

1 Monday, 28 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 file
8 KSC-BC-2020-06, The Specialist Prosecutor versus Hashim Thaci,
9 Kadri Veseli, Rexhep Selimi, and Jakup Krasniqi.

10 PRESIDING JUDGE SMITH: Thank you.

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

12 Today we will start hearing the evidence of Prosecution
13 Witness W04485.

14 Madam Court Usher, please bring the witness in.

15 [The witness entered court]

16 PRESIDING JUDGE SMITH: Good morning, Witness.

17 THE WITNESS: [Interpretation] Good morning. Good morning,
18 everyone. Good morning, compatriot fighters.

19 PRESIDING JUDGE SMITH: The Court Usher will now provide you
20 with the text of the solemn declaration which you are asked to take
21 pursuant to our Rule 141(2). Please look at the document and then
22 read it aloud.

23 THE WITNESS: [Interpretation] Conscious of the significance of
24 my testimony and my legal responsibility, I solemnly declare that I
25 will tell the truth, the whole truth, and nothing but the truth, and

1 that I shall not withhold anything which has come to my knowledge.

2 WITNESS: FATMIR SOPI

3 [The witness answered through interpreter]

4 PRESIDING JUDGE SMITH: Thank you. You can be seated.

5 Witness, today we will start your testimony which is expected to
6 last approximately one day. As you may know, the Prosecution will
7 ask you questions first. And once they are finished, the Defence has
8 the right to ask questions of you. Members of the Panel might also
9 ask questions of you.

10 The Prosecution estimate for your examination is one and a half
11 hours. The Defence estimates that it will need close to three hours.
12 As regards each estimate, we hope that counsel will be judicious in
13 the use of their time. The Panel may allow redirect examination by
14 the SPO if conditions are met.

15 Witness, please try to answer the questions clearly with short
16 sentences. If you don't understand a question, feel free to ask
17 counsel to repeat the question or tell them you don't understand and
18 they will clarify. Also, please try to indicate the basis of your
19 knowledge of facts and circumstances that you will be asked about.

20 In the event you are asked by the SPO to attest to some
21 corrections made regarding your statements, you are reminded to
22 confirm in the record that the written statement, as corrected by the
23 list of corrections, accurately reflects your declaration.

24 Please also speak into the microphone and wait five seconds
25 before answering a question, and then speak at a slow pace so the

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1 interpreters can catch up.

2 While you're giving evidence in this court, you are not allowed
3 to discuss with anyone the content of your testimony outside of the
4 courtroom. If any person asks you questions outside of this Court
5 about your testimony, please let us know.

6 Also, please stop talking if I ask you to do so and stop talking
7 if you see me raise my hand. These indications mean that I need to
8 give you an instruction.

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

11 We begin now with the questioning by the Special Prosecutor's
12 Office. They are seated to your left. Please give them your
13 attention.

14 You have floor, Mr. Prosecutor.

15 MR. MICHALCZUK: Thank you, Your Honour.

16 Examination by Mr. Michalczuk:

17 Q. Good morning, Witness.

18 A. Good morning.

19 Q. We've met before but let me introduce myself again. My name is
20 Cezary Michalczuk, and today I will be asking you questions on behalf
21 of the SPO.

22 Before we start, we need to first establish your identity.
23 Could you please state your full name and surname.

24 A. My name is Fatmir Halim Sopi.

25 Q. What is the date of your birth?

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1 A. 13 April 1961.

2 Q. What is the place of your birth?

3 A. My place of birth is Mramor, in Zllash neighbourhood.

4 Q. Witness, as explained during the preparation meeting that we had
5 a few days ago, rather than asking you questions about every relevant
6 issue you might have information about, it may be possible to admit
7 your prior statement containing such information into evidence.

8 There are a number of procedural steps to follow and, in order to so,
9 I will now turn to these.

10 Have you been previously interviewed by the SPO?

11 A. Yes, I have.

12 MR. MICHALCZUK: Could Madam Court Officer please pull up the
13 following documents, English and Albanian next to each other, English
14 would be at 069464-TR-ET Part 1 RED, page 1; and Albanian would be
15 the same number, AT, Part 1 Revised 1 RED, also page 1.

16 THE COURT OFFICER: Sorry, the ERN read was 069464. Do you mean
17 474?

18 MR. MICHALCZUK: 474, of course. My apologies.

19 PRESIDING JUDGE SMITH: Just to be sure, it's 474 on both --

20 MR. MICHALCZUK: Yes, Your Honour.

21 PRESIDING JUDGE SMITH: All right.

22 MR. MICHALCZUK: Again, the number is 069474.

23 PRESIDING JUDGE SMITH: Thank you.

24 MR. MICHALCZUK:

25 Q. Witness, can you see these documents on your screen?

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1 A. Yes.

2 Q. Do you recognise this as your SPO interview?

3 A. Yes, I do. Yes, it's true.

4 Q. Thank you.

5 MR. MICHALCZUK: We can remove these documents and instead pull
6 up KSC-BC-2020-05 20220118 English, page 1. And the same for the
7 Albanian, at the end we have ALB, also page 1.

8 Q. Witness, do you recognise this document as your court testimony?

9 A. Yes, I do.

10 MR. MICHALCZUK: Could we please remove these pages and pull up
11 instead the last set of documents, KSC-BC-2020-05 20220119 English,
12 and the same in Albanian.

13 Q. Witness, do you recognise this as your court testimony?

14 A. Yes, I do.

15 Q. Thank you.

16 MR. MICHALCZUK: We can remove these documents from the screen.

17 Q. As part of your preparation for your testimony today, did you
18 have an opportunity to review the contents of these statements?

19 A. Yes, I did.

20 Q. During the preparation session, did you have the opportunity to
21 make corrections and clarifications to these statements?

22 A. Yes.

23 Q. Were these clarifications reflected in a note that was then read
24 back to you?

25 A. Everything was fine. There was no need for improvement.

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1 Q. Were these clarifications reflected in a note that was then read
2 back to you?

3 A. Yes, yes, that's true.

4 Q. Do you confirm what was read back in that note reflects your
5 changes fully and accurately?

6 A. Yes.

7 Q. Subject to the changes provided in that note, do these
8 statements accurately reflect what you said and what you would say if
9 asked again in court today?

10 A. Yes, just like that.

11 MR. MICHALCZUK: Your Honours, having fulfilled the Rule 154
12 criteria, and in accordance with your decision F02655, paragraphs 34
13 and 49(b), and that decision is dated 16 October 2024, the SPO
14 tenders all the statements in Albanian and English.

15 PRESIDING JUDGE SMITH: Any objection?

16 MS. MENEGON: No objection beyond those raised in our written
17 submissions.

18 MS. ROWAN: Nothing beyond those previously raised.

19 MR. TULLY: Nothing beyond those, Your Honour. Thank you.

20 MS. S. ALAGENDRA: Nothing beyond that, Your Honour.

21 PRESIDING JUDGE SMITH: 069474-TR-ET -- I'm sorry, how many
22 parts?

23 MR. MICHALCZUK: Part 1 to 4.

24 PRESIDING JUDGE SMITH: Parts 1 through 4 is admitted.

25 THE COURT OFFICER: Your Honours, 069474-TR-ET Part 1 RED and

1 the Albanian version of it will be assigned Exhibit P01766.1. Part 2
2 with the same ERN will be P01766.2; Part 3 will be Exhibit P01766.3;
3 and Part 4 will be Exhibit P01766.4.

4 I note they are all classified confidential at the moment.

5 MR. MICHALCZUK: Confidential, yes.

6 PRESIDING JUDGE SMITH: They remain confidential?

7 MR. MICHALCZUK: They should remain so, yes.

8 PRESIDING JUDGE SMITH: And then KSC-BC-2020-05 2022-0118 in
9 English and Albanian is admitted.

10 THE COURT OFFICER: Your Honours, that will be assigned
11 Exhibit P01767. And I propose we make it .1 since the next is a
12 continuation of the witness's testimony the next day.

13 MR. MICHALCZUK: Yes, exactly. I do also propose so.

14 PRESIDING JUDGE SMITH: [Microphone not activated].

15 KSC-BC-2020-05 2022-0119, English and Albanian, that will be
16 assigned .2.

17 THE COURT OFFICER: Exactly. That would be Exhibit P01767.2.

18 MR. MICHALCZUK: Exactly. Your Honours, I would like to also
19 tender Preparation Note 1, ERN numbers 123310 to 123314, of 21
20 October 2024.

21 PRESIDING JUDGE SMITH: 123310 to 123314 is admitted.

22 THE COURT OFFICER: That will be assigned Exhibit P01768,
23 Your Honours.

24 MR. MICHALCZUK: I'd like to also tender the associated exhibit
25 identified at para 31 of Your Honours' decision F02655.

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1 PRESIDING JUDGE SMITH: Any objection to the associated
2 exhibits?

3 MS. MENEGON: None.

4 MS. ROWAN: None beyond those raised.

5 MR. TULLY: No, Your Honour.

6 MS. S. ALAGENDRA: No, Your Honour.

7 PRESIDING JUDGE SMITH: The associated exhibits as indicated
8 will be admitted.

9 THE COURT OFFICER: Your Honours, ERN U000-4319 to U000-4321 and
10 the English translation for it will be assigned Exhibit P01769.

11 For the other part, Your Honours, I note that's already admitted
12 as part of the Exhibit P187, which is the book of Zhitia.

13 MR. MICHALCZUK: This is correct, Your Honours.

14 PRESIDING JUDGE SMITH: [Microphone not activated].

15 MS. ROWAN: Your Honour, my apologies for the interruption.
16 There had been some *inter partes* communication in relation to the
17 last ERN range just discussed, and we had been assured by the
18 Prosecution that they would not be seeking to tender that whole range
19 as there is transcription issues, there are translation issues with
20 the latter part of that range.

21 So perhaps if I could just ask for clarification from my learned
22 friend as to whether that is the correct range that he wishes to
23 tender at this time, please.

24 MR. MICHALCZUK: Yes, Your Honours, indeed, we are engaged with
25 *inter partes* communication with the Defence, and some of the items

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1 are pending translation. It relates to a certain order of
2 Brigade 153. So at this stage we would tender only the page which is
3 not controversial and it bears the number U000-4319. The next two
4 pages of that same item are pending translations, and they will be
5 added later if translation is corrected as requested by the Defence.

6 MS. ROWAN: I'm grateful. Thank you.

7 PRESIDING JUDGE SMITH: [Microphone not activated]. Separate
8 number U000-4319?

9 MR. MICHALCZUK: Yes, yes.

10 PRESIDING JUDGE SMITH: All right. It's admitted.

11 THE COURT OFFICER: Your Honours, shall I reassign the number
12 P01769 from the full range only to that one page?

13 PRESIDING JUDGE SMITH: [Microphone not activated].

14 THE COURT OFFICER: That will be done.

15 MR. MICHALCZUK: Yes.

16 THE COURT OFFICER: Thank you. And can we clarify
17 classification for the preparation note and the associated exhibit?

18 MR. MICHALCZUK: Classification for now should remain
19 confidential.

20 THE COURT OFFICER: Thank you.

21 MS. MENEGON: Your Honour, excuse me, given that the witness
22 testified publicly, could we please invite the Prosecution to prepare
23 maybe a public redacted version of the statement and testimony
24 admitted as Rule 154?

25 MR. MICHALCZUK: As per usual procedure, Your Honours, it will

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1 happen of course.

2 PRESIDING JUDGE SMITH: Go ahead.

3 MR. MICHALCZUK: Your Honours, on 21 October 2024, the SPO
4 submitted a proposed summary of the witness's now admitted Rule 154
5 statement to the Panel, Defence, and Victims, and we have not
6 received any objections. So with your permissions, Your Honours, I
7 would like to read a short summary --

8 PRESIDING JUDGE SMITH: Go ahead.

9 MR. MICHALCZUK: -- right now in the open session.

10 Fatmir Sopi joined the KLA at the beginning of 1998. He was
11 involved in the organisation of the KLA structures in Gollak region
12 within the Llap operational zone and was instrumental in the creation
13 of Brigade 153 Fehmi Lladrovci. In February 1999, he was appointed
14 as Brigade 153's commander in charge of civilian protection. Then in
15 mid-April 1999, he was appointed a deputy commander of the brigade
16 and took part in combat operations against the Serb forces.

17 Mr. Sopi remained in this position, in the position of the
18 deputy commander of the brigade, until the demobilisation of the KLA
19 in September 1999.

20 Mr. Sopi provides information on the creation, structure,
21 training, and operations of Brigade 153, other KLA units operating in
22 the region, including BIA, reporting lines with Llap operational
23 zone, and the KLA locations in the region.

24 Your Honours, I now have a few further questions for this
25 witness.

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1 PRESIDING JUDGE SMITH: Yes, you may proceed.

