

1 Friday, 24 May 2024

2 [Open session]

3 [The accused entered the courtroom]

4 [The Accused Krasniqi appeared via videolink]

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

6 [Trial Panel confers]

7 PRESIDING JUDGE SMITH: All right. Good morning, everyone.

8 Madam Court Officer, please call the case.

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

12 PRESIDING JUDGE SMITH: I note the accused are present in court  
13 today with the exception of Mr. Krasniqi, who is appearing via  
14 videolink.

15 Today, we will resume the testimony of Prosecution Witness 4230.  
16 Mr. Misetiç, you make a submission this morning?

17 MR. MISETIC: [Microphone not activated].

18 PRESIDING JUDGE SMITH: Please go ahead.

19 MR. MISETIC: If we can move into private session,  
20 Mr. President.

21 PRESIDING JUDGE SMITH: Private session, please,  
22 Madam Court Officer.

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12 [Open session]

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

14 PRESIDING JUDGE SMITH: We're adjourned for ten minutes.

15 --- Break taken at 9.34 a.m.

16 --- On resuming at 9.42 a.m.

17 PRESIDING JUDGE SMITH: Madam Usher, please bring the witness  
18 in.

19 Mr. Pace, until we have ruled on these issues that we discussed  
20 this morning, we assume that you will not be referring to that  
21 material with this witness.

22 MR. PACE: Just to be clear, you don't mean his prior  
23 statements. You mean the one that's subject to the pending motion;  
24 right?

25 PRESIDING JUDGE SMITH: [Microphone not activated].

1 MR. PACE: No, I will not.

2 PRESIDING JUDGE SMITH: Thank you.

3 MR. MISETIC: Mr. President, we had a brief discussion, so now  
4 that you've raised it, I want to raise it and put it on the record.  
5 We're not exactly sure what decision you intend to reach after the  
6 first break, but it was our understanding that we are proceeding --  
7 shall I go into private session?

8 PRESIDING JUDGE SMITH: [Microphone not activated].

9 MR. MISETIC: We are proceeding -- or they have chosen to  
10 proceed without using those materials.

11 PRESIDING JUDGE SMITH: [Microphone not activated].

12 MR. MISETIC: Okay. So the issues that we discussed about  
13 relevance aren't currently relevant because they aren't  
14 proceeding with them.

15 PRESIDING JUDGE SMITH: [Microphone not activated].

16 MR. MISETIC: Okay. Well, all right. We'll see. Thank you.

17 [The witness takes the stand]

18 PRESIDING JUDGE SMITH: Good morning, Witness.

19 THE WITNESS: [Interpretation] Good morning.

20 PRESIDING JUDGE SMITH: I hope you had a good and restful  
21 evening.

22 THE WITNESS: [Interpretation] Yes. And thank you for allowing  
23 me to take the ball with me.

24 PRESIDING JUDGE SMITH: No problem.

25 THE WITNESS: [Interpretation] Thank you.

Witness: W04230 (Resumed) (Open Session)  
Examination by Mr. Pace (Continued)

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1           PRESIDING JUDGE SMITH: Witness, today we will continue your  
2 testimony. As indicated yesterday, please try to answer the  
3 questions with short sentences. If you don't understand a question,  
4 feel free to ask counsel to repeat the question or tell them you  
5 don't and they will try to clarify it for you.

6           Please also try to indicate the basis of your knowledge of facts  
7 and circumstances that you will be asked about.

8           Please speak into the microphones, stay up close to the  
9 microphones, wait five seconds before answering a question, and speak  
10 at a slow pace for the interpreters to catch up.

11           Remember, that you are still under an obligation to tell the  
12 truth.

13           And if you feel the need to take any breaks during this  
14 practice, just let's know and we will deal with it. Okay?

15           THE WITNESS: [Interpretation] Thank you.

16           PRESIDING JUDGE SMITH: We continue with Mr. Pace's questions  
17 for you. He's over here to your left.

18                           WITNESS: W04230 [Resumed]

19                           [The witness answered through interpreter]

20                           Examination by Mr. Pace: [Continued]

21           Q. Good morning, Mr. Witness. I have, as the Judge has said --

22           A. Good morning.

23           Q. I have, as the Judge just said, some further questions for you  
24 on the same lines as I was asking you yesterday.

25           Witness, could you tell the Judges whether you were ever --

Witness: W04230 (Resumed) (Private Session)

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Examination by Mr. Pace (Continued)

1 MR. PACE: We need to move into private session, Your Honour.

2 Apologies.

3 PRESIDING JUDGE SMITH: No problem.

4 Into private session, please, Madam Court Officer.

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Witness: W04230 (Resumed) (Private Session)

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Examination by Mr. Pace (Continued)

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Witness: W04230 (Resumed) (Private Session)

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Examination by Mr. Pace (Continued)

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Witness: W04230 (Resumed) (Private Session)

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Examination by Mr. Pace (Continued)

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Witness: W04230 (Resumed) (Private Session)  
Examination by Mr. Pace (Continued)

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10 [Open session]

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

12 PRESIDING JUDGE SMITH: We're adjourned.

13 --- Break taken at 10.20 a.m.

14 --- On resuming at 10.31 a.m.

