

1 Wednesday, 4 September 2024

2 [Open session]

3 [The accused entered the courtroom]

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: The accused are all present in court  
11 today. We will continue now the hearing of the evidence of  
12 Prosecution Witness W01511.

13 Madam Court Usher, please bring the witness in.

14 [The witness takes the stand]

15 PRESIDING JUDGE SMITH: Good morning, Mr. Tetaj.

16 THE WITNESS: [Interpretation] Good morning.

17 PRESIDING JUDGE SMITH: Today we're going to continue your  
18 testimony. I remind you to please try to answer the questions  
19 clearly with short sentences. If you don't understand a question,  
20 feel free to ask counsel to repeat the question or tell them you  
21 don't understand and they will clarify.

22 Also, please remember to try to indicate the basis of your  
23 knowledge of the facts and circumstances upon which you will be  
24 questioned.

25 I remind you that you are still under an obligation to tell the

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1 truth as stated by you in your solemn declaration.

2 Please also remember to speak into the microphone and to wait  
3 five seconds before answering a question, and speak at a slow pace  
4 for the interpreters to catch up.

5 If you feel the need to take breaks, please make an indication  
6 and we will accommodate you.

7 We continue now with the questions by the Thaci Defence.  
8 Mr. Misetic has the floor. Please give him your attention.

9 MR. MISETIC: Thank you, Mr. President.

10 WITNESS: RRUSTEM TETAJ [Resumed]

11 [The witness answered through interpreter]

12 Cross-examination by Mr. Misetic: [Continued]

13 Q. Good morning again, Mr. Witness.

14 A. Good morning.

15 Q. Witness, we left off yesterday talking about the meeting on  
16 2 September where members of the General Staff were present. And I'd  
17 like to show you a document.

18 MR. MISETIC: Which is Exhibit 1D00102, please.

19 Q. And, Witness, what I'm going to show you is a newspaper  
20 interview in *Zeri* in November 1999 given by Bislim Zyrapi about that  
21 meeting.

22 MR. MISETIC: And if we could go to page 8 in both versions,  
23 please. If we could scroll down to the part that begins with the  
24 question: "Where did you meet, and what did you speak about with  
25 Tahir Zema?"

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1 Q. And Mr. Zyrapi says:

2 "We held the meeting in a school in the village of Bardhanic,  
3 where the brigade was also stationed. At the meeting we drew Tahir's  
4 attention to the fact that in an army there is no voting by villages  
5 or members of the public, and that appointments are made top-down. I  
6 told Tahir that he knew how appointments are to be made in the army,  
7 in accordance with the rules of service. So we told him that a  
8 commander could only be appointed by the Main Staff. Then we  
9 gathered the villages together, including the villages concerned, and  
10 after a long meeting we persuaded them that they had no right to vote  
11 for and appoint a military leader. After the meeting with the  
12 villages we returned to the meeting in Bardhanic. Then I read out  
13 the statement of the Main Staff that the commander of the Dukagjin  
14 Operations Zone was Ramush Haradinaj as appointed by the senior  
15 military leadership, and that Tahir Zema could be Ramush's deputy.  
16 Tahir Zema did not accept the posting. He had a satellite telephone  
17 close by and called Ahmet Krasniqi, informing him of everything that  
18 had happened."

19 Now, first let me stop there. Does that refresh your  
20 recollection as to what was discussed at the meetings in Bardhanic?

21 A. Yes, and I mentioned this yesterday as well.

22 Q. And is Mr. Zyrapi's recollection in 1999 consistent with your  
23 own recollection of what was discussed at this meeting?

24 A. Parts of it, yes. However, this is only a statement given to a  
25 newspaper, *Zeri*. But I am not convinced that I heard him speaking to

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1 Tahir about how a commander is chosen.

2 Secondly, after that meeting, the villages in the municipality  
3 of Decan never came together. We had a rally meeting only when  
4 Tahir Zemaj was chosen. So it is impossible that I would not know of  
5 a meeting of villages and commanders of villages after this meeting.  
6 So there was no other meeting or rally after this one.

7 Q. So your evidence is that you have no --

8 A. To my knowledge.

9 Q. You have no knowledge of the fact that the General Staff members  
10 met with members of the villages -- with the leaders of the villages;  
11 is that correct?

12 A. Correct. Correct.

13 Q. Okay. It then continues. He says:

14 "Then Hashim Thaci and I spoke with Ahmet Krasniqi on the  
15 telephone. I said to Ahmet, how can you have voting for a commander,  
16 when there is a Main Staff in Kosovo? Ahmet replied, 'You guys take  
17 care of your own business and don't interfere with my officers.' I  
18 then said to him, 'Sir, these are KLA officers,' and he replied, 'No,  
19 they're my officers, and you have no business interfering.'"

20 Now, you have no knowledge personally of what was discussed  
21 between Bislīm Zyrapi and Ahmet Krasniqi; correct?

22 A. Bislīm was not present in those moments at all. Only Hashim and  
23 Tahir were there. Bislīm was with us. He knows better why he stated  
24 this.

25 Q. So you have no knowledge that Bislīm Zyrapi was with Mr. Thaci

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1 when they were speaking with Ahmet Krasniqi on the satellite phone;  
2 correct?

3 A. I know that he was with Thaci when they arrived. But when they  
4 spoke with Ahmet Krasniqi, it was only Tahir Zemaj and Hashim Thaci,  
5 and we all others who were in the vicinity, in the proximity. But he  
6 was with us.

7 Q. Okay.

8 A. When I say "he," I'm referring to Zyrapi.

9 Q. And then it goes on. It says:

10 "We went back to the meeting and said that he should stay,"  
11 meaning Tahir Zemaj, "should stay as deputy commander of the zone.  
12 He said he would not accept these assignments and would remain  
13 commander of the 131 Brigade based in Prapaqan. We then decided that  
14 he would remain commander of this brigade, but on condition that he  
15 was not to enter into any kind of civilian affairs as he had done  
16 before."

17 Now, first of all, do you recall that Bislim Zyrapi went back  
18 into the meeting and told Tahir Zemaj that he could be deputy  
19 commander but that Tahir Zemaj rejected that appointment?

20 A. I was not in that meeting. I'm hearing this for the first time  
21 today.

22 Q. And do you recall Bislim Zyrapi telling Tahir Zemaj that he  
23 could remain the commander of the 131 Brigade but on condition that  
24 he not enter into any kind of civilian affairs as he had done before?

25 A. To my knowledge, this is not true that he did say that to him.

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1 Q. Well, you just said that you weren't there; correct?

2 A. I know how things unfolded because Tahir told me about it and  
3 the other officers who were alive. After they returned, Tahir  
4 consulted with Ahmet Krasniqi and Bujar Bukoshi, the  
5 government-in-exile, through satellite phone. We then received the  
6 order to withdraw.

7 Q. Yes, but my question to you is --

8 A. An order from the government.

9 Q. You said -- when I asked you an earlier question, you said:  
10 "I was not in that meeting."

11 Correct?

12 A. Correct.

13 Q. Now, he continues in that interview. He says:

14 "After that, as you know, the offensive started, and Tahir  
15 withdrew all the troops, abandoned the front line and handed over a  
16 large arsenal of weaponry."

17 Now, I'd like to talk about the withdrawal of the forces. And  
18 you told the SPO in your interview that Tahir Zemaj decided to  
19 withdraw his troops in conjunction with the Bukoshi  
20 government-in-exile and specifically Ahmet Krasniqi; correct?

21 A. Correct.

22 Q. And the decision to withdraw those troops was made by  
23 Tahir Zemaj together with Ahmet Krasniqi; correct?

24 A. Correct.

25 Q. And you told the SPO that Zemaj withdrew his forces because the

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1 promises he originally received from Bukoshi's government were not  
2 kept; correct?

3 A. Correct.

4 Q. And you specifically told the SPO that Zemaj did not receive  
5 supplies promised by Bukoshi's government; correct?

6 A. Correct. All the promises made by Bukoshi and Ahmet Krasniqi  
7 when Tahir Zemaj joined the front line were not kept, and we did not  
8 receive any supplies or logistics. I have stated this to the  
9 Prosecutor.

10 To make it clearer, I had a meeting with Bujar Bukoshi and the  
11 American diplomatic mission. I think the minutes of that meeting  
12 should be found. Bujar Bukoshi, Ahmet Krasniqi, and Rustem Tetaj  
13 through satellite phone. Everything is in there.

14 All the weapons received by Ahmet Krasniqi were blocked in  
15 Tirana, because of political reasons or other reasons, I wouldn't  
16 know. However, the government came up with a decision. We came up  
17 with a decision. We were ordered to withdraw 1.500 soldiers who were  
18 left without weaponry. We had light weapons but not heavy weaponry.  
19 No ammunition. We came up with the decision that we could not resist  
20 with that shortage of weaponry. Therefore, the decision was made by  
21 the government-in-exile and Ahmet Krasniqi to withdraw in the  
22 interest of the KLA and the war.

23 Q. Thank you, Witness. I appreciate you answering my questions.

24 MR. MISETIC: Mr. President, I have no further questions.

25 PRESIDING JUDGE SMITH: Thank you.

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Cross-examination by Ms. O'Reilly

1 Ms. O'Reilly.

2 Cross-examination by Ms. O'Reilly:

3 Q. Good morning, Witness. My name is Annie O'Reilly.

4 A. Good morning.

5 Q. I am representing Kadri Veseli. I only have a limited amount of  
6 questions for you today, perhaps half an hour or so, so it won't take  
7 quite so long. A lot of the topics have been covered already.  
8 Nonetheless, there's a few things that I need to go back into  
9 briefly.

10 And we've touched on the first issue already yesterday, so just  
11 bear with me. I want to talk about the early organisation in 1998  
12 after the attack on the Haradinaj compound on 24 March 1998.

13 Now, it sounds like you started your own organisation in the  
14 village of Baran quite soon after this; is that right?

15 A. No. Baran. In Gllogjan. We set up the Gllogjan staff after  
16 the attack, if I understood the interpretation correctly.

17 Q. Yeah, Witness. I believe we're talking at cross-purposes.  
18 Perhaps it will help if I just simply get your Haradinaj testimony  
19 onto the screen.

20 MS. O'REILLY: And that's IT-04-84 T3597 to T3689 at page 3626  
21 in the English. And for the Albanian, it's at page 32.

22 Q. So what I'm trying to talk to you about, Witness, is actually  
23 the organisation that you undertook in your own village, being a  
24 former JNA officer and the person that everybody looked to for  
25 protection and organisation during these early days.



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1           And you were asked -- are we on the right page? Yeah, so  
2 starting at line 13 in the English, you were asked:

3           "What did your village do to get organised?"

4           And you said:

5           "As I said, we had a meeting. We decided to appoint some  
6 guards, night guards, and they had no weapons initially. For  
7 everything -- I told them to report to me for everything. We  
8 improvised a system through which the road -- the roads leading into  
9 and out of the village would be guarded.

10          "Q. Did you have checkpoints or organised checkpoints on the  
11 road leading into your village?

12          "A. Yes, that was what I said. A checkpoint is a big word for  
13 what we did. It was a very simple operation. There was one guard.  
14 It wasn't a checkpoint in the real sense, in the ... military sense  
15 of the word."

16          Now, Witness, do you recall this testimony in Haradinaj?

17          A. Yes. If I'm allowed, however, I would like to add something. I  
18 have never seen Kadri Veseli other than here and on television.  
19 Since I haven't seen him, and he wasn't in the war zone, please, I  
20 have nothing to say in relation to him, and I've stated this to the  
21 Prosecutor. Only with respect to Hashim Thaci, whom I met, and  
22 Rexhep Selimi, in Jabllanice, in which regard I've made a statement.

23          I would only speculate --

24          PRESIDING JUDGE SMITH: Witness.

25          A. -- if I were to say anything with respect to Jakup and

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1 Kadri Veseli.

2 PRESIDING JUDGE SMITH: No one has asked you any questions about  
3 any of that yet. Please just answer Ms. O'Reilly's questions, and  
4 we'll get through your testimony.

5 MS. O'REILLY: Thank you, Your Honour.

6 THE WITNESS: [Interpretation] I just wish to make a  
7 clarification. I cannot anticipate what will be said later.

8 MS. O'REILLY:

9 Q. Yes, Mr. Tetaj, that's --

10 A. But what you just read is accurate. What I've stated is  
11 accurate.

12 Q. Thank you. Now, I know it might seem strange to you that I'm  
13 asking questions. I'm actually not going to ask you any questions  
14 about Mr. Veseli. There are some background matters you can help  
15 with that have to do with the case generally. We should get through  
16 it quickly if you just focus on the questions and answer them as  
17 briefly as you can.

