESS: [No interpretation].

2 PRESIDING JUDGE SMITH: Thank you. We will go into private  
3 session.

4 [Private session]

5 [Private session text removed]

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14 [Open session]

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

16 PRESIDING JUDGE SMITH: You can proceed.

17 MR. PACE: Thank you, Your Honour.

18 Q. [REDACTED] Pursuant to In-Court Redaction Order F1462. Witness,  
before I go any further into my questioning, I

19 would like to ask you to make sure that when you answer my questions

20 you specify the source of your knowledge. I'd like you to make it

21 clear if you have direct knowledge of something or if you have

22 knowledge because you learned it from someone else. And it's also,

23 of course, perfectly okay that you can answer that don't know when

24 you don't have any relevant information to provide. Do you

25 understand?



1 A. Yes.

2 Q. My first questions will be in open session. We are in open  
3 session now. If to answer any of those questions you feel that may  
4 identify yourself, please let us know before answering and we'll ask  
5 the Judge to move to private session.

6 PRESIDING JUDGE SMITH: When you are not asking a question,  
7 please turn off your mic because we are in open session.

8 MR. PACE: I will, Your Honour. Thank you.

9 Q. *[REDACTED]* Pursuant to In-Court Redaction Order F1462. Witness,  
are you currently a member of any political group  
10 in Kosovo?

11 A. Yes.

12 Q. And which group is that?

13 A. The Democratic League of Kosovo.

14 Q. Could you explain, in brief, what the Democratic League of  
15 Kosovo is? LDK, I believe, for short.

16 A. The LDK, or the Democratic League of Kosovo, is a political  
17 party which was founded in the years 1990 from the great  
18 President Rugova. It has worked and brought into being the country  
19 called the Republic of Kosovo, and it works for the development of  
20 this -- it works towards the development of this country.

21 Q. Was there a founding document of some sort when the LDK came  
22 into being?

23 A. Yes, there is a document. It was founded on 23 December 1989.  
24 Its got its own statute and working regulations.

25 Q. And in brief, what was the main aim and work of the LDK in its

1 early days?

2 A. The main goal of the Democratic League was, first and foremost,  
3 to oppose the former Yugoslavian Serb system, and it started work to  
4 bring about the independent state of Kosovo, and it continued on this  
5 route until the final liberation. So it contributed and worked for  
6 the liberation of Kosovo and its independence, led by  
7 President Rugova and the institutions of the time.

8 Q. Have you heard of the term "parallel institutions" in the Kosovo  
9 context?

10 A. Yes, we had our own institutions that emanated from the will of  
11 the power of Kosovo, the intellectuals, the delegates of the time,  
12 and it was the system of our own state. The other side, however,  
13 were the parallel institutions.

14 Q. So who was joining these parallel institutions as you refer to  
15 "the other side"?

16 A. Our institutions were led by the president of the Republic of  
17 Kosovo, the prime minister and -- the prime minister and  
18 Prime Minister Bukoshi and all the other institutions.

19 Q. Am I understanding correctly that these institutions were  
20 LDK-led institutions?

21 A. From the LDK and other political parties of the time, which were  
22 very few, but mainly from the LDK.

23 MR. McCLOSKEY: Excuse me, could we get a timeframe for this,  
24 given that we're just starting out.

25 MR. PACE: Yes, Your Honour. I had referred to the early days,

1 but I'm happy to clarify with the witness.

2 PRESIDING JUDGE SMITH: Go ahead and give us a timeframe.

3 MR. PACE:

4 Q. [REDACTED] Pursuant to In-Court Redaction Order F1462. Witness,  
these parallel institutions that you were just

5 referring to, could you let us know when they began, when they  
6 started to function in Kosovo?

7 A. The parallel institutions started their work after the abolition  
8 of the Kosovo Assembly on the part of Serbia. The year is 1989. The  
9 independence of Kosovo was proclaimed on 2 July 1990. And from that  
10 moment onwards, the institutions of the Republic of Kosovo came into  
11 being.

12 Q. And from that moment onwards, could you tell us, in brief, how  
13 the LDK was structured?

14 A. From its foundation, the LDK had its own organs, its council,  
15 leading council. It was -- it operated throughout the Republic of  
16 Kosovo in every single town and village and city, and it operated on  
17 this basis.

18 Q. Was there a central or a headquarters for all the LDK in Kosovo  
19 when it began in 1990?

20 A. Yes, there was an office in Prishtine.

21 Q. And was that office in Prishtine somehow over the other offices  
22 that you have already referred to in your earlier answers in terms of  
23 responsibility?