15 PRESIDING JUDGE SMITH: Madam Usher, please bring the witness  
16 in.

17 [Trial Panel and Court Officer confers]

18 PRESIDING JUDGE SMITH: We will go into private session.

19 [The witness takes the stand]

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Witness: W04230 (Resumed) (Private Session)

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Examination by Mr. Pace (Continued)

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Witness: W04230 (Resumed) (Private Session)

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Examination by Mr. Pace (Continued)

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14 [Open session]

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

16 PRESIDING JUDGE SMITH: We're adjourned until 11.30.

17 --- Recess taken at 11.29 a.m.

18 --- On resuming at 12.00 p.m.

19 PRESIDING JUDGE SMITH: Back into private session, please.

20 The Panel issues the following -- oh, I'm sorry. You're not in  
21 yet.

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Witness: W04230 (Resumed) (Private Session)

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Examination by Mr. Pace (Continued)

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Witness: W04230 (Resumed) (Private Session)

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Examination by Mr. Pace (Continued)

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Witness: W04230 (Resumed) (Private Session)

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Cross-examination by Mr. Pustay

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Witness: W04230 (Resumed) (Private Session)

Page 15966

Cross-examination by Mr. Pustay

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Witness: W04230 (Resumed) (Private Session)

Page 15967

Cross-examination by Mr. Pustay

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Witness: W04230 (Resumed) (Private Session)

Page 15968

Cross-examination by Mr. Pustay

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Witness: W04230 (Resumed) (Private Session)

Page 15969

Cross-examination by Mr. Pustay

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Witness: W04230 (Resumed) (Private Session)

Page 15970

Cross-examination by Mr. Pustay

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Witness: W04230 (Resumed) (Private Session)

Page 15971

Cross-examination by Mr. Pustay

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Witness: W04230 (Resumed) (Private Session)

Page 15972

Cross-examination by Mr. Pustay

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Witness: W04230 (Resumed) (Private Session)

Page 15973

Cross-examination by Mr. Pustay

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Witness: W04230 (Resumed) (Private Session)

Page 15974

Cross-examination by Mr. Pustay

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Witness: W04230 (Resumed) (Private Session)

Page 15975

Cross-examination by Mr. Pustay

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Witness: W04230 (Resumed) (Private Session)

Page 15976

Cross-examination by Mr. Pustay

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Witness: W04230 (Resumed) (Private Session)

Page 15977

Cross-examination by Ms. O'Reilly

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Witness: W04230 (Resumed) (Private Session)

Page 15978

Cross-examination by Ms. O'Reilly

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Witness: W04230 (Resumed) (Private Session)

Page 15979

Cross-examination by Ms. O'Reilly

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13 [Open session]

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

15 PRESIDING JUDGE SMITH: We're adjourned until 12.30 -- till  
16 2.30.

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

18 --- On resuming at 2.31 p.m.

19 PRESIDING JUDGE SMITH: Mr. Tully, are you going to do a  
20 cross-examination?

21 MR. TULLY: Yes, Your Honour. I will try to break  
22 Ms. O'Reilly's time record as well.

23 PRESIDING JUDGE SMITH: And, Ms. Alagendra?

24 MS. ALAGENDRA: I have indicated, Your Honours, I don't have any  
25 questions for this witness.

1           PRESIDING JUDGE SMITH: [Microphone not activated].

2           I just wanted to double-check that.

3           Madam Court Officer, please bring the -- Court Usher, please  
4 bring the witness in.

5           Hopefully yet today we will be able to go over the schedule for  
6 Monday and Tuesday because it's kind of weird. And we hope to be  
7 able to fit in a Status Conference, as you suggested, which I  
8 appreciate, for one of those two days. It'll probably be Monday in  
9 the afternoon because we have to have a hearing in the afternoon  
10 anyway.

11           So we're working out the details and making sure that the  
12 translators and interpreters are available, and then we'll hopefully  
13 let you know yet today before you leave. Or if we leave earlier than  
14 we have that set, we'll send you an e-mail concerning it. Okay?  
15 Everybody all right with that? All right.

16                                 [The witness takes the stand]

17           PRESIDING JUDGE SMITH: Welcome back, Witness.

18           THE WITNESS: [Interpretation] Thank you.

19           PRESIDING JUDGE SMITH: You'll be glad to know that we're  
20 getting close to the end of your testimony. We have a little bit  
21 more to go so just bear with us. Mr. Tully over here will be asking  
22 you questions.

23           Go ahead.

24           MR. TULLY: Thank you, Mr. President.

25                                 Cross-examination by Mr. Tully:

Cross-examination by Mr. Tully

1 Q. Good afternoon, Witness. I only have a few questions for you.

2 A. Good afternoon.

3 Q. My name is Eric --

4 MR. TULLY: Oh, yeah. Can we go -- for the protection of the  
5 witness, can we go --

6 PRESIDING JUDGE SMITH: [Microphone not activated].

7 MR. TULLY: -- to private session, please. Yeah.

8 PRESIDING JUDGE SMITH: [Microphone not activated].

9 [Private session]

10 [Private session text removed]

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Witness: W04230 (Resumed) (Private Session)

Page 15982

Cross-examination by Mr. Tully

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Witness: W04230 (Resumed) (Private Session)

Page 15983

Cross-examination by Mr. Tully

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Witness: W04230 (Resumed) (Private Session)

Page 15985

Re-examination by Mr. Pace

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Witness: W04230 (Resumed) (Private Session)

Page 15986

Questioned by the Trial Panel

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23 [Open session]

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

25 PRESIDING JUDGE SMITH: All right. We're adjourned until

1 Monday. We'll get you the times and the schedule for Monday and  
2 Tuesday.

3 --- Whereupon the hearing adjourned at 2.48 p.m.

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