

1 Tuesday, 22 October 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.

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: [Microphone not activated].

11 Good morning. I note that all the accused are present in court
12 today.

13 Before we continue hearing the evidence of Prosecution
14 Witness W04240, there's a preliminary matter the Panel would like to
15 address.

16 Yesterday, the SPO filed F02665, where it requested to amend the
17 exhibit list to include three documents that it intends to use with
18 W04758 and invited the Panel to set an expedited briefing schedule.

19 As W04758 is due to testify after the current witness, the Panel
20 would like to invite Victims' Counsel and the Defence to make any
21 submissions in response to F02665 orally in court.

22 Are the parties and participants prepared to make submissions
23 now?

24 Mr. Laws, anything?

25 MR. LAWS: Certainly, Your Honour. Yes. We have no objection.

1 PRESIDING JUDGE SMITH: Mr. Misetic or anybody, whoever wishes
2 to speak.

3 MR. DIXON: Your Honours, thank you. We need an opportunity
4 still to review the document, so could we please ask that we do the
5 submissions a little bit later at the start of an upcoming session --

6 PRESIDING JUDGE SMITH: Yes.

7 MR. DIXON: -- if there are any objections to the request.

8 PRESIDING JUDGE SMITH: Yes, if everyone agrees to that. All
9 right. Yes, we will.

10 Any objection, Mr. Pace?

11 We'll do that. Let's plan at the 11.00 break then.

12 MR. DIXON: Yes, thank you, Your Honours.

13 PRESIDING JUDGE SMITH: Or after the 11.00 break, I should say.

14 MR. DIXON: [Microphone not activated].

15 PRESIDING JUDGE SMITH: [Microphone not activated] ... of
16 Prosecution Witness W04240.

17 Madam Court Usher, please bring the witness in.

18 [The witness takes the stand]

19 PRESIDING JUDGE SMITH: Be seated.

20 Good morning, Witness. We're ready to proceed. The SPO has
21 some more --

22 THE WITNESS: [Interpretation] Good morning to everyone.

23 PRESIDING JUDGE SMITH: The SPO has a few more questions for
24 you, so please give them your attention.

25 Mr. Pace, you have the floor.

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1 MR. PACE: Thank you, Your Honour.

2 WITNESS: FADIL GECI [Resumed]

3 [The witness answered through interpreter]

4 Examination by Mr. Pace: [Continued]

5 Q. And good morning, Witness.

6 A. Good morning.

7 Q. In your SPO interview, you state Sabit Geci is from Llaushe,
8 your same village, and that he was in your same class in school. And
9 that's Part 4, pages 11 and 12. Do you have any knowledge as to when
10 Sabit Geci joined the KLA?

11 A. Could you please repeat the question? Was your question when
12 did he join? If you can make the question clearer.

13 Q. Do you know when Sabit Geci joined the KLA?

14 A. I might be mistaken, but Sabit was serving time as a result of a
15 traffic road accident. And then in 1997, based on the information I
16 have, he joined as soon as he was released from prison.

17 Q. Do you know Musli, the son of Muje Geci, from Llaushe?

18 A. Yes, I know him very well.

19 Q. And did he fight against the Serbs in 1998 and 1999?

20 A. Yes, yes.

21 Q. Do you know Hetem, son of Sokol Geci, from Llaushe?

22 A. I know him very, very well.

23 Q. And did he fight against the Serbs in 1998 and 1999?

24 A. Yes. He's the paternal uncle of Adem Jashari.

25 Q. Do you know Shemsedin, son of Haradin Geci; and if so, did he

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1 fight against the Serbs in 1998 and 1999?

2 A. I know them, too. They're from Llaushe. To my knowledge,
3 they're good people.

4 Q. Did they fight in 1998 and 1999?

5 A. Yes, they did. And their fathers before them fought Serbia as
6 well.

7 Q. Do you know whether Bekim, the son of Sejdi Geci, fought in 1998
8 and 1999?

9 A. Yes. I'm a little bit confused with the names, but he's from
10 the same family I referred to earlier. And for what I know, we only
11 heard good things about them and their family.

12 Q. Do you know whether Xhemajl, the son of Ahmet Geci, fought in
13 1998 and 1999?

14 A. He's also from Llaushe. I only have good words about them. And
15 to my knowledge, they fought.

16 Q. And the last name in this regard, do you know whether Sabit, the
17 son of Tafil Geci, fought in 1998 and 1999?

18 A. Yes, he did. And he comes from a good family. And from what I
19 know, he fought. I don't know more.

20 MR. PACE: I'd like to call up 098026-098128. And as with
21 yesterday, this can be broadcast to the public. And we'll start with
22 page 098030, zooming in on the image next to the number 23, which I
23 believe will require a screen rotation. 098030, please. And if we
24 can zoom in only on image 23, so the one in the top left corner now.
25 Thank you.

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1 Q. Witness, had you seen this image before I showed it to you last
2 week?

3 A. No, I hadn't. I saw it for the first time when you showed it to
4 me.

5 Q. Do you recognise any of the persons featured in this image; and
6 if so, could you identify them by reference to the number with an
7 arrow pointing to them?

8 A. Yes, I know them. Some of them. Two or three of them. Number
9 5 is Rexhep Selimi. Number 3, Sylejman Selimi. And number 2,
10 Kapuci, a hero of Kosovo.

11 Q. Do you know Kapuci's name or full name?

12 A. I don't seem to be able to recall his real name now. We all
13 knew him by this pseudonym, Commander Kapuci.

14 Q. And you mention he's a hero of Kosovo. Is he still alive?

15 A. No, that's why he's a hero. It's a bit tough to be a hero while
16 still being alive.

17 Q. Do you know when he died, what month and year?

18 A. He died somewhere on the border with Albania fighting the enemy.

19 Q. And do you know when that was, what month and year?

20 A. In 1998. I might be wrong with the dates. Everybody knows.
21 This is publicly known fact, so I wouldn't be able to tell you the
22 exact date.

23 MR. PACE: Let's please turn to page 098042, zooming in on the
24 image on the bottom right corner. Yes, thank you.

25 Q. And, Witness, had you seen this image before I showed it to you

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1 last week?

2 A. I hadn't.

3 Q. Are you able to recognise anyone in this image?

4 A. Number 3, Rexhep Selimi. Number 2, if I'm not mistaken, it
5 could be Abedin Rexha.

6 Q. And would you be able to identify the location where this was
7 taken if we zoom out a little bit?

8 A. No. I can see a tree. There might have been trees everywhere.
9 The concerned person might know better.

10 MR. PACE: Let's turn to page 098064 and zoom in on image 141,
11 please.

12 Q. And, Witness, do you recognise anyone in this image, the one on
13 the right-hand side of the screen with number 1 and 2 on it?

14 A. Number 1, Rexhep Selimi. And number 2 is the person whom I
15 think might be Abedin Rexha. I might also be wrong, but in my
16 opinion it could be Abedin Rexha.

17 MR. PACE: And let's turn to page 098087, first zooming in on
18 the image in the top right corner where we'll see three people
19 standing behind two others.

20 Q. Witness, do you recognise anyone in this image on your screen
21 now?

22 A. Yes, two -- the two Jashari brothers. I know them very well,
23 and I knew their father. Ahmet was a very good man in Drenica. The
24 first one, wearing a beard, is Sahit Jashari, and then Muse Jashari
25 with a moustache. I do not know the others.

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1 Q. To be clear, the first one with a beard, is that the person who
2 is squatting or sitting in the middle of the photo?

3 A. Correct. This is Sahit Jashari, the one sitting. The one in
4 the middle with a moustache is Muse Jashari.

5 Q. And that would be the one standing up with the white T-shirt?

6 A. Yes, this is Muse Jashari, the son of Hamit Jashari, a good
7 father.

8 MR. PACE: We can take the document down. And, Your Honour, we
9 seek admission of the specific images shown relevant to the
10 identification of Rexhep Selimi and other KLA members, the types of
11 uniform and clothing worn by KLA members, and weapons and vehicles
12 available to them.

13 PRESIDING JUDGE SMITH: Any objection?

14 No objection is shown. 098026 at page 098030 is admitted.

15 THE COURT OFFICER: Your Honour, I believe there were three more
16 pages that were tendered by the SPO. So it was 098030, 098042,
17 098064, and 098087.

18 MR. PACE: Correct. Thank you. And they can all be public.

19 PRESIDING JUDGE SMITH: Those are all admitted. Please assign a
20 number.

21 THE COURT OFFICER: Thank you, Your Honour. The exhibit number
22 assigned to these pages will be P01753. Current classification of
23 the document is confidential, but my understanding is that it can be
24 public.

25 PRESIDING JUDGE SMITH: Reclassified as public.

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1 THE COURT OFFICER: Thank you.

2 MR. PACE:

3 Q. Witness, at page 37 of yesterday's transcript, counsel for
4 Mr. Krasniqi noted that you may have said the following that I will
5 read to you and that this was not captured in the English transcript.
6 So I'm going to read it, and then I'm going to ask if you did say
7 that. So counsel said that it was heard that you said:

8 "Those who wrote Communiqué 59, we should make the blood
9 analysis and it will result that they are not Albanians."

10 Witness, do you recall saying that yesterday?

11 A. Yes, I said it yesterday, and I'm repeating it today.

12 Q. And could you briefly explain what you meant by that, that those
13 who wrote Communiqué 59 are not Albanians? What do you mean?

14 A. The message is clear. An Albanian who knew us well and wrote
15 Communiqué 59, he can be any other nationality or ethnicity but not
16 Albanian. They can claim to be Albanians, but deep inside, in their
17 soul, in their blood, they're not Albanians. This is what I said,
18 and this is true.

19 Q. And the following is from page 78, line 19 of yesterday's
20 transcript. I will read a question and answer, and then I have a
21 clarification:

22 "Q. Did you ever speak to Rame Buja about Communiqué 59?"

23 And your answer:

24 "Yes, I did. During the first mandate as deputies, I said to
25 him, 'Go away. You were there and you didn't say a word about us,

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1 and you know us very well.' He took me by the hand and led me to the
2 office of the deputy speaker of the parliament, and he said, 'I'll
3 tell you something. I spoke to them. I told them, 'Don't do it.
4 You're wrong,' and they did not listen to me. You suffered
5 consequences, but I also suffered consequences for defending you.'

6 "He knows this. He said this to me directly."

7 My first question, Witness, is did Rame Buja explain to you who
8 he spoke to about Communiqué 59?

9 A. Yes. He said, "We discussed this in the staff." He knows it.
10 But he added, "I suffered consequences because I spoke on your
11 behalf." He even added that, "I was shot, received a bullet because
12 I protected you. I told them that you were right. I told them not
13 to do it, but they proceeded ahead, and now they have to take
14 responsibility for that." And Rame Buja told me this directly.

15 He knows very well, his friends know very well that there were
16 problems as a result of speaking about the Geci brothers.

17 Q. You said that Rame Buja told you, "We discussed this in the
18 staff." What staff did you understand Rame Buja to be referring to?

19 A. Rame Buja was a representative of the LPK. I mentioned that we
20 worked together in the LDK. We knew him very well, he knew us very
21 well, and we knew that he had his affiliations, Marxist-Leninist
22 ones. He was a devoted Marxist, one of the most dedicated persons of
23 that group. I said it yesterday and today. We trusted him.

24 Q. Okay. Witness, please focus on the question. It's my last
25 question for you. When Rame Buja told you, "We discussed it in the

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1 staff," what staff? The staff of what or where?

2 A. The staff of the LPK called KLA. There was no other staff where
3 Rame Buja was.

4 Q. Thank you, Witness.

5 MR. PACE: No further questions, Your Honour.

6 PRESIDING JUDGE SMITH: Mr. Misetic.

7 MR. MISETIC: Thank you, Mr. President.

8 Cross-examination by Mr. Misetic:

9 Q. Good morning, Witness. My name is Luka Misetic. I am counsel
10 for Hashim Thaci, and I have some questions for you.

11 I'd like to start with some background questions.

12 A. Very well.

13 Q. You said that the unit that you fought in you do not consider to
14 have been part of the KLA; correct?

15 A. I will explain this again, in particular for you because you're
16 a lawyer. The state has the KLA as an armed force, it has the police
17 as an armed force, and it has the Territorial Defence. One of them
18 was KLA, which was one. Those people understand what the state is,
19 and you are one of them, understand this. Those who don't, they just
20 make approximations and speak nonsense like they did.

21 Therefore, the KLA is KLA. Within the framework of the state,
22 there is KLA. There is no other name for it but KLA, an army.

23 Q. Witness, let me tell you what you told the SPO last week, and
24 this is in Prep Note 1, which records what you told the SPO last week
25 at paragraph 14. It says you said:

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1 "When the LPK arrived after the Jashari family was killed, they
2 fought under the name 'KLA'. W04240," that's you, "did not consider
3 himself part of the KLA; he was a member of the government forces."

4 Do you remember telling the SPO that last week?

5 A. Again, let's not confuse things. The KLA is only one. There is
6 only one KLA. I was in Kosovo --

7 Q. My question is did you tell that to the SPO last week, that you
8 did not consider yourself to be part of the KLA? Did you tell them
9 that last week or no? Did you tell them that last week?

10 A. No. I am telling you that there were two organisations. One
11 was for state institutions, my KLA; and another one that was to seize
12 power, the persons you are representing.

13 Q. So you confirmed --

14 A. That's the truth.

15 Q. You confirmed yesterday morning under oath that what is in
16 Prep Note 1 is true and accurate. And now you're saying that what's
17 written in Prep Note 1, that you said you did not consider yourself
18 part of the KLA, you never said that. Is that your testimony? Did
19 you say it or not?

20 A. What I said is that I was part of the organisation's structures.

21 Q. That's not what I'm asking you. The sentence says you did not
22 consider yourself part of the KLA; yes or no? Did you say that to
23 the SPO last week; yes or no? Yes or no?

24 A. I did not view myself as a member of the LPK, not the KLA. The
25 KLA is a sacred Albanian institution, an institution to which I

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1 contributed with my family and as all Albanians did.

2 Q. Fine. So even though yesterday you said under oath that this is
3 true, it turns out that you didn't say this even though you swore
4 yesterday you did; correct?

5 MR. PACE: Objection, asked and answered and argumentative.

6 PRESIDING JUDGE SMITH: Overruled.

7 Witness, you need to answer his question directly, "yes" or
8 "no," nothing else.

9 THE WITNESS: [Interpretation] I was --

10 PRESIDING JUDGE SMITH: [Microphone not activated].

11 MR. MISETIC:

12 Q. Did you say it to the SPO last week that you were not part of
13 the KLA; yes or no?

14 A. Again, I was a member of the KLA but not of the LPK.

15 Q. Okay. Sir, we'll leave it at that. Who did you report to? You
16 said -- your unit, who did you report to?

17 A. We had the minister of defence, Ahmet Krasniqi, selected by
18 President Ibrahim Rugova. He was our main command. The commander
19 was Ibrahim Rugova formally as per the law. Nothing functions
20 anywhere in the world outside these rules.

21 Q. Now, I want a factual -- I just want facts from you. Okay? On
22 a day-to-day basis, you, as the commander of that unit, how would you
23 communicate with Ahmet Krasniqi? As I understand it, you're saying
24 you reported directly to Ahmet Krasniqi; correct?

25 A. Yes. From the beginning, we had a direct communication using a

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1 telephone. We didn't have the modern means of communications we have
2 now, but we were directly connected, linked to Ahmet Krasniqi.

3 Q. And you did not communicate with anybody else in a chain of
4 command. You just went straight from your unit to Ahmet Krasniqi at
5 the Ministry of Defence; correct?

6 A. I communicated directly with Ahmet Krasniqi. The base -- the
7 foundations of that was in my area in Drenica where the whole
8 organisation was structured, the LDK.

9 Q. Yes, my question now is slightly different. I'm saying you did
10 not report to anyone else other than Ahmet Krasniqi; correct?

11 A. That's correct.

12 Q. So you did not consider yourself to be under the command of the
13 KLA General Staff; correct?

14 A. I was not under the command of the LPK General Staff command,
15 self-called or self-styled KLA.

16 Q. And by that you mean Bislrim Zyrapi, Rexhep Selimi,
17 Jakup Krasniqi, Hashim Thaci, you weren't under any of their command;
18 correct?

19 A. They were members of the LPK.

20 Q. That's not my question. You were not under the command of those
21 individuals; correct?

22 A. I said I was not under the command of the LPK, and I think this
23 is sufficient.

24 Q. Well, I'll decide what's sufficient. You were not under the
25 command of those individuals; correct?

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1 A. I was never under the command of Marxist-Leninists.

2 Q. Witness, I'm asking you just simple questions, and try to keep
3 the politics out of it. Okay?

4 Now, you were also asked questions during your preparation
5 session, and this is at Preparation Note 2, paragraph 27, and you
6 were asked questions about it again yesterday. You were shown an
7 excerpt, and you said you confirmed that someone who did not know
8 that you and others were with the Ministry of Defence would assume
9 they were all KLA fighters as described in the excerpt; is that
10 correct?

11 A. Could you please repeat the question? It was not very clear to
12 me.

13 Q. Yes, Witness. You were shown yesterday an excerpt from a book
14 written by Maxhun Smajli. Do you recall that?

15 A. Yes.

16 Q. And Maxhun Smajli had a picture of you in his book. Do you
17 recall that?

18 A. Yes.

19 Q. And he wrote in the book that you were KLA fighters. And your
20 response to the SPO last week was that you confirmed that someone who
21 did not know you and the others were with the Ministry of Defence
22 would assume that you were all KLA fighters as described in the
23 report. Do you remember telling the SPO that last week?

24 A. What I said is, up to that time, which was March, April, May,
25 all of us were united into one Kosovo Liberation Army. Up until

1 these people came and taught us how to fight, from Switzerland. We
2 were there in Kosovo fighting, and they came and taught us how to
3 fight.

4 Q. Again, you're not answering the question. Did you tell the SPO
5 last week that someone who did not know that you were with the
6 Ministry of Defence would assume that you were KLA fighters; yes or
7 no? Did you tell that to the SPO last week?

8 A. At that time, too, we were all united, one. There were no
9 divisions. 99 per cent of the army was one up until they came.

10 Q. I think you understand the question I'm asking you, and you're
11 avoiding answering my questions, so I'm going to repeat it a third
12 time. Did you tell the SPO last week that someone who did not know
13 that you and others were with the Ministry of Defence would assume
14 that you were KLA fighters as described in the excerpt; yes or no?
15 Did you tell that to the SPO last week?

16 A. I believe you and the Judges understand me very well. We were
17 all united. We were one up until they came from Switzerland and
18 sowed divisions.

19 PRESIDING JUDGE SMITH: Your duty here today is to answer
20 questions. You're not answering the question. The question asked
21 for a yes-or-no answer. That's not always necessary, but in this
22 case it is necessary for you to answer "yes" or "no." Did you tell
23 that to the SPO? That's the question. It can only be answered "yes"
24 or "no." You can only --

25 THE WITNESS: [Interpretation] Your Honour --

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1 PRESIDING JUDGE SMITH: Wait. [Microphone not activated].

2 It can only be answered "yes" or "no," and that's your
3 obligation. Please answer it so that we can move on or we'll never
4 get through this.

5 THE WITNESS: [Interpretation] I agree. But I think it gives it
6 another meaning.

7 PRESIDING JUDGE SMITH: No. [Microphone not activated].

8 THE WITNESS: Okay.

9 PRESIDING JUDGE SMITH: Just answer the question. If the SPO
10 wants to ask you some other clarifying questions later on, they'll
11 have an opportunity to do that. But right now, you're answering
12 Mr. Misetic's questions. Please follow the directions and answer the
13 questions as they are asked.

14 Do you understand? Yes or no, do you understand?

15 THE WITNESS: [Interpretation] I understand. However, I think
16 that an answer with "yes" or "no" does not give the meaning to the
17 answer.

18 PRESIDING JUDGE SMITH: You're wrong about --

19 THE WITNESS: [Interpretation] And with one word, the answer
20 loses its meaning.

21 PRESIDING JUDGE SMITH: You're wrong about that. The question
22 calls for one answer. Please do it. Answer it "yes" or "no."

23 THE WITNESS: [Interpretation] Okay. I will try and see what the
24 outcome will be.

25 MR. MISETIC:

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1 Q. Did you tell that to the SPO last week; yes or no?

2 A. Could you please repeat once again what did I tell the SPO,
3 because I said so many things.

4 Q. Yes. Did you tell the SPO last week that someone who did not
5 know that you and others were with the Ministry of Defence would
6 assume that you were all KLA fighters as described in the excerpt;
7 yes or no?

8 A. Yes, I said that.

9 Q. Okay.

10 A. But the meaning is different.

11 Q. Now, let me turn to some other topics. You have no personal
12 knowledge of what happened in Qirez with the parliamentary delegation
13 in September 1998; correct? You were not present.

14 A. I wasn't present.

15 Q. You have no personal knowledge of what happened to Messrs Desku
16 and Kastrati? You were not present; correct?

17 A. I have knowledge but was not present.

18 Q. Yes, I'm saying you have no -- you did not see anything
19 personally.

20 A. [Overlapping speakers] ...

21 Q. You were not there to hear anything personally. You were not
22 there to observe anything; correct?

23 A. That's correct.

24 Q. With respect to Tahir Zemaç in September 1998, you were not in
25 the Dukagjin zone for any conversations between Hashim Thaci,

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1 Rexhep Selimi, and Tahir Zemaj; correct?

2 A. It is true that I wasn't there.

3 Q. Okay.

4 A. But I have knowledge about this, too, because I met Tahir Zemaj.
5 He said these things directly to me, and these are also in his book.

6 Q. Right, they're in the book. Now, arrest of Sejdi Koci. You
7 were not present for the arrest of Sejdi Koci; correct?

8 A. I wasn't. But Sejdi Koci was number one in Drenica, a great
9 patriot. He was arrested, kept for ten days in Drenica by people who
10 told him that he was wanted from the people up. Sabit Geci arrested
11 him. He said to him, "I know that you are a good man, but those up
12 there, they want me to arrest you. Otherwise, I personally would
13 never have arrested you." And who those up were, I don't know.

14 Q. Yes. You don't have any personal knowledge of any of that.
15 You're just repeating what other people told you later; correct?

16 A. He told me personally because he was a close associate, and I'm
17 telling you exactly what he told me. He was a close associate of
18 mine. And what I'm telling you is 200 per cent true. He was
19 arrested. And God saved him because he took a shot, a bullet. Why?
20 Because he was with LDK, because he was honourable.

21 Why was he arrested during the war? Many others shared his fate
22 during the war, and you can ask others about that.

23 Q. Okay. Again, this is something you heard later. You were not
24 present for the arrest of Sejdi Koci; correct?

25 A. It is true that I was not present, but he told me the day he

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1 arrived. He told me these words. Even his sons, his own sons do not
2 know the things that he told me directly.