18 So you had also said that -- you talked about, sorry, the  
19 availability of weapons and uniforms over the summer period. And  
20 I'll read you what you said. You said:

21 "I suppose, in my village, I was the first and the last person  
22 to have one." A uniform that is. "The whole rest of the village was  
23 civilian. Those people who managed to buy a weapon for themselves,  
24 they had it, but ... the rest of the village were civilians. I was  
25 the only person in uniform."

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1 And the question was asked:

2 "Are you saying that remained the position until you yourself  
3 left Kosovo in September?"

4 And you asked:

5 "We're talking about the village, my village?"

6 And the questioner says:

7 "Yes, yes. Are you saying -- sorry, let me put the question to  
8 you --"

9 And you said:

10 "In my village, from the moment I left. Yes, yes, continue with  
11 -- yes. From the moment that I left Kosovo with the soldiers of the  
12 FARK, I was the only man in uniform in my village."

13 Do you recall saying that in Haradinaj?

14 A. Yes, I recall it.

15 Q. And is it accurate? Is it accurate?

16 A. It is.

17 Q. And finally on this topic. You've confirmed for us a few times  
18 yesterday, and in your prior statements, including in Haradinaj, that  
19 there were fighting and shelling going on the whole time during this  
20 period into that part of Dukagjin, just to the east of the road; is  
21 that right?

22 A. Yes.

23 Q. Okay. Thank you. Now, we're going to move forward to the  
24 creation of the zone, such as it was, around 23 June 1998. And this  
25 is the time -- the meeting that you do recall in Jabllanice. You've

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1 said, anyway, that you recalled it yesterday. And it's the one where  
2 you proposed Ramush as the commander.

3 Do you recall saying that?

4 A. That's true.

5 Q. Now, Ramush was not a former JNA officer, was he?

6 A. That's correct.

7 Q. He had done his military service but that's it. He didn't stick  
8 around for officer training thereafter. Are you aware of that?

9 A. I heard. I've heard. Yes.

10 Q. And yet, even though you were a former JNA officer, you endorsed  
11 him. You supported his candidature, didn't you? And, Witness, there  
12 wasn't a candidate --

13 PRESIDING JUDGE SMITH: Excuse me, he didn't answer.

14 MS. O'REILLY:

15 Q. Apologies, Witness. We didn't get your answer in the  
16 transcript. I was just asking you to confirm that you did endorse  
17 his candidature as commander for the Dukagjin zone.

18 A. Yes.

19 Q. Thank you. And, in fact, there wasn't a candidate being put  
20 forward by Bukoshi or Ahmet Krasniqi in the Dukagjin zone at this  
21 time, was there?

22 A. There wasn't.

23 Q. There was Ramush or there was Lahi, two local guys, and you  
24 backed Ramush.

25 A. Correct.

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1 Q. Okay.

2 MS. O'REILLY: Now, could we go to the document which is 1D185,  
3 and we'll go to page 4 of the English and 5 of the Albanian. Now,  
4 what I want to ask about are those two lists of appointments, so if  
5 we could get those both clearly on the screen, that would be great.

6 Q. Now, we've already talked about this a bit. There are two --  
7 three, in particular, that are interesting. So you are listed here  
8 as being the new deputy chief of staff to Sali Veseli. Do you see  
9 that, Witness?

10 A. Yes.

11 MS. O'REILLY: For the English, apologies, can we go to the next  
12 page. Or perhaps down further.

13 Q. Sorry, Witness. Just one moment.

14 MS. O'REILLY: Right.

15 Q. So, yes. So we can see that you are listed as deputy chief of  
16 staff. And if we go down a little bit further, we have anti-armoured  
17 unit combat and it's Skenderi. Do you know which Skender that is?

18 A. I think this is Skender Rexhahmetaj, an officer.

19 Q. Indeed. And then at the end, we have Muhamet Berisha for  
20 chemical and biological defence, and I think you said you don't know  
21 who this Muhamet is; is that right?

22 A. Muhamet Berisha?

23 Q. Yes.

24 A. Never seen him. I don't know who this person is.

25 Q. No matter. You've already explained to us that these

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1 appointments were formal only; is that right?

2 A. In the meeting in Jabllanice, the hand -- what I see in  
3 handwritten form are the proposals made there, a meeting during which  
4 people voted the structure of the staff of the Dukagjini plain.

5 Q. Right. Great. So it was done by way of an election,  
6 essentially. Is that what you're saying?

7 A. Yes.

8 Q. And you have said that while you were appointed deputy chief of  
9 staff, in reality what you did was you went back to dealing with  
10 logistics for setting up the Prapaqan barracks. Do you recall saying  
11 that?

12 A. That's true.

13 Q. And, incidentally, the Prapaqan barracks was the only proper  
14 training facility in Dukagjin at the time, wasn't it?

15 A. Correct.

16 Q. And Ramush had, effectively, gifted it to Tahir Zemaj's brigade  
17 when he entered, didn't he? He allowed Tahir Zemaj's brigade to take  
18 up that barracks?

19 A. Yes. There were no objections to that.

20 Q. Thank you, Witness. Now, back to those appointments. Skender  
21 Rexhahmetaj was never effectively dealing with anti-tank combat, was  
22 he? Anti-tank combat wasn't something the KLA were dealing with at  
23 that point, was it?

24 Would you mind saying your answer out loud so we have it for the  
25 transcript, Witness.

1 A. Yes. Listen, these appointments were made because we're  
2 thinking that probably after a certain period of time we're going to  
3 have heavy weaponry, and that is the reason why we were just  
4 planning. We're anticipating these appointments. So this is the  
5 reason why you can see the name of Skender Rexhahmetaj there. But  
6 the fact of the matter was that there were no tanks.

7 Q. Indeed. In Haradinaj, you described that appointment as  
8 effectively meaningless. Would you agree with those words today?

9 A. So the solution itself was good. It was good for us to come up  
10 with these positions so that people would build trust in us.  
11 However, these types of appointments needed weaponry. They needed  
12 regular formations of an army in order for everyone to take up their  
13 positions and their tasks.

14 Q. So these were --

15 A. So these were the only people that we had, the only staff that  
16 we had for the moment before Tahir Zemaj joined us. But we were  
17 hoping that things would get better and something will happen. So  
18 that was something that we were doing in terms of raising the morale.

19 Once again, I am telling you that I have taken part in five  
20 battles in the Dukagjini plain. Personally, I've taken part in this  
21 many battles, without Tahir Zemaj being part of it, before  
22 Tahir Zemaj came and joined us. So I was part of five battles  
23 myself. The morale itself was high.

24 Allow me to clarify, please.

25 But the arrival of the General Staff damaged us greatly. It

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1 damaged us in terms of the morale, in terms of the supplies --

2 Q. Witness --

3 A. -- so that is something that you have to know.

4 Q. Yes, I understand it was a complicated period [Overlapping  
5 speakers] ...

6 A. I'm talking about that time.

7 Q. Sure. I'm going to read you one last passage from your  
8 Haradinaj transcript, and you can tell me whether it remains accurate  
9 as of today. You said:

10 "In reality -- I'm sorry to say this, but in reality, I also  
11 said yesterday we used words -- a lot of words like 'headquarters,'  
12 'commander.' These are titles, unfortunately. I do want to lower  
13 the value of what the KLA did because we started from scratch. The  
14 ideas were good," which is what you were saying just now, "However,  
15 the use of these names was fictitious for that particular moment."

16 Do you still stand by those words? Those are your words from  
17 the Haradinaj trial. Just yes or no.

18 A. Well, that was my stance back then, and I stand by those words.

19 Q. All right. Thank you, Witness. That's fine.

20 A. Just allow me, please. So I have to elaborate my answers.

21 Q. Actually, Witness, you don't. I'm asking questions. I'm trying  
22 to get through them in the time allotted to me.

23 I'd like to move on now to Faton Mehmetaj's role. If we look at  
24 these two lists in front of us in Albanian and English, we see that  
25 Faton Mehmetaj is actually listed as information service. Now,



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1 there's also been some reference to him being ZKZ, which is  
2 intelligence and counter-intelligence --

3 A. Where is that?

4 Q. That is about one-third to one-half way down the list. "Sherbim  
5 informativ." Do you see that?

6 A. Yes. Yes, I've found it.

7 Q. Now, Witness, can you explain to us what the difference is  
8 between information and intelligence; that is, ZKZ?

9 A. In my opinion, the information service has to do with collection  
10 of information in the ground. It also is related to covering the  
11 developments of the war so that it is able to inform the opinion, the  
12 public, the other instances, including here the staff. This is how I  
13 understand information as a service.

14 Whereas when it comes to the ZKZ, that has to do mainly with the  
15 enemy forces, with the Serb forces. So the service has to identify  
16 where the enemy forces are located, what kind of weapons they used,  
17 what kind of strategies they use. However, like I said, Faton  
18 Mehmetaj was a joker all the time, because nobody exactly knew what  
19 position he had. He has been involved in every type of work there  
20 was out there but there was no real function attached to him. And I  
21 am not talking about written functions, because there were plenty of  
22 written functions, but in reality I am not aware what he has done.  
23 I'm sure that Ramush is not aware what he has done during the war,  
24 and I am sure that the people that are in this Court do not know what  
25 he has done during the war. That's my opinion about that person.

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1 Q. Thank you, Witness.

2 MS. O'REILLY: Could we please have SPOE00225760 in English and  
3 Albanian on the screen.

4 Q. This document is going to take us forward ten days in time to  
5 2 July 1998. And it's a document signed by Ramush Haradinaj, which  
6 we'll see in a moment.

7 MS. O'REILLY: If we can scroll down so we can get Ramush's  
8 signature on it. Thank you. And you can see the date there.

9 Q. And it reads -- it's addressed, as you can see, Witness, sorry,  
10 to the General Staff of the KLA. And it reads:

11 "This is to inform you that the meeting held in Jabllanica on  
12 the 23rd of June 1998 elected the Commander of the Operational Staff  
13 of the Dukagjini Plain, the Deputy Commander, Chief of Staff and the  
14 Deputy Chief of Staff," which is you. And then your names are  
15 provided.

16 Now, would you agree with me that this indicates that the  
17 General Staff did not, as you know, have anything to do with the  
18 formation of the Dukagjini plain? That was done locally within the  
19 Dukagjin zone by Dukagjin people.

20 A. Yes.

21 Q. Thank you.

22 MS. O'REILLY: Could I have that document tendered into  
23 evidence, please.

24 PRESIDING JUDGE SMITH: Any objection?

25 MR. QUICK: No objection.

1           PRESIDING JUDGE SMITH: Yes. SPOE00225760, in English and  
2 Albanian, is admitted.

3           THE COURT OFFICER: And this will be assigned Exhibit 2D0026,  
4 classified as confidential. Thank you.

5           PRESIDING JUDGE SMITH: Thank you.

6           MS. O'REILLY:

7           Q. Now, there's just one last topic that I want to cover with you  
8 briefly, and that has to do with Sanije Balaj. Do you recall who  
9 Sanije Balaj is?

10          A. I did not know her back then. She is a leader from Strelc. I  
11 don't want to recall the old memories, but I agree to everything that  
12 I have said in my statement about her. So I have stated the same  
13 thing at the trial against Ramush Haradinaj. Therefore, if you speak  
14 about this matter and if you ask the questions, I have the impression  
15 like you are here in a trial against Ramush rather than the  
16 General Staff of the KLA.

17          Everything that I've said, I stand by it.

18          Q. Okay. That's helpful, Witness.

19          A. About her as well.

20          Q. So just to remind --

21          A. Including Ramush Haradinaj.

22          Q. -- everybody here what you said in P1593 at page U0029308 is:

23                 "Rumours say that Faton Mehmetaj and Mete Krasniqi from the  
24 village of Vranoc were also involved in this crime. Allegedly  
25 Mete Krasniqi and others arrested and detained her on the order of

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Cross-examination by Ms. O'Reilly

1 Faton Mehmetaj."

2 Now, did you ever actually read the Haradinaj judgment?

3 A. No, I didn't. I know that he is free but that's all. I know  
4 that there was a final court decision about him.

5 Q. Indeed. I'm actually just focusing on the Sanije Balaj part,  
6 not the Ramush part, as it were. There are two aspects of that that  
7 I'd like you to comment on. The judgment actually dealt extensively  
8 with her murder.

9 Now, first of all is that the trial panel in that case  
10 identifies someone as Galani as being responsible for her killing.  
11 Now, do you recall in your prep session - the prep note of which is  
12 P1595, page 2, paragraph 8 - you refer to Alush Agushi as perhaps  
13 being Galani. Do you recall saying that?

