

1 Monday, 29 January 2024

2 [Open session]

3 [The accused entered the courtroom]

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

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

7 PRESIDING JUDGE SMITH: Mr. Court Officer, you may call the
8 case.

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

13 PRESIDING JUDGE SMITH: Good morning, everyone.

14 As you can see, we continue to deal with issues of some illness.
15 Mr. Thaci and Mr. Krasniqi are both appearing by videolink, as is
16 Judge Barthe. Just so you know, at 10.00 we'll take a short break
17 just to accommodate those who are on video and having some health
18 issues.

19 Today, we start hearing of the evidence of Prosecution
20 Witness W02082.

21 Madam Court Usher, you can bring the witness in. Yes. Wait
22 just a moment, please.

23 MS. SHAHABUDDIN: Good morning, Your Honours. Just one issue
24 before the witness is brought in. The SPO has not received a
25 psychologist report for this witness. However, we have been informed

1 that the witness will require any materials put before him to be read
2 to him. He has vision issues. And so I just wanted to note that for
3 the Court and for my colleagues in the Defence.

4 In addition, if he could be allowed to repeat the solemn oath
5 after Your Honour -- after the Presiding Judge, line by line, and
6 then allow him to repeat his attestation in that manner, I think that
7 would accommodate him.

8 PRESIDING JUDGE SMITH: We have been advised of that already.
9 Thank you for reminding us. As soon as I get the solemn declaration,
10 we will proceed.

11 All right. Madam Usher, you may bring the witness in.

12 [The witness entered court]

13 PRESIDING JUDGE SMITH: Good morning, Witness.

14 THE WITNESS: [Interpretation] Good morning.

15 PRESIDING JUDGE SMITH: Can you hear me all right?

16 THE WITNESS: [Interpretation] Yes.

17 PRESIDING JUDGE SMITH: Witness, before we begin, you will need
18 to recite the solemn declaration on telling the truth. The usher
19 will hand you the document, and I will state it, and then if you will
20 repeat after me.

21 Conscious of the significance of my testimony.

22 THE WITNESS: [Interpretation] Conscious of the significance of
23 my testimony and my legal responsibility, I solemnly declare that I
24 will tell the truth, the whole truth, and nothing but the truth, and
25 that I shall not withhold anything which has come to my knowledge.

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Procedural Matters

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1 WITNESS: W02082

2 [The witness answered through interpreter]

3 PRESIDING JUDGE SMITH: Thank you very much. You may be seated.

4 Witness, today we will start your testimony, which is expected
5 to last approximately five hours.

6 As you may know, the Prosecution will ask you questions first,
7 and then the counsel for the victims will ask you some questions, and
8 then members of the Panel might also have questions for you.

9 The Prosecution estimate for your examination is one hour.
10 Victims' Counsel will take approximately 15 minutes for questions.
11 The Defence estimates that it will need four hours. As regards each
12 estimate, we hope counsel will be judicious in their use of their
13 time. The Panel may also allow redirect examination if conditions
14 for it 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.

19 Also, please try to indicate the basis of your knowledge of
20 facts and circumstances which you will be asked about.

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

25 Please also speak into the microphone and wait five seconds

1 before answering a question and then speak at a slow pace for the
2 interpreters to catch up with you.

3 During the next hours or days while you are giving evidence in
4 this court, you are not allowed to discuss with anyone the content of
5 your testimony outside of the courtroom. If any person asks you
6 questions outside this court about your testimony, please let us
7 know.

8 Please stop talking if I ask you to do so and also stop talking
9 if you see me raise my hand. These indications mean that I need to
10 give you an instruction.

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

13 Do you understand all of that?

14 THE WITNESS: [Interpretation] Yes.

15 PRESIDING JUDGE SMITH: We will be ready to proceed now. We
16 will begin with questions by the Prosecutor, who is seated on your
17 left. Please give her your attention.

18 Madam Prosecutor.

19 Examination by Ms. Shahabuddin:

20 Q. Good morning, Witness. We have met but allow me to introduce
21 myself. I am Tazneen Shahabuddin, a Prosecutor with the SPO. I will
22 be asking you some questions for approximately one hour as the
23 Presiding Judge indicated.

24 Before I move forward, I've been made aware that you provided
25 your solemn declaration in Albanian. You had indicated to us that

1 your preference today was to proceed in Serbian, and I just want to
2 confirm which language it is that you would prefer to proceed in
3 today.