2 MR. MICHALCZUK: Thank you.

3 Madam Court Officer, could we please pull up first following
4 document: U000-9023-U000-9023. This is Albanian. And I'd be
5 grateful for showing next to it also the English version with ET at
6 the end.

7 Q. Mr. Sopi, can you see these documents in front of you?

8 A. Yes, I do. I saw them also in the preparatory session.

9 Q. Mr. Sopi, did you issue this request?

10 A. It wasn't simply this request. We have issued these types of
11 requests in the past as well. So, yes, it's quite reasonable to
12 issue this type of request for supplies.

13 Q. So you, indeed, confirm that you also issued this request shown
14 on the screen?

15 A. Yes.

16 Q. Mr. Sopi, there is a signature underneath. Is that is your
17 signature?

18 A. More or less, there are some differences, perhaps time. But
19 more or less, yes, it is, because it is quite a while back since I
20 signed it. But, yes, I confirm it.

21 Q. Could you tell the Court briefly what this document relates to.

22 A. This document is a request for supplying our units with
23 ammunition and weapons which were lacking in our region, because we
24 did not have enough supplies. Therefore, our request was to be
25 equipped with the appropriate ammunition because we were expecting an

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1 imminent offensive or an attack by the Serbian forces, because we
2 could see their movements and we wanted to be as best prepared as
3 possible, and we asked for help from our colleagues.

4 Q. Do I understand correctly from your previous answer that it was
5 not the only request of such a sort issued by yourself to the Llap
6 operational zone at that time?

7 A. We have issued requests of this nature many times in the past
8 for supplies, not just with ammunition but also with foodstuffs.
9 Anything that we needed to continue the war effort.

10 Q. You said you issued such requests in the past. Do you refer to
11 which years?

12 A. I mean later, not necessarily earlier. I mean during the war.
13 So we have cooperated with other units, too.

14 Q. Are you referring to 1998 and 1999?

15 A. Yes.

16 MR. MICHALCZUK: Madam Court Officer, we can remove these
17 documents from the screen. Could we now -- Your Honours, I would
18 like to tender this document first.

19 PRESIDING JUDGE SMITH: Any objection to the tender?

20 MS. MENEGON: None.

21 MS. ROWAN: No, thank you.

22 MR. TULLY: No, Your Honour.

23 MS. S. ALAGENDRA: No, Your Honour.

24 PRESIDING JUDGE SMITH: U000-9023 to U000-9023, both in Albanian
25 and English, is admitted.

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1 THE COURT OFFICER: That will be assigned Exhibit P01770. And
2 can we confirm classification?

3 MR. MICHALCZUK: Classification could be public.

4 PRESIDING JUDGE SMITH: [Microphone not activated].

5 Reclassified as public.

6 MR. MICHALCZUK: Could we please pull up another document,
7 SITF00244127-SITF00244127-ET, and the same number but for Albanian
8 version.

9 Q. Witness, can you see these documents in front of you?

10 A. Yes.

11 Q. What does this document relate to, could you tell the Court?

12 A. Yes. After the end of the war, our soldiers became civilians or
13 moved to other state institutions, such as the police, to the
14 protection forces, as well as other organisations, including
15 international ones present in Kosovo. And those institutions would
16 ask for a letter of confirmation as to whether they had been part of
17 the Kosovo Liberation Army. And up until all the verification work
18 by the Kosovan government, we issued these types of documents which
19 confirm somebody's participation. In this case, this particular
20 soldier in the KLA, and in this particular case was issued for this
21 individual so that he could become a member of the police in Kosovo.

22 Q. Do you recognise the signatures on this document?

23 A. Yes. Yes.

24 Q. What are the signatures? Who signed this document?

25 A. This document, I can see it was signed by me as well as

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1 Adem Shehu.

2 MR. MICHALCZUK: We can remove these documents from the screen.

3 Your Honours, I would like to tender this document into
4 evidence.

5 PRESIDING JUDGE SMITH: Any objection?

6 MS. MENEGON: None.

7 MS. ROWAN: Your Honour, we'd query the relevance to the issues
8 in the case.

9 PRESIDING JUDGE SMITH: Mr. Tully.

10 MR. TULLY: Nothing to add.

11 PRESIDING JUDGE SMITH: The objection is overruled.

12 SITF00244127 to SITF00244127-ET is admitted as relevant and
13 valid under 138(1) and 154.

14 Go ahead. Oh, wait. Let's get the number for it.

15 THE COURT OFFICER: Thank you, Your Honours. That will be
16 assigned Exhibit P01771. And if we can confirm classification.

17 MR. MICHALCZUK: It could be public.

18 PRESIDING JUDGE SMITH: Reclassified as public.

19 MR. MICHALCZUK: Madam Court Officer, can we pull up another
20 document, and the number would be U000-4205-U000-4206-ET, and the
21 same number for Albanian version. Also both documents one next to
22 the other.

23 Q. Witness, can you see the documents on screen in front of you?

24 A. Yes.

25 MR. MICHALCZUK: Could we move to the last page of this document

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1 in Albanian.

2 Q. Mr. Sopi, do you recognise the signature of Adem Shehu on this
3 document?

4 A. Yes. More or less, it is the signature, I think, of Adem Shehu.

5 MR. MICHALCZUK: Could we on the Albanian and English version
6 move to the first page again.

7 Q. Mr. Sopi, this document indicates at the very beginning of it a
8 number of units of the Kosovo Liberation Army. Did the Brigade 153
9 have units in these locations - Vitia, Gerbesh, Bullaj, and Vakovc?

10 A. Yes.

11 Q. We discussed this document during the preparatory session. Do
12 you remember that?

13 A. Yes, I do.

14 Q. These documents speak about certain ambushes being planned by
15 Brigade 153 on Slivova-Vitia road and Krileva-Bullaj road. Is that
16 the case?

17 A. Yes.

18 Q. Were the ambushes indicated in this document indeed planned,
19 organised, and executed by the units of Brigade 153?

20 A. To the best of my knowledge, I was personally involved in
21 fighting at Prapashtice zone on the border with Serbia at the time.
22 On 7 April 1999, motorised units, assisted by infantry and other
23 heavy weaponry, intervened inside the territory of Kosovo in the
24 Leskoc to Prishtine road that belongs to the area of responsibility
25 of 153. I was commander of the operations during the time, and I

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1 managed to stop the incursion of the Serbian forces and requested
2 from Brigade 153 assistance to help in the rear because there were
3 indications that there would be attacks from the back, from the
4 Prishtine area and Gjilan area.

5 And for that reason, the brigade issued this order to assist us
6 in the back, in the Prapashtice, Nishec areas, where attacks was
7 expected. We were able to withstand this attack through this strong
8 fortification. And as a matter of fact, we were attacked from all
9 sides, from Prishtine, Gjilan, Podujeve, as well as from the Serbian
10 side in the course of this operation.

11 That is the essence of this order which I did not see at the
12 time given that I was too busy with other things, but I do see it now
13 very well. These did exist and, in fact, there was heavy fighting
14 across this area, across those points.

15 Q. So the answer to my question would be, in short, yes; correct?

16 A. Yes.

17 Q. This document discusses also the preparations concerning
18 reconnaissance, logistics, communication and health care. Was it
19 indeed planned like this as this document implies?

20 A. Yes, certainly. We did have within our brigade a special unit
21 on medical support. We had soldiers who dealt with logistics. And
22 we were obviously prepared, well prepared for attacks, forthcoming
23 attacks.

24 PRESIDING JUDGE SMITH: Witness. Just a second.

25 Mr. Tully.

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1 MR. TULLY: My apologies for interrupting, Your Honour. Just
2 transcript correction. On page 15, line 18, I think the year might
3 be incorrect. If that could be clarified with the witness. Thank
4 you.

5 MR. MICHALCZUK: Yes, indeed, Your Honour. This seems to imply
6 that the battle took place on 7 October 1999. I can clarify it with
7 the witness.

8 PRESIDING JUDGE SMITH: Thank you.

9 Thank you, Mr. Tully.

10 MR. MICHALCZUK:

11 Q. When discussing -- sorry for the interruption, first of all.
12 When discussing the reply to my previous question, the issue of the
13 battles that you were involved in, you mentioned something about
14 7 October 1999, but I understand you meant 1998; correct?

15 A. 7 April.

16 Q. 7 April. But year?

17 A. No, the Prapashtice battle towards the border with Serbia
18 occurred on 7 April 1999.

19 Q. So the month is incorrect then.

20 PRESIDING JUDGE SMITH: [Microphone not activated].

21 MR. MICHALCZUK: Yes.

22 Q. Mr. Witness, we cut you off at some point. Could you finish the
23 answer to my last, the lines that you were saying before you were cut
24 off.

25 A. I had finished. What I meant to say is that those were

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1 efficient measures which were efficient enough within the general
2 offensive that occurred on 18 April 1999. We had a large number of
3 the civilian population that had been evicted from Podujeve and
4 Prishtine. They were located, in fact, in Prishtine. Serbian forces
5 started the massive eviction of these citizens from Prishtine and
6 Podujeve in the direction of Gollak.

7 The population there welcomed them and helped them settle, and
8 we undertook their defence to the best of our ability. The Kosovo
9 Liberation Army was dealing mostly with the housing of these and the
10 defence of these civilians. The civilians, that is, that had been
11 evicted from their homes in Prishtine and the surrounding areas. We
12 also undertook measures to satisfy our needs, and all those measures
13 were directed towards the civilian population in order for them not
14 to starve.

15 However, on 18 October, a general offensive by the Serbian
16 forces began, one which did not spare the civilians either. It was a
17 life-or-death situation. We took the best of measures to protect the
18 civilians. However, Serbian forces resorted to artillery and pounded
19 the area with cannons and mine launchers not only fired in the
20 direction of the soldiers but also the civilian population.

21 MR. MICHALCZUK: Could we scroll to the very last sentence of
22 this document, both English and Albanian.

23 Q. Mr. Sopi, the last line of this document speaks about "post at
24 level 1210." What does that mean?

25 A. It is the altitude above sea level. Zllash village is 1210

1 metres above sea level. It was -- the way it was formulated like
2 that is to preserve secrecy so that only the soldiers of the Kosovo
3 Liberation Army would be able to know where the command was located.
4 It's a command that was located in the village of Zllash, which in
5 turn is located 1.210 metres above sea level.

6 Q. Just to clarify, the command of the Brigade 153?

7 A. Yes.

8 MR. MICHALCZUK: Your Honours, I'm not seeking to tender this
9 document for now because this is the document we discussed before
10 pending translation. We will add it as soon as the translation, the
11 correct one, is ready.

12 PRESIDING JUDGE SMITH: [Microphone not activated].

13 MR. MICHALCZUK: We can remove this document.

14 Can we now pull up a video, a document which is a video
15 actually, 065503-01. If this is technically feasible, could we also
16 next to it pull up the transcript, which bears the same number with
17 the ending TR-ET. It's mainly the image. There's very little words
18 spoken, so also maybe the interpreter will be able to handle that
19 easily.

20 Q. Mr. Sopi, take a look at this video, it's a very short one, and
21 then I'll ask you a few questions.

22 MR. MICHALCZUK: Let's play it. That's it.

23 [Video-clip played]

24 THE INTERPRETER: [Voiceover] "Platoon, attention. Salute to the
25 left. Present arms. Mr. Minister, the guard of honour is lined up

1 for your visit. The commander of the guard of honour.

2 "How are you? Hello. Hello, how are you? How are you, well?

3 Okay. Hello, how are you? How are you? Everything okay?

4 "We came with no obstacles. The others I've just spoken to are
5 still at the border. But otherwise, okay."

6 MR. MICHALCZUK:

7 Q. Mr. Sopi, do you recognise this location?

8 A. Yes, I do.

9 Q. What is this location?

10 A. This is in Prishtine, the Kolovice area neighbourhood where the
11 Llap operational zone command was situated.

12 Q. What period of time could this footage be taken?

13 A. It appears to be after the end of the war, with the entry of the
14 Kosovo Liberation Army forces and the KFOR forces into Prishtine.

15 Q. What makes you think so that it was this period of time?

16 A. What I see in this footage is emotional because it reminds me of
17 the spokesperson of the Kosovo Liberation Army, the man who imbued
18 every single soldier of the Kosovo Liberation Army with feelings of
19 patriotism. The honourable Mr. Krasniqi who, in his capacity as a
20 minister, comes for a visit to the Llap operational zone command.

21 Q. So one of the persons that you recognise is Mr. Jakup Krasniqi,
22 the accused in this case. Do you confirm that?

23 A. That is correct. It is Jakup Krasniqi. I would have never
24 wanted to see him sat in this room here and under these
25 circumstances.