14 A. No, I don't recall that.

15 MS. O'REILLY: Could we have that on the screen, please? That's  
16 P1595. We're going to page 2, paragraph 8.

17 Q. And you're talking about who was present at this meeting. And  
18 halfway down it says:

19 "W01511 was not sure that Alush Agushi, who he believes was  
20 called Galani, was present at the meeting."

21 Does that refresh your recollection?

22 A. Yes. I did not know this person, but there was no one going by  
23 the name of Galani.

24 Q. Well, the Haradinaj trial judgment actually identifies Galani as  
25 someone called Idriz Gashi.

1 MS. O'REILLY: And that's at paragraph 337 of the trial judgment  
2 for those in court.

3 Q. Does that refresh your recollection?

4 A. I don't know that. I can't add anything here. I don't know.

5 Q. Are you aware that he was convicted domestically of her killing?

6 A. What are you talking about? Who are you referring to?

7 Q. Idriz Gashi was convicted of Sanije Balaj's murder --

8 PRESIDING JUDGE SMITH: Could you -- wait.

9 Witness, Ms. O'Reilly and Witness, both, you're talking over  
10 each other, and it's making it very difficult to understand. Please  
11 start over.

12 MS. O'REILLY:

13 Q. Witness, are you aware that Idriz Gashi, aka Galani, was  
14 convicted of Sanije Balaj's murder?

15 A. Yes, I am aware. I know that there was a trial held, but I  
16 didn't know this person.

17 Q. The second thing I wanted to ask you about was that in all of  
18 the trial chamber's discussion of the murder, and there are two  
19 judgments on this, are you aware that the only link made to Faton  
20 Mehmetaj was provided by you? Just yes or no, Witness.

21 A. I have to explain.

22 Q. Witness, I asked you a --

23 A. I have spoken about Faton Mehmetaj --

24 Q. -- very simple question. Apologies.

25 Are you --

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1 A. Yes.

2 Q. -- aware that you are the only person cited in those judgments  
3 that linked the murder of Sanije Balaj to Faton Mehmetaj; yes or no?

4 MR. QUICK: Objection, Your Honour. How could the witness  
5 possibly know this?

6 PRESIDING JUDGE SMITH: You may answer the question if you know,  
7 Witness.

8 THE WITNESS: [Interpretation] No. No, I'm not aware.

9 MS. O'REILLY:

10 Q. And having not read the judgment, let me just read to you what  
11 the trial chamber found. The trial chamber found that Sanije Balaj  
12 was targeted by people who were not acting under the direction of or  
13 in pursuit of the policy of the KLA, and that she was, therefore, not  
14 killed in KLA custody.

15 And, similarly, the retrial chamber could not conclude who was  
16 responsible for her murder.

17 Are you aware of those conclusions?

18 A. No.

19 Q. Thank you, Witness.

20 MS. O'REILLY: Those are my questions.

21 PRESIDING JUDGE SMITH: Thank you, Ms. O'Reilly.

22 Mr. Roberts.

23 MR. ROBERTS: Thank you, Your Honour. Nothing from me at this  
24 time.

25 PRESIDING JUDGE SMITH: All right.

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Cross-examination by Mr. Ellis

1 Mr. Ellis.

2 MR. ELLIS: Yes, I do have some questions, but it will be  
3 relatively short, Your Honour.

4 PRESIDING JUDGE SMITH: Go ahead.

5 Cross-examination by Mr. Ellis:

6 Q. Good morning, Witness. My name is Aidan Ellis and I represent  
7 Mr. Jakup Krasniqi.

8 A. Good morning.

9 Q. Now, you confirmed already this morning, at line 17 of the  
10 provisional transcript, at page 9, that you would only be speculating  
11 if you were to say anything with respect to Jakup Krasniqi, and  
12 that's because you didn't see him during the conflict, did you?

13 A. That's a fact.

14 Q. And just so that I'm clear about the dates, it's right, isn't  
15 it, that it was between mid and the end of April 1998 that you went  
16 to Gllogjan to join the KLA?

17 A. Yes.

18 Q. And then it was 8 September 1998 when you left the Dukagjini  
19 zone; is that right?

20 A. Yes, upon a decision of the government of the Republic of  
21 Kosovo.

22 Q. Yes, I understand. Now, I want to go through with you a  
23 paragraph from your preparation session.

24 MR. ELLIS: And we can have it on screen. It's P1595 at page 6,  
25 paragraph 21. Thank you.

1 Q. And it's only in English, so I'll read the relevant bits for  
2 you, Witness. It says:

3 "W01511," that's you, "clarified that Mehmetaj told him that he  
4 was very close to Jakup Krasniqi in 1998, when Jakup Krasniqi was  
5 appointed public spokesman."

6 Now, in terms of the date, that would refer to mid-June 1998  
7 when Jakup Krasniqi was appointed as the spokesperson for the KLA; is  
8 that right?

9 A. Yes, it was in mid-June. And we had those types of talks, but  
10 I've never seen Jakup Krasniqi myself.

11 Q. Quite. And you've told us already that Faton Mehmetaj was a  
12 great joker. You said again today, I think, at transcript page 17,  
13 line 12, that he was a joker. That's right, isn't it?

14 A. Yes, it is.

15 Q. And it's also right that you did not trust Faton Mehmetaj, isn't  
16 it?

17 A. I did not trust him, because in all the structures at the staff  
18 and everywhere else, he was present. He was not invited but he was  
19 present nonetheless. Why that happened, I don't know.

20 Q. And you've never seen Faton Mehmetaj and Jakup Krasniqi  
21 together, have you?

22 A. Never.

23 Q. No. You never saw or heard Faton Mehmetaj speaking to  
24 Jakup Krasniqi on the telephone, did you?

25 A. I did not.



1 Q. And put simply, you cannot confirm personally whether Faton  
2 Mehmetaj was actually in contact with Jakup Krasniqi or not, can you?

3 A. I cannot.

4 Q. And you confirmed earlier today, at page 17 in the provisional  
5 transcript, that you are sure that the people in this Court do not  
6 know what he, Faton Mehmetaj, has done during the war, and that would  
7 include Jakup Krasniqi, wouldn't it?

8 A. I think they do not know. So whereas when it comes to telephone  
9 calls or communications, they know it themselves. The only thing  
10 that I know is that Faton Mehmetaj has told me, orally, that he is in  
11 contact with him. I do remember what he told me back then. It was  
12 at the time when he was appointed as the spokesperson of the KLA. I  
13 know nothing more about his contacts with Faton Mehmetaj.

14 Q. But whether Mr. Mehmetaj was bragging or whether he was telling  
15 the truth, you do not know, do you?

16 A. No, I do not.

17 MR. ELLIS: Those are all my questions, Your Honour.

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

19 Mr. Quick, any redirect?

20 MR. QUICK: No, thank you.

21 PRESIDING JUDGE SMITH: Judge Barthe.

22 [Trial Panel confers]

23 PRESIDING JUDGE SMITH: We'll take the break five minutes early  
24 so that we don't start and stop immediately.

25 We'll give you a 20-minute break -- or ten-minute break. You

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1 may leave the courtroom with the court attendant.

2 [The witness stands down]

3 PRESIDING JUDGE SMITH: We're adjourned for ten minutes.

4 --- Break taken at 9.55 a.m.

5 --- On resuming at 10.06 a.m.

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

8 [The witness takes the stand]

9 PRESIDING JUDGE SMITH: Witness, the Panel will have some  
10 questions for you. We begin with Judge Barthe, who is to my left and  
11 your right.

12 JUDGE BARTHE: Thank you, Judge Smith.

13 Questioned by the Trial Panel:

14 JUDGE BARTHE: And good morning, Witness.

15 A. Good morning.

16 JUDGE BARTHE: I hope you can hear me well.

17 A. Yes, I can.

18 JUDGE BARTHE: Thank you.

19 The Panel, Witness, has a couple of questions for you about  
20 issues that in our view need further clarification. And my questions  
21 concern the notes the Prosecution has prepared about your preparation  
22 session, and I would like to start with Preparation Note 1, which was  
23 admitted yesterday as Exhibit P01595.

24 And perhaps we could have this note on the screen,  
25 Mr. Court Officer. Thank you. Please go to paragraph 6 on the

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1 second page.

2 Witness, I'm aware that this is only in English, but I will try  
3 to explain to you what was written in this note. And according to  
4 this paragraph, you discussed with the Prosecution the three  
5 different entities; namely, the Glogjan staff, the Dukagjini plain  
6 staff, and the General Staff. And you said, according to the note,  
7 to the Prosecution, that you had heard about the General Staff, but  
8 believed it was almost a fiction because you did not personally see  
9 them until the meeting at Zhabel.

10 Now, Witness, this is my first question: When did you first  
11 become aware that a KLA or that a General Staff of the KLA actually  
12 existed?

13 A. In the meeting in Zhabel.

14 JUDGE BARTHE: Can you state for the record when that meeting  
15 was again, please?

16 A. I don't recall the date. I have forgotten. It was mentioned  
17 several times. However, this was the meeting in the village of  
18 Zhabel when Hashim Thaci came and gave us our new positions and  
19 tasks.

20 JUDGE BARTHE: Was that in August or September 1998?

21 A. I think it was August.

22 JUDGE BARTHE: And -- sorry.

23 A. To my knowledge, it was August, not September. And mid-August  
24 or end of August.

25 JUDGE BARTHE: Thank you. And according to the last sentence

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1 here in paragraph 6, you told the Prosecution that you did not accept  
2 the General Staff, and did not trust them then and do not trust them  
3 now. I would like to know who are you referring to here, which  
4 members of the KLA General Staff?

5 A. I was referring to the General Staff of the Kosovo Liberation  
6 Army, because I only trust the state of Kosovo, the government, and  
7 the institutions of Kosovo at the time. We are talking about the war  
8 time. Because within a year, many people were within the  
9 General Staff. There were subsequent replacements. I wouldn't know  
10 how many people were members of the General Staff of the KLA. Many  
11 names were mentioned, and not only the names of those who are here  
12 but in general.

13 JUDGE BARTHE: Thank you. So you were referring to the  
14 General Staff as an institution, not to a specific person; is that  
15 what you were saying?

16 A. Correct.

17 JUDGE BARTHE: Understood. I'd like to move on to paragraph 8  
18 of Preparation Note 1. In this paragraph, you talked about a meeting  
19 in or at Jabllanice with representatives of three villages and Faton  
20 Mehmetaj, Lahi Brahimaj, and Pjeter Shala, who were all present  
21 during that meeting. And you said, this is in the second-last  
22 sentence of that paragraph, to the Prosecution, according to this  
23 note, that you had heard rumours before this meeting that people were  
24 abducted and taken to Jabllanice. And you also heard that there was  
25 a KLA local staff in Jabllanice.

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1 Do you remember saying this to the Prosecution during your  
2 preparation session?

3 A. Yes, I recall. Because every village had their own local staff.  
4 This is the first reason. Secondly, I only heard about people being  
5 detained. I did not see that happening myself.

6 JUDGE BARTHE: No, I understand. Witness, please wait for my  
7 question.

8 A. We are referring to this period of time.

9 JUDGE BARTHE: I just wanted to know from you whether you  
10 recall, and you answered with yes. That's all right. So please wait  
11 for the second question.

12 My second question is the following: Where and when did you  
13 hear this? Who told you that people were abducted and taken to  
14 Jabllanice?

15 A. In the meeting held with these persons in the village of Pozhar,  
16 so from that moment onwards. I don't know the date, but it was the  
17 beginning of the war.

18 JUDGE BARTHE: And who told you that there was a local staff of  
19 the KLA in Jabllanice? Where did you hear this?

20 A. Lahi Brahimaj was present in the meeting in question, and we had  
21 taken the decision for every village to have their own local staffs.

22 JUDGE BARTHE: Just to clarify. Am I right in assuming that  
23 what you heard or had heard before the meeting, namely, that people  
24 were abducted and taken to Jabllanice by the KLA and not by other  
25 armed groups? Is that what you heard?

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1 A. I don't know about that because the KLA was in the process of  
2 being formed.

3 JUDGE BARTHE: I will ask you again what did you hear. You said  
4 you heard rumours before the meeting that people were abducted, and  
5 I'm asking you were people abducted, according to these rumours, by  
6 the KLA or by another armed group or by the Serbian authorities,  
7 Serbian forces? What did you hear?

8 A. At that time, these were rumours, hearsay. Things that were  
9 spoken, talked about. I already mentioned that I did not see these  
10 things myself.