3 Q. Let's turn to a different topic. Are you aware, and your
4 brother has written about this in his book, of Sylejman Selimi
5 issuing an arrest warrant for Hashim Thaci, Kadri Veseli, and
6 Rexhep Selimi? Did you read that portion of your brother's book?

7 A. I have no knowledge. My brother might come here, and then you
8 can ask him directly.

9 Q. Okay. So you're not aware that Sylejman Selimi issued an arrest
10 warrant to arrest Hashim Thaci, Rexhep Selimi, and Kadri Veseli?

11 MR. PACE: Objection, Your Honour. Asked and answered. The
12 witness clearly said: "I have no knowledge."

13 PRESIDING JUDGE SMITH: Overruled.

14 Answer the question.

15 THE WITNESS: [Interpretation] I have no knowledge. These are
16 things that the person who said them would know directly, and that
17 person will come here and you can ask him directly.

18 MR. MISETIC:

19 Q. Okay. Now, what you know or what you heard about who authored
20 Communiqué 59. As I understand your testimony, Rexhep Selimi,
21 Jakup Krasniqi, Fatmir Limaj told Milaim Zeka who told Gani Geci who
22 told you; is that correct?

23 A. The name of Sabit Geci was not mentioned here.

24 Q. I didn't mention --

25 A. Not correct.

Witness: Fadil Geci (Resumed) (Open Session)

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Cross-examination by Mr. Misetic

1 Q. I don't think I mentioned Sabit Geci. I said Gani Geci. So let
2 me repeat it again. What information you had about who authored
3 Communiqué 59, allegedly, is that Rexhep Selimi, Jakup Krasniqi, and
4 Fatmir Limaj told Milaim Zeka who told your brother Gani Geci who
5 told you; is that correct?

6 A. Regarding Communiqué 59, we never stopped. We talked to every
7 member of the staff. And in 1998, I officially informed that Milaim
8 Zeka informed us that this person wrote the communiqué. And this is
9 official. It is noted in document.

10 Q. When you say "Milaim Zeka informed us," Milaim Zeka, according
11 to your testimony, informed Gani Geci who informed you; correct?

12 A. Gani Geci. Yes, my brother.

13 Q. Okay. Now, Milaim Zeka is related to you; correct?

14 A. No. He has no ties whatsoever with me. He is not even a
15 friend. He is a Marxist, too. He is a nephew from Llaushe, but I
16 have no ties with him. He is a friend of Hashim and the others.

17 Q. What does it mean, "he is a nephew from Llaushe"? What does
18 that mean?

19 A. This means that his maternal uncles are from Llaushe but not
20 from the Geci family, because the village is quite big.

21 Q. Okay. Now, this information from Milaim Zeka you were told
22 before you sat down for your SPO interview on 19 September 2018;
23 correct?

24 A. We demanded even publicly from the staff to know this. I
25 publicly asked them --

Witness: Fadil Geci (Resumed) (Open Session)

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Cross-examination by Mr. Misetic

1 Q. That's not my question.

2 A. -- to come out with a public apology about the Communiqué 59.

3 Q. Listen to my question. The information that Milaim Zeka passed
4 to Gani Geci which passed to you was given to you before you sat down
5 for your SPO interview in September 2018; correct?

6 A. Yes, it was before that.

7 Q. Okay. Now --

8 A. Although I knew -- immediately when the communiqué was written,
9 I went immediately to his father, to Hashim Thaci's father, because
10 we as a family suffered consequences and many others too.

11 Q. Okay. We're not here to give speeches. Just answer my
12 questions, please. Stop. Now, let me ask you a few more questions.

13 It is correct, is it not, that in your witness statement - in
14 your witness statement - you do not identify anything that
15 Hashim Thaci has ever said negatively about you or members of the
16 Geci family; correct?

17 A. What can be worse than writing Communiqué 59? What can be --

18 Q. Sir, stop.

19 A. -- worse and humiliating than --

20 Q. Let's stop.

21 A. -- Communiqué 59?

22 Q. Let's stop. Just for the record - for the record - Hashim Thaci
23 denies having written Communiqué 59. So let's put aside
24 Communiqué 59 for a moment, and we're going to get into it in a
25 second.

Witness: Fadil Geci (Resumed) (Open Session)

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Cross-examination by Mr. Misetic

1 Other than Communiqué 59, is it correct that in your witness
2 statement you do not identify anything that Hashim Thaci - listen
3 carefully - has ever said negatively about you or Gani Geci or
4 members of the Geci family; is that true?

5 A. What else can he say? Say everything nice and fine and only
6 then write Communiqué 59?

7 Q. So then you agree with me that other than what you claim now
8 with respect to Communiqué 59, there's nothing that he's ever said
9 negatively during the war or after the war about the Geci family. So
10 we agree on that?

11 A. I'm not alleging. This is true. He did not say anything else.
12 He just wrote Communiqué 59, released it. Everything else that he
13 said was that we were good. Now --

14 Q. That's -- that's disputed, sir --

15 A. -- on balance --

16 Q. -- so we'll get into that in a second. But for now, I just want
17 to establish that he's never done anything to your knowledge during
18 the war, after the war -- as a matter of fact, you said yesterday, as
19 you said in your SPO interview, the one time you met with
20 Hashim Thaci during the war you say he kissed your hand; correct?

21 A. Yes, correct.

22 Q. Kissing the hand would be a sign of what? Respect?

23 A. No, not respect. It's completely different. He is a dangerous
24 man. Somebody who feels is in danger would do anything. And the man
25 kissing another man's hand is dangerous, for his friends as well.

Witness: Fadil Geci (Resumed) (Open Session)

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Cross-examination by Mr. Misetic

1 This is the truth.

2 Q. So I take it then that, for the record, if somebody kisses your
3 hand, you take that as a sign of hostility. Understood. Okay.

4 So --

5 MR. PACE: Objection, Your Honour. Counsel should not be
6 editorialising. That was not a question for the witness. If he
7 wants to make submissions, he can make that in his closing
8 statements.

9 PRESIDING JUDGE SMITH: It was a submission. Just --

10 MR. MISETIC: Then I'll put it to him.

11 PRESIDING JUDGE SMITH: All right.

12 MR. MISETIC:

13 Q. You take it as a sign of hostility?

14 MR. PACE: And that was asked and answered, Your Honour. The
15 witness said that. So objection to that as well.

16 PRESIDING JUDGE SMITH: Overruled.

17 You may answer the question, Witness.

18 MR. MISETIC:

19 Q. Okay. So, yes, you take it as a sign of hostility; correct?

20 A. At that moment that he comes and says that situation is so
21 dangerous, I have never seen such a gesture. I have never seen
22 anybody --

23 Q. That's not my question. That's not my question.

24 A. -- kissing my hand. I wouldn't even like a woman to kiss my
25 hand.

Witness: Fadil Geci (Resumed) (Open Session)

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Cross-examination by Mr. Misetic

1 Q. Stop.

2 A. This is what --

3 Q. Stop.

4 A. -- I mean.

5 Q. Again, you're not answering the question. You take it as a sign
6 of hostility; correct?

7 A. It's a sign to avoid danger. He thought he was in danger and
8 wanted to avoid danger. And afterwards, he never wanted to see me or
9 meet me, and he never wanted to state publicly anything about
10 Communiqué 59. And we as a family suffered all the consequences up
11 until now when everybody knows what the truth was.

12 Q. Well, none of that is true, and we'll get into that in a second
13 now, what you just said. Just stop. Now -- now -- no, we'll --

14 A. Everything is truth and --

15 Q. -- get into it. We'll get into it.

16 A. -- only true.

17 Q. Sir, prior to 2017, no one suggested to you - no one suggested
18 to you - that Hashim Thaci wrote Communiqué 59; correct?

19 A. From the first day, I knew that it was Hashim Thaci who wrote
20 it, and that's why I went to his house, to his father, "Give me the
21 answer for Communiqué 59." And his father said, "I will give you an
22 answer in one month," and they never did. And if you ask me why he
23 avoided answering this question for 20 years, then ask me. I will
24 tell you why he didn't.

25 Q. Mr. -- Mr. --

Witness: Fadil Geci (Resumed) (Open Session)

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Cross-examination by Mr. Misetic

1 A. He --

2 Q. Mr. Geci --

3 A. He wanted and liked dead people, not the living ones. And we
4 are alive, and he couldn't liquidate us, and God permitted us to be
5 here and to tell the truth and write about the truth and only the
6 truth.

7 Q. Witness --

8 A. Everything I'm saying is correct.

9 Q. Okay. It's not correct because Hashim Thaci your brother Gani
10 Geci used as a mediator, used Hashim Thaci and Kadri Veseli in 2013
11 to mediate his dispute with Azem Sylja; correct?

12 A. It is correct that they met --

13 Q. Yeah, that's right.

14 A. -- but don't mix --

15 Q. Well, no, no, no, no, no.

16 A. -- Kadri Veseli --

17 Q. No, no, no, no, no.

18 A. Don't put him in the same place --

19 Q. No, no, no, no, no.

20 A. -- with these others.

21 Q. Stop.

22 A. I have nothing to say.

23 Q. Your family used Hashim Thaci and Kadri Veseli to be mediators
24 in a dispute between Gani and Azem Sylja in 2013; correct? You
25 trusted him to be a mediator. You trusted him --

Witness: Fadil Geci (Resumed) (Open Session)

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Cross-examination by Mr. Misetic

1 A. What?

2 Q. -- to be a mediator in your dispute --

3 A. Why did I trust him?

4 Q. -- with Azem Syla; correct? You took him into your house;
5 correct?

6 A. No, I didn't take him into my house. It's a rule with the
7 Albanians, if the host does not receive you. And in our house it is
8 Halil who is the older one and not me, who is lower --

9 Q. Okay. Your family. Your family took him into his house -- into
10 their house; correct?

11 A. No, never in my house. Never.

12 MR. MISETIC: Let's pull up DHT04395 to DHT04396 in both English
13 and Albanian, please.

14 Q. Now, this is an article published in 2013, so this was public
15 news, that Hashim Thaci and Kadri Veseli had been mediators in your
16 brother's dispute with Azem Syla; correct?

17 A. Where? In which place? What you're saying is true.

18 Q. You tell me. Where did it take place?

19 A. And what I'm saying to you is that they were not in my house.
20 And both of them are here, you can --

21 Q. I'm asking you --

22 A. -- ask them.

23 Q. I'm asking you, where did it take place?

24 A. I'm asking you, too. This happened in my village in Llaushe but
25 not in my house.

Witness: Fadil Geci (Resumed) (Open Session)

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Cross-examination by Mr. Misetic

1 Q. Whose house?

2 A. It happened in the house of Jetullah Geci.

3 Q. Okay. And who is Jetullah Geci?

4 A. Jetullah Geci is maternal uncle of Adem Jashari, a good man, a
5 good fighter. He has all these good traits.

6 Q. Okay. So now, getting back to my original question, no one had
7 suggested to you, certainly prior to this mediation, that
8 Hashim Thaci had written Communiqué 59; correct?

9 A. I'm telling you again, we knew from the first day. We asked
10 everybody from the staff, all of us, all the brothers.

11 Q. I'm asking you a question. No one suggested to you that he
12 wrote Communiqué 59. Otherwise, you wouldn't have used him as a
13 mediator in your dispute with Azem Sylja; correct?

14 A. But this is not about the communiqué. Azem Sylja spoke and said
15 that he wrote it and that he stands behind it. Azem Sylja said that,
16 "I'm behind it," but I don't know if that is true. But you can ask
17 him directly when he comes here whether he really stands behind it.
18 He publicly states that --

19 Q. Witness, I'm just asking you --

20 A. -- but this is after a lie, after a humiliation.

21 Q. My question is you wouldn't have used -- your family wouldn't
22 have used Hashim Thaci as a mediator in that dispute if at that point
23 you had believed he wrote Communiqué 59 about Gani Geci. That's
24 logical, isn't it?

25 A. No, it's not. Not at all. They all knew but wanted to know

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1 what the others thought, because it was all lies. The communiqué was
2 written by Hashim Thaci. I don't know if anything else has to be
3 added. Everything is clear here for the public and clear to you, and
4 there's no need to discuss it further as to who wrote it.

5 Q. There will be more discussion.

6 MR. MISETIC: But, Mr. President, I tender this document into
7 evidence.

8 PRESIDING JUDGE SMITH: [Microphone not activated].

9 MR. PACE: No.

10 PRESIDING JUDGE SMITH: [Microphone not activated].

11 DHT04395 to DHT04396 in English and Albanian is admitted.

12 THE COURT OFFICER: Thank you, Your Honour. English and
13 Albanian versions of this document will be assigned Exhibit 1D00196.
14 Classification is public.

15 MR. MISETIC: Thank you.

16 Q. Now, Witness, around this time of this mediation, Mr. Thaci had
17 spoken to your brother and said who he believed wrote Communiqué 59;
18 correct?

19 A. Yes, approximately. Yes.

20 Q. Okay. So who did he say -- who did he tell your brother he
21 believed wrote Communiqué 59?

22 A. It would be better to ask my brother, but I'm telling you what
23 he told me.

24 Q. Well, you've been brought here to talk about what your brother
25 was told. So I'm asking you what did your brother say Hashim Thaci

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1 said about who wrote Communiqué 59?

2 A. I knew that he would take him out to take a pee, excuse my
3 language, and that would happen often. And we all knew that it was
4 Rexhep Selimi. So this is the name he alluded to but beating around
5 the bush, indirectly. Not directly.

6 Q. Well, okay. But your brother says that he clearly understood
7 that Mr. Thaci was saying that Rexhep Selimi wrote Communiqué 59, so
8 I'd like to ask you a few questions. That was around 2013. So you
9 know then, despite what you said earlier about he's never said who --
10 he's never told the family who wrote Communiqué 59. In fact, you do
11 know that he said to your brother that he believed Rexhep Selimi
12 wrote Communiqué 59. You do know that; right?

13 A. He did not mention the name. It was indirectly, trying to
14 allude to this name. This is the name he had in his mind. But he
15 did not mention it.

16 Q. Well, we'll take a look in a minute about what your brother said
17 about what he said about who wrote Communiqué 59. Okay? But let's
18 get back to something else now. Now, in contrast to --

19 PRESIDING JUDGE SMITH: Mr. Misetic --

20 MR. MISETIC: Oh, sorry.

21 PRESIDING JUDGE SMITH: -- we need to take a break.

22 MR. MISETIC: Yes. I apologise, yes.

23 PRESIDING JUDGE SMITH: If you have a short question, we can do
24 it.

25 MR. MISETIC: No, I'm going to switch into a different topic

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1 now.

2 PRESIDING JUDGE SMITH: Okay. We're going to give you a
3 ten-minute break, Witness. We'll be back in the courtroom at ten
4 minutes after ten.

5 [The witness stands down]

6 PRESIDING JUDGE SMITH: We're adjourned until 10.10.

7 --- Break taken at 10.00 a.m.

8 --- On resuming at 10.10 a.m.

9 PRESIDING JUDGE SMITH: Madam Usher, you may bring the witness
10 in.

11 [The witness takes the stand]

12 PRESIDING JUDGE SMITH: Witness, we will continue now with the
13 questions from Mr. Misetic for the Thaci Defence.

14 MR. MISETIC: Thank you, Mr. President.

15 Q. Witness, now, we've discussed your family's relationship with
16 Mr. Thaci, and I'd like to discuss your family's relationship with
17 several other individuals now.

18 And it is correct, is it not, that your family was in a
19 long-term conflict with Rexhep Selimi for many years; correct?

20 A. I do not know what conflict. Can you explain it a little bit
21 better? I don't understand.

22 Q. Sure. Sure. Let's start from the beginning. You've testified
23 to the SPO that, initially, there was a problem that you had with
24 Rexhep Selimi in Jabllanice concerning the delivery of weapons;
25 correct?

1 A. We did not have problems whatsoever. This was a moment we were
2 deceived. We were all united. I trusted him. It didn't turn out to
3 be the way I thought it would be. It was not a major conflict.

4 Q. Okay. Well, you saw the interview that Mr. Selimi gave in 1999
5 saying that in 1998 your brother Gani tried to kill him. So there
6 must have been some conflict at least from Mr. Selimi's side;
7 correct?

8 A. We had diametrically opposed views. He was a representative of
9 the LPK. We were representatives of the state. I met with
10 Rexhep Selimi on several occasions, including in Llaushë, but we had
11 completely different views. That was not a problem.

12 Q. Well, when someone tries to kill someone else, it's beyond a
13 disagreement over political views; right?

14 A. Look, again, the interview given by Rexhep Selimi, I think he
15 made errors there. He made a mistake. I think he's able to admit to
16 that. I have opposing views to Rexhep Selimi. He was a
17 representative of the LPK. I am a centre-right representative of the
18 LDK representing over 90 per cent of the population of Kosovo.

19 Q. Well, let me then bring up Mr. Selimi's interview, which, in
20 Prep Note 2, paragraph 11, you claim he in this interview is
21 "repeating Hashim Thaci's words." So I'd like to go through it and
22 see what exactly he's repeating.

23 MR. MISETIĆ: If we could pull up P1749, please.

24 Q. Now, you were shown this yesterday. Do you recall that?

25 A. Yes.

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Cross-examination by Mr. Misetić

1 MR. MISETIĆ: And if we could go to PDF page 7, please, in the
2 English. And in the Albanian, it starts on -- actually, I think you
3 can see it there, I hope. But if we can go to page 7 in the English,
4 please. Yes. Up top. Yes, right there.

5 Q. In the middle of the paragraph, it says:

6 "The murder of commander Sandokan is one in a series of
7 treacherous murders. A traitor murdered Abedin Rexha in an ambush,
8 similar to other cases in our history where traitors murder great
9 men."

10 Now, you say he's repeating Hashim Thaci's words there. When
11 did Hashim Thaci say that?

12 A. Hashim Thaci said that in Communiqué 59. He said these words.
13 The words of Rexhep Selimi were denied by Sylejman Selimi, his
14 paternal uncle's son. He said he was wrong in stating that, and we
15 are grateful to Commander Sylejman Selimi for saying the truth
16 together with other comrades from Drenica. Instead, he said --
17 repeated the words of Hashim. And he proved this when he stated that
18 this communiqué should not have been written, and that's -- would be
19 sufficient.

20 Q. So your sole basis is your assumption that Hashim Thaci is the
21 author of Communiqué 59; correct?

22 A. It's not only my opinion, but I believe there is nothing more to
23 discuss as to who wrote that. Communiqué 59 was written by the hand
24 of Hashim Thaci.

25 Q. Well, we'll get to that again in a minute. In the next page, he

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1 says:

2 "I personally faced danger, because the person who murdered
3 Abedin Rexha organised an attempt on my life, in the same location
4 where Abedin was murdered."

5 Now, it's correct, is it not, that Gani Geci did attempt to
6 murder Rexhep Selimi?

7 A. I don't know, and I don't believe that is true. You could ask
8 Gani when he will come to here.

9 Q. Okay. Well, Mr. Selimi certainly believed it to be true. And,
10 again, to my point, the relationship between Mr. Selimi and your
11 family was not a good one for a very long period of time. That's
12 correct, isn't it?

13 A. No. If Your Honours give me one minute, I will explain in
14 detail.

15 Q. Well, let me show you -- let me show you one more piece of
16 evidence --

17 A. I'm asking --

18 Q. -- and then see if that --

19 A. -- the Judge.

20 Q. -- affects your opinion.

21 MR. MISETIĆ: Mr. President.

22 PRESIDING JUDGE SMITH: Just answer the lawyer's questions.

23 MR. MISETIĆ: If we could pull up P760, please.

24 Q. And this was shown to you by the Prosecution in the preparation
25 session at paragraph 10 of Preparation Note 2.

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Cross-examination by Mr. Misetic

1 MR. MISETIC: The page number is P 076627, please.

2 Q. Now, as late as March 4, 2016, Mr. Selimi was publicly calling
3 your brother Gani Geci a serial killer. You were aware of that,
4 weren't you?

5 A. This is what it reads here. And based on the communiqué, there
6 was no other way to call them.

7 Q. Well, let's go step by step. First of all, your brother Gani is
8 a convicted murderer; correct?

9 A. When?

10 Q. As of today, he is a convicted murderer; correct?

11 A. When before? Because my brother Gani was involved in some
12 cases, events that were improvised by this group of people who
13 attempted to his life, and he defended himself. He acted in self
14 legitimate defence. And this was a well-organised group paid by
15 these people, by this staff, by this man who is present here today.
16 He was a close associate of the hitman.

17 Q. Your brother is convicted of the murder of Ruzhdi Shaqiri;
18 correct?

19 A. Yes, that's correct.

20 Q. All right. So he's a convicted murderer is what I said to you.
21 The answer to my question was yes, he's a convicted murderer. And
22 Mr. Selimi is pointing that out in this as of 2016; correct? What
23 you see on the screen.

24 A. Yes.

25 Q. Yes. And you were aware at the time that Mr. Selimi and your

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1 brother were in a hostile relationship; correct?

2 A. Again, hostile relationship seems to me excessive considering
3 that Vesel Selimi, from his family, was a co-activist. I was his
4 leader. He was wounded in Prekaz. I have heard good words about
5 him. The same goes for Dan Selimi, the brother of Rexhep. I have
6 been in his house. So this is why I'm saying he made a mistake --

7 Q. Witness --

8 A. -- and it would be the right thing to do for Rexha to go out and
9 apologise publicly, because he was wrong. He made a mistake in
10 saying --

11 Q. Okay.

12 A. -- these words.

13 Q. When I say "hostile relationship," saying publicly that your
14 brother's a serial killer, doesn't that sort of indicate to you that
15 he doesn't have a good opinion of your brother?

16 A. It's a big mistake, a big mistake made by Rexhep Selimi. He was
17 bitter. He might have thought anything. But it's a mistake. It
18 would be the right thing for him to come and say publicly, "This is
19 what I thought at the time but I was wrong."

20 Q. All right. Now, with respect to Mr. Krasniqi. You discussed
21 this at some length yesterday with the Prosecution. I don't need to
22 go over it. But in his book in 2006, Mr. Krasniqi wrote that Abedin
23 Rexha was killed by the hand of a criminal who was treacherous and
24 disloyal. Do you recall being shown that yesterday?

25 A. Yes, I saw it very well. And I wouldn't have expected anything

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1 else from this group. This is what they said about Gani, about us.
2 This was a lie in order to get rid of us from the organisation. Some
3 of them realised that they made a mistake, and then they rectified it
4 saying the truth, which is a good thing. It's always better to come
5 out publicly and apologise in saying, "This is not our communiqué."
6 This would have been an honourable thing for the entire KLA instead
7 of bringing us to the point where we end up where we ended up, us as
8 a family and all us here.

9 Q. So, again, you're repeating something you said in your SPO
10 preparation session, and this is three times in your preparation
11 session, Prep Note 2, paragraphs 14, 16, and 17, you accuse
12 Mr. Krasniqi of lying in his book at various points about your
13 brother; correct?