24 A. The LDK offices in Kosovo operated from the writers association  
25 of Kosovo. That's where they have their own beginnings and that's

1 where their offices were. The other parties had headquarters in  
2 different cities in Kosovo, but the LDK headquarters were there in  
3 that place.

4 Q. And in terms of hierarchy, would the LDK offices in Prishtine be  
5 ranked, let's say, above the other LDK offices throughout Kosovo you  
6 mentioned?

7 A. Yes, because it was the biggest.

8 Q. And who headed the Prishtine office or the LDK headquarters?  
9 Who was in charge of that?

10 A. It is well known, and I repeat, that the LDK was led by  
11 President Rugova, members of the steering council, the deputy  
12 chairman, the secretary of the committees operated from that office,  
13 the information section, and others. They all operated out of that  
14 office.

15 Q. Are you familiar with the municipality of Malisheve?

16 A. Yes.

17 Q. Was there an LDK presence in Malisheve in 1990 and going  
18 forward?

19 A. Yes, after its foundation in Prishtine, sometime in January  
20 1990, the LDK was also set up in Malisheve.

21 Q. In 1990, do you know who was in charge of the LDK in Malisheve?

22 A. The foundation meeting in 1990 in Malisheve was led by the LDK  
23 chairman Hysni Kilaj. He was elected to the first LDK assembly.

24 THE INTERPRETER: Interpreter's correction: The interpreters  
25 kindly ask the witness to speak into the microphone.

1 MR. PACE:

2 Q. And other than the chairman, are you aware of how the LDK was  
3 structured in Malisheve?

4 A. It had a chairman, the deputy chairman, the secretary, and other  
5 members of the steering council.

6 Q. How many members were in the steering council, if you know?

7 A. The steering council comprised 13 members. Two represented the  
8 women and the youth, and that makes it up to 15. Whilst the entire  
9 assembly of the branch was composed of 110 delegates.

10 Q. To your knowledge, were other LDK branches throughout Kosovo  
11 structured in a similar manner to the one in Malisheve?

12 A. Yes.

13 Q. Were there meetings at national level or at the municipality  
14 level within the LDK, starting from 1990?

15 A. Yes, in both central and local level. Even in a country-wide  
16 level. And the citizens -- and it had the support of the citizens.

17 Q. You said it had the support of the citizens. Who was supporting  
18 the LDK, starting in 1990? What type of citizen?

19 A. The citizens of the Republic of Kosovo.

20 Q. And what was the ethnicity of those citizens that supported the  
21 LDK?

22 A. Albanians.

23 Q. How popular was the LDK in 1990?

24 A. It was very popular. It was popular with a large section of the  
25 Kosovo society. It was a big and well-known party, known inside the

1 country and overseas, known by its own citizens and further afield.

2 Q. Was there an election the LDK participated in in 1990 or around  
3 that time?

4 A. Initially, the party elections were held throughout the country.  
5 Whilst the other elections, the parliamentary and presidential  
6 elections, were held in 1992.

7 Q. And if you recall, what was the result of the 1992 elections in  
8 terms of the LDK?

9 A. Give me a sec. Before -- before those elections, we had the  
10 referendum on the independence of Kosovo in 1991, in which the  
11 Albanian people of Kosovo decided to secede from Serbia. And from  
12 there, other processes ensued, including the elections of 24 May  
13 1992.

14 Q. So in those 1992 elections, do you recall the percentage or  
15 roughly the percentage of the vote that the LDK won or obtained?

16 A. I hazard to say 100 per cent, but that's what it was. That was  
17 the result of the vote of the people of Kosovo.

18 Q. Did any other parties contest those elections or participate in  
19 those elections?

20 A. Two other parties took part too, but they did not score any sort  
21 of results. The party -- the Parliamentary Party and the -- the  
22 Liberal Party, forgive me.

23 Q. When did you join the LDK? What year was it?

24 A. I joined the LDK in 1990.

25 Q. And recalling we are in open session, could you tell the Judges

1 why you joined the LDK at that time?

2 A. I joined the LDK because the LDK had a programme to set up a  
3 country and to acquire independence from Serbia. That is the reason  
4 why I joined the Democratic League of Kosovo and where I adhere to  
5 this day.

6 MR. PACE: And, Your Honour, I'd like to move to private session  
7 for the next set of questions. I estimate it should be around five  
8 minutes.