11 JUDGE BARTHE: Witness, I understood that, but I'm asking what  
12 were the rumours. So were the rumours that people were abducted by  
13 the KLA or by the Serbian forces or by other armed groups? So what  
14 did you hear?

15 A. We, at the time, thought that the abductions were rather done by  
16 also Serbian military and police forces who were on the ground. But  
17 I have also stated before that in relation to this, I've only heard  
18 rumours or hearsay. I cannot explain any further what I have not  
19 seen myself.

20 JUDGE BARTHE: Thank you.

21 I would like to move on to paragraph 10 of Preparation Note 1.  
22 In this paragraph, or according to this paragraph, you told the  
23 Prosecution during your preparation session that you personally saw a  
24 list with the names of several individuals, and these individuals  
25 were, as you said according to this note, still active in the LDK and

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1 the Democratic Christian Party and were for political pluralism in  
2 the society or of the society. And you said that these lists or such  
3 lists were being posted on the poles of streetlights in the villages  
4 where the KLA was beginning to be organised. And you also said,  
5 according to paragraph 10, to the Prosecution that the lists or these  
6 lists did not identify the source, but you knew that it was from --  
7 or these lists came from Faton Mehmetaj.

8 Is that right? Did you tell this to the Prosecution during your  
9 preparation session?

10 A. Yes. Yes.

11 JUDGE BARTHE: I would like to know from you now how did you  
12 know that these lists were prepared by or came from Faton Mehmetaj?  
13 Was it because he had a typewriter, as you said yesterday?

14 A. Simply because we had several meetings in his house, and he was  
15 writing things down using those typewriters he had in his house. I  
16 said this in general terms.

17 JUDGE BARTHE: Thank you. Is there any other reason why you  
18 believe that these lists came from Mr. Mehmetaj, apart from that he  
19 had -- the fact that he had a typewriter and prepared lists or  
20 documents in his house?

21 A. During my stay, every document typed was typed in his house.

22 JUDGE BARTHE: Thank you. I would like to go on and move to  
23 paragraph 11.

24 A little bit further down, Mr. Court Officer.

25 In that paragraph, you -- according to this paragraph, you told

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1 the Prosecution that ICTY witnesses, prosecution witnesses, were  
2 called spies and traitors, and that people, I quote, "who completed  
3 the military academy always had problems with the General Staff  
4 during the war."

5 Do you remember saying this to the Prosecution, that people had  
6 problems -- always had problems with the General Staff if they  
7 completed the military academy?

8 A. I did say this, but I said this after the meeting and the events  
9 in Jabllanice and when we learned about the General Staff having been  
10 formed. And this was after the difficulties, the challenges, and  
11 divergences between FARK and the KLA. Whereas, in fact, our goal was  
12 the same. We were all unified. We did not have any problems until  
13 the moment the General Staff came and created problems for us. This  
14 is my answer.

15 JUDGE BARTHE: Thank you. I would like to know now from you why  
16 did -- in your view, from what you know or knew, why did people who  
17 completed the military academy have such problems with the KLA  
18 General Staff? What was problem?

19 A. In my opinion, this was about career at a time when the country  
20 was not liberated yet. This was about positions, posts. Nothing  
21 else. Or, again, in my opinion, we learned later on that the armed  
22 forces were -- from Albania were getting ready to enter, and they  
23 were all career officers within these forces. As a result of this,  
24 again, in my opinion, problems appeared.

25 JUDGE BARTHE: Thank you.



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1 And could we please go to the next page, to paragraph 12.

2 Witness, according to paragraph 12 of Preparation Note 1, you  
3 told the Prosecution during your preparation session that you were  
4 not certain, but you were 90 per cent sure that Mr. Rexhep Selimi was  
5 also present at the meeting at Zhabel. Do you remember saying this  
6 to the Prosecution, that you were 90 per cent sure, but not certain,  
7 that he was there, Mr. Selimi?

8 A. That's correct. I'm still not certain that Rexhep Selimi was  
9 present because the uniform was different. I stated this at the  
10 time. However, it is possible also that he was present. I am not  
11 certain, though, because I did not see. I'm not able to say for  
12 certain that he was in that meeting.

13 JUDGE BARTHE: You just said the -- you were not certain because  
14 the uniform was different. Can you explain what you mean by that?  
15 So I'm asking about the remaining 10 per cent. Why are you not  
16 100 per cent certain that he was there? Why only 90 per cent?

17 A. We had all the same uniform, the KLA uniform. And what I meant  
18 is that a man wearing a uniform has a different appearance. So we  
19 had not had frequent meetings or frequent enough to recognise people.  
20 We had not had prior frequent meetings to be able to recognise a  
21 person.

22 JUDGE BARTHE: Thank you.

23 Could we go to paragraph 15, Mr. Court Officer, please. Thank  
24 you.

25 Witness, in this paragraph, you spoke about meeting

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1 Mr. Hashim Thaci three times during the war, and you also discussed  
2 that yesterday with the Prosecution and the Defence for Mr. Thaci.  
3 And it is recorded here that you had a meeting with Mr. Thaci and  
4 Mr. Zyrapi in your office at the Prapaqan barracks. And during that  
5 meeting, Mr. Thaci was, as you said to the Prosecution, according to  
6 the note, in civilian clothes and Mr. Zyrapi was wearing a uniform, a  
7 KLA uniform. Is this still your evidence?

8 A. That's correct.

9 JUDGE BARTHE: Thank you. And did Mr. Thaci, as far as you can  
10 remember, carry a weapon? Did he have a weapon with him?

11 A. He did not carry a weapon when he was wearing civilian clothes.  
12 The only person wearing a uniform, military clothes, was  
13 Bislum Zyrapi. I don't know if who -- he had concealed a weapon  
14 under his jacket or anything. But, no, he was wearing normal  
15 civilian clothes and behaved normally, to my recollection.

16 JUDGE BARTHE: And were the two accompanied by other soldiers?

17 A. There were other soldiers, but they were from the Prapaqan  
18 barracks. I was not able to single out any other soldier that would  
19 have been accompanying them other than Bislum Zyrapi.

20 JUDGE BARTHE: And you said, according to the preparation note,  
21 that at the time you did not know what Mr. Thaci's position was and  
22 had never heard of him before; is that right?

23 A. That's right.

24 JUDGE BARTHE: Were you aware who Mr. Zyrapi was?

25 A. I knew that he was an officer, a colleague, that he had joined

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1 the war effort like I did, but I didn't know his position, despite  
2 the fact that I was in contact with him. I did not ask him nor did  
3 he tell me.

4 JUDGE BARTHE: Thank you. Did you know at the time whether  
5 Mr. Thaci and Mr. Zyrapi were members of the KLA General Staff? Did  
6 you know that?

7 A. No.

8 JUDGE BARTHE: Did you know, or do you know now, whether  
9 Mr. Thaci was using a nickname, a *nom de guerre*, during the war?

10 A. Now I know. After the war. During the war, yes, I know.

11 JUDGE BARTHE: And what was the nickname he used?

12 A. Gjarpri.

13 JUDGE BARTHE: Just to get the record straight, you said,  
14 according to our record now, during the war, yes, you knew. So you  
15 were aware that Mr. Thaci was using a nickname as well?

16 A. Not really during the war. But as we were getting out and  
17 through the media and in the papers, I heard that his nickname was  
18 Gjarpri. And also in some books written after the war.

19 JUDGE BARTHE: And, Witness, this is the last sentence on this  
20 page, in paragraph 15, it's said here:

21 "They talked about the war."

22 I assume that you are referring or were referring here to  
23 Mr. Thaci and Mr. Zyrapi; is that right?

24 A. Yes.

25 JUDGE BARTHE: And what did they talk about? Did they talk

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1 about the war in general or did they talk about a specific issue,  
2 like the situation on the ground in your area of responsibility, or  
3 what was the topic of that conversation?

4 A. I am not able to know all of this. However, there were  
5 meetings, because at the time we discussed the war, organisational  
6 matters, and also the -- one of the topics was the LDK,  
7 Ibrahim Rugova. I don't really recall the details of it. So this  
8 was a fair, quiet conversation. Thaci spoke more than we did, and  
9 that's all I know. I don't recall more than that.

10 JUDGE BARTHE: Thank you. The second and third time you met or  
11 you saw Mr. Thaci during the war, what was he wearing then? Can you  
12 recall?

13 A. The second time -- I saw him on the third time when he was armed  
14 and wearing a uniform in the village of Bardhaniq.

15 JUDGE BARTHE: And it is stated here in paragraph 15 on page 5  
16 of Preparation Note 1 that you saw Mr. Thaci again at the Prapaqan  
17 barracks together with Mr. Selimi. I assume that's  
18 Mr. Rexhep Selimi; is that right?

19 A. Yes.

20 JUDGE BARTHE: And at that time, was Mr. Thaci wearing civilian  
21 clothes or a military uniform?

22 A. I am not sure because there were many soldiers around. He was  
23 surrounded by soldiers, so I don't recall. I am not able to know.

24 JUDGE BARTHE: It's not a problem. And what about Mr. Selimi?  
25 Can you remember what he was wearing? Was he wearing a uniform or

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1 civilian clothes?

2 A. In uniform.

3 JUDGE BARTHE: Thank you.

4 Now I would like to move on to paragraph 18 of Preparation  
5 Note 1. And this is about, Witness, your 2002 ICTY statement, which  
6 is Exhibit P01593 now in our trial.

7 This paragraph, paragraph 18, is about a meeting in Jabllanice,  
8 and you said, according to the note, that the decision to hold the  
9 meeting in Jabllanice was made by Mr. Ramush Haradinaj and Salih  
10 Veseli as the two wanted the staff to be larger and to appoint its  
11 commander. And you said Mr. Rexhep Selimi was also present at the  
12 Jabllanice meeting, but you did not know his position at the time.  
13 Is that still your evidence, or is this correct?

14 A. It is correct.

15 JUDGE BARTHE: In your ICTY statement, P01593, page 11, you said  
16 that Mr. Rexhep Selimi was not introduced as a member of the KLA  
17 General Staff during the meeting; is that right?

18 A. Yes.

19 JUDGE BARTHE: And you also said that you met him for the first  
20 time at Jabllanice, the meeting; is that right?

21 A. Yes.

22 JUDGE BARTHE: But you later learned that he was a member of the  
23 KLA General Staff or, as you said in your ICTY statement, the general  
24 UCK headquarter. Is that still correct, you later learned that?

25 A. Yes. I have heard about all of these after the meeting in the

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1 village of Zhabel. So when they become public. Because there was a  
2 point in time when they became public. However, I can add that in  
3 Jabllanice, Rexhep Selimi was wearing civilian clothing. He was not  
4 wearing a uniform.

5 JUDGE BARTHE: Thank you. And do I understand your evidence  
6 correctly that you said you heard it from media publications or --  
7 that Mr. Selimi was a member of the KLA General Staff after the  
8 meeting in Jabllanice?

9 A. Yes. Through the meetings and through the mass media means at  
10 the time.

11 JUDGE BARTHE: And did you also learn what Mr. Selimi's position  
12 or function was, if he had any, at the time in summer 1998?

13 A. No, I didn't know.

14 JUDGE BARTHE: Do you know now what his function was?

15 A. According to what I've heard through the media, he belonged to  
16 the General Staff of the KLA.

17 JUDGE BARTHE: That's all you heard? Nothing more? What he was  
18 doing in the General Staff?

19 A. That's all.

20 JUDGE BARTHE: You still don't know; is that right?

21 A. No, I don't.

22 JUDGE BARTHE: Thank you. Let's move on to paragraph 25 of  
23 Preparation Note 1.

24 Witness, according to this paragraph, you told the Prosecution  
25 that you were told by Faton Mehmetaj himself orally about a

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1 blacklist, which included the name of an individual you knew at the  
2 time. And Mr. Mehmetaj told you that this individual was a wanted  
3 person, an undesired. And you thought that the person was wanted  
4 because he was a collaborator of Adem Jashari, close to the LDK and  
5 Rugova, and also a founder of FARK. Do you remember saying this to  
6 the Prosecution?

7 A. Yes, I do. Yes.

8 JUDGE BARTHE: And can you tell us when and where did Mr. Faton  
9 Mehmetaj tell you about the blacklist and about the person who was  
10 not desired, or undesired, or not wanted -- or wanted, excuse me,  
11 wanted.

12 A. Faton Mehmetaj was part of the subzone number 3. I was a  
13 commander of that zone. Later on he approached me, because we used  
14 to have different types of relationships. We're kind of closer  
15 together. From what I remember from this case in question, this  
16 happened in the village of Prapaqan, but it was in a different place  
17 in Prapaqan. This is all I know about this matter.