14 A. This is correct. Jakup Krasniqi is a historian who wrote
15 untruths, biased things. I did not complete my answer yesterday.
16 But he said the liquidation of the most eminent people, prominent
17 people of the LDK. He was referring to people who were never elected
18 in their village, and he referred to Gani Koca. He didn't --

19 Q. Let's -- let's go on to something else.

20 A. -- write true things but he wrote lies --

21 Q. And your brother --

22 A. -- and historians should not do that.

23 Q. Your brother had a poor relationship with Fatmir Limaj as well;
24 correct?

25 A. The entire LPK group was against the Geci brothers. Some of

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1 them realised and apologised later, and that's a good thing. And I'm
2 thankful to those who realised and regretted what they did. Those
3 who did not regret writing Communiqué 59 made a grave mistake.
4 History will not forgive them.

5 Q. Okay. That's fine. Let's --

6 A. History will not forgive them insulting and soiling my family.

7 Q. Let's look at what your brother Gani told the SPO in 2017.

8 MR. MISETIC: And if we could please pull up 055803 to 055808.

9 Q. And this is something your brother Gani told the SPO in April
10 2017 about his relationship with Rexhep Selimi, Jakup Krasniqi, and
11 Fatmir Limaj. And this is a note of contact that they had with your
12 brother Gani.

13 MR. MISETIC: And if we could go to paragraph 11, please. And
14 the same in Albanian, please. Yes.

15 Q. Here's what your brother said:

16 "Gani Geci stated that he [had no issues] speaking out against
17 political leaders as he was falsely accused of being a traitor in
18 Communiqué 59 despite there being no supporting evidence.
19 Rexhep Selimi and Jakup Krasniqi, who were members of the KLA
20 General Staff calling him a traitor back then. Rexhep Selimi called
21 Gani Geci a traitor in 1999 on Radio Rilindja while Jakup Krasniqi
22 was calling him a traitor in Drenica. Now they are saying ... he was
23 not a traitor. Fatmir Limaj spoke positively of Geci recently for
24 the first time in 18 years. Gani Geci stated that if the SPO was to
25 discover the truth [about] Communiqué #59 it will be key to

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1 discovering other murders."

2 Now, if we stop there for a second. Fatmir Limaj, according to
3 your brother, had not said anything positive about him in 18 years,
4 and for the first time started speaking positively about him around
5 2017. Is that consistent with your recollection?

6 A. At some point in time, they all started to speak so. They were
7 all in the same place initially. They all insulted us. Some of them
8 were probably not aware. And then at a later stage, they started
9 telling the truth, which is a good thing, and I'm grateful for them,
10 including Fatmir Limaj, who said these positive things, which is the
11 truth. And everybody should be speaking in positive terms about my
12 brothers. No one else has done a greater job for the national
13 interest than my brothers, preceded by the Jashari family. We have
14 only worked in realising good things for everyone.

15 Q. Yes. But -- I agree with you that everybody suddenly started to
16 speak positively of Gani around the same time. That's consistent
17 with what you just said; right?

18 A. Even Hashim started speaking out, but he lied. He said, "They
19 are the best. They are great men."

20 Q. Hashim, as we established earlier, you already had been using
21 him years earlier as a mediator in your dispute with Azem Sylja. So
22 you did have at least a relationship of some respect, at least, if
23 you're using him as a mediator to mediate your disputes. Now, I want
24 to show you one more paragraph on this --

25 MR. PACE: Objection, Your Honour. Either there's a question or

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1 counsel needs to not editorialise. That was just a statement. He
2 needs to ask it to the witness or he needs to just not say it.

3 PRESIDING JUDGE SMITH: Overruled.

4 Go ahead.

5 MR. MISETIC: Thank you.

6 If we can go to paragraph 21, please.

7 THE WITNESS: [Interpretation] In order to finish my answer --

8 MR. MISETIC:

9 Q. Let me ask the question first.

10 A. With respect to the cases involving Gani Geci, questions should
11 be put to him, not to me.

12 Q. Well, you speak a lot about what you heard from Gani Geci, so
13 this is why I'm putting these questions to you.

14 A. These are not relevant to me --

15 Q. No. Let's -- let me ask --

16 A. Except he will himself state everything I'm saying.

17 Q. Okay. Now, in paragraph 21, this is what your brother said in
18 April 2017, starting with the third sentence:

19 "Asked where he wanted the [whatever] for, Geci said that he
20 wants to uncover who wrote Communiqué #59, which he considers as key
21 for all bad things that happened to his family. His brother had been
22 injured before. But the key to everything afterwards, is
23 Communiqué #59. Geci stated that Milaim Zeka provided information to
24 him that [Hashim Thaci] wrote the Communiqué."

25 Do you see that?

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1 A. I don't look at them. They are not mine. Gani Geci will answer
2 your question in person when he will appear here.

3 Q. What I'm establishing is that this information from Milaim Zeka
4 must have been given to your brother in or before April 2017. Okay?
5 Do you accept that?

6 A. The dates are the dates. Gani will tell you about all this when
7 he will appear here, if you need it.

8 Q. Yeah, well, let's continue. Now, I want to look at the
9 political circumstances at the time amongst all of these individuals.

10 MR. MISETIC: So if we could please pull up DHT04429 to
11 DHT04430.

12 Q. Now, this is an article from an internet publication known as
13 Balkan Insight, and it's from March 2014, and it reports on a new
14 political party being formed by Jakup Krasniqi and Fatmir Limaj.
15 Were you aware that Jakup Krasniqi and Fatmir Limaj had formed their
16 own political party in March 2014?

17 A. This was public.

18 Q. Yes.

19 A. This was public knowledge. Everybody in Kosovo knows when these
20 divisions occurred amongst them, because every one of them was
21 protecting their own interests. So I'm not very much interested in
22 this, as a matter of fact.

23 Q. Let me look and see what you're familiar with. If we start with
24 the top paragraph, it says:

25 "Former Kosovo Liberation Army commander Fatmir Limaj and ex-KLA

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1 secretary Jakup Krasniqi have established a new political force to
2 challenge the ruling Kosovo Democratic Party."

3 And if we go down four paragraphs, it says:

4 "Ex-guerilla commander Limaj is a former minister in the
5 government led by the current Prime Minister, Hashim Thaci, and was
6 one of his closest allies.

7 "But his relationship to his former boss in the governing ...
8 PDK, started to crumble in November 2012, when the EU rule-of-law
9 mission in Kosovo (EULEX) raised an indictment over alleged organised
10 crime and corruption against Limaj."

11 And then two paragraphs below that:

12 "In a sign of his split with Thaci, Limaj publicly supported a
13 small party called the Civic Initiative for Malisheva at the last
14 local polls in November 2013."

15 Now, were you aware that Mr. Limaj and Mr. Thaci had split in
16 November 2012 over Mr. Limaj's indictment by EULEX?

17 A. Nobody knows better than they do themselves, both parties.

18 Q. But was this the kind of information that is in public --

19 A. This was public. So it may also be a lie. I'm saying I don't
20 know. I don't know what was in there. I never dealt with this, and
21 I was not really interested.

22 Q. And if we scroll down to the bottom of this page, it says:

23 "Limaj's partner Krasniqi, the current chairman of Kosovo's
24 parliament, left Thaci's PDK in February last year, and last month
25 criticised what he called its 'lack of democracy'."

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1 Were you aware that Mr. Krasniqi had also split from Mr. Thaci?

2 A. This was public information.

3 MR. MISETIĆ: Mr. President, I tender this document into
4 evidence.

5 PRESIDING JUDGE SMITH: Any objection?

6 MR. PACE: No.

7 PRESIDING JUDGE SMITH: DHT04429 to DHT04430 is admitted.

8 THE COURT OFFICER: Your Honour, the document will receive
9 Exhibit 1D00197, and it's classified as public.

10 MR. MISETIĆ: Thank you.

11 Madam Court Officer, if we could please have on the screen
12 DHT04408 to DHT04409, please.

13 Q. I'm going to show you another article, Witness, from 2017. This
14 is around the time that your brother had spoken to the SPO in April
15 2016. And it says:

16 "Jakup Krasniqi makes room for Milaim Zeka."

17 And joining the party that was formed by Mr. Krasniqi and
18 Mr. Limaj was Mr. Zeka. It says:

19 "The initiative has introduced their newest member, Milaim Zeka.

20 "The initiative for Kosovo has been joined by Milaim Zeka, who
21 announced that Jakup Krasniqi has resigned from the list of deputies
22 on this subject, to free the seat for Zeka."

23 So my first question to you is were you aware at the time that
24 you were receiving information from Milaim Zeka about Hashim Thaci,
25 that Milaim Zeka and Jakup Krasniqi and Fatmir Limaj were now forming

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1 now -- were all part of the same political party?

2 A. Can you please repeat it again, clearer?

3 Q. You know, as is clear from your SPO interview, that Milaim Zeka
4 was the person who told your brother that Jakup Krasniqi,
5 Fatmir Limaj, and Rexhep Selimi were accusing Hashim Thaci of writing
6 Communiqué 59; correct?

7 A. Gani has this recorded. He will explain it to you. I cannot
8 say anything else about this.

9 Q. My next question is, at that time, were you also aware that
10 Milaim Zeka had joined the same political party as Jakup Krasniqi and
11 Fatmir Limaj?

12 A. Again, the persons you mentioned, they're all from LPK. They
13 belonged to the same organisation, to the same Marxist-Leninist
14 organisation.

15 Q. That's not my question. We all -- we all -- stop.

16 A. They share the same ideology.

17 Q. We all know you don't like Marxist-Leninists, and you don't have
18 to keep repeating it. My question to you is very simple.

19 Jakup Krasniqi -- were you aware that Milaim Zeka had joined the same
20 party as Jakup Krasniqi and Fatmir Limaj in 2017? Were you aware of
21 that?

22 A. I see now, I read now that that's how it was. I now know that
23 this is how it was. It's written here. And it's his right. He can
24 join whoever he wants, and I believe he has that right.

25 Q. You're saying you know it now. Did you know it in 2017?

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1 A. I didn't deal with these things. I left politics in 2010, 2012,
2 and had no interest in politics anymore.

3 Q. So you also then didn't know that Jakup Krasniqi ceded his seat
4 in parliament to Milaim Zeka?

5 A. This was their interests. What they did, how they did it, it's
6 their matter. I don't want to know, and I never dealt with these
7 things.

8 MR. MISETIĆ: Mr. President, I tender this document into
9 evidence.

10 PRESIDING JUDGE SMITH: Any objection.

11 MR. PACE: Yes, Your Honour, we object because the witness
12 doesn't know anything about the contents of the document, so he can't
13 speak to it, which means it can't be tendered through him. Also, the
14 relevance is not clear.

15 PRESIDING JUDGE SMITH: I'm a little fuzzy on the relevance part
16 myself.

17 MR. MISETIĆ: Well, our case is going to be that the accusations
18 are made against Mr. Thaci by three people in the same political
19 party with an agenda, a political agenda against him.

20 PRESIDING JUDGE SMITH: [Microphone not activated].

21 DHT04408 to DHT04409 is admitted.

22 THE COURT OFFICER: The document will receive Exhibit 1D00198,
23 and it's classified as public. Thank you.

24 MR. MISETIĆ: Thank you.

25 Q. Mr. Geci, were you aware that Rexhep Selimi was in a political

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1 party known as Vetevendosje in 2017?

2 A. Again, I know that Rexhep Selimi moved. But as I told you, I
3 showed no interest in these things. I didn't deal with him.

4 Q. So the answer is you did not know that he was in Vetevendosje?

5 A. I don't know about these things. I didn't deal with them. I
6 only know that they were all together. That this was one movement,
7 one LPK, this I know. And I know who wrote Communiqué 59, just as
8 you know it and the Judges know it.

9 Q. That's not my question. Now, Vetevendosje, are you familiar
10 with the party Vetevendosje? Had you ever heard of it?

11 A. Of course I am.

12 Q. Is it fair to say that Mr. Thaci and his PDK are political
13 opponents with Vetevendosje?

14 A. Look, political opponents, if you take it the way you're saying
15 it, it is so. But you cannot say that if you were in another party,
16 this is why I did this. Just because I'm now in a different party,
17 I'm saying this. This doesn't make any sense.

18 Q. Well --

19 A. The purpose of what you're saying and why you're saying it to me
20 seems nonsense. It's not easy just to go to another party and become
21 a political opponent and then say things about the other party.

22 Q. Let's look at that and let's look at what your brother said.

23 A. [Overlapping speakers] ...

24 Q. Stop. Let's look at what your brother said. Okay?

25 MR. MISETIC: If we could have, please, 078531-TR-ET Part 2 RED3

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1 at page 22 in the English, and page 19, line 24 in the Albanian.

2 THE INTERPRETER: Interpreter's note: The interpreters kindly
3 ask the speakers not to overlap. We miss parts of exchanges. Thank
4 you.

5 MR. MISETIC:

6 Q. I want to show you what your brother said to the SPO about what
7 happened when he spoke to Mr. Selimi about who wrote Communiqué 59.

8 MR. MISETIC: This should be page --

9 THE COURT OFFICER: If counsel could please repeat the page
10 number for English, because I believe the counsel said page 22.
11 However, the transcript has only 21 pages.

12 MR. MISETIC: Okay. Just one second, please.

13 THE COURT OFFICER: Thank you.

14 MR. MISETIC: [Microphone not activated]. Is it correct in the
15 Albanian at line 19? It's page 15 in the English, sorry.

16 Q. He starts in and it says:

17 "When Hashim Thaci was whispering to my ear that the communiqué
18 had been written by Rexhep Selimi, my brother," and then it's
19 redacted, "met up with Rexhep Selimi at the theatre."

20 A. Which brother?

21 Q. Well --

22 A. I am Fadil and I speak for myself.

23 Q. Okay. Fine. He goes on and says:

24 "My brother told him that, You are from the village of Aqareva,
25 and I am from the village of," it's redacted.

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1 "He said, It's not ... it's not going to be possible for both
2 ... both of our families to live together in Drenica knowing that
3 you've stated in the communiqué that I -- our family was leading the
4 Serbian offensive."

5 MR. PACE: Your Honour, if I may, just the version on the screen
6 and in the presentation queue is not redacted, so the name of the
7 brother is there, just because I think that will avoid some
8 confusion.

9 MR. MISETIC: That's it. Thank you very much. I was not aware
10 of that.

11 Q. So Halil, I'm told now, is the name of the brother. That's
12 fine.

13 A. And I am Fadil. Ask Fadil.

14 Q. I understand. That's not the purpose of my question, though.
15 I'm not suggesting you were the brother who spoke to Rexhep Selimi.
16 But I want to continue. Your brother Halil said:

17 "Our families -- it's not going to be possible for both of our
18 families to live together in Drenica knowing that you've stated in
19 the communiqué that ... our family was leading the Serbian offensive.
20 This is something that can't happen. We can't live together."

21 Now, let me stop there. I had asked you before about hostility
22 between Rexhep Selimi and your family. Were you aware that your
23 brother Halil had told Rexhep Selimi that in light of the information
24 they had received from Hashim Thaci that he wrote Communiqué 59, your
25 brother told Rexhep Selimi that it wasn't going to be possible for

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1 him to live in Drenica anymore?

2 A. I don't know what Halil said. I am Fadil, and Fadil is now
3 saying that it is difficult for these two families to be theirs in
4 this form until the communiqué is rectified. And we have addressed
5 the Court, and we are expecting the truth, and then we can breathe
6 easily. I am Fadil and I am speaking on my behalf, not on Halil's
7 behalf.

8 Q. But my question is, is it your testimony, therefore, that
9 neither Halil nor Gani ever told you that Halil had spoken to
10 Rexhep Selimi?

11 A. I am not informed. You can ask them when they come, and you can
12 ask any of them to come here and tell you.

13 Q. Okay. It goes on. He says:

14 "I don't know. You can" -- this is your brother Gani speaking:

15 "You can ask my brother," Halil, "what exactly it was said in
16 that conversation because this is things that I've heard from my
17 brother.

18 "Which brother?"

19 Again:

20 "Halil Geci."

21 And then it goes on and says:

22 "Rexhep Selimi told Halil that it was Hashim ... who wrote the
23 communiqué. At this point when it was asked from Rexhep Selimi who
24 was the person that wrote the communiqué, his -- he -- he started to
25 react, and for sure Rexhep Selimi has spoken to ... to Milaim Zeka

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1 about it. Then Milaim Zeka told us that the communiqué was written
2 by Hashim Thaci, and for that -- witness to that is Rexhep Selimi,
3 Jakup Krasniqi and Fatmir Limaj. These three people told Milaim Zeka
4 that Hashim Thaci was the one [who] wrote the communiqué."

5 Now, as I understand what your brother is saying there is that
6 it was Hashim Thaci who first said that Rexhep Selimi wrote the
7 communiqué. Your brother Halil confronted Rexhep Selimi with that
8 information, and Rexhep Selimi either directly or through Milaim Zeka
9 then counter-accused Hashim Thaci of having written the communiqué.
10 Is that your understanding of what happened and how these accusations
11 were made?

12 A. Ask them. Ask me, I will tell you.

13 Q. Okay. So you did not understand this chronology? Until today,
14 you were not familiar with this chronology of events of who made the
15 first allegation, who was responding to an allegation, et cetera?
16 You don't know anything about this?

17 A. What I knew I told the SPO, and I'm here for the Court to ask me
18 what they want to ask. And as to what others said, they can come
19 here themselves and testify about those things.

20 Q. Okay. Now, you'll note that your brother mentioned, and you
21 confirmed, that around 2017 all of these individuals suddenly -- all
22 these individuals, meaning Jakup Krasniqi, Rexhep Selimi,
23 Fatmir Limaj, suddenly spoke positively about Gani. Right? And my
24 question to you is that in this -- we say in English he said/she said
25 or he said/he said, right, you started to believe that Hashim Thaci

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1 wrote the communiqué even though prior to that allegation you'd never
2 had any dispute with Hashim Thaci. And instead you've chosen to
3 believe three people for whom you've had more than a decade of
4 conflict and to believe their account; is that correct?

5 A. No. I believed it the day I went to his house. I believe that
6 it was Hashim Thaci wrote the communiqué. And you don't give an
7 answer after 20 years. I knew the very day I went to his house that
8 he wrote the communiqué. Only him. And this was my conviction.
9 This is what I believed.

10 And I was surprised for somebody who has not done anything for
11 the Albanians to do something like that in history. I knew that he
12 could do something like that. I personally knew that he could do
13 something. It's not what the others said. It's not based on that.
14 I knew it.

15 Q. You claim that you went to visit Mr. Thaci's father. Who are
16 witnesses that can confirm that you ever actually did that? Give me
17 the names of people that you believe we could call who would testify
18 that you ever went to his house.

19 A. When I went to his father's house, his brother was there, Gani
20 Thaci and his brother. And they knew me very well. I was an
21 activist in Drenica. And I asked them to tell me within a month
22 about this.

23 Q. Stop. So --

24 A. All Drenica knew who Gani Geci was.

25 Q. No, I'm not -- I know that. I'm asking something else. So you

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1 claim that Gani Thaci, Mr. Thaci's father, and who else could confirm
2 that you ever went to his house about Communiqué 59?

3 A. With me was Nezir Lizi, Nezir Kotori. He came with me up to
4 there, and I said to him, "I will go directly to Hashim Thaci's
5 house," and I went. Unfortunately, he no longer lives. He was a
6 very good man and a very known person in that area.

7 Q. Okay. So no one alive other than Gani Thaci and Mr. Thaci's
8 father; correct?

9 A. This is the truth. Let him tell you that this is not true. I
10 gave you the name. I told you that I went to his house.

11 Q. Now, Mr. Krasniqi, as far as you know --

12 A. And I only speak the truth, Mr. Lawyer. Whatever I tell you is
13 a fact.

14 Q. Okay.

15 A. If one thing turns not to be a fact, then I will take the
16 responsibility for that.

17 Q. Okay. Jakup Krasniqi has never told you or your brother that
18 Hashim Thaci authored Communiqué 59; correct?

19 A. I never spoke with Jakup Krasniqi at all.

20 Q. What about Gani?

21 A. I don't know. I don't know at all. He never spoke to me. He
22 always avoided me. Whenever I would come across him at the
23 parliament, he would avoid me. I remember once telling him at the
24 parliament -- we worked together. We would take Mehdi Bardhi, Idriz
25 Rreci, Jakup Krasniqi by car to go to Prishtine. And whenever I --

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1 whenever I wanted to make him angry, Jakup Krasniqi that is, I would
2 swear at his Lenin and Stalin.

3 Q. Okay. Witness, are you aware that Mr. Krasniqi publicly
4 apologised to the people of Kosovo for the actions of Milaim Zeka?

5 A. I don't know about Milaim Zeka's actions. You say he spoke to
6 them. They know. Let them tell you. Leave Milaim Zeka aside,
7 Your Honours. I'm here and I'm speaking about it. Is there any
8 doubt about it anymore? It is in the interest of all to know the
9 name of the person who issued Communiqué 59.

10 Q. Let me pull up one document before the break and see if you
11 recognise it.

12 MR. MISETIC: DHT04410 to DHT04412.

13 Q. This is a newspaper article, so it was publicly reported,
14 that --

15 MR. MISETIC: And if we could scroll to the next page.

16 Q. The title is that he regrets having allowed Milaim Zeka to
17 compete on his party list. It reports that it's a Facebook post and
18 they post in the newspaper article in full:

19 "Everything I had to say about the war I said in thousands of
20 published pages, I also said it in the Hague Testimony in the case of
21 Limaj and Haradinaj. The opinion they want to know, they know my
22 attitudes. Everything was public.

23 "I have not authorised a single person to speak on my behalf
24 about the war, for any of its events. So I did not authorise the
25 journalist Milaim Zeka either."

1 Now, you were aware, did you read this in the press that
2 Mr. Krasniqi -- stop.

3 A. No, no, I didn't.

4 Q. Mr. Krasniqi was saying that he did not authorise Milaim Zeka to
5 represent his views about what happened in the war?

6 A. This is between them. Who they authorise, what they say, it's
7 theirs. Ask me about things that relate to me. Don't ask me about
8 things that make no sense to me and things that I don't deal with and
9 are of no interest to me.

10 PRESIDING JUDGE SMITH: We'll take a break now. We'll give you
11 a half-hour break, Witness. We'll leave now and come back at 11.30.
12 Please don't speak to anybody about your testimony outside the
13 courtroom.

14 [The witness stands down]

15 PRESIDING JUDGE SMITH: Quickly, how much time do you have left,
16 do you think?

17 MR. MISETIC: I would say about 30 minutes.

18 PRESIDING JUDGE SMITH: Thank you.

19 We're adjourned until 11.30.

20 --- Recess taken at 11.01 a.m.

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

22 PRESIDING JUDGE SMITH: The MFI P01752 is admitted as there was
23 adequate contextualisation presented in the SPO direct examination to
24 provide authenticity sufficient to meet the *prima facie* standard of
25 Rule 138(1). It's also otherwise relevant and probative.

