

1 Tuesday, 2 July 2024

2 [Open session]

3 [The accused entered the courtroom]

4 --- Upon commencing at 9.01 a.m.

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

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

10 PRESIDING JUDGE SMITH: I note the accused are all present in
11 court today. We will continue today hearing the evidence of
12 Prosecution Witness W04752.

13 Before we continue with the witness, the Panel wishes to clarify
14 a point in respect of an exhibit admitted yesterday.

15 Yesterday, the SPO tendered SPOE00225789 to SPOE00225790, which
16 consists of two pages, but only one of the pages, SPOE00225789, was
17 reflected as admitted on the record, which was not an omission in
18 making the record by the court reporter but was my mistake.

19 So the Panel therefore clarifies that both pages of SPOE00225789
20 to SPOE00225790 were admitted as P1396.

21 Now, we'll continue with hearing the evidence of the Prosecution
22 Witness W04752.

23 Madam Court Usher, please bring the witness in.

24 [The witness takes the stand]

25 PRESIDING JUDGE SMITH: Good morning, Mr. Zyrapi. I trust that

1 you had a restful night.

2 THE WITNESS: [Interpretation] Good morning. Yes, thank you.

3 PRESIDING JUDGE SMITH: I remind you to please try to answer the
4 questions today clearly with short sentences. If you don't
5 understand a question, feel free to ask counsel to repeat the
6 question or tell them you don't understand and they will clarify.

7 Also, please try to indicate the basis of your knowledge of
8 facts and circumstances upon which you will be questioned.

9 Please also speak into the microphone and wait five seconds
10 before answering a question and speak at a slow pace for the
11 interpreters to catch up.

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

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

16 I also remind you that, as advised yesterday, you are not
17 required to answer a question that is incriminating unless and until
18 the Panel compels you to answer, and that if such a question arises,
19 you or your assigned counsel may raise the issue to the Panel and we
20 will proceed to determine whether or not, and under what
21 circumstances, you might be compelled to answer.

22 So we continue now with the Special Prosecution questioning for
23 you. Please give them your attention.

24 Madam Prosecutor, you may continue.

25 WITNESS: BISLIM ZYRAPI [Resumed]

Witness: Bislim Zyrapi (Resumed) (Open Session)

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Examination by Ms. Lawson (Continued)

1 [The witness answered through interpreter]

2 Examination by Ms. Lawson: [Continued]

3 Q. Good morning.

4 A. Good morning.

5 Q. When we finished yesterday, we were looking at a document
6 relating to finances, so I'd like to continue with one more.

7 MS. LAWSON: And that is SPOE00225266.

8 Q. Can you please explain what this is?

9 A. This is a request from a logistics commander unit at the
10 General Staff asking for means, technical means, to proceed with --
11 to carry out his work.

12 Q. Do you recognise the name of the officer?

13 A. Yes.

14 Q. What was his role?

15 A. He was the commander of the logistics company within the
16 General Staff.

17 MS. LAWSON: Can we scroll down slightly on the Albanian,
18 please.

19 Q. And do you recognise who has approved this request?

20 A. Yes.

21 Q. Can you please state who it is?

22 A. Yes, this is the signature of Jakup Krasniqi.

23 Q. Did he have authority to do that?

24 A. Yes.

25 MS. LAWSON: I'd like to tender the document, please.

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1 PRESIDING JUDGE SMITH: Any objection?

2 MS. ALAGENDRA: Your Honours, the witness has not said he's seen
3 this document before, and he is not the one who has prepared this
4 document.

5 PRESIDING JUDGE SMITH: [Microphone not activated].

6 That is not an objection. The objection is overruled.

7 SPOE00225266 is admitted.

8 THE COURT OFFICER: Your Honour, that document will receive
9 Exhibit P01400. Classification is confidential.

10 PRESIDING JUDGE SMITH: Reclassify it as public.

11 THE COURT OFFICER: Thank you.

12 MS. LAWSON:

13 Q. Now, yesterday you described to us where the General Staff was
14 based between November 1998 and March 1999, and then I had been about
15 to show a document but we weren't able to locate it. I'd like to go
16 back to that.

17 MS. LAWSON: The document is SPOE00082284 for the English. And
18 for the Albanian, it's SPOE00082262. And we can please start on page
19 285 of both, and it can be broadcast. Thank you. And if we could
20 scroll down slightly so that -- yes, thank you.

21 Q. You can see the map in front of you here and it has a legend
22 underneath it, so I'd ask you to please confirm whether number 2 for
23 Fshati i Ri, 3 for Divjake, and 5 for Klecke are accurate.

24 MS. LAWSON: If we can scroll the map up slightly so that number
25 2 is visible as well. Thank you.

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Examination by Ms. Lawson (Continued)

1 THE WITNESS: [Interpretation] Yes.

2 MS. LAWSON: So we'll move, please, to page 287 in both, that's
3 forward two.

4 Q. Do you recognise the building in the photograph on the top?

5 A. Yes, the seat of the command of Brigade 121.

6 Q. Have you been there?

7 A. Yes.

8 Q. In the second photograph, do you recall that event?

9 A. Yes. This was in June when I assisted and explained, instructed
10 how to prepare reports, lined up units, salute.

11 MS. LAWSON: And if we can scroll down to see the third photo on
12 the page, please.

13 Q. Do you recognise the people in that photograph; and if so, could
14 you please name them?

15 A. Yes, I know them. We see in the photograph Jakup Krasniqi,
16 Fatmir Limaj, and Ferat Shala.

17 Q. Can you indicate where in the photo each of those people are?
18 So when we're looking at it, the person on the left as we look at the
19 photograph, who is that?

20 A. On the left, we see Ferat Shala.

21 Q. And in the centre?

22 A. In the centre, Jakup Krasniqi. And on the right, Fatmir Limaj.

23 Q. Do you know where that is?

24 A. No, I don't recall. I don't know.

25 MS. LAWSON: Can we go to page 289, please.

1 Q. So starting with the photo on the top left. Do you recognise
2 what that building is?

3 A. Yes.

4 Q. Can you please describe what it is, where it is, and who was
5 based in it?

6 A. This is the house in the village of Divjake, part of the
7 General Staff. Jakup Krasniqi, Rame Buja, Sokol Dobruna stayed in
8 this house.

9 Q. And we can see that there is another building -- well, there's
10 the white building and then there's another building attached to it.
11 What was there?

12 A. It's not adjacent. It's slightly separated from this building.
13 The logistics were based there. The logistics company of the
14 General Staff.

15 Q. The photo on the top right, do you recognise what that building
16 is?

17 A. Yes. This is a building in the village of Divjake, part of the
18 General Staff, where I stayed with the operational and communications
19 directorates.

20 Q. The photograph under that, so the second one from top on the
21 right, do you recognise that, and can you again describe it, please?

22 A. Yes, the same for the third building. In the village of
23 Divjake, part of the General Staff, where the military police was
24 stationed, which provided security for the General Staff.

25 Q. Do you recognise the building that's the second one from top on

1 the left?

2 A. It's now destroyed, but at the time it was functional, and the
3 General Staff reconnaissance units were based there from what I can
4 remember.

5 Q. So going to the photographs at the bottom of the page, on the
6 bottom left, do you recognise who's in that photograph?

7 A. Yes, this is Jakup Krasniqi.

8 Q. Do you recall the event depicted in the photograph?

9 A. This is in December 1998, I think. I don't recall exactly.

10 Q. And the photograph on the bottom right, do you recognise the
11 individuals in that photograph?

12 A. Yes.

13 Q. So starting from the man nearest the camera or closest to us,
14 could you please identify them?

15 A. The first one is the Teacher. He's a senior officer of Brigade
16 121, the commander. The second one is Muse Jashari, the zone
17 commander or the communications -- head of the communications at this
18 time. Then we have Naim Maloku from the operational directorate. I
19 can't see clearly the next one. Then we have Fatmir Limaj, from what
20 I remember and what I can see. Then Jakup Krasniqi and Rame Buja at
21 the bottom.

22 MS. LAWSON: So we can go to page 291, please.

23 Q. And the photograph down at the bottom of the page. Do you
24 recognise what this building is, and can you again describe it,
25 please?

1 A. Yes. This building is in the village Fshati i Ri or Novoselle
2 in the mountains of Berisha. This place or this location was
3 assigned to the provisional government at the time.

4 Q. So who would have been based there?

5 A. This was usually used as the seat or basis for the provisional
6 government. Hashim Thaci and other members of the provisional
7 government were there. We are speaking of the time after
8 Rambouillet.

9 Q. Is that when this building was first used?

10 A. No. It was used also before that when we, staff members, were
11 there before we settled in Divjake.

12 MS. LAWSON: Can we please go to page 294.

13 Q. The building depicted in the photographs on the top, do you
14 recognise where that is?

15 A. Based on the photograph and the events at the time, this was in
16 the village of Luzhnica.

17 Q. Have you been there?

18 A. Yes, in June 1998.

19 MS. LAWSON: Your Honour, I'd like to tender the document
20 please. And for the Albanian, I'll just tender the page range that
21 matches the English excerpt, so that's 284 to 294. And it can be
22 public.

23 PRESIDING JUDGE SMITH: Any objection?

24 MR. MISETIC: No objection.

25 PRESIDING JUDGE SMITH: No objection is heard.

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1 SPOE00082284 to SPOE00082294 is admitted.

2 THE COURT OFFICER: Your Honours, that page range and its
3 corresponding English translation will be assigned Exhibit P01401.
4 It is currently classified as confidential. My understanding is --

5 PRESIDING JUDGE SMITH: Please reclassify as public.

6 THE COURT OFFICER: Thank you. It will be reclassified as
7 public.

8 MS. LAWSON: So I'd like to look at a few more photographs now.
9 The first one is SPOE00229683. And it can be public, it can be
10 broadcast.

11 Q. Do you recognise the people in this photo? Can you please name
12 them?

13 A. Yes. On the left-hand side it's me. In the middle is
14 Hashim Thaci. And on the right-hand side, Rexhep Selimi.

15 Q. Where was this photograph taken?

16 A. From what I can remember, it was taken in Fshati i Ri.

17 Q. Would that be in the building we looked at, the provisional
18 government building?

19 A. Yes.

20 Q. Do you recall approximately when it was taken?

21 A. No, I don't. I don't recall it.

22 Q. Are you able to give an approximate time range or date?

23 A. It might have been sometime in November. Most probably November
24 1998.

25 MS. LAWSON: Can we please bring up -- sorry, Your Honours, I'd

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1 like to tender that.

2 PRESIDING JUDGE SMITH: Any objection to the photo?

3 MR. MISETIC: No objection.

4 PRESIDING JUDGE SMITH: None being heard, SPOE00229683 is
5 admitted.

6 THE COURT OFFICER: Your Honour, that photograph will receive
7 Exhibit P01402, and it's currently classified as confidential.

8 PRESIDING JUDGE SMITH: Reclassify as public.

9 THE COURT OFFICER: Thank you. Thank you, Your Honour.

10 MS. LAWSON: And the next one. Again, it can be broadcast and
11 be classified as public. It is SPOE00229689.

12 Q. Can you, again, please recognise the individuals or identify the
13 individuals and the location?

14 A. On the left is Jakup Krasniqi; and on the right, Rexhep Selimi.
15 I think this was taken in the same building, in the same place.