4 A. I understand better Albanian than Serbian, so I'd prefer
5 Albanian because I know Albanian better. In Serbian, I'm afraid I
6 wouldn't understand something, so I'd rather have Albanian.

7 Q. Okay. No problem. We will proceed. If at any point you are
8 unable to understand anything, please do let us know.

9 Before I ask the Presiding Judge to move into private session to
10 obtain information to establish your identity, I will note that, as I
11 explained during your preparation session, rather than asking you
12 questions about every relevant issue you may have information about,
13 it may be possible to admit your prior statement containing such
14 information into evidence. In order to do so, there are a number of
15 procedural steps to follow which I will turn to after establishing
16 your identity in private session.

17 MS. SHAHABUDDIN: Your Honour, we would need to move into
18 private session at this time to obtain some identifying details given
19 this witness's protective measures.

20 PRESIDING JUDGE SMITH: [Microphone not activated].

21 Please take us into private session for the protection of the
22 witness.

23 [Private session]

24 [Private session text removed]

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Examination by Ms. Shahabuddin

1 [Private session text removed]

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24 [Open session]

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

1 Thank you.

2 PRESIDING JUDGE SMITH: [Microphone not activated].

3 MS. SHAHABUDDIN: None of the items I am asking to be called up
4 today are for public broadcast.

5 I'd like to show the witness 069393-TR Part 1 Revised-ET RED
6 side by side with 069393-TR Part 1 Revised RED.

7 THE COURT OFFICER: Your Honours, for clarification, should we
8 put Serbian or Albanian version on the screen?

9 MS. SHAHABUDDIN: Let me clarify. We'll go with the Albanian
10 version. And just to revise the citation provided, 069393-TR Part 1
11 Revised-ET-AT RED.

12 Q. Witness, this document that you have in front of you refers to a
13 meeting with the SPO in November 2019. Did you give a statement at
14 that time?

15 A. Yes.

16 Q. Do you recall meeting with myself and others from my office in
17 the past few days to review that statement?

18 A. Yes.

19 Q. And did you make a number of clarifications and corrections to
20 the prior statement?

21 A. I did.

22 Q. Do you recall these clarifications and corrections being
23 included in a note which was read back to you?

24 A. Yes.

25 Q. With the clarifications and corrections set out in the note, is

1 the information provided in the statement accurate and truthful to
2 the best of your knowledge and belief?

3 A. Yes.

4 Q. With the clarifications and the corrections set out in the note,
5 does the statement accurately reflect what you would say if you were
6 examined about the same events again?

7 A. Yes.

8 MS. SHAHABUDDIN: I would like to seek admission of the prior
9 statement and the associate exhibits, the relevant ERNs of which are
10 set out in our 22 January 2023 e-mail, and I'd be happy to read out
11 those ERNs at this time if Your Honours would like. I'm seeing some
12 nods. Let me go ahead and read out those ERNs.

13 PRESIDING JUDGE SMITH: [Microphone not activated].

14 MS. SHAHABUDDIN: Thank you. That would be, for the statement,
15 069393-TR Part 1 Revised-ET RED, 069393-TR Part 2 Revised-ET RED,
16 069393-TR Part 3 Revised-ET Revised RED. That's the English language
17 statement.

18 Turning to Albanian. 069393-TR Part 1 Revised-ET-AT RED,
19 069393-TR Part 2 Revised-ET-AT RED, 069393-TR Part 3 Revised-ET
20 Revised-AT RED, 069393-TR Part 1 Revised RED, 069393-TR Part 2
21 Revised RED, 069393-TR Part 3 Revised RED.

22 Turning to the associated exhibits, we seek to tender -- I'm
23 sorry, seek to admit 024847-024849, SITF00188909 to SITF00188966-ET.

24 And then circling back to the Albanian and Serbian versions of
25 the earlier associated exhibit, that would be 024847 to 024849-AT,

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1 024847 to 024849-ST, then SITF00188909 to SITF00188966-AT, and
2 SITF00188909 to SITF00188966.

3 And finally -- and that is everything at this time.

4 PRESIDING JUDGE SMITH: [Microphone not activated].

5 MR. KEHOE: [Microphone not activated].

6 The 024847 is a human rights report that we're just admitting
7 this witness's statement, which is 024847 to 024849 and not the whole
8 document.

