Procedural Matters (Open Session)

Page 14117

[Open session] [The accused entered the courtroom] Upon commencing at 9.00 a.m. PRESIDING JUDGE SMITH: Madam Court Officer, you may call the case. THE COURT OFFICER: Good morning, Your Honour. This is case KSC-BC-2020-06, The Specialist Prosecutor versus Hashim Thaci, Kadri Veseli, Rexhep Selimi, and Jakup Krasniqi. PRESIDING JUDGE SMITH: Thank you. And good morning. I note for the record that the accused are present in court. As you are all aware, today we will start hearing the testimony of Prosecution Witness W04739. Tomorrow, we will resume W04147's testimony. Before we start, there are some preliminary matters to deal with. First, regarding the examination time for W04739, I remind you that it would be best if we could complete this witness's testimony by the end of Thursday, as we then have a two-week break. The Panel also indicated last week that we considered the cross-examine estimates to be somewhat excessive, and I hope you can continue to keep that in mind as you go through the cross-examination and the direct examination. Next, the Panel will now rule on the admission of audio-visual	1	Tuesday, 2 April 2024
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23 direct examination.	21	estimates to be somewhat excessive, and I hope you can continue to
	22	keep that in mind as you go through the cross-examination and the
Next, the Panel will now rule on the admission of audio-visual	23	direct examination.
	24	Next, the Panel will now rule on the admission of audio-visual

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recordings of admitted Rule 153 statements.

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Procedural Matters (Open Session)

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The Panel notes that, pursuant to the Panel's fourth oral order 1 of 15 January 2024, in filing F02197, the SPO has tendered the audio-visual recordings of witness statements previously admitted 3 pursuant to 153 in the Panel's decision F01904 and F02111. Having found in those decisions that the relevant Rule 153 5 statements are admissible pursuant to Rules 138(1) and 153, the Panel 6 7 admits into evidence the corresponding audio-visual recordings of those statements as identified in Annex 1 to filing F02197, and 8 directs the Registry to assign the admitted audio-visual recordings 9 the same exhibit numbers which have been assigned to the relevant 10 Rule 153 statements as indicated in Annex 1 to filing F02197. 11 The Panel further directs the SPO to make submissions on the 12 classification of the admitted audio-video recordings by no later 13 than 5 April -- Friday, April 5, 2024. 14 This concludes the oral order. 15 Lastly, I recall that for this witness testimony is in closed 16 session, which was ordered for the protection of the witness. So 17 18 unless there are any other preliminary matters that the parties or participants wish to raise, we will now move into closed session. 19 MR. HALLING: Not a preliminary matter as such, but just a new 20 appearance for the record. In the back of the courtroom is new 21 SPO Prosecutor, John Capin. 22 Thank you. 23 PRESIDING JUDGE SMITH: Thank you. 24

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So, Madam Court Officer, please bring us into closed session.

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Witness: W04739 (Closed Session)

Procedural Matters

[Closed session]

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Witness: W04739 (Closed Session) Page 14120

Procedural Matters

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Witness: W04739 (Closed Session)

Examination by Mr. Halling

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

Witness: W04739 (Closed Session) Page 14123

Examination by Mr. Halling

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

Examination by Mr. Halling

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

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Witness: W04739 (Closed Session) Page 14130

Examination by Mr. Halling

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Witness: W04739 (Closed Session) Examination by Mr. Halling

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Witness: W04739 (Closed Session) Page 14132

Examination by Mr. Halling

Witness: W04739 (Closed Session) Page 14133

Examination by Mr. Halling

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Witness: W04739 (Closed Session) Page 14134

Examination by Mr. Halling

Witness: W04739 (Closed Session) Page 14135

Examination by Mr. Halling

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Witness: W04739 (Closed Session) Page 14136

Examination by Mr. Halling

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Witness: W04739 (Closed Session) Page 14138

Examination by Mr. Halling

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Witness: W04739 (Closed Session) Examination by Mr. Halling

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Witness: W04739 (Closed Session)

Examination by Mr. Halling

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Witness: W04739 (Closed Session)

Examination by Mr. Halling

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Witness: W04739 (Closed Session) Page 14145

Examination by Mr. Halling

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Witness: W04739 (Closed Session)

Examination by Mr. Halling

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Witness: W04739 (Closed Session) Page 14147 Examination by Mr. Halling [Closed session text removed]

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Witness: W04739 (Closed Session) Page 14148 Examination by Mr. Halling

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25	[Open session]

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Witness: W04739 (Closed Session)

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Examination by Mr. Halling THE COURT OFFICER: Your Honours, we are now in public session. PRESIDING JUDGE SMITH: Thank you. --- Break taken at 10.08 a.m. --- On resuming at 10.17 a.m. PRESIDING JUDGE SMITH: Back into closed session, please, Madam Court Officer. [Closed session] [Closed session text removed]

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Witness: W04739 (Closed Session) Examination by Mr. Halling

[Closed session text removed]

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

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Witness: W04739 (Closed Session) Page 14152 Examination by Mr. Halling

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Witness: W04739 (Closed Session) Page 14153

Examination by Mr. Halling

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Witness: W04739 (Closed Session) Page 14154 Examination by Mr. Halling [Closed session text removed]

Examination by Mr. Halling

Witness: W04739 (Closed Session)