1 Q. Who is that person, if you recognise him, in the uniform
2 greeting Mr. Krasniqi?

3 A. The commander says he's Ajet Potera. However, the one who
4 greets Mr. Krasniqi is the commander of the Llap operational zone
5 Rrustem Mustafa, known as Remi.

6 Q. So the first person who greeted Mr. Krasniqi is Ajet Potera and
7 later on it was Rrustem Mustafa; is that correct?

8 A. That's right.

9 Q. Speaking of Mr. Potera, what was his position at that time in
10 the Kosovo Liberation Army?

11 A. I am not certain. In this footage, I see him as being commander
12 of a platoon of the 5th Guard Battalion of the operational zone of
13 Llap.

14 Q. What was the guard battalion?

15 A. I have no detailed knowledge. However, I know that it did
16 exist.

17 Q. Did it have any function within the Llap operational zone?

18 A. I have no such knowledge.

19 MR. MICHALCZUK: Your Honours, I would tender this video into
20 evidence together with the corresponding English transcript and
21 Albanian transcript. So the video would be 065503-01, Albanian
22 transcript would be 065503-01-TR, and English 065503-01-TR-ET.

23 PRESIDING JUDGE SMITH: Any objection?

24 MS. S. ALAGENDRA: Your Honour, we don't object to the video
25 being admitted, but the transcript we do because where it says it's

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1 inaudible in the transcript we have the interpreter in this Court
2 providing an interpretation of what was spoken in the video, which is
3 on the record.

4 PRESIDING JUDGE SMITH: Anybody else? No?

5 MR. TULLY: Nothing to add.

6 PRESIDING JUDGE SMITH: The objection is overruled. 065503-01,
7 plus the transcript at 065503-01-ET, plus the Albanian transcript,
8 are admitted.

9 THE COURT OFFICER: Your Honours, those will be assigned
10 Exhibit P01772. And can we confirm the classification as at the
11 moment the video in Legal Workflow is classified as public but the
12 transcript is confidential.

13 MR. MICHALCZUK: Same for now.

14 THE COURT OFFICER: Retain public and confidential?

15 MR. MICHALCZUK: I would say -- retain public and confidential,
16 yes. Yes. The video could be public.

17 PRESIDING JUDGE SMITH: Thank you.

18 Go ahead.

19 MR. MICHALCZUK:

20 Q. Mr. Sopi, in your SPO statement at P01766.2 at page 14, and in
21 your court statement at P01767.1 at page 2033, you indicated the
22 presence of the Karadak unit in Zllash from around the end of 1998.
23 Who are the commanders of the Karadak operational zone?

24 A. The Karadak operational zone commander was Ahmet Isufi. His
25 deputy was called Shemsi Sylja.

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1 Q. Did they both stay for a period of time in Zllash during the
2 war?

3 A. Yes, they did.

4 Q. In which period of time, if you remember?

5 A. I think it was towards the end of 1998, until the beginning of
6 1999. That is the period.

7 Q. Did you meet them there in Zllash at that time?

8 A. Yes, I met them in my own house.

9 MR. MICHALCZUK: Madam Court Officer, could we pull up a
10 document, SPOE00222690-00222690.

11 Q. Mr. Sopi, can you see this photograph on your screen?

12 A. Yes, I do.

13 Q. Could you tell the Court whether you recognise anyone in this
14 photograph?

15 A. I know all of them.

16 Q. Could you please tell the Court who you recognise.

17 A. I can see sat in a seating position or kneeling position
18 Ahmet Isufi, next to him is Salih Mustafa. Whilst standing, that's
19 myself, Fatmir Sopi, and Shemsi Sylja.

20 Q. So just to clarify, you're in the standing position in the
21 Kosovo Liberation Army cap with a visor; is that correct?

22 A. Me? Yes, yes, standing to the right.

23 Q. Yes. So the person standing next to you, what's his name again?

24 A. Shemsi Sylja.

25 Q. Shemsi Sylja, the deputy commander of the Karadak operational

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1 zone?

2 A. Yes.

3 Q. The person in the sitting position with a gun, just underneath
4 you, what's his name?

5 A. Ahmet Isufi, commander of the Karadak operational zone.

6 Q. And the person sitting next to him in a beret?

7 A. The person next to it is our co-fighter, Salih Mustafa.

8 Q. Mr. Sopi, where was this photograph taken?

9 A. I do not recall exactly. I do not have this picture myself.
10 Someone has taken it. I cannot recall the location. It may
11 certainly be in Zllash, but I do not recall.

12 Q. So this was taken in Zllash, but you are not sure about the
13 location. Is that what you are saying? The exact location like the
14 house or any other building. Is that correct?

15 A. That's right.

16 Q. Mr. Sopi, when was this photograph taken?

17 A. I wouldn't be able to determine it. I cannot recall the exact
18 time. It was during the war, but I'm not able to specify the time.
19 It wasn't something of such an importance for me to remember. It is
20 a picture that I do not have in my possession. Somebody must have
21 taken it. I would have loved to have had it myself.

22 Q. A few minutes ago you indicated that you met Shemsi Sylja and
23 Ahmet Isufi between the period of end of 1998, the beginning of 1999.
24 Could this photo be taken within this timeframe?

25 A. It could have been, yes.

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1 MR. MICHALCZUK: Your Honours, I tender this photo into
2 evidence.

3 PRESIDING JUDGE SMITH: Objection?

4 MS. MENEGON: None.

5 MS. ROWAN: Relevance.

6 MR. TULLY: No.

7 MS. S. ALAGENDRA: No objections.

8 PRESIDING JUDGE SMITH: SPOE00222690 to 00222690 in the -- the
9 photo is admitted.

10 THE COURT OFFICER: Your Honours, that will be assigned
11 Exhibit P01773. And if we can confirm classification.

12 MR. MICHALCZUK: Classification, confidential for now.

13 Q. Mr. Sopi, let's remain in the area of Karadak soldiers. Did the
14 Karadak soldiers fight together with the soldiers of Brigade 153?

15 A. Yes. We were manning the same positions during the offensive of
16 18 April. They did join us in the fighting.

17 Q. April 1999?

18 A. Yes, April 1999.

19 MR. MICHALCZUK: Madam Court Officer, could we remove this
20 photograph and pull up a document, SPOE00055678-SPOE00056018-ET. And
21 the same number would be Albanian. And I would like to have on the
22 screen pages 949 and 950. Let's start from 949. So the full number
23 of this page would be SPOE00055949 in both versions.

24 Q. So I'm showing you this page, Mr. Sopi. This is the book that
25 we discussed during the preparation session. I'm showing you this

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1 page only to indicate the timeframe that the paragraph I'm going to
2 show you covers, so this is the timeframe from 20th to 31st April
3 1999. Can you see that?

4 A. Yes.

5 MR. MICHALCZUK: Could we move to the next page following this
6 one? Yes.

7 Q. Mr. Sopi, the third paragraph goes as follows:

8 "Fierce fighting continued in the subsequent days. On the third
9 day of the battle the units of 153 Brigade, the 'BIA' Guerilla units,
10 and the units of the Karadak Operational Zone stood firm in their
11 positions."

12 Do you confirm the accuracy of that paragraph concerning
13 participating in the fighting jointly by the soldiers of Karadak
14 operational zone, Brigade 153, and BIA unit in the April 1999 battle?

15 MS. ROWAN: Your Honour, we would object to the formation of
16 this question. That's simply a leading question.

17 My learned friend is, of course, entitled to ask his
18 participation in battles in an open way, but not to lead evidence and
19 ask him to confirm it in a leading fashion.

20 PRESIDING JUDGE SMITH: Overruled.

21 Go ahead.

22 MR. MICHALCZUK: Thank you.

23 Q. Mr. Sopi, could you answer my question?

24 A. What was the question?

25 Q. Let me repeat my question. Do you confirm the accuracy of this

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1 paragraph concerning participation in the fighting jointly by
2 soldiers of Karadak operational zone, Brigade 153, and BIA unit in
3 the April 1999 battle?

4 A. This is related to the big offensive of 18 April 1999, when
5 large police, military, and paramilitary Serbian forces attacked our
6 units and the civilian population that was under our protection. All
7 the units of Brigade 153, all the units of the operational zone which
8 were present in our region took part, as well as the units that
9 belonged to the guerilla movement BIA.

10 Q. And also Karadak? Do I understand that also Karadak soldiers
11 took part?

12 A. Yes, that's right.

13 MR. MICHALCZUK: Your Honours, I would like to tender these two
14 pages into evidence. The second the witness commented upon, and the
15 first one giving the indication of the timeframe.

16 PRESIDING JUDGE SMITH: Any objection?

17 MS. MENEGON: None.

18 MS. ROWAN: None.

19 MR. TULLY: No.

20 MS. S. ALAGENDRA: Your Honours, no objections.

21 MR. MICHALCZUK: Your Honours, just for clarification, if I may.
22 This was an excerpt from the book that was already admitted into
23 evidence, and we would like to add these two pages to P00187-ET and
24 Albanian P00187, both versions.

25 PRESIDING JUDGE SMITH: So SPOE00055678 to SPOE00056018-ET,

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1 English and Albanian, at pages only of 949 and 950 added to -- to be
2 added to Exhibit P00187.

3 THE COURT OFFICER: Your Honours, that will be done.

4 PRESIDING JUDGE SMITH: Go ahead.

5 MR. MICHALCZUK: Could we, using the same document, move to page
6 SPOE00055794-ET. Next to it, Albanian version bearing the same
7 number.

8 Q. Mr. Sopi, this is also an excerpt of the book that we discussed
9 during the preparation session. I would like to refer you, please,
10 to the first paragraph that starts with the reference to the Besiana
11 region and comments about the developments of the Kosovo Liberation
12 Army units in the Prishtine, Fushe Kosove, and Kastriot/Obiliq
13 region. It also mentions a few individuals including yourself,
14 Mr. Sopi. Do you see that?

15 A. Yes, I do.

16 Q. It mentions you, Mr. Sopi, as one of the organisers of the KLA
17 structures in March and April 1998. Do you confirm the existence of
18 the KLA units in the locations mentioned in this paragraph - Besiana
19 region, Prishtine, Fushe Kosove, Kastriot and Obiliq?

20 A. So in terms of Prishtine region, Kastriot and Fushe Kosove,
21 which is written here, I didn't have knowledge back then. My name is
22 there because my responsibility was to -- organisational ones in the
23 KLA, the Gollak region, which is the highlands of Prishtine. So it
24 is the rural part of Prishtine up to -- all the way to the border
25 with Serbia. Whereas here, in terms of any other types of

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1 organisation in Prishtine, Kastriot, and elsewhere, I did not
2 participate in those, in any such organisations of these units.

3 Q. My question was not about your participation in the development
4 of all those units. My question was about your knowledge. Did you
5 know at that time that there were KLA cells being organised in these
6 locations with the participation, as you could see, of Fatmir
7 Humolli?

8 A. So the organisation of the Kosovo Liberation Army is the most --
9 utmost care was taken in this so that we did not have any unforeseen
10 attacks, and from the beginning to be able to fight rather than have
11 any damage to our units. So I didn't know back then what type of
12 organisations others were involved in because we didn't report to
13 each other on these.

14 MR. MICHALCZUK: Your Honours, could I refresh the memory of the
15 witness.

16 PRESIDING JUDGE SMITH: [Microphone not activated].

17 Go ahead and refresh his memory with leave.

18 MR. MICHALCZUK: Yes.

19 PRESIDING JUDGE SMITH: And then we will take a break.

20 MR. MICHALCZUK: Of course, Your Honour.

21 Q. Mr. Sopi, I would like to put to you the Preparation Note 2.
22 I'm not going to put it on the screen, but I'm going to read to you
23 what you said about these locations and the developments of KLA
24 units. So you referred to exactly this page of the document, and you
25 said:

1 "[I] was aware of the KLA structures being set up in the regions
2 of Besiana/Podujevo, Pristina, Fushe Kosove, and Kastriot/Obiliq in
3 March/April 1999, and of Fatmir Humolli's prominent role in these
4 efforts."

5 Did you say that during the preparation session?

6 A. I do not recall having put it that way, but it could so happen
7 that we might have heard things. But I was not part of organising
8 those units, and I have no factual knowledge of this having happened,
9 so I cannot give any more further clarifications because I wasn't
10 there when it happened.

11 And I do not contest it whether they existed or not. Maybe they
12 did exist and they were organised. But back then, at the time we are
13 referring to, I was busy with organising ourselves, so I didn't have
14 time to know what others were doing in terms of organisation. It
15 could so be that during the war we might have heard things.