16 MS. LAWSON: I'd like to tender that as well, please.

17 PRESIDING JUDGE SMITH: Any objection?

18 MR. ROBERTS: No objection, Your Honour.

19 PRESIDING JUDGE SMITH: None. SPOE00229689 is admitted.

20 THE COURT OFFICER: That photograph, Your Honour, will receive
21 P01403. My understanding is that it can be reclassified to public.

22 PRESIDING JUDGE SMITH: Yes.

23 THE COURT OFFICER: Thank you.

24 MS. LAWSON: And the next one is SPOE00229700.

25 Q. If you can again please identify the individuals and the

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1 location.

2 A. Yes. On the left, it's me; on the right, Rexhep Selimi. It's
3 in the same place as the previous photographs.

4 MS. LAWSON: And, Your Honour, I'd like to tender that again,
5 please.

6 PRESIDING JUDGE SMITH: Any objection?

7 MR. ROBERTS: No objection.

8 PRESIDING JUDGE SMITH: No objection is heard.

9 SPOE00229700 is admitted and reclassified as public.

10 THE COURT OFFICER: Your Honour, that photograph will receive
11 Exhibit P01404, and it will be reclassified as public. Thank you.

12 MS. LAWSON: The next one, which again can be public, is
13 SPOE00224887. If we can scroll down slightly, please.

14 Q. And, Witness, if you could again please identify the individuals
15 and location.

16 A. We see here on the left Jakup Krasniqi; on the right, Rame Buja.
17 It seems -- it doesn't seem to be the same exact location as the
18 previous photographs. I think this could be in what we call the
19 white house in Divjake.

20 Q. There's a black item on the table in front of them. Can you
21 identify what that is?

22 A. The black device we see on the table is a satellite phone.

23 MS. LAWSON: Your Honours, I'd like to tender that again,
24 please.

25 PRESIDING JUDGE SMITH: Any objection?

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1 MS. ALAGENDRA: No objection.

2 PRESIDING JUDGE SMITH: No objection heard.

3 SPOE00224887 is admitted and reclassified as public.

4 THE COURT OFFICER: Thank you, Your Honour. That photograph
5 will receive Exhibit P01405, and it will be reclassified as public.

6 PRESIDING JUDGE SMITH: Thank you.

7 MS. LAWSON: The next one, which again can be public, is
8 SPOE00224894.

9 Q. If you could please identify the individual and the location.

10 A. Yes. It's Jakup Krasniqi, I think. Again, this photograph is
11 taken at the white house in Divjake.

12 Q. And the black device on the table, could you explain what that
13 is, please?

14 A. This too is a satellite phone.

15 MS. LAWSON: I'd like to tender that, please.

16 PRESIDING JUDGE SMITH: Any objection?

17 MS. ALAGENDRA: No objection, Your Honour.

18 PRESIDING JUDGE SMITH: No objections are heard.

19 SPOE00224894 is admitted.

20 THE COURT OFFICER: Your Honour, the photograph will receive
21 Exhibit P01406. Current classification is confidential.

22 PRESIDING JUDGE SMITH: Reclassify as public.

23 THE COURT OFFICER: Thank you.

24 MS. LAWSON: And the final one in this series is SPOE00229698.
25 And, again, it can be public and broadcast.

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Examination by Ms. Lawson (Continued)

1 Q. Can you please identify the individuals and the location.

2 A. On this photograph, we see Rexhep Selimi on the left and
3 Fatmir Limaj on the right. The photograph was taken at the same
4 house as I explained with the first photographs in Fshati i Ri.

5 Q. So the provisional government building in Fshati i Ri?

6 A. Yes --

7 MR. MISETIC: I'm going to object to the classification in the
8 question of -- it depends on the time. So the foundation for the
9 question.

10 MS. LAWSON: I was merely using the description that the witness
11 had previously given of it being the provisional government building.

12 MR. MISETIC: I believe that -- if I may.

13 PRESIDING JUDGE SMITH: Yes. Go ahead.

14 MR. MISETIC: He specified a time period for when it was the
15 provisional government building, so ...

16 PRESIDING JUDGE SMITH: I think he's referring to the building
17 that he --

18 MR. MISETIC: Okay.

19 PRESIDING JUDGE SMITH: -- previously identified. It seems
20 clear to me.

21 MR. MISETIC: The building is fine. I just don't want it to be
22 confused with -- that this is taken at the time of the provisional
23 government.

24 PRESIDING JUDGE SMITH: Understood. That's not the allegation.
25 It's just identifying the building.

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1 MS. LAWSON: Thank you. And I'd like to tender this item.

2 PRESIDING JUDGE SMITH: [Microphone not activated].

3 MR. ROBERTS: No -- I mean, relevance obviously, but no, apart
4 from that.

5 PRESIDING JUDGE SMITH: SPOE00229698 is admitted and
6 reclassified as public.

7 THE COURT OFFICER: Your Honour, that photograph will receive
8 Exhibit P01407 and will be reclassified as public. Thank you.

9 PRESIDING JUDGE SMITH: Thank you.

10 MS. LAWSON: Now, I'd like to go back to the kind of chronology
11 that we were doing yesterday and call up P00184. And if we can start
12 briefly on the last page, just so that the witness can see it, and
13 then back to the first page. Thank you. Well, the one before that.
14 Apologies.

15 Q. Witness, do you recognise this document?

16 MS. LAWSON: And we can go back to the first page.

17 THE WITNESS: [Interpretation] Yes.

18 MS. LAWSON:

19 Q. Did you prepare this report?

20 A. Yes.

21 Q. What did you base it on?

22 A. It is based on the reports of zone commanders.

23 Q. And did you submit this report to someone?

24 A. Always after meetings with zone commanders and receiving reports
25 from them, a comprehensive report would be drawn up and handed to

1 deputy commander.

2 Q. When you're referring to the deputy commander, could you please
3 give the name just because I believe there were two at a certain
4 point.

5 A. Yes. At that time, it was Jakup Krasniqi most of the time.

6 MS. LAWSON: Can we please move to P00615.

7 Q. Do you recognise this document?

8 A. Yes.

9 Q. Is it one that you issued?

10 A. From the command, yes.

11 Q. So it identifies issues for reporting for the zone commanders.
12 And I believe you've just answered in your last question, but what
13 would you do with such reports that were received?

14 A. Yes.

15 Q. Did you receive reports in response to this order?

16 A. Yes, from zone commanders.

17 Q. And what did you do with those reports?

18 A. As I explained earlier, upon receiving such reports, a summary
19 report would be drawn up and sent to the deputy commander. The
20 report would include the requests made by zone commanders,
21 instructions on how those requests would be fulfilled, and so forth.

22 Q. Would there ever be follow-up questions after you'd submitted a
23 report?

24 A. Not always. If anything was not clear or needed further
25 explanation, that would have been addressed to me directly or to the

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Examination by Ms. Lawson (Continued)

1 commander.

2 Q. By "commander," are you referring to the relevant zone
3 commander?

4 A. Yes, to the relevant zone commanders, depending on the requests
5 and needs.

6 MS. LAWSON: I'd like to move, please, to P00621.

7 Q. Do you recognise this document, and could you please describe
8 what it is?

9 A. Yes, I recognise it. It's my document signed by me. It bears
10 the General Staff stamp. It's an order concerning the reporting from
11 commanders and how they should report when they come to the
12 headquarters and what their report should include.

13 Q. So we can see that it's convening a meeting for 29 December.

14 MS. LAWSON: And I'd like to show you a further document from
15 that date. SPOE00227859. And, again, it can be broadcast.

16 Q. You can take a second to read it. Do you remember this meeting?

17 A. Yes, I remember this meeting. It was a meeting with the
18 directorates of the General Staff.

19 MS. LAWSON: And if we can move down slightly.

20 Q. It records you as giving a sort of a presentation on the
21 General Staff structure and the functions of the different
22 directorates. Do you recall doing that?

23 A. Yes.

24 MS. LAWSON: Can we please move to page 2.

25 Q. At the top of the page under "The Intelligence Directorate,"

1 you're recording as saying that it reports to both the commander and
2 the chief of staff. Can you explain what you meant by that?

3 A. The information directorate at the time was supposed to report
4 not only to commander but also to the chief of staff on the events,
5 what had happened, so that they are brought to the knowledge of the
6 chief of staff. When I said "information," certain reports can be
7 taken from the chief of staff, although most of the reports came from
8 the zone commanders. If there was need for information, the chief of
9 staff had to be informed so that he could further inform the public
10 opinion or the units.

11 Q. Would these reports from the intelligence directorate be oral or
12 in writing?

13 A. It depended on the situation. Mostly they were oral.

14 Q. And do you know whether you and the commander received the exact
15 same information, or do you know what the substance of the reports
16 going to the commander were?

17 A. At the time, as far as I remember, both sides would take the
18 same information, but I was personally mostly interested in
19 information of military nature.

20 Q. And when it's referring to the commander here, would that be
21 referring to whoever was in Kosovo, such as the deputy commander, or
22 is it referring to the commander in Albania?

23 A. To both the commander in Albania and the commander in Kosovo,
24 but mostly to the one in Kosovo because that commander would receive
25 the report directly.

1 MS. LAWSON: We can go back to page 1, please. And slightly
2 further down on the Albanian.

3 Q. So it mentions that there were three units directly under the
4 General Staff. Could you please describe what those units were?

5 A. The subordinate units of the General Staff were the
6 reconnaissance battalion, the military police at the General Staff,
7 and the logistics company of the General Staff. These are the three
8 subordinate units of the General Staff.

9 Q. So starting with logistics, could you please explain its
10 functions and mention who the commander was, although I think you
11 mentioned him already in the testimony.

12 A. The logistics unit at the General Staff had as task to support
13 and assist the General Staff in terms of food, clothing, shelter, and
14 so forth. I just mentioned the key aspects. The commander of this
15 unit was Idriz Hysenaj.

16 Q. And was this the unit that was based in the building we saw just
17 adjacent to the white house?

18 A. Yes.

19 Q. So we'll take the military police next. Could you please
20 describe its functions?

21 A. The military police at the General Staff had as a task to
22 provide security for the General Staff, to escort the General Staff
23 through its movements in the territory of Kosovo. So its main task
24 was to provide security and safety for the General Staff. A
25 commander of this unit was Ramiz Sertolli.

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Examination by Ms. Lawson (Continued)

1 Q. How had the members of the unit been selected?

2 A. Members of the military police unit, you mean?

3 Q. Yes, the General Staff military police unit.

4 A. The members of this unit were selected from all the units from
5 all the zones. Those who were distinguished as soldiers and fighters
6 and were with best characteristics.

7 Q. Were they nominated by the zones or who made the selection?

8 A. The staff would ask the zone commanders because they knew the
9 soldiers better, and then they would send these soldiers to this
10 unit.

11 Q. Who in the staff would make that request?

12 A. You mean who observed them or supervised them? I think that's
13 what you mean. It was the directorate of military police that
14 oversaw this activity, trained them, prepared them. So in this
15 respect, it was the directorate of military police.