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Witness: W04739 (Closed Session)

Examination by Mr. Halling

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

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Witness: W04739 (Closed Session)

Examination by Mr. Halling

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

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Witness: W04739 (Closed Session) Page 14165 Examination by Mr. Halling [Closed session text removed]

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

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Procedural Matters (Closed Session)

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11	[Open session]
12	THE COURT OFFICER: Your Honours, we are now in public session.
13	PRESIDING JUDGE SMITH: Thank you.
14	We are adjourned until 11.30.
15	Recess taken at 10.59 a.m.
16	On resuming at 11.30 a.m.
17	PRESIDING JUDGE SMITH: Back into closed session, please,
18	Madam Court Officer.
19	[Closed session]
20	[Closed session text removed]
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Witness: W04739 (Closed Session) Page 14169

Examination by Mr. Halling

Witness: W04739 (Closed Session) Page 14170 Examination by Mr. Halling [Closed session text removed]

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

[Closed session text removed]

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

[Closed session text removed]

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Witness: W04739 (Closed Session) Page 14173 Examination by Mr. Halling [Closed session text removed]

Witness: W04739 (Closed Session) Examination by Mr. Halling

[Closed session text removed]

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Witness: W04739 (Closed Session)

Examination by Mr. Halling

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Witness: W04739 (Closed Session)

Examination by Mr. Halling

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

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Witness: W04739 (Closed Session) Page 14178

Examination by Mr. Halling

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

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Witness: W04739 (Closed Session) Page 14180

Examination by Mr. Halling

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Witness: W04739 (Closed Session) Page 14181

Examination by Mr. Halling

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

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Witness: W04739 (Closed Session) Page 14183

Examination by Mr. Halling

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Examination by Mr. Halling

Witness: W04739 (Closed Session)

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Witness: W04739 (Closed Session)

Examination by Mr. Halling

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Witness: W04739 (Closed Session)

Examination by Mr. Halling

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Witness: W04739 (Closed Session) Page 14187

Examination by Mr. Halling

Witness: W04739 (Closed Session) Page 14188

Examination by Mr. Halling

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Kosovo Specialist Chambers - Basic Court

Witness: W04739 (Closed Session)
Cross-examination by Mr. Emmerson

Witness: W04739 (Closed Session)

Cross-examination by Mr. Emmerson

Witness: W04739 (Closed Session) Page 14191 Cross-examination by Mr. Emmerson

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Witness: W04739 (Closed Session) Page 14192 Cross-examination by Mr. Emmerson

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Cross-examination by Mr. Emmerson

Witness: W04739 (Closed Session) Page 14193

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Witness: W04739 (Closed Session) Page 14194 Cross-examination by Mr. Emmerson

Witness: W04739 (Closed Session)

Cross-examination by Mr. Emmerson

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Witness: W04739 (Closed Session) Cross-examination by Mr. Emmerson

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Witness: W04739 (Closed Session) Page 14197 Cross-examination by Mr. Emmerson

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Witness: W04739 (Closed Session) Page 14198

Cross-examination by Mr. Emmerson

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Witness: W04739 (Closed Session) Page 14199 Cross-examination by Mr. Emmerson

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Witness: W04739 (Closed Session)

Cross-examination by Mr. Emmerson

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Witness: W04739 (Closed Session) Page 14201

Cross-examination by Mr. Emmerson

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Witness: W04739 (Closed Session) Page 14202

Cross-examination by Mr. Emmerson

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Kosovo Specialist Chambers - Basic Court

Witness: W04739 (Closed Session) Page 14203 Cross-examination by Mr. Emmerson

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[Closed session text removed] 1 2 3 7 8 [Open session] 9 THE COURT OFFICER: We are now in public session, Your Honours. 10 PRESIDING JUDGE SMITH: Till 1.30. [Microphone not activated]. 11 --- Luncheon recess taken at 12.59 p.m. 12 --- On resuming at 2.30 p.m. 13 14 PRESIDING JUDGE SMITH: Please, Madam Court Officer, back into closed session. 15 And, Madam Court Usher, you may escort the witness into the 16 17 courtroom. 18 [Closed session] [Closed session text removed] 19 20 21 22 23 24 25

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Witness: W04739 (Closed Session)

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Kosovo Specialist Chambers - Basic Court

[Closed session text removed] 1 2 3 5 [Open session] 6 THE COURT OFFICER: Your Honours, we're back in public session. 7 PRESIDING JUDGE SMITH: Thank you. We'll be adjourned until 8 3.15. 9 --- Break taken at 3.05 p.m. 10 --- On resuming at 3.15 p.m. 11 PRESIDING JUDGE SMITH: Back to closed session, please, 12 Madam Court Officer. 13 [Closed session] 14 [Closed session text removed] 15 16 17 18 19 20 21 22 23 24 25

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Witness: W04739 (Closed Session)

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Witness: W04739 (Closed Session) Page 14229 Cross-examination by Mr. Emmerson

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Cross-examination by Mr. Roberts

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10	[Open session]
11	THE COURT OFFICER: Your Honours, we are now in public session.
12	PRESIDING JUDGE SMITH: Thank you.
13	We are adjourned until 9.00 a.m. tomorrow.
14	Whereupon the hearing adjourned at 4.29 p.m.
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