9 PRESIDING JUDGE SMITH: Into private session, please.

10 [Private session]

11 [Private session text removed]

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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5 [Open session]

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

7 PRESIDING JUDGE SMITH: Go ahead, Mr. Pace.

8 MR. PACE: Thank you, Your Honour.

9 Q. Witness, were you ever a member of the KLA?

10 A. Yes.

11 Q. When did you first hear of the KLA?

12 A. It was well known that from the year 1991, a Ministry of Defence  
13 existed for the Republic of Kosovo. And the Kosovo Liberation Army,  
14 as a military formation, was created later in 1998, and I joined it  
15 from its inception.

16 Q. Do you recall any particular incident or occasion when you first  
17 heard of the KLA?

18 A. We had heard earlier on, in the course of the years, about the  
19 Kosovo Liberation Army and its activities. However, after the attack  
20 on the Adem Jashari compound, the KLA became public, and that's when  
21 the majority of people joined its ranks, and I did the same.

22 Q. Focusing on the time before the attack on the Adem Jashari  
23 compound, could you tell the Judges how you had heard of the KLA and  
24 when that was?

25 A. Each time there was any activity on the terrain, attacks on

1 Serbian police and other forces from the Kosovo Liberation Army, they  
2 would issue communiqués taking responsibility for that particular  
3 attack, saying this attack has been carried out by the Kosovo  
4 Liberation Army. And I'm referring from 1997 onwards.

5 Q. Let's focus on 1997. In 1997, did you yourself see any such  
6 communiqué?

7 A. No. However, they were made public through the media.

8 Q. Did you see them in the media?

9 A. At the time, the media was only some printed newspapers in  
10 Kosovo and Albanian television, TV from the state of Albania, which  
11 had a special programme about Kosovo.

12 Q. So in any of that printed or televised media, did you learn of  
13 the communiqués in 1997?

14 A. Yes, I've read them.

15 Q. And you read them in 1997?

16 A. Yes, 1997, 1998, and onwards.

17 Q. Focusing on the ones that you had read, do you recall in whose  
18 name those communiqués were issued?

19 A. On whose name, I don't know. But there were activities,  
20 interventions against the Serb forces, and then there would be an  
21 information of some sort, a communiqué, and they would say that this  
22 was actually undertaken by the Kosovo Liberation Army. And we would  
23 sometimes feel proud of that.

24 Q. If you recall, would the communiqué itself note that this was on  
25 behalf of the Kosovo Liberation Army or not?

1 A. Yes.

2 Q. You mentioned newspapers and televised media available in 1997.  
3 Could you tell the Judges the names of those newspapers or television  
4 channels, if you recall?

5 A. Yes. Back then, in Kosovo, we had the Koha Ditore, Bujku, the  
6 Farmer - bujku means the farmer - Koha Ditore daily news. And the  
7 Albanian TV station, as in the Albanian state TV station. Through  
8 satellite, that's how it would be broadcast, the Albanian news  
9 programmes.

10 Q. You mentioned that after the attack on the Adem Jashari  
11 compound, the KLA became public. Could you describe how it became  
12 public?

13 A. The KLA became public in 1997 after Halit Geci, in Llaushë, a  
14 teacher, was killed. And in that funeral, the KLA became public, the  
15 Kosovo Liberation Army. And after the Jashari family was killed,  
16 then everyone - young or old - joined the KLA, the Kosovo Liberation  
17 Army.

18 Q. And what exactly happened at the funeral that you mentioned  
19 which led the KLA to becoming public, as you put it?

20 A. In that case, Halit Geci's funeral, the teacher's funeral, we  
21 were present, I was present in that ceremony. So the chair of the  
22 Skenderaj branch, the secretary of the LDK, was also there. They  
23 spoke in front of everybody, and then after them, there were the  
24 representatives of the KLA. And they organised this and they also  
25 expressed their condolences to the family.

1 Q. Do you recall the date of this funeral?

2 A. 28 November, to my knowledge, if I haven't gotten this wrong.

3 Q. And that's in November 1997?

4 A. Yes.

5 Q. Do you know or did you learn who the KLA representatives that  
6 spoke at this funeral were?

7 A. No. Afterwards found out who they were.

8 Q. And, first of all, who did you find out that they were  
9 afterwards?

10 A. Later we learned that it was Muje Krasniqi, Rexhep Selimi, and  
11 Daut Haradinaj.

12 Q. Bearing in mind we're in open session, are you able to tell us  
13 now how you learned that or should we do that later in private  
14 session?

15 A. Well, we just learned the names later. So, yeah, that's how I  
16 found out.

17 Q. Do you recall how you learned their names? Was it through the  
18 media that you mentioned? Through somebody that you knew?