16 Q. Did you communicate at that time with Fatmir Humolli?

17 A. Yes, of course. We did communicate.

18 Q. Did he tell you anything about his effort to establish KLA
19 structures in these locations?

20 A. Nothing concrete, but that work was being done. Yes, that was
21 the case.

22 MR. MICHALCZUK: We can go for a break now, Your Honours.

23 PRESIDING JUDGE SMITH: We'll take a short break, Witness, for
24 about ten minutes, then we'll come back to the courtroom. Please do
25 not speak to anyone about your testimony.

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1 THE WITNESS: [Interpretation] Okay.

2 [The witness stands down]

3 PRESIDING JUDGE SMITH: We're adjourned until 10.20.

4 --- Break taken at 10.09 a.m.

5 --- On resuming at 10.21 a.m.

6 PRESIDING JUDGE SMITH: Madam Usher, you can bring the witness
7 in.

8 MR. MICHALCZUK: Your Honour, just one matter of clarification
9 in relation to associated exhibit 154. I was reminded by my
10 colleagues that I should state on the record that some photographs of
11 a certain location should be added to the already existing exhibit,
12 which has got P number -- I'm talking of the photos of the location
13 at SPOE00128386 to 00128420, and are there are photographs that
14 should be added to P01648 because this --

15 [The witness takes the stand]

16 MR. MICHALCZUK: -- exhibit already exists.

17 PRESIDING JUDGE SMITH: Any objection to that?

18 MS. MENEGON: None.

19 PRESIDING JUDGE SMITH: The photographs will be added, then.

20 MR. MICHALCZUK: Thank you.

21 Q. Mr. Witness, welcome back. Can you hear me?

22 A. Thank you. Yes, I can. Yes.

23 Q. So we are still on the same page. Do you have the document in
24 front of you?

25 A. Yes.

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1 Q. At that time - March, April 1999 - were there KLA units also
2 created in your region of Gollak?

3 A. Yes.

4 Q. This paragraph mentions a number of names. Do you know the KLA
5 members mentioned there?

6 A. Some of them.

7 Q. Which names you don't recognise?

8 A. Best put, it's probably saying whom I do know. Rrahman Dini, I
9 worked with him closely.

10 Q. Okay. Salih Mustafa?

11 A. Yes, I know him.

12 Q. Brahim Mehmetaj aka Bimi? Simply "yes" or "no" will do.

13 A. Back then, no, I didn't know him.

14 Q. But do you know whether he was a member of the Kosovo Liberation
15 Army?

16 A. I found out later, after the war, but I had not met him during
17 the war.

18 Q. Isa Kastrati?

19 A. Yes, I knew him.

20 Q. Isuf Shalaku?

21 A. I did not know him during the war.

22 Q. Rrahmani Dini?

23 A. Yes, yes. Yes, worked closely with him.

24 Q. Flora Brovina?

25 A. Met her. She's a doctor, Flora Brovina.

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1 Q. Shyhrete Gosalci?

2 A. I do not recall having met her during the war.

3 Q. Ramize Abdullahu?

4 A. Yes.

5 Q. Haki Prebreza?

6 A. Do not recall -- no, no, I haven't met him during the war.

7 Q. Hazir Borovci?

8 A. No.

9 Q. Gani --

10 PRESIDING JUDGE SMITH: Mr. Michalczuk, please pause just a
11 moment before you make the next statement.

12 MR. MICHALCZUK: Yes, of course.

13 Q. Hazir Borovci?

14 A. No.

15 Q. Gani Sopi?

16 A. No.

17 Q. Sabit Mushica?

18 A. Not met him during the war.

19 Q. Fadil Fazliu?

20 A. Did not meet him during the war. I do not recall. Maybe I have
21 met him. But he is the brother of two heroes, martyrs.

22 Q. Which heroes? Could you say their names?

23 A. Fahri and Bahri Fazliu, the brother of Fadil.

24 Q. Sabit Krasniqi?

25 A. No.

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1 Q. Agon Rama?

2 A. No.

3 Q. Ejup Maqedonci?

4 A. Yes.

5 Q. Bedri Gubetini?

6 A. Did not meet him during the war.

7 Q. Do you know whether he was a member of the KLA during the war?

8 A. Yes, I learnt that he was a member of the KLA, but I learned
9 this after the war.

10 Q. Agron Xhemajli?

11 A. Yes.

12 Q. Ismail Brahimi?

13 A. No.

14 Q. Lulzim Shabani?

15 A. Did not meet him during the war. Do not know him.

16 Q. Kujtim Qerimi?

17 A. No.

18 Q. Shemsi Kllokoqi?

19 A. No.

20 Q. Besfort Demiri?

21 A. No, no.

22 Q. Gani Mustafa?

23 A. No.

24 Q. Bahri Gashi?

25 A. No.

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1 Q. Mr. Sopi, do you confirm Fatmir Humolli's role in the
2 organisation of the KLA units on the territory of Llap operational
3 zone in this period of time?

4 A. Yes, that's correct.

5 MR. MICHALCZUK: Your Honours, I would like to tender this page
6 into evidence and add it to P00187-ET and the Albanian P00187.

7 PRESIDING JUDGE SMITH: Any objection?

8 MS. MENEGON: Yeah, Your Honour, we object. The witness has not
9 confirmed the content of this paragraph. He does not know most of
10 the individuals mentioned. And when he knows them, he has not
11 mentioned what was their role, if any, during the war. Thank you.

12 MS. ROWAN: Your Honour, we would echo those submissions. The
13 key sentences that were read to the witness and attempts made to
14 confirm whether or not he had knowledge of them, each and every one
15 of those the witness confirmed were outside of his knowledge. So the
16 three central propositions in this paragraph this witness has no
17 knowledge of.

18 PRESIDING JUDGE SMITH: Anybody else?

19 MR. TULLY: Nothing to add.

20 MS. S. ALAGENDRA: We join these objections, Your Honour.

21 [Trial Panel confers]

22 PRESIDING JUDGE SMITH: The objection is sustained. Also, the
23 relevance of this document also tends to escape us as far as why that
24 would be admitted. [Microphone not activated].

25 MR. MICHALCZUK: Yes. Could we move to another page, the same

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1 document but page would be SPOE00055848-ET, and the same page in
2 Albanian. Yes.

3 Q. Mr. Sopi, can you see the documents in front of you?

4 A. Yes, I can.

5 Q. We also discussed this page during the preparation session. Do
6 you remember that?

7 A. Yes.

8 Q. The central paragraph in this document speaks about the period
9 of October, November 1998, and it also mentions you, Mr. Sopi. My
10 question is did the KLA units that would later become part of 153
11 Brigade cover the region of Gollak at that time as this paragraph
12 implies?

13 A. Yes. All of the KLA units which were part of 153rd Brigade came
14 from Gollak.

15 Q. There are several individuals mention therein, yourself
16 included, Fatmir Humolli, Salih Mustafa, Rrahman Dini,
17 Agron Xhemajli. Did they play an important role in the organisation
18 of the KLA units in the region as this paragraph suggests?

19 A. Yes.

20 Q. Immediately under this paragraph, there is another one which
21 speaks about a certain meeting in Prapashtice in mid-November 1998.
22 Did that meeting indeed take place?

23 A. Yes, it was my request, and that is why all of the
24 representatives of the political parties and that organisations
25 active in our region were invited. In addition, there were also

1 representatives of the people. So the idea was to have a meeting in
2 terms of the organisation of the KLA in Gollak. That is why there
3 were representatives of the LDK as well as representatives of other
4 parties, although I'm not sure if they were there. But people who
5 were influential and our citizens.

6 So I informed them that we were organising the units of the KLA,
7 because, back then, the Kosovo Liberation Army was asking just like a
8 blind person who wants to see, that's what they were asking for. So
9 I had -- I received the support of everybody who took part to say
10 that they would support the KLA. And the position that came out of
11 this meeting was that the KLA would become larger, and we received
12 the full support of everybody involved, including supplying us with
13 foodstuffs, any materials that were needed, as well as new blood, new
14 people who wanted to join the KLA.

15 And the purpose was to remove any ideas or question marks as to
16 whether the KLA existed in the first place or not. That is why I
17 actually came out of this meeting satisfied, and we continued
18 cooperation. It turned out to be a very fruitful meeting, indeed,
19 and work went on really well afterwards.

20 Q. Who participated in that meeting on the part of the Kosovo
21 Liberation Army?

22 A. So I organised the meeting and asked for people to come in, and
23 Rrahman Dini and Fatmir Humolli accompanied me.

24 MR. MICHALCZUK: Your Honours, I would like to tender this
25 document into evidence and also add it -- I would like to add it to

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1 page -- to evidence P00187-ET and the Albanian P00187.

2 PRESIDING JUDGE SMITH: Any objection?

3 MS. MENEGON: None.

4 MS. ROWAN: No, thank you.

5 MS. S. ALAGENDRA: None, Your Honour.

6 PRESIDING JUDGE SMITH: SPOE00055848-ET and Albanian is admitted
7 and will be added to P00187. Go ahead.

8 THE COURT OFFICER: It will be done.

9 MR. MICHALCZUK: We can remove these documents from the screen,
10 and we can -- sorry, excuse me, I would like to keep it but move to
11 another page. My apologies. Let's move to page SPOE00055900, both
12 documents.

13 Q. Can you see these documents on the screen?

14 A. Yes.

15 Q. We also discussed this page during your preparation session.
16 This paragraph was drafted, as the footnote implies, also upon the
17 information obtained from you, Mr. Sopi. Do you confirm the
18 existence of these units in January, February 1999 and the name of
19 their commanders?

20 A. I do not see it.

21 MR. MICHALCZUK: Oh. Could move just a little? There are --
22 yes, yes.

23 Q. Can you see it now?

24 A. Yes, I do. Yes, I see it.

25 Q. Do you confirm that these units, indeed, existed and that these

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1 are the names of the units' commanders?

2 A. Yes, yes.

3 MR. MICHALCZUK: Could we also move to the next page. There is
4 the continuation of this list with units.

5 Q. Mr. Sopi, this is the continuation of this list. Do you also
6 confirm the existence of these units in these locations and the names
7 of the commanders of these units?

8 A. Yes, I do.

9 Q. Thank you.

10 MR. MICHALCZUK: Your Honours, I tender the first page, which is
11 SPOE00055900, and the same with the ending ET into evidence, and I
12 would like to add it to P00187-ET and Albanian P00187. The next
13 page, SPOE0055901-ET has already been tendered through another
14 witness and is already part of this exhibit.

15 PRESIDING JUDGE SMITH: Any objection to the tender?

16 MS. MENEGON: None.

17 MS. ROWAN: No, thank you.

18 MR. TULLY: No, Your Honour.

19 MS. S. ALAGENDRA: No, Your Honour.

20 PRESIDING JUDGE SMITH: SPOE0005900 in the English and Albanian
21 is admitted and will be added to P00187.

22 THE COURT OFFICER: It will be done.

23 MR. MICHALCZUK:

24 Q. Witness, let's change the topic slightly. Was there any KLA
25 training centre in Zllash during the war?

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1 A. Yes.

2 Q. In which location was it set up?

3 A. At a school. In Zllash school.

4 Q. How did you know this location, this school in Zllash?

5 A. I know because I was born and grew up there.

6 Q. Did you have any professional commitment in relation to that
7 school before the war?

8 A. Yes, I taught there for eight years, at the same school. When
9 the Serbs actually closed all of the schools, I became a volunteer,
10 and I opened the Zllash school and taught there and kept on going
11 teaching for eight years, because our schools were actually excluded
12 from the invader's educational system.

13 Q. Speaking about the training centre in that school, when was it
14 set up?

15 A. I do not recall the accurate dates, but I think it was at the
16 beginning of 1999.

17 Q. And until when did that school function, did that training
18 centre function?

19 A. This training centre existed up until 7 April 1999, when the
20 Serbian offensive started from Serbia towards our positions.

21 MR. MICHALCZUK: Can we go back to the book again. My apologies
22 for not having told you earlier about it, Madam Court Officer. And
23 this time we'll go very quickly to one page, SPOE00055901,
24 SPOE00055902-ET. Could we move to the next page, please. Yes.

25 Q. Can you see it in front of you, Mr. Sopi?

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1 A. Yes.

2 Q. What is this building depicted on this page?

3 A. This is the Zllash school, its building.

4 Q. Is that the same Zllash school in which the KLA training centre
5 was located, as you told us?

6 A. Yes, yes.

7 Q. As we could see, under this photograph it says that the trainers
8 at this training centre included Emin Borovci and Behxhet Vitia. Was
9 that indeed the case?

10 A. Musli Halimi was in charge of the training centre. People
11 working with him were Emin Borovci and Behxhet Vitia, who conducted
12 the training of the soldiers.