9 MS. SHAHABUDDIN: Yes, I can confirm. And I believe those are
10 the numbers that we have read out is an extract taken from a larger
11 article.

12 MR. KEHOE: Yes, Your Honour, as long as it's just the extract
13 and not the whole article. But other than that, Judge, we have no
14 objection other than previously raised.

15 PRESIDING JUDGE SMITH: [Microphone not activated].

16 MS. ROWAN: No, thank you.

17 MR. TULLY: Nothing to raise, Your Honour.

18 MR. BAIESU: No objections.

19 PRESIDING JUDGE SMITH: The enumerated statement, associated
20 exhibits, and note are all admitted as stated by Prosecution.

21 MS. SHAHABUDDIN: I would also seek the admission of the
22 redacted version of Preparation Note 1 at 118830 to 118834.

23 PRESIDING JUDGE SMITH: No objection being --

24 MR. KEHOE: [Microphone not activated].

25 PRESIDING JUDGE SMITH: No objection being heard, that will be

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1 admitted as well. Thank you.

2 Please assign P numbers. Do you want to wait a while to assign
3 the P numbers to that, Mr. Court Officer?

4 THE COURT OFFICER: The statement will receive the exhibit
5 number -- the statement Part 1 will receive Exhibit P945.1. The
6 second part of that statement will receive Exhibit P945.2. And the
7 third part of the statement will receive Exhibit P945.3. All
8 classified as confidential in the Legal Workflow at this point.

9 Then the SITF0011909 to SITF188 -- apologies. Once again:
10 SITF00188909 to SITF00188966-ET will receive Exhibit P946.

11 Next, the ERN 024847 to 024849 will receive Exhibit P947.

12 And the Preparation Note 1, which is the ERN 118830 to 118834,
13 will receive Exhibit P948.

14 Thank you, Your Honours.

15 PRESIDING JUDGE SMITH: [Microphone not activated].

16 MS. SHAHABUDDIN: Your Honour --

17 PRESIDING JUDGE SMITH: I'm sorry, you may proceed.

18 MS. SHAHABUDDIN: Your Honour, on 22 January 2024, the SPO
19 submitted a proposed summary of this witness's now admitted Rule 154
20 statement to the Panel, Defence, and Victims. We have not received
21 any objection to the proposed summary and procedure, so with your
22 leave I will now read the summary in open session.

23 PRESIDING JUDGE SMITH: Go ahead.

24 MS. SHAHABUDDIN: In June 1999, W02082 was abducted by KLA
25 members who seemed to know W02082's identity.

1 He was restrained and taken by KLA members to a location used by
2 the KLA in Prizren where he saw many other KLA members outside.
3 During his detention, he was interrogated, threatened, and severely
4 beaten by different KLA members for hours.

5 W02082 also observed other detainees who appeared bloodied and
6 beaten.

7 Before his release, KLA soldiers warned W02082 not to tell
8 anyone about his detention. To this day, he still suffers health
9 consequences from the injuries he sustained.

10 Q. Witness, you've heard the summary. I will now ask the Presiding
11 Judge to move back into private session in order for me to pose a few
12 questions to you.

13 PRESIDING JUDGE SMITH: [Microphone not activated].

14 THE INTERPRETER: Microphone, please.

15 PRESIDING JUDGE SMITH: Mr. Court Officer, into private session
16 to protect the witness.

17 [Private session]

18 [Private session text removed]

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Examination by Ms. Shahabuddin

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Examination by Ms. Shahabuddin

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Examination by Ms. Shahabuddin

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Examination by Ms. Shahabuddin

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Examination by Ms. Shahabuddin

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Examination by Ms. Shahabuddin

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Examination by Ms. Shahabuddin

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Examination by Ms. Shahabuddin

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Examination by Ms. Shahabuddin

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Witness: W02082 (Private Session)

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Questioned by Victims' Counsel

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Witness: W02082 (Private Session)

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Cross-examination by Mr. Kehoe

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13 [Open session]

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

15 Thank you.

16 PRESIDING JUDGE SMITH: You may proceed.

17 MR. KEHOE: Thank you, Your Honour. If we could put P949 back
18 up on the screen but don't show it to the public.

19 Q. [REDACTED] Pursuant to Post-Session Redaction Order F02092.

20 [REDACTED] Pursuant to Post-Session Redaction Order F02092.

21 [REDACTED] Pursuant to Post-Session Redaction Order F02092.

