

1 Monday, 22 April 2024

2 [Open session]

3 [The accused entered the courtroom]

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

5 PRESIDING JUDGE SMITH: Madam Court Officer, please call the  
6 case -- or, I'm sorry, Mr. Court Officer.

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

11 PRESIDING JUDGE SMITH: Thank you very much. I note that all  
12 the accused are present in court.

13 Before we continue with W04739's testimony, we need to address  
14 some preliminary matters.

15 First, in relation to the audio-video recordings of certain  
16 witness statements, the Panel notes that, pursuant to the Panel's  
17 fourth oral order of 15 January 2024, the SPO tendered, in filing  
18 F02129, the audio-video recordings of witness statements previously  
19 admitted by the Panel pursuant to Rules 143(2) (c) and 155.

20 Having found that the relevant statements are admissible  
21 pursuant to Rule 143(2) (c) and 155, the Panel admits into evidence  
22 the corresponding audio-video recordings of those statements as  
23 identified in Annex 1 to filing F02129, and directs the Registry to  
24 assign the admitted audio-video recordings the same exhibit numbers  
25 which have been assigned to the relevant statements, as indicated in

1 Annex 1 to filing F02129.

2 Regarding classification, the Panel observes that pursuant to  
3 the Panel's oral order of 2 April 2024, the SPO has indicated, in  
4 filing F02223, the proposed classification of: (i) the audio-video  
5 recordings admitted a moment ago pursuant to Rules 143(2)(c) and 155;  
6 and (ii) the audio-video recordings of the statements of Rule 153  
7 witnesses, which have already been admitted by the Panel on  
8 2 April 2024. The Defence did not respond to the SPO's submissions.

9 Having reviewed the proposed classification to the admitted  
10 audio-video recordings, the Panel directs the Registry to assign the  
11 newly admitted Rule 143(2)(c) and 155 audio-video recordings the  
12 classification indicated in Annex 1 to filing F02223; and, two, to  
13 reclassify Exhibits P00825.1 and P00825.2, currently classified as  
14 confidential, as public, and assign the remaining Rule 153  
15 audio-video recordings the classification indicated in Annex 2 to  
16 filing F02223.

17 This concludes the oral order.

18 For the next matter, the request for admission of documents used  
19 during 4739's testimony, we need to go into closed session. Unless  
20 there's any other issue the parties and participants wish to raise in  
21 open session?

22 MR. ROBERTS: Very briefly, Your Honour. It's just a request  
23 for an extension of time in relation to a response to a Prosecution  
24 filing that the Prosecution I have just consulted with this morning  
25 doesn't oppose. If I could just request authorisation from the

1 Panel. That's F2248, which is a request for admission of documents  
2 from the bar table in relation to the Drenica zone, and we've  
3 requested an extra week, which the Prosecution has indicated this  
4 morning they don't oppose. So the deadline would move from 29 April  
5 to 6 May.

6 PRESIDING JUDGE SMITH: [Microphone not activated].

7 MR. ROBERTS: So if that's ...

8 MR. HALLING: Confirm, no objection, Your Honour.

9 MR. ROBERTS: Thank you, Your Honour.

10 PRESIDING JUDGE SMITH: The request is granted for additional  
11 time. The date given will be the new deadline for response. Thank  
12 you.

13 Now into closed session, please.

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Witness: W04739 (Resumed) (Closed Session)

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Witness: W04739 (Resumed) (Closed Session)

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Witness: W04739 (Resumed) (Closed Session)

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Witness: W04739 (Resumed) (Closed Session)

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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16 [Open session]

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

18 Thank you.

19 PRESIDING JUDGE SMITH: Mr. Emmerson, what's your time schedule?

20 MR. EMMERSON: I expect to be finished before the morning break.

21 PRESIDING JUDGE SMITH: [Microphone not activated].

22 We're adjourned for ten minutes.

23 --- Break taken at 10.01 a.m.

24 --- On resuming at 10.12 a.m.

25 PRESIDING JUDGE SMITH: Into closed session, please.

Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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Witness: W04739 (Resumed) (Closed Session)

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Witness: W04739 (Resumed) (Closed Session)

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Witness: W04739 (Resumed) (Closed Session)

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Emmerson

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20 [Open session]

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

22 Thank you.

23 MR. ROBERTS: I don't think I'd given an estimate before,

24 Your Honours, but I think probably around an hour.

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



Witness: W04739 (Resumed) (Closed Session)

Page 14561

Further Cross-examination by Mr. Roberts

1 We are adjourned until 11.30.

2 --- Recess taken at 10.59 a.m.

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

4 PRESIDING JUDGE SMITH: Into closed session, please.

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Witness: W04739 (Resumed) (Closed Session)

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Witness: W04739 (Resumed) (Closed Session)

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Witness: W04739 (Resumed) (Closed Session)

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Roberts

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Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Roberts

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Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

Page 14579

Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

Page 14580

Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

Page 14581

Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

Page 14582

Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

Page 14583

Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

Page 14584

Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

Page 14585

Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

Page 14586

Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

Page 14587

Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

Page 14588

Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

Page 14589

Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

Page 14591

Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Roberts

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagenda

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagenda

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagendra

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagenda

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagendra

Page 14604

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15 [Open session]

16 THE COURT OFFICER: Your Honours, we are back in public session.

17 Thank you.

18 PRESIDING JUDGE SMITH: We're adjourned until 2.30.

19 --- Luncheon recess taken at 1.02 p.m.