16 Q. On the reconnaissance unit, could you please describe its
17 functions -- well, we'll start with its functions.

18 A. The reconnaissance unit at the General Staff observed the
19 territory, monitored the movements of the Serb forces or the enemy
20 forces. So this was its task, to monitor those movements, to collect
21 information, to identify the forces, the weapons used, and the aim of
22 the enemy forces. And this information was then submitted to the
23 directorate of operations at the General Staff, and based on that
24 information, then plans were made.

25 This unit was stationed in several locations. One company was

1 with the General Staff in Divjake, one in Vranishte, and one company
2 in the direction of Sharr mountains, that is, in Budakove village.

3 Q. Who were the commanders of the different companies and the
4 overall commander of the reconnaissance unit?

5 A. The commanders of the companies of this unit were Company 1,
6 Commander Guri; Ajvaz Berisha was commander of 2nd Company, which was
7 at the staff; and Afrim Basha was commander of the 3rd Company, which
8 was in Budakove.

9 This unit came to existence and started to develop from
10 December. Later on, it was taken by Jetullah Qarri.

11 THE INTERPRETER: The interpreter notes that she did not hear
12 the name of the first commander.

13 MS. LAWSON:

14 Q. So you said that later on it was taken by Jetullah Qarri. Was
15 there a commander before that? We just missed it on interpretation,
16 if you don't mind repeating.

17 A. Before Jetullah Qarri, it was Mahir Hasani.

18 Q. Is the reconnaissance unit the same as or sometimes referred to
19 as a rapid response unit?

20 A. Listen, at the time, the reconnaissance units that we had at the
21 General Staff, at zones or brigades, these units were used for
22 reconnaissance and for rapid intervention if there was need to
23 intervene rapidly in certain situations to help the units on the
24 front line. So in such situations not only reconnaissance units but
25 also military police would assist, units that were at the

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Examination by Ms. Lawson (Continued)

1 General Staff or with the zones and brigades.

2 Q. Thank you. By March 1999, approximately how many soldiers would
3 have been attached directly to the General Staff?

4 A. With the subordinate units that we had there, although not all
5 of them were concentrated at Divjake, I think was 300.

6 MS. LAWSON: And, Your Honour, I'd like to tender the document
7 we've been discussing. It's SPOE00227859.

8 PRESIDING JUDGE SMITH: There were two pages. Would that also
9 include 860?

10 MS. LAWSON: Yes. And -- well, actually, the full page range,
11 and I can show the witness the third page as well if you prefer.

12 PRESIDING JUDGE SMITH: [Microphone not activated].

13 MS. LAWSON: There are three pages in total.

14 PRESIDING JUDGE SMITH: [Microphone not activated].

15 Could you use the entire number then?

16 MS. LAWSON: SPOE00227859 to SPOE00227861.

17 PRESIDING JUDGE SMITH: All right. Any objection?

18 MR. MISETIC: We do have an objection to the extent that the
19 last two pages are being tendered. Can I just check with -- one
20 second, please.

21 [Specialist Counsel confer]

22 MR. MISETIC: It's actually the last page we object to. That
23 has no connection to what was discussed with the witness and it
24 actually deals with a different topic.

25 MS. LAWSON: We can show the third page. It's a continuation of

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1 the same meeting. Could we please go to the third page? So you can
2 see there it says:

3 "Continuing the meeting from the morning session."

4 PRESIDING JUDGE SMITH: The same unit. Is there some reason
5 that differentiates?

6 MR. MISETIC: It's a different topic, and I think if the witness
7 knows something about it, it should be put to him.

8 MS. LAWSON:

9 Q. Witness, are you -- it refers --

10 PRESIDING JUDGE SMITH: Please do that.

11 MS. LAWSON:

12 Q. It refers there to requesting a report in relation to the
13 activity of Tahir Zemaj. Are you familiar with that topic?

14 A. Yes.

15 Q. Was it part of discussions as well?

16 A. Yes, it was.

17 MS. LAWSON: So, Your Honour, I'd like to tender the document in
18 full, please.

19 MR. MISETIC: Now I have no objection.

20 PRESIDING JUDGE SMITH: All right. Any other?

21 MS. ALAGENDRA: Your Honours, we reserve our position on the
22 seizure of the documents.

23 PRESIDING JUDGE SMITH: That objection is overruled.

24 So SPOE00227859 to SPOE00227861 is admitted and is reclassified
25 as public.

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1 THE COURT OFFICER: Your Honour, the document and its
2 corresponding English translation will be assigned Exhibit P01408,
3 and it will be reclassified as public. Thank you.

4 PRESIDING JUDGE SMITH: Thank you.

5 MS. LAWSON: Your Honour, was the Court intending to take a
6 short break at 10.00? We can do that now.

7 PRESIDING JUDGE SMITH: Mr. Witness, we'll give you a ten-minute
8 break at this time, so you may go with the Court Usher.

9 [The witness stands down]

10 We're adjourned for ten minutes.

11 --- Break taken at 10.02 a.m.

12 --- On resuming at 10.11 a.m.

13 PRESIDING JUDGE SMITH: Please bring the witness in.

14 [The witness takes the stand]

15 PRESIDING JUDGE SMITH: All right. Mr. Zyrapi, we continue with
16 the SPO's questions.

17 Go ahead, Madam Prosecutor.

18 MS. LAWSON: Thank you.

19 Q. So we had just been discussing some of the units directly under
20 the General Staff.

21 MS. LAWSON: And I would like to bring up P00891.

22 Q. Do you recognise this document?

23 A. Yes.

24 Q. What units does it relate to?

25 A. This is directly referring to the reconnaissance unit.

1 Q. And it's titled as a "Clarification." Was there a reason you
2 issued this?

3 A. Yes. Initially, the commanders didn't know how to report, who
4 was reporting to whom, so there was a need to clearly indicate how
5 they should proceed and who should they report to.

6 MS. LAWSON: Can we please bring up P00901. And we'll be
7 starting on page 6958.

8 So it's the correct page in the English. I'm just wondering if
9 the Albanian is the same. I think it would be approximately page 5,
10 if that assists. Yes, thank you.

11 Q. Do you recognise the names there and what unit they belonged to?

12 A. They belonged to the company in Budakove. The commander of that
13 unit was Afrim Basha, who's on top under number 1 on this list.

14 MS. LAWSON: We can go, please, to 6962. So it's correct in the
15 English, and we might need to go one further in the Albanian. Yes,
16 thank you.

17 Q. Again, do you recognise these names and what unit they belong
18 to?

19 A. 1st Squad -- 1st Platoon of the 2nd Company in Budakove. I know
20 some of the names.

21 MS. LAWSON: And the following page, please, on each.

22 Q. Again, do you recognise some of these names and the unit they
23 belong to?

24 A. 2nd Platoon from the same company. I recognise some names.

25 MS. LAWSON: Can we go, please, to 6967. And we'll probably be

1 one page further again in the Albanian.

2 Q. It records there you having issued an instruction that the
3 special unit has no right to arrest anybody. Do you recall giving
4 that instruction?

5 A. Yes.

6 Q. What was the reason that you gave it?

7 A. The reason is because this reconnaissance rapid response unit is
8 not a unit supposed to deal with arrests. This was used in -- on one
9 occasion in this unit by the inspector general in a village in the
10 territory of Pashtrik zone, and that was the reason why this order
11 was issued.

12 Q. By the "inspector general," are you referring to Rexhep Selimi?

13 A. Yes.

14 Q. Were the people armed or unarmed that were arrested?

15 A. They were not arrested. But the disciplinary measure was issued
16 as a result of disciplinary issues that had occurred in that village
17 and on which occasion this unit was used to enforce that, and it
18 should not have been the case. Because if persons who are to be
19 arrested or who are to be issued disciplinary measures and who are
20 armed or who pose an armed resistance, then you can make use of this
21 unit but not in other cases. In other cases, you have the military
22 police who can be used for that purpose, from the zone commander or
23 the battalion commander and further down.

24 Q. And this instruction refers to arrest. So what was the
25 disciplinary measure that the unit was used to enforce? Was it some

1 form of isolation?

2 A. If we are talking about the unit itself, it's a different thing
3 because it did not have the right to isolate people either. If the
4 individuals or groups against whom measures were to be enforced were
5 warned or were posing an armed resistance, then one could make use of
6 this unit, but not in other circumstances.

7 MS. LAWSON: We can move, please, to U000-7325.

8 Q. Do you recognise the names of the individuals who have compiled
9 this report?

10 A. Yes.

11 Q. What unit did they belong to?

12 A. They belonged to the company in Budakove, the reconnaissance
13 unit within the General Staff.

14 Q. Now, the report relates to soldiers of the special unit having
15 left the building without authorisation of the commander. And then
16 at the end, it notes that:

17 "The soldiers were warned that if they cause even a smaller
18 problem than this there will be a transfer to the prison of the
19 General Staff."

20 Why would the General Staff prison have been used in these
21 circumstances?

22 A. In these circumstances, it is because it's a unit within the
23 General Staff. Then any disciplinary violation or failure to fulfil
24 their duties would result in measures taken by the legal department
25 within the General Staff, if a person is detained for the purpose of

1 preventing violations. So usually people could be held for two,
2 three days in order to take measures against their soldiers. If the
3 violation would be more serious, then the person would be sent to the
4 legal department at the General Staff.

5 Q. So for people who did not fall directly under the General Staff,
6 where would they be detained if it was necessary for disciplinary
7 reasons?

8 A. It depended. Usually such measures were taken in operational
9 zones, brigade level. Whereas at the General Staff, we usually had
10 soldiers who made mistakes and were sent there, members of the units
11 of the General Staff or members of the General Staff. I don't know
12 further who was there. If there was any civilian, I believe it might
13 have been Serbs who would have entered the territory or found, caught
14 in the territory, but nothing else.

15 Q. So would each of the brigades have a room then that they could
16 use for these purposes?

17 A. Each brigade had detention rooms to enforce disciplinary
18 measures resulting in their unit, because they knew better their own
19 territory and knew how to proceed.

20 MS. LAWSON: Your Honour, I'd like to tender this document,
21 please.

22 PRESIDING JUDGE SMITH: Any objection?

23 MR. MISETIC: No objection.

24 PRESIDING JUDGE SMITH: No objection being heard, U000-7325 is
25 admitted.

1 THE COURT OFFICER: Your Honour, the document and its English
2 translation will receive Exhibit P01409. Current classification is
3 confidential.

4 MS. LAWSON: And I think this one should stay confidential just
5 because of the individuals named.

6 PRESIDING JUDGE SMITH: All right. It will remain confidential
7 at this time.

8 THE COURT OFFICER: Thank you.

9 MS. LAWSON: So we'll return to the chronology, and we're in
10 January 1999. I'd like to look, please, at P01105.

11 Q. Do you recognise this stamp and signature on this document?

12 A. Yes. It's the stamp of the General Staff and the signature of
13 Jakup Krasniqi.

14 Q. Now, it's an order for Blerim Kuqi to report to the
15 General Staff. Do you recall this event?

16 A. Yes.

17 Q. And were you present when Blerim Kuqi did report to the staff?

18 A. Yes, when he came together, Blerim Kuqi, that is, as -- the zone
19 commander and the brigade commander.

20 Q. Can you give their names just for clarity?

21 A. The zone commander was Ekrem Rexha, and the brigade commander
22 was Nexhmedin Kastrati.

23 Q. And do you recall what happened when they reported to the staff?

24 A. From what I remember at the time, when they arrived, the zone
25 commander, Commander Drini, came with me in the operational

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1 directorate office. We discussed operational matters.