13 Q. I understand. Thank you.

14 MR. MICHALCZUK: We can remove it. No need to tender these
15 pages because they're already admitted.

16 Q. Witness, in your SPO interview, P01766.1, at pages 24 and 25,
17 and your court testimony, P01767.1, at pages 2035 and 2036, you spoke
18 the formal creation of the brigade, Brigade 153. And you said in
19 those statements that, in February 1999, the deputy commander of Llap
20 operational zone, Kadri Kastrati, came to Zllash and announced a
21 decision of the Llap zone commander Mustafa to create the brigade and
22 make certain appointments; is that correct?

23 MS. ROWAN: Your Honour, that's a very leading question. If a
24 witness is to be referred to his previous testimony, leave needs to
25 be --

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1 PRESIDING JUDGE SMITH: It's leading.

2 MS. ROWAN: -- sought by the Panel.

3 PRESIDING JUDGE SMITH: Sustained.

4 MR. MICHALCZUK: Yes. Could the Court Officer pull up,
5 unfortunately, the same book. Again, SPOE00055678-SPOE00056018-ET,
6 page SPOE00055911-ET, and the same in the Albanian. Yes.

7 Q. Mr. Sopi, do you see these documents on the screen?

8 MS. ROWAN: Your Honour, my apologies for interrupting. If
9 we're about to ask a leading question but read it, not from his
10 evidence but read the same proposition from a book, it is no less
11 leading.

12 PRESIDING JUDGE SMITH: Go ahead. Overruled.

13 MR. MICHALCZUK: Yes.

14 Q. Mr. Sopi, do you see these documents on the screen?

15 A. Yes.

16 Q. It speaks about the event that I have just mentioned in my
17 previous question. Do you confirm the accuracy of this paragraph
18 concerning that meeting?

19 A. Yes.

20 MR. MICHALCZUK: Could we just display the footnote on this
21 page.

22 Q. Mr. Witness, the last footnote here says that it was you who
23 suggested that the brigade should be led by professional officers
24 such as Adem Shehu; is that true?

25 A. Yes, it is true. When I heard about the aforementioned person,

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1 I willingly accepted that he should be the commander of the
2 153rd Brigade instead of me. That is because he was a career
3 officer, and it would only be more motivation for the officers so
4 that -- because we had volunteers from Albania helping us in our
5 liberation war. So this was the reason why I accepted that
6 Adem Shehu should be the commander of the 153rd Brigade.

7 MR. MICHALCZUK: Your Honours, the --

8 THE WITNESS: [Interpretation] Mostly it was about my own moral
9 side but also for the morale, rather, of the fighters, so that this
10 career, professional officer would be in charge.

11 MR. MICHALCZUK:

12 Q. I understand.

13 MR. MICHALCZUK: Your Honours, no need to tender this page.
14 It's already part of Exhibit P00187_ET and Albanian P00187. Let's
15 move to another page of the same document, which would be
16 SPOE0055912-ET, and the same in Albanian, the same page.

17 Q. Do you see the documents in front of you, Mr. Sopi?

18 A. Yes.

19 Q. This page speaks about the brigade in which you were one of the
20 commanders, Brigade 153. One of the first sentences says that the
21 headquarters of the brigade was initially in your house. Is that
22 indeed the case?

23 A. Yes, that is correct. The command of Brigade 153 was located in
24 my own house for a long period of time.

25 Q. There is a list of different units of Brigade 153 and the names

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1 of their commanders. Do you confirm the accuracy of that paragraph
2 in relation to the units and their commanders?

3 A. To tell you the truth, I'm not sure to what extent a book will
4 be admitted as evidence before a court of law. There are quite a few
5 things that I am able to see in this book. There are lots of people
6 who have written whatever they wanted to.

7 On this occasion, though, I do see units and names, and I can
8 confirm, yes, that is correct.

9 Q. What was the communication code-name of Brigade 153 during the
10 war?

11 A. During the war, Brigade 153 responded to the call sign Buna.

12 Q. How were the communication codes assigned to various units of
13 the brigade?

14 A. I do not know how they were assigned. However, that was our
15 code.

16 Q. Right. We can see that at the names of units or the locations
17 where these units functioned, we have different numbers. For
18 example, B26 for *njesiti* in Rimanishte, or B41 for *njesiti*
19 Ballabanit. So what do they mean, B41, B26? What does it mean?

20 A. The letter B stands for Buna, and the number is the unit number
21 so that it could respond to that call sign. So in order for
22 Rimanishte not to be mentioned but Buna 26 instead. And to preserve
23 confidentiality *vis-à-vis* the Serb forces, not to mention Koliq
24 but Buna -- the unit at Koliq but to mention Buna 31. That was the
25 reason.

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1 Q. I understand.

2 MR. MICHALCZUK: Your Honours, I would like to tender this page
3 into evidence and add it to P00187_ET and Albanian P00187.

4 PRESIDING JUDGE SMITH: Objection?

5 MS. MENEGON: None.

6 MS. ROWAN: No, thank you.

7 MR. TULLY: None, Your Honour.

8 MS. S. ALAGENDRA: None, Your Honour.

9 PRESIDING JUDGE SMITH: SPOE0055912 in English and Albanian is
10 admitted and will be added to P00187.

11 THE COURT OFFICER: Your Honours, it will be added.

12 MR. MICHALCZUK:

13 Q. Mr. Sopi, let's change the topics slightly. Did the Brigade 153
14 have any unit or person responsible for communicating directly with
15 the media, for example, *KosovaPress*?

16 A. No, it did not have anyone specifically assigned to maintain
17 contact with the media.

18 Q. In case there was any development, for example, on the
19 battlefield in relation to your Brigade 153 and there was a need to
20 report about it, who would report to the press about such
21 development, if not Brigade 153?

22 A. I don't know. However, we did not have an information system
23 operation within the brigade in order to communicate with the media.
24 As a matter of fact, we never had any contact with the media
25 whatsoever.

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1 Q. To which structure was Brigade 153 subordinated to during the
2 war?

3 A. During the war, it was under the Llap operational zone.

4 Q. So if there was a need to report about the developments on the
5 battlefield in relation to the brigade, would that be Llap
6 operational zone who would contact the media?

7 A. Yes, most certainly.

8 Q. Mr. Sopi, did the civil or civilian defence structures function
9 in the Llap operational zone during the war?

10 A. We weren't able to organise a civilian defence in the area where
11 I was operational because we moved on to a war footing immediately,
12 so we had no time to organise the civilian protection units. The
13 only such organisation within Brigade 153 was handled by the
14 logistics headed by martyr Ismet Asllani.

15 Q. My question was not in relation to your brigade specifically.
16 My question was in relation to the civilian defence structures
17 functioning in the Llap operational zone, at the level of the Llap
18 operational zone. Are you aware of the existence of such civil
19 structures?

20 A. I had heard but I had no direct knowledge. I had no access to
21 the system of organisation that they had.

22 Q. Do you know the name of the person who was the head of the civil
23 defence of the Llap operational zone command?

24 A. To tell you the truth, I came to know it after the war.

25 However, I -- I know who he was, but I cannot recall it for the time

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1 being.

2 MR. MICHALCZUK: Could I, with your leave, Your Honours, refresh
3 the memory of the witness.

4 PRESIDING JUDGE SMITH: Yes, go ahead.

5 MR. MICHALCZUK:

6 Q. I would like to read to you part of the Preparation Note 2,
7 paragraph 19. You were referred to exactly the same page of this
8 document, and you said that -- you confirmed that the civil defence
9 structures existed at the level of the Llap operational zone and that
10 the head of the civil defence for Llap zone was Muhamet Latifi.

11 Do you confirm that you said that?

12 A. Oh, yes. Yes. That is correct. I failed to remember it at the
13 time.

14 Q. Thank you.

15 MR. MICHALCZUK: We can remove this document and instead pull up
16 a photograph at SPOE00222559 to 00222559.

17 THE COURT OFFICER: For the record, this is already admitted
18 Exhibit P01685.

19 MR. MICHALCZUK: Indeed.

20 Q. Mr. Sopi, can you see this photograph in front of you?

21 A. Yes.

22 Q. Do you recognise anyone in this photograph?

23 A. Yes.

24 Q. Could you tell the Court who you recognise?

25 A. In a sitting position, that's myself. Right next to me is

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1 Salih Mustafa. Whilst standing, Agron Xhemajli is on my side. And I
2 cannot recall the name of the other person.

3 Q. So Agron Xhemajli is the person who is standing behind you. Is
4 that what you are saying?

5 A. Yes, correct. Behind me.

6 Q. When was this photograph taken?

7 A. Most certainly during the war and in Zllash somewhere.

8 Q. You said "during the war." Is there any way to say more
9 precisely when this photo could be taken?

10 A. I can't specify. I've forgotten. It looks like the same
11 individual would have taken this picture as the other one that was
12 taken to me. However, I do not know who took this picture and I've
13 never had it in my possession.

14 MR. MICHALCZUK: Your Honour, with your leave, I would like to
15 refresh the memory of the witness.

16 PRESIDING JUDGE SMITH: Yes, go ahead.

17 MR. MICHALCZUK:

18 Q. Mr. Witness, you said during preparation session, and it's
19 reflected in the Preparation Note 2 in paragraph 26, the following
20 thing. You were referred to this photograph, and you said that you
21 could identify, indeed, yourself, Salih Mustafa, and Agron Xhemajli
22 standing behind you. And you said:

23 "The photo was taken in Zllash, not in [my] home or the school,
24 at the end of 1998, or beginning of 1999."

25 Do you confirm period of time in which the photo was taken as

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1 stated here?

2 A. Yes, roughly during that period. Yes, during the war.

3 Q. Thank you.

4 MR. MICHALCZUK: We can remove this photograph from the screen.
5 Pull up the last photograph, the last document, at
6 SPOE00222687-00222687.

7 Q. Can you see this photograph on the screen in front of you,
8 Mr. Sopi?

9 A. Yes.

10 Q. Do you recognise anyone on this photograph?

11 A. I recognise some people in this picture, yes.

12 Q. Could you tell us who you recognise?

13 A. I know the -- my co-fighter Salih Mustafa, in uniform.

14 Q. Where is he on this photograph? Could you describe him better?

15 A. The one in front.

16 Q. The one having a red beret and the shades?

17 A. Yes.

18 Q. Who else, if anyone, do you recognise on this photograph?

19 A. Behind him I see our honourable president, the living martyr,
20 Hashim Thaci. And next to him, our respected commander Rustem
21 Mustafa.

22 Q. Is Mr. Thaci the one in the tie, wearing a tie?

23 A. Yes.

24 Q. Is Rustem Mustafa the person who is walking next to him in the
25 military uniform and the black belt?

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1 A. Yes, right next to him and wearing uniform.

2 Q. When was this photograph taken?

3 A. I don't know. I saw it for the first time when you showed it to
4 me during the preparation session.

5 MR. MICHALCZUK: Can I refresh the witness's memory? And this
6 is my last question, Your Honour.

7 PRESIDING JUDGE SMITH: Yes.

8 MR. MICHALCZUK:

9 Q. During your preparation session, you were referred to this
10 photograph. It's in Preparation Note 2, paragraph 24, and you said:

11 "[I assume] this could be taken shortly after the war."

12 Do you confirm that?

13 A. It would appear so, yes.

14 Q. Thank you.

15 MR. MICHALCZUK: Your Honour, I don't have any further questions
16 for this witness.

17 PRESIDING JUDGE SMITH: All right.

18 Witness, it is time for a half-hour break. You may leave the
19 courtroom. Please do not speak with anyone about your testimony.
20 And we will see you back here in a half hour.

21 THE WITNESS: [Interpretation] Okay.

22 [The witness stands down]

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

24 --- Recess taken at 11.02 a.m.

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

1 PRESIDING JUDGE SMITH: Yes, Mr. Michalczuk.

2 MR. MICHALCZUK: Yes, thank you very much. Before we bring the
3 witness in, my colleagues reminded me that the last photograph I
4 showed to the witness and he commented upon it doesn't have a P
5 number assigned. So we would like to tender this and have a P number
6 assigned.

7 PRESIDING JUDGE SMITH: I don't think you even tendered it, did
8 you?

9 MR. MICHALCZUK: I didn't, so I'd like to do it now, with your
10 permission, Your Honour.

11 PRESIDING JUDGE SMITH: Any objection to the photo?

12 MS. MENEGON: Your Honour, we object because we question the
13 relevance and probative value of this picture that the witness was
14 not even able, sorry, to give a specific date nor location or to
15 describe the context in which it was taken.

16 MS. ROWAN: We would echo those submissions.

17 MR. TULLY: Nothing to add.

18 MS. S. ALAGENDRA: We don't have anything to add, Your Honour.

19 PRESIDING JUDGE SMITH: [Microphone not activated].

20 The photo is relevant and will be admitted. SPOE00222687 to
21 00222687 is admitted and will be assigned a P number.

22 THE COURT OFFICER: Your Honours, that will be assigned
23 Exhibit P01774. And if we can confirm classification.

24 PRESIDING JUDGE SMITH: Thank you.

25 MR. MICHALCZUK: [Microphone not activated].

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1 PRESIDING JUDGE SMITH: [Microphone not activated].