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

21 PRESIDING JUDGE SMITH: Ms. Alagendra, may I inquire as to how  
22 much more time you will need?

23 MS. ALAGENDRA: I should not take longer than 20 minutes,

24 Your Honours.

25 PRESIDING JUDGE SMITH: Thank you.

Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagendra

Page 14605

1 And, Mr. Misetic, you still have no questions?

2 MR. MISETIC: I actually will have about ten minutes.

3 PRESIDING JUDGE SMITH: Oh, okay.

4 MR. MISETIC: Yeah.

5 PRESIDING JUDGE SMITH: All right.

6 MR. MISETIC: Thank you.

7 PRESIDING JUDGE SMITH: We are asking so that we can advise the  
8 next witness whether they need to be here. With some luck, we will  
9 be able to get to the next witness, at least in part.

10 All right. Into closed session, please.

11 [Closed session]

12 [Closed session text removed]

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagenda

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagenda

Page 14607

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagenda

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagenda

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagenda

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagendra

Page 14611

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagenda

Page 14612

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagenda

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagenda

Page 14614

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagendra

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Witness: W04739 (Resumed) (Closed Session)  
Further Cross-examination by Ms. Alagenda

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1 [Open session]

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

3 Thank you.

4 PRESIDING JUDGE SMITH: We're adjourned until 3.10.

5 --- Break taken at 3.00 p.m.

6 --- On resuming at 3.10 p.m.

7 PRESIDING JUDGE SMITH: Mr. Emmerson, did you get an answer to  
8 your satisfaction?

9 MR. EMMERSON: I didn't get an answer, but we, I think, have  
10 agreed a common process by which I might get an answer, which will be  
11 in the next break when the change of counsel necessarily happens from  
12 the SPO --

13 MR. HALLING: And that counsel has been informed, Your Honour.

14 PRESIDING JUDGE SMITH: Okay. Thank you.

15 [Microphone not activated].

16 [Closed session]

17 [Closed session text removed]

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Witness: W04739 (Resumed) (Closed Session)

Page 14619

Further Cross-examination by Mr. Misetic

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Witness: W04739 (Resumed) (Closed Session)

Page 14620

Further Cross-examination by Mr. Misetic

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Witness: W04739 (Resumed) (Closed Session)

Page 14621

Further Cross-examination by Mr. Misetic

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Witness: W04739 (Resumed) (Closed Session)

Page 14622

Further Cross-examination by Mr. Misetic

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Witness: W04739 (Resumed) (Closed Session)

Page 14623

Further Cross-examination by Mr. Misetic

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Witness: W04739 (Resumed) (Closed Session)

Page 14624

Further Cross-examination by Mr. Misetic

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Witness: W04739 (Resumed) (Closed Session)

Page 14625

Further Cross-examination by Mr. Misetic

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1 [Closed session text removed]

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9 [Open session]

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

11 Thank you.

12 PRESIDING JUDGE SMITH: Thank you.

13 We will step aside for a few minutes until you're ready to go on  
14 your side.

15 MR. HALLING: That sounds fine, Your Honour. Five, ten minutes?  
16 What does the Court prefer?

17 PRESIDING JUDGE SMITH: I'll just ask the Court Officer to let  
18 us know. We'll be right outside when you're ready to go. Thank you.

19 --- Break taken at 3.26 p.m.

20 --- On resuming at 3.36 p.m.

21 MR. EMMERSON: May we move into private session for a moment  
22 before the witness is called.

23 PRESIDING JUDGE SMITH: Into private session, please.

24 [Private session]

25 [Private session text removed]

1 [Private session text removed]

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1 [Open session]

2 THE COURT OFFICER: Your Honours, we're in public session.  
3 Thank you.

4 PRESIDING JUDGE SMITH: [Microphone not activated].

5 Today we will start hearing the evidence of Prosecution  
6 Witness 4741.

7 Madam Court Usher, please bring the witness in.

8 MR. ROBERTS: Your Honour, if I could just mention, while that's  
9 being done, that I was going to lead off for the Defence for this  
10 witness. Just to inform the Court and the Prosecution.

11 PRESIDING JUDGE SMITH: [Microphone not activated].

12 MR. ROBERTS: Thank you.

13 PRESIDING JUDGE SMITH: Madam Prosecutor, what is your estimate  
14 in time for this witness?

15 MS. D'ASCOLI: It remains two hours, Your Honours.

16 PRESIDING JUDGE SMITH: Okay. So we won't get to you until  
17 tomorrow anyway, no doubt.

18 MR. ROBERTS: Just on that, Your Honour. I may need a little  
19 bit more than the an hour and a half I've foreseen. I don't think  
20 more than two, but just to give you a heads-up.