2 Nexhmedin Kastrati went to Brigade 121 to discuss their related
3 matters. And Blerim Kuqi was left in the command.

4 Q. Who was in the command with Blerim Kuqi?

5 A. Jakup Krasniqi, Rexhep Selimi, and Fatmir Limaj.

6 Q. Was there a decision to detain Blerim Kuqi?

7 A. Yes. After this, the decision was issued to detain him.

8 MS. LAWSON: So we'll move, please, to P01352. And we'll go to
9 page 2.

10 Q. Now, this is an agenda for a meeting on 5 January. Did you
11 attend that meeting?

12 A. Yes.

13 Q. Do you recall Radio Kosovo and mobilisation of vehicles being
14 discussed as described there on the agenda?

15 A. Yes.

16 MS. LAWSON: Can we go, please, to 1D00071. So slightly up in
17 the Albanian.

18 Q. In the first paragraph, it says:

19 "... the General Staff, at its meeting of 5 January 1999, issued
20 the following order."

21 Is that the meeting we just looked at?

22 A. Yes.

23 Q. And we saw that one of the agenda items was the mobilisation of
24 vehicles. Is that what this order relates to?

25 A. Yes.

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1 Q. Who is this document signed by?

2 MS. LAWSON: Can we scroll down slightly in the Albanian just to
3 see the signature block.

4 THE WITNESS: [Interpretation] The document is from the Pashtrik
5 operational zone commander but signed by his deputy, Sylejman
6 Kollqaku.

7 MS. LAWSON: Now, we saw that one of the other agenda items
8 related to Radio Kosovo. Can we please call up SPOE00225251.

9 Q. Do you recognise the stamp and signature?

10 A. Yes. It's the General Staff stamp and the signature of
11 Jakup Krasniqi.

12 Q. And it relates to finishing the structure and securing the
13 premises for Radio Kosovo. Was that part of what had been discussed
14 at the meeting?

15 A. Yes.

16 Q. Why is it addressed to the Pashtrik zone to implement?

17 A. Because the location of Radio Free Kosovo would be in Pashtrik
18 zone, under the command and responsibility of this zone. As a
19 result, they were instructed to assign soldiers to the various tasks
20 in the bunker where *Radio Kosova e Lire* would broadcast from.

21 MS. LAWSON: Can we tender this item, please?

22 PRESIDING JUDGE SMITH: Any objection?

23 MS. ALAGENDRA: No objection, Your Honours.

24 PRESIDING JUDGE SMITH: None. SPOE00225251 is admitted.

25 THE COURT OFFICER: Your Honour, the document and its English

1 translation will receive Exhibit P01410. Current classification is
2 confidential.

3 MS. LAWSON: It can be public.

4 PRESIDING JUDGE SMITH: Reclassified as public, please.

5 THE COURT OFFICER: Thank you, Your Honour. It will be
6 reclassified.

7 MS. LAWSON: Can we please bring up SPOE00225240.

8 Q. Now, you've previously mentioned - and I'm referring here to SPO
9 Part 11, pages 10 to 11 - that Naim Maloku was transferred to the
10 Dukagjini zone in response to a request. Does this document relate
11 to that?

12 A. Yes. It relates to the request from the Dukagjini zone
13 commander. And then following a conversation we had with Mr. Maloku
14 where we discussed this matter, he expressed his willingness to go
15 there, and he was, as a result, transferred temporarily there to
16 assist the Dukagjini zone.

17 Q. Do you recognise this stamp and signature?

18 A. Yes. The stamp is of the General Staff and the signature of
19 Jakup Krasniqi.

20 Q. And was approval from the commander, or, in this case, the
21 deputy commander, needed for transferring someone from General Staff?

22 A. Yes.

23 MS. LAWSON: Your Honour, I'd like to tender this document,
24 please.

25 PRESIDING JUDGE SMITH: Any objection? None heard.

1 SPOE00225240 is admitted and is reclassified as public.

2 THE COURT OFFICER: Thank you, Your Honour. That document and
3 its English translation will receive Exhibit P01411, and it will be
4 reclassified to public. Thank you.

5 PRESIDING JUDGE SMITH: Thank you.

6 MS. LAWSON: Now, can we please bring up P00624.

7 Q. Do you recognise this document, and do you recall having issued
8 it?

9 A. Yes.

10 Q. And you addressed it to the operational zones to be implemented?

11 A. This is sent to all zones of the Kosovo Liberation Army, not
12 only to the operational directorates but in general to all the zones,
13 all the units, to assign in particular handguns and then mortars,
14 heavy machine-guns. So the operators of these heavy weaponry must
15 have handguns to defend themselves and to be safer. They were
16 entitled to be assigned these. In some locations, some had more.
17 Some people who didn't need them, handguns, that is, didn't -- had
18 them; and others who needed them didn't have them. So there was a
19 need to clarify and to reassign these handguns to people who were
20 operating what we refer to collective heavy weaponry.

21 MS. LAWSON: Thank you. And it's dated 4 January and has
22 reference number 92/111.

23 Can we please bring up K053-5895, and go to page 2 in both
24 English and Albanian.

25 Q. So we can see there in the first paragraph it states that it's

1 based on General Staff order 92/111 of 4 January. That's the order
2 we just looked at; correct?

3 A. Yes. Now this concerns the implementation of that order lower
4 down on operational zone level.

5 Q. And do you recognise who has signed this order?

6 A. Yes. This document, too, was signed by the deputy commander of
7 the Pashtrik operational zone, Sylejman Kollqaku.

8 Q. And down on the bottom left, we can see that it was prepared in
9 six copies to the brigade commands and to the archive. Does that
10 mean that a copy of this order was sent to each of the brigades?

11 A. Yes. According to this document, every brigade and every unit
12 in operational zones received one copy, and copy was sent to the
13 archives of the operational zone. That is, to the command of the
14 operational zone. In this case, the Pashtrik operational zone.

15 Q. Now, this order is dated 10 January, and it has reference number
16 2/1-28.

17 MS. LAWSON: Can we please bring up K053-5489, and we can stay
18 on page 1 to start.

19 Q. Do you recognise what this is and what it was used for?

20 A. This is a certificate of receipt certifying that the brigades
21 that have signed the document have received the order.

22 Q. And we can see that the order being referred to here is
23 reference 02/1-28 from 10 January. So that's the order that we've
24 just looked at from the zone brigade that's now gone from the
25 General Staff to the zone brigade -- sorry, to the zone command to

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1 the brigades. Is that how it worked for the distribution of orders?

2 A. Listen -- no. This document certifies that the order went from
3 the command of the zone to the brigades. The General Staff send it
4 to the command of the zone, and the zone then transmitted the order
5 lower down. So once the zone received the order, they forwarded it
6 to the brigades. And this document certifies that the brigades
7 listed therein, in this document, received the order from the command
8 of the Pashtrik operational zone.

9 Q. Thank you. That's clear. So this records orders going from the
10 zone command to the brigades. Was there a similar system or what was
11 the system for recording orders going from the General Staff to the
12 zone command?

13 A. It was the same, what was sent from the staff to the zones. We
14 saw that earlier in the order from the staff that was sent to the
15 operational zone commands, and then the commands forwarded this order
16 lower down.

17 Q. Would the zone commands typically sign for orders that they're
18 receiving from the General Staff as well?

19 A. Depending on what was requested, but usually the protocol was
20 followed. At the time, we could not use all the administrative
21 procedures because we didn't have time for that.

22 Q. We can see here on the document that it's signed for by five
23 brigades. When was the 126 Brigade established in Pashtrik?

24 A. This brigade was formed at the same time with other brigades.
25 Probably at the time this order was sent, this order was given --

1 submitted to their hands or was received by the commanders during a
2 meeting. Maybe at that particular meeting, the commander of
3 Brigade 121 was not present and that's why his signature does not
4 appear on this document. This is from what I can see on this
5 document.

6 Q. And this document, it lists Brigade 121, 122, 123, 124, and 125.

7 When was Brigade 126 established in the Pashtrik zone?

8 A. Later on. That brigade was created later on.

9 Q. Do you recall approximately when?

10 A. End of January, beginning of February. Around that time.

11 MS. LAWSON: So we can take one more, and please bring up
12 P00622.

13 Q. Do you recognise this document and did you issue it?

14 MS. LAWSON: You might need to, please, go to the second page as
15 well for the witness.

16 THE WITNESS: [Interpretation] Yes. It's an order, my order,
17 signed by me, with the stamp of General Staff.

18 MS. LAWSON:

19 Q. We can see that it relates to sniper rifles. And who was it
20 addressed to or who was it sent to?

21 A. To operational zones. It doesn't concern just one sniper rifle
22 but all sniper rifles in the unit, especially those with an optical
23 device. To train people using such weapons and also to train them
24 how to maintain these weapons, because the majority of them had such
25 weapons but didn't know how to use them properly.

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Examination by Ms. Lawson (Continued)

1 Q. Now, the reference number on this document is 87/111, and the
2 date is 29 December 1998.

3 MS. LAWSON: Can we please bring up K053-5895 again, and this
4 time stay on page 1.

5 Q. And in the first paragraph we can see it's based on
6 General Staff order 87/111 of 29 December, so that's the order we
7 just looked at. Do you recognise who has signed this document?

8 A. Yes. By the commander of Pashtrik zone, Ekrem Rexha.

9 Q. And who is this document sent to?

10 A. This document was sent by the zone commander to the brigade
11 commanders.

12 Q. The date of this document is 3 January, and the reference number
13 is 02/1-18.

14 MS. LAWSON: Can we please bring up K053-5489 again, and this
15 time go to page 2.

16 Q. Now, is this the same type of document we looked at previously
17 where the brigades are signing for receipt of an order?

18 A. Yes.

19 Q. And we can see that here they're referring to an order from
20 3 January with the reference 02/1-18, so that's order we just looked
21 at.

22 MS. LAWSON: Can we now please go slowly through the remaining
23 pages of this document for the witness to just confirm whether the
24 remaining pages are also the same type of document as this. We can
25 continue through them. Thank you.

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1 Q. So are these pages that we just looked at all examples of
2 brigades signing for receipt of orders from the zone command?

3 A. Yes.

4 MS. LAWSON: Your Honours, I'd like to tender this document,
5 which is K053-5489, and I'd also like to tender the intermediate zone
6 commander orders we looked at which were contained in K053-5895. And
7 they can both be public.

8 PRESIDING JUDGE SMITH: [Microphone not activated].

9 Any objection? None heard.

10 K053-5489 -- both pages, is that correct, counsellor?

11 MS. LAWSON: Yes, that's correct.

12 PRESIDING JUDGE SMITH: And K053-5895, also both pages? Or is
13 that just --

14 MS. LAWSON: All pages.

15 PRESIDING JUDGE SMITH: All pages are admitted, and both will be
16 reclassified as public.

17 THE COURT OFFICER: Just to clarify the ERN. Document with two
18 pages has ERN K053-5095-K053-5896. That's a two-page document. And
19 the one with the six pages is K053-5489 to K053-5494.

