

1 Monday, 9 October 2023

2 [Open session]

3 [The accused entered the courtroom]

4 --- Upon commencing at 8.59 a.m.

5 PRESIDING JUDGE SMITH: Madam Court Officer, you may call the
6 case.

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

10 PRESIDING JUDGE SMITH: I remind the parties that pursuant to a
11 change in the sitting schedule in this matter, there will be no third
12 session today or Thursday, and the hearings will adjourn at 1.00 p.m.

13 I note that there's a matter regarding the 13 September 2023
14 transcript that the Panel will address before we start with the
15 testimony of W03880.

16 The Panel recalls that on 11 and 13 September 2023, W03827
17 testified before the Panel.

18 On 11 September 2023, the Panel admitted 3827's witness
19 statements under Rule 143(2).

20 On 13 September 2023, the Veseli Defence noted that the legal
21 arguments pertaining to this matter had taken place in private
22 session and requested that the transcript be classified as public.
23 The Panel subsequently ordered the SPO to propose redactions, if any,
24 in writing.

25 On 15 September 2023, the SPO submitted its proposed redactions.

1 The Defence proposed alternative redactions.

2 In light of the parties' submissions, the Panel grants the
3 request for redactions proposed on page 7973, line 6, and rejects the
4 remainder of the proposed redactions.

5 The Panel also orders the reclassification as public of the
6 remainder of the parties' legal submissions involving Rule 143(2)
7 made on 13 September 2023 at transcript page 7946, line 11, to page
8 7977, line 17.

9 This concludes the Panel's oral order.

10 I note that the accused are all present in court today. We will
11 begin hearing the evidence of Prosecution Witness W03880. We are in
12 public session.

13 And, Madam Court Usher, please bring the witness in.

14 Prosecution, time estimate? The same?

15 MR. BOYLE: Yes, the same, Your Honours.

16 PRESIDING JUDGE SMITH: One and a half hours?

17 MR. BOYLE: Yes.

18 PRESIDING JUDGE SMITH: Okay. Any change in the Defence time
19 estimates?

20 MR. KEHOE: No, Your Honour.

21 MR. EMMERSON: We would likely be less than our estimate but
22 we'll wait to see how matters develop.

23 PRESIDING JUDGE SMITH: Thank you.

24 MR. TULLY: I notified the Panel last week. We've gone from one
25 and a half hours down to 30 minutes, I believe, Your Honour. Thank

1 you.

2 MR. ELLIS: I'm likely to be less than our estimate,

3 Your Honour, but keeping an eye on it.

4 PRESIDING JUDGE SMITH: [Microphone not activated]

5 [The witness entered court]

6 PRESIDING JUDGE SMITH: Good morning, Witness. Can you hear me?

7 THE WITNESS: [Interpretation] Yes, good morning. Good morning,
8 everyone.

9 PRESIDING JUDGE SMITH: The Court Usher will now provide you
10 with the text for the solemn declaration, which you are asked to take
11 pursuant to our rules. Please look at the document and then read it
12 aloud.

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

17 WITNESS: W03880

18 [Witness answered through interpreter]

19 PRESIDING JUDGE SMITH: Thank you, Witness. You can be seated.

20 Witness, today we will start your testimony which is expected to
21 last approximately nine hours. As you may know, the Prosecution will
22 ask you questions first. Once they are done, the Defence has the
23 right to ask questions of you. And members of the Panel might also
24 ask questions of you.

25 The Prosecution estimate for your examination is 1.5 hours. The

1 Defence estimates that it will need seven hours. As regards each
2 estimate, we hope that the counsel will be judicious in the use of
3 their time. The Panel may allow redirect examination if conditions
4 for it are met.

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

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

14 Please also speak into the microphone and wait five seconds
15 before answering a question, and speak at a slow pace for the
16 interpreters to catch up.

17 In case we do not finish your testimony today, please note that
18 you are not allowed to discuss the content of your testimony outside
19 of the courtroom with anyone until you have finished giving evidence.
20 If any person asks you questions outside the court about your
21 testimony, please let us know.

22 Please stop talking if I ask you to or if I hold up my hand,
23 which means I need to give you further instruction. If you feel the
24 need to take breaks, please make an indication and an accommodation
25 will be made.

Witness: W03880 (Open Session)

Page 8441

Examination by Mr. Boyle

1 Do you understand all of that?

2 THE WITNESS: [Interpretation] Yes. All right.

3 PRESIDING JUDGE SMITH: Thank you.

4 Now, we will begin with the Prosecution's questions of you.
5 They will be over here, the gentleman over here will be the
6 Prosecutor asking you questions.