19 A. Yes, through the media. People who were saying that it's this  
20 and that. So later on they were identified, I mean as in who they  
21 were, and their names were made public.

22 Q. You told us you attended this funeral. I know it's a long time  
23 ago, but do you recall what these three KLA members said specifically  
24 or to the best of your recollection at the funeral?

25 MR. McCLOSKEY: Objection. People don't -- three people is too



1 many. If we can go by one person or anything a little more specific.

2 PRESIDING JUDGE SMITH: Sustained.

3 MR. PACE: Certainly, Your Honour.

4 Q. Starting with Muje Krasniqi, do you recall what he said at that  
5 funeral?

6 A. Well, they read it and they called to everybody that this is now  
7 the Kosovo Liberation Army, that we should act, we should move  
8 forward.

9 Q. You said you didn't know the identity of these people at the  
10 funeral. Were they wearing a mask or could you see their faces?

11 A. From what I remember, one didn't have a mask. The others were  
12 wearing masks.

13 Q. And do you recall or did you later learn who it was that was not  
14 wearing a mask?

15 MR. McCLOSKEY: Objection, that's a compound question. Both are  
16 very important, whether the first or the second. So offering two is  
17 confusing.

18 MR. PACE: Your Honour, if I may respond. The witness can  
19 provide an answer, and then I can clarify. The counsel seeks to try  
20 to pre-empt what I'm saying. Of course, I will clarify as necessary.

21 PRESIDING JUDGE SMITH: The objection is overruled. You may  
22 answer the question.

23 MR. PACE:

24 Q. Witness, I can repeat the question if you would like.

25 A. Yes.

1 Q. Do you recall or did you later learn who it was from the three  
2 persons that spoke that was not wearing a mask at the funeral?

3 A. Well, we saw it there when they read the speech. For the rest,  
4 I mean, we knew who it was, but they read it there, the speech, so  
5 people could see who it was.

6 Q. The one person who did not wear a mask, when you saw him there,  
7 could you recognise him or not? At the time, at the funeral.

8 A. He was known because the -- the late person was actually known.  
9 It was a singer. He was also singing a lot in venues in my village.

10 Q. So who was the unmasked member that spoke?

11 A. Muje Krasniqi.

12 Q. And did you realise it was Muje Krasniqi when he spoke or only  
13 later on?

14 A. No, a little later. Because there were a lot of people there.  
15 It's not like I was close. But later on I realised it was Krasniqi.

16 Q. Are you able to recall what he said as distinguished from what  
17 the other speakers said?

18 A. Well, a long time has passed now. It was a good speech of  
19 support for the war and the freedom, the liberation of Kosovo, and an  
20 appeal, a call to others so that as many as possible could join the  
21 KLA.

22 Q. And was that what Muje Krasniqi said on the day or what the  
23 others said on the day?

24 A. That day, but also continuously afterwards.

25 Q. And, again, to clarify, you summarised the content of the

1 speech. Is that what Muje Krasniqi alone said or what the other  
2 speakers also said, or one of them?

3 A. Yes, the others too. The others spoke. But one of the  
4 speakers, so the -- more or less perhaps he was more - what can I  
5 say? How can I put it? - a little bit harsher, that: Now you need  
6 to listen to the Kosovo Liberation Army because politics -- I mean to  
7 say that pacifists, people who are pacifists cannot really go ahead,  
8 if you know what I mean.

9 Q. Who of the speakers was, as you described, a bit harsher, Muje  
10 Krasniqi or one of the two wearing masks?

11 A. Yes. Yes, because the -- we need to fight for the liberation of  
12 Kosovo and we need to move on from words now, because with words we  
13 didn't achieve much. So this was it, more or less, really, the  
14 speech.

15 Q. This particular speech that you described as harsher and about  
16 needing to move on, was that part of the speech delivered by Muje  
17 Krasniqi or by one of the other speakers, if you remember?

18 A. From one to the other.

19 Q. Could you clarify what you mean by "from one to the other"? Are  
20 you saying one person said that? More than one person said that?

21 A. Yes.

22 Q. So is it more than one person that sent that message on that  
23 day?

24 A. Yes, he repeated the message.

25 Q. Earlier you referred to one person, their message being harsher.

1 Are you able to remember now who that person was? If you don't  
2 remember, you can say you don't remember.

3 A. Yes.

4 Q. Do you remember who it was?

5 A. Yes. Afterwards, we found out who it was. It was  
6 Rexhep Selimi.

7 Q. I understand Rexhep Selimi was wearing a mask at the time, since  
8 you said Muje Krasniqi was the one who was not. How did you later  
9 find out that the person who, as you described it, was using the  
10 harsher words was Rexhep Selimi?