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1 PRESIDING JUDGE SMITH: You can be seated. We're going to have
2 a short delay.

3 [The witness takes the stand]

4 PRESIDING JUDGE SMITH: All right. Witness, we will continue
5 with the questions from Mr. Misetic. Please give him your attention.
6 Go ahead. You have the floor.

7 MR. MISETIC: Thank you, Mr. President.

8 Q. Mr. Geci, we established earlier that this information from
9 Milaim Zeka to Gani Geci was delivered to Gani Geci no later than
10 April 2017. Meaning, the allegation that Rexhep Selimi,
11 Jakup Krasniqi, and Fatmir Limaj were accusing Hashim Thaci of
12 writing Communiqué 59. Milaim Zeka told your brother that no later
13 than April 2017.

14 And my question to you is it's correct, is it not, that despite
15 what Milaim Zeka told you, you were not convinced that that was
16 actually accurate information; correct?

17 A. Milaim Zeka never said anything to me. The public communication
18 we used, we made it public. I did not have any further contacts with
19 Milaim.

20 Q. Let me rephrase. Let's start from the beginning. As far as you
21 know, you say that Gani Geci told you that he had been told by Milaim
22 Zeka that Rexhep Selimi, Jakup Krasniqi, and Fatmir Limaj were
23 accusing Hashim Thaci of writing Communiqué 59; correct?

24 A. Gani Geci is a person who will come here and tell everything he
25 knows to you, Your Honours.

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1 PRESIDING JUDGE SMITH: Just answer the question. If you don't
2 know, say you don't know. But you have to answer the question.

3 THE WITNESS: [Interpretation] I don't know. Don't ask me about
4 Milaim Zeka because I don't know. Just remove it from your
5 questions.

6 MR. MISETIC:

7 Q. I'm just taking something that's already in your sworn testimony
8 and in your witness statement. You've already said you know this.
9 You said your brother Gani told you that he had been told by Milaim
10 Zeka that Milaim Zeka had been told by Jakup Krasniqi, Rexhep Selimi,
11 and Fatmir Limaj that Hashim Thaci wrote Communiqué 59. That's your
12 evidence; correct?

13 A. Again, this topic was discussed repeatedly. Now, is it true
14 what Milaim Zeka said? You have the persons present here whom you
15 can ask the question.

16 Q. We will ask the appropriate people when they come. I'm asking
17 you, and I'm just starting from what you've already said. You were
18 told this by your brother Gani Geci. You were told what he was told
19 by Milaim Zeka. We've already established that your brother was told
20 that information by no later than April 2017.

21 And my question to you is that isn't it true that neither you
22 nor your brother Gani were convinced that what you were being told by
23 Milaim Zeka was the truth; correct?

24 A. Ask Gani about the date when he will come. I don't want to be
25 wrong on that. Ask Gani. What I said is true, and what was said is

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1 true.

2 Q. Let's pull up a Facebook post by Gani Geci which purports to
3 report on a statement you made.

4 MR. MISETIC: So if we could please see DHT04428 to DHT04428 in
5 English and Albanian, please.

6 Q. Now, this is from your brother Gani's Facebook account dated 5
7 July 2018. It reports to be a press release, and it's issued on
8 behalf of the Geci family by Fadil Geci. Do you see that? Is that
9 yes?

10 A. Yes, I'm looking at it.

11 Q. You can read through it. And then towards the middle, it says:

12 "Our family has suffered all these consequences for 20 years
13 since this communiqué was never invalidated from this Staff despite
14 claims. If former members of the General Staff do not apologise
15 publicly and withdraw this communiqué, they will face us at the
16 Specialist Court to uncover the truth as to whom from the
17 general staff is responsible for this Communiqué. Therefore, for the
18 last time, we ask former members of the General Staff, namely
19 President Hashim Thaci, Speaker Kadri Veseli, Deputy Speaker
20 Xhavit Haliti, MP Rexhep Selimi, former Speaker Jakup Krasniqi,
21 Rame Buja, Fatmir Limaj, Adem Grabovci, Bislime Zyrapi and all others
22 who were members of the General Staff of the KLA at the time, to
23 publicly apologise to us and to withdraw this Communiqué."

24 Signed, Fadil Geci.

25 Right? Did you write that?

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1 A. Yes.

2 Q. So this is written --

3 A. This is true.

4 Q. This is written -- okay. I -- you answered my question. Okay?
5 This is written at least 15 months - at least 15 months - after
6 Milaim Zeka told you -- or told Gani that Jakup Krasniqi,
7 Rexhep Selimi, and Fatmir Limaj were accusing Hashim Thaci of writing
8 Communiqué 59. Despite that, you nevertheless say you want the
9 members of the General Staff to uncover the truth as to who from the
10 General Staff is responsible for this communiqué.

11 So it's correct, is it not, that you were not convinced by what
12 Milaim Zeka told you that that was the truth; correct?

13 A. I was convinced from day one. However, the staff had to make it
14 public and they had to jointly apologise. I knew from day one that
15 Hashim Thaci drafted the communiqué. Then, here, I asked the entire
16 staff as a body. I was interested to know who's the individual. And
17 I wouldn't have been interested to come here if they had apologised.

18 However, I said that I will appear before any court that is
19 established to uncover the truth about Communiqué 59, and I'm here
20 for that, for the damage caused to Drenica. And not only the damage
21 caused by that communiqué, but all the communiqués written by a
22 malevolent person who damaged the entire Albanian population.

23 Q. Nevertheless, again, what I'm saying to you is you already were
24 told by Milaim Zeka -- or I should say your brother Gani was already
25 told by Milaim Zeka, right, allegedly what he had been told by

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1 Rexhep Selimi, Jakup Krasniqi, and Fatmir Limaj - allegedly - and you
2 nevertheless publish this. You don't say: We've been told that
3 Hashim Thaci wrote the communiqué. You say that you want answers of
4 who wrote it; correct?

5 A. In the general interest, they had to come out with a joint
6 common position to commonly, jointly apologise. Hashim Thaci knows
7 this. They knew that he wrote this. He could not bring all them
8 together to apologise, but he could not apologise himself. He should
9 have done this. He should have said, "I apologise, I wrote this,"
10 and we would have forgiven him there and then, and not -- instead of
11 saying, "I did not draft this," when he wrote it with his own hand.

12 This was heavy on our family, for us. Two of the best men --
13 two extraordinary men were killed because of that communiqué. Two of
14 my brothers were wounded.

15 Q. We'll get to this in a second. We'll get to this in a second.

16 A. And the whole leadership of Kosovo was accused based on such
17 communiqués, and many of them were also killed.

18 Q. Stop. Stop. Stop.

19 A. I have four -- six of my friends that were killed in Drenica.
20 Nobody asks questions to me about that. My -- six of my closest
21 associates were killed --

22 MR. MISETIC: Mr. President.

23 PRESIDING JUDGE SMITH: [Microphone not activated].

24 A. -- only because they were in the LDK.

25 MR. MISETIC: Mr. President, I tender this Facebook post into

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1 evidence.

2 PRESIDING JUDGE SMITH: [Microphone not activated].

3 MR. PACE: No.

4 PRESIDING JUDGE SMITH: DHT04428 to DHT04428 in English and
5 Albanian is admitted.

6 THE COURT OFFICER: The document will receive Exhibit 1D00199.
7 Classification is public. Thank you.

8 MR. MISETIC: Thank you.

9 Q. Now, Witness, you had in your Facebook post called for a public
10 apology, and then Mr. Thaci subsequently issued an apology to Gani
11 Geci for the KLA communiqué; correct?

12 A. Correct.

13 Q. Yes.

14 MR. MISETIC: And if we could please put on the screen DHT04397
15 to DHT04398 in both English and Albanian, please.

16 Q. Now, this is a press report about the apology issued by
17 Mr. Thaci, wherein he says:

18 "'Communication number 59 is an abusive communication that does
19 not belong to the KLA, it was issued without the approval of the KLA
20 Headquarters by malicious individuals. The fighter of the first
21 hours of the KLA, Gani Geci, and his family were injured, and I
22 express my apologies and regrets because this statement and some
23 other abuses happened' ..."

24 Is that the apology that Mr. Thaci issued as far as you recall?

25 A. Did you read it carefully that my request was for an apology for

1 the staff? Whereas he, as a representative of the staff, says, "I
2 apologise." Whereas other people from within the staff say that it
3 was him who wrote it. So he throws the stone and hits his hand. So
4 he wrote it and then he apologised. So he kills you and he makes you
5 a hero. And this happened and there are many other similar cases.

6 Q. Let me go step by step on your deductive reasoning in a second.
7 But is this the apology that you recall Mr. Thaci having said
8 publicly in February 2019?

9 A. This is how it reads. And at that time, I said it's good that
10 he apologises. In the name of the staff, he said, "I apologise."
11 But not the whole staff.

12 MR. MISETIĆ: Mr. President, I --

13 THE WITNESS: [Interpretation] And other members of the staff
14 said Hashim Thaci should not have been the person to speak about that
15 communiqué because he authored it.

16 MR. MISETIĆ:

17 Q. Right.

18 MR. MISETIĆ: Mr. President, I tender this document into
19 evidence.

20 PRESIDING JUDGE SMITH: Any objection?

21 MR. PACE: No.

22 PRESIDING JUDGE SMITH: DHT04397 to DHT04398 in English and
23 Albanian is admitted.

24 THE COURT OFFICER: It will be assigned Exhibit 1D00200.
25 Classification is public. Thank you.

1 MR. MISETIC: Thank you.

2 Q. Now, Witness, let me just summarise here and see if you agree
3 with the summary here. Mr. Thaci -- let's put aside Communiqué 59
4 for a second, because it's authorship is disputed.

5 Mr. Thaci was someone who had no known dispute with the Geci
6 family either during or after the war, who your family used as a
7 mediator in its dispute with Azem Sylja, who told you in 2013 or 2014
8 who he believed authored Communiqué 59, who issued an apology at your
9 request on behalf of the General Staff. And you choose to believe he
10 wrote Communiqué 59, you choose to believe people who -- with whom
11 you've had years and years, if not decades, of conflict; right?
12 Rexhep Selimi, Jakup Krasniqi, Fatmir Limaj, you had long conflicts
13 with them. According to your brother, they suddenly changed and
14 started to speak positively about Gani around 2017, and you choose to
15 believe them over Mr. Thaci.

16 Is that an accurate description of your position?

17 A. I did not have conflicts, only convictions. And the LPK, all of
18 them together, tried to sideline us, to marginalise us. I thought
19 that the staff, the General Staff as a whole, wrote it. They
20 gathered and wrote it. But it was established that the name of the
21 person who asked Rexhep Selimi on the phone and asked him, "Don't
22 write what is not true. You can write that he supports Rugova, he's
23 with the government, but don't say" --

24 Q. Well, let me stop you there. Let me ask you about that.

25 A. -- "that he led the Serbian offensive."

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1 Q. Let me ask you about that.

2 A. "That will" --

3 MR. PACE: Objection, Your Honour. The witness can't be stopped
4 after a 13-line question.

5 A. -- "destroy this -- their family."

6 PRESIDING JUDGE SMITH: Mr. Pace, they were still interpreting.
7 Now I don't know what they said.

8 Please repeat the interpretation. Translators, could you please
9 repeat the translation.

10 THE INTERPRETER: Could the witness be kindly asked to repeat
11 the last part of his sentence as there were overlapping voices.

12 PRESIDING JUDGE SMITH: Can you repeat the last part of your
13 statement, Witness?

14 THE WITNESS: [Interpretation] I said that Hashim Thaci, the
15 staff -- I was thinking the entire staff would come up and apologise.
16 This was my -- I had an opinion as to who the person was, but I
17 needed the entire team to apologise.

18 Now, what happened is he as an individual, on his personal
19 capacity, apologised. So in other words, the person who kills you
20 makes you a hero. And we have numerous other similar cases. Ask me,
21 and I will tell you about them. Why am I not being asked the
22 question?

23 MR. MISETIC:

24 Q. Witness, you said in your answer at page 60, line 23, you said:

25 "But it was established that the name of the person who asked

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1 Rexhep Selimi on the phone and asked him, 'Don't write that -- don't
2 write what is not true.'"

3 What phone call are you talking about?

4 A. A phone conversation when they explained this. Because they
5 were together in the same place, Rexhep Selimi and Hashim Thaci. But
6 Rexhep Selimi did not accept it, but he did say, adding, "I want to
7 exterminate this family."

8 Q. Stop, stop. We have to help the interpreters. How do you know
9 about any conversation between Rexhep Selimi and Hashim Thaci?

10 A. The statement of Rexhep, his public statement on television, his
11 direct statement, statements from other comrades in the staff.
12 Bardhyl Mahmuti, who also gave a statement, because you're not asking
13 me questions about him --

14 Q. Well --

15 A. -- Rame Buja --

16 Q. Sorry. You --

17 A. -- and others.

18 Q. That --

19 A. We should go --

20 Q. -- information --

21 A. -- deeper into this.

22 Q. That information is contained in Mr. Selimi's SPO interview.
23 Was that something that the SPO provided to you in the preparation
24 sessions for you to read, Rexhep Selimi's interview on this point?

25 A. We saw all of them yesterday here. Rexhep Selimi said, "We

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1 can't talk about that communiqué because this was drafted and issued
2 by Hashim Thaci himself." He added, "He called me on the phone and
3 said, 'I want to exterminate that family.'"

4 Q. Right.

5 A. But that was --

6 Q. But --

7 A. -- not God's will and here we are today, which is better. Don't
8 you agree?

9 Q. Listen to my question: Did the SPO give you an opportunity to
10 read Rexhep Selimi's SPO interview during your preparation session?

11 A. Yes, I saw a part of it.

12 Q. Yes. Did the SPO -- hold on. Hold on.

13 A. We heard it in the indictment.

14 PRESIDING JUDGE SMITH: You're both speaking over each other.

15 MR. MISETIC: I know.

16 Q. Did the SPO give you an opportunity to read Hashim Thaci's SPO
17 interview about who wrote Communiqué 59?

18 A. I would very much like to see it now.

19 Q. No, no.

20 A. Give me that opportunity. Here we are.

21 Q. That's not my -- that's not my question. But I take it from
22 your answer that they did not give you an opportunity to read
23 Hashim Thaci's SPO account, for you to read that version; is that
24 correct?

25 A. I did not see it.

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1 Q. Thank you. My next topic. Your brother shot Abedin Rexha,
2 Sandokan; correct?

3 A. Again, I told you yesterday, this is a topic which is not worth
4 discussing here considering that this was finalised -- established --

5 PRESIDING JUDGE SMITH: Witness, you have to --

6 A. -- by the forensic expertise.

7 PRESIDING JUDGE SMITH: Witness, you have to answer the
8 questions. You don't get to say this shouldn't be discussed.
9 They'll ask the questions, you answer them. If there's an objection
10 by the Prosecution, we will deal with it. Just answer this question.

11 MR. MISETIC:

12 Q. The question is your brother shot Abedin Rexha, Sandokan;
13 correct?

14 A. My brother did not shoot him, but he died. This was established
15 by the forensics expert report, and this is with you.

16 Q. Let me ask you --

17 A. We can't go beyond an expert's opinion.

18 Q. We're going to go into that in a second. Let me rephrase my
19 question. Your brother shot at Abedin Rexha, Sandokan, and Abedin
20 Rexha, Sandokan, shortly thereafter was dead; correct?

21 A. No.

22 Q. So let's read what your brother says. Let's read what your
23 brother says. You said "no." You said "no," so let's read what Gani
24 Geci says.

25 A. Okay.

1 MR. MISETIC: Okay. DHT04444 to DHT04444 in the English. And
2 in the Albanian it's SITF00263239-00263325 at page SITF00263306. And
3 the Albanian version is from the SPO's PQ.

4 Q. And this is a statement given by your brother. And if we scroll
5 down to the paragraph that starts right there, "They started to shoot
6 immediately," it says:

7 "They started to shoot immediately. Friends shouted: - They
8 killed us! and they started running away. I had the automatic in my
9 lap. I bent down and opened the door under the steering wheel. I
10 raised the automatic and shot in their direction. Then I went out.
11 I ran behind the car and went in the direction of a house on the
12 lower side of the road.

13 "Shots were heard from many directions. I had blood on my face
14 from the shards of the windows. I washed my eyes and came back to
15 see what was done. In the car, I met Skenderi and asked him who was
16 killed, and were those who were with me killed? He answered me that:
17 - Abedin was killed. I told Skender that he should tell the truth.
18 It is worth noting that some 5-6 metres away, on the right side,
19 there was a tractor with some children and women. They know the case
20 very well. When I returned to the BMW car, my car was not there,
21 some guys had taken it and sent it somewhere.

22 "The statement is given by Gani Geci."

23 You know that that's your brother's account of what happened.
24 He fired shots and Abedin Rexha, Sandokan, shortly thereafter was
25 dead; correct?

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1 A. I have to clarify. This is public. We all thought that he was
2 killed by Gani, but then it was established by the forensics
3 expertise that the dead person did not die as a result of gunshots.
4 And the first reaction is the eye and then the hand. Gani acted in
5 self-defence. He fired shots, but it was not established that the
6 shots fired by him hit the victim who died as a direct result of that
7 gunshot.

8 Q. We'll get to the forensics in a second. But you do confirm that
9 this is your brother's version of what happened shortly before the
10 death of Abedin Rexha, Sandokan; correct?

11 A. This is my version. I am a lawyer. I do not accept any hearsay
12 outside legal processes. It is true that the forensics expert report
13 has established this with a final conclusion. With respect to the
14 remaining topics or questions, you can ask him when he will appear
15 himself.

16 Q. Okay.

17 MR. MISETIĆ: Mr. President, I understand that this is from Gani
18 Geci's book, taken from his book, and therefore we tender it into
19 evidence.

20 PRESIDING JUDGE SMITH: Any objection?

21 MR. PACE: No.

22 PRESIDING JUDGE SMITH: DHT0444 to DHT0444, English and
23 Albanian, is admitted.

24 THE COURT OFFICER: Your Honour, just to clarify that the
25 Albanian page comes from a larger document and it is SITF00263306.

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1 MR. MISETIC: [Microphone not activated].

2 THE COURT OFFICER: That will be assigned Exhibit 1D00201.

3 Classification is public. Thank you.

4 PRESIDING JUDGE SMITH: Thank you.

5 MR. MISETIC: Thank you.

6 Q. Now, Witness, were you in the car when your brother fired shots?

7 A. No, I wasn't.

8 Q. I'd like to show you the statement given by Abedin Rexha,

9 Sandokan's wife in the investigation.

10 MR. MISETIC: And this is SPOE00006816 to 00006855 at page
11 SPOE00006820, and the same in the Albanian. Sorry, it's the same
12 document but the page in the Albanian is SPOE00006826.

13 THE COURT OFFICER: Could counsel please repeat the ERN number?
14 I'm not able to find it in the presentation queue.

15 MR. MISETIC: SPOE00006816 to 00006855.

16 Q. Witness, let me just read out to you what she said.

17 MR. PACE: Objection, Your Honour. What who said and where? We
18 need to look at the cite, and I can't recall all the items in our
19 collection if they're not on the screen or at least on the
20 presentation queue.

21 MR. MISETIC: I think I can put material to a witness. It
22 doesn't have to be in the queue, but ...

23 PRESIDING JUDGE SMITH: Yeah, you can go ahead.

24 MR. MISETIC: Thank you.

25 PRESIDING JUDGE SMITH: You might want to identify who the

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1 witness --

2 MR. MISETIC: Yes.

3 PRESIDING JUDGE SMITH: -- who she is by name.

4 MR. MISETIC: I did.

5 PRESIDING JUDGE SMITH: By name.

6 MR. MISETIC: She is -- yes, I have it right here. It's the
7 wife of Abedin Rexha, Sandokan, whose name is Sanije Rexha. And she
8 says on page -- and I'm looking at the -- it might not be in the
9 queue, but she says on page SPOE00006820 what eyewitnesses reported
10 to her.

11 Q. And the question that's asked by the EULEX prosecutor is:

12 "Do you remember if the eyewitnesses reported to you the names
13 of the murderers of your husband? If [you could] tell us the names?"

14 She says:

15 "Yes they are Gani Geci, his brother Fadil and Avni Haxha."

16 Do you recall if --

17 MR. PACE: Yes, Your Honour. Now that the question has been
18 put, I do object to this practice. What is the point of having a
19 presentation queue if we are going to read out excerpts from items
20 not on the presentation queue? If counsel wants to add it to their
21 presentation queue, that's fine. But in terms of the little notice
22 the SPO gets for items used in cross, we at least need that little
23 notice which per the --

24 PRESIDING JUDGE SMITH: That's enough.

25 MR. PACE: -- the conduct on proceedings --

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1 PRESIDING JUDGE SMITH: Just state your objection.

2 MR. PACE: -- is what we need. I'm stating it Your Honour.

3 Thank you.

4 THE WITNESS: [Interpretation] Please, I can't hear any
5 interpretation.

6 PRESIDING JUDGE SMITH: Is there some reason it's not in the
7 presentation queue?

8 MR. MISETIC: I don't know that it's not. We're looking for it.

9 PRESIDING JUDGE SMITH: Well, let's find it so that we can deal
10 with it in a proper way. If not, you can add it.

11 MR. MISETIC: Then it's an oversight, Mr. President, that it's
12 not in the queue.

13 PRESIDING JUDGE SMITH: Are you requesting to add it?

14 MR. MISETIC: Yes. Yes.

15 PRESIDING JUDGE SMITH: Do you have an objection to the
16 addition?

17 MR. PACE: Yes, Your Honour. We can't ask a question when I
18 haven't seen a document before. I would at least need some time to
19 familiarise myself with its content.

20 PRESIDING JUDGE SMITH: You may go ahead and ask the question.

21 You can deal with it over the noon hour if you need to look
22 further.

23 MR. MISETIC: Thank you. This is an SPO document, by the way,
24 so they should be familiar with it.

25 MR. PACE: Your Honour, I'd note that there are tens of

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1 thousands of SPO documents.

2 MR. MISETIC: As has the Defence numerous times, and it's never
3 stopped the SPO before --

4 PRESIDING JUDGE SMITH: Go ahead.

5 MR. MISETIC: -- from adding to the queue.

6 PRESIDING JUDGE SMITH: I've given you leave to ask the
7 question, so go ahead.

8 MR. MISETIC: Yes. Thank you, Mr. President.

9 Q. So, Witness, is it correct that you were present?

10 A. No, no, no.

11 Q. Do you know if Avni Haxha was present?

12 A. Avni Haxha was present. Fadil Geci was not.

13 Q. Was one of your other brothers present to the best of your
14 knowledge?

15 A. None. Only Gani. None of the other brothers was present.

16 Q. Okay. She says on the next page, SPOE00006821, she says after
17 her husband was killed the body was brought to their house for
18 burial. And the question is asked by the prosecutor:

19 "Have you seen the body of your husband?"