20 MS. LAWSON: So, yes, the second one is correct. The first one
21 is K053-5895.

22 THE COURT OFFICER: Yes. To 5896.

23 MS. LAWSON: Correct. Thank you.

24 THE COURT OFFICER: Thank you. The first one, 5895 to 5896, and
25 its English translation, will receive Exhibit P01412, and it will be

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1 reclassified as public.

2 And the second one, with the range of 5489 to 5494, and its
3 English translation, will receive Exhibit P01412, and it will be
4 reclassified as public. Thank you.

5 MS. LAWSON: Thank you.

6 PRESIDING JUDGE SMITH: And that's --

7 MS. LAWSON: And Your Honour, we can take a break now if that
8 suits the Court.

9 PRESIDING JUDGE SMITH: Yes, thank you.

10 Witness, we'll take our scheduled morning break for half an hour
11 at this time. You may leave the courtroom with the Court Usher.
12 Remember not to speak with anyone.

13 [The witness stands down]

14 THE COURT OFFICER: Your Honour, if I can make a quick
15 correction. I gave two same exhibit numbers for both documents. The
16 last document, 5489 to 5494, will receive Exhibit P01413. Thank you.

17 PRESIDING JUDGE SMITH: Thank you.

18 We're adjourned until 11.30.

19 --- Recess taken at 11.00 a.m.

20 --- On resuming at 11.30 a.m.

21 PRESIDING JUDGE SMITH: Mr. Roberts, you had a --

22 MR. ROBERTS: Yes, Your Honour, I can do it at the end of the
23 session if that's easier, or now, whichever. It relates to not this
24 witness, the next witness. So I just wish to not delay Your Honours
25 at all, so -- it should only take two minutes, but I also -- there

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1 may well be the need for a representative of the Registry if they
2 wish to respond on the matter.

3 PRESIDING JUDGE SMITH: We'll take care of this prior to the end
4 of today, after we're finished with this witness for today.

5 MR. ROBERTS: Perfect. Thanks, Your Honour.

6 PRESIDING JUDGE SMITH: You can bring the witness in.

7 [The witness takes the stand]

8 PRESIDING JUDGE SMITH: All right. Mr. Zyrapi, we will continue
9 with the questions from the Special Prosecutor's Office.

10 Go ahead, Madam Prosecutor.

11 MS. LAWSON: Thank you.

12 Can we please bring up SPOE00228820.

13 Q. Now, do you recognise the stamp and signature on this document?

14 A. Yes. It's stamp of the General Staff and the signature of
15 Jakup Krasniqi.

16 Q. And do you recall this order forbidding the use of masks from
17 being -- being issued?

18 A. Yes, I remember it more or less. At the time, some people were
19 appearing with masks. Therefore, this order was issued to prevent
20 the use of masks in this period of time.

21 Q. Were there complaints, or how did you become aware of the use of
22 the masks?

23 A. These were complaints received from operational zones.

24 MS. LAWSON: Can we please tender the document.

25 PRESIDING JUDGE SMITH: Any objection?

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1 MS. ALAGENDRA: Your Honour, the witness has not confirmed that
2 he had seen it at the time.

3 PRESIDING JUDGE SMITH: The objection is overruled.
4 SPOE00228820 is admitted.

5 THE COURT OFFICER: Your Honour, the document and its English
6 translation will receive Exhibit P01414, and current classification
7 is confidential.

8 PRESIDING JUDGE SMITH: Reclassify as public.

9 THE COURT OFFICER: Thank you. It will be reclassified.

10 MS. LAWSON: And we can move to SPOE00225239.

11 Q. Do you recognise the stamp and signature on this document?

12 A. Yes. It's from the General Staff with the signature of
13 Jakup Krasniqi.

14 Q. And were you aware of this order being made for a certain
15 percentage of goods to be reserved for the logistics department?

16 A. Yes, for the needs of the logistics of the General Staff.

17 MS. LAWSON: I tender the document, Your Honour.

18 PRESIDING JUDGE SMITH: Any objection? No objection heard.

19 SPOE00225239 is admitted and reclassified as public.

20 THE COURT OFFICER: Thank you, Your Honour. That document and
21 its English translation will receive Exhibit P01415, and it will be
22 reclassified as public.

23 PRESIDING JUDGE SMITH: Thank you.

24 MS. LAWSON: Can we please bring up P00631.

25 Q. Do you recognise this document and did you issue it?

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1 A. Yes. This is my document. It bears my signature and the stamp
2 of the General Staff.

3 Q. What does it relate to?

4 A. This ordinance relates to the beginning of the training,
5 training of battalion commanders.

6 Q. Where was the training held?

7 A. This training course for battalion commanders, there were also
8 other training courses held, in the village of Nishor municipality of
9 Suhareke, which was the Brigade 123rd or the operational zone of
10 Pashtrik.

11 Q. And in the paragraph number 2, it says that Sali Veseli was in
12 charge of organising and carrying out the training; is that correct?
13 Was he responsible for this training?

14 A. Yes, that's correct.

15 Q. Were there participants from each of the operational zones?

16 A. Yes, from all the zones. We asked them to send the battalion
17 commanders who did not have any commanding or military experience to
18 be trained.

19 MS. LAWSON: We can move, please, to P00630.

20 Q. Do you recognise what this document is and did you issue it?

21 A. Yes. This is my document with my signature and stamped by the
22 General Staff stamp. Again, it's an ordinance issued for training
23 course that communication officers had to undergo. We asked all the
24 zones to send such officers for the training. I assigned the officer
25 in charge of this training course in this ordinance.

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Examination by Ms. Lawson (Continued)

1 Q. Where was this training held?

2 A. This training too was held in the village of Nishor as the one
3 for the battalion commanders.

4 MS. LAWSON: We can move, please, to SPOE00226466.

5 Q. Do you recognise what this is?

6 A. Yes. This document was issued by the commander of this training
7 course. It bears his signature, and it bears the stamp of the
8 operational directorate. It contains a description, the evaluation
9 of the officer who completed the training course in question, and
10 he's given a mark, and a description and evaluation of the soldier or
11 commander who underwent the training course.

12 Q. You mentioned that it has the stamp of the operations
13 directorate. When did the directorate start using stamps?

14 A. We started using these. We had the stamps in November or
15 December. I had the stamp with me when I came from Albania. They
16 were prepared beforehand. And we used these stamps. As I mentioned,
17 this document indicates that the training course was organised and
18 held by the operational directorate and, therefore, it bears his
19 stamp.

20 Q. And did you have stamps for each of the different directorates
21 with you when you came back in November?

22 A. We had the stamp of the staff, of the operational directorate,
23 other directorates, zone commands.

24 MS. LAWSON: So I'd like to tender this document, please.

25 PRESIDING JUDGE SMITH: Any objection to the document?

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1 None being heard, SPOE00226466 is admitted and reclassified as
2 public.

3 THE COURT OFFICER: The document and its English translation
4 will receive Exhibit P01416, and it will be reclassified as public.
5 Thank you.

6 MS. LAWSON: Now can we please bring up SPOE00226675. And we're
7 going to continue on the topic of communications for a little while.
8 So we can go slowly just to the second and third page for the witness
9 to see the full document.

10 Q. Do you recognise what this document is, and can you please
11 explain it to the Court?

12 A. This was prepared by the communication directorate. These
13 documents were used including during the training course of the
14 communication officers, but they were also sent for use in
15 operational zones. This document explains one of the ways to proceed
16 with the codes within the zones, the operational zones.

17 Q. And are those codes for use during communications?

18 A. Yes. Later on, after the completion of the training course of
19 these officers who were sent by the zones, they used them.

20 MS. LAWSON: So I'd like to tender the document, and it's just
21 the first three pages of the range, please.

22 PRESIDING JUDGE SMITH: Any objection? None.

23 SPOE00226675, three pages -- first three pages, I should say, is
24 admitted. And is that to be public?

25 MS. LAWSON: Yes, it can be. Thank you.

Witness: Bislrim Zyrapi (Resumed) (Open Session)
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1 PRESIDING JUDGE SMITH: And is reclassified as public.

2 THE COURT OFFICER: Your Honour, the pages with ERN SPOE00226675
3 to 226677, including corresponding English translation, will be
4 assigned Exhibit P01417, and it will be reclassified as public.
5 Thank you.

6 PRESIDING JUDGE SMITH: Thank you.

7 MS. LAWSON:

8 Q. You mentioned that it was prepared by the communications
9 directorate. Did they work together with the operations directorate
10 or on this type of material?

11 A. Yes.

12 MS. LAWSON: Can we please bring up SPOE00225138.

13 Q. Do you recognise the stamps and signatures at the bottom of the
14 page?

15 A. Yes. The stamp is of the operational directorate. The
16 signatures are, the first, Muse Jashari, communications director; and
17 the second one is Safet Sylja's signature, his deputy, or the person
18 in charge of the training course that had been held before for the
19 communications officers.

20 Q. Now, the document is titled "Table of Contents for the
21 Communications Plan." Can you please explain what that was?

22 A. This is a content of the documents that were prepared for
23 communications. We can see clearly the sketch of the communication
24 plan scheme, the table of decoding, the radio communication plan, at
25 the -- from General Staff local zones, the radio communication plan

Witness: Bislim Zyrapi (Resumed) (Open Session)
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1 at the operational zones, the identification table in order to
2 identify persons using this, the communications operator, the
3 changing plan of communications operator, changing plan of the
4 identification table, and the communications schedule.

5 These are all separate documents, nine different subdocuments
6 that are prepared by communications officers to use them in their
7 zones, brigades, or even in the staff.

8 MS. LAWSON: I'd like to tender this document, Your Honour.

9 PRESIDING JUDGE SMITH: Any objection? None heard.

10 SPOE00225138 is admitted and reclassified as public.

11 THE COURT OFFICER: The document and its English translation
12 will receive Exhibit P01418, and it will be reclassified as public.
13 Thank you.

14 PRESIDING JUDGE SMITH: Thank you.

15 MS. LAWSON: And the document we're just looking at relates to
16 the Pashtrik operational zone. I'd like to call up SPOE00225762.

17 Q. This appears to be the same type of document but for Dukagjini.
18 So as you just explained, is it correct that there was a package of
19 these documents for each zone?

20 A. Yes, this was during the training course. With the completion
21 of the training course, the officers went back to their zones with
22 the documents and implemented their content.

23 MS. LAWSON: I'd like to tender this one as well, please. It
24 can be public.

25 PRESIDING JUDGE SMITH: Any objection? None heard.

1 SPOE00225762 is admitted and reclassified as public.

2 THE COURT OFFICER: Your Honour, the document and its English
3 translation will receive Exhibit P01419, and it will be reclassified
4 as public. Thank you.

5 PRESIDING JUDGE SMITH: Thank you.

6 MS. LAWSON:

7 Q. Now, you had described a couple of the underlying documents that
8 were contained in these packages of materials, so I'd like to just
9 look at one or two of those.

