

1 Tuesday, 29 October 2024

2 [Open session]

3 [The accused appeared via videolink]

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

5 PRESIDING JUDGE SMITH: Mr. Court Officer, please call the case.

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

10 PRESIDING JUDGE SMITH: I note that all the accused are  
11 attending today's hearing via videolink.

12 Today we will continue hearing the evidence of Prosecution  
13 Witness W04854, who is testifying via videolink.

14 Madam Court Officer, you may please contact us with the witness  
15 and the Rule 107 provider's representative through the videolink.

16 MR. TULLY: Mr. President, just for planning purposes, I'll come  
17 in within my estimate, so five, ten minutes maybe. Thank you.

18 PRESIDING JUDGE SMITH: Thank you, Mr. Tully.

19 [The witness takes the stand via videolink]

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

23 PRESIDING JUDGE SMITH: Thank you.

24 You may both be seated.

25 [Microphone not activated].

Witness: W04854 (Resumed) (Private Session)  
Procedural Matters

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1 Good morning, Witness. Today we're going to continue with the  
2 cross-examination. Currently, we are with the attorney for  
3 Mr. Selimi, who is Mr. Tully.

4 Witness, I remind you to please try to answer the questions  
5 clearly with short sentences. If you don't understand a question,  
6 feel free to ask counsel to repeat the question or tell them you  
7 don't understand and they will clarify. Also, please remember to try  
8 to indicate the basis of your knowledge of facts and circumstances  
9 upon which you will be questioned.

10 I remind you that you are still under an obligation to tell the  
11 truth as stated by you in your solemn declaration.

12 Please also remember to speak into the microphone and wait five  
13 seconds before answering a question and then speak at a slow pace for  
14 the interpreters to catch up.

15 If you feel the need to take a break, please let us know and we  
16 will accommodate you.

17 WITNESS: W04854 [Resumed]

18 [The witness answered through interpreter]

19 [The witness appeared via videolink]

20 PRESIDING JUDGE SMITH: Court Officer, please bring us into  
21 private session to protect the identity of the witness and others.

22 [Private session]

23 [Private session text removed]

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Witness: W04854 (Resumed) (Private Session)

Page 21343

Cross-examination by Mr. Tully (Continued)

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Witness: W04854 (Resumed) (Private Session)

Page 21344

Cross-examination by Mr. Tully (Continued)

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Witness: W04854 (Resumed) (Private Session)

Page 21345

Cross-examination by Mr. Tully (Continued)

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Witness: W04854 (Resumed) (Private Session)

Page 21346

Cross-examination by Mr. Tully (Continued)

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Mr. Tully (Continued)

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Mr. Tully (Continued)

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Mr. Tully (Continued)

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Witness: W04854 (Resumed) (Private Session)

Page 21350

Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagenda

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagenda

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

Page 21360

Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagenda

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagenda

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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13 [Open session]

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

15 Thank you.

16 PRESIDING JUDGE SMITH: All right. Now we are adjourned until

17 10.10.

18 --- Break taken at 10.01 a.m.

19 --- On resuming at 10.12 a.m.

20 PRESIDING JUDGE SMITH: Madam Court Officer, you may bring the

21 witness in.

22 [The witness takes the stand via videolink]

23 PRESIDING JUDGE SMITH: You may be seated.

24 Witness, we will continue with some questions from

25 Ms. Alagendra.

Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

1 Go ahead.

2 MS. V. ALAGENDRA: Thank you.

3 Q. So we've seen the initials --

4 MR. CAPIN: Your Honour, are we in private session?

5 PRESIDING JUDGE SMITH: [Microphone not activated].

6 [Private session]

7 [Private session text removed]

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagenda

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagenda

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagenda

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Cross-examination by Ms. V. Alagendra

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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14 [Open session]

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

16 Thank you.

17 PRESIDING JUDGE SMITH: Thank you.

18 We're adjourned now until 11.30.

19 --- Recess taken at 11.05 a.m.

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

21 PRESIDING JUDGE SMITH: Madam Court Officer, you can bring the  
22 witness in to the hearing room.

23 [The witness takes the stand via videolink]

24 PRESIDING JUDGE SMITH: You may both be seated.

25 Witness, Ms. Alagendra will continue with her questions. Please

Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

1 give her your attention.

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

3 MR. CAPIN: May I ask, Your Honour, that we go into closed  
4 session.

5 PRESIDING JUDGE SMITH: Yes, into closed session, please.

6 [Microphone not activated].