2 Reclassified as public.

3 Ms. Menegon, your cross-examination.

4 Oh, we have to have a witness. Please bring the witness in.

5 [The witness takes the stand]

6 PRESIDING JUDGE SMITH: All right. Witness, we are ready to
7 continue. The Thaci Defence will have some questions for you right
8 now. They are to your right. Please give them your attention.

9 [Microphone not activated].

10 MS. MENEGON: Thank you, Your Honour.

11 Cross-examination by Ms. Menegon:

12 Q. Mr. Witness, my name is Sophie Menegon, and I'm going to ask you
13 some questions on behalf of Mr. Thaci.

14 Mr. Witness, am I right to understand from your previous
15 statement and testimony admitted through Rule 154 that you considered
16 that the KLA was a voluntary spontaneous group of self-defence,
17 created in reaction to the offensives and crimes committed by the
18 Serb forces?

19 MR. MICHALCZUK: Could we have the reference for that?

20 MS. MENEGON: It's an open question.

21 Q. Witness, you referred in particular to the fact that the KLA was
22 a volunteer army. I'm referring to P1766.1, page 1. You mentioned
23 the fact that the KLA was attacked several times by the Serb forces,
24 in particular in April 1999. We discussed it this morning. So would
25 that be a good summary for you of your, let's say, understanding or

1 vision of the KLA as a group of self-defence committed merely react
2 to the Serbian offensives and crimes?

3 MR. MICHALCZUK: It's compound, Your Honour. Could we break it
4 down into small chunks?

5 PRESIDING JUDGE SMITH: Just ask a simple question, please.

6 MS. MENEGON:

7 Q. Mr. Witness, do you consider that the KLA was a voluntary army?

8 A. The Kosovo Liberation Army was a voluntary army. Its source was
9 the people, and it came as a result of the century-wide suffering of
10 the Albanian people. And the Kosovo Liberation Army is the largest
11 exercise that Albanians have undertaken post independence of Albania.
12 And it was the KLA that, with its fair war, had the support of the
13 whole world, our people, the democratic world, the United States of
14 America, the United Kingdom, as well as EU member states. And it is
15 with our fair war and just war that the Kosovo Liberation Army --

16 PRESIDING JUDGE SMITH: Witness --

17 A. -- brought about the liberation of Kosovo.

18 PRESIDING JUDGE SMITH: Witness, that just called for a
19 yes-or-no answer, and I take it it was a yes.

20 THE WITNESS: [Interpretation] Yes.

21 MS. MENEGON:

22 Q. So am I right to understand that it was created, essentially, in
23 reaction to the offensives and crimes committed by the Serbian forces
24 against the Albanian population, the Kosovo Albanian population?

25 A. Correct.

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1 Q. Thank you. In your area, the KLA started to get more organised
2 from late January 1999, early February 1999, with the creation of
3 Brigade 153 in Zllash; correct?

4 A. Correct.

5 Q. And at the beginning, so 1998, early 1998, you didn't have any
6 weapons?

7 A. At the beginning, we didn't have weapons. But we did organise
8 our people and try to prepare them to respond to the Serbian
9 offensive and eventual battles.

10 Q. Thank you. You started to get some weapons at a later stage
11 when the people who joined the KLA brought their own weapons; is that
12 right?

13 A. Yes.

14 Q. And so at first you didn't have any proper chain of supply of
15 weapons?

16 A. No, we did not have a proper chain, but it was simply whatever
17 weapons the people had, the population had. And one of the criteria
18 to join the KLA was that one had to be committed to fight and who
19 possibly could have weapons, their own weapons, or could make sure
20 that they got a weapon somewhere.

21 Q. Thank you. Before the creation of the Brigade 153 - I'm
22 referring to your SPO interview P1766.1, page 15 - you say that you
23 didn't receive any military order from the Llap zone command; is that
24 correct?

25 A. Usually, we -- it depended on the situation. There was no need

1 to receive, for instance, orders or advice from anyone.

2 Q. Thank you. So you mentioned the fact that a training centre was
3 put in place in Zllash around February 1999. And is it right that at
4 first it was still pretty rudimentary because the trainers did not
5 know in advance, for instance, who would attend the training?

6 A. Yes, that's correct. The training centre was created out of the
7 need we had, because we had young men who started joining the ranks
8 and they had no military experience. And to actually safeguard them
9 from any eventual accidents whilst using weapons, as well as
10 preparing them for any eventual weapons, we decided that they should
11 be trained in how to use weapons and receive elementary and basic
12 knowledge on fighting.

13 Q. Thank you. And you also mentioned that there was not a
14 screening process of these new recruits to prevent infiltrators. For
15 instance, you would not ask them whether they belonged or not to the
16 LDK.

17 A. No. They came there from our units in an organised manner, our
18 train -- our units in villages. So, for instance, a village would
19 bring their unit, and the verification work was conducted by the unit
20 commanders in their own locations. Whereas in Zllash we had no need
21 to identify these people.

22 Q. Understood. So I understand that some members from the LDK
23 could join the KLA, and similarly, to your knowledge, former JNA
24 officers were not prevented from joining the ranks of the KLA.

25 A. Yes, that's correct. And we did have such officers amongst us.

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1 Q. Do you have any names, for instance?

2 A. Yes. We -- the chief of the zone was one, Idriz Shabani,
3 Nuredin Ibishi, former JNA officers. One, for instance, was a police
4 officer; Nuredin Ibishi, that is.

5 Q. Thank you. After the training, the new recruits were not
6 provided with uniforms or weapons; is that right?

7 A. No, we just had no capabilities like that.

8 Q. So you lacked sufficient means to equip everyone; right?

9 A. No, we just didn't have these at the time.

10 Q. And is it right that people could and would buy their own
11 uniforms on the street?

12 A. Yes, some people could buy their uniforms. But some of our
13 people never had uniforms, but they just had the heart for it, to
14 fight for our liberation.

15 Q. And, indeed, that's why not everyone had the same uniforms in
16 the KLA and some were still in civilian clothes; correct?

17 A. Yes, correct.

18 Q. So it could happen that some people would wear KLA uniforms
19 without being a member of the KLA, to your knowledge?

20 A. It could have been possible. But on the ground that I operated
21 in, I had no such information of this happening.

22 Q. Thank you. With regard to the KLA structure, once Adem Shehu
23 became the commander of Brigade 153, you told the SPO - and I'm
24 referring to P1766.2, page 2 - so you never received a written order
25 from Adem Shehu?

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1 A. Yes.

2 Q. And actually you told the SPO - and I'm referring to P1766.2,
3 page 4 - that you did not consider him to be a strict military
4 commander, stressing that the KLA was a volunteer army. So do you
5 consider -- do you mean that people obeyed eventual orders because
6 they agreed with such orders?

7 A. Well, the Kosovo Liberation Army did not have rules and
8 discipline like, say, NATO Member States have in this day and age,
9 because it was based on the fact that it was a voluntary army, and
10 the soldiers that joined the KLA did so completely willingly and free
11 of any influence from anyone.

12 Q. Thank you. With regard to the creation of Brigade 153, you
13 testified on 18 January 2022 - and I'm referring to P1767.1, page
14 2034, 35 - that "the organisational beginnings of this brigade was
15 from the very units that were formed in almost every village in
16 Gollak area, that it became official in February 1999 "once we had
17 enough soldiers in the unit," and that Kadri Kastrati inaugurated
18 solemnly the brigade.

19 So is it right to say that Kadri Kastrati essentially
20 officialised a structure you had put in place?

21 A. Yes, that's correct.

22 Q. Thank you. You testified - and I'm referring to P1766.1, page
23 2036 - that:

24 "Since I was dealing with the organisation of the KLA on the
25 ground, and since I was on the ground all the time in various

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1 villages of Gollak area, I was appointed as a person in charge of
2 civilian protection."

3 So is it right to say that your appointment as person in charge
4 of civilian protection in the brigade was essentially a confirmation
5 of the work you were doing previously?

6 A. Well, I was the organiser or one of the main organisers along
7 with my fellow friends, and this wasn't, like, an reward, if that's
8 what you meant, because, to start off with, the suggestion was that I
9 would be appointed brigade commander. But since we did have
10 knowledge of the fact that a career officer would come into our
11 region, then I accepted, really, willingly, that Adem Shehu should be
12 the brigade commander instead, because this wasn't about rewards in
13 any way shape or form. But the largest reward for me was that I was
14 serving the war cause and my nation, my people.

15 Q. I understand. My point was to say and to know whether you agree
16 that you had not waited for the Llap command organise and officialise
17 everything. You had already put, let's say, things in place within
18 the KLA in your area. And in February 1999, it was officialised, but
19 you yourself had already taken the initiative to organise the KLA
20 forces in your area.

21 MR. MICHALCZUK: The counsel is giving evidence, Your Honour.

22 MS. MENEGON: I'm asking for his opinion.

23 PRESIDING JUDGE SMITH: Overruled.

24 Go ahead.

25 MS. MENEGON:

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1 Q. Can you please reply?

2 A. No. I've said this in the past and I shall say it again. We,
3 our units, we organised ourselves before this was extended to the
4 whole of our area. So we had taken steps even before we were in
5 touch with the organisational structure of the KLA. Our units were
6 created even earlier than that because we just -- we were waiting for
7 the first contact with the KLA. So our units in Gollak preceded
8 this, the organisational structure of the KLA.

9 Q. Thank you. And similarly, before the creation of Brigade 153,
10 Rrahman Dini was already working with you to organise the ranks of
11 the KLA in the villages in Gollak; is that right?

12 A. Correct, yes.

13 Q. So when he was appointed as part of the staff of Brigade 153, it
14 was also a confirmation of his prior involvement amongst the KLA
15 forces in this area.

16 A. Yes.

17 Q. Thank you. In your Preparation Note 2, paragraph 19, you say
18 that the head of civil defence for Llap was Muhamet Latifi, and you
19 added that you didn't receive any orders from him. Do you confirm
20 it?

21 A. I confirm it. That's correct.

22 Q. Thank you. So the KLA in your area had a good relationship with
23 the LDK at the time; is that correct?

24 A. Yes, excellent relations.

25 Q. You say that your brother Demir was LDK representative for

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1 Zllash at the time; that's right?

2 A. Yes. And at the same time he was a member of the KLA.

3 Q. Can you please describe his role both within the LDK and the KLA
4 at the time?

5 A. His role in the LDK was to represent the village, given the LDK
6 office in Gollak. Whereas in terms of the KLA ranks, he was a
7 member, a soldier of the KLA up until the end of the war.

8 Q. Thank you. And so did the KLA and the LDK liaise or work
9 together about practical issues such as the provision of food or
10 healthcare to the population in your area?

11 A. The whole organisation of the LDK in Gollak area, it placed
12 itself at the service of the KLA, and we had representatives of those
13 groups in us also as commanders of battalions and various units of
14 the KLA. So cooperation was genuine, with no incidents whatsoever.

15 Q. You said you had commanders in the KLA who were members in your
16 area who were members of the LDK. Can you give us a few names?

17 A. Yes. Yes, I can. Ejup Gashi, commander for Mramor region. He
18 was and is part of the LDK whilst he was battalion commander.

19 Q. Thank you.

20 A. Gashi also and many other commanders of other units who were
21 part of the LDK and who joined willingly the KLA up until the end of
22 the war. And they did so wholeheartedly so that this war would be
23 successful.

24 Q. Thank you. And, in particular, did the KLA and LDK collaborate
25 regarding the evacuation of civilians in April 1999 following

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1 offensives from the Serbs?

2 A. Yes, they did. The LDK structure knew the people around,
3 because they were already organised given a charity, Mother Teresa
4 charity there. So they also had food. So they made sure that the
5 civilians would have everything, and they organised this as best as
6 they could. Perfectly, really. And they made our work much easier,
7 helping us out for the best of the civilian population which had been
8 evicted from Prishtine and Podujeve and the areas around.

9 Q. Thank you. And yourself, you were a member of the LDK?

10 A. No, I am not.

11 Q. Thank you. I have no further questions.

12 PRESIDING JUDGE SMITH: Thank you.

13 Ms. Rowan.

14 MS. ROWAN: No, thank you, Your Honour.

15 PRESIDING JUDGE SMITH: Go ahead.

16 MR. TULLY: Thank you, Your Honour.

17 Cross-examination by Mr. Tully:

18 Q. Good afternoon -- oh, I believe it's still morning. Witness, my
19 name is Eric Tully, and I represent --

20 A. Hello.

21 Q. -- Rexhep Selimi. I only have a few questions for you. You
22 were asked by Ms. Menegon about your brother's work within the LDK,
23 and you said he was a member of the KLA up until the end of the war.
24 But how long was he a representative of the LDK for Zllash?
25 Throughout what years?