18 JUDGE BARTHE: So Mr. Mehmetaj told you this in the village of  
19 Prapaqan? Is that your evidence?

20 A. Yes, yes, in the village of Prapaqan.

21 JUDGE BARTHE: And could you be a little bit more specific when  
22 that was?

23 A. I don't know.

24 JUDGE BARTHE: Thank you.

25 And now I have a question in relation to paragraph 28 of

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1 Preparation Note 1. A little bit further down, Mr. Court Officer.

2 According to this paragraph, you talked about a person who was a  
3 journalist and a war reporter during the war and who had always been  
4 an LDK supporter. And you said to the Prosecution, according to the  
5 note, that you saw the person's name in a notebook of Mr. Toger.

6 By the way, for the record, could you tell us his real name?  
7 Who is Mr. Toger or Toger?

8 A. I learned the name of Toger after the war. During the war, I  
9 had no idea who that person was. But after the war, I learned that  
10 that person was Idriz Balaj.

11 JUDGE BARTHE: Thank you. And you told the Prosecution that  
12 Idriz Balaj, or Toger, told you that the person's name, the name of  
13 the journalist, was there because he was a member of the LDK and  
14 reported on the LDK and FARK; is this correct?

15 A. Yes.

16 JUDGE BARTHE: And again my question: When and where did Toger  
17 tell you this?

18 A. When, I don't know. I believe he has told me this when we were  
19 less busier in the war area. So I don't know about the time. I  
20 don't know about the dates. I can't say anything about that.

21 JUDGE BARTHE: Witness, in your ICTY statement, 2002 statement,  
22 Exhibit P01593, on page 19, it is recorded that you told the ICTY  
23 that Mr. Toger, or Idriz Balaj, told you this in the village of Rznice  
24 in late May 1998. Could this be the case?

25 A. Yes. Irznic, yes.



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1 JUDGE BARTHE: And was that in late May 1998, as far as you  
2 remember?

3 A. I believe I had a better memory back then. I don't remember it  
4 now. However, now that you're telling me that it happened in the  
5 village of Irzniq, I remember that now. About the exact time, I  
6 can't tell.

7 JUDGE BARTHE: Thank you. My final questions are about  
8 Preparation Note 2.

9 And if we could have this preparation note on the screen,  
10 please, Mr. Court Officer. Do you need the exhibit numbers or the  
11 number? Thank you. And please go to paragraph 18.

12 Witness, according to paragraph 18, you were shown by the  
13 Prosecutor or the Prosecution an exhibit, P00486, and you told the  
14 Prosecution that you heard that Mr. Thaci said the following, and  
15 this is about the alleged satellite phone conversation between  
16 Mr. Thaci and Mr. Ahmet Krasniqi:

17 "I will accomplish the mission with you very soon."

18 But you also said you do not know who he said it to, whether it  
19 was to Mr. Krasniqi, on the phone to Mr. Zemaj who was standing next  
20 to Mr. Thaci, or both. Do you remember saying this and discussing  
21 this with the Prosecution?

22 A. Yes, I do.

23 JUDGE BARTHE: Now, you told us yesterday, and this is  
24 transcript page 19458, that Mr. Thaci allegedly said to a person you  
25 don't know, whether it was Mr. Krasniqi or Mr. Zemaj or to another

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1 person, "We will be done with you soon."

2 I would like to know now what did Mr. Thaci say exactly, if you  
3 can recall? Did he say, "I will accomplish the mission with you very  
4 soon," or did he say, "We will be done with you soon"?

5 A. "We will very soon be done with you as well." But I don't know  
6 whether he referred this to Tahir Zemaj or whether he referred this  
7 to Mr. Krasniqi. The situation was very tense when this was said.  
8 The voices could be heard, so there was clear there was a quarrel  
9 between Tahir and Hashim.

10 JUDGE BARTHE: I understand. And what did you understand was  
11 meant by this comment? How did you understand the comment?

12 A. The way on how I understand it is that the person was nervous,  
13 because otherwise it's very difficult for someone to utter these  
14 types of words. And everybody was armed back then, because Tahir was  
15 holding arms, Hashim was holding arms as well. There was an entire  
16 army there as well. So that's the only explanation I have to that  
17 saying. So I think that it was because of being nervous, and that's  
18 the reason why he said what he said.

19 JUDGE BARTHE: What I meant was did you understand this as a  
20 threat or as a good advice, or how did you understand it?

21 A. As a threatening mostly.

22 JUDGE BARTHE: And now I would like to go to paragraph 19 of  
23 Preparation Note 2.

24 In this paragraph, it is stated that you told the Prosecution  
25 that Mr. Thaci spoke to you about the photograph or a photograph of

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1 Mr. Rugova, President Rugova, who was -- or that was hanging in your  
2 office, and also spoke about the LDK. And I assume that this was the  
3 meeting you had with Mr. Zyrapi and Mr. Thaci in your office at  
4 Prapaqan; is that right?

5 A. Yes, that's right.

6 JUDGE BARTHE: And can you tell us what Mr. Thaci said exactly,  
7 if you can recall? What did he say about the LDK? What did he say  
8 about the photograph of Mr. Rugova?

9 A. I said it yesterday as well. And to tell you the truth, I don't  
10 even remember what I said yesterday. But he was talking about the  
11 photograph of Ibrahim Rugova, and he was asking for it to be removed  
12 from the wall.

13 JUDGE BARTHE: Did he make any other remarks about the  
14 photograph or about the LDK?

15 A. Yes, something about the FARK forces. Listen, that was the  
16 hugest of mistakes, in my opinion, because they understood that FARK  
17 forces were all with the LDK, but that was not the case. So there  
18 were people from all other political parties, there were volunteers,  
19 there were soldiers. But the idea -- the opinion in general was that  
20 if somebody was with FARK, they were with the LDK.

21 JUDGE BARTHE: Thank you, Witness. Those were my questions.  
22 Thank you very much.

23 PRESIDING JUDGE SMITH: Judge Mettraux.

24 JUDGE METTRAUX: Thank you, Judge Smith.

25 And good morning, Witness.

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1 I want to start with a few questions relating to --

2 A. Good morning.

3 JUDGE METTRAUX: And good morning to you. I want to start with  
4 a few questions about Faton Mehmetaj.

5 Yesterday, you indicated that you understood Faton Mehmetaj to  
6 act, among other things, as a political representative in the  
7 Dukagjini area, but that you were not sure who he was acting on  
8 behalf of. Did I understand that properly?

9 A. Yes.

10 JUDGE METTRAUX: Can the Registry please bring up Exhibit 1D50,  
11 5-0.

12 Sir, do you recall being shown the document yesterday by counsel  
13 for Mr. Thaci?

14 A. I do.

15 JUDGE METTRAUX: So on its face, it purports to be Political  
16 Declaration No. 7. It's dated 13 August 1999, and it's attributed to  
17 the Political Directorate of the Kosovo Liberation Army,  
18 General Staff, under the date.

19 Can you please focus on the same paragraph that was read to you  
20 yesterday. It's the third full paragraph. It starts with the words:  
21 "New circumstances ..." Do you see that?

22 A. No, I don't. I can't find it.

23 JUDGE METTRAUX: It's the paragraph in the Albanian, if you want  
24 to use that one, where the name Sokol Bashota is circled. Do you see  
25 that?

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1 A. Yes, I do it now. Yes, I do see the name of Sokol Bashota.

2 JUDGE METTRAUX: So in the English, it says this:

3 "New circumstances necessitate the creation of institutions in  
4 which the broad political spectrum of Kosovo will be ... represented.  
5 With the intention of cutting off the manipulations related to the  
6 creation of these institutions, the General Staff makes it known to  
7 the public that Jakup Krasniqi, Xhavit Haliti, Bardhyl Mahmuti,  
8 Hashim Thaci, Faton Mehmetaj and Sokol Bashota are the political  
9 representatives of the KLA. The public announcement of the KLA's  
10 political representatives facilitates the coordination of political  
11 [activities] at the national level."

12 Do you see that?

13 A. I do.

14 JUDGE METTRAUX: So at least according to that document, Faton  
15 Mehmetaj had become a member of the political directorate of the  
16 General Staff no later than 13 August 1998. Do you agree?

17 A. Yes.

18 JUDGE METTRAUX: And I think I said "1999." It should be 1998.

19 Now, do you know -- and I mean during the war, were you aware of  
20 the existence of that political directorate and what its functions  
21 were?

22 A. No, I was not.

23 JUDGE METTRAUX: And it's no criticism, but is it fair to  
24 suggest that is because you were not aware of the inner workings of  
25 the General Staff? Would that be fair?

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1 A. It would.

2 JUDGE METTRAUX: Can the Registry please bring up a document  
3 with ERN 056484. It's the same in Albanian.

4 That would be the next page in the English, please. And it  
5 should be the same ERN in Albanian, 056485. Thank you.

6 Sir, I'll give you a second to read the document. Tell me when  
7 you're done.

8 Can we please scroll down the Albanian for the witness, please.

9 My first question, sir, is are you aware or have you seen this  
10 document before?

11 A. This is the first time that I'm seeing it.

12 JUDGE METTRAUX: So --

13 A. So I see the General Staff here and a signature, but there is no  
14 name of any person that has signed the document. I only see the  
15 General Staff, not name of any person though.

16 JUDGE METTRAUX: So if you look at it from its content, it  
17 purports to be a decision dated 1 September 1998. It has a number,  
18 435/611, and it is said to come from the General Staff of the Kosovo  
19 Liberation Army. And it pertains to a decision by the KLA  
20 General Staff to appoint Faton Mehmetaj to the position of assistant  
21 commander for public information in the Dukagjini operative subzone  
22 staff, and it says that the decision enters into force immediately.  
23 And in the English version it's attributed to Rexhep Selimi.

24 A. Oh, now I see. I see in the English version but not in the  
25 Albanian version, though.

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1 JUDGE METTRAUX: My first question is whether you knew that  
2 Faton Mehmetaj, in the summer of 1998, 1 September 1998, had been  
3 appointed to be assistant commander for public information in the  
4 Dukagjini subzone by an order of the General Staff, at least as it  
5 appears from that decision. Were you aware of that?

6 A. No. This is first time that I'm seeing this document.

7 JUDGE METTRAUX: And in terms of what you understood to be the  
8 role or roles, you said yesterday, of Faton Mehmetaj, you said he  
9 played several roles. Would such an order be consistent with what  
10 you understood him to be doing in the summer of 1998?

11 A. Yes.

12 JUDGE METTRAUX: And here it refers to the Dukagjini operative  
13 subzone. Am I right to understand that this phrase or this word  
14 "subzone" was used until the end of October 1998 when the  
15 nomenclature or the terminologies changed to that of a "zone"? Are  
16 you aware of that?

17 A. At the time when the Dukagjini plain staff was established, we  
18 were not referred to as a subzone but as a zone. However, in the  
19 context of the zone, what we did is that we -- we decided to go for  
20 Subzone 1, 2, and 3, and to the zone of Dukagjin. This happened  
21 earlier on.

22 And then I don't understand why we would be referred to as a  
23 subzone, you know, in September. Because this is a document that  
24 holds the date of September. So this is not compliant to what the  
25 situation was on the ground, but I believe this is just a document

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1 written for the sake of it but not reflecting the reality.

2 In my opinion, this document has no value whatsoever. It's  
3 null.

4 JUDGE METTRAUX: And why would you say so, sir?

5 A. I would say so because, if you remember when I was talking about  
6 Faton Mehmetaj, we heard through the radio communication that Faton  
7 Mehmetaj was assigned as the political representative of the KLA at  
8 the Dukagjini plain, and that was something that nobody knew about.  
9 I remember it very well that, together with Tahir and Ramush -- so  
10 Tahir was actually asking both of us on who appointed him the  
11 political representative. Ramush Haradinaj said that, "I don't know  
12 that." And there were many problems in his village. Many other  
13 soldiers were against that person because they knew him very well.  
14 We knew him much better than the persons from the General Staff. We  
15 knew what he represented, that he was a person that nobody liked. He  
16 was an isolated person. So he only had a uniform, he had a weapon,  
17 and that is all. Whereas what type of connections or what links he  
18 had, that's something that only he knows, or probably the  
19 General Staff knows as well.

20 However, this is another kind of document that goes towards what  
21 I was telling you before. So he sometimes was representing the  
22 intelligence service, sometimes being a political representative. So  
23 now we see that he claimed to be an assistant commander for the  
24 public information.

25 So when you say that he was an assistant commander of the



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1 subzone, then what subzone are we talking about? Because the  
2 commander was Ramush Haradinaj. In Subzone 3, it was myself, the  
3 commander. What subzone are we talking about here?