22 [REDACTED] Pursuant to Post-Session Redaction Order F02092.

23 [REDACTED] Pursuant to Post-Session Redaction Order F02092.

24 [REDACTED] Pursuant to Post-Session Redaction Order F02092.

25 A. Yes.

1 Q. And just going into this article, this was -- and if we could
2 just -- if I can read to you the first paragraph of this article.

3 And it's noted in Prizren:

4 "- The statutes have become memorials in the horizontal plane.
5 At the side of the river lie two bronze statutes of Albanian freedom
6 fighters from the last century. The Serbs knocked them down on
7 27 March as a response to the first NATO bombing and as a means of
8 humiliating the Albanians in Kosovo. And just a stone's throw away,
9 in the front garden of the orthodox cathedral, lies a Serbian folk
10 hero. The Albanians knocked him off his plinth after the Serbs had
11 to leave the town in disgrace. An eye for an eye, a monument for a
12 monument ..."

13 MR. KEHOE: And I'm not certain, Your Honour, if I'm permitted
14 to say the --

15 PRESIDING JUDGE SMITH: [Microphone not activated].

16 MR. KEHOE: Excuse me?

17 PRESIDING JUDGE SMITH: [Microphone not activated].

18 MR. KEHOE: If I can just not mention the place and you can
19 understand what the place is.

20 THE INTERPRETER: Interpreter's note, we have lost the text in
21 English, and we have not finished reading.

22 MR. KEHOE: It's the first paragraph. Should I go back and
23 re-read this, Your Honour?

24 PRESIDING JUDGE SMITH: What do you need, interpreters?

25 Interpreters, do you need him to read the entire paragraph over?

1 THE INTERPRETER: No. Thank you, Your Honour.

2 PRESIDING JUDGE SMITH: [Microphone not activated].

3 MR. KEHOE: Yes, Your Honour.

4 Q. "An eye for an eye, a monument for a monument - [the city], as
5 elsewhere in Kosovo, the time for vengeance has come - vengeance and
6 lawlessness. People are being driven out, homes looted, houses
7 burnt. The war has an ugly sequel."

8 Witness, without identifying the individual city, the place
9 where you were, you know, at the time of your arrest was in chaos,
10 wasn't it?

11 A. Yes.

12 MR. KEHOE: Your Honour, if we could go back into private
13 session.

14 PRESIDING JUDGE SMITH: Into private session, please,
15 Mr. Court Officer, for the protection of the witness.

16 MR. KEHOE: I'm just waiting for ...

17 PRESIDING JUDGE SMITH: Oh, I'm sorry. I thought he did it.

18 [Private session]

19 [Private session text removed]

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Cross-examination by Mr. Kehoe

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Cross-examination by Mr. Kehoe

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Cross-examination by Mr. Kehoe

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Witness: W02082 (Private Session)

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Cross-examination by Mr. Kehoe

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21 [Open session]

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

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

24 --- Break taken at 10.03 a.m.

25 --- On resuming at 10.15 a.m.

1 PRESIDING JUDGE SMITH: Madam Usher, you can bring the witness

2 in.

3 And back to private session, please, Mr. Court Officer.

4 [Private session]

5 [Private session text removed]

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Cross-examination by Mr. Kehoe

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Cross-examination by Mr. Kehoe

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Cross-examination by Mr. Kehoe

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Cross-examination by Mr. Kehoe

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Cross-examination by Mr. Kehoe

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Cross-examination by Mr. Kehoe

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Cross-examination by Mr. Kehoe

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Cross-examination by Mr. Kehoe

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Cross-examination by Mr. Tully

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Cross-examination by Mr. Tully

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Cross-examination by Mr. Tully

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Cross-examination by Mr. Tully

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Cross-examination by Mr. Tully

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19 [Open session]

20 THE COURT OFFICER: Your Honours, we are back in public session.

21 Thank you.

22 PRESIDING JUDGE SMITH: Since we're going to switch witnesses at
23 this time and I assume some personnel in the Prosecution's office,
24 we'll just break now for a half hour. Be back at quarter after
25 11.00, and we'll start up at that time.

1 We're adjourned until then.

2 --- Recess taken at 10.46 a.m.

3 --- On resuming at 11.16 a.m.