20 She says:

21 "Yes, I have seen the body without clothes."

22 "Question: Do you remember where the wounds were?"

23 She says:

24 "Yes there was one wound on the right ankle and another on the
25 back near the left shoulder."

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1 Were you aware that witnesses such as Abedin Rexha -- Rexha's
2 wife say that he did have gunshots wounds when the body was given
3 back to the family?

4 A. I know one thing. One of the statements, one of too many that
5 she made, is that: "The forensics experts established that my
6 husband was not killed by a bullet." And these people accused us,
7 that we had connections with America, and whatever we say would come
8 true.

9 I had nothing to do with those forensic experts. I didn't know
10 who they were. They only did their job, and they produced that
11 reports. And for me, those statements do not hold.

12 MR. MISETIC: Well, let's look at what the EULEX prosecutors say
13 the forensics show, which is SITF00367274 to 00367292 at page 17.

14 Q. I'm going to show you two documents now since you continuously
15 rely on the autopsy report.

16 The prosecutor here, talking to Sanije Rexha, says:

17 "I would like" --

18 A. Please, can I look at it in the Albanian version?

19 Q. There is no Albanian. This is a EULEX report. So I'll read it
20 to you. The prosecutor says to her:

21 "I would like also to say to you Madame that that unfortunately
22 this autopsy report cannot decisively say what was the wound channel
23 as it can be assessed only on the view of the soft tissues now we
24 only have bones so probably the situation when the bullet entered his
25 chest and the back comes only from your description and maybe a bit

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1 from the rib but if we had his body like fresh or a picture taken
2 while the body was fresh or at least a few years after [his] death we
3 could have established that for sure. So, we would like to conduct
4 eventually DNA analysis to make sure that these are 100 per cent
5 remains of your husband."

6 MR. MISETIC: And then the next is the autopsy report
7 conclusion, which is SITF00367147 to 00367150 RED. And if we can go
8 to page SITF00367147, so the first page. If we can scroll down a
9 bit.

10 Q. This is from the prosecution file.

11 MR. MISETIC: A little bit more, please.

12 Q. The last bullet point there says:

13 "The Autopsy report conducted in 2014 concluded that the cause
14 of death cannot be ascertained."

15 Do you see that?

16 A. I don't understand the language. That's what you're saying. I
17 don't see the document in Albanian. But more or less she said
18 herself and I heard it with my own ears what Abedin Rexha's wife
19 said. She comes from Llaushe. She comes from a good family. And
20 they used her for their own benefits, this group, because they needed
21 her for their own needs. And this is what you're doing, too. You're
22 using her for your own purposes.

23 I told you that the forensic experts established what they
24 established, and I stand by the experts. After the forensic
25 expertise, that's where I stop. Maybe you don't.

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1 Q. Okay. Just one point. I had documents on this, but I think
2 you've already confirmed it. Your brother's defence that he stated
3 publicly at a press conference was that if he were charged with the
4 murder of Abedin Rexha, his defence would be self-defence; correct?

5 A. He stated for self-defence. But, again, the first reaction is
6 the eye. And then when somebody is attacked, with your hands you
7 protect yourself. And whoever is attacked, he has the right to
8 defend himself or herself. He did act in self-defence, but it was
9 not proven that he was killed by a bullet.

10 Isn't this clear enough? He said that he shot at him, but it
11 was in self-defence. That he fell in an ambush, but that the cause
12 of death, of Abedin's death, was not him. This is the truth. And I
13 cannot go out of the framework of the forensic expertise.

14 But I'm surprised by you as a professional.

15 Q. I appreciate -- I appreciate your surprise.

16 A. I don't know if you yourself is a forensic expert.

17 Q. So let me put it to you this way: It's true, is it not, that
18 whoever wrote Communiqué 59 did so because your brother shot a KLA
19 commander; right?

20 A. So is it right to send communications like that? Even if
21 something is true --

22 Q. Please don't answer --

23 A. -- why would you send communications? I'm really surprised with
24 your questions.

25 Q. Please don't answer my question with a question. Is it correct

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1 that your understanding is that whoever wrote Communiqué 59 did so
2 because your brother shot a KLA commander?

3 A. They are here. You can ask them. You can ask him, "Why did you
4 write this?" He will tell you.

5 Q. I'm asking for your understanding. You understand --

6 A. [Overlapping speakers] ...

7 Q. Sorry. You understand very well that whoever wrote
8 Communiqué 59 did so because your brother shot a KLA commander;
9 correct?

10 A. I don't think that's the reason. I think that the reason was to
11 remove me from the political scene after they have removed the
12 Jashari family. They, this group, they just love the dead people.
13 Rifat, they don't like him. And after Adem died, they were happy
14 about it. Not all of them, but some. They were really happy.
15 Family -- Geci family was also a hindrance for them, and we were
16 labelled by them. But if there was another family, not us, a family
17 that had no capital, no morals, nothing, what would have happened
18 after this communiqué was issued? Everybody would have been
19 liquidated.

20 Q. Let me put to you -- let me put to you the point. You
21 understand that whoever wrote Communiqué 59 did not do so because
22 your brother was in the LDK or because he was an opponent. They did
23 so because it was an act of betrayal, at least they perceived it to
24 be an act of betrayal, to shoot and kill a KLA commander; correct?

25 A. No. No. They did this to eliminate us from the scene because

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1 we were the opposing party. The side that protected the Kosovo
2 institutions, the constitution, and President Rugova. They called
3 him a traitor, they called us a traitor. And it came to this point
4 for us to prove it in front of you who is the real traitor.

5 And during history, communism has shown that traitors would
6 become heroes, and heroes would become traitors.

7 Q. Witness, I just have one more issue to deal with. And let me
8 find the quote from your SPO interview.

9 You told the SPO --

10 MR. MISETIC: And this is at P1740.2, page 13, lines 18 to 22 in
11 the English; page 16, line 22, to page 17, line 5 in the Albanian.

12 Q. You said your brother, Gani Geci, was the "cleanest person" and
13 that he is a "clean spirit." Correct?

14 A. Yes, all of it is correct. And they here, they know that he is
15 a clean spirit. And all Albanians know that he is a clean spirit.

16 Q. Okay. So my first point is that he's a clean spirit despite the
17 fact that you've acknowledge that he has been convicted of murder;
18 correct?

19 A. Again, the basic right in the world is the right to
20 self-defence. They were attacked from various directions, and the
21 fate was such that he survived. He was wounded, but he met -- it was
22 meant for him to live. He is alive, and he can recount this himself,
23 and he can tell you who they are, who he is, who is Gani, and who
24 wanted to kill Gani.

25 Q. Let me show you a video, and I'm going to ask you to explain

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1 what's happening in the video, because you're present in the video.

2 MR. MISETIC: It's DHT04401 to DHT04401 beginning at the 3:04
3 mark, and stopping at the 4:20 mark. And you can play the original
4 Albanian audio, please.

5 [Video-clip played]

6 MR. MISETIC: Stop. Stop the video. Yes.

7 Q. Now, sir, the person who is standing there in the green jacket,
8 that's your brother; correct?

9 A. Yes.

10 Q. The person seated in the tan trench coat, that's your brother
11 Gani; correct?

12 A. Yes.

13 MR. MISETIC: Okay. We can continue, please.

14 Q. And -- hold on. Let's play the video.

15 A. And the bodyguard of President Rugova.

16 [Video-clip played]

17 MR. MISETIC:

18 Q. Can you tell us what -- this is an LDK party meeting; correct?

19 A. Yes.

20 Q. And tell us why your brothers became violent at an LDK meeting,
21 including Gani Geci who you describe as a clean spirit?

22 A. And here he also was the cleanest spirit amongst those who were
23 present there. This was public. He reacted in a clean way to
24 protect something, to avoid destruction. Those who wanted to
25 destruct him, to destroy him, now it's known. There was a meeting

1 between them for Fatmir Sejdiu to become a president and to destroy
2 the LDK within, and it's him who destroyed the LDK together in
3 agreement with Hashim Thaci. And this is official and publicly
4 known.

5 And our request was don't do this. Don't sow divisions within
6 the LDK. Don't do this because this is damaging for the entire
7 Albanian population. And it turned out that it was damaging.

8 So it was damaging for him to become a president. He violated
9 the constitution. And the courts back home should take action
10 because he wanted to damage the constitution. And Ramush Haradinaj
11 was the only person who wanted to solve the entire situation. And we
12 have arguments that this was his intention, and our courts should
13 deal with this matter.

14 The main person within the LDK was Fatmir Sejdiu and Sabit
15 Hamiti, who, in agreement with him, sowed divisions so that they
16 can --

17 Q. So who was the person --

18 A. -- materialise their own interest.

19 Q. Who was the person who started hitting someone with a chair
20 causing them to be bloodied? Who was that person in the video?

21 A. The person who removed half of the delegates was Fatmir Sejdiu.
22 And those delegates, from America, from Europe, their request was:
23 Do not destroy the party. Stop.

24 Q. Let me show you one more document, and then I'll conclude.

25 MR. MISETIC: DHT04431 to DHT04435-ET. And the same in the

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1 Albanian.

2 Q. This is from 2003, and it's a report about how you physically
3 beat Gani Koci in parliament in Kosovo. Do you recall that?

4 A. Yes, very well.

5 Q. That was the first time that someone had -- in Kosovo's
6 parliament, the first physical altercation, and it was you beating
7 Gani Koci; correct?

8 A. Me.

9 Q. Yes.

10 A. It wasn't an altercation. It was an altercation but not a
11 physical fight.

12 Q. Well, the report is that you physically beat him. He was
13 bloodied.

14 A. He started. I reacted. It might be that I hit him a bit
15 harder. I did not cry. He cried. That's it.

16 Q. Witness, that's fine.

17 MR. MISETIĆ: Mr. President, that concludes my
18 cross-examination. Thank you.

19 PRESIDING JUDGE SMITH: Thank you.

20 Mr. Dixon.

21 MR. DIXON: Thank you, Your Honours. We have no questions for
22 this witness.

23 PRESIDING JUDGE SMITH: Mr. Roberts.

24 MR. ROBERTS: Thank you, Your Honour. After consulting my
25 client, we also have no questions for this witness at this time.

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1 Thank you.

2 PRESIDING JUDGE SMITH: Mr. Ellis.

3 MR. ELLIS: Thank you. Just give me a moment, Your Honour.

4 Cross-examination by Mr. Ellis:

5 Q. Good afternoon, Witness. My name is Aidan Ellis, and I'm
6 representing Mr. Jakup Krasniqi.

7 A. Good afternoon.

8 Q. I'll try to be relatively short, Witness, but there are a number
9 of topics that I want to explore with you this afternoon. And I'm
10 going to start with the LDK in the 1990s. And I think these
11 questions can be answered "yes" or "no," Witness.

12 It's right, isn't it, that there was a branch of the LDK in each
13 municipality in Kosovo; yes?

14 A. Yes.

15 Q. And in Skenderaj municipality, the president of the branch of
16 the LDK was Idriz Rreci; is that right?

17 A. Idriz Rreci, right. A very good man.

18 Q. And now you spoke yesterday, I think, about the emergency
19 council in Skenderaj. There were other councils as well which did
20 important work, such as the education council and the financial
21 council. That's correct, isn't it?

22 A. Correct. That's correct.

23 Q. And the leaders of those councils in each municipality worked
24 closely together with the branch president. That's how it worked,
25 isn't it?

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1 A. Correct.

2 Q. Have I understood correctly that, at least at the start of 1998,
3 each branch or each municipality was sending two representatives
4 every Friday to Prishtine to meet with the LDK at the central level
5 in the writers association building?

6 A. Correct.

7 Q. And as president of the Skenderaj branch, Idriz Rreci attended
8 those meetings; correct?

9 A. Correct. On many occasions. Him and myself.

10 Q. And on many occasions, from Glllogoc municipality, the meetings
11 were attended by Mehdi Bardhi and Jakup Krasniqi. That's right,
12 isn't it?

13 A. That's correct. I drove them there on many occasions.

14 Q. Now, just dealing with Mr. Krasniqi for a moment. It's right,
15 isn't it, that he was elected as a member of the assembly for the LDK
16 in 1992. You're aware of that?

17 A. I know very well about this municipality of Skenderaj because
18 it's my municipality, but I'm assuming most probably the same went
19 for that other municipality.

20 Q. I see. I think I understand your answer. Because your -- you,
21 of course, know about the LDK in Skenderaj municipality, but
22 Mr. Krasniqi was involved in Glllogoc municipality, a different
23 municipality; correct?

24 A. Drenas, right. It's in Drenica but it's a separate
25 municipality.

1 Q. Correct. And just to be clear for the record, you used the word
2 "Drenas," I've used the word "Gllogoc." We're talking about the same
3 municipality, aren't we?

4 A. Yes, the same municipality.

5 Q. Very well. And by 1998, Jakup Krasniqi had become president of
6 the LDK branch in Gllogoc/Drenas by winning an election against
7 Mehdi Bardhi. That's correct, isn't it?

8 A. Could you please ask the question again?

9 Q. Yes. What I'm putting to you is that by 1998, Jakup Krasniqi
10 was the chairman of the LDK branch in Gllogoc, or Drenas, having won
11 an election against Mehdi Bardhi for that position. That's right,
12 isn't it?

13 A. Yes. However, with your permission, I would need to give a
14 further clarification.

15 Q. I don't need a further clarification on that point. Thank you.
16 What is correct is that at this time Mr. Krasniqi was based with
17 the LDK in Gllogoc, in Drenas. He was not based in Prishtine, was
18 he?

19 A. From day one, there is a mistake I made with respect to Drenica
20 and which I recognise. It's a historical mistake I made. I hope
21 Drenica will forgive me. I understood Jakup Krasniqi. It was my
22 influence. Gani Koca and Jakup Krasniqi were not elected by votes
23 but selected. They were never members of the LDK but members of the
24 LPK. They wanted to take over the presidency chairmanship without
25 having members.

1 It is, indeed, true what you stated, that they were involved in
2 the LDK. There was an extraordinary meeting or council, and they
3 ended up being in those positions, and then they would salute with a
4 clenched fist.

5 Q. This is the same issue that you were having with previous
6 counsel asking you questions. I asked you a question which had a
7 yes-or-no answer, and you've gone on to give a speech which I don't
8 think answers the question. All I'm putting to you is that
9 Mr. Krasniqi was based with the LDK municipality in --

10 A. In very specific terms for you to understand -- to have a
11 comprehensive view and understanding of this.

12 Q. I'm asking you in very specific terms: Mr. Krasniqi was not
13 based in Prishtine at this time, was he?

14 A. He spent all his days in Prishtine, and he would tell us, "God
15 may help you for the war." But they hold conferences almost every
16 day in Prishtine and then call us on the phone and say, "May God help
17 you." God helped us.

18 Q. Let's deal with this now because this isn't correct, Witness.
19 When are you saying that Jakup Krasniqi spent all of his days in
20 Prishtine?

21 A. From March, from the assault on the Jashari family, until the
22 moment he became a spokesperson, he was active in Prishtine, in
23 Drenas, with the delegates, making moves here and there. We were at
24 war, and they were fighting to take control of the LDK. He was
25 competing against Mehdi Bardhi to take over the presidency of the LDK

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1 without having any supporters or members, because he was not a member
2 at all.

3 Let's be honest and say the truth. The truth helps us all. I
4 respected him. I did a lot for him and for Gani Koca. I am the
5 person who supported them the most, and I was in turn rewarded with
6 bad things.

7 Q. Right. Can we try and break this down a moment, then. First of
8 all, you said "he was not a member at all." Jakup Krasniqi was
9 certainly a member of the LDK at that time, wasn't he?

10 A. He was a fake member. The LDK was the people, the entire
11 people. He wanted to take over the castle from inside, creating a
12 certain group, and then take over the presidency. And this was
13 finally confirmed when President Rugova removed all of them, the
14 individuals belonging of this category. This is a public knowledge
15 to everyone, including to the people of Kosovo.

16 The last --

17 Q. I'm going to ask you one more time, Witness, to --

18 A. -- council of the party, President Rugova removed all of them.

19 Q. -- concentrate on the question that I'm --

20 PRESIDING JUDGE SMITH: Wait until they finish the translation.

21 [Microphone not activated].

22 MR. ELLIS:

23 Q. I'm going to ask you one more time, Witness, to concentrate on
24 the question that I'm asking and to answer that question without
25 giving these speeches. Okay?

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1 Now, you then also said:

2 "He was competing against Mehdi Bardhi to take over the
3 presidency of the LDK without having any supporters or members ..."

4 The truth is Mr. Krasniqi did win the vote and did become the
5 chairman of the LDK in that municipality, didn't he? Yes or no?

6 A. It was not a proper process. Something was falsified there.
7 His election was challenged and annulled by the central authorities.
8 Then there was an extraordinary council, and a decision affirmed
9 that. But this costed him. He was beaten up with a --

10 Q. So once again --

11 A. -- wooden stick by his friends.

12 Q. -- you're not answering the question. But the reality is
13 Jakup Krasniqi was --

14 A. But everybody needs to know how things unfolded actually.

15 Q. Now, the end result is that the authorities confirmed -- the LDK
16 authorities confirmed Jakup Krasniqi as the chairman of the branch in
17 Drenas/Gllogoc, didn't they?

18 A. No.

19 Q. Right. That's your position. We'll move on. Now --

20 A. No, it's not my position, but the central presidency
21 chairmanship contested this, and then there was an extraordinary
22 convention because there were irregularities. And on the second
23 occasion, Mehdi was elected. A very wise and strong man from
24 Drenica. And he was always close to Jakup and willing to help him,
25 but it's not his habit, but he did not reward --

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1 Q. Right.

2 A. -- his support in the right way.

3 Q. I'm just going to read back to you, Witness, because we -- we
4 didn't need to go here, but you've gone there. I'm going to read
5 back to you what you said to the SPO in September 2018.

6 MR. ELLIS: And for those following, it's Part 4, page 3 of
7 053034.

8 Q. "I don't know whether" --

9 And this is your words:

10 "I don't know whether it was the end of 1997 or the beginning of
11 1998. It was when ... it was when the congresses were held. And
12 Jakup Krasniqi was ... was chosen as president. He took that instead
13 of Mehdi Bardhi. Mehdi Bardhi contested it as irregular and called
14 for an extraordinary convention. And he got it again; Jakup Krasniqi
15 was elected once again."

16 That's what you said in 2018, isn't it, Witness?

17 A. The interpretation is erroneous. When we say it's disputable,
18 it is because of irregularities. The central authorities have to
19 establish if there were irregularities, so they had to have an
20 extraordinary congress to rule on that.

21 This is -- these are tasks to be dealt with by the central
22 authority. There were irregularities, and the second congress was
23 held. Jakup and Mehdi Bardhi, they know this, and the people in
24 Drenas know.

25 Q. Now, I'm being told that there's a line missed on the

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1 translation at page 81, line 12. Did you say:

2 "He is a good friend of mine, but he didn't have to use the
3 fist."

4 Did you say that around three pages back in the transcript?

5 A. And to this day, I have respect for that man. I respect him
6 very much. I liked Jakup, but he had other convictions, and he is
7 saluted by fist. It's his ideology. You can't remove it from him.
8 He's been brainwashed like that. But, nevertheless, he's a good man
9 and I like him.

10 Q. Now, during this period in -- towards the start of 1998, you
11 were from different municipalities, you were not working directly
12 together with Jakup Krasniqi, were you?

13 A. No, but we were very close when we were in tough times against
14 Serbia. We were together.

15 Q. And jumping ahead a little bit, you also told the Prosecution in
16 your interview back in 2018 that you didn't personally discuss with
17 Jakup Krasniqi why he left the LDK.

18 MR. ELLIS: That was Part 4, page 4, beginning at line 10.

19 Q. That's right, isn't it? You haven't had a conversation with
20 Mr. Krasniqi about why he left the LDK.

21 A. I did not discuss this because I was not able to discuss it at
22 all, because I was the worst opponent to him. I'm sorry, Jakup, you
23 knew me very well, and that you said what you said, but to allow your
24 political convictions to take you to that, to go to that point, to
25 say things you said about me, criminal, and this and that.

1 However, no matter what, I have a great deal of respect for
2 Jakup. I know sometimes he gets a bit bitter and he has some
3 diabetes or sugar-level problems, but I have a great deal of respect
4 for him. But he was not fair in his writings about --

5 Q. Witness, we're moving a long way beyond the question again.

6 A. -- the Geci brothers. He was not right.

7 Q. Now, your answer, I think, was to agree with me that you did not
8 discuss with Mr. Krasniqi why he left the LDK. That's right, isn't
9 it; yes or no?

10 A. He did not talk to me anymore at all. He became an important
11 man, and he didn't deal with Fadil at all. Not about good things.
12 But he even got involved in some bad things.

13 Q. And you didn't have -- the reason you haven't spoken to him is
14 that you didn't have a personal relationship with him so that you
15 would discuss these kind of matters, did you?

16 A. He had no relationship with me anymore. He never spoke to me
17 again, I never spoke to him again, which I regret.

18 Q. Now, you've told the Prosecution --

19 A. He didn't need me anymore for anything. He became an important
20 person, and I was nobody.

21 Q. You told the Prosecution last week that Jakup Krasniqi was
22 always an LPK person. And I'm put it to you directly, Witness,
23 Jakup Krasniqi was never a member of the LPK, was he?

24 A. Jakup Krasniqi was from the OMLK, the Marxist-Leninist
25 organisation, and he fought as a lion in that sense. This is the

1 truth. A Marxist-Leninist organisation which called America an enemy
2 is damaging to Albanians. He served time in prison. He suffered a
3 lot. Now damaging us again is not the right thing to do.

4 We respected all these men who went through hardship in the
5 prisons, but then we reached this point when our paths went different
6 ways.

7 Q. Jakup Krasniqi was not a member of the LPK, was he?

8 A. He was a member of the OMLK, the Marxist-Leninist organisation,
9 which transformed into LPK, then leftists. And then when they
10 gathered and collected some wealth, they moved to the right. So this
11 is what they did.

12 Q. You're here today, sir, on oath to testify to the truth, and I'm
13 just putting it to you clearly: Jakup Krasniqi was not a member of
14 the LPK. That's right, isn't it?

15 A. How would you know? You're saying this. I'm saying something
16 different. This was a Marxist-Leninist organisation transformed into
17 LPK, which then transformed into LBD, then into something else, and
18 then they ended up being a leftist organisation, saluting with a
19 clenched fist, which was damaging.

20 This is a communist, leftist organisation. I don't understand
21 how Jakup wouldn't realise that America was there. If Russia had
22 been there, they would have wiped us out as a nation. I had six
23 friends from Drenica that were killed. The best possible men. Haki
24 Imeri, Xhafer Behrami. Bahtir Kastrati was threatened.

25 Q. I'm going to stop you again because you're --

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1 A. Ismet Rrahmani was killed.

2 Q. -- moving a very long way away from the question. I take it you
3 don't want to answer that question, so I've got another one for you.