21 MR. EMMERSON: And if it assists, I will need very much less  
22 than the three hours that we have estimated.

23 PRESIDING JUDGE SMITH: [Microphone not activated].

24 MR. MISETIC: I think I'm sticking to whatever I put down.

25 PRESIDING JUDGE SMITH: [Microphone not activated].

Witness: Ramiz Qeriqi (Open Session)  
Procedural Matters

Page 14629

1 MR. ELLIS: No change yet, Your Honour. I'll update  
2 Your Honours if there is.

3 PRESIDING JUDGE SMITH: Thank you.

4 [The witness entered court]

5 PRESIDING JUDGE SMITH: Good morning, Witness. The Court Usher  
6 will now provide you --

7 THE WITNESS: [Interpretation] Good afternoon.

8 PRESIDING JUDGE SMITH: -- with the text of the solemn  
9 declaration which you are asked to take pursuant to our Rule 141(2),  
10 so read it aloud, please.

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

15 WITNESS: RAMIZ QERIQI

16 [The witness answered through interpreter]

17 PRESIDING JUDGE SMITH: Thank you. You can be seated now.

18 Witness, today we will start your testimony, which is expected  
19 to last approximately two days. As you may know, the Prosecution  
20 will ask you questions first. Once they are finished, the Defence  
21 has the right to ask questions of you. Members of the Panel might  
22 also ask questions of you.

23 The Prosecution estimate for your examination is two hours. The  
24 Defence estimates approximately eight hours. As regards each  
25 estimate, we hope that counsel will be judicious in their use of

Witness: Ramiz Qeriqi (Open Session)  
Procedural Matters

Page 14630

1 time. The Panel may allow redirect re-examination if conditions for  
2 it are met.

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

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

13 Please also speak into the microphone and wait five seconds  
14 before answering a question, and speak at a slow pace for the  
15 interpreters to catch up.

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

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

23 If you feel the need to take breaks, please make an indication  
24 and an accommodation will be made for you.

25 We begin with the direct examination by the Prosecution, who are

Witness: Ramiz Qeriqi (Open Session)

Page 14631

Examination by Ms. D'Ascoli

1 on your left.

2 Madam Prosecutor, you have the floor. You may begin.

3 MS. D'ASCOLI: Thank you, Your Honours.

4 Examination by Ms. D'Ascoli:

5 Q. Good afternoon, Witness. We met last week.

6 A. Good afternoon.

7 Q. We met last week. My name is --

8 A. Yes.

9 Q. -- Silvia D'Ascoli. I'm a Prosecutor with the Specialist  
10 Prosecutor's Office, SPO for brevity, and I will be asking you  
11 questions today.

12 The Presiding Judge has already given you specific instructions  
13 as to your testimony. Please adhere to those. And in particular,  
14 make sure that there is a break between questions and answers. I  
15 understand from proofing that -- from the preparation session we had  
16 that you do understand some English, so even more so please wait  
17 until you get in your headset the full translation, interpretation of  
18 what I'm saying so to be sure that you are understanding the  
19 questions correctly. Okay?

20 A. Okay. Thank you. Some certain terms I do not understand in  
21 English.

22 Q. You will be receiving interpretation into Albanian.

23 Witness, can you please state your name and surname for the  
24 record.

25 A. Ramiz Qeriqi.

Witness: Ramiz Qeriqi (Open Session)

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Examination by Ms. D'Ascoli

1 Q. Your date of birth, please?

2 A. 15 April 1962.

3 Q. And your place of birth?

4 A. Krojmir.

5 Q. Your nationality?

6 A. Albanian.

7 Q. Were you ever known by any nickname or pseudonym?

8 A. During the war and before the war, Luani.

9 Q. Okay. Witness, you gave statements in the past, including to  
10 this office. You had an opportunity to review those statements last  
11 week in preparation for your testimony today.

12 MS. D'ASCOLI: I will now call up on the screens the statements  
13 that the Specialist Prosecutor's Office intends to offer into  
14 evidence. And please follow on the screens.

15 The first statement that I need to call up, please, is marked  
16 with the ERN IT-03-66 T3541 to T3630. And if I can please have the  
17 first page on the screen. Thank you.

18 Q. Witness, you will shortly see the document --

19 A. Nothing there.

20 Q. -- appearing on your screen. Not yet, yes. Can you now see the  
21 first page of the transcript on your screen?

22 A. Yes, but it's in English.

23 Q. Yes. So the very top line, line 1 of this page, says  
24 28 February 2005. We also have, of course, the Albanian transcript  
25 of the same statement that you reviewed, but it is only for purposes



1 of identification at this stage.

2 Do you remember testifying at the ICTY, the International  
3 Criminal Tribunal for the former Yugoslavia, in 2005, in the Limaj  
4 case?

5 A. Yes, I do.

6 Q. The first day of your testimony was this, 28 February 2005.

7 MS. D'ASCOLI: Now can we please move to page 2 of this  
8 transcript.

9 Q. Witness, do you see your name? It's on line 3 of the  
10 transcript.

11 A. Yes, I do.

12 Q. Your testimony at the ICTY lasted for three days. 28th February  
13 was the first, then we have the 2nd and 3rd of March, 2005.

14 MS. D'ASCOLI: Your Honours, for the record, these three dates  
15 correspond to three different transcripts and I will be putting the  
16 ERN on the record later on when tendering those.

17 Q. Witness, did you review the transcripts of that testimony last  
18 week in preparation for your testimony today?

19 A. Yes, I did.

20 Q. So this is the first transcript that will be tendered into  
21 evidence as your evidence. The second is the interview that you had  
22 with the SPO in 2019.