4 PRESIDING JUDGE SMITH: You may call the case.

5 THE COURT OFFICER: Your Honours, this is the file number
6 KSC-BC-2020-06, The Specialist Prosecutor versus Hashim Thaci,
7 Kadri Veseli, Rexhep Selimi, and Jakup Krasniqi. Thank you,
8 Your Honours.

9 PRESIDING JUDGE SMITH: Please be seated.

10 [Microphone not activated].

11 MR. EMMERSON: I'm sorry.

12 PRESIDING JUDGE SMITH: We understand you had a question.

13 MR. EMMERSON: Yes. It relates to not this witness about to
14 testify but to the witness who is due to follow. I think it would be
15 wiser if what I had to say to you was said in private session.

16 PRESIDING JUDGE SMITH: We will go into private session, please.

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Witness: W04870 (Private Session)

Page 11983

Procedural Matters

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Witness: W04870 (Private Session)

Page 11984

Procedural Matters

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Witness: W04870 (Private Session)

Page 11985

Examination by Ms. D'Ascoli

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7 [Open session]

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

9 PRESIDING JUDGE SMITH: Thank you.

10 You may proceed.

11 MS. D'ASCOLI: Thank you, Your Honours.

12 Q. Witness, you gave statements in the past, including to this
13 office, and you've had an opportunity to review those statements
14 during the preparation session. I will now call up on the screen the
15 two written statements that this office intends to offer as your
16 written evidence. You don't need to comment on the details of the
17 statements. Just please answer my questions briefly.

18 MS. D'ASCOLI: Can I please call up ERN SPOE00122466 to 00122479
19 RED. And if I can please have the first page of the statement on the
20 screen. The document I'm calling up should not be broadcast to the
21 public, please.

22 Q. Witness, in a few minutes you will see the statement appearing
23 on your computer screen.

24 MS. D'ASCOLI: Can we move into the English so that we have also
25 the bottom page of the first page visible, please.

Witness: W04870 (Open Session)

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Examination by Ms. D'Ascoli

1 Q. Witness, do you see the documents on your screen?

2 A. Yes.

3 Q. Do you recognise this statement? Just "yes" or "no" is
4 sufficient.

5 A. Yes.

6 Q. Do you recognise -- there's a signature at the bottom of the
7 page. Do you recognise this signature?

8 A. Yes.

9 Q. Whose signature is that?

10 A. My signature.

11 Q. And do you remember reviewing this statement recently in
12 preparation for your testimony?

13 A. Yes.

14 Q. I will now move to the second statement that this office intends
15 to offer as your written evidence.

16 MS. D'ASCOLI: Can the Court Officer please bring up ERN
17 103774-TR-ET Part 1 RED. And, again, I just need the first page.

18 Q. Witness, while the document is being brought up, do you remember
19 being interviewed by the Specialist Prosecutor's Office, SPO for
20 brevity, of this Court?

21 A. Yes.

22 Q. We now have the statement, the first page, at least the
23 Albanian. Can you see the date on top of the page? No need to read
24 it.

25 A. Yes.

Witness: W04870 (Open Session)

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Examination by Ms. D'Ascoli

1 Q. Now, in line 8 of the transcript, do you see your name?

2 A. Yes.

3 Q. Do you recall reviewing the entirety of the transcript in
4 preparation for your testimony?

5 A. Yes.

6 Q. In that preparation session, were you given the opportunity to
7 make corrections and to give clarifications to these two statements
8 that we just saw on the screen?

9 A. Yes.

10 Q. And do you recall us taking note of those corrections,
11 clarifications, and those comments being recorded in a written note
12 that was later read back to you?

13 A. Absolutely, yes.

14 MS. D'ASCOLI: And, for the record, the corrections and
15 clarifications to these two statements were actually reflected in two
16 notes. A first one of 19 January, Preparation Note 1, ERN 118803 to
17 118811; and then a supplemental note from 22 January, which is ERN
18 118827 to 118829.

19 Q. Witness, can you confirm that what was recorded in those notes
20 that you read and that were read back to you reflect your corrections
21 and clarifications accurately?

22 A. Yes.

23 Q. And subject to those corrections and clarifications set out in
24 those two notes, do your written statements accurately reflect your
25 declaration, your evidence, and what you would say if examined again

1 on the same topic and if you were asked the same questions again in
2 court?