11 A. After a while, this was found out. I mean, we found out who it  
12 was.

13 Q. Could you tell the Judges how you found out who that was? Was  
14 it something you learned directly? Something somebody else told you?

15 A. Not really. I mean, other people said that. People who knew  
16 him better, because we're far removed, as it were, from that whole  
17 part.

18 Q. So this is something you heard a person say and that is how you  
19 learned about the fact that it was him or the information it was him?  
20 Is that correct?

21 A. Yes.

22 Q. You mentioned that as part of the speech there was a reference  
23 to people who were pacifists could not really go ahead. What did you  
24 understand that to mean?

25 A. Well, we understood because -- or we understood it to mean that

1 it was really about the LDK, the Democratic League of Kosovo, that we  
2 cannot achieve freedom by words alone and by pacifist words and  
3 means, but that we need to take up arms.

4 Q. What led you to understand that this was about the LDK as such?

5 A. Well, the content of it. The speech itself was such.

6 Q. Was the LDK specifically mentioned by any of the speakers?

7 A. Not the LDK but that was the aim.

8 Q. And, again, can you explain how you understood that that was the  
9 aim of the speech, to refer to the LDK, even though they did not say  
10 LDK?

11 A. Well, everybody knew who was in Prishtine, who was actually  
12 working to achieve everything and by pacifist means and everything  
13 else.

14 Q. How much of Malisheve did the KLA control in June 1998?

15 A. Almost all of Malisheve.

16 Q. Was that also true in July 1998?

17 A. Well, everyone knows that in Malisheve, the Kosovo Liberation  
18 Army was there. There were two units, the Lumi unit and Celiku or  
19 Steel unit, which were in all of the villages of the Malisheve area.

20 Q. And in July 1998, was the KLA still in control of essentially  
21 all of Malisheve as it was in June?

22 A. After the offensives, things changed a little. But nonetheless,  
23 in Malisheve and its villages, they were acting there. It was, as it  
24 were, under the supervision of the KLA.

25 Q. Which offensives are you referring to? If you could provide a

1 month and year, please.

2 A. Well, obviously, after July, after the battles of Rahovec, in  
3 Llapushnik valley, et cetera. Nonetheless, in Malisheve and its  
4 villages, the Kosovo Liberation Army was acting there and it was  
5 under its supervision.

6 Q. Are you familiar with the term "Malisheve free zone" in the  
7 Kosovo armed conflict context?

8 A. Well, of course, I've heard about it. [REDACTED] Pursuant to  
9 In-Court Redaction Order F1462.

10 Q. And could you explain to the Judges briefly what that meant,  
11 this term?

12 A. Well, for several months it was the Malisheve free zone,  
13 controlled by the Kosovo Liberation Army as a free zone, as a free  
14 area where people just acted, as in it was a little bit -- things  
15 were a bit freer there than in other areas.

16 Q. And in what way was it free, or can I ask who was it free of?

17 A. Free because there were no Serb forces in Malisheve. It was  
18 completely under the control of the Kosovo Liberation Army.

19 Q. I remind you we're in open session. I just have two questions,  
20 and then I'll ask to move to private session.

21 My first question is: When, what month did you join the KLA and  
22 what year?

23 A. Yes. As I said earlier, it was as of 1991 that we had the  
24 Ministry of Defence. It was a structure inside Kosovo that worked  
25 as -- but as a member of the KLA, I joined immediately in 1998. I  
26 worked in the [REDACTED] Pursuant to In-Court Redaction Order F1462.  
27 sector. But in the meantime, I was already a

1 member. I joined. But on 7 April, however, we established this unit  
2 in the village, [REDACTED] Pursuant to In-Court Redaction Order  
F1462.

3 MR. PACE: Your Honour, I'll move to private session with your  
4 leave.

5 PRESIDING JUDGE SMITH: Into private session, please.

6 [Private session]

7 [Private session text removed]

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Examination by Mr. Pace

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Examination by Mr. Pace

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

Page 2949

Examination by Mr. Pace

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Witness: W02652 (Private Session)

Page 2950

Examination by Mr. Pace

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13 [Open session]

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

15 PRESIDING JUDGE SMITH: Thank you.

16 Witness, we are going to break for lunch now, and you need to be  
17 back here at 2.30. You will be back in the courtroom at 2.30. You  
18 understand? And the usher --

19 THE WITNESS: [Interpretation] Yes.

20 PRESIDING JUDGE SMITH: -- will take you out of the courtroom  
21 now.

22 [The witness stands down]

23 PRESIDING JUDGE SMITH: And I believe the Thaci Defence had a  
24 issue on a translation matter; is that correct?

25 MR. MISETIC: Yes, Mr. President. We would like to just tender

1 two exhibits. I believe this has been coordinated with the  
2 Prosecution, and I failed to do it with the last witness.