4 MR. ELLIS: Could we have on screen, please, DJK01051. The same
5 in the Albanian and in the English.

6 Q. Now, you will see from the top of the first page, sir, that this
7 is an article called "The First Meeting of the KLA with American
8 Diplomats." It's dated 6 December 2023, and it's from an exclusive
9 interview with Bardhyl Mahmuti.

10 Pausing there. You've mentioned Bardhyl Mahmuti in your
11 preparation session, and you knew that he was an LPK member in
12 Switzerland. That's correct, isn't it?

13 A. I know that he was. Now he can make this clear himself.

14 Q. Yes. And I correct the transcript. I think at line 14 it says
15 "LDK member." To be very clear, Bardhyl Mahmuti was an LPK member in
16 Switzerland. That's right, isn't it?

17 A. This is true, to my knowledge. I might be wrong, LPK or LDK.
18 They were in the same organisation. Leftist. They had communist
19 approach and mindset to seize power. Proletarians of all countries
20 unite. All thugs and losers and useless and low-life, get something
21 on your hands and do whatever you can and seize power. This is the
22 truth. But things didn't turn out that way, and thank God they
23 didn't.

24 Q. Right. Now --

25 A. And we suffered consequences as a result of this.

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1 Q. Now, what I wanted to take you to is the second page of this
2 article, and it's the fourth paragraph -- fourth and fifth
3 paragraphs, please. Now, it's very clear there, isn't it, that
4 Bardhyl Mahmuti, who is himself a member of the LPK, makes it quite
5 clear Jakup Krasniqi had never been a member of the LPK.

6 Now, Bardhyl Mahmuti would know who was a member of the LPK and
7 who wasn't, wouldn't he?

8 A. This is for them to say. Jakup Krasniqi was sentenced as a
9 member of the OMLK, the Marxist-Leninist organisation. The
10 Marxist-Leninist organisation.

11 Q. And you know perfectly well that through the years 1992 to 1998,
12 Jakup Krasniqi worked with the LDK in his municipality in Glogoc,
13 not with the LPK?

14 A. This is a different thing. The LDK was 99 per cent in a place.
15 As a good man whom we had a great deal of respect for, whom we
16 selected without votes, with my support. So he acted inside,
17 operated until the moment came for him to seize the chairmanship
18 without members. The LPK had no members. They were all LDK. There
19 were some. Rexhep Qosaj ran for office and he received 1.000 votes.
20 None of them had any members.

21 Q. I also want to read to you the question and answer at the bottom
22 of this page, because Bardhyl Mahmuti was asked in this interview:

23 "In what sense was the appointment of Jakup Krasniqi as KLA
24 spokesperson a strong argument in your hands?"

25 And then the English comes over onto the next page, please.

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1 He responds:

2 "Because it was indisputable evidence that the LPK's will was to
3 unite all Albanians for the liberation of the country, regardless of
4 class, ideological, party, religious, or regional differences."

5 And that was the point, wasn't it? Bringing in Jakup Krasniqi
6 as someone from the LDK was helpful to the KLA because it showed that
7 they weren't just LPK. That's why he was appointed, isn't it?

8 A. No, not at all. He did not say the truth at all here. He
9 avoided the truth. Bardhyl Mahmuti fought him with all his strength.
10 If it weren't for Bardhyl Mahmuti, Jakup Krasniqi would have never
11 become what he did become. They had the same exact ideology, the one
12 coming from the Marxist-Leninist organisation.

13 The only thing Jakup shouldn't have done is speak against the
14 Geci brothers. Why, Jakup, would you do that? Why would you write
15 that in your history books for the Geci brothers who supported you so
16 much? You know that the LDK could only have organised gatherings and
17 rallies in Llaushe because of the Geci brothers. Not in Qirez or
18 Likoshan. The only persons who could assure you to have those
19 rallies was the Geci brothers.

20 Q. The Court is interested in your evidence on the facts but not in
21 these political speeches. Can I take it from your answer that you
22 add Bardhyl Mahmuti to the list of people that you've accused in this
23 courtroom of lying?

24 A. I swear on my life that what I'm saying is absolutely true and
25 facts.

1 Q. That wasn't my question. My question was are you saying that
2 Bardhyl Mahmuti is another person that you've accused over the last
3 two days of lying; is that right?

4 A. He said Bardhyl Mahmuti and the entire team fought the LDK with
5 everything they had. They had nothing to do with the LDK. The LDK
6 was an obstacle to their ambitions. In Drenica, the four largest
7 communities, Xhafer Behrami was killed. Haki Imeri, two -- twice
8 graduated. Ismet Rrahmani, the founder of the academy, the first
9 military academy in Aqareve, was killed. Other people were
10 threatened. They wanted to remove completely the LDK. They made a
11 mistake and they damaged Kosovo.

12 Q. Witness --

13 A. It would have been better to recognise the institutions --

14 Q. Witness, I'm going to stop you again --

15 A. -- to recognise the state and to vote for the state.

16 Q. -- because once again --

17 A. Fight for the state.

18 Q. -- I'm going to suggest you're just using this Court to make
19 your political statements.

20 I'm going to go on to a different individual in the couple of
21 moments before the lunch break. You've spoken about Rame Buja
22 earlier today. It's right, isn't it, that he had been part of the
23 LDK presidency. That's correct, isn't it?

24 A. All the former prisoners who were released in the 1990s were
25 very much loved by us, respected, honoured. We did everything for

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1 them. I did everything and the people of Kosovo did.

2 Q. I'll stop you again.

3 A. And we accepted as a --

4 Q. I'll stop you again because it's a yes-or-no answer, Witness.

5 A. We welcomed in our midst --

6 Q. Rame Buja was a member of the LDK presidency, wasn't he? Yes or
7 no?

8 A. Yes, he was. And he was the chairman of the Lipjan branch.

9 Q. Thank you.

10 A. But he was a Marxist-Leninist. Rame Buja was a devoted
11 Marxist-Leninist. Although, he was a good man and a wise man, and he
12 still is.

13 MR. ELLIS: I see the time, Your Honour. Perhaps we should
14 break for lunch before anyone else is accused of being a Leninist.

15 PRESIDING JUDGE SMITH: Witness, we will be breaking for lunch
16 now. We'll break for an hour and a half. You'll be back here at
17 2.30. Please do not speak to anyone outside the courtroom about your
18 testimony in court.

19 THE WITNESS: [Interpretation] Thank you.

20 [The witness stands down]

21 MR. PACE: Your Honour, can I just ask if there's an update in
22 terms of timing, just to know whether to keep the next witness here
23 for this final session or whether he should be released.

24 PRESIDING JUDGE SMITH: Yes. How much longer will you be?

25 MR. ELLIS: It's taking a little bit --

1 PRESIDING JUDGE SMITH: I'm not questioning it. I just need to
2 know.

3 MR. ELLIS: It's taking a little bit longer than I was perhaps
4 intending so far. No more than an hour, certainly. I'll hope to do
5 it in less than that, but it's ...

6 PRESIDING JUDGE SMITH: [Microphone not activated].

7 Since we're going to break now, and he has at least a half hour
8 to 45 minutes or so, and you'll have perhaps some redirect, we don't
9 know that, and the Judges will have some questions, I think you can
10 release the second witness for today, and hopefully we can start with
11 him early in the morning.

12 All right. We are adjourned until 2.30.

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

14 --- On resuming at 2.31 p.m.

15 PRESIDING JUDGE SMITH: Ah, Ms. Rowan, you're on your feet.

16 MS. ROWAN: I am, Your Honour, yes. If I might raise an
17 administrative matter very briefly, please, before the witness comes
18 in.

19 Today the SPO filed filing number 2667, which is their bar table
20 motion. There has been *inter partes* correspondence, and we would ask
21 the Panel for an extension of time to respond until 15 November,
22 which is the Friday of the next break, and that is unopposed by the
23 SPO.

24 PRESIDING JUDGE SMITH: [Microphone not activated].

25 MS. ROWAN: Yes, thank you.

1 Q. And as you'll see, this is from the testimony of Shukri Buja on
2 26 September 2011 in a case called Arben Krasniqi et al.

3 Shukri Buja, as you'll know, is the brother of Rame Buja. That's
4 right, isn't it?

5 A. I just know that he is his brother, but I have nothing to do
6 with Shukri Buja. I do know Rame, but I had nothing ever to do with
7 Shukri Buja.

8 Q. All I've asked you so far is confirm that he's the brother.

9 MR. ELLIS: So if we can move on, please, in the -- it's the
10 same document in the English and in the Albanian, but in the English
11 it's to page 9401, and in the Albanian it's page 9412. If we could
12 scroll down a little in the English, please.

13 Q. He's dealing here with the period the end of March or April
14 1999, and he's asked:

15 "Was it a serious wound the one that your brother had?"

16 Shukri Buja:

17 "Yes. He got wounded here.

18 "(The witness shows with his finger at his neck, just below the
19 jaw).

20 "I am not sure if it was on the left or right side."

21 Question:

22 "How did you know that he was wounded?"

23 Shukri Buja:

24 "We were together when it happened. We were visiting our
25 positions together with Fatmir Limaj. There were also some soldiers

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1 who had taken their positions. A shooting happened and Rame was
2 wounded. We withdrew very fast and were obliged to carry him back to
3 the hospital. I and other soldiers carried him to the car and drove
4 him to the hospital."

5 Question 49:

6 "Did anyone else get wounded during the shootout?"

7 Shukri Buja:

8 "I received some bruises in my leg, but it was not a wound. I
9 think I was hit by parts of a fragment ammunition, or 'dum dum'
10 bullet. I was not hospitalised."

11 So it's very clear that Shukri Buja is saying that the injury to
12 Rame Buja's face came from shooting in the spring 1999. That's
13 right, isn't it?

14 A. By God, I hope it's true what you're saying. I'd rather it is
15 like you're saying and not like I am saying. But he told me what I
16 told you. I hope it is true what you're saying. I never wish to
17 have anything bad with anyone. He can come and declare for himself
18 whether he told me that or not.

19 Q. Right. But if the injury was in March or April 1999 in a
20 shooting fire incident, that would be nothing to do with
21 Communiqué 59 at all, wouldn't it?

22 A. I did not indulge into that. I was not interested. He pulled
23 me aside and told me this, not only about the communiqué, but he told
24 me about other things, people who had also spoken bad about us. I
25 didn't know that Jakup Krasniqi also wrote bad things about us, but

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1 after I saw those things in his book, I do believe that he did.

2 Q. Well, in fact, you only saw Mr. Krasniqi's book when the
3 Prosecution showed it to you last week. That's right, isn't it?

4 A. Yes.

5 Q. And just so we're clear, the date of Communiqué 59 is October
6 1998. That's right, isn't it?

7 A. Yes. Probably, yes.

8 Q. Very well. I'm going to move on to a different topic, Witness,
9 which is the funeral in Likoshan on 3 March 1998, which you were
10 asked some questions about by the Prosecution, and you've referred
11 to, I think, a couple of times since.

12 It's right, isn't it, that Serbian attacks in Likoshan and Qirez
13 villages on 28 February 1998 killed 24 civilians, Albanian civilians?
14 That's right, isn't it?

15 A. Yes.

16 Q. And a funeral procession was organised jointly by the LDK
17 branches of Gllogoc and Skenderaj because there were victims from
18 both municipalities. That's right, isn't it?

19 A. Yes, that's true. Nobody else was involved in the organisation
20 at the time apart from us. And Jakup knew this very well.

21 Q. Well, Jakup was involved -- Jakup Krasniqi was involved in the
22 organisation of this funeral because he was the chairman of the
23 branch from Drenas/Gllogoc at the time; correct?

24 A. It was Mehdi Bardhi.

25 Q. Now, you've told us that Luljeta Pula made a speech in which she

1 criticised Ibrahim Rugova. You remember saying that?

2 A. I remember it very well, and the entire population of Kosovo
3 remembers it very well. It was very true. As part of her campaign,
4 she thought that she would win some points by saying that, but with
5 that she shot herself in the foot. From that moment and up to today,
6 I have never seen her again. And --

7 Q. Now, you and your brothers were amongst those who reacted
8 against her speech that day, weren't you?

9 A. The entire mass of people reacted. It was a huge reaction.

10 Q. And you were amongst those who reacted, weren't you; yes or no?

11 A. It was a reaction of 200.000 people. Huge reaction.

12 Q. I'll ask the same --

13 A. And I and my brothers reacted, too. Everybody reacted. All
14 those who were smart and had the capacity to think reacted, while
15 those who were hungry for power, they didn't, because the hunger for
16 power makes you go blind.

17 Q. And on behalf of the organising committee, as the president of
18 the Glllogoc branch, Jakup Krasniqi tried to calm the situation down,
19 didn't he?

20 A. All the population tried to calm the situation down. The
21 parents of the deceased, Sheremet Sejdiu, and others reacted and
22 removed her from the scene, from the stage. Mehdi Bardhi reacted
23 furiously. Halit Geci and everybody from that area reacted.

24 Q. You know who Jakup Kastrati is, don't you?

25 A. Of course, I do. He is a man, a very good man, from Malisheve.

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1 Q. And he was from the LDK in Malisheve; correct?

2 A. Yes, he was from the LDK, the president of the LDK. Arrested
3 and kept in prison for a month for no reason, just because he was
4 LDK, together with Cen Desku. Two of the best men from that area.
5 And thank you for mentioning them, because I forgot to mention them.

6 Q. The question I'm asking you is something different, and I'd like
7 to focus on the question that I'm asking. I'm going to put it to you
8 Jakup Kastrati has given a recent statement about these events, and
9 he said that Jakup Krasniqi himself withdrew, stepped back, and said
10 that, "I am chairman of the LDK. I am part of the LDK. What she
11 said was a mistake." That's what Jakup Krasniqi said at the occasion
12 in Likoshan, isn't it?

13 A. It is possible that he said that. That's what he said. That's
14 what he thought. But Jakup Kastrati is a good man, a good activist,
15 who suffered for a month in prisons, and they went to his home, and
16 then he went silent as of that moment.

17 Q. Not without asking you, Witness.

18 A. To whoever's house Hashim Thaci went, they went silent
19 afterwards.

20 Q. No. I'm going to move on to a different topic in relation to
21 Likoc now. And you've said in your preparation session, Prep Note 2,
22 paragraph 25, that during the war you never wanted to go to Likoc,
23 and you were never based in Likoc. That's right, isn't it?

24 A. That's right. The centre in Likoc was of the LPK that called
25 themselves UCK. It was the LPK. As I said --

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1 Q. If I need further explanation, I will ask it.

2 A. -- I followed a different path.

3 Q. But at this point, I'm just asking you clearly, because you
4 didn't personally go there, you don't personally know whether
5 Jakup Krasniqi was there or what was going on at that location.
6 That's correct, isn't it?

7 A. In that respect, I have nothing to do with Likoc.

8 Q. Thank you. Now I'm moving to a different topic, which is the
9 salute. Now, you said to the Prosecution in your interview in 2018,
10 and it was Part 3, page 4, that:

11 "... Jakup Krasniqi saluted with a fist, just like you were in
12 Russia. It was on TV. You surely know about it."

13 And my question to you is you haven't provided the Prosecution
14 with the details of this television programme, the date it was aired,
15 the event that was featured. You haven't given those details, have
16 you; yes or no?

17 A. I believe that the Prosecution has everything, and so the Court
18 and the entire Kosovo knows that greetings with a fist belong to that
19 organisation. And the moment that Jakup Krasniqi appeared in public,
20 he appeared with a fist salute.

21 MR. ELLIS: Now, can we have a look, please, at 078323 to 078530
22 at page 078418.

23 Your Honour, whilst we're waiting for that to come up, I see
24 that I forgot to tender an article earlier, which was the Bardhyl
25 Mahmuti article, DJK01051 to DJK01055, and I would tender that.

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1 PRESIDING JUDGE SMITH: Any objection?

2 MR. PACE: No.

3 PRESIDING JUDGE SMITH: DJK01051 is admitted.

4 MR. ELLIS: Thank you. I think the page is there now. And if
5 we could scroll down, please.

6 PRESIDING JUDGE SMITH: Just a moment. We have to get a number
7 assigned to it.

8 THE COURT OFFICER: Just to clarify, it is entire article as was
9 show only the two pages?

10 MR. ELLIS: I would seek the entire article, yes.

11 THE COURT OFFICER: Entire article.

12 MR. ELLIS: Yes.

13 THE COURT OFFICER: So it's ERN DJK01051 to DJK01055, Albanian
14 and English version --

15 MR. ELLIS: Yes, please.

16 THE COURT OFFICER: -- will be admitted as 4D00088.

17 Classification is public. Thank you.

18 PRESIDING JUDGE SMITH: Thank you, Madam Court Officer.

19 MR. ELLIS: Thank you. And please could we scroll down on the
20 page on screen.

21 Q. Witness, do you recognise this as the first page of a book
22 written by your brother Gani Geci -- or the cover page, I should say?

23 A. Yes.

24 MR. ELLIS: And could we turn, please, in the English to page
25 073483. And I think in the Albanian, it's the same document at

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1 078382.

2 THE COURT OFFICER: Just to clarify with counsel, English and
3 Albanian are within the same document?

4 MR. ELLIS: I believe so, yes. Sorry.

5 THE COURT OFFICER: Okay. Thank you.

6 MR. ELLIS: Thank you.

7 Q. And the paragraph I'm looking at is the one that refers to
8 Shaban Shala, and I'll read it to you. It's in the middle of the
9 page on the English from your brother's book:

10 "Then, came into the question greeting with [the] fist,
11 something that was not shown anywhere. Shaban Shala showed up in ...
12 Albanian [television] -- in a in Albanian [television] prepared by
13 Nuhi Bytyqi, greeting with fist in Llapushnik, where also happened
14 the first intervention, during which was killed one boy of Halilaj
15 family in Terdec. Jakup Krasniqi made a speech during the mortal
16 ceremony."

17 So it's clear that in his book your brother Gani Geci is
18 describing Shaban Shala being portrayed in an Albanian television
19 programme by Nuhi Bytyqi greeting with the fist. That's what Gani
20 Geci says in his book, isn't it?

21 A. Now, those who wrote books, including my brother, should speak
22 about things that -- should say things about what they wrote. If I
23 had written a book, I would stand by what stands in the book. So
24 Jakup and the others who wrote books should do the same. I know that
25 Jakup Krasniqi, when he appeared publicly, he appeared with a fist.

1 And the fist was damaging. Because internationals who visited, they
2 were asking about the fist thing. We were not communists. We were
3 not terrorists. Because the propaganda of the enemy would only make
4 public isolated incidents so that -- to show us as fundamentalists.
5 One person would be taken as an example for a larger group.

6 I personally went to all the points. And wherever I went, my
7 friends or whoever was there, they were convinced that they should no
8 longer use the fist. It's not something that nobody knows, that
9 Jakup Krasniqi actually saluted with a fist. It's public knowledge.

10 Q. It's a very long --

11 A. And not only Jakup Krasniqi. Shaban Shala, too. I personally
12 didn't see him, but Shaban Shala too and others were the same.

13 Q. It's another long speech, Witness. But the short point is, in
14 his book, your brother is speaking about Shaban Shala saluting with a
15 fist, not Jakup Krasniqi. That's the paragraph -- that's what the
16 paragraph we've just looked at says, isn't it?

17 A. My brother saw Shaban Shala. I saw Jakup Krasniqi. When the
18 KLA came on to the scene in a readiness -- in a position of
19 readiness, I saw the salute with a fist. This is a truth. You, as a
20 Defence counsel, are doing damage to us and to them.

21 Q. So you say, Witness, but you haven't given a single detail of
22 when you saw this, where you saw it. You haven't given the
23 Prosecution any of those details, have you?

24 A. Do you want me to give you the details now?

25 Q. You have never given those details to the Prosecution in your

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1 interview in 2018, have you?

2 A. I can give them to you now.

3 Q. And we have all seen --

4 A. Say I've forgotten to give them before. I will give you the
5 details now in front of the Court.

6 Q. We have all seen the initial appearance of Mr. Krasniqi. You
7 said the moment Jakup Krasniqi appeared in public --

8 A. Then why are you asking me?

9 Q. He sat behind a desk at that appearance, sir. I am putting it
10 to you that you have got it wrong and your brother's book was
11 correct. It was Shaban Shala that your family saw saluting with a
12 fist.

13 A. I didn't receive interpretation. Now you're telling me who I
14 saw. He saw Shaban Shala. I saw Jakup Krasniqi.

15 Q. I'm going to --

16 A. What you're saying is quite interesting.

17 MR. ELLIS: Now, I want to move on to a different topic, please,
18 and show a different document, which is DJK01042 in the English and
19 Albanian. I'm sorry. There's no Albanian on this document. The
20 English is DJK01042.

21 Q. So I'll read it, the relevant bits for you, Witness. It's dated
22 27 November 2009. It's from Balkan Insight. And the relevant
23 paragraph begins at paragraph 2:

24 "The deputy from the opposition party, Democratic League of
25 Dardania, LDD, Gani Geci said that orders were given to kill Agim

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1 Veliu, from the Democratic League of Kosovo, and Adem Salihaj, from
2 Democratic League of Dardania.

3 "Addressing parliament he said: 'I have proof of that.
4 Honoured parliament president, you are not, neither is the
5 Prime Minister, among those who ordered murder.

6 "'But in the government, there are men who have ordered the
7 murder of deputies, of our colleagues,' Geci added."

8 And it continues one paragraph further down -- well, in fact,
9 I'll pause there at the moment.

10 Were you familiar with this incident in 2009 when Gani Geci
11 raised this issue in the parliament in Kosovo?

12 A. None of this is a statement I should be dealing with. And I'm
13 telling you straightaway, this is not true. He never said that
14 somebody from the Democratic League of Kosovo gave any such orders.
15 You have it all mixed up and confused.

16 Your Honours, none of this is true. This is -- I don't even
17 understand. I can't get a meaning out of this.

18 Q. I think maybe we're having a problem in the interpretation,
19 Witness. Let me just try and clarify it. This article is saying
20 that Gani Geci raised in parliament an allegation that orders were
21 given to kill Agim Veliu and Adem Salihaj. Do you recall that event?

22 A. Now what you're saying now is completely different from what you
23 stated before.

24 Q. Well, before I was only reading the article, Witness. But if
25 we've had an issue on interpretation, I apologise. My question is

1 simply do you recall this incident in November 2009?

2 A. Your Honours, what he said before and what he's saying now is
3 like day and night, completely different. It is true, indeed, that
4 Agim Veliu and Adem Salihaj were targeted by such attempts. But it's
5 not only them, but all those who were obstacles to their plans were
6 targeted. They tried to intimidate them, and when they did not
7 manage to do that, they liquidated them.

8 Gani raised this, but I'm raising it now as his brother, and I
9 thank you for asking the question because I omitted this. You are
10 reminding me of these facts. Thank you.

11 Q. So the question was did Gani Geci raise this issue in parliament
12 in November 2009? And I think from that your answer is yes, you
13 remember that; is that correct?