7 Go ahead.

8 MR. BOYLE: Thank you, Your Honour.

9 Examination by Mr. Boyle:

10 Q. Good morning, Witness. We've met before, but I will introduce
11 myself again. I'm Andrew Boyle, and I am here on behalf of the
12 Specialist Prosecutor's Office and I'll be asking you questions for
13 the next hour and a half.

14 As I explained during your preparation session -- as I explained
15 during your preparation session a few days ago, rather than asking
16 you questions about every relevant issue that you may have
17 information about, it may be possible to admit some of your prior
18 statements containing such information into evidence. In order to do
19 so, there are a number of procedural steps to follow which I will
20 turn to after establishing your identity.

21 Mr. Witness, can you state your name.

22 A. Nebojsa Radosevic. Nebojsa Radosevic. My name is Nebojsa
23 Radosevic.

24 Q. And, Mr. Radosevic, what is your date of birth?

25 A. 17 September 1966.

1 Q. And what is your nationality?

2 A. Montenegrin, but I am a citizen of Serbia. So usually I write
3 in forms I'm a Montenegrin by ethnicity, but I'm a national of
4 Serbia.

5 Q. Understood.

6 MR. BOYLE: Court Officer, I will like to call up 070725-TR
7 Part 1 RED2, and in Serbian that is 070725-TR Part 1 RED.

8 Q. Mr. Radosevic, do you see the document on your screen?

9 A. Yes.

10 Q. This document is the first part of an interview between you and
11 the SPO in December 2019. Do you remember meeting with SPO members
12 in December 2019 and being asked questions about what happened to you
13 and others in 1998?

14 A. Yes, right.

15 MR. BOYLE: And, Court Officer, could you call up SPOE00078810
16 to SPOE00078818-ST Revised RED.

17 Q. And, Mr. Radosevic, do you see the document on your screen?

18 A. Yes.

19 Q. This is a statement taken by the EULEX police on 19 April 2011.
20 Do you remember meeting with the EULEX police in 2011 when they asked
21 you questions about what happened to you in 1998?

22 A. Yes.

23 MR. BOYLE: Court Officer, could you please call up
24 SITF00009201-00009206 RED2 at page 00009206. And the Serbian
25 translation is at the same number with a -ST RED.

Witness: W03880 (Open Session)

Page 8443

Examination by Mr. Boyle

1 Q. Mr. Radosevic, do you see the document on your screen?

2 A. Yes, right.

3 Q. This is testimony that you provided to the Specialist
4 Prosecution Office of the Republic of Kosovo in January 2012.

5 MR. BOYLE: If the Court Officer could please scroll to the last
6 page -- sorry, you're already on there.

7 Q. Mr. Radosevic, on the last page at the bottom left, do you see
8 your name written there?

9 A. Yes, it's written there.

10 Q. And is that your signature?

11 A. Yes -- oh, this, yes. Right. Yes.

12 Q. And is it correct that you met with the Specialist Prosecution
13 Office of the Republic of Kosovo in January 2012, and they asked you
14 questions about what happened to you in 1998?

15 A. Yes.

16 Q. Mr. Radosevic, do you recall reading these prior statements a
17 few days ago?

18 A. Yes.

19 Q. Do you recall me providing you with an opportunity to provide
20 clarifications in relation to these statements?

21 A. Yes.

22 Q. Do you recall that you made a number of clarifications to these
23 prior statements?

24 A. Yes.

25 Q. Do you recall these clarifications and corrections being

1 included in a note which was read back to you?

2 A. Yes.

3 Q. Subject to the corrections set out in that note, is the
4 information provided in the documents I referred you to today
5 accurate and truthful to the best of your knowledge and belief?

6 A. Yes, exactly. To the best of my knowledge and my belief.

7 Q. And subject to the corrections set out in the note, do the
8 documents I refer you to today accurately reflect what you would say
9 if you were examined about the events recorded therein?

10 A. Well, yes. Right. Yes. That's it.

11 MR. BOYLE: Your Honours, I'd like to seek admission of the
12 prior statements which I have referenced, and I'd like to ask for the
13 English, Albanian, and Serbian of each to be admitted. The relevant
14 ERNs of which are 070725-TR-ET Part 1 RED2 and Parts 2 and 3. In
15 Serbian, that is 070725-TR Part 1 RED and Parts 2 and 3. And in
16 Albanian, 070725-TR-AT Part 1 RED2 and Parts 2 and 3.

17 The next statement is SPOE00078810-00078819 RED in English. In
18 Serbian, SPOE00078810-SPOE00078818-ST Revised RED. And in Albanian,
19 the same number -- I'm sorry, that's the final number being 78819-AT
20 RED.

