

1 Tuesday, 26 September 2023

2 [Open session]

3 [The accused entered the courtroom]

4 [The Accused Thaci and Krasniqi appeared
5 via videolink]

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

7 PRESIDING JUDGE SMITH: Madam Court Officer, you may call the
8 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: Thank you.

13 Good morning, everyone. I note that the accused are present in
14 court except for Mr. Krasniqi and Mr. Thaci, who are attending by
15 videolink.

16 So we're ready to continue. And I believe Mr. Tully asked for a
17 few extra minutes this morning, so we will do that. We are in public
18 session at this time.

19 Madam Usher, please escort the witness into the courtroom.

20 [The witness takes the stand]

21 PRESIDING JUDGE SMITH: Good morning, Witness.

22 THE WITNESS: [Interpretation] Good morning.

23 PRESIDING JUDGE SMITH: I remind you that today we will continue
24 with your testimony and that you are still under an obligation to
25 tell the truth as stated in your declaration yesterday. Do you

Witness: W04644 (Resumed) (Open Session)
Cross-examination by Mr. Tully (Continued)

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1 recall that?

2 THE WITNESS: [Interpretation] I do very well. And I swear that
3 I will tell the truth, only the truth.

4 WITNESS: W04644 [Resumed]

5 [Witness answered through interpreter]

6 PRESIDING JUDGE SMITH: I remind you to please try to answer the
7 questions clearly with short sentences. If you don't understand a
8 question, as I told you yesterday, feel free to ask counsel to repeat
9 the question or tell them you don't understand and they will clarify.

10 Also, please try to remember to indicate the basis of your
11 knowledge of the facts and circumstances upon which you will be
12 questioned.

13 Please remember to speak into the microphone and to wait five
14 seconds before answering a question to allow the interpreters to
15 catch up.

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

18 Are you ready to begin?

19 THE WITNESS: [Interpretation] I am. Thank you.

20 PRESIDING JUDGE SMITH: Mr. Tully will continue with some
21 questions.

22 MR. TULLY: Thank you, Your Honours.

23 Cross-examination by Mr. Tully: [Continued]

24 Q. And good morning, Witness.

25 PRESIDING JUDGE SMITH: We are in public session.

1 MR. TULLY: Thanks for the reminder, Your Honour.

2 PRESIDING JUDGE SMITH: Do you want to be in public session?

3 MR. TULLY: No, I don't. Private session, please.

4 PRESIDING JUDGE SMITH: All right. Madam Court Officer, please
5 take us to private session.

6 [Private session]

7 [Private session text removed]

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Re-examination by Mr. Hafetz

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Re-examination by Mr. Hafetz

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Re-examination by Mr. Hafetz

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Re-examination by Mr. Hafetz

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Further Cross-examination by Mr. Misetic

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22 [Open session]

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

24 PRESIDING JUDGE SMITH: One thing that came up yesterday,

25 Mr. Tully, the MFI 393 will be admitted. We'll determine the weight

1 to be given those documents since they are, in effect, hearsay and
2 have some issue of authenticity since no one came to identify them,
3 but they will be admitted.

4 Also, I failed to ask this morning, Mr. Misetic, were you able
5 to restore phone contact with your client?

6 MR. MISETIC: I can't speak to the phone, but we were able to
7 get a Zoom last night.

8 PRESIDING JUDGE SMITH: Okay.

9 MR. MISETIC: So that was how it was solved.

10 PRESIDING JUDGE SMITH: Okay. As long as you were able to
11 communicate.

12 MR. MISETIC: Yes. Yes.

13 PRESIDING JUDGE SMITH: Thank you.

14 So we'll call the next witness in, please, Madam Usher.

15 MR. KEHOE: [Microphone not activated]

16 PRESIDING JUDGE SMITH: [Microphone not activated]

17 MR. HAFETZ: Just a very minor one, Judge. Two minutes.

18 PRESIDING JUDGE SMITH: [Microphone not activated]

19 MR. KEHOE: [Microphone not activated]

20 PRESIDING JUDGE SMITH: While you're doing that, the next
21 witness was granted a closed session, so we will be shutting the
22 curtain. Not that there's anybody up there, but we'll do that. You
23 can actually do that at this -- well, yeah, let's close it now for
24 identification purposes also.

25 MR. KEHOE: Just for scheduling purposes, Your Honour --

1 PRESIDING JUDGE SMITH: [Microphone not activated]

2 MR. KEHOE: Just for scheduling purposes, I understand the
3 Selimi team is going to go first, but I think that my cross will be
4 significantly less than anticipated.

5 PRESIDING JUDGE SMITH: [Microphone not activated]

6 MR. KEHOE: Yes. I think that we -- notice has been given to
7 the --

8 PRESIDING JUDGE SMITH: [Microphone not activated]

9 MR. TULLY: It is, Your Honour. You've got a few more minutes
10 with me. I think my time is going to be maybe shorter as well. I'm
11 not sure what we indicated, but now it's sitting at 30 to 45 minutes.

12 [Closed session]

13 [Closed session text removed]

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Procedural Matters

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Procedural Matters

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Examination by Mr. Hafetz

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Examination by Mr. Hafetz

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Examination by Mr. Hafetz

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2 [Open session]

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

4 PRESIDING JUDGE SMITH: So we're adjourned until 11.30.

5 --- Recess taken at 11.03 a.m.

6 --- On resuming at 11.31 a.m.

7 PRESIDING JUDGE SMITH: Madam Court Officer, please, into closed
8 session.

9 [Closed session]

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Examination by Mr. Hafetz

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Examination by Mr. Hafetz

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Witness: W04781 (Closed Session)

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Examination by Mr. Hafetz

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Examination by Mr. Hafetz

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Examination by Mr. Hafetz

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Examination by Mr. Hafetz

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Examination by Mr. Hafetz

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Witness: W04781 (Closed Session)

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Examination by Mr. Hafetz

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Witness: W04781 (Closed Session)

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Examination by Mr. Hafetz

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Witness: W04781 (Closed Session)

Page 8392

Questioned by Victims' Counsel

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Witness: W04781 (Closed Session)

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Questioned by Victims' Counsel

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Witness: W04781 (Closed Session)

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Cross-examination by Mr. Tully

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Witness: W04781 (Closed Session)

Page 8395

Cross-examination by Mr. Tully

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Witness: W04781 (Closed Session)

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Cross-examination by Mr. Tully

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Witness: W04781 (Closed Session)

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Cross-examination by Mr. Tully

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Witness: W04781 (Closed Session)

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Cross-examination by Mr. Tully

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Witness: W04781 (Closed Session)

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Cross-examination by Mr. Tully

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Witness: W04781 (Closed Session)

Page 8400

Cross-examination by Mr. Tully

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Witness: W04781 (Closed Session)

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Cross-examination by Mr. Tully

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Witness: W04781 (Closed Session)

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Cross-examination by Mr. Tully

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Witness: W04781 (Closed Session)

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Cross-examination by Mr. Tully

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Witness: W04781 (Closed Session)

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Cross-examination by Mr. Tully

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Witness: W04781 (Closed Session)

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Cross-examination by Mr. Tully

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Witness: W04781 (Closed Session)

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Cross-examination by Mr. Tully

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16 [Open session]

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

18 PRESIDING JUDGE SMITH: All right. We're adjourned.

19 --- Whereupon the hearing adjourned at 12.50 p.m.

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