

1 Wednesday, 27 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, Madam Court Officer.

13 Good morning and welcome, everyone. I note that Mr. Veseli and  
14 Mr. Selimi are present in the courtroom. I further note that  
15 Mr. Thaci and Mr. Krasniqi are appearing via videolink with  
16 permission.

17 Today we will continue the testimony of Prosecution  
18 Witness W04781.

19 However, before beginning, the Panel will address the joint  
20 Defence request for extension of time, filing F01815, which was filed  
21 on 25 September 2023.

22 The Defence requests an extension of time to file its response  
23 to the SPO's third motion for admission of evidence pursuant to  
24 Rule 155 of September 21, 2023.

25 The Defence submits that an extension is necessary to ensure the

1 rights of the accused to have adequate time and facilities for the  
2 preparation of their defence in accordance with Article 21(2)(c) of  
3 the Law. It, therefore, requests an extension until Friday,  
4 27 October, to file a response to the SPO's motion.

5 In the interest of expediency, I would invite the SPO to  
6 indicate whether you would oppose the requested extension in whole or  
7 in part.

8 MR. HAFETZ: Your Honour, I believe that we've communicated in  
9 *inter partes*, but the SPO position is that a reasonable extension of  
10 a week we'd have no issue with, but October 27 is too long.

11 PRESIDING JUDGE SMITH: [Microphone not activated]

12 MR. LAWS: No, thank you.

13 PRESIDING JUDGE SMITH: [Microphone not activated] Any views you  
14 wish to express?

15 MR. LAWS: No, thank you, Your Honour.

16 PRESIDING JUDGE SMITH: Thaci Defence. Briefly, I mean, we have  
17 your application, but if you have some --

18 MR. KEHOE: The application, Judge. Obviously with the level of  
19 work that goes on on a daily basis here, we just need the additional  
20 time to properly address it.

21 PRESIDING JUDGE SMITH: Anything, Mr. Tully?

22 MR. TULLY: Nothing to add.

23 PRESIDING JUDGE SMITH: Mr. Ellis.

24 MR. ELLIS: Nothing to add, Your Honour.

25 PRESIDING JUDGE SMITH: The Panel makes the following oral order

1 based on the parties' submissions.

2 The Panel finds as follows.

3 The Panel is of the view that the Defence has demonstrated good  
4 cause for an extension of time given the volume of material involved,  
5 the importance of the issues of concern to the particular filing and  
6 competing deadlines in relation to trial preparation activities.

7 The Panel further finds that granting a short extension of time  
8 to the Defence to file its response would not prejudice the other  
9 parties and participants and would not unduly delay the proceedings.

10 However, the Panel considers that the extension of time sought  
11 by the Defence until 27 October 2023 is excessive and would unduly  
12 delay the resolution of this matter. Therefore, pursuant to Article  
13 40(2) of the Law and Rule 9(5)(a) of the Rules, the Panel will extend  
14 the deadline for the Defence teams to respond to the SPO motion  
15 F01804 to Tuesday, 17 October 2023.

16 The Panel also grants *proprio motu* an extension of time for the  
17 SPO to file any reply until Tuesday, 31 October 2023.

18 This concludes the oral order.

19 And now we're ready to proceed.

20 Madam Court Officer, please, for the protection of the witness,  
21 bring us into closed session.

22 [Closed session]

23 [Closed session text removed]

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Witness: W04781 (Resumed) (Closed Session)

Page 8413

Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

Page 8414

Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

Page 8415

Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

Page 8416

Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

Page 8417

Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

Page 8418

Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

Page 8419

Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

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Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

Page 8421

Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

Page 8422

Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

Page 8423

Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

Page 8424

Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

Page 8425

Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

Page 8426

Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

Page 8427

Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

Page 8428

Re-examination by Mr. Hafetz

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Witness: W04781 (Resumed) (Closed Session)

Page 8429

Questioned by the Trial Panel

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Witness: W04781 (Resumed) (Closed Session)

Page 8430

Questioned by the Trial Panel

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Witness: W04781 (Resumed) (Closed Session)

Page 8431

Questioned by the Trial Panel

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Witness: W04781 (Resumed) (Closed Session)

Page 8432

Questioned by the Trial Panel

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Witness: W04781 (Resumed) (Closed Session)

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Further Cross-examination by Mr. Kehoe

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Witness: W04781 (Resumed) (Closed Session)

Page 8434

Further Cross-examination by Mr. Tully

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Witness: W04781 (Resumed) (Closed Session)

Page 8435

Further Cross-examination by Mr. Tully

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1 [Open session]

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

3 PRESIDING JUDGE SMITH: Mr. Prosecutor, did you have something?

4 MR. HAFETZ: No, Your Honour.

5 PRESIDING JUDGE SMITH: Oh, all right.

6 So we are finished for today. Thank you all for your attendance  
7 and for your efficiency. We will be adjourned until our next  
8 scheduled session. Thank you.

9 --- Whereupon the hearing adjourned at 9.59 a.m.

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