23 MS. D'ASCOLI: Can I please have on the screen now ERN  
24 083272-TR-ET Part 1 RED. And it's again the English transcript, but  
25 we can call up also Albanian if that's easier. It has the same ERN

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1 just with AT at the end.

2 Q. Witness, you see the English transcript? You see your name at  
3 line 17? This is the first part of your SPO interview.

4 A. Yes, I do. Yes.

5 Q. This interview consists of ten parts. Witness, do you  
6 remember --

7 A. Yes.

8 Q. Do you remember reviewing the full transcript of this interview  
9 last week in preparation for your testimony?

10 A. Yes, I do.

11 Q. When re-reading these statements in the preparation session last  
12 week, were you given an opportunity to make corrections and  
13 clarifications to them?

14 A. Yes, there wasn't anything major. Just some minor corrections.

15 Q. And were those corrections and the clarifications reflected in a  
16 written note that was read back to you at the end of the preparation  
17 session last Friday, 19 April 2024? And I can call up that note  
18 after you give your answer.

19 A. Yes, they were.

20 MS. D'ASCOLI: Can the Court Officer please bring up Preparation  
21 Note 1, ERN 120550 to 120558.

22 Q. Witness, do you remember this note? Do you remember that this  
23 was read back to you at the end of the preparation session last  
24 Friday?

25 A. Yes, I do.

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1 Q. Do you confirm that what is recorded in this note reflects your  
2 corrections and clarifications accurately, what was read back to you  
3 stemming from this note?

4 A. Yes. I mean, obviously this is only in English, but I know, I  
5 remember that it was quite fine. Yes, it was. Yes.

6 Q. Okay. Subject to the corrections, clarifications given in this  
7 note, do your written statements, the two ones we looked at,  
8 accurately reflect what you said then and what you would say again if  
9 you were asked the same questions in court today?

10 A. Yes, I have nothing to change. It's exactly what I've said in  
11 the past and what I would say now.

12 MS. D'ASCOLI: Your Honours, having fulfilled the Rule 154  
13 criteria and in accordance with decision F02044, the SPO tenders the  
14 English and Albanian versions of the proposed Rule 154 statements as  
15 identified on the record along with the associated exhibits and the  
16 preparation notes. And I will be reading now the full ERNs on the  
17 record also so that I can specify the classifications for them.

18 PRESIDING JUDGE SMITH: Yes, go ahead.

19 MS. D'ASCOLI: Thank you, Your Honours.

20 So the first statement is the ICTY testimony dated 28 February  
21 2005, 2 and 3 March 2005. The first part, 28 February, is ERN  
22 IT-03-66 T3541 to T3630. The second part of 2 March 2005 is ERN  
23 IT-03-66 T3636 to T3685 unredacted. The third part, the 3 March  
24 2005, is ERN IT-03-66, 3686 to T3760.

25 And just a clarification. We will be tendering only pages 3686

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1 to 3718 of this third part because from page 3719 there is a  
2 testimony of another witness.

3 And the corresponding Albanian translations of these three  
4 parts.

5 If you would like me to specify also the Albanian portions of  
6 the 3 March 2005 statement, I can do that. It's in 2005-03-03  
7 Part 2-TR-IT. The relevant pages that the SPO is tendering into  
8 evidence with this witness are pages 1 to 5 because from page 6 the  
9 testimony of another witness begins.

10 As to the classification, this statement needs to remain  
11 confidential because it contains -- all three days contains parts in  
12 private session.

13 The second statement, the SPO interview, is ERN 083272-TR-ET  
14 Parts 1 to 10 RED and corresponding Albanian transcripts. Now,  
15 Parts 1 to 8 and Part 10 of this second statement can be public.  
16 Part 9 needs to remain confidential because of the nature of certain  
17 information in it.

18 The SPO is also tendering Preparation Note 1, ERN 120550 to  
19 120558. And, again, this note too needs to remain confidential  
20 because of the nature of certain information in it.

21 With regard to the associated exhibits, some are already in  
22 evidence. Therefore, in sum, the SPO is tendering only three  
23 associated exhibits to the Rule 154 statement. It is those listed in  
24 Annex 9 to SPO filing 1980. I will now read the ERNs on the record.

25 The first associated exhibit is marked with ERN 061274 to 061333

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1 and relevant English translations. This can be a public exhibit.

2 The second associated exhibit is marked with ERN IT-03-66 P152  
3 and P152-ET for the English. This can also be a public exhibit.

4 Finally, the third associated exhibit is marked with ERN  
5 IT-03-66 P153 and 153-A for the English. And this is a copy of a  
6 photo that the witness brought to the ICTY. It can also be tendered  
7 as a public exhibit. And I'd just note for the record that a better  
8 copy of -- in colour of this ICTY exhibit is provided in the  
9 associated exhibit to the SPO interview that I just mentioned,  
10 061274, at page 061276, marked as Exhibit 3 within that batch. And I  
11 said, yes, this can also be a public exhibit.