3 A. Yes.

4 MS. D'ASCOLI: Your Honours, at this point, the SPO seeks
5 admission of the English and Albanian versions of the Rule 154
6 statements as identified on the record along with the associated
7 exhibits and the two preparation notes that I also mentioned. The
8 full ERNs of the two statements, the associated exhibits, are those
9 indicated in Annex 7 of the SPO's Rule 154 application F1830.

10 I've read also on the record the ERN of the two preparation
11 notes. The classification should be confidential for all
12 statements -- associated exhibits and preparation notes.

13 PRESIDING JUDGE SMITH: [Microphone not activated].

14 MR. KEHOE: No objection other than those previously raised.

15 MS. ROWAN: No, thank you.

16 MR. TULLY: None, Your Honour.

17 MS. ALAGENDRA: No objections.

18 PRESIDING JUDGE SMITH: ERN SPOE00122466 to 00122479 RED, and
19 ERN 103774-TR-ET Part 1 RED, plus the two notes and the associated
20 exhibits, are admitted in evidence and will be assigned exhibit
21 numbers.

22 THE COURT OFFICER: Your Honours, the SPOE00122466 to 00122479
23 will be admitted as Exhibit P950.

24 The ERN 103774-TR Part 1 will receive Exhibit P951. Apologies,
25 it's going to be P951.1.

1 Then the Preparation Note 1 with ERN 118803 to 118811 will
2 received P952.

3 And the Preparation Note 118827 to 118829 will received P953.

4 The associated exhibits SITF00240184 to SITF00240192-ET RED will
5 receive P954.

6 And as already mentioned by the SPO, the exhibits are all
7 classified as confidential.

8 MS. D'ASCOLI: Yes, please.

9 THE COURT OFFICER: And I think that we mentioned all the
10 numbers. Can the SPO confirm?

11 MS. D'ASCOLI: I just -- I was seeking a clarification with
12 regard to P951.1. The SPO interview comprises four parts.

13 [Trial Panel and Court Officer confers]

14 PRESIDING JUDGE SMITH: We only admitted Part 1, .1. So would
15 you please list the other three?

16 MS. D'ASCOLI: Yes, of course. The ERN of the other three parts
17 are 103774-TR-ET Part 2 RED, Part 3 RED, and Part 4 RED. It's the
18 same ERN for all of the four parts --

19 PRESIDING JUDGE SMITH: Okay.

20 MS. D'ASCOLI: -- of the SPO interview which we all sought to
21 tender through the Rule 154 application.

22 PRESIDING JUDGE SMITH: Probably my mistake. Any objection to
23 those additional items?

24 MR. KEHOE: No, Your Honour, it wasn't your mistake. I would
25 have had the same objection. But no, no objection.

Witness: W04870 (Open Session)

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Examination by Ms. D'Ascoli

1 MS. ROWAN: No, thank you.

2 MR. TULLY: No, Your Honour.

3 PRESIDING JUDGE SMITH: [Microphone not activated].

4 THE INTERPRETER: Microphone, please.

5 MS. ALAGENDRA: No objections, Your Honour.

6 PRESIDING JUDGE SMITH: [Microphone not activated].

7 THE INTERPRETER: Microphone, please.

8 PRESIDING JUDGE SMITH: Those items just now enumerated will be
9 admitted.

10 MS. D'ASCOLI: Thank you, Your Honours. I didn't read the
11 associated exhibits on the record because I was assuming you would
12 assign an exhibit number in the course of the examination. If you
13 want, I'm ready to read those exhibit numbers. It was to shorten the
14 procedural part of the --

15 PRESIDING JUDGE SMITH: How many of them are there?

16 MS. D'ASCOLI: -- hearings. It's three exhibit number --

17 PRESIDING JUDGE SMITH: Go ahead and read the numbers.

18 MS. D'ASCOLI: Okay. So the first associated exhibit is
19 SITF00240184 to SITF00240192-ET RED, and this together with the
20 Albanian translation was part of the associated exhibits submitted in
21 the motion.

22 Please, Court Officer, let me know when I can proceed with the
23 others.

24 THE COURT OFFICER: Yes, thank you so much. SITF00240184 to
25 SITF00240192-ET will receive P954.

Witness: W04870 (Open Session)

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Examination by Ms. D'Ascoli

1 PRESIDING JUDGE SMITH: We already have a 954.

2 [Trial Panel and Court Officer confers]

3 PRESIDING JUDGE SMITH: Okay.

4 MS. D'ASCOLI: The second associated exhibit has the ERN
5 SPOE00122344 to 00122345 and related English translation as well as a
6 confidential exhibit, please.