10 MS. LAWSON: Can we please bring up SPOE00225140.

11 Q. Do you recognise the seal or stamp at the bottom of the page,
12 and can you explain what this document is?

13 A. Yes. At the bottom of the page, we have the stamp of the
14 operational directorate. This document further explains the coding
15 in the Pashtrik operational zone, then within brigades and
16 battalions, and other accompanying units who are provided with the
17 codes, communication codes.

18 MS. LAWSON: I'd like to tender this document, Your Honour.

19 PRESIDING JUDGE SMITH: Any objection? None is heard.

20 SPOE00225140 is admitted and reclassified as public.

21 THE COURT OFFICER: The document and its English translation
22 will receive Exhibit P01420. It will be reclassified to public.
23 Thank you, Your Honour.

24 MS. ALAGENDRA: Your Honours, for the -- Your Honours, for the
25 record, we preserve our position on the documents seized from

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Examination by Ms. Lawson (Continued)

1 Jakup Krasniqi.

2 MS. LAWSON: Can we please call up document SPOE00225143.

3 Q. Do you recognise the signature and stamp at the bottom?

4 A. Yes. This stamp is of the operational directorate, signed by
5 officer Muse Jashari from the communications directorate.

6 Q. And under the heading "Carrier network connection," we can see
7 that it indicates a twice-monthly schedule for operational zone
8 couriers to come to the General Staff operations directorate. Do you
9 recall there being this type of regular schedule in place?

10 A. Yes, this was the timetable provided. Now, its implementation
11 depended on the situation on the ground. When there were offensives,
12 it was less than that. It could be meetings once a month or twice a
13 month. But, yes, this was a timetable in normal -- in normal
14 circumstances and in the absence of fighting. In particular with
15 zones that were further, we did not have direct contact, and we
16 needed couriers to meet.

17 Q. And could the couriers also come at other times depending on the
18 needs?

19 A. Yes. They could come at other times, depending on the
20 situation, the time, and the request.

21 Q. What kind of communications would be exchanged by courier in
22 this way?

23 A. Usually, this was related to reporting on the situation in the
24 said territory or submitting a request made by the staff or other
25 needs. So these were sent through the courier in writing, meaning

Witness: Bislim Zyrapi (Resumed) (Open Session)

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Examination by Ms. Lawson (Continued)

1 reports, requests, or needs in the zone.

2 MS. LAWSON: We'll tender this document as well, please,

3 Your Honour.

4 PRESIDING JUDGE SMITH: Any objection? None heard.

5 SPOE00225143 is admitted and is reclassified as public.

6 THE COURT OFFICER: Your Honour, the document and its English
7 translation will receive Exhibit P01421, and it will be reclassified
8 as public. Thank you.

9 MS. LAWSON: And we'll just look at one more of these type of
10 documents. It's SPOE00225142.

11 Q. So do you recognise the stamp, and then can you please explain
12 what the document is?

13 A. The stamp is of the operations directorate. The document is a
14 key of communication codes through radio or phone. When you discuss
15 various situations, you have the codes on the left-hand side; and on
16 the right-hand side, you have their meaning.

17 Q. And who would have used these codes? Were they disseminated to
18 the zones?

19 A. These are communication codes prepared by the officers and given
20 to communications officers so that they can have them for use in
21 communication in their respective zone.

22 MS. LAWSON: We tender the document as well, please.

23 PRESIDING JUDGE SMITH: Any objection? None.

24 SPOE00225142 is admitted and is reclassified as public.

25 THE COURT OFFICER: The document and its corresponding English

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Examination by Ms. Lawson (Continued)

1 translation will receive Exhibit P01422, and it will be reclassified
2 to public. Thank you.

3 PRESIDING JUDGE SMITH: Thank you.

4 MS. LAWSON: Can we please call up SPOE00226491.

5 Q. Do you recognise what this is, and do you recall how these
6 instructions were obtained or prepared?

7 A. These are instructions on how to use satellite phones. They
8 were translated from where they were purchased. When they were
9 purchased, they were purchased together with a translation on how to
10 use the satellite phone.

11 MS. LAWSON: Can we go to the last page, please.

12 Q. And down at the bottom of the page there are some initials
13 there, SS and F.E. Do you recognise or can you identify whose those
14 initials would be?

15 A. As far as I remember, these translated documents, when we
16 received them, SS would be Sami Sejda, the communications officer in
17 the Pashtrik operational zone.

18 MS. LAWSON: And I'd like to tender this document, Your Honour.

19 PRESIDING JUDGE SMITH: Any objection? None.

20 SPOE00226491 is admitted.

21 Is this to be reclassified also?

22 MS. LAWSON: Yes, it can be.

23 PRESIDING JUDGE SMITH: Reclassified as public.

24 THE COURT OFFICER: Thank you, Your Honour. If I may read the
25 full ERN. This document has four pages.

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Examination by Ms. Lawson (Continued)

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1 SPOE00226491 to SPOE00226494, and its English translation, will
2 receive Exhibit P01423, and it will be reclassified to public. Thank
3 you.

4 PRESIDING JUDGE SMITH: Thank you.

5 MS. LAWSON: Can we please call up P00628.

6 Q. Do you recognise this order and did you issue it?

7 A. Yes. It's the General Staff's stamp and my signature.

8 Q. Paragraph 2 provides phone numbers for reporting urgent matters.
9 Can you tell us whose those numbers were, please, starting with the
10 first one that ends 4112.

11 A. Yes. These numbers, the first one is my number as chief of
12 staff, the number of my satellite phone. The second is of the
13 operations officer who received the reports. And the third is of the
14 deputy commander of the General Staff, his phone number. In case the
15 person on the first and second phone numbers could not be reached,
16 then the person on the third phone number would be contacted.

17 Q. And the deputy commander is Jakup Krasniqi; is that correct?

18 A. Yes, this is his phone number.

19 Q. Where were these phones located?

20 A. These phones were located in Divjake with us. The first one was
21 in my office; the second one was in the operations director, that is,
22 in the operations room; and the third one was with Jakup Krasniqi in
23 his office.

24 MS. LAWSON: So we can move, please, to SPOE00225253.

25 MR. EMMERSON: I rise simply to make a request, which is that

Witness: Bislim Zyrapi (Resumed) (Open Session)

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Examination by Ms. Lawson (Continued)

1 when the documents are on the screen, whether or not it's intended to
2 elicit the date in testimony, it is important for us to be able to
3 see the date so that as we go through we know the date of the
4 document. I mean, this, for example, is on 12 January, but we've had
5 to go back to the system to find the date because it's not
6 displaying.

7 PRESIDING JUDGE SMITH: [Microphone not activated].

8 You want to see the date on the document?

9 MR. EMMERSON: Yes. I mean, the dates of these documents are
10 important because they're all, so far, January period, and it's --

11 PRESIDING JUDGE SMITH: The SPO will endeavour to show the dates
12 on the documents as we go.

13 MS. LAWSON:

14 Q. Do you recognise the stamp and signature on this document?

15 A. Yes. It's the stamp of the General Staff and the signature of
16 Jakup Krasniqi.

17 Q. Do you recall this order and what the purpose of it was?

18 A. Yes, I recall this order. Its purpose was that the phone
19 numbers at the disposal of commanders of the zones to be sent to us
20 so that we can communicate and identify them.

21 MS. LAWSON: So I tender this document, please, and it can be
22 public.

23 PRESIDING JUDGE SMITH: Any objection? None heard.

24 SPOE00225253 is admitted and is reclassified as public.

25 THE COURT OFFICER: Your Honour, the document and its English

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Examination by Ms. Lawson (Continued)

1 translation will receive Exhibit P01424, and it will be reclassified
2 as public. Thank you.

3 MR. EMMERSON: I'm sorry to rise again, but for the sake of the
4 record and ease of following the record in due course, might I
5 request through the Bench that the date of the document be put on
6 record as we move forward. Because it's -- the document is there,
7 but as we listen to -- review the transcript, it's quite important to
8 note the dates. And this one, again, we see is 3 January.

9 There's no reason why the date shouldn't be elicited in
10 testimony, I would have thought. It wouldn't take a moment. And
11 then the record is clear. I mean, obviously, we can all go back --

12 PRESIDING JUDGE SMITH: [Microphone not activated].

13 MS. LAWSON: No, I'm happy to state the date. But, obviously,
14 it's on the document --

15 PRESIDING JUDGE SMITH: It's on the document.

16 MS. LAWSON: -- and it's clear what the document that's being
17 referred to is.

18 PRESIDING JUDGE SMITH: Well, let's do our best to name it. I
19 don't have an objection to that.

20 MS. LAWSON: So can we please bring up -- sorry, the date of
21 this one is 3 January.

22 Can we please bring up -- has that one been admitted? Yes.

23 PRESIDING JUDGE SMITH: No, I don't believe it has. Oh, yes, it
24 has.

25 MS. LAWSON: Yes.

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Examination by Ms. Lawson (Continued)

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1 PRESIDING JUDGE SMITH: 01424.

2 MS. LAWSON: Can we please bring up IT-05-87 4D00039. This
3 document is dated 10 January.

4 Q. Who has it been signed by?

5 A. This document is signed by the deputy commander of Pashtrik
6 operational zone, Sylejman Kollqaku.

7 Q. And do you recognise the content as implementing the prior order
8 that we just looked at?

9 A. Yes.

10 MS. LAWSON: I tender the document, and it can be public.

11 PRESIDING JUDGE SMITH: [Microphone not activated].

12 I'm sorry. Any objection? All right. Thank you.

13 IT-05-87 4D00039 is admitted and is reclassified as public.

14 THE COURT OFFICER: Thank you, Your Honour. That document and
15 its English translation will receive Exhibit P01425, and it will be
16 reclassified as public.

17 PRESIDING JUDGE SMITH: Thank you.

18 MS. LAWSON: Can we please call up SPOE00225065. And this one,
19 I think it's better if it's not broadcast just because it's a list of
20 numbers and I don't know if any of them are still operational. It's
21 a little bit hard to read in the Albanian so we might need to zoom
22 in.

23 Q. At line 33 over on the right-hand side of the page, we see the
24 name "Bislim" in handwriting. Do you see that?

25 A. Yes.

Witness: Bislím Zyrapi (Resumed) (Open Session)

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Examination by Ms. Lawson (Continued)

1 Q. And the phone number on that row, if we go up to the top of the
2 document so that we can see the column headings, the phone number on
3 that is the number ending 4112 that you've just described as being
4 your number?

5 A. Yes.

6 Q. Over on the left-hand side of that the same row, row 33, it
7 indicates that this phone became operational in August 1998. Were
8 you using the phone at that time?

9 A. No, I wasn't, because I didn't have it at the time.

10 Q. Who gave the phone to you?

11 A. I received the phone when I entered Kosovo in November. I
12 brought it from Albania, from Tirana. It was issued to me in Tirana.
13 It could have been in use or functioned, this number, in August, but
14 not inside Kosovo. In Tirana.

15 MS. LAWSON: Now if we could go up to the top, please, and look
16 at the column headings.

17 Q. There's one entitled "Card No." Can you explain what that
18 refers to, please?

19 A. It could be the cards of the satellite phones and their numbers.

20 Q. There's also a column entitled "Fax." Where was the fax machine
21 that you had?

22 A. The fax machines, some had those. Those who were outside Kosovo
23 but also those who were inside Kosovo. I had one in my office in the
24 operations room. I don't know who else had them.