12 Thank you, Your Honours. That was the list of the Rule 154.

13 PRESIDING JUDGE SMITH: Any objection from the Thaci Defence?

14 MR. MISETIC: Subject to our objections in the written response  
15 to the 154, we have no further objections.

16 PRESIDING JUDGE SMITH: Mr. Emmerson.

17 MR. EMMERSON: Likewise.

18 MR. ROBERTS: The same, Your Honour.

19 MR. ELLIS: The same, Your Honour.

20 PRESIDING JUDGE SMITH: The 2005 interview, the 2019 interview  
21 in ten parts less the exceptions pointed out, plus the associated  
22 exhibits and Note 1 -- the three associated exhibits and Note 1 are  
23 all admitted and will be given Prosecution exhibit numbers.

24 THE COURT OFFICER: Thank you, Your Honours.

25 So the statement number 1, which is the ERN IT-03-66 T3541-3630,

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1 will be assigned Exhibit P1114.1.

2 And then the second part of the first statement, which is the  
3 ERN IT-03-66 T3636-T3685 unredacted, will be assigned  
4 Exhibit P1114.2.

5 And the third part of the first statement, which is IT-03-66  
6 T3686-T3760, up to the number 3718, will be assigned Exhibit P1114.3.

7 The second statement, which is the ERN 083272-TR-ET Part 1 RED  
8 will be assigned Exhibit P1115.1.

9 The second part of the same ERN, the second statement, will be  
10 assigned Exhibit P1115.2.

11 The third part will be assigned Exhibit P1115.3.

12 The Part 4 will be assigned Exhibit P1115.4.

13 The fifth part will be assigned Exhibit P1115.5.

14 The sixth part, Part 6, will be assigned Exhibit P1115.6.

15 The Part 7 will be assigned Exhibit P1115.7.

16 The Part 8 will be assigned Exhibit P1115.8.

17 Part 9 will be assigned Exhibit P1115.9.

18 And Part 10 will be assigned Exhibit P1115.10.

19 As for the associated exhibits, the first associated exhibit,  
20 which is ERN 061274-061333, will be assigned Exhibit P1116.

21 The second associated exhibit, which is ERN IT-03-66 P152-ET  
22 with corresponding Albanian version, will be assigned Exhibit P1117.

23 And the third associated exhibit, which is IT-03-66 P153-A with  
24 the corresponding Albanian version, will be assigned Exhibit P1118.

25 As for the Preparation Note 1, which is ERN 120550 to 120558,

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1 will be assigned Exhibit P1119.

2 And as for the classifications, Your Honours, as it was  
3 indicated by the SPO for each document.

4 Thank you, Your Honours.

5 PRESIDING JUDGE SMITH: Thank you.

6 You may proceed, Madam Prosecutor.

7 MS. D'ASCOLI: Thank you, Your Honours.

8 Your Honours, the SPO sent via e-mail a summary for the Rule 154  
9 statements to be read with this witness. We did not receive any  
10 objections, so with your leave, I would read it for the record and  
11 the benefit of the public.

12 PRESIDING JUDGE SMITH: Leave is granted. Go ahead.

13 MS. D'ASCOLI: Thank you, Your Honours.

14 Ramiz Qeriqi is a former KLA member from the 121st Brigade of  
15 the Pashtrik zone. Qeriqi entered Kosovo in March 1998, together  
16 with others, and travelled first to Likovc upon instruction from  
17 Azem Sylja. There, he met with Rexhep Selimi from whom he received  
18 instructions to organise and expand KLA units in his area. He then  
19 travelled to Klecke and eventually to Krojmir, his area, from which  
20 he operated. He was the commander of the 2nd Battalion of  
21 Brigade 121, a position that was formalised by Fatmir Limaj with a  
22 written appointment in mid-August 1998.

23 In the beginning of August 1998, Ramiz Qeriqi received a visit  
24 from Azem Sylja, Hashim Thaci, Kadri Veseli, Jakup Krasniqi, and  
25 Rame Buja occasioned by a dispute that Qeriqi had with Shukri Buja.

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1           Ramiz Qeriqi remained in his position until the demobilisation  
2           of the KLA and will testify about the structure, organisation, and  
3           activities of his battalion and brigade throughout the war.

4           That was the end of the summary, Your Honours. Thank you.

5           PRESIDING JUDGE SMITH: Thank you. You may begin your direct  
6           examination.

7           MS. D'ASCOLI: Yes, thank you.

8           Q.    Witness, now that your prior statements have been admitted into  
9           evidence, I will have for the remaining 25 minutes some additional  
10          questions for you on various matters, including some documents that  
11          were shown to you during the preparation session. We will then  
12          continue and resume with your testimony tomorrow morning.

13          So I want to start with some questions about spring 1998 when  
14          you arrived to Kosovo from Albania.

15          MS. D'ASCOLI: Can I please call up ERN U015-8743 to U015-9047.  
16          The corresponding ET is the one with Revised 1 at the end of the same  
17          ERN. If I can first have the cover page on the screens, please.

18          Q.    Witness, you see the cover page in Albanian of Jakup Krasniqi's  
19          book on your screen. This is in English, "The Great Turning Point,"  
20          I translate it, "Kosovo Liberation Army," published in 2006. Do you  
21          remember when it was shown to you during the preparation session you  
22          said you did not read this book? You remember that; right?