4 JUDGE METTRAUX: Thank you, Witness. I'll have some more  
5 questions after the break for you.

6 PRESIDING JUDGE SMITH: It's time for a half-hour break,  
7 Witness. Please leave the courtroom with the attendant. Please do  
8 not speak to anybody about your testimony.

9 [The witness stands down]

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

11 --- Recess taken at 11.04 a.m.

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

13 PRESIDING JUDGE SMITH: Please bring the witness in.

14 [The witness takes the stand]

15 PRESIDING JUDGE SMITH: Mr. Tetaj, we will continue with  
16 questions from the Panel. Judge Mettraux still has the floor.

17 JUDGE METTRAUX: Thank you, Judge Smith.

18 And good morning again, Mr. Tetaj.

19 A. Good morning.

20 JUDGE METTRAUX: Could the Registry please bring up  
21 Exhibit P270.12, please.

22 Sir, I'll give you a moment to read it in a second, but from its  
23 face it purports to be a Communiqué 62 from the KLA General Staff.  
24 It is not dated per se, but it's published in *Koha Ditore* on 15  
25 November 1998, and I will go into a specific paragraph in a second.

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1 Are you able, sir, to read the content of it in the Albanian  
2 language? Yes?

3 A. Yes.

4 JUDGE METTRAUX: Now, I'll give you a second to acquaint  
5 yourself with it. You will see that it deals in large part with the  
6 restructuring of the KLA that was happening in November 1998. I'll  
7 give you a moment to read through it.

8 A. Do I need to read the whole text?

9 JUDGE METTRAUX: No, I'll take you to the relevant paragraph,  
10 sir. But my first question is can you recall whether you had seen  
11 that particular communiqué at the relevant time in November or late  
12 1998? Do you recall seeing that document?

13 A. No, I don't. I see it for the first time here.

14 JUDGE METTRAUX: I'll ask the Registry to please go to the  
15 bottom of the page in the English. Thank you.

16 And for counsel, it will be the last paragraph: "The  
17 above-mentioned institutions ..."

18 Are you able, sir, to find a paragraph in the Albanian language  
19 which would be towards the end of the article where the name of Faton  
20 Mehmetaj and Rame Buja is being mentioned? Are you able to locate  
21 that paragraph?

22 A. Yes, I see Faton Mehmetaj.

23 JUDGE METTRAUX: In the English version, this document,  
24 Communiqué 62, says the following, and it's the last paragraph, third  
25 sentence:

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1 "KLA General Staff has nearly completed the restructuring and  
2 the internal reorganisation and has also made changes in its  
3 Political Department, with the dismissal of ... Faton Mehmetaj and  
4 the appointment of ... Rame Buja."

5 And it adds:

6 "The KLA General Staff expresses its concern about and distances  
7 itself from the acts of kidnappings, irrespective of ethnic  
8 affiliation."

9 Now, my first question is whether you knew that, from the middle  
10 of August 1998 to sometime in the middle of November 1998, Faton  
11 Mehmetaj had been a member of the KLA General Staff political  
12 directorate? Were you aware of that?

13 A. No.

14 JUDGE METTRAUX: Were you aware of the fact that during this  
15 period, or part of this period, Mr. Mehmetaj was acting both within  
16 the General Staff, or more specifically its political directorate,  
17 and within your zones? Were you aware that he had this double hat,  
18 so to say?

19 A. I know when he was in our zone. With respect to the  
20 General Staff and its political directorate, I don't know.

21 JUDGE METTRAUX: And, again, I mean no criticism of you, but is  
22 that because you were not fully informed about the nature and the  
23 extent of involvement, if any, of the General Staff in your zone?  
24 Would that be fair?

25 A. Yes, that's correct.

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1 JUDGE METTRAUX: And I want to ask you about another document,  
2 if you may help us on that point. It's Exhibit P1600, 1600. It's a  
3 document you've seen again, sir, and I'll just go to two small points  
4 on it.

5 You will recall, I hope, that this is a -- or purports to be the  
6 record of a work meeting within the Operational Staff of the Plain of  
7 Dukagjin. It's dated 25 July 1998. And if you can first focus on  
8 the list of the attendees, you will see that there is those present  
9 and those absent. Do you see that?

10 A. Yes.

11 JUDGE METTRAUX: And it seems, and, of course, correct me if I  
12 am wrong, but you are first entered as an absentee and then it  
13 records the fact that you arrived in the meantime. Do you recall if  
14 you arrived sometime into the meeting rather than at the beginning of  
15 this meeting? Do you recall that?

16 A. I don't recall. With respect to meetings, it might be. I would  
17 need to read the entire text to know better, but it's poorly written  
18 and hardly legible in Albanian.

19 JUDGE METTRAUX: Well --

20 A. I would very much like to read the entire text and give you an  
21 answer.

22 JUDGE METTRAUX: I'll ask you about a specific aspect of it.  
23 And, of course, do your best with your memory and we'll take it from  
24 there.

25 Can the English be scrolled down a little bit on this page,

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1 please.

2 Here, sir, there's -- in the English version it's written that:

3 "- We have decided on Tigri as the commander of the police ..."

4 Do you see that in the Albanian?

5 A. Yes.

6 JUDGE METTRAUX: In the English it says:

7 "- We have decided on Tigri as the commander of the police and  
8 have obtained the approval of the General Staff. The Brigades have  
9 given support to the idea of the Military Police."

10 Now, my question is were you aware that the approval of the  
11 General Staff had been sought or obtained for the appointment of  
12 Tigri as the commander of the military police?

13 A. This is the problem. We were regional staff of the Dukagjini  
14 plain. When you mention Tigri, I remember the meeting. However, it  
15 intentionally says here "the approval from the General Staff." I'm  
16 seeing it now. We, the operational staff of the Dukagjini staff,  
17 issued this decision, but -- and not the operational staff of the  
18 General Staff. We brought this decision for Tigri to be the military  
19 commander of the military police -- the commander of the military  
20 police in the Dukagjini plain. So I've seen this in other documents  
21 as well. It often mentions intentionally either the Dukagjini staff  
22 or the General Staff.

23 JUDGE METTRAUX: So may I take it from your response that you  
24 are not aware that such approval had been sought from the  
25 General Staff, if, indeed, it had been sought?

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1 A. No, I don't know, and I don't believe it was.

2 JUDGE METTRAUX: Thank you. I want to ask you about something  
3 else you already discussed, including with Judge Barthe. It's the  
4 use of these blacklists containing the names of people who were being  
5 sought for. Do you remember discussing this?

6 A. I know, maybe I wrote it somewhere. It exists at the time.  
7 Maybe it was clearer at the time, fresher. The names of the persons.  
8 I don't know.

9 JUDGE METTRAUX: Let me do it that way. You mention discussing  
10 and seeing a list of people with Faton Mehmetaj, whom you discussed  
11 earlier. Do you remember that?

12 A. Yes, yes.

13 JUDGE METTRAUX: And my first question is, in your area of  
14 responsibility, who was using these lists, if you know, other, of  
15 course, than Faton Mehmetaj? Do you know anyone else who was going  
16 around with these lists and making use of it?

17 A. No. Only Faton. And to tell you the truth, Toger, if he had  
18 lists, he was not from that region and he didn't know anyone there.  
19 But he -- there might have been a list in the hands of Toger in  
20 coordination with Faton.

21 JUDGE METTRAUX: Do you know if these lists were used at KLA  
22 checkpoints in your area?

23 A. At the beginning, yes. At the beginning of the war, yes. And  
24 -- if I may?

25 JUDGE METTRAUX: Please.

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1 A. And because of these lists, at the beginning of the war, we  
2 positioned guards in each village to identify those who would come in  
3 or go out of the village. If there hadn't been these lists, we  
4 wouldn't have needed guards at the entrance of the village.

5 JUDGE METTRAUX: Did you raise your concerns about these lists  
6 and their being used with Ramush Haradinaj?

7 A. I don't recall having this conversation with him because --  
8 because the Dukagjini plain zone was divided in subzones. I was in  
9 the third zone. He was in the first zone. And we did not have  
10 enough time to clarify all these matters or to meet and discuss  
11 further or obtain further information about these matters.

12 JUDGE METTRAUX: In your statement, you also discuss the  
13 occasion where yourself was interrogated by Faton Mehmetaj and Ujku.  
14 Do you remember that?

15 A. Yes.

16 JUDGE METTRAUX: And Ujku is Pjeter Shala; is that correct?

17 A. I learned his name after the war when he was arrested, that he  
18 was Pjeter Shala.

19 JUDGE METTRAUX: Now, my question here is what sort of questions  
20 were you being asked by Mr. Mehmetaj, and whether Mr. Shala,  
21 Pjeter Shala, also asked you questions?

22 A. They took me from my village because of my background or the  
23 allegation that I was a military officer, took me to the mosque, and  
24 both of them questioned me.

25 JUDGE METTRAUX: And what questions? What were they asking you?

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1 A. I've mentioned this before. The question was -- after the  
2 Gllogjan attack, there were free zones. Decan was one of them.  
3 People would go to the market, and there was free movement of people.  
4 In general, people were free. And I went there for personal  
5 health-related reasons. I had a hernia at the time, and I needed  
6 some medication from the orthopaedist. And because I had gone there  
7 - I don't know how he learned this - he wanted to tarnish me or raise  
8 allegations, claiming that I had gone there for other reasons.  
9 That's what I can say about this.

10 What they were claiming was not true. However, their purpose  
11 was to tarnish me. Later on, I learned, when I was still in the  
12 Dukagjini plain zone, in Rugova, in October the newspaper *Zeri i*  
13 *Kosoves* wrote an article. He wrote an article raising allegations  
14 and tarnishing me and other people in the zone. I was told this by  
15 other people who had access to the article. I was in the war in the  
16 region of Rugova. He wrote the article from Albania.

17 JUDGE METTRAUX: And in your understanding, on what authority  
18 could he ask to interview you? Or interrogate you, I should say.

19 A. The only person at the time who had a military uniform and was  
20 armed, fully armed. And he moved freely, including in Decan and all  
21 other zones, knowing that he was the only one. We hadn't seen a  
22 uniform yet, and I saw on him the KLA uniform. This was the  
23 beginning. It was very early.

24 JUDGE METTRAUX: So is it fair to say, and, again, put it in  
25 your own words, but is it fair to say that you felt you had no choice



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1 but to comply with his request to be interrogated?

2 A. Yes, certainly. I knew the person and I went with him. Can I  
3 add something?

4 JUDGE METTRAUX: Yes.

5 A. In 1993, I was sentenced to five years of imprisonment for  
6 having formed, established the Ministry of Defence in the  
7 municipality of Decan. I was released in 1996. And Faton Mehmetaj,  
8 in my house, came in his capacity as a reporter from the newspaper  
9 *Zgjimi* and asked me questions about Rugova - what was my position, my  
10 stance. Every question he asked me about President Rugova, who was  
11 my idol, whom I supported, and of whom I was a soldier, a soldier of  
12 the institutions of Kosovo. He came to my house with this specific  
13 purpose. And because at the very beginning, initial stages, he could  
14 not persuade me to move away from the Rugova line, then at the  
15 beginning of the war he took me and interrogated me. I don't know in  
16 what capacity he did this.

17 JUDGE METTRAUX: Thank you, Witness. Those were my questions.  
18 Thank you.

19 PRESIDING JUDGE SMITH: Judge Gaynor.

20 THE WITNESS: [Interpretation] Thank you.

21 MR. ELLIS: Your Honour --

22 JUDGE GAYNOR: Thank you, Judge Smith. Good morning.

23 MR. ELLIS: Sorry. Sorry to interject. I apologise for  
24 interrupting. I just wondered if His Honour Judge Mettraux could  
25 assist me with a reference for the question at transcript page 54

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1 began:

2 "You mention discussing and seeing a list of people with Faton  
3 Mehmetaj ..."

4 I found the reference for discussing. I just wondered what the  
5 reference was for "and seeing," actually seeing the list.

6 JUDGE METTRAUX: Witness, did you -- Witness? Witness, Witness.

7 A. Yes?

8 JUDGE METTRAUX: The list of people that you discussed with  
9 Faton Mehmetaj, did you also see the list or see the list in his  
10 possession?

11 A. No, I discussed this with him.

12 JUDGE METTRAUX: Thank you.

13 And thank you to Mr. Ellis for the point.

14 JUDGE GAYNOR: Thank you very much.

15 Mr. Witness, I just have a couple of questions. The first  
16 concerns the number of subzones of the Dukagjin plain zone that were  
17 established at a meeting you attended in late May 1998.