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1 A. He was in the LDK a lot longer, before the war and up until the
2 end of the war. So everybody was a part of the LDK even earlier.

3 Q. Okay. So he was a representative of the LDK at the time you
4 received your promotions within the KLA, for instance? Would that be
5 right?

6 A. Yes.

7 Q. I just have one other issue. Perhaps you can help me; and if
8 you can't, that's okay. You were asked earlier on by the Prosecution
9 - and I'm referring to pages 22 and 25 of the transcript from today -
10 of perhaps some contact between the Zllash zone -- excuse me, the
11 Llap zone, Zllash in particular, and members of the KLA from Karadak.

12 You remember these questions?

13 A. So the Llap area or the Karadak area. Is that what you meant?

14 Q. Yes, assistance in fighting between Brigade 153 and some members
15 from the -- KLA members from Karadak. Do you remember questions
16 about this?

17 A. So the representatives of the Karadak zone, their location was
18 with us. And when the offensive, Serbian offensive started on
19 18 April, they made themselves available to protect the civilian
20 population and their units. That was it.

21 Q. Okay. It was just to orientate you. I just have a question.
22 Do you know an individual, I believe a commander at one point, but an
23 individual by the name of Selami Neziri? Have you heard this name?

24 A. Selami Neziri? No, no.

25 Q. Perhaps you know him by an alias Agron. Do you know a person

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1 whose alias was Agron from the Karadak zone?

2 A. I've forgotten. It could be. I cannot remember. I cannot
3 remember right now.

4 Q. Very well.

5 A. Agron you said, right?

6 Q. Agron, yeah. Selami Neziri.

7 A. Selami, yes, yes. Yes, yes.

8 Q. You do remember. Okay.

9 MR. TULLY: Can I have on screen, then, please,
10 Madam Court Officer, document SITF00265580 to 00265581, and it's at
11 page 00265581. Yes. And if you can just -- I'm going to read this
12 out to you. The content is incorrect -- is not important, but it
13 says:

14 "A petition against the eS head of the Education, Culture and
15 Sport Department has been initiated by the KLA Commander, Mr. Selami
16 Neziri ('Agron') who is now one of two vice-presidents of the
17 Municipality."

18 And it's speaking about Vitnia. That's the person who you are
19 talking about; is that right? The Selami Neziri from Vitnia. Do you
20 remember him to be from Vitnia? Vitina, sorry.

21 A. No, I did not know where he was from.

22 Q. Okay. Very well. Thank you for answering my questions.

23 MR. TULLY: Your Honours, for just direction to the Panel for
24 relevance, this is to do with upcoming witnesses and aliases used by
25 various KLA members. Thank you. I'm finished.

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1 PRESIDING JUDGE SMITH: [Microphone not activated].

2 MS. S. ALAGENDRA: Thank you, Your Honour.

3 Cross-examination by Ms. S. Alagendra:

4 Q. Good afternoon, Mr. Witness. My name is Shyamala Alagendra, and
5 I represent Mr. Jakup Krasniqi. I have a few questions for you this
6 afternoon.

7 So my first question is still going to be on the issue of LDK.
8 And I'm right, am I not, sir, that a large number of the KLA members
9 in your region were also LDK activists?

10 A. Yes, you are right.

11 Q. And during the period of the war, were you aware of any KLA
12 policy that viewed individuals associated with the LDK as opponents
13 of the KLA?

14 A. The region I was active in, there was no political divisions
15 between us. It was just about the war effort, the liberation of
16 Kosovo. There was no political disagreement amongst the ranks of the
17 KLA. Everyone was really fighting for the liberation of Kosovo, a
18 just war.

19 Q. And were you aware of whether or not there was any KLA policy or
20 practice to commit violence against members of the LDK?

21 A. Under no circumstances and never have I heard of any such thing.

22 Q. Sir, I'm going to move on now to ask you some questions relating
23 to the Serb offensive which took place in April 1999.

24 MS. S. ALAGENDRA: And in my questioning, for my learned friend
25 and the Court, I'm going to be referring to the transcript of your

Witness: Fatmir Sopi (Open Session)
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1 testimony in another trial. And that's P01767.1 and .2.

2 Q. Sir, do you recall that during your SPO interview, and also in
3 your testimony in another trial in this Court, you were asked
4 questions about the Serbian offensive which took place in April 1999,
5 particularly starting on April 18th. Do you recall that?

6 A. Yes.

7 Q. And you testified that you actively participated in combat
8 during that offensive. That's correct, isn't it?

9 A. It is correct, yes.

10 Q. And you also testified, sir, that on the fourth day of the
11 offensive - and I'm referring to page 2079 for my learned friend -
12 you mentioned that you had to withdraw towards Prishtine to avoid
13 further civilian losses. Do you recall saying that?

14 A. We allowed the civilian population to withdraw because there was
15 shelling from all over. There were quite a few losses. So that
16 offensive did not spare any old men or women, children. It razed
17 people's homes. All of our homes were burned. People were burnt
18 alive. So we did not impede the return of the civilian population
19 towards Prishtine because of the massacres that were being
20 threatened, because we couldn't actually confront the offensive
21 anymore because it had started and it had a lot more forces than
22 ours.

23 Whereas our KLA units accompanied the civilian population and
24 allowed them to move ahead to Prishtine. And in Makoc, for instance,
25 one of the most infamous massacres was carried out, and people were

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1 just taken out of the ranks that they were walking in and they were
2 killed just right there. And this was revenge in Makoc because the
3 population was supporting us, and this was out of revenge because of
4 the fighting in which we were involved in that area.

5 Q. And, in fact, you testified that the Serb forces were massacring
6 civilians, including children, the elderly, and women. That's
7 correct, isn't it?

8 A. Correct, yes.

9 Q. Now, sir, you've testified that on the third day of the
10 offensive, around April 20, Serbian forces entered and occupied
11 Zllash. That's correct, isn't it? April 20 of 1999.

12 A. They did penetrate, yes.

13 Q. And you also testified that during that entire time you remained
14 in Zllash; right?

15 A. Yes, that's right.

16 Q. And you also testified that you were aware the Serbian forces
17 reached every point in Zllash. That's what you said; correct?

18 A. Yes.

19 Q. And you also said that the Serbian forces entered every house in
20 Zllash, including the house of Adem Krasniqi, the family house of
21 Adem Krasniqi; that's correct?

22 A. They entered into every single house and burned down every
23 single one of them.

24 Q. And you specifically said that they also entered the house of
25 the Krasniqi family; correct?

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1 A. Yes, correct. They had the tank unit as well as the infantry
2 with them.

3 Q. Now, Mr. Witness, based on your knowledge of the events and how
4 the Serbian forces were operating at the time on the ground, would
5 you agree with me that it was highly likely that the Serbs would have
6 killed any civilians they found in any of the homes they entered in
7 Zllash during that period?

8 MR. MICHALCZUK: Calling for speculation.

9 PRESIDING JUDGE SMITH: Sustained.

10 MS. S. ALAGENDRA: Your Honour, I was, in fact, going to respond
11 to the objection, but since Your Honour has ruled, let me rephrase.

12 PRESIDING JUDGE SMITH: [Microphone not activated].

13 MS. S. ALAGENDRA: Let me rephrase the question.

14 Q. Mr. Witness, are you aware of anything happening to civilians in
15 any of the homes that the Serbs entered during that period?

16 A. Yes, we are aware. There was killing, there was killing from a
17 distance but also when they occupied our homes. They killed, they
18 murdered people. They burned people whilst indoors in Zllash and
19 Marec. In Zllash and Marec, there were cases of people who were
20 burned alive in their homes, who were killed, and others who were
21 killed in the streets. There were lots of massacres on the ground.
22 However, the greatest of those massacres was on the Zllash to
23 Prishtine road, and particularly in the area of Makoc where one of
24 the greatest of massacres occurred.

25 Q. Thank you, Mr. Witness.

1 MS. S. ALAGENDRA: Your Honours, I have no further questions.

2 PRESIDING JUDGE SMITH: Thank you.

3 Any redirect?

4 MR. MICHALCZUK: One question, potentially two, Your Honour.

5 PRESIDING JUDGE SMITH: Go ahead.

6 Re-examination by Mr. Michalczuk:

7 Q. Mr. Sopi, in reply to the questions of my colleague representing
8 Mr. Hashim Thaci you indicated that there might not be discipline in
9 Brigade 153 or the units that at a later stage became 153. And I
10 would like to make reference to your court testimony in the case
11 against Salih Mustafa.

12 MR. MICHALCZUK: And, Your Honours, it would be P01767.1, first
13 page 2095 and then 2096.

14 Q. And this is the exchange that you had with the Prosecutor on the
15 issue of discipline. It was me, Mr. Sopi, who asked you that
16 question:

17 "... just before the brigade was established, was there also
18 some form of discipline within the KLA existing?"

19 And you said:

20 "This discipline was always there, from the very first moment
21 that the units were created ..."

22 And you added:

23 "Be it at a unit level or brigade level, those rules were always
24 in force."

25 Do you confirm that you said that during your court testimony?

1 A. It is correct that the liberation army was a disciplined unit,
2 and this discipline stretched into every single unit. Every unit
3 looked after its own discipline. And given that all the soldiers
4 were volunteers, they were disciplined as such. There was no need
5 for any other discipline. They were self-disciplined.

6 Q. Mr. Sopi, you were also asked a question by Krasniqi Defence
7 regarding the destruction of the -- or entry of the Serbian forces
8 into the house of Adem Krasniqi. Did you actually see Serb forces
9 entering that house of Adem Krasniqi during the offensive of April
10 1999? Did you see yourself, with your own eyes?

11 A. Yes, we did see it because I stayed in Zllash alongside the unit
12 every single day, and I saw their penetration every single day.
13 However, I did not want to put my soldiers in danger given that I had
14 noticed that the civilian population had withdrawn from Zllash. So I
15 did not deem it necessary to sacrifice our lives and go in front of
16 the tanks. However, I did see them entering every single house but
17 from a distance.

18 Q. What was the distance from your position where you were looking
19 at the Serbian forces entering the house of Adem Krasniqi?

20 A. I cannot specify that. However, we had binoculars and we were
21 able to follow their movements all along. Every night we would
22 follow their moves, and we would attack them wherever they were
23 located as soon as night fell.

24 Q. My question is exactly did you see the moment when the Serbian
25 forces entered that compound, that house? Did you see it yourself,

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Questioned by the Trial Panel

1 the moment?

2 A. No. We weren't able to follow every single move of theirs, but
3 we know that they entered all over the place, everywhere.

4 MR. MICHALCZUK: I don't have any questions, Your Honour. Thank
5 you.

6 PRESIDING JUDGE SMITH: Thank you.

7 Judge Barthe.

8 JUDGE BARTHE: Thank you.

9 Questioned by the Trial Panel:

10 JUDGE BARTHE: Good afternoon, Mr. Sopi.

11 A. Good afternoon.

12 JUDGE BARTHE: Can you hear me well?

13 A. Yes, I can.

14 JUDGE BARTHE: Thank you. I have a brief question for you, and
15 it has to do with what you said during your testimony in the Mustafa
16 trial in 2022. There you said you were at that time the chairman of
17 the Prishtine branch of the war, the KLA war veterans association; is
18 that right?

19 A. Which period of time do you mean, Your Honour?

20 JUDGE BARTHE: In 2022, on 18 January 2022, and this is in
21 reference to P01767.1, page 2032, lines 15 to 16, you said you were
22 in January 2022 the chairman of the KLA war veterans association. My
23 question is simply this: Do you still have this position? Are you
24 still the chairman?

25 A. I was and remain the chairman of the veterans association for

1 the Prishtine branch, yes.

2 JUDGE BARTHE: Thank you very much. No further questions.

3 PRESIDING JUDGE SMITH: Any follow up to Judge Barthe's
4 question? None?

5 Witness, your testimony is completed. You may leave the
6 courtroom now. You've satisfied your obligation to the Court. We
7 thank you for being with us.

8 THE WITNESS: [Interpretation] Thank you.

9 [Microphone not activated].

10 [The witness withdrew]

11 [Trial Panel and Court Officer confers]

12 PRESIDING JUDGE SMITH: We need to have about 30 minutes to get
13 set up for the next witness, so we will take a 30-minute break and
14 then come back. And we'll get as much done as we can by the lunch
15 break, which will be at the regular time. So we're adjourned for
16 30 minutes. Let's just call it till 20 minutes -- we're adjourned
17 till 20 minutes of the hour.

18 --- Break taken at 12.12 p.m.

19 --- On resuming at 12.42 p.m.