23          A.    Yes, I remember and this is what I said. I didn't read the  
24          book.

25          Q.    Yes.



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1 MS. D'ASCOLI: Can we please go to page U0015-8849 in both  
2 languages, which is basically page 106 of the book. In both  
3 languages, please.

4 Q. Mr. Qeriqi, this is a section about the Pashtrik subzone. I  
5 will read some parts for you once we have the Albanian as well.

6 A. Yes, now I see it.

7 MS. D'ASCOLI: The ERN is 8849 in both languages. Okay. It's  
8 coming up. If we can please -- yes, exactly. Thank you. In this  
9 section -- I need the section in the bottom on the Pashtrik zone.  
10 Thank you.

11 Q. Witness, so I will read some portions to you and then put you  
12 questions. This starts with listing the territories of the  
13 municipalities initially included in the zone. For example, Prizren,  
14 Malisheve, as you can see.

15 Now, I will start reading from where it says, still in the first  
16 paragraph:

17 "In this subzone as well the organisation of the Kosovo  
18 Liberation Army was done on the basis of units."

19 You can follow also on the screen besides the interpretation.

20 "... then later it passed on to military formations. The  
21 brigade was the highest military formation."

22 Then it goes on, and I will summarise the other parts later. So  
23 does this first portion that I read to you reflect your evidence that  
24 in your area of operation, the organisation of --

25 A. Could you please repeat it?

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1 Q. Do you mean repeat the question or the portions that I read?

2 A. Only that sentence.

3 Q. Yes. The sentence I read and that I wanted to ask you a  
4 question about is the one where it says:

5 "In this subzone ... the organisation of the Kosovo Liberation  
6 Army was done on the basis of units, then later passed on to military  
7 formations. The brigade was the highest military formation."

8 Is that clear what I read now?

9 A. Yes, this is how it was. It was the brigade. When I was in the  
10 battalion, there was the brigade.

11 Q. Yes, yes. Let me ask my question. And, yes, we have your  
12 comments on the record.

13 So what I read, and specifically the fact that the organisation  
14 of the KLA initially was done on the basis of unit which later were  
15 turned into military formation, does this portion reflect your  
16 evidence that, in your area of responsibility, the organisation of  
17 the KLA in April, May 1998 consisted of units?

18 A. Yes, yes.

19 Q. You mentioned --

20 A. Yes.

21 Q. Okay. Witness --

22 PRESIDING JUDGE SMITH: Witness, Witness, please pause after the  
23 question is asked for the translation to complete and then answer. I  
24 know you speak some English, but you're talking over each other. So  
25 don't do that.

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1 Go ahead.

2 MS. D'ASCOLI: Thank you, Your Honours.

3 THE WITNESS: [Interpretation] I understood.

4 MS. D'ASCOLI:

5 Q. Okay. So you said "yes." Yeah. I wanted to complete my  
6 question to, you know, say that, for example, you had mentioned in  
7 your statements the Celiku or Sokol units at the beginning, for  
8 example, but we have your answer.

9 So with that, do you confirm that those units were later on  
10 formalised into military formations such as battalions, companies,  
11 brigades, as you told us?

12 A. Yes.

13 Q. Okay.

14 MS. D'ASCOLI: Now can we please move to the next page, 107 of  
15 the book, U015-8850 in both languages.

16 Q. Witness, I will continue reading from approximately the  
17 beginning of the Albanian page, kind of five lines down. You can  
18 listen to the interpretation. So I'll continue reading:

19 "When the structure of the Kosovo Liberation Army was complete,  
20 there were five brigades in this subzone: The 121 Brigade,  
21 stretching from Llapushnik to Duhel, including all of the villages  
22 spread throughout the Berisha Mountains ..."

23 And then the description goes on mentioning other brigades.

24 Now, you gave evidence that your Brigade 121 comprised four  
25 battalions and you commanded Battalion 2; correct?

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1 A. I said four, not five. Four battalions, not five.

2 Q. Yes, that was my proposition too. It was four battalions. And  
3 you commanded the Ruzhdi Salihu 2nd Battalion; correct?

4 A. Yes.

5 Q. Now, for a period of time, and this was in summer 1998, Brigade  
6 121 was called Agim Qelaj, Coli; right? That's what you told us?

7 A. Agim Qelaj, Coli, yes.

8 Q. And Agim Qelaj died in combat; correct?

9 A. Qelaj, yes, yes.

10 Q. Yes, forgive my pronunciation.

11 MS. D'ASCOLI: Can we move to the next page, 108 of the book,  
12 and ERN U015-8851 in both languages.

13 Q. Witness, I'm going to read a part about Ismet Jashari whom you  
14 knew also from the early days in the KLA. You also gave us a photo  
15 with him, which was now admitted into evidence as P1118. So I'll  
16 read. So:

17 "Ismet Jashari. After the beginning of the liberation war in  
18 Kosovo, Ismet Jashari was one of the first who left the warm bosom of  
19 family and the standards of Switzerland and came to the barricades of  
20 war for freedom. It was quickly observed that Ismet was a determined  
21 and courageous warrior who possessed abilities to organise and  
22 command."

23 And then it speaks about the summer 1998 offensive. In one such  
24 action meeting the enemy, he fell heroically.

25 "After his heroic fall, and by a decision made by the KLA

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1 General Staff, the 121 Brigade would take on the name 'Kumanova,' the  
2 *nom de guerre* by which all KLA soldiers knew Ismet Jashari."