18 Now, yesterday, this is page 19501, the Prosecutor said to you:

19 "And during this meeting, you were the one who proposed to  
20 divide the area into four subzones; is that correct?"

21 And you said:

22 "Correct."

23 You remember saying that, Mr. Witness?

24 A. Yes.

25 JUDGE GAYNOR: Now, in your ICTY statement, which is P1595, at

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1 page 10, I'll just read out the relevant parts, you said -- and  
2 you're referring to this meeting in late May 1998. You said:

3 "I decided to speak and explained that the Glodjane Regional UCK  
4 HQ should be divided into five operational sub zones, [numbers] 1 to  
5 5. I suggested to Ramush Haradinaj to become the commander of zone  
6 [number] 1 ... and to divide the commander positions for the other  
7 four zones between four commanders who would have the full  
8 responsibility for each sub zone they were assigned to."

9 And then you give information about Zone 2, Zone 3, and Zone 4,  
10 and you refer to these as the five subzones. So it's somewhat  
11 unclear from your ICTY statement if there were four or five subzones.  
12 Could you help me understand that, please? Were there four or five  
13 subzones decided upon at that meeting?

14 A. Thank you. In the meeting in Gllogjan for the division of  
15 zones, I was the one who discussed this. There must be minutes of  
16 the meeting as well. We first set up the staff of Gllogjan, and the  
17 commander was Ramush Haradinaj, who at the same time was commander of  
18 Zone 1.

19 The second zone had Shemsedin Cekaj as commander. Zone 3,  
20 Rrustem Tetaj. Zone 4 was divided by the river Lumbardh between  
21 Bistrice and Decan, was Isnig. Zone 4 was Skender Rexhahmetaj and  
22 his deputy Gani Gjuka. But the fifth zone was neutral because of the  
23 proximity of the Serbian forces in -- with the town of Decan. That  
24 zone was under the command of Adem Ukehaxhaj. It is true that I  
25 mentioned five zones. But when giving evidence here yesterday, we

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1 talked about three zones, and I probably stopped at the zone I was  
2 commander of. But it is a fact that there were five zones.

3 JUDGE GAYNOR: And just for the benefit of the other parties  
4 here, I'm referring to Adjudicated Fact 256, which appears to be  
5 based on paragraph 58(e) of the 29 November 2012 judgment in  
6 Haradinaj at the ICTY.

7 Mr. Witness, the information we have reads as follows:

8 "'Sub-zone 5' was commanded by," as you said, "Adem Ukehaxhaj,"  
9 excuse my --

10 A. Correct.

11 JUDGE GAYNOR: "... and was comprised of the villages of  
12 Carrabreg, Voksh and Drenoc in Decan municipality."

13 A. Correct.

14 JUDGE GAYNOR: Okay. Thank you for clarifying that.

15 The second point I wanted to address was yesterday in one of  
16 your answers to counsel for Mr. Thaci, you said:

17 "... if somebody knew that the General Staff existed back then,  
18 it would have been much easier for myself to speak and to give the  
19 testimony before you. The Commander Ramush Haradinaj was not aware  
20 of the fact that such a General Staff existed. Or probably he knew  
21 and he never admitted that, that I don't know."

22 This was in the context of a discussion about a meeting of  
23 20 August 1998.

24 Now, I'd like the Court Officer, please, to bring up 2D026.

25 What's coming up on your screen in a moment, Mr. Witness, is a

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1 document you were shown earlier by counsel for Mr. Veseli.

2 It's SPOE00225760 if that helps.

3 You saw this document before, Mr. Witness. You can see it's  
4 signed by Ramush Haradinaj. It's dated --

5 A. Yes.

6 JUDGE GAYNOR: -- if we can scroll down a little bit, 2 July  
7 1998. Now, we can see that Ramush Haradinaj is sending it to the  
8 archive and to the General Staff of the KLA and to nobody else. Do  
9 you see that?

10 A. Yes.

11 JUDGE GAYNOR: And in the document - if we can scroll up a  
12 little bit in the English - it says, as we read earlier this morning:

13 "This is to inform you that the meeting held in Jabllanica on  
14 the 23rd of June 1998 elected the Commander of the Operational Staff  
15 of the Dukagjini Plain, the Deputy Commander, Chief of Staff and the  
16 Deputy Chief of Staff."

17 Now, Witness, I just wanted to put it to you that this to me  
18 seems, if nothing else, an indication that Mr. Haradinaj is very keen  
19 to act in a cooperative manner with the General Staff by sending this  
20 notification, and he certainly knows that there is an entity called  
21 the General Staff which is in existence. Would you say that's a fair  
22 way of reading this document?

23 A. If we refer to this document, that's the logical conclusion we  
24 would draw. However, in those circumstances, if it indeed existed,  
25 we wouldn't have ended up with the frictions we had between FARK and

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1 the General Staff or the KLA. If the General Staff of the KLA had  
2 been set up from the beginning, we wouldn't have needed to discuss  
3 these matters. But we were in the position where we had to take  
4 initiatives on our own, what to do next, and all these soldiers,  
5 volunteers, were expecting us commanders to tell them how to act and  
6 what to do.

7 Therefore, again, if we refer to this document, it is logical.  
8 However, I am convinced that if Ramush Haradinaj heard of this, he  
9 heard of this later on, after the Zhabel meeting. Otherwise, from  
10 what I know, from -- from what I know about Ramush, I know him as a  
11 person, as a professional, he would have informed us about the  
12 General Staff of the KLA if he knew. The staff came into existence  
13 later, much later.

14 JUDGE GAYNOR: Let me just break it down into a very simple  
15 question: Do you accept that at the time that he signed this  
16 document, Ramush Haradinaj certainly knew that an entity called the  
17 General Staff existed? Do you accept that?

18 A. Can I please see the document in full so that I can see the  
19 date, if possible? Because I'm having a look at the version in  
20 English and there I can see the date is --

21 JUDGE GAYNOR: Could -- the Court Officer will --

22 A. -- 2 July.

23 JUDGE GAYNOR: -- allow you to see the entirety of the document.  
24 If you can zoom it out a little bit.

25 You can see at the very top it's [Overlapping speakers] ...

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1 A. Yes, yes. I see it now. Yes.

2 JUDGE GAYNOR: On 2 July 1998. And at the bottom it's dated  
3 2 July 1998.

4 A. What I think is that they have written this document much later  
5 than that date, but they have decided to put the date of 2 July,  
6 because I've seen many other documents that involved the Dukagjini  
7 plain. So those were documents referring to decisions or to meetings  
8 that had happened. But I think that the documents themselves have  
9 been written in a later date. And this is the reason that I'm  
10 convinced that Ramush Haradinaj was not aware of the General Staff at  
11 that time.

12 JUDGE GAYNOR: And can you provide any explanation as to why  
13 Ramush Haradinaj would have written a document like this at a later  
14 date and dated it 2 July 1998?

15 A. Not Ramush. I don't think that Ramush was the one writing it.  
16 These documents are written by somebody else and they were just  
17 offered to him. I'm sure that Ramush Haradinaj did not have the time  
18 to write the documents or to see what date those documents were  
19 produced in, because there was no other reason why he would behave  
20 otherwise. There was no reason for him, for Ramush, to write the  
21 documents at a later date and to put the date from a time before  
22 that.

23 However, it is my conviction that the document itself has been  
24 compiled later on and they have put the date of 2 July. Because if  
25 this date was true, I would have known about the General Staff. It's

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1 not only Ramush in question here. It's myself as well. I was a  
2 deputy commander back then, and I would have known about the  
3 General Staff. Sali Veseli was my boss. Yes, I can see his name  
4 here as well, I think. And it's not possible for me not to know that  
5 the General Staff existed back then.

6 I think that there was a pretext, there was a reason as to why  
7 somebody has written these documents later on and put a date that  
8 preceded the date of the preparation of the document. I have no  
9 reason why not to accept that information if that were to be true.  
10 On the contrary, I'm happy for my name to be there because that's the  
11 fact. I was holding that position back then --

12 JUDGE GAYNOR: Thank you.

13 A. -- and I had the same position as it is written here.  
14 Therefore, I have no reason whatsoever to say the contrary if I knew  
15 that what you were saying was the truth.

16 JUDGE GAYNOR: Thank you. I'll move on to a separate issue. It  
17 concerns the period after the meeting in Zhabel. Now, yesterday,  
18 this is page 130 of the provisional transcript for the benefit of the  
19 other parties -- of the parties, you said:

20 "The General Staff with their orders, after the meeting in  
21 Zhabel, they exerted pressure in all forms for the FARK forces to  
22 cease to exist and to have only the KLA in existence."

23 Do you remember saying that yesterday?

24 A. Yes, that's fair.

25 JUDGE GAYNOR: I'm very interested in knowing a bit more about



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1 what you had in mind where you said the General Staff "exerted  
2 pressure in all forms for the FARK forces to cease to exist." Could  
3 you explain a little more what you had in mind when you said that?

4 A. All the villages, all structures of the Dukagjini plain, upon  
5 the arrival of the FARK forces, were in one direction: They were in  
6 favour of having Tahir Zemaj as the commander of the zone, which  
7 became a fact later on. But some people were not happy with that  
8 decision, and that is the reason why the meeting in Zhabel happened.

9 I told you yesterday that they distributed those envelopes to us  
10 with the orders.

11 JUDGE GAYNOR: Did you have any other forms of pressure in mind  
12 to make the FARK forces cease to exist?

13 A. I can't remember anything else. Not for now, at least.

14 JUDGE GAYNOR: Very well. Those were my questions. Thank you  
15 very much, Mr. Witness.

16 Thank you, Judge Smith.

17 PRESIDING JUDGE SMITH: Thank you.

18 Any follow-up questions, Mr. Quick?

19 MR. QUICK: No, thank you.

20 PRESIDING JUDGE SMITH: Anything from the Thaci Defence?

21 MR. MISETIC: Yes. Thank you, Mr. President.

22 Further Cross-examination by Mr. Misetiç:

23 Q. Good afternoon now, Witness.

24 A. Good afternoon.

25 Q. Just a few follow-up questions on what you were asked by the

1 Judges. First, I want to ask some follow-up questions on these lists  
2 that you were asked about by Judge Barthe and Judge Mettraux.

3 I want to read something you said in the Haradinaj trial and ask  
4 you if this is still your testimony.

5 MR. MISETIC: And this is, for the benefit of the parties,  
6 IT-04-84 T3597 to T3689 at page 3671, lines 15 to 22.

7 Q. And here's what you said:

8 "I didn't ask him, but before the Toger came there were some  
9 lists drawn up in some villages. These were lists drawn up for  
10 personal reasons. These were lists drawn up to compromise people,  
11 but these were not the lists drawn up by the Toger. These were lists  
12 drawn up by other people but they were attributed to the Toger. I'm  
13 not saying this was done by Ramush; however, in some villages there  
14 were some people who belonged to political parties, they had  
15 political differences among each other. So probably this could be  
16 the reason for the lists."

17 Now, did you say that in the Haradinaj trial and is that still  
18 your evidence?

19 A. If you're reading out of a document, I have said that, and I  
20 stand by that. But if you are to ask me about those issues now, I'm  
21 not able to give you an answer. I can't remember everything.

22 Q. Well, so you don't -- do you have any recollection of what you  
23 meant when you said there were people who belonged to -- in the  
24 villages there were people who belonged to political parties and they  
25 had political differences amongst each other? Do you know what you

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1 were referring to?

2 A. Yes. Before the war, there were political parties that were  
3 established, and there was some party-related competition in a  
4 political pluralist society of the time. So there was jealousy. And  
5 because of jealousy, that's the reason why there were frictions, and  
6 probably that's the reason why I made that formulation out there. So  
7 this is how I think of it now.

8 Q. And then you attributed the creation of these lists to the  
9 jealousies and rivalries -- political rivalries within the villages?  
10 Do I understand that correctly?

11 A. Yes, that's a fact.

12 Q. Okay. You also testified, and I believe you've said it again  
13 today, that these lists were created only at the beginning. You used  
14 the word "beginning." Am I correct that when you refer to "the  
15 beginning," you refer to the period of time before the creation of  
16 the subzones?

17 A. Yes.

18 Q. The subzones were created in late May 1998. Do you agree?

19 A. Yes.

20 Q. So when you refer to these lists, you're talking about lists  
21 that must have been created before late May 1998; correct?

22 A. Yes.

23 Q. And your testimony is that this is a time period which you say  
24 there was no organisation and things were chaotic; is that correct?

25 A. That's a fact.

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1 Q. Turning to a different topic, and this is the role of  
2 Mr. Mehmetaj.