7 MR. CAPIN: [Microphone not activated].

8 PRESIDING JUDGE SMITH: That's all right. I made the same  
9 mistake.

10 [Private session]

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagenda

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagenda

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagenda

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

Page 21397

Cross-examination by Ms. V. Alagenda

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Witness: W04854 (Resumed) (Private Session)

Page 21398

Cross-examination by Ms. V. Alagenda

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Witness: W04854 (Resumed) (Private Session)

Page 21399

Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

Page 21401

Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

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Cross-examination by Ms. V. Alagendra

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Page 21403

Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

Page 21404

Questioned by the Trial Panel

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Witness: W04854 (Resumed) (Private Session)

Page 21405

Questioned by the Trial Panel

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Witness: W04854 (Resumed) (Private Session)

Page 21406

Questioned by the Trial Panel

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Witness: W04854 (Resumed) (Private Session)

Page 21407

Questioned by the Trial Panel

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Witness: W04854 (Resumed) (Private Session)

Page 21408

Questioned by the Trial Panel

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Witness: W04854 (Resumed) (Private Session)

Page 21409

Questioned by the Trial Panel

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Witness: W04854 (Resumed) (Private Session)

Page 21410

Questioned by the Trial Panel

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Witness: W04854 (Resumed) (Private Session)

Page 21411

Questioned by the Trial Panel

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Witness: W04854 (Resumed) (Private Session)

Page 21412

Questioned by the Trial Panel

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Witness: W04854 (Resumed) (Private Session)

Page 21413

Questioned by the Trial Panel

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Witness: W04854 (Resumed) (Private Session)

Page 21414

Questioned by the Trial Panel

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Witness: W04854 (Resumed) (Private Session)

Page 21415

Questioned by the Trial Panel

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Witness: W04854 (Resumed) (Private Session)

Page 21416

Questioned by the Trial Panel

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Witness: W04854 (Resumed) (Private Session)

Page 21417

Questioned by the Trial Panel

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Witness: W04854 (Resumed) (Private Session)

Page 21418

Further Cross-examination by Mr. Tully

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Witness: W04854 (Resumed) (Private Session)

Page 21419

Further Cross-examination by Mr. Tully

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Witness: W04854 (Resumed) (Private Session)

Page 21420

Further Cross-examination by Mr. Tully

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Witness: W04854 (Resumed) (Private Session)

Page 21421

Further Cross-examination by Mr. Tully

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Witness: W04854 (Resumed) (Private Session)

Page 21422

Further Cross-examination by Mr. Tully

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Witness: W04854 (Resumed) (Private Session)

Page 21423

Further Cross-examination by Ms. V. Alagenda

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Witness: W04854 (Resumed) (Private Session)

Page 21424

Further Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

Page 21425

Further Cross-examination by Ms. V. Alagenda

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Witness: W04854 (Resumed) (Private Session)

Page 21426

Further Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

Page 21427

Further Cross-examination by Ms. V. Alagenda

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Witness: W04854 (Resumed) (Private Session)

Page 21428

Further Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

Page 21429

Further Cross-examination by Ms. V. Alagendra

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Witness: W04854 (Resumed) (Private Session)

Page 21430

Further Cross-examination by Ms. Tavakoli

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Witness: W04854 (Resumed) (Private Session)

Page 21431

Further Cross-examination by Ms. Tavakoli

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Witness: W04854 (Resumed) (Private Session)

Page 21432

Further Cross-examination by Ms. Tavakoli

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1 [Private session text removed]

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5 [Open session]

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

7 Thank you.

8 PRESIDING JUDGE SMITH: Thank you.

9 We are adjourned until 2.30.

10 --- Luncheon recess taken at 1.16 p.m.

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

12 PRESIDING JUDGE SMITH: This afternoon we will start hearing the  
13 evidence of Prosecution Witness W04809, who will testify via  
14 videolink.

15 As a reminder to all, the Panel authorised -- and I am referring  
16 to filing F02660, authorised the presence of the representative of  
17 the Rule 107 provider during the testimony of this witness.

18 Madam Court Officer, please connect us with the witness and the  
19 representative through videolink.

20 Is the witness available?

21 [Trial Panel and Court Officer confers]

22 PRESIDING JUDGE SMITH: Good afternoon.

23 THE COURT OFFICER: Your Honours, for the record, at the remote  
24 location present are Witness W04809, Rule 107 representative, and  
25 myself, Court Officer. Thank you.