3 The first exhibit is DHT067223 to 067223 revised. And we need a  
4 new exhibit number for that. It is a document that has a revision of  
5 a document that's already into evidence.

6 PRESIDING JUDGE SMITH: [Microphone not activated] Any objection  
7 by anyone for the admission?

8 MR. PACE: Your Honour, I do. I would like to clarify the  
9 procedure with this and moving forward what's going to happen with  
10 these revisions. I understand, if I'm informed correctly, that this  
11 is already an admitted exhibit that the Defence is now tendering a  
12 revised version of, and I believe that the correct procedure would  
13 have been for the Registry to actually provide any updates or  
14 revisions to that.

15 And we also seek clarity as to whether one exhibit is going to  
16 replace the other or if we're going to have two exhibits. Our  
17 preference would be for one exhibit with the agreed version of the  
18 correct text.

19 PRESIDING JUDGE SMITH: Can you respond to that?

20 MR. MISETIC: Yes, Mr. President. That is also our preference,  
21 but we were, and this -- and as far as I know, this has been in  
22 communications with both the SPO and the Court Officer, that there is  
23 a concern on the part of the Registry that if the exhibit and the  
24 translation were already used, that the record would be unclear  
25 because we used a translation that did not have a correct translation

1 with a witness. And so the Registry is the one that proposed that we  
2 then add a subsequent admitted exhibit as a translation.

3 And if I may -- so that was how I was proceeding with respect to  
4 the document I just gave you. With respect to the second document --

5 PRESIDING JUDGE SMITH: [Microphone not activated]

6 MR. MISETIC: For this document, yes.

7 PRESIDING JUDGE SMITH: [Microphone not activated]

8 THE INTERPRETER: No microphone.

9 PRESIDING JUDGE SMITH: Do you want to object to that, Mr. Pace?

10 MR. PACE: Your Honour, it's more than an objection on this  
11 particular issue. We would like a settled procedure also for clarity  
12 of --

13 PRESIDING JUDGE SMITH: I just want to know if you have an  
14 objection right now.

15 MR. PACE: On this particular revision, we agree with the  
16 revised text.

17 PRESIDING JUDGE SMITH: The Exhibit DHT0067223 through 067225 --

18 MR. MISETIC: 235.

19 PRESIDING JUDGE SMITH: -- is admitted and -- sorry, 235?

20 MR. MISETIC: I'm sorry, it's just 067223 is all -- let me -- I  
21 apologise.

22 PRESIDING JUDGE SMITH: Through -- oh, not through. Just that  
23 one number.

24 MR. MISETIC: Just 067223, yes.

25 PRESIDING JUDGE SMITH: All right. That will be admitted. And

1 we'll need a number.

2 We are advised that it will just merely be added. It will not  
3 be an additional translation. It's just going to be added to the  
4 document that was already in place.

5 MR. MISETIC: That's fine.

6 PRESIDING JUDGE SMITH: The second one?

7 MR. MISETIC: The second one is DHT067234 to 067235. This is  
8 one that has the incorrect date in the translation. I don't believe  
9 that the incorrect date was used during these proceedings, and we  
10 would ask that we just replace the English translation with the  
11 correct translation.

12 PRESIDING JUDGE SMITH: Any objection?

13 MR. PACE: No, Your Honour.

14 PRESIDING JUDGE SMITH: That will be admitted, 067234 through  
15 067235. And we assign a number to that.

16 THE COURT OFFICER: Your Honour, if I can clarify. As far as I  
17 understand, this is a revised translation to Exhibit P38 already?

18 MR. MISETIC: That is correct.

19 THE COURT OFFICER: So we can only replace the translation  
20 [Overlapping speakers] ...

21 PRESIDING JUDGE SMITH: Okay. So it's replaced. All right.

22 MR. MISETIC: Thank you, Mr. President. That's all I have.

23 PRESIDING JUDGE SMITH: Thank you.

24 MR. MISETIC: Thank you.

25 PRESIDING JUDGE SMITH: Now, Mr. Pace.

1 MR. PACE: Just briefly, Your Honour. I'm not asking for this  
2 to be ruled on now, or guidance to be provided now, but moving  
3 forward it would be good to know if we're sticking to what the Order  
4 on the Conduct of Proceedings says in terms of revisions, which, if I  
5 recall correctly, paragraph 58 talks about raising these issues with  
6 the Registry rather than they being provided by a party and then  
7 seeking agreement otherwise, especially when the item at issue has  
8 already been admitted. As we can see, that causes some problems.