3 Now, you were asked some questions by Judge Mettraux concerning  
4 Mr. Mehmetaj's appointment as a political representative in August  
5 1998. I'd like to take you chronologically through his appointments  
6 and ask you a few questions.

7 Now, yesterday you were shown a document.

8 MR. MISETIC: And if we could have the document back on the  
9 screen, please. Just one second. Yes, U001-4078.

10 Q. Now, Witness, this is decisions -- a document recording  
11 decisions taken at the meeting in Jabllanice on 23 June 1998.

12 MR. MISETIC: And if we could scroll down a little bit. Yes.

13 Q. It says in the middle of the page:

14 "After those in attendance presented all of the advantages of  
15 uniting and coordinating the forces, it was unanimously decided and  
16 unanimously declared that the Regional Staff of Dukagjini be founded  
17 with the following composition."

18 Do you see that?

19 A. Yes, I do.

20 Q. And one of the persons that's unanimously decided at the meeting  
21 for appointment as intelligence services officer is listed as Faton  
22 Mehmetaj; correct?

23 A. Yes.

24 Q. Is it correct, therefore, that he received his appointment as a  
25 result of this local gathering and a vote that took place, a

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1 unanimous vote as to what position he would have in the Dukagjin  
2 zone?

3 A. Yes.

4 MR. MISETIC: Mr. President, I tender this document into  
5 evidence.

6 PRESIDING JUDGE SMITH: Any objection?

7 MR. QUICK: No objection.

8 PRESIDING JUDGE SMITH: U001- --

9 MS. O'REILLY: Your Honour, apologies. Just before it's  
10 tendered, just there's a -- I think a discrepancy between the  
11 Albanian and the English as regards intelligence or information with  
12 respect to Faton Mehmetaj's role. We just would like that noted in  
13 the record.

14 MR. MISETIC: If we could -- if it's a translation issue, then  
15 obviously we want to correct it as well.

16 PRESIDING JUDGE SMITH: There is a procedure for correcting it.  
17 We would suggest you --

18 MR. MISETIC: So could we MFI it and then --

19 PRESIDING JUDGE SMITH: Yes, we can do that. Yes.

20 MR. MISETIC: Yeah, that way we won't lose track of it.

21 PRESIDING JUDGE SMITH: Sure, sure.

22 MR. MISETIC: Thank you.

23 PRESIDING JUDGE SMITH: So we will mark it MFI for now, and we  
24 will await a translation resolution.

25 THE COURT OFFICER: Thank you, Your Honours.

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1 U001-4078-U001-4080 and the English translation will be marked for  
2 identification with the Exhibit 1D00188, currently classified as  
3 confidential. Thank you, Your Honours.

4 PRESIDING JUDGE SMITH: We'll leave it confidential for now.

5 MR. MISETIĆ: Thank you.

6 PRESIDING JUDGE SMITH: Thank you.

7 MR. MISETIĆ: Thank you.

8 Q. Now, Witness, I'd like to show you Exhibit P01386, please.

9 Witness, do you recall seeing this document before?

10 A. Can I please see the whole page? It can be. I'm not sure.

11 Q. Now, the document is dated 30 July 1998, and it purports to be  
12 Ramush Haradinaj's authorisation for Faton Mehmetaj, intelligence  
13 service officer, to establish the structure of the KLA intelligence  
14 service in the subzone of responsibility of the operations staff of  
15 the plain of Dukagjin.

16 Now, would you agree with me that 30 July 1998 is a time period  
17 when Ramush Haradinaj is working together with the officers that had  
18 come from FARK?

19 A. Yes.

20 Q. And am I correct that this indicates that it was  
21 Ramush Haradinaj who appointed Faton Mehmetaj to this position in the  
22 operations staff of the plain of Dukagjin?

23 A. This is true, because I can see Ramush's signature here. This  
24 is a decision or an authorisation by Ramush. However, what I said  
25 before about previous documents is true for this document as well.

1 And what I mean by that is that these documents have been written  
2 later on and they have been pre-dated. That's how I conceive them.

3 Q. Okay. Now, you were asked questions by Judge Mettraux about  
4 Faton Mehmetaj's appointment as political representative on 13 August  
5 1998. I believe you mention that in your SPO interview as well. And  
6 so I'd like to just read to you what Mr. Mehmetaj says about that  
7 appointment and ask you a few questions about his version of what  
8 happened.

9 MR. MISETIĆ: And for the benefit of the parties, this is 056292  
10 Part 5, page 19.

11 Q. Mr. Mehmetaj is asked:

12 "There was no public appointments of you to the political  
13 directorate?"

14 And he says:

15 "Yes, in the political department.

16 "Q. And when did this happen?

17 "A. In August 1998.

18 "Q. And can you tell me how it happened?"

19 He says:

20 "Nasim Haradinaj and Jashar Salihu proposed me for the post as  
21 the head of the political department.

22 "Q. Proposed you to who?

23 "A. General Staff. I heard about my appointment in the news.  
24 Nobody asked me -- nobody asked me whether I wanted or not to be in  
25 that position. The first time I heard about this was when it was

1 broadcasted by Kosovo Radio Television. I have never contacted the  
2 General Staff during this period, and I've never communicated with  
3 the General Staff in the position of a political representative.  
4 Rame Buja went to Rambouillet in my place. This is the story.

5 "Q. But how did you find out that a Nasim Haradinaj had  
6 proposed you to the General Staff?

7 "A. I asked when I heard my name.

8 "Q. When it was announced?

9 "A. Yes.

10 "Q. And did you -- did Ramush Haradinaj, did he consent to your  
11 appointment? Did he agree?

12 "A. I heard about my appointment the same way -- he heard about  
13 my point the same way I heard about it, in the news, and he said,  
14 'Good luck with your new appointment as a political representative.'  
15 This how it happened.

16 "Q. So did you ask Nasim Haradinaj why he --

17 "A. At the time, he was in Sweden.

18 "Q. So he appointed you from Sweden or proposed you -- proposed  
19 you?

20 "A. Yes."

21 Now, my first question is about Nasim Haradinaj and Jashar  
22 Salihu. Now, do you know who Nasim Haradinaj is?

23 A. Yes.

24 Q. Who is he?

25 A. He is a close relative of Ramush Haradinaj, and he comes from



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1 the village of Gllogjan.

2 Q. Yes. And did you know who Jashar Salihu was?

3 A. Yes.

4 Q. Who was Jashar Salihu?

5 A. An intellectual, a patriot. He had all the good qualities  
6 someone could have. He was from the village of Batushe.

7 Q. And is the village of Batushe in the Dukagjin zone?

8 A. Yes.

9 Q. Was Nasim Haradinaj -- did he live in Sweden at the time?

10 A. Yes, from the early days.

11 Q. And what about Jashar Salihu? Where he was at this time, if you  
12 know?

13 A. He was in Switzerland.

14 Q. Okay. So do you have any reason to dispute Mr. Mehmetaj's  
15 account of how it was that his name came to be in Political  
16 Declaration No. 7?

17 A. It is very simple. Neither Jashar nor Nasim were part of the  
18 General Staff of the KLA, so how is it possible for the both of them  
19 to propose someone for a certain position?

20 Q. Well, we could have a discussion about that. They were  
21 prominent in the diaspora, weren't they?

22 A. I don't know.

23 Q. Do you know if they were perhaps fundraisers in the Homeland  
24 Calling Fund and had influence?

25 A. Yes, yes. I heard about the Homeland Calling Fund later on.

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1 Jashar Salihu was responsible for raising funds. Yes, that's true.  
2 About Nasim, I don't know anything about him. I don't know on  
3 whether he was involved into raising funds. About Jashar, yes, I've  
4 heard about him.

5 Q. And you don't have any reason to dispute Mr. Mehmetaj's account  
6 that he never actually had any contact with the General Staff other  
7 than his name being announced in Political Declaration No. 7; is that  
8 correct?

9 A. I have no facts to object to this.

10 Q. And Judge Mettraux showed you a document from 15 November 1998.  
11 You had left Kosovo on 8 September 1998; correct?

12 A. No, that's not correct.

13 Q. Okay. When did you leave?

14 A. I left Kosovo together with the group of Prapaqan. So we left  
15 from the zone of Prapaqan on the 8th. But from there, we placed  
16 ourselves in the mountains of Rugova. So I've been there up until  
17 the end of November, or probably half of November. It was about  
18 mid-November or end of November that I left. That is part of the  
19 Dukagjin area as well. So I've been in the war area all that time.

20 Q. Okay. When did you return?

21 A. I did not return.

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

23 MR. MISETIC: Thank you, Your Honour.

24 PRESIDING JUDGE SMITH: Thank you, Mr. Misetic.

25 Ms. O'Reilly.

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Further Cross-examination by Ms. O'Reilly

1 MS. O'REILLY: Just one very brief matter.

2 Could we have P1598 on the screen, English and Albanian, last  
3 page, please.

4 Further Cross-examination by Ms. O'Reilly:

5 Q. And while the Court Officer is getting that up, Mr. Tetaj, do  
6 you remember a man called Emrush Xhemajli?

7 A. Should I wait for the documents to appear on the screen or?

8 Q. No. Do you remember him from your time there?

9 A. Yes, I do.

10 Q. Do you remember what his nickname was?

11 A. I have met him for a very brief period of time. So that  
12 happened in the village of Glllogjan before the war, and if I'm not  
13 mistaken his nickname was the Computer, Kompjuteri.

14 Q. Indeed.

15 MS. O'REILLY: So can we go to the last page of the doc in both  
16 English and Albanian. Right down to the end.

17 Q. And you can see, Mr. Tetaj, that it appears that a Kompjuteri  
18 with the initials E.XH. Is the author of these typewritten notes.  
19 Do you see that?

20 A. Yes.

21 Q. So it would seem that Mr. Emrush Xhemajli, that is, Kompjuteri,  
22 was someone else in the Dukagjin zone at the time who also was able  
23 to typewrite documents up and did so quite frequently, including  
24 meeting minutes; isn't that right?

25 A. It can be.

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Further Cross-examination by Mr. Ellis

1 Q. Thank you, Witness.

2 PRESIDING JUDGE SMITH: Thank you, Ms. O'Reilly.

3 MR. ROBERTS: Still nothing from me, Your Honour. Thank you.

4 PRESIDING JUDGE SMITH: Okay.

5 Mr. Ellis.

6 MR. ELLIS: Yes, just two questions, Your Honour.

7 PRESIDING JUDGE SMITH: Go ahead.

8 Further Cross-examination by Mr. Ellis:

9 Q. It relates back to the questions you were asked about Faton  
10 Mehmetaj and the lists or blacklists. And you were asked about this  
11 by the Prosecution in February 2020. I'm looking at Part 4 of your  
12 interview, 074569, Part 4, page 9, line 4. I'll just read it back to  
13 you, sir:

14 "The blacklist that, you know, Faton Mehmetaj, it's not that  
15 I've seen Faton in possession of the list, it's just what I've seen  
16 on the... you know, on the... stuck on the posts. I haven't seen  
17 Faton with a list, you know, in his possession. I just want this to  
18 be understood."

19 That's what you told the SPO in February 2020, isn't it,  
20 Witness?

21 A. I said that today as well. This is a question that I received  
22 earlier on today, and I gave an answer to that.

23 Q. Thank you. And you were also --

24 A. I have the same answer to that.

25 Q. Thank you. And you were also asked about who compiled the

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Further Cross-examination by Mr. Ellis

1 lists. And at Part 3 of your interview, page 22, line 6, you said:

2 "... I cannot be any more certain because I did not see him  
3 compiling the list."

4 And that would also remain your evidence today, wouldn't it,  
5 sir?

6 A. Yes.

7 MR. ELLIS: Thank you. Nothing further.

8 PRESIDING JUDGE SMITH: Thank you.

9 Mr. Tetaj, that completes your testimony. There will be no more  
10 questions. You will be excused from the courtroom now. We thank you  
11 for being with us, for giving us your testimony, and we wish you well  
12 in the future.

13 THE WITNESS: [Interpretation] Can I say a couple of things?

14 PRESIDING JUDGE SMITH: No, thank you. Your testimony is  
15 completed.

16 THE WITNESS: [Interpretation] I wanted to say something for the  
17 sake of the opinion, but ...

18 [The witness withdrew]

19 PRESIDING JUDGE SMITH: We are adjourned until 9.00 a.m. on  
20 Monday. Thank you all.

21 [Trial Panel confers]

22 PRESIDING JUDGE SMITH: [Microphone not activated].

23 --- Whereupon the hearing adjourned at 12.33 p.m.

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