14 A. Gani Geci raised the issue of the killings of important people
15 in Kosovo everywhere he went to. This is about prominent people,
16 people who embodied values, higher values, which was unthinkable for
17 any Albanian to be targeted and killed.

18 Q. And the article continues:

19 "Parliamentary speaker Jakup Krasniqi denied the request,
20 claiming that the alleged evidence should be sent to the police.
21 'Proof should be sent to the prosecution, the parliament is not a
22 court,' said Krasniqi."

23 It's right, isn't it, that Jakup Krasniqi said that this
24 evidence ought to be sent to the police? That's right, isn't it,
25 Witness? Sorry.

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1 A. And Jakup Krasniqi has made here a very accurate and proper
2 statement. And Gani Geci has always consistently submitted to
3 authorities, courts, and prosecution anything he had in his hands.
4 And it's right what Jakup Krasniqi stated here because he's a wise,
5 intelligent man that knows that things need to be submitted with the
6 authorities, the prosecution and the police authorities.

7 MR. ELLIS: Now could we please then go to SITF00398158 to
8 398180. And this is another document where the English and the
9 Albanian are in the same document. The page references are 398176
10 and 398179.

11 Q. Now, this is from a witness statement that was taken from a man
12 called Ajriz Zeqiri. And partway down this page, what he says -- we
13 can see it midway down in the English:

14 "Adem Salihu told me he would give me 15.000 [euros] more, i.e.
15 45.000 [euros], if I would give a written statement signed by my
16 personal signature and record a CD with my personal voice. I told
17 him I wanted to know in details what was he talking about. Then he
18 explained me that he wanted me to give a statement, where I would
19 claim that I had been paid to kill him (Adem Salihu). Next he asked
20 me if I had ever heard about Azem Syla. I told him I had never
21 before heard about that person."

22 Had you heard, Witness, that there were allegations that people
23 had offered bribes in return for false evidence about crimes against
24 members of the LDK? Yes or no, have you heard that before, Witness?

25 A. I have never heard of this. And with respect to Adem Salihu, I

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1 can swear now that this is a lie. It's a staged thing. Adem Salihu
2 is a strong personality. This is staged to mislead people to think
3 that this is also true. Adem Salihu is a very strong, unbreakable
4 person, and he would never do that. I can take responsibility for
5 this personally. I know his character. This is a lie. He's a
6 strong man of a strong personality. He was unbreakable and he still
7 is. This is why they blackmailed him, peddling lies, intimidating,
8 anything they thought. These are the worst things amongst Albanians.

9 The person behind this, who designed, conceived this, was
10 ill-intentioned and this resulted in all this.

11 Q. Now, I'm moving on, Witness, to my final two topics, and these
12 are to do with issues you've been discussing already today. The
13 first relates to Milaim Zeka, and the second to Jakup Krasniqi's
14 Facebook post.

15 Now, in relation to Milaim Zeka you've already said, I think, to
16 Mr. Mistic several times that Gani Geci told you that Milaim Zeka
17 had told him that Jakup Krasniqi had said that Hashim Thaci wrote
18 Communiqué 59. You've confirmed that already. That's what you say,
19 isn't it?

20 A. Look, the public statement of Jakup Krasniqi himself is
21 honourable because he has set the record straight. It was his
22 greatest manly act to tell the truth publicly as he did. Now, the
23 rest, I don't see how that can be of any interest for us.

24 Q. Right. Because you don't know whether Milaim Zeka was telling
25 the truth or not, do you?

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1 A. But Milaim spoke to all of them, and they know it. Milaim was
2 involved with all of them. They all told him something, and then
3 Milaim in turn said something. They are here. All these people
4 present here spoke with Milaim, all of them. They all --

5 Q. I'll stop you there.

6 A. -- cooked and conceived and designed things with Milaim. He's
7 the design behind this.

8 Q. That is you speculating, isn't it, because you were not there
9 when Milaim Zeka spoke with any of these people, were you, if indeed
10 he did?

11 A. They are here. You can ask them. I never speculate.

12 Q. So you can't --

13 A. I --

14 Q. You can't --

15 A. -- never speculate. Milaim made public statements in the media
16 with respect to Communiqué 59, you should go out there and apologise
17 to the Geci brothers because you included in there false things. And
18 what Milaim told my brother, you will hear this from my brother in
19 person when he will come and testify. I don't want to go further
20 into that.

21 Q. No. You --

22 A. It's an interesting fact that he doesn't want to talk to me
23 either. I don't want to talk to him, and he doesn't want to talk to
24 me.

25 Q. Milaim Zeka doesn't want to talk to you, is that?

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1 A. I don't want to have any contacts with him.

2 Q. You don't want to have any contacts with Milaim Zeka. Am I
3 following?

4 A. None. And I never wanted to have any contacts with him. And
5 you know why.

6 Q. Why did you not want to have contacts with Milaim Zeka, sir?

7 A. Because he's a man of a thousand intrigues, and I can't be like
8 that. You would need to listen to them on TV shows and record them
9 and put them in front of you.

10 MR. ELLIS: Could I have on screen, please --

11 THE WITNESS: [Interpretation] Milaim contacted and conversed
12 with all of them, during the war, after the war. He was there as a
13 reporter, interviewed them. Milaim was involved in every dealings,
14 including dodgy dealings with them.

15 MR. ELLIS: Can I have on screen, please, DJK01061. That should
16 be the Albanian, and the English should be ET, 01061.

17 Q. Now, this is an article from 2020 about Milaim Zeka which makes
18 the point at the bottom of this page - if we could scroll down - that
19 Zeka himself has been sued for defamation on many occasions.

20 We've got the photograph of him there. This is the same Milaim
21 Zeka that you're speaking about, isn't it?

22 A. Yes, this is Milaim Zeka himself.

23 MR. ELLIS: If we could turn over to the next page, please.

24 Q. It makes the point that:

25 "Defamation lawsuits against Milaim Zeka have been repeatedly

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1 filed and continue to be filed, always for the false claims he makes
2 about specific individuals ..."

3 And I won't read on, but this is exactly what you've been
4 telling us when you say he's a man of a thousand intrigues, isn't it?

5 A. Milaim Zeka is the person who stayed with them, socialised with
6 them, and told to them repeatedly on television, "Apologise to them,
7 apologise to them." He asked the staff, the entire staff to
8 apologise to us. I don't know what -- the tricks between them. I
9 don't know all these scheming. All I know is I don't want to have
10 anything to do with Milaim Zeka. I don't even want him to say hello.

11 When I -- and not particularly Milaim, but any person who's into
12 these intrigues, I don't want to have anything to deal with them.
13 But in this case, he was right. That doesn't mean that he was always
14 wrong.

15 Q. You know Milaim Zeka --

16 A. Because Milaim himself was maltreated by them --

17 Q. You know Milaim's reputation.

18 A. -- when things changed.

19 Q. You've said you don't want to have anything to do with him. And
20 I'm putting it to you you don't know whether Milaim Zeka was telling
21 the truth when he spoke to your brother, do you?

22 MR. PACE: Objection, Your Honour. Asked and answered multiple,
23 multiple times now.

24 PRESIDING JUDGE SMITH: Sustained.

25 MR. ELLIS: Very well. And I tender the article, DJK0161 and

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1 016 -- to 0163.

2 PRESIDING JUDGE SMITH: Any objection?

3 MR. PACE: Yes, objection on the grounds of lack of relevance,
4 Your Honour. It's not clear what this is about or how it relates to
5 the facts the witness is here to testify about.

6 MR. ELLIS: Well, Milaim Zeka is not being called as a
7 Prosecution witness, but he's the person that this witness is and the
8 Prosecution are relying on to attribute certain statements to
9 Mr. Krasniqi, which we do not accept.

10 PRESIDING JUDGE SMITH: Well, it has very little relevance at
11 this time, but I will admit it and give it the weight it deserves.

12 THE COURT OFFICER: Thank you, Your Honour. This document,
13 DJK01061 to DJK01063, Albanian and English translation, will receive
14 Exhibit 4D00089. Classification is public. Thank you.

15 PRESIDING JUDGE SMITH: Thank you.

16 MR. ELLIS: Thank you.

17 Q. And I'm going to the final topic now, Witness, which is the
18 Facebook response from Mr. Krasniqi.

19 MR. ELLIS: Could we have on the screen, please, DJK01060 in
20 English and Albanian.

21 Q. Now, you've spoken already with Mr. Miseti this morning about
22 Mr. Thaci apologising for Communiqué 59, and I want to take you
23 further to a transcript of what Mr. Thaci said. He was asked about
24 Communiqué 59, and the question was:

25 "What can you tell us further about it?"

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1 And in the middle of that first paragraph of his response, he
2 said:

3 "I cannot recall all the statements made by either the
4 spokespersons or the communiqués and declarations, but in response to
5 your question, I can say that even during the war, just as today,
6 there were certain individuals who abused the KLA's war, the name of
7 the KLA, and the names of certain individuals from the KLA."

8 Now, do you recall seeing that in the statement that Mr. Thaci
9 gave at the time?

10 A. No, I hadn't seen them before. I'm hearing this for the first
11 time. But Jakup Krasniqi has explained this very well here.

12 MR. ELLIS: Could we now go to 061381-061381-ET, and the same in
13 the Albanian.

14 MR. PACE: I'm sorry to interrupt, but perhaps it can be
15 clarified once again to the witness who was saying those words. He
16 seems to be attributing it to Jakup Krasniqi.

17 PRESIDING JUDGE SMITH: Yes, I think you should do that.

18 MR. ELLIS:

19 Q. The passage I just read out was from Mr. Thaci speaking on an
20 interview now available on YouTube. Had you understood that,
21 Witness?

22 A. No, I didn't. That's not how I understood it. YouTube. Now I
23 see.

24 MR. ELLIS: Now, I wanted to go to 061381.

25 I'm grateful for the clarification.

1 THE COURT OFFICER: For the record, this document was admitted
2 as P01751.

3 MR. ELLIS: Thank you.

4 Q. Now, this is what was shown to you by the Prosecution last week
5 as a Facebook post by Mr. Krasniqi. This is a document you were
6 shown last week and again, I think, yesterday; correct?

7 A. Correct.

8 Q. And it begins in the second paragraph by saying:

9 "As he mentioned the KLA's spokespersons during his interview, I
10 considered it necessary to issue a public statement," and it
11 continues.

12 So this is a response by Mr. Krasniqi to the passage that I read
13 you earlier in which Mr. Thaci had referred to the spokespersons;
14 correct?

15 A. Correct, that I saw this when it was shown to me by the
16 Prosecutor. And everything that is there reflects what I've said
17 about Jakup and is sufficient. I haven't said anything more.

18 Q. I see. And I think the whole post was read to you by Mr. Pace
19 yesterday on the record. It says, doesn't it, that:

20 "... no communiqués containing lists of names of Ibrahim Rugova
21 or other Albanian political activists were released on behalf of the
22 General Staff of the KLA, because we would have responded at that
23 time, as our fight was directed against the occupier only."

24 So it's denying that any such communiqués were issued on behalf
25 of the General Staff. That's what it says, isn't it?

1 A. They now have become more devout than Ibrahim Rugova himself,
2 but not at the time. He has explained it here. But it's of interest
3 for everyone, including the President of the Court, to see everything
4 in order to evaluate them. He said that the communiqués were not
5 written from the *Bahnhofs* or train stations abroad, but they were
6 written in Prishtine, and we know who was responsible for them. They
7 know better, and it would be better for them to tell the truth.

8 Jakup Krasniqi has said a part, a considerable part of the truth
9 here, which is to be appreciated.

10 Q. And it continues here that:

11 "- Hashim Thaci knows very well that I and many of the
12 commanders of the Drenica Operative Zone objected the
13 Communiqué No. 59, because it relied on inaccurate and disparaging
14 claims regarding Mr. Geci.

15 "- I would have voiced my objection if such claims would have
16 been made against any Albanian family."

17 Pausing there. It's right, isn't it, that commanders in the
18 Drenica zone did object to Communiqué 59? You were shown a document
19 to that effect, I think, yesterday. That's correct, isn't it?

20 A. Congratulations, Jakup Krasniqi. You said the truth, and it was
21 worth it. Amongst many other things, this is something that is true.
22 Not because it's of personal interest to me, but because it's the
23 truth, and I value the truth. And I knew that you were a man who
24 would state the truth, although sometimes you deviated a little bit.

25 Q. Now, nothing in this Facebook post identifies specifically who

1 wrote Communiqué 59, does it?

2 A. He said, like I said, throw the stone and hide your hands. So
3 all from the staff were saying this and -- until we reached that
4 point in time when we found out who threw the stone.

5 Q. Well, putting proverbs aside, that simply means that an apology
6 should say who was responsible. That's all it means, isn't it?

7 A. Can you please repeat the question?

8 Q. Yeah. The proverb throw the stone and hide the hand, that
9 simply means that if you're going to apologise, better to identify
10 who did it. That's all it means, isn't it?

11 MR. PACE: Objection, Your Honour. It's not clear what's being
12 asked of the witness.

13 PRESIDING JUDGE SMITH: He can answer if he knows.

14 THE WITNESS: [Interpretation] They themselves said this: Throw
15 the stone, hide the hand. The person who does this, it's not a good
16 thing to do. They said directly to the person who threw the stone
17 and hid the hand, they said, "You threw the stone. Don't hide the
18 hand." And he told that person, "You personally told me so." He
19 told him what happened in reality: "You told me this." Is this
20 clear?

21 MR. ELLIS:

22 Q. Now, I'm going to put it to you. You've heard Mr. Misetic took
23 you through the political disagreements between Mr. Krasniqi and
24 Mr. Thaci. If Mr. Krasniqi had wanted to say that Hashim Thaci had
25 wrote Communiqué 59, he'd have said so expressly in this Facebook

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1 post, wouldn't he?

2 MR. PACE: Objection, Your Honour. The witness can't know
3 what's going on in Jakup Krasniqi's mind.

4 PRESIDING JUDGE SMITH: Sustained.

5 MR. ELLIS: Very well.

6 Q. I'll put it finally: This Facebook post does not identify who
7 wrote Communiqué 59, does it?

8 A. It reads something different here. It says Communiqué 59 is a
9 complete lie, we don't stand by it, it's written from the staff,
10 inside the staff, which Hashim claims it was written from abroad,
11 which was denied. It was not written from the train stations. There
12 were other communiqués for which apologies were issued, but not
13 20 years in waiting.

14 This could have been done earlier, and we would have avoided
15 people being killed. Why didn't they apologise immediately after the
16 communiqué, but only 20 years later coming out and saying, "Oh, we
17 wrote this communiqué and we apologise for it." It would have been
18 much easier to three days later apologise and say, "We made a
19 mistake, and that is not true. We apologise. Let's move on."

20 There are communiqués for which they apologised. Why precisely
21 in relation to this one, which would set ablaze so many things, which
22 would have so many repercussions in Drenica and Kosovo, they did not
23 apologise.

24 PRESIDING JUDGE SMITH: Mr. Ellis, we're going to take a break,
25 but you do have to -- if you can finish up, that's fine. If not,

1 don't feel any pressure. We can come back and you can finish then.

2 MR. ELLIS: I can finish in one question.

3 PRESIDING JUDGE SMITH: Go ahead.

4 MR. ELLIS:

5 Q. Stripped of any political speeches, I'm putting it to you that
6 this communiqué does not identify who wrote -- this Facebook post
7 does not identify who wrote Communiqué 59, and it says that
8 Mr. Krasniqi would have voiced his objection if such claims had been
9 made against any Albanian family. That's as far as this document
10 goes, isn't it?

11 MR. PACE: Objection, Your Honour. The first part of the
12 question is asked and answered; and the second part of the question
13 does not even follow from the first.

14 PRESIDING JUDGE SMITH: Overruled.

15 You may answer if you can. Do you want the question repeated?

16 THE WITNESS: [Interpretation] Yes, please.

17 MR. ELLIS: I'll read it back from the transcript.

18 Q. So it's:

19 "Stripped of any political speeches, I'm putting it to you that
20 ... this Facebook post does not identify who wrote Communiqué 59, and
21 it says that Mr. Krasniqi would have voiced his objection if such
22 claims had been made against any Albanian family. That's as far as
23 the Facebook post goes, isn't it?"

24 A. Again, Jakup Krasniqi sets the record straight for many aspects
25 of it. These communiqués were not written from train stations

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1 somewhere abroad. They were written in Kosovo. He voiced his
2 objection publicly with respect to Communiqué 59. The rest is
3 self-evident.

4 MR. ELLIS: That's everything. Thank you, Your Honour.

5 PRESIDING JUDGE SMITH: Thank you, Mr. Ellis.

6 We'll take a ten-minute break as we did before. You'll come
7 back to the courtroom at 3.40.

8 [The witness stands down]

9 PRESIDING JUDGE SMITH: We'll call that 3.43. We'll adjourn
10 till then. Thank you.

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

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

13 PRESIDING JUDGE SMITH: Madam Usher, please bring the witness
14 in.

15 [The witness takes the stand]

16 PRESIDING JUDGE SMITH: Any redirect, Mr. Pace?

17 MR. PACE: No, thank you.

18 PRESIDING JUDGE SMITH: Witness, we have some questions from the
19 Judges now. So please give them your attention. We'll begin with
20 Judge Barthe, who is to my left and your right.

21 JUDGE BARTHE: Thank you very much, Judge Smith.

22 Questioned by the Trial Panel:

23 JUDGE BARTHE: And good afternoon, Mr. Geci.

24 A. Good afternoon.

25 JUDGE BARTHE: Mr. Geci, the Panel has followed your testimony

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1 over the last two days with great interest. But as the
2 Presiding Judge just mentioned, we have some more questions for you
3 which we believe are necessary to better understand your evidence.

4 My questions not only concern what you have told us today and
5 yesterday during your direct examination and cross-examination by the
6 parties in this courtroom, but also what you told the Prosecution
7 during your preparation session last week and what is reflected in
8 Preparation Notes 1 and 2 of the SPO. Do you understand this?

9 A. Yes.

10 JUDGE BARTHE: I would like to ask Madam Court Officer to bring
11 up, for the benefit of the parties, Preparation Note 1, which is
12 Exhibit P01741 on the screen and go to paragraph 7 of that note.
13 Could you please go to page 3, so the next page. Thank you.

14 Mr. Geci, according to that paragraph -- or in that paragraph,
15 there's a reference to page 12, line 16 of your SPO statement from
16 2018, and it's about an incident in Qirez. And it is said here in
17 the note -- I'm aware there's no Albanian version of the note, but
18 please listen carefully to my question and try to answer the question
19 as briefly and as precisely as possible.

20 So according to paragraph 7 of the Prosecution's note, Mr. Mehdi
21 Bardhi told you that Mr. Bardhi and others had been mistreated by a
22 group of people, mainly Mr. Hashim Thaci. And it is also said here
23 that part of the group in Qirez had included Samije Zeqiraj, a member
24 of parliament, and that the women had been put aside and had not been
25 mistreated.

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1 My first question for you, Mr. Geci, is do you remember saying
2 this to the Prosecution last week during your preparation session?

3 A. Yes, I remember it very well. Yes, very well. And --

4 JUDGE BARTHE: That is enough.

5 A. -- Samije is a female, not a man.

6 JUDGE BARTHE: Thank you very much for the clarification, but
7 it's sufficient to answer the question first with "yes" or "no," as
8 you were told a couple of times.

9 So my next question, Mr. Geci, is - and I again ask for a
10 precise answer if possible - when did Mr. Bardhi tell you this? When
11 did you have that conversation with Mr. Bardhi about the incident in
12 Qirez? What year, what month?

13 A. I and Mr. Bardhi were good associates or in good relations, and
14 I spoke with him about this case after the war. He told me about
15 this after the war. But he also wrote a book. I don't know if you
16 are familiar with Mr. Bardhi's book.

17 He told me that Hashim Thaci entered the room where he was
18 without knocking the door as the president of a country.

19 JUDGE BARTHE: Thank you, Mr. Geci.

20 I asked for a year. You said "after the war." Could you be
21 more precise in that regard? In which year did Mr. Bardhi tell you
22 something about the incident in Qirez?

23 A. We had constant contact with Mr. Bardhi after the war. I am bad
24 with dates. And even to this day, I think very highly of him. He's
25 in poor health now.

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1 JUDGE BARTHE: Was that conversation immediately after the war
2 or later on?

3 A. Immediately after the war.

4 JUDGE BARTHE: And where did that conversation take place?

5 A. I met with Mehdi in Prishtine, because he continued to work for
6 the party, but also in his house, in my house. Everywhere.

7 JUDGE BARTHE: Thank you. And, again, please be as precise as
8 possible. What did Mr. Thaci do exactly according to Mr. Bardhi?

9 A. The name -- the main character in Qirez events was Hashim Thaci.
10 What he did to him is described in his book. He told me that they
11 were ill-treated, and he served some others with beers and chicken.

12 JUDGE BARTHE: Who served others with beers and chicken?

13 A. I heard an activist saying here that they had been served with
14 beer and chicken. And when I heard that, I felt glad that they had
15 been served that. It's Gjergj Dedaj who said this here in this
16 Court.

17 JUDGE BARTHE: Leaving that aside, what did Mr. Bardhi tell you
18 immediately after the war in Prishtine, I think you said, about what
19 Mr. Thaci did exactly? Did he mistreat -- Mr. Thaci mistreat other
20 people in Qirez personally, with his own hands?

21 A. Personally, not in Qirez, but when they were taken there, they
22 took them somewhere, in Baice or somewhere, because they -- they were
23 stopped in Qirez and then taken to Baice. But for the events in
24 Qirez, the person who was present there, the MP that you mentioned,
25 Samije Zeqiraj, was there. And if these people choose to speak the

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1 truth, they can tell the truth.

2 I personally was not there, but they -- he said that the person
3 who was there was Hashim Thaci himself. But he did not say, Mehdi,
4 that is, that he was served with chicken.

5 JUDGE BARTHE: I'm not so much interested in the chicken. I'm
6 interested to hear from you what Mr. Bardhi told you about
7 Mr. Thaci's involvement. You said Mr. Bardhi said he was present.
8 Did Mr. Thaci do anything else apart from being present according to
9 what Mr. Bardhi told you?

10 A. Most of the ill-treatment came from Mr. Thaci. This is what
11 Mehdi Bardhi told me. Whether he exaggerated, whether it actually
12 happened, that I don't know, but this is what he told me in his own
13 words.

14 JUDGE BARTHE: Thank you. My next question is who else belonged
15 to the group of people who allegedly mistreated Mr. Bardhi and the
16 others? You talked or you spoke about a group of people. You
17 mentioned a group of people in your -- at least according to
18 Preparation Note 1, paragraph 7. Who else belonged to that group?

19 A. The group included Sabit Geci as well. But the main person who
20 was responsible for questioning them, for asking them questions, was
21 Hashim Thaci. Gani Koci was also there who knew these people very
22 well.