3 Does that reflect your evidence that the name of the brigade,  
4 Brigade 121, was changed to Kumanova Brigade after Ismet Jashari was  
5 killed?

6 MS. D'ASCOLI: For reference, this is in the SPO interview  
7 Part 1, page 12.

8 A. Yes, it was Fatmir Limaj, brigade commander, that changed the  
9 name. He told us that now it will be called Kumanova.

10 Q. And then in the SPO interview, you said:

11 "And then it was changed to Kumanova. It was changed without  
12 asking us at all about it."

13 A. Yes, yes.

14 Q. Okay.

15 MS. D'ASCOLI: Can we move to page 126 of the book, and now we  
16 will discuss the Nerodime zone. This is ERN U015-8869.

17 Q. Witness, I will be reading some lines about Shukri Buja and  
18 Agim Bajrami. Okay. I'll read again. You can listen in your  
19 headset.

20 "Shukri Buja and Agim Bajrami, after the fighting had broken out  
21 in Drenica in March 1998, had left behind, along with many comrades,  
22 the comfortable life in the West to come to help the comrades in the  
23 KLA. At a decision of the KLA [General Staff], they were assigned to  
24 Klecka, where they carried out preparations for the creation of the  
25 KLA formations in the Nerodime Subzone."

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1           And it he indicates that they gained experience in the  
2           organisation of the KLA in villages like Shala, Krojmir, et cetera.

3           Now, we have your evidence about Shukri Buja and his arrival  
4           into your area, Krojmir, in spring 1998, I think you said April 1998,  
5           and this is all in the SPO interview Part 3, page 31, and also in the  
6           prep note.

7           Now, did you know also Agim Bajrami, Mr. Qeriqi?

8           A.    I used to know him from before. I saw him in Germany once and  
9           then in Kosovo.

10          Q.    Okay. So I understand you met him in Germany; right?

11          A.    Yes, once in Germany and once in Kosovo. Not in the war.

12          Q.    Okay. So did you also go from Germany to Kosovo together with  
13          the others to join the KLA?

14          A.    Yes, of course.

15          Q.    Did he have a nickname that you know of?

16          A.    Zefi, I think. Zefi.

17          Q.    Okay.

18          MS. D'ASCOLI: Can we now move to the next page, please, 127,  
19          ERN U015-8870.

20          Q.    Witness, you will see now you are mentioned as having made a  
21          great contribution in the Lipjan and Shtime municipalities. I will  
22          read that part for the record.

23                "After the successful deployment ..."

24          It's about -- it's kind of like the third paragraph down in the  
25          page.

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1 "After the successful deployment of KLA formations in this zone,  
2 great contribution was made by Ahmet Qeriqi, Hestet Sahiti, Fitim  
3 Selimi, and Ramiz Qeriqi 'Luani' in the Lipjan and Shtime  
4 municipalities, Fehmi Mujota and Ruzhdi Salihu in Ferizaj ..."

5 Did you know Ahmet Qeriqi, Hestet Sahiti, and Fitim Selimi?

6 A. Yes. Ahmet was my cousin. I saw him for the first time in May  
7 1998. He was there. He was working with Free Kosovo Radio. Sahiti  
8 was in the 1st Battalion for a short time. He was company commander.  
9 Fitim Selimi was a doctor who worked in the outpatient clinic.  
10 Ruzhdi Salihu was in our battalion. That's why our battalion is  
11 called by his name. He was the first to lay down his life in the  
12 battle.

13 Q. I understand.

14 MS. D'ASCOLI: The last page, if we move to the next one, is  
15 U015-8871, page 128 of the book.

16 Q. This is a part that discusses Agim Bajrami, Witness. So it says  
17 as the liberation war escalated in spring 1998, he came back to  
18 Kosovo, and it also mentions Zefi, his nickname. So does this  
19 reflect what you just told us?

20 A. Yes.

21 MS. D'ASCOLI: Your Honours, the SPO tenders the excerpts  
22 related to the Pashtrik zone and Nerodime zone of the book. The  
23 relevant pages are, for the Pashtrik zone, U0015-8849 to 8853. And  
24 for Nerodime zone is U0015 to -- 8869 to 8871, I think, because I  
25 believe page 72 is already -- no.

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1           So there is already -- there are some excerpts of this book  
2           already admitted in P00189, so I would tender up to page 8873, which  
3           I think they're not included, and so if these can please be added to  
4           the same P number, the pages that I've just read.

5           PRESIDING JUDGE SMITH: [Microphone not activated].

6           MR. ELLIS: Well, yes, Your Honour. Our objection is as to  
7           foundation. The witness has been taken to a couple of pages and has  
8           confirmed certain superficial details, names that he recognised.

9           He hasn't been taken to any of the rest of -- even of those  
10          pages and certainly not the whole sections that are now being sought  
11          to be admitted. We would say that it's for the Prosecution to make  
12          out its tender and it hasn't done so.

13          MS. D'ASCOLI: Well, Your Honours, a lot of the portions that I  
14          read were confirmed by the witness. They match his evidence. Of  
15          course, I could go through every single line, but in order to save  
16          court time, I believe that for the purposes of admission, what the  
17          witness discussed is sufficient for -- yes, for those portions to be  
18          admitted.