9 So obviously I'm not asking for guidance now, but in due course  
10 perhaps that would be useful.

11 PRESIDING JUDGE SMITH: We will ask for input from the Registry  
12 on this before clarifying.

13 So we will break now. Be back at 2.30. And thank you for your  
14 attendance.

15 --- Luncheon recess taken at 12.54 p.m.

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

17 PRESIDING JUDGE SMITH: Before beginning, the Panel will address  
18 the Thaci Defence request for extension of time, filing F01458, which  
19 was filed this morning.

20 On 17 April 2023, the Thaci Defence requested an extension of  
21 time to file its response to the Prosecution's motion for admission  
22 of accused statements, filing F01351 of 8 March 2023.

23 On 16 March 2023, pursuant to a joint request by Thaci, Selimi,  
24 and Krasniqi Defence, the Panel had granted a four-week extension to  
25 the Defence to file their response, that is, until today, 17 April

1 2023. This is decision F01378.

2 In today's filing, the Thaci Defence submits that these four  
3 weeks have not been sufficient and that it needs to seek its clients'  
4 further instructions before it can file a response. It, therefore,  
5 requests an extension until Wednesday, 26 April, to file a response  
6 to the SPO's motion.

7 The SPO resisted the motion based on the fact that there were no  
8 valid reasons to extend the deadline further.

9 The Panel considers that in line with the Order on the Conduct  
10 of Proceedings, the Thaci Defence should not have filed this request  
11 for extension of time at the last minute but, rather, as soon as it  
12 became apparent that it could not meet the deadline.

13 The Thaci Defence has failed to do so and, thus, to comply with  
14 the Panel's Order on the Conduct of Proceedings.

15 That being said, the Panel is of the view that the Thaci Defence  
16 has demonstrated good cause for an extension of time given the volume  
17 of material involved, the importance of the issues of concern to this  
18 particular filing, competing deadlines in relation to trial  
19 preparation activities, and the need to consult further with its  
20 client.

21 The Panel further finds that granting a short extension of time  
22 to the Defence to file its response would not prejudice the other  
23 parties and participants and would not unduly delay the proceedings.

24 However, the Panel considers that an extension of one week, that  
25 is, until Monday, April 24th, 2023, is sufficient. Therefore,

1 pursuant to Article 40(2) of the Law and Rule 9(5) (A) of the Rules,  
2 the Panel extends the deadline for all Defence teams to respond to  
3 the SPO's motion F01351 to Monday, 24 April 2023.

4 This concludes the oral order.

5 One other matter that came up this morning that I'd like to  
6 address just briefly, and that is in our Order on Conduct of  
7 Proceedings, we clearly state that whoever starts with a witness will  
8 be the spokesperson for the team during that witness's testimony and  
9 cross. For example, in Mr. McCloskey's position as handling this  
10 witness, he will handle all comments. I don't want people popping up  
11 from all over the place making comments during the trial. We will do  
12 it one at a time. Who has the witness stays with the witness.

13 I think that's fairly clear. It goes for both sides. And  
14 that's the last I want to say about it.

15 Madam Court Usher, you can bring the witness in.

16 [The witness takes the stand]

17 PRESIDING JUDGE SMITH: Witness, can you hear me?

18 THE WITNESS: [Interpretation] Yes, I can.

19 PRESIDING JUDGE SMITH: Welcome back. We are ready to proceed  
20 or to continue with your examination by the SPO. Remember, you're  
21 under an obligation to tell the truth and that remains throughout  
22 your testimony.

23 Mr. Pace, you have floor.

24 MR. PACE: Thank you, Your Honour. And I ask that we move to  
25 private session, please.





Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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14 [Open session]

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

16 PRESIDING JUDGE SMITH: Go ahead, Mr. Pace.

17 MR. PACE: Thank you, Your Honour.

18 Q. Witness, I remind you we're now in open session. If I ask you  
19 something and you feel that to answer fully you need to provide  
20 identifying information, just let us know and we'll move back into  
21 private session, if Your Honour allows it.

22 Going back a little in time to April 1998, around that time,  
23 what was the nature of the relationship, if any, between the KLA and  
24 the LDK?