25 Q. Now, when you moved to Albania in April 1999, did you keep these

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Examination by Ms. Lawson (Continued)

1 phone and fax numbers or did you hand them over to someone?

2 A. I handed them over, all the phones and fax machines.

3 Q. Who did you hand them over to?

4 A. When I handed over my duty to Agim Ceku, I handed him over my
5 satellite phone; whereas the phone of the operations directorate
6 remained there.

7 MS. LAWSON: I'd like to tender this document, please.

8 MR. MISETIC: Mr. President, I have no objection. And I will
9 just add that these numbers could not possibly be in service anymore
10 in Kosovo because the telephone system has been changed, so I think
11 it can be public.

12 PRESIDING JUDGE SMITH: No other objection being heard,
13 SPOE00225065 is admitted.

14 What is the SPO's position on publication or on public or
15 confidential?

16 MS. LAWSON: I don't have sufficient information to say anything
17 further than what I've said.

18 PRESIDING JUDGE SMITH: [Microphone not activated].

19 We'll make it public.

20 THE COURT OFFICER: Thank you, Your Honour. Just for the
21 record, the Albanian version of document has two pages while English
22 translation has one. The ERN is SPOE00225065 to SPOE00225066 and its
23 English translation will receive Exhibit P01426, and it will be
24 reclassified as public. Thank you.

25 PRESIDING JUDGE SMITH: Thank you.

Witness: Bislim Zyrapi (Resumed) (Open Session)

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Examination by Ms. Lawson (Continued)

1 Go ahead.

2 MS. LAWSON: Can we please call up SPOE00226766.

3 Q. Do you see yourself referred to in the list of names?

4 A. Yes.

5 Q. What name are you referred to under?

6 A. The pseudonym is used, Blic.

7 Q. Who referred to you by that pseudonym?

8 A. Only Rexhep Selimi.

9 Q. We can see there are some other nicknames or short names in the
10 column going down on the left. Can you please identify any of those
11 that you're familiar with.

12 A. I don't know, 10, 101, 101 -- Celiku, yes, I do know, it's
13 Fatmir Limaj. Remi is Rrustem Mustafa. Gazetari, now I can't
14 remember, but I think it was Shukri Buja. These are the ones, more
15 or less, that I know.

16 Q. Do you know who David is referring to, or David?

17 A. David was the pseudonym of Daut Haradinaj.

18 Q. Do you know Magjupi or Magjupi?

19 A. Lahi Brahimaj.

20 Q. Do you know Topi or Topi?

21 A. Haxhi Shala is Topi.

22 Q. Plaku?

23 A. We called Xheladin Plaku or -- Xheladin Gashi, we referred to
24 him with Plaku.

25 Q. Do you know who Besnik would be referring to?

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Examination by Ms. Lawson (Continued)

1 A. Maybe it refers to Besnik Dreshaj who was a courier at the
2 staff. It could be somebody else as well.

3 Q. Do you know Daja i Vogel?

4 A. Hysni Sylja was referred to as Daja i Vogel.

5 Q. And then Daja?

6 A. Daja is Azem Sylja.

7 MS. LAWSON: Can we go over to the second page, please.

8 Q. Can you tell what type of telephone numbers those are?

9 A. As I can see, these are Albanian numbers from Albania. 00355,
10 they are Albanian phone numbers. I think it's Ramiz's phone. And
11 Sabit Geci's number is not an Albanian number, it's of a different
12 state or country.

13 MS. LAWSON: I tender this document, please.

14 PRESIDING JUDGE SMITH: Any objection? No objection is heard.

15 SPOE00226766, both pages, will be admitted and reclassified as
16 public.

17 THE COURT OFFICER: Your Honour, that document and its English
18 translation will receive Exhibit P01427, and it will be reclassified
19 as public. Thank you.

20 PRESIDING JUDGE SMITH: Thank you.

21 MS. LAWSON: So going back to the chronology, we were in January
22 1999. I'd like to call up SPOE00225245.

23 Q. Do you recognise the stamp and signature?

24 A. Yes. The stamp is of the General Staff, and the signature is of
25 Jakup Krasniqi.

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1 Q. And do you remember this meeting of zone commanders being
2 convened?

3 A. It was convened later on.

4 Q. Is it correct that Jakup Krasniqi would sometimes also convene
5 these meetings with zone commanders?

6 A. You send the invitation to all commanders to attend, and I would
7 attend those meetings as part of the staff.

8 Q. And we can see here that it's Jakup Krasniqi who is sending the
9 invitation. Is it right that he would sometimes be the one who would
10 convene these meetings or send the invitations to the zone
11 commanders?

12 A. Yes.

13 MS. ALAGENDRA: Your Honours, there are two questions in that
14 question, and one of it has already been answered by the witness.

15 PRESIDING JUDGE SMITH: Overruled. Go ahead.

16 MS. LAWSON: So the date of this document is 15 January 1999,
17 and I'd like to tender it, please.

18 PRESIDING JUDGE SMITH: Any objection? None.

19 SPOE00225245 is admitted and is reclassified as public.

20 THE COURT OFFICER: It will receive Exhibit P01428, and it will
21 be reclassified as public together with English translation. Thank
22 you.

23 MS. LAWSON:

24 Q. Now, we can see some of the topics that were identified for the
25 discussion. One of them was an analysis of the one-year war, and

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Examination by Ms. Lawson (Continued)

1 then there were organisational issues.

2 MS. LAWSON: Can we please call up U009-1983.

3 Q. So if we look at the topics here, it would seem to be responsive
4 to the order that we just looked at. And I'd like to go through some
5 of the content.

6 MS. LAWSON: So if we can go to page 1985, please.

7 Q. And in the last paragraph under the heading "Leadership and
8 command," it notes that the Dukagjini zone still didn't have anyone
9 occupying the post of chief of staff. Was that correct at the time?

10 A. Yes, that's correct.

11 MS. LAWSON: We can go, please, to pages 1988, and then over to
12 89.

13 Q. Witness, you will see in this section that a report is being
14 given on the status of different brigades. So if you could have a
15 look at those sections, and then I'll ask you if it reflects your
16 understanding of the status of brigades in Dukagjini at that time.

17 MR. EMMERSON: Again, if the witness is being asked about the
18 state at that time, we do need to know, from the witness or counsel,
19 what the time is, what date it is.

20 MS. LAWSON: This is responsive to the order that we saw, which
21 was dated 15 January.

22 PRESIDING JUDGE SMITH: Thank you.

23 MS. LAWSON:

24 Q. Yes. So down at the page under the heading "Our Forces," if you
25 could take a look at that, and then it goes over to the top of the

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1 next page. Are you ready to move to the next page?

2 A. Yes.

3 Q. You can let me know when you're ready. And the question was
4 just whether this reflects your understanding of the status of the
5 brigades.

6 A. Yes.

7 Q. Do you remember receiving this information at the time?

8 A. This is the report of the zone commander coming from his zone,
9 explaining the situation in the zone and the activities of their
10 units at the time.

11 Q. And does the information reflect -- what's in this report
12 reflect the information that you had at the time relating to
13 Dukagjini?

14 A. When we received reports at the time, from what I can remember,
15 this was not detailed. We had some information but not everything,
16 from what I can remember.

17 MS. LAWSON: Your Honour, I'd like to tender this document,
18 please.

19 PRESIDING JUDGE SMITH: Any objection? U009-1983 is admitted.
20 The range up to 1989; correct?

21 MS. LAWSON: I believe it's up to 1990.

22 PRESIDING JUDGE SMITH: [Microphone not activated].

23 So U009-1990 is the end of the document. It's admitted and
24 reclassified as public.

25 THE COURT OFFICER: If I can just seek a clarification with

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1 regards to the range, because we showed pages with ERN 1985, 1988,
2 and 1989. So if the counsel can please repeat the range, the full
3 range that needs to be admitted.

4 MS. LAWSON: U009-1983 to U009-1990.

5 THE COURT OFFICER: So the entire document needs to be admitted?

6 MS. LAWSON: That's correct. Thank you.

7 THE COURT OFFICER: All right. I understand. Thank you.

8 The document and its English translation will receive
9 Exhibit P01429, and it will be reclassified as public. Thank you.

10 MS. LAWSON: And we can please go to P00617. And if we could
11 please go to the last page to start with.

12 Q. Do you recognise your stamp and signature there?

13 A. Yes. The stamp is of the General Staff, and it is my signature.

14 MS. LAWSON: We can go back to the first page, please.

15 Q. So this document is dated 20 January. Is this a report that you
16 prepared?

17 A. Yes. This is a summary of the reports submitted by the zone
18 commanders at the time.

19 Q. And as indicated there, did you submit it to the deputy
20 commander, Jakup Krasniqi?

21 A. Yes.

22 MS. LAWSON: Can we please go to P00647, the last page of the
23 document.

24 Q. Now, this is dated 20 January, which is the same date as the
25 meeting and the report that we just looked at. Can you please

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Examination by Ms. Lawson (Continued)

1 explain what this is and how or when it was created?

2 A. Yes. This is a list containing the stamps of the operational
3 zones and the signatures of the operational zone commanders.

4 Q. Was it created on that -- at that same meeting as far as you
5 remember, the meeting of the zone commanders on 20 January?

6 A. Yes, on 20 January.

7 Q. And what was the purpose of taking each of these stamps and
8 signatures?

9 A. To know who had what stamps and to have their signatures, the
10 commanders' signatures.

11 MS. LAWSON: We can go, please, to SPOE00227666 and stay on the
12 first page.

13 Q. Now, this is dated 21 January, so the day after the meeting with
14 the zone commanders. And we have some notes from a General Staff
15 meeting. Did you attend this meeting?

16 A. Yes.

17 Q. And is it correct that there was a briefing of what had been
18 discussed during the meeting with the zone commanders?

19 A. Yes. Yes.

20 Q. Now, we've notes which seem to reflect a further series of
21 General Staff meetings on 25 January, 28 January, 1 February,
22 4 February. Is it correct that the General Staff was meeting
23 frequently during this period?

24 A. The meetings of the General Staff could be more frequent
25 depending on the situation at the time, but the commanders' meetings

1 were not that frequent.

2 Q. And during this specific time period, so the last week of
3 January 1999 and the first week of February, is it correct that the
4 General Staff was meeting relatively intensively?

5 A. Yes, based on the needs and requests at the time.

6 MS. LAWSON: Can we please go to SPOE00226468, and we'll want to
7 go to page 476. So this is 28 January.

8 Q. Did you attend this meeting?

9 A. No.

10 Q. Do you know what the topic of "appointment of KLA political
11 group participating in the talks" would relate to?

12 A. No, I don't recall this.

13 Q. Under topic 3, it said:

14 "Proposals by the Dukagjini [zone] for brigade commanders."

15 Do you remember Dukagjini brigade commanders being appointed
16 around this time?

17 A. No, I don't recall it.

18 MS. LAWSON: I'd like to bring up SPOE00225268.

19 Q. Do you recognise the stamp and signature here?

20 A. Yes. It's the stamp of the General Staff and the signature of
21 Jakup Krasniqi.

22 Q. Do you recall these appointments having been made?

23 A. I don't recall them. The appointments could have been made
24 because it is in -- this is a part of the personnel directorate.