19          PRESIDING JUDGE SMITH: The tendered material is satisfactory  
20          and follows Rule 138, and we will admit it.

21                                 [Trial Panel and Court Officer confers]

22          PRESIDING JUDGE SMITH: Since some of these pages are already  
23          admitted consecutive to them, we may merge them. But we will take a  
24          look at that and make that decision. Go ahead.

25          MS. D'ASCOLI: Thank you, Your Honours. Yes, that's our



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1 intention, that they are merged into one exhibit.

2 PRESIDING JUDGE SMITH: Go ahead.

3 MS. D'ASCOLI: Thank you.

4 PRESIDING JUDGE SMITH: Madam Prosecutor, you only have about  
5 two minutes. If you want to stop now, that's okay.

6 MS. D'ASCOLI: I think so, Your Honours, because the next  
7 document, I don't think it will be done in two minutes.

8 PRESIDING JUDGE SMITH: Go ahead.

9 MS. D'ASCOLI: So I think --

10 PRESIDING JUDGE SMITH: Yeah, go ahead.

11 MS. D'ASCOLI: You mean I can continue and do the next  
12 documents?

13 PRESIDING JUDGE SMITH: You said you had two minutes.

14 MS. D'ASCOLI: Yes, what I was saying is that I have one next  
15 document -- yes, maybe I can do it in two minutes, or three, if --

16 PRESIDING JUDGE SMITH: Go ahead. Yes.

17 MS. D'ASCOLI: Yes, okay. Thank you very much.

18 So can I please call up ERN U009-0999-U009-1004. And I would  
19 need to display page 5 for the English and page 6 for the original of  
20 the document.

21 Q. Witness, we just discussed Shukri Buja while the document is  
22 brought up. I can introduce the topic.

23 In your statement you say, for example, that one of his  
24 nicknames during the war was Commander Sokoli; correct?

25 A. Yes.

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1 Q. Do you remember bringing a document to the ICTY signed by him or  
2 authored by him?

3 A. Yes.

4 MS. D'ASCOLI: Sorry, I don't see the document that I called up  
5 reflected on the screen. So the ERN, if that can help, is -- I'll  
6 repeat it, is U009-0999-U009-1004. It's the ICTY statement of the  
7 witness dated 28 February 2005. Yes, we now have the correct  
8 statement, but can I have, please, the split screen with page 5 and  
9 page 6.

10 The document I'm going to show is an attachment to a  
11 supplemental ICTY statement. Yes, now it's correct. Thank you.

12 Q. Witness, do you recognise this document now on the screen?

13 A. Yes.

14 Q. Can you tell us who Commander Sokoli was?

15 A. Shall I explain?

16 Q. Yes, go ahead.

17 A. It was a permit to travel issued by Shukri Buja, then, to enable  
18 the person to move about. It's written there. To go from Krojmir to  
19 Klecke, in that case you had to take permission from Shukri Buja, and  
20 that is the permission he gave given to a person who worked in the  
21 logistics.

22 Q. Yes, can you tell us who that person was? The name is Qele.  
23 Soldier, soldier Qele.

24 A. The name Qele means Idriz Qeriqi. He is my brother.

25 Q. And I take it he was also a KLA member, right, you said in the

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1 logistic unit?

2 A. Yes.

3 Q. What would be the approximate time -- well, date or period in  
4 which this permit was written, if you know?

5 A. It may be sometime in May, I think.

6 Q. Okay. And you said you provided the document, you brought  
7 yourself the document to the ICTY; right?

8 A. Yes, I provided it because it remained in the archives of the  
9 battalion.

10 Q. Okay. That's sufficient also so that we are on time.

11 MS. D'ASCOLI: Your Honours, I tender this document, and it  
12 would be only pages 5 and 6 of the ERN read on the record. It can be  
13 a public exhibit.

14 PRESIDING JUDGE SMITH: Any objection?

15 MR. MISETIC: No objection.

16 MR. EMMERSON: [Microphone not activated].

17 MR. ELLIS: No, Your Honour.

18 PRESIDING JUDGE SMITH: ERN U009-1004 page 5 and 6 are admitted  
19 and will be assigned an exhibit number.

20 THE COURT OFFICER: They will be assigned Exhibit P1120 and  
21 classified as public. Thank you, Your Honours.

22 MS. D'ASCOLI: Thank you. And I would stop at this point.

23 PRESIDING JUDGE SMITH: Thank you.

24 Witness, we are finished for today. I know you only were here  
25 for a short period of time. We had to finish the other witness ahead

Witness: Ramiz Qeriqi (Open Session)

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Examination by Ms. D'Ascoli

1 of you. We will start again tomorrow at 9.00. Remember, you cannot  
2 speak to anyone about this case, about your testimony outside of the  
3 courtroom. If anyone tries to approach you, bring that to our  
4 attention as soon as possible.

5 We wish you a good evening.

6 THE WITNESS: [Interpretation] I understood. Thank you.

7 [The witness stands down]

8 PRESIDING JUDGE SMITH: We are adjourned until 9.00 a.m.  
9 tomorrow.

10 --- Whereupon the hearing adjourned at 4.33 p.m.

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