20 PRESIDING JUDGE SMITH: Yes, Mr. Ellis.

21 MR. ELLIS: Thank you, Your Honour. Before we start hearing the
22 evidence of the next witness --

23 PRESIDING JUDGE SMITH: [Microphone not activated].

24 MR. ELLIS: Thank you, Your Honour.

25 Before we start hearing the evidence of the next witnesses, we

1 wanted to place on record that on Friday afternoon, at about
2 5.00 p.m., we were notified of filing 2676 and its three annexes
3 comprising about 450 pages of material which is relevant to the
4 testimony of the coming three witnesses.

5 Having received that on Friday afternoon, we, in fact, asked the
6 Prosecution to delay the hearing of these witnesses until we had more
7 time to consider the material in the annexes. That was declined by
8 the Prosecution. And we are in a position to go ahead today and
9 tomorrow, but we do want to place on record that it's most
10 unfortunate to dump 450 pages on the Defence on a Friday afternoon at
11 5.00 p.m. when -- with the witnesses likely to come on the Monday and
12 Tuesday of the following week.

13 Should something similar happen again, it may well be that the
14 Defence have no option but to seek to adjourn the witness's
15 testimony. And it is material that could have been submitted
16 earlier. It's in the been in the Prosecution's possession for well
17 over a year now.

18 PRESIDING JUDGE SMITH: Response?

19 MR. CAPIN: [Microphone not activated].

20 PRESIDING JUDGE SMITH: [Microphone not activated].

21 MR. CAPIN: [Microphone not activated].

22 The SPO's view is that --

23 PRESIDING JUDGE SMITH: [Microphone not activated].

24 MR. CAPIN: Is my microphone activated now?

25 PRESIDING JUDGE SMITH: [Microphone not activated].

1 MR. CAPIN: Yes.

2 Just to be clear, I think by agreement of the parties we should
3 be in private session?

4 PRESIDING JUDGE SMITH: [Microphone not activated].

5 MR. CAPIN: Because of the nature of the evidence being
6 presented and the 107 protections in place.

7 PRESIDING JUDGE SMITH: [Microphone not activated].

8 MR. CAPIN: Yes, I do.

9 Your Honour, it's the SPO's view that the testimony of this
10 witness and the following two go solely to the authenticity of these
11 *[REDACTED] Pursuant to In-Court Redaction Order F02681RED.* and the
reliability.

12 Are we in private session, Your Honour?

13 PRESIDING JUDGE SMITH: No.

14 MR. CAPIN: I'm reluctant to discuss -- I'll be more oblique,
15 then.

16 PRESIDING JUDGE SMITH: Into private session, please.

17 The sole question that I'm asking about -- excuse me, go ahead.

18 [Private session]

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Witness: W04854 (Private Session)

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Procedural Matters

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Witness: W04854 (Private Session)

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Witness: W04854 (Private Session)

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Witness: W04854 (Private Session)

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Examination by Mr. Capin

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Witness: W04854 (Private Session)

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Examination by Mr. Capin

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Witness: W04854 (Private Session)

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Examination by Mr. Capin

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Witness: W04854 (Private Session)

Page 21299

Examination by Mr. Capin

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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 until 2.30.

13 --- Luncheon recess taken at 1.07 p.m.

14 [The accused appeared via videolink]

15 --- On resuming at 2.42 p.m.

16 PRESIDING JUDGE SMITH: Ms. Rowan, just one minute, please. All
17 right.

18 MS. ROWAN: Your Honour, I'm grateful. Just a brief matter
19 before this witness recommences his testimony.

20 Your Honour indicated this morning, and it's line 80, 12, of
21 this morning's transcript. Your Honour stated:

22 "I also note that you're accompanied by the representative of
23 the Rule 107 provider."

24 JUDGE METTRAUX: We're in public session now, Ms. Rowan.

25 MS. ROWAN: Yes.

1 "In this regard, with the approval of the Panel, you can consult
2 with the representative during your testimony."

3 The SPO, in their application, did not request for this witness
4 to have the ability to consult with a representative nor did the
5 Panel, in their decision, rule that this witness could consult with a
6 representative.

7 Your Honour, in our submission, this witness is still a witness
8 like all others, and all witnesses receive the same warning from this
9 Panel, which is that once commencing their evidence they cannot
10 discuss their evidence with anybody else outside of the courtroom.
11 We would submit that equally applies here.

12 The 107 provider representative is present because there is a
13 national security concern. If such a concern arises as a result of a
14 question that is asked or a document that is shown, the
15 representative has capacity to raise that issue for discussion with
16 the Panel and that issue can be dealt with in open court. But in our
17 submission, this witness does not have the right to consult or
18 discuss his evidence at any stage outside of the open process with
19 this representative.

20 PRESIDING JUDGE SMITH: Thank you.

21 Do you wish to respond?

22 MR. CAPIN: Simply to say that the SPO really takes no position.
23 I think it's hypothetical that there would be any consultation. My
24 understanding of the Court's instruction was that if the witness
25 perceives a question to ask for information that goes beyond the

1 bounds of what he has been permitted to testify to by the 107
2 provider, then he should have the opportunity to consult with the
3 representative.

4 PRESIDING JUDGE SMITH: Thank you.

5 MR. CAPIN: And Your Honour, I think we probably, just as a
6 matter of prudence, should move into closed session since this is all
7 about --

8 PRESIDING JUDGE SMITH: [Microphone not activated].

9 MS. ROWAN: Your Honour, perhaps just before we move on with the
10 witness's evidence. We would ask, because this witness was not given
11 that warning, that this witness is explicitly warned that he may not
12 discuss his evidence with the provider when not in front of the
13 Court, because in our submission that is the position and he should
14 be warned he cannot do so. And we would ask that that is done also
15 with the two subsequent witnesses we are due to hear so that it's
16 clear to those witnesses that in all breaks they cannot discuss their
17 evidence with the provider.

18 PRESIDING JUDGE SMITH: Thank you.

19 MR. CAPIN: No objection to that, Your Honour.

20 [Trial Panel confers]

21 PRESIDING JUDGE SMITH: [Microphone not activated].

22 MR. TULLY: Your Honour, I've a housekeeping matter. I'll rise
23 when the --

24 PRESIDING JUDGE SMITH: [Microphone not activated].

25 Thank you for bringing that to our attention. We will do our

1 best to continue to monitor what goes on right in front of us. And
2 if it appears that someone is asking the -- some communication is
3 taking, we'll break in and deal with that issue at the time. And, of
4 course, we will notify him that he -- as I always do at the end of
5 the day, that he cannot speak with anybody at all concerning his
6 testimony.

7 I'm not arguing with your position. It's just that we have to
8 kind of govern it as it goes on, not ahead of time.

9 MS. ROWAN: Of course, Your Honour. I'm grateful. The only
10 observation we would make is simply that the witness is warned at the
11 outset of his testimony because, as has occurred today, of course, we
12 do have breaks during the day, and it should be made clear to the
13 witness, for example, tomorrow's witness, that they know from the
14 outset of their testimony that at the coffee break they may not do
15 so.

16 So I would simply invite Your Honour to warn the witness at the
17 beginning of their evidence that at no stage can they discuss the
18 evidence with their provider or anybody else for that matter.

19 PRESIDING JUDGE SMITH: We'll consider your request --

20 MS. ROWAN: Thank you.

21 PRESIDING JUDGE SMITH: -- and take steps we think are
22 appropriate, but I am aware of your concern.

23 MS. ROWAN: Yes, it's simply the exact same warning that other
24 witnesses get.

25 PRESIDING JUDGE SMITH: No, I --

1 MS. ROWAN: We're asking for no special treatment.

2 PRESIDING JUDGE SMITH: Understood.

3 MS. ROWAN: Thank you.

4 PRESIDING JUDGE SMITH: Understood. But it is a special
5 circumstance when somebody testifies in this manner, so we can't
6 anticipate every possible problem.

7 MS. ROWAN: No, of course. But there is no legal basis to
8 permit it, so we should take steps to ensure that it is not
9 permitted.

10 PRESIDING JUDGE SMITH: Well, there is a legal basis to allow
11 some types of communication under 107.

12 MS. ROWAN: Your Honour, that's not in the wording of the rule
13 --

14 PRESIDING JUDGE SMITH: Okay.

15 MS. ROWAN: -- and we can see no precedent that --

16 PRESIDING JUDGE SMITH: All right.

17 MS. ROWAN: -- allows it beyond --

18 PRESIDING JUDGE SMITH: We are not going to argue about it right
19 now. We will take into consideration your well-raised position.

20 MS. ROWAN: Thank you.

21 MR. TULLY: Sorry, Mr. President.

22 PRESIDING JUDGE SMITH: [Microphone not activated].

23 MR. TULLY: Yeah, just for a small matter.

24 The issue of order of cross-examination. I know I indicated
25 that we're going first, but there's a bit of a shuffle. So for the

1 next three witnesses, it will be the Selimi team first, followed by
2 Veseli team, followed by Krasniqi team, and then Thaci team will go
3 fourth.

4 PRESIDING JUDGE SMITH: [Microphone not activated] ... one of you
5 will remind me.

6 MR. TULLY: Yes.

7 PRESIDING JUDGE SMITH: But I appreciate that, and we will try
8 to take it into consideration.

9 MR. TULLY: Thank you very much.

10 PRESIDING JUDGE SMITH: So it's you, Veseli -- yeah, Krasniqi,
11 and then Thaci last.

12 MR. TULLY: Exactly.

13 PRESIDING JUDGE SMITH: Right.

14 MR. TULLY: Thank you, Your Honour.

15 PRESIDING JUDGE SMITH: Thank you very much.

16 Madam Court Usher, you may bring the witness in.

17 MR. CAPIN: And I take it, Your Honour, we'll move to private as
18 soon as the witness takes the stand?

19 PRESIDING JUDGE SMITH: Yes.

20 [The witness takes the stands via videolink]

21 PRESIDING JUDGE SMITH: You can all be seated.

22 THE COURT OFFICER: [via videolink] Your Honour, for the record,
23 at the remote location present are Witness W04854, the Rule 107
24 representative, and myself, Court Officer. Thank you.

25 PRESIDING JUDGE SMITH: Thank you.

Witness: W04854 (Private Session)

Page 21306

Examination by Mr. Capin

1 We will go into private session.

2 [Private session]

3 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21307

Examination by Mr. Capin

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21308

Examination by Mr. Capin

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21309

Examination by Mr. Capin

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21310

Examination by Mr. Capin

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21311

Examination by Mr. Capin

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Witness: W04854 (Private Session)

Page 21312

Examination by Mr. Capin

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Witness: W04854 (Private Session)

Page 21313

Examination by Mr. Capin

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21314

Examination by Mr. Capin

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21315

Examination by Mr. Capin

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21316

Examination by Mr. Capin

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21317

Examination by Mr. Capin

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Witness: W04854 (Private Session)

Page 21318

Examination by Mr. Capin

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Witness: W04854 (Private Session)

Page 21319

Examination by Mr. Capin

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21320

Examination by Mr. Capin

1 [Private session text removed]

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14 [Open session]

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

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

17 --- Break taken at 3.31 p.m.

18 --- On resuming at 3.42 p.m.

19 PRESIDING JUDGE SMITH: Madam Court Officer, you may bring the
20 witness back into the room.

21 [The witness takes the stand via videolink]

22 PRESIDING JUDGE SMITH: They can all be seated.

23 We will continue now with the questions from the Prosecutor.

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

25 PRESIDING JUDGE SMITH: We need to be in private session?

Witness: W04854 (Private Session)

Page 21321

Examination by Mr. Capin

1 MR. CAPIN: Yes, please.

2 [Private session]

3 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21322

Examination by Mr. Capin

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21323

Examination by Mr. Capin

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21324

Examination by Mr. Capin

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21325

Examination by Mr. Capin

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21326

Cross-examination by Mr. Tully

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21327

Cross-examination by Mr. Tully

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21328

Cross-examination by Mr. Tully

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21329

Cross-examination by Mr. Tully

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21330

Cross-examination by Mr. Tully

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21331

Cross-examination by Mr. Tully

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21332

Cross-examination by Mr. Tully

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21333

Cross-examination by Mr. Tully

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21334

Cross-examination by Mr. Tully

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21335

Cross-examination by Mr. Tully

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21336

Cross-examination by Mr. Tully

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21337

Cross-examination by Mr. Tully

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21338

Cross-examination by Mr. Tully

1 [Private session text removed]

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Witness: W04854 (Private Session)

Page 21339

Cross-examination by Mr. Tully

1 [Private session text removed]

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1 [Open session]

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

3 PRESIDING JUDGE SMITH: We're adjourned until 9.00 a.m.

4 tomorrow.

5 --- Whereupon the hearing adjourned at 4.31 p.m.

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