7 THE COURT OFFICER: The SPOE00122344 to 00122345 will receive
8 Exhibit P955.

9 MS. D'ASCOLI: Thank you. The last associated exhibit has ERN
10 103775 to 103785 and a related English translation, and we seek that
11 it be admitted as a confidential exhibit too, please.

12 THE COURT OFFICER: Your Honours, ERN 103775 to 103785 will
13 receive Exhibit P956. Thank you.

14 And, for the record, Your Honours, to confirm that -- we already
15 mentioned that Part 1 of the statement will receive P951.1. The
16 other parts will be assigned the exhibit number, Part 2, P951.2;
17 Part 3, P951.3; and Part 4, P951.4. Thank you, Your Honours.

18 PRESIDING JUDGE SMITH: All right.

19 You may proceed with your examination.

20 MS. D'ASCOLI: Thank you, Your Honours.

21 Another procedural issue before that. We sent a brief summary
22 of the witness's 154 statements on 20 January 2024 which, with
23 Your Honours' leave, I will now read on the record.

24 PRESIDING JUDGE SMITH: You may proceed.

25 MS. D'ASCOLI: Thank you.

Witness: W04870 (Private Session)

Page 11994

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 11995

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 11996

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 11997

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 11998

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 11999

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12000

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12001

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12002

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12003

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12004

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12005

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12006

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12007

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12008

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12009

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12010

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12011

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12012

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12013

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12014

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12015

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12016

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12017

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12018

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12019

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12020

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12021

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12022

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12023

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12024

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12025

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12026

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12027

Examination by Ms. D'Ascoli

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10 [Open session]

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

12 Thank you.

13 PRESIDING JUDGE SMITH: We're adjourned until 2.30.

14 Madam Prosecutor, please ask Mr. Halling to be here at 2.30.

15 MS. D'ASCOLI: I will, Your Honours. Thank you.

16 PRESIDING JUDGE SMITH: All right.

17 --- Luncheon recess taken at 1.05 p.m.

18 --- On resuming at 2.30 p.m.

19 MR. EMMERSON: Your Honours, I know you're in the middle of a
20 witness, but I think at this stage we were turning to the question of
21 the next witness and the issues that have been raised between the
22 parties.

23 PRESIDING JUDGE SMITH: [Microphone not activated].

24 MR. EMMERSON: Oh, I'm so sorry.

25 PRESIDING JUDGE SMITH: I only bring up this other thing because

1 I should have this morning and failed to do so.

2 The Panel takes note of WPSO's recommendation at F02075 --

3 [Trial Panel and Court Officer confers]

4 PRESIDING JUDGE SMITH: [Microphone not activated].

5 Into private session, please.

6 [Private session]

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Witness: W04870 (Private Session)

Page 12044

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12045

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12046

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12047

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12048

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12049

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12050

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12051

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12052

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12053

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12054

Examination by Ms. D'Ascoli

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Witness: W04870 (Private Session)

Page 12055

Procedural Matters

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Witness: W04870 (Private Session)

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Witness: W04870 (Private Session)

Page 12057

Procedural Matters

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Witness: W04870 (Private Session)

Page 12058

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Witness: W04870 (Private Session)

Page 12059

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Witness: W04870 (Private Session)

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Questioned by Victims' Counsel

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Witness: W04870 (Private Session)

Page 12061

Questioned by Victims' Counsel

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Witness: W04870 (Private Session)

Page 12062

Questioned by Victims' Counsel

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Witness: W04870 (Private Session)

Page 12063

Questioned by Victims' Counsel

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Witness: W04870 (Private Session)

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Witness: W04870 (Private Session)

Page 12065

Questioned by Victims' Counsel

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Witness: W04870 (Private Session)

Page 12066

Questioned by Victims' Counsel

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Witness: W04870 (Private Session)

Page 12067

Questioned by Victims' Counsel

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Witness: W04870 (Private Session)

Page 12068

Questioned by Victims' Counsel

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Witness: W04870 (Private Session)

Page 12069

Questioned by Victims' Counsel

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9 [Open session]

10 THE COURT OFFICER: We're in public session, Your Honours.

11 PRESIDING JUDGE SMITH: All right. We are adjourned until

12 9.00 a.m. tomorrow.

13 --- Whereupon the hearing adjourned at 3.52 p.m.

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