25 MR. EMMERSON: I do apologise, but in the light of the questions

1 and answers that have been given thus far which are at a level of  
2 detail far more specific than that very general question, it's  
3 difficult to know what it is exactly the scope of that question is.

4 We've heard a great deal about the relationships between the  
5 two, in terms of who was doing what and where and who was in what  
6 organisation and which at the same time, but the general question  
7 just asked, what was the relationship, if any, is altogether far too  
8 broad.

9 MR. PACE: I can be more specific, Your Honour.

10 PRESIDING JUDGE SMITH: Go ahead. Please be more specific.

11 MR. PACE:

12 Q. Witness, were the goals of the KLA and the LDK, starting from  
13 April 1998, aligned?

14 A. Almost, not really good. That is the relationship between the  
15 LDK and the Malisheve units, even though quite a large part of us had  
16 joined the KLA, be it the Celiku unit, the Lumi unit, but the rapport  
17 wasn't all that healthy, good, sound, because there was pressure  
18 continuously that LDK should cease its activity in Malisheve.

19 Q. Who was applying this pressure?

20 A. The department, the policy department in Malisheve of the KLA.

21 Q. Did this policy department have a commander to your knowledge?

22 A. In Malisheve, the director of the political directorate, I don't  
23 know about other countries, but it was Gani Krasniqi.

24 MR. PACE: Your Honour, just a question of timing. Can I go on  
25 until 4.00, or are there any other matters that we have to address?

1           PRESIDING JUDGE SMITH: I'm sorry, I didn't have my mic on. Go  
2 until 4.00.

3           MR. PACE: Thank you, Your Honour.

4           Q. Witness, did the KLA recognise President Rugova at the time in  
5 April 1998 or around that time?

6           A. No.

7           Q. Did you remain an LDK member when you joined the KLA?

8           A. Yes.

9           Q. Was joining the KLA compatible with being an LDK member at the  
10 time?

11          A. In terms of the KLA, the important thing was to join them. Not  
12 whether you were a member of the LDK or not.

13          Q. Earlier you testified about parallel institutions. After you  
14 joined the KLA, did you learn whether other KLA members recognised  
15 these institutions?

16          A. Yes, there were.

17          Q. To be clear, are you saying there were KLA members who  
18 recognised the parallel institutions?

19          A. Yes, there were. There were soldiers, there were staff members  
20 who recognised the institutions of the Republic of Kosovo.

21          Q. Were there other KLA members or soldiers who did not recognise  
22 the institutions?

23          A. There were individuals, soldiers, but the majority recognised  
24 the institutions.

25          Q. Were you able to undertake any task for the LDK while you were a

1 KLA member? And I remind you, we're still in open session, so you  
2 can be general.

3 A. Although I was a member of the KLA, I carried on with LDK  
4 activities. I have worked, I have acted for whatever was needed of  
5 me.

6 Q. Did other KLA members know that you continued LDK activities  
7 while you were still a KLA member?

8 A. Yes.

9 Q. How, if at all, did these people react to that?

10 A. There were people who reacted. Others who asked me to withdraw.  
11 But I didn't, because I had support and I had the authority.

12 MR. PACE: I would like to move back into private session for my  
13 final questions, Your Honour.

14 PRESIDING JUDGE SMITH: [Microphone not activated]

15 [Private session]

16 [Private session text removed]

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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Witness: W02652 (Private Session)

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Examination by Mr. Pace

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20 [Open session]

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

22 [The witness stands down]

23 PRESIDING JUDGE SMITH: All right, Mr. Pace.

24 MR. PACE: Your Honour, in case it assists by way of timing, we  
25 previously indicated that we would need seven hours. I believe I've

1 used three. I don't anticipate needing more than six, perhaps even  
2 less. So I will certainly use up the entirety of the first session  
3 tomorrow, and then I can give you a better indication of when I would  
4 finish.

5 PRESIDING JUDGE SMITH: Thank you.

6 Mr. McCloskey.

7 MR. McCLOSKEY: Yes. Just, it may help that the -- [REDACTED]  
Pursuant to In-Court Redaction Order F1462.

8 [REDACTED] Pursuant to In-Court Redaction Order F1462.

9 [REDACTED] Pursuant to In-Court Redaction Order F1462.

10 [REDACTED] Pursuant to In-Court Redaction Order F1462. Just so that  
can be made clear.

11 PRESIDING JUDGE SMITH: Thank you.

12 All right. We'll see you tomorrow morning at 9.00 a.m. Thank  
13 you for your attendance and cooperation today.

14 --- Whereupon the hearing adjourned at 4.07 p.m.

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