25 Zone commanders would propose brigade commanders, and then they were

1 appointed by the General Staff. I don't remember now the exact time
2 period or when this order was issued. But it can be seen that it is
3 an order about the appointment of two commanders.

4 MS. LAWSON: Your Honour, I'd tender this document.

5 PRESIDING JUDGE SMITH: Any objection?

6 MR. EMMERSON: No objection, but might the record show it's
7 dated 4 February 1999.

8 PRESIDING JUDGE SMITH: Correct.

9 No objections being heard, SPOE00225268 is admitted and is
10 reclassified as public.

11 THE COURT OFFICER: Thank you, Your Honour. The document and
12 its English translation will receive Exhibit P01430, and it will be
13 reclassified as public.

14 PRESIDING JUDGE SMITH: Thank you.

15 MS. LAWSON: Can we please call up P00182 and go to page 397
16 initially.

17 Q. So this is 6 February. Is it correct that you attended this
18 meeting as is recorded here?

19 A. I am not certain about the date. It says zone commanders.
20 Where was this held? In Divjake or somewhere else?

21 Q. We can go through some of the content and it might assist you in
22 remembering.

23 MS. LAWSON: Can we go to page 400. So we might want to go back
24 one page just to show the witness that this is Remi speaking, but
25 then we'll come back to this page.

Witness: Bislim Zyrapi (Resumed) (Open Session)

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Examination by Ms. Lawson (Continued)

1 Q. He proposes you as general commander. Do you recall that?

2 A. Yes. This meeting was held in Drenica.

3 MS. LAWSON: And we'll go, please, to page 402.

4 Q. So this is "Syla." Who does that refer to?

5 A. Syla is the operational zone commander Sylejman Selimi at the
6 time.

7 Q. And he's recorded as saying that the appointments made at the
8 General Staff are of concern, and then he names Sokol Bashota and
9 Jakup Krasniqi. Why was Sokol Bashota not considered to be up to the
10 job of deputy commander as is referenced here?

11 A. I don't know. This is the second meeting, though, when speaking
12 about the commanders matter. There was another meeting held on the
13 same day before this one.

14 Now, with respect to what was said, I don't know, and it is
15 precisely for this reason I asked the zones why they would not accept
16 Sokol Bashota as a deputy. And the first meeting was interrupted the
17 moment Sokol Bashota came into the meeting. However, I did not
18 receive any concrete answer from them as to why they were
19 dissatisfied with his work. So they expressed their opinions.

20 MS. LAWSON: So I'd like to refer to Prep Note 2, and it's row
21 124.

22 Q. And I'll just read to you what you said last week. You said:

23 "[The witness] does not recall who specifically was raising the
24 concerns, but confirms that the complaints were directed primarily
25 towards the two Deputy Commanders. In particular, the zone

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1 commanders wanted Bashota to be more active, and wanted to know what
2 he was doing. Some of the organisational aspects were under his
3 responsibility."

4 Does that reflect your understanding?

5 MR. MISETIC: I'm going to object, Mr. President. We were
6 talking about notes from a meeting on February 6th, and now she's
7 taking him to a discussion that was about a meeting on 21 January,
8 and I don't think that's proper impeachment.

9 PRESIDING JUDGE SMITH: [Microphone not activated].

10 MS. ALAGENDRA: Your Honours, I also ask that the whole
11 paragraph be read to the witness.

12 PRESIDING JUDGE SMITH: Go ahead, madam.

13 MS. LAWSON: The whole paragraph from the preparation note? So:
14 "[The witness] said that he was present at this meeting and that
15 the document reflects his memory about what happened at the meeting.
16 [The witness] wrote a report based on the minutes of the meeting,
17 handed it over to the deputy commander and it was not discussed
18 further. [The witness] does not recall who specifically was raising
19 the concerns, but confirms that the complaints were directed
20 primarily towards the two Deputy Commanders. In particular, the zone
21 commanders wanted Bashota to be more active, and wanted to know what
22 he was doing. Some of the organisational aspects were under his
23 responsibility. They also wanted to understand Krasniqi's role as
24 deputy."

25 Is that sufficient?

1 Q. So the portion that I just read to you, does that reflect your
2 understanding of the issues that were being raised? They wanted
3 Sokol Bashota to be more active, and they wanted to -- or to know
4 what he was doing, and they wanted to understand Jakup Krasniqi's
5 role as deputy.

6 A. This was my understanding. But this meeting ended differently,
7 because the general commander was replaced.

8 MS. LAWSON: So we can turn over the page, please, to 403. And
9 this is still recording under the heading of Sylejman Selimi.

10 Q. And it says:

11 "Jakup Krasniqi, [for] all the respect he commands, is not the
12 right man for the post of Deputy Commander."

13 Do you recall that having been raised by the zone commanders?

14 A. Yes.

15 MS. LAWSON: Can we go, please, to page 406.

16 Q. Now, there's some praise here for those who had fought or
17 contributed from the beginning. Do you remember that being part of
18 the discussion?

19 A. Yes.

20 MS. LAWSON: So I'd like to move, please, to 1D00033.

21 And, Your Honours, I might ask a slight indulgence with the
22 time. I've two more documents to finish this topic.

23 PRESIDING JUDGE SMITH: Yes, go ahead.

24 MS. LAWSON: And we'll go, please, to page 357. So this is
25 13 February.

Witness: Bislrim Zyrapi (Resumed) (Open Session)
Examination by Ms. Lawson (Continued)

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1 Q. And we can see that the issue is discussed again. At the bottom
2 of the page, you can see that Sylejman Selimi is nominated as
3 commander. Do you recall that?

4 A. Yes.

5 MS. LAWSON: And if we go to page 358.

6 Q. Remi is indicated as speaking. He supports that nomination, and
7 he also specifies that the General Staff as a whole has not been
8 rejected, only certain individuals.

9 Do you recall that, and is it consistent with what you
10 understood the discussion to have been?

11 A. Yes, I remember this discussion.

12 MS. LAWSON: We can go, please, to P00645. And we can stay on
13 the first page to start. So these are notes from, first, the 26th.
14 And then if we go over to the following page.

15 Q. At the top of the page, Rexha is recorded as speaking, and he
16 appears to be briefing on the discussions that had taken place with
17 the zone commanders; is that correct?

18 A. Yes.

19 Q. Do you recall this type of briefing having been done?

20 A. Can we see the date again?

21 Q. It was 26 February.

22 A. I don't know. I did not attend this meeting.

23 MS. LAWSON: Can we go, please, to page 673. And maybe we need
24 to go a page further in the Albanian. Yes, thank you.

25 Q. Can you explain what this relates to?

Witness: Bislim Zyrapi (Resumed) (Open Session)

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Examination by Ms. Lawson (Continued)

1 A. This is a list, I don't know who prepared it, with opinions or
2 suggestions as to who should be the prime minister of the provisional
3 government.

4 Q. So it reflects a kind of a vote? Is that the case?

5 A. Some kind of a vote or opinion that every one of us gave at the
6 time.

7 Q. Had there been discussion before this vote occurred as to who
8 the prime minister should be?

9 A. Not before. As a matter of fact, we knew that the group that
10 was sent to Rambouillet, we asked for Hashim Thaci to lead this
11 group, and then, obviously, he would continue on as the
12 prime minister of the provisional government.

13 Q. So you believed it was obvious that he would continue in that
14 role before this vote took place or these opinions were expressed?

15 A. Yes. As far as I'm concerned, yes.

16 MS. LAWSON: Can we go, please, to SPOE00227862.

17 Q. Did you attend this meeting?

18 A. I do not remember being present at this meeting. This is a
19 meeting that was held after the return of the delegation from
20 Rambouillet. I do not remember being present at that meeting.

21 MS. LAWSON: Can we please go to the next page. So this is
22 27 February.

23 Q. And Jakup Krasniqi states there that he resigns from the post of
24 deputy commander, and that Sokol should do the same. Does this
25 reflect your understanding of how the issue was resolved? Do you

1 know, did Sokol Bashota and Jakup Krasniqi resign at this time from
2 the deputy commander posts?

3 A. This is the meeting when we met with the delegation from
4 Rambouillet. The delegation presented the work done at Rambouillet.
5 And, of course, I remember this conversation and this proposal of
6 Mr. Krasniqi. He proposed to resign from this position.

7 Q. Is that what actually happened at that time?

8 A. I don't know. I cannot remember. But, in fact, yes, because
9 following this, Mr. Krasniqi went with the delegation to Rambouillet
10 when the signing took place, and then he did not return to Kosovo.
11 He remained in Albania.

12 Q. So Fatmir, who I assume is Fatmir Limaj, is recorded as saying:

13 "I propose that we set up the government as soon as possible, in
14 order to minimise the problems within the KLA."

15 Does that reflect your understanding that the focus by this
16 stage had moved to the provisional government appointments?

17 A. Yes. From this moment on, this activity began with the
18 proposals and appointments in the provisional government.

19 MS. LAWSON: And, Your Honour, we can break here. Thank you.

20 PRESIDING JUDGE SMITH: [Microphone not activated].

21 MS. LAWSON: No, Your Honour, I'm not --

22 PRESIDING JUDGE SMITH: I'm sorry, is this being tendered?

23 MS. LAWSON: No, I'm not tendering anything at this time.

24 PRESIDING JUDGE SMITH: [Microphone not activated].

25 You are -- I think you are finished with us for today. Thank

1 you for being with us. We'll see you tomorrow morning at 9.00. You
2 may leave the room.

3 Please, one other thing, do not discuss this case with anyone
4 outside the courtroom. You are still under that obligation. Thank
5 you very much.

6 THE WITNESS: [Interpretation] Thank you. It's clear.

7 [The witness stands down]

8 PRESIDING JUDGE SMITH: [Microphone not activated].

9 Anything further from the Prosecution today? Is there going to
10 be another witness this afternoon or not?

11 MS. LAWSON: No, we don't have anything further this afternoon.

12 PRESIDING JUDGE SMITH: All right.

13 MS. LAWSON: But, Your Honour, on the final document, I
14 apologise, I do actually wish to tender it. I'd been thinking of the
15 one before, which was already admitted.

16 PRESIDING JUDGE SMITH: Any objection? No objection is heard.

17 SPOE00227862 is admitted and is reclassified as public.

18 THE COURT OFFICER: Your Honour, just for the record, the full
19 ERN is SPOE00227862 to 227863. That document and its English
20 translation will receive Exhibit P01431, and it will be reclassified
21 as public. Thank you.

22 PRESIDING JUDGE SMITH: Thank you.

23 Mr. Roberts, you had something you wanted to bring up.

24 MR. ROBERTS: Very briefly, Your Honour. If we could just move
25 into private session for the protection of the witness.

1 PRESIDING JUDGE SMITH: Please take us into private session.
2 Go ahead.

3 [Private session]

4 [Private session text removed]

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1 [Private session text removed]

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12 [Open session]

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

14 PRESIDING JUDGE SMITH: We're adjourned until tomorrow at

15 9.00 a.m.

16 --- Whereupon the hearing adjourned at 1.12 p.m.

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