23 JUDGE BARTHE: Did Mr. Bardhi tell you anything about what
24 Mr. Sabit Geci did during the incident in Qirez?

25 A. He said that Sabit Geci was present when they were put into

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1 vehicles, and that Gani Koci was present. Mehdi Bardhi thought that
2 Gjergj Dedaj was maltreated by mistake for another Gjergj.

3 THE INTERPRETER: The interpreter did not hear the full name of
4 the second person.

5 JUDGE BARTHE: Can you please repeat the name of the second
6 person you just mentioned?

7 A. Another person from LDK, an associate of President Rugova,
8 appointed minister of the interior, Rexhep Gjergji. So his name was
9 mixed up with the name of Gjergj Dedaj. And later on, this was
10 figured out. This is what Mehdi Bardhi said.

11 JUDGE BARTHE: Thank you. And did Mr. Bardhi tell you anything
12 about threats that came from Mr. Sabit Geci? Did he mention any
13 threats?

14 A. No. He just mentioned Sabit as someone -- ordinary person. As
15 someone ordinary there. He mentioned the other one as the main
16 person. And Mr. Koci was there present because he knew them. It is
17 possible that Hashim Thaci didn't know them.

18 JUDGE BARTHE: So Mr. Bardhi didn't mention any threats or
19 threatening behaviour by Mr. Sabit Geci? Is that your evidence?

20 A. He didn't mention that to me. He wrote a book. He didn't tell
21 me those things. Maybe he didn't want to. I don't know. But he
22 didn't tell me those things.

23 JUDGE BARTHE: Thank you, Mr. Geci. I would like to move on to
24 the next question, and my question is about -- or my questions,
25 actually, are about paragraph 9.

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1 Madam Court Officer, could you please scroll down. Thank you.

2 In paragraph 9 of Preparation Note 1, you can find a reference
3 to page 19, lines 10 to 11 of your 2018 statement, and it is said
4 here that you told -- Mr. Geci, you told the Prosecution during your
5 preparation session that the KLA General Staff had been an LPK body.

6 Again, I have to ask, do you remember telling this to the
7 Prosecution last week?

8 A. Yes, I do.

9 JUDGE BARTHE: Thank you. And could you explain briefly why you
10 say so, why you think that the KLA General Staff had been an LPK
11 body?

12 A. Because all these people were members of the LPK or OMLK. And
13 up until their arrival, the relations were perfect. There were no
14 divisions amongst the Albanians up until March, end of March 1998.
15 All of the Albanians were united in their war against Serbia.

16 JUDGE BARTHE: Thank you. And can you tell us who from the KLA
17 General Staff was a member, in your view, your opinion, a member of
18 or otherwise affiliated with the LPK. I'm not interested in hearing
19 any --

20 A. [Overlapping speakers] ...

21 JUDGE BARTHE: Wait. Please wait for my question. I'm not
22 interested in hearing explanations. I'm only interested in hearing
23 names. Please, you can go ahead.

24 A. Hashim Thaci was linked to LPK. Rexhep Selimi with LPK.
25 Jakup Krasniqi with LPK. And all the rest. They were all from the

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1 LPK. There's nothing bad being a member of the LPK. It is just the
2 truth.

3 JUDGE BARTHE: Thank you. I would like to move on to my next
4 topic and my next questions which relate to paragraph 14 of
5 Preparation Note 1. And the part I'm interested in is on page 5 of
6 Preparation Note 1, the second-last sentence.

7 Mr. Geci, in the aforementioned paragraph, or according to that
8 paragraph, you told the Prosecution in your preparation session that,
9 and I quote from the preparation note here:

10 "Only the KLA's leaders were with the LPK; those beneath them
11 [had] supported the LDK."

12 What I'm interested in is the following. We heard a couple of
13 times in this courtroom that around 90 per cent of the Albanian
14 population of Kosovo supported the LDK and President Rugova before
15 the war; is that right?

16 A. That's 100 per cent correct.

17 JUDGE BARTHE: And if someone wanted to join the KLA who had
18 supported the LDK, would that be a problem for this person? I'm not
19 talking about people who had an official function or position in the
20 LDK. I'm talking about ordinary supporters of the LDK.

21 A. Those who appeared to voice their opinions about the LDK, they
22 suffered more. The rest, they did their jobs, they did their work.
23 It was an extraordinary situation, a state of war.

24 JUDGE BARTHE: Apparently you have foreseen what I wanted to ask
25 you next, and this would be what would happen to someone who had, as

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1 I said, an official function or role or position in the LDK and who
2 was explicitly and openly against the KLA. Would this person have to
3 face consequences from the KLA; and if so, what would those
4 consequences be, if you know?

5 A. Those who were unbreakable had obstacles. Some attempted to
6 commit suicide, some were killed, some others gave up. The advice of
7 Mr. Rugova was to prevent feuds between Albanians to preserve peace,
8 and this is what we did, and we worked towards that goal.

9 JUDGE BARTHE: Would those people also be detained by the KLA as
10 far as you know?

11 A. Some were detained, like -- just like those who were detained in
12 Malisheve. Sejdi Koca was detained in Drenica. Haki Imeri was
13 killed. Xhafer Behrami was killed. They were supporters. Wherever
14 these persons would show up, there would be no other political
15 parties. Everybody would support them, them and many others.

16 JUDGE BARTHE: Thank you. My next question refers to paragraph
17 20 of Preparation Note 1 on page 6 of the note. Here it is recorded,
18 Mr. Geci, that you told the Prosecution during your preparation
19 session that you knew that Mr. Thaci was the KLA political
20 representative in 1998 and 1999, which was the reason why you went to
21 Mr. Thaci's house in December 1998 to ask for his response to
22 Communiqué 59. And we'll come back to that communiqué in due course.

23 But my question is here: How did you know that Mr. Thaci was
24 the political representative of the KLA in 1998 and 1999?

25 A. They made these names public afterwards. LPK made these names

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1 public. And this was known to everybody, not only me.

2 JUDGE BARTHE: Thank you. Could we please move on to paragraph
3 22 of Preparation Note 1 on page 7. Thank you.

4 This is or this paragraph is about what Mr. Tahir Zemaj had
5 allegedly told you about the incident with Hashim Thaci and
6 Rexhep Selimi after the war, and it is said here that nobody else had
7 been present when Zemaj and you had this discussion, and that
8 Mr. Zemaj told you that Mr. Thaci stated "they did not accept the
9 agreement between Ramush Haradinaj and [Mr.] Zemaj."

10 Again, my question: Do you remember discussing this with the
11 Prosecution during your preparation session? Yes or no?

12 A. Yes, I do.

13 JUDGE BARTHE: And could you tell us when exactly did Mr. Zemaj
14 tell you this? You said after the war, but could you please be more
15 precise? Could you maybe give a year, a month, or both?

16 A. I've met with Mr. Zemaj several times. He was a professional
17 military officer, and I trusted him immensely. And Kosovo needed him
18 more than anything, because it needed a professional in those
19 extraordinary circumstances. So we discussed on many occasions, and
20 he told me that they came following an agreement. And according to
21 that agreement, Tahir Zemaj was supposed to be the commander and
22 Ramush Haradinaj deputy commander. And this agreement was also
23 accepted by Ramush Haradinaj.

24 However, when Hashim Thaci and Rexhep Selimi went there, this
25 agreement was not accepted, and this had consequences for the entire

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1 zone. And this was in nobody's interest. It was damaging to the
2 entire area of Dukagjin and to everybody else.

3 JUDGE BARTHE: Thank you. I think this is helpful. But can you
4 try to be more precise in relation to the time or as regards the time
5 you had the conversation with Mr. Zemaj, or was there more than one
6 conversation where he told you this?

7 A. I talked to him on several occasions. In 2001, he was in
8 Skenderaj. He visited us. I met with him in Prishtine, in
9 Skenderaj, and this topic came up and we discussed it.

10 There's a book, which I would assume you have, and which is more
11 reliable than my words, which relates this. Now, what I'm stating
12 here is what he told me.

13 JUDGE BARTHE: So, in other words, it was not long after the war
14 you had the conversations with Mr. Zemaj; is that right? You
15 mentioned 2001.

16 A. Correct.

17 JUDGE BARTHE: Thank you. Let's move on to the next question or
18 set of questions. Paragraph 24 of Preparation Note 1. And you
19 already discussed this with several Defence teams, with the Thaci
20 Defence and the Krasniqi Defence earlier today. Here it is said
21 again that Mr. Milaim Zeka had stated that Fatmir Limaj,
22 Rexhep Selimi, and Jakup Krasniqi all told him - namely, Mr. Zeka -
23 that it was Hashim Thaci who wrote the communiqué, it is said here,
24 and it's a reference, if I'm not mistaken, to Communiqué 59.

25 And it is also said here that Gani Geci, your brother, should

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1 have the recording of this conversation.

2 My first question, Mr. Geci, in this context is the following.

3 Can you try to tell us when did Mr. Zeka say this to your brother?

4 When did Mr. Zeka have the conversation with your brother?

5 Mr. Misetic from the Thaci Defence suggested to you - I'm not sure
6 whether you confirmed that, and if it's the case, please do that, but
7 I'm not sure whether you already did - that the conversation between
8 Mr. Gani Geci, your brother, and Mr. Zeka took place no later than
9 April 2017; is that right?

10 A. My brother, Gani Geci, contacted Milaim Zeka on a regular basis,
11 so at different times. He's in a better position to give you a more
12 accurate answer. He's in constant contact with him. I never
13 contacted him.

14 JUDGE BARTHE: So is it your evidence that you don't know
15 exactly when this conversation took place?

16 A. Correct. I don't know. I know he's in constant contact with
17 him, so I don't know when did this actually happen.

18 JUDGE BARTHE: And you cannot say whether it was before or after
19 April 2017?

20 A. I may be wrong with the dates. I know that Gani was in regular
21 contact with Milaim before the 17th and after the 17th.

22 JUDGE BARTHE: Thank you. And was it a telephone conversation
23 your brother had with -- or more than one telephone conversation your
24 brother had with Mr. Zeka?

25 A. They meet in person. They also communicate on the phone or they

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1 meet in person.

2 JUDGE BARTHE: And were you present when Mr. Zeka told your
3 brother what Mr. Limaj, Mr. Rexhep Selimi, and Mr. Jakup Krasniqi
4 told him about Mr. Thaci's involvement -- alleged involvement in
5 issuing the communiqué, Communiqué 59?

6 A. I was never present.

7 JUDGE BARTHE: And according to what your brother had told you,
8 did Mr. Zeka mention where and when Mr. Limaj, Mr. Selimi,
9 Rexhep Selimi, and Mr. Jakup Krasniqi had told him that it was
10 Hashim Thaci who wrote Communiqué 59?

11 A. I don't recall the dates. I have a poor memory for that. Gani
12 is a person who's willing to appear here and tell you directly about
13 all these things.

14 JUDGE BARTHE: I understand. One or two more questions. And
15 was it, if it's possible for you to say that, was it during or after
16 the war, according to Mr. Zeka, he had -- Mr. Zeka had these
17 conversations with the three, Mr. Limaj, Mr. Rexhep Selimi, and
18 Mr. Krasniqi? Can you say that?

19 A. Zeka has always been in regular contacts with them,
20 uninterrupted, including with my brother, Gani. That's all I know.

21 JUDGE BARTHE: Thank you. My last question on this topic.
22 According to paragraph 24 of Preparation Note 1, you told the
23 Prosecution that your brother should have the recording of this
24 conversation. This is why I was asking about a telephone
25 conversation, but you already clarified that.

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1 What kind of recording did you mean here?

2 A. Milaim likes to say certain things, but my brother prefers to
3 have the original. And I believe he has some material, and he will
4 tell you about it when he will appear here. And please tell him,
5 "Your brother said that you know, so please tell us what you know."
6 That's all I know.

7 JUDGE BARTHE: I will try to remember if we have the chance to
8 talk to your brother, but I'm not sure about that at the moment.

9 A. Thank you. Thank you. My respects.

10 JUDGE BARTHE: I would like to move on to my next question or
11 questions which are about paragraph 32 of Preparation Note 1.

12 This paragraph deals with what you learned what happened to
13 Mr. Kastrati, Jakup Kastrati, and Mr. Cen Desku during the war. And
14 you said, according to that paragraph, or you told the Prosecution
15 last week according to that paragraph, that you spoke with both
16 Mr. Kastrati and Mr. Desku after the war, around 2001, and they told
17 you that Mr. Hashim Thaci was the main person behind what had
18 happened to them.

19 And you had had the conversation with Mr. Kastrati first -- or,
20 in other words, Mr. Kastrati was the first to mention Mr. Thaci's
21 involvement to you, and then Mr. Desku, on a separate occasion, told
22 you about Mr. Thaci's alleged involvement.

23 I would like to ask you the following now: What exactly did
24 Mr. Thaci do according to Mr. Kastrati?

25 A. It was a public event, a stage. The two prominent LDK figures

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1 were arrested. This was public information. I believe you have
2 this. And at that time, he had difficulties identifying him. It was
3 difficult at the time. At a later stage, he managed to identify him.
4 He would not go into details, but he would say it was Hashim Thaci.

5 Now, was Hashim Thaci there? This is what he told me. He's
6 here to confirm or not. It is also true that he paid a visit to his
7 house. I don't know about the rest.

8 JUDGE BARTHE: Who paid a visit to his house? Mr. Thaci to
9 Mr. Kastrati's house or?

10 A. Hashim Thaci. This is what he said. I wouldn't know more.

11 JUDGE BARTHE: You don't know more about the visit?

12 A. Correct.

13 JUDGE BARTHE: About what happened there, when it was, and so
14 on?

15 A. I don't know about that. This was public when these people were
16 taken away and detained for a month, that following a reaction from
17 the American office, they were released. They have more information
18 in this regard. I don't.

19 JUDGE BARTHE: Let me please repeat my previous question because
20 it was not recorded in the transcript.

21 I asked you, you don't know -- or is it correct that you don't
22 know anything about when Mr. Thaci visited Mr. Kastrati's house or
23 what was --

24 A. It is correct that I don't know.

25 JUDGE BARTHE: Thank you. And you don't know anything about the

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1 purpose of the visit either?

2 A. I do not know about that. He does.

3 JUDGE BARTHE: And what did Mr. Desku tell you about Mr. Thaci's
4 involvement in the -- or alleged involvement in the incident with the
5 two, Mr. Kastrati and Mr. Desku? And please be as precise as
6 possible.

7 A. Only that it was Hashim Thaci. He never went into any further
8 details. He explained this on TV shows to reporters on several
9 occasions. But that's all I know.

10 JUDGE BARTHE: Did Mr. Kastrati and/or Mr. Desku mention why
11 they thought that Mr. Thaci was, as you said, the main person behind
12 what had happened to them?

13 A. They knew him or identified him after the war. During the war,
14 they did not know who he was.

15 JUDGE BARTHE: So they didn't mention any facts on which they
16 base the assumption that he was the main person?

17 A. Correct. I did not go into further details. I was not keen to
18 know more. It was not in my interest.

19 JUDGE BARTHE: Just for your information, Mr. Geci, and the
20 other parties, I'll try to finish my questions within this session.
21 I hope I can finish by 4.30, but I'm not sure. Maybe I might go a
22 bit over the 4.30, two or three minutes, I hope, but I'll try to be
23 brief.

24 My next question - Madam Court Officer, you don't have to bring
25 it up - is about Preparation Note 2, paragraph 25, which was also

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1 mentioned and discussed with and by the Krasniqi Defence earlier this
2 afternoon, and it's about what you, according to the note,
3 preparation note, told the Prosecution during your preparation
4 session about Likoc.

5 And it is said here that you had heard during the war that
6 Sylejman Selimi, Rexhep Selimi, and Jakup Krasniqi were all based in
7 Likoc, and that you didn't want to go to Likoc because the people
8 there -- or you were in favour of the west, and the people there in
9 Likoc were in favour of communist practices that were unacceptable to
10 you, and because the people in Likoc wanted to kill or liquidate
11 everyone against them.

12 Again, my question: Do you remember discussing this with the
13 Prosecution and with the Krasniqi Defence today and with the
14 Prosecution last week?

15 A. Yes, we discussed it. And it is true that I did not go to
16 Likoc.

17 JUDGE BARTHE: Thank you. And who told you that
18 Mr. Sylejman Selimi, Mr. Rexhep Selimi, and Mr. Jakup Krasniqi were
19 all based in Likoc during the war? Who told you this? Where did you
20 get that information from?

21 A. I knew, the international community knew that the LPK, the head
22 of the so-called KLA, was based in Likoc. It was not only them
23 there. There were also good young men there and other people who
24 were stationed there.

25 JUDGE BARTHE: And who told you that the people in Likoc were in

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1 favour of communist practices?

2 A. LPK supported the communist approach or orientation. Until
3 1995, if you were to read the newspapers, you would understand
4 immediately. They refer to America as imperialist, and they thought
5 that the only path to solving all problems was this one. And this is
6 the truth.

7 JUDGE BARTHE: And my last question on this topic: Where did
8 you get the information that people in Likoc wanted to kill or
9 liquidate everyone against them? Where does that come from?

10 A. The LPK was an organisation which I explained fought to seize
11 power. You can't seize power without removing people who are already
12 there, in place. This was what I meant.

13 JUDGE BARTHE: So no specific person told you that people were
14 liquidated in Likoc; is that right?

15 A. Correct. The power struggle -- so two struggles: One for the
16 country institutions, and another one to seize power. Our movement
17 with Rugova fought for state institutions, and these people fought to
18 seize power. We suffered consequences related to this.

19 JUDGE BARTHE: And you were never there in Likoc during the war
20 as you said in your statement or during your preparation session?

21 A. Never.

22 JUDGE BARTHE: Thank you.

23 A. Thank you.

24 JUDGE BARTHE: My next question is about what you told us
25 earlier today about a conversation you had with Rame Buja about

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1 Communiqué 59. Do you remember discussing this conversation with
2 Rame Buja in this courtroom?

3 A. Yes.

4 JUDGE BARTHE: For the record, this can be found on pages 8 to
5 10 of the realtime transcript, and it was during direct examination
6 by the SPO.

7 In this context, you said that Mr. Buja told you he had spoken
8 to people of, as you said, "the staff of the LPK called KLA." Just
9 to be clear on this point, are you referring to the General Staff of
10 the KLA here?

11 A. Rame Buja was one of the members of the LPK General Staff.
12 Rame Buja is a Marxist. He's a leftist. We knew him very well. And
13 I was disappointed at him why he allowed for such things to be said
14 against us while being present there and while knowing us very well.
15 So this is what I told him, in short.

16 JUDGE BARTHE: So when you said earlier today "the staff of the
17 LPK called KLA," and you also said -- you added that there was no
18 other staff, you meant the KLA General Staff; is that right?

19 A. There are two groups: The LPK staff and the Ministry of Defence
20 of Ahmet Krasniqi. Two groups, two organisations. One which had the
21 support of the entire population to do anything in our power to avoid
22 any events leading to fratricide and to concentrate and unite against
23 -- in our fight against Serbia, and the other group which was
24 fighting for power and only for power.

25 JUDGE BARTHE: Excuse me for interrupting, but this is clear, I

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1 think, to all parties and participants now.

2 Let's move on to my next question. You did -- or who did
3 Mr. Buja talk to in the General Staff of the KLA according to what he
4 told you? Did he mention names of individuals he spoke to?

5 A. He only knows. He didn't mention the names. He did tell me the
6 following: "I spoke up and I had consequences." And he told them,
7 "You are wrong in doing this." He's alive. He told me this. I've
8 mentioned this on many occasions in the media. There hasn't been any
9 reaction.

10 JUDGE BARTHE: Thank you. My last, I promise, two questions.
11 My first question is in relation to what you said during your
12 cross-examination by the Thaci Defence.

13 According to page 61 of the realtime transcript, you said, in
14 the context of an alleged apology by Mr. Thaci for the consequences
15 of Communiqué 59 to your family, that you knew numerous cases where a
16 person who was killed had later been made a hero. And my question
17 is, without going into details, to which cases were you referring to
18 or were you referring here? Can you tell us at least the names of
19 two persons who were killed by the KLA and later made a hero?

20 A. I will mention one name. It's the case of Haki Imeri. Haki
21 Imeri who was killed and then declared a hero. Now, who's the
22 traitor? Are the traitors the murderers or is the traitor the hero?

23 At a certain moment in time he was called a traitor, and then
24 later became a hero. He was a hero in reality. But why call him a
25 traitor, and why call him -- and why kill him, a man who held two

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1 university degrees, a close associate of mine who had the paper for
2 the party convention, and he was killed with that in his pocket. And
3 why? Because he was a man that enjoyed the total support of the
4 people in that area.

5 Xhafer Behrami was killed as well, a school director, a man --
6 an influential man in the area.

7 Ismet Rrahmani, one of the founders or the founder of the
8 military academy of the KLA. But he stood on the side of the
9 institutions of Kosovo, of the state of Kosovo. A man with the
10 highest values in Aqareve.

11 JUDGE BARTHE: Mr. Geci, we will probably have the opportunity
12 to come back to that tomorrow. My final question for today is the
13 following: We have talked a lot about Communiqué 59 and who authored
14 it, and you said you were convinced that it had been authored by
15 Hashim Thaci.

16 First of all, is that correct?

17 A. That's correct.

18 JUDGE BARTHE: And you also said that Mr. Thaci had been the
19 political representative of the KLA in 1998 and 1999 as far as you
20 knew; is that right?

21 A. That's correct.

22 JUDGE BARTHE: And I promise too much. This is actually my
23 final question: Are you aware of an official document that was
24 issued by and published in the name of the KLA General Staff stating
25 that Communiqué 59 was, in fact, not issued by the KLA General Staff

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1 or that its content was not correct? Are you aware of such a
2 document?

3 A. No, I'm not. With your permission. I asked for information for
4 clarifications for 20 years. This could have been done immediately
5 after the war. I did not hear of it.

6 Your Honour, the consequences were grave. Two of the best men
7 in Drenica were killed. One of them left two daughters behind, and
8 the other one had -- was to be -- was about to get married in two
9 weeks. The bodyguard of the president. Two of my brothers were
10 gravely wounded. And all these came -- are consequences of
11 Communiqué 59. This is the truth.

12 JUDGE BARTHE: Thank you, Mr. Geci. That's all for today.

13 Thank you.

14 PRESIDING JUDGE SMITH: Mr. Geci, your testimony for today is
15 finished. We'll need to see you again tomorrow morning. Hopefully
16 we will be finished with you in the morning session.

17 Please do not speak to anyone about your testimony outside of
18 the courtroom. And we hope you have a restful night, and we'll see
19 you at 9.00 tomorrow.

20 THE WITNESS: [Interpretation] Thank you.

21 [The witness stands down]

22 PRESIDING JUDGE SMITH: Unless there is some subject to be
23 brought up? None. We will be adjourned.

24 We are adjourned until 9.00 a.m. tomorrow.

25 --- Whereupon the hearing adjourned at 4.36 p.m.