1 [The witness takes the stand via videolink]

2 PRESIDING JUDGE SMITH: Good afternoon, Witness. The CMU staff  
3 member at your location will now provide you with the text of a  
4 solemn declaration which you are asked to take. Please take a look  
5 at it and then read it aloud.

6 THE WITNESS: [via videolink] [Interpretation] Conscious of the  
7 significance of my testimony and my legal responsibility, I solemnly  
8 declare that I will tell the truth, the whole truth, and nothing but  
9 the truth, and that I shall not withhold anything which has come to  
10 my knowledge.

11 WITNESS: W04809

12 [The witness answered through interpreter]

13 [The witness appeared via videolink]

14 PRESIDING JUDGE SMITH: Thank you, Witness. You can be seated  
15 now, both of you.

16 And I would, first of all, ask the representative of the  
17 Rule 107 provider to identify himself for the record.

18 Hold on, though. Wait until we go into private session.

19 MR. KEKIC: [via videolink] [Interpretation] You're asking me?

20 [Private session]

21 [Private session text removed]

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Witness: W04809 (Private Session)

Page 21435

Procedural Matters

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Witness: W04809 (Private Session)

Page 21436

Procedural Matters

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Witness: W04809 (Private Session)

Page 21437

Examination by Mr. Capin

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Witness: W04809 (Private Session)

Page 21438

Examination by Mr. Capin

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Witness: W04809 (Private Session)

Page 21439

Examination by Mr. Capin

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Witness: W04809 (Private Session)

Page 21440

Examination by Mr. Capin

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Witness: W04809 (Private Session)

Page 21441

Examination by Mr. Capin

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Witness: W04809 (Private Session)

Page 21442

Examination by Mr. Capin

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Witness: W04809 (Private Session)

Page 21443

Examination by Mr. Capin

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Witness: W04809 (Private Session)

Page 21444

Examination by Mr. Capin

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Witness: W04809 (Private Session)

Page 21445

Examination by Mr. Capin

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Witness: W04809 (Private Session)

Page 21446

Examination by Mr. Capin

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Witness: W04809 (Private Session)

Page 21447

Examination by Mr. Capin

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Witness: W04809 (Private Session)

Page 21448

Examination by Mr. Capin

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Witness: W04809 (Private Session)

Page 21449

Examination by Mr. Capin

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Witness: W04809 (Private Session)

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Procedural Matters

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Witness: W04809 (Private Session)

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Procedural Matters

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Witness: W04809 (Private Session)

Page 21452

Cross-examination by Mr. Tully

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Witness: W04809 (Private Session)

Page 21453

Cross-examination by Mr. Tully

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Witness: W04809 (Private Session)

Page 21454

Cross-examination by Mr. Tully

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Witness: W04809 (Private Session)

Page 21455

Cross-examination by Mr. Tully

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Witness: W04809 (Private Session)

Page 21456

Cross-examination by Mr. Tully

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Witness: W04809 (Private Session)

Page 21457

Cross-examination by Mr. Tully

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Witness: W04809 (Private Session)

Page 21458

Cross-examination by Mr. Tully

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Witness: W04809 (Private Session)

Page 21459

Cross-examination by Mr. Tully

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Witness: W04809 (Private Session)

Page 21460

Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

Page 21461

Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

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Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

Page 21463

Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

Page 21464

Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

Page 21465

Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

Page 21466

Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

Page 21467

Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

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Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

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Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

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Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

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Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

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Cross-examination by Mr. Ellis

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Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

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Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

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Cross-examination by Mr. Ellis

1 [Private session text removed]

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Witness: W04809 (Private Session)

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Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

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Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

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Cross-examination by Mr. Ellis

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Witness: W04809 (Private Session)

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Procedural Matters

1 [Private session text removed]

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24 [Open session]

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

1 Thank you.

2 PRESIDING JUDGE SMITH: [Microphone not activated] ... Mr. Ellis.

3 MR. ELLIS: Your Honour, given that we have to complete this  
4 witness, and my understanding is the next witness is also a videolink  
5 witness, we would request that Mr. Krasniqi be able to follow by  
6 videolink tomorrow as well.

7 PRESIDING JUDGE SMITH: [Microphone not activated].

8 As long as the waiver is filed by everyone, they can certainly  
9 be -- all four can be excused tomorrow under the circumstances of all  
10 VC -- video witnesses.

11 Thank you all for today. We will see you all tomorrow morning  
12 at 9.00. We're adjourned until then.

13 --- Whereupon the hearing adjourned at 4.30 p.m.

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