21 And the final statement is SITF00009201-00009206 RED2 in
22 English. In Serbian, SITF00009201-00009206-ST RED. And in Albanian,
23 SITF00009201-SITF00009206-AT RED2 in Albanian.

24 As indicated in the Rule 154 motion for this witness, I also
25 seek to tender the associated exhibits for these statements. The

1 first of which is 070724-070724-ET, and the same in Albanian with an
2 AT at the end. And the second of which is U003-8552-U003-8690 at
3 U003-8645-U003-8645, again the same in Albanian with AT at the end.

4 I also seek admission of the preparation note which is at 116022
5 and 116028, which contains the clarifications made during the witness
6 preparation session as concerns the proposed Rule 154 statement.

7 PRESIDING JUDGE SMITH: [Microphone not activated]

8 MR. KEHOE: Well, there is -- excuse me, Judge. There is some
9 difficulty with the 2011 statement. If we look back at the interview
10 with the SPO on the 2011 statement, and I'm reading from 070725-ET
11 Part 1, page 8, lines 1 to 24.

12 Number one, the witness didn't remember giving a statement.
13 Number two, the witness, he never signed the statement. And the SPO
14 is asking the Court to attest to the accuracy of this interview where
15 the witness himself has said that the Tanjug reporter who is
16 allegedly there, the witness maintains was not there. So it calls
17 into question the accuracy of this statement at all. And I'm a
18 little perplexed that the Prosecution is advancing a statement on
19 behalf of this witness that the witness disagrees with, at least in
20 part, and that was not signed by him.

21 PRESIDING JUDGE SMITH: Thank you.

22 Mr. Emmerson, anything?

23 MR. EMMERSON: [Microphone not activated]

24 PRESIDING JUDGE SMITH: Anything?

25 MR. TULLY: Nothing to add, Your Honour.

Witness: W03880 (Open Session)

Page 8446

Examination by Mr. Boyle

1 MR. ELLIS: Nothing further, Your Honour.

2 MR. BOYLE: If I could respond briefly, Your Honour.

3 [Trial Panel confers]

4 PRESIDING JUDGE SMITH: [Microphone not activated]

5 MR. BOYLE: Thank you, Your Honour.

6 So I think counsel might have stated that the witness didn't
7 remember being -- the journalist being there, but it's the lawyer
8 that indeed he didn't recall being there. But it's incorrect to say
9 that he didn't recall the statement. If you look at the first part
10 of his SPO interview at pages 8 and 9, he clearly states that he
11 recalls giving the interview and disputes the fact that a lawyer who
12 was indicated to be there was there.

13 And also even though he disputes some of the items contained
14 within that statement, has had not only an opportunity in the SPO
15 statement but also an opportunity in clarifications to correct those
16 mischaracterisations.

17 PRESIDING JUDGE SMITH: All right.

18 MR. KEHOE: [Microphone not activated] Judge?

19 I just point to the SPO interview itself, which is, as I said,
20 it's the same ERN number, page 8, line 1 to 24 -- at line 12, he
21 said:

22 "I am telling you immediately that I don't remember this
23 statement."

24 Now, if we turn ahead to the next page. And, again, this is ERN
25 070725-TR-ET Part 1, lines 4 to 20, the SPO asks:

1 "Do you recall -- excuse me. Do you recall in what way the
2 lawyer from Tanjug participated in that interview in Belgrade?"

3 Answer:

4 "I would like to repeat one more time - the man was not here at
5 all."

6 Now, this witness has not signed this document. He obviously
7 takes serious issue with the recitation in this document that a
8 Tanjug lawyer was there. So again I reiterate, I question how the
9 SPO can advance the veracity of this statement when the witness
10 himself does not. He takes issue with the fact that this Tanjug
11 lawyer was there, among other things, but that's the most glaring
12 issue.

13 PRESIDING JUDGE SMITH: We decided this issue in our 154
14 decision. There is adequate affirmation on this, and we will admit
15 all of the referenced documents in English, Albanian, and Serbian
16 translated, and the notes, and we will assign a P number to all of
17 them.

18 Madam Court Officer.

19 THE COURT OFFICER: Your Honours, the first statement, 070725
20 Part 1 would be Exhibit P488.1, and a number will be assigned to the
21 Albanian and Serbian versions of it. Part 2 of 070725 will be
22 P488.2. Part 3 will be Exhibit P488.3.

23 And then the next statement, SPOE00078810 to SPOE00078819, all
24 the versions - Serbian, English, and Albanian - will be assigned
25 Exhibit P489.

Witness: W03880 (Open Session)

Page 8448

Examination by Mr. Boyle

1 SITF00009201 to 00009206 and the corresponding Serbian and
2 Albanian versions will be Exhibit P490.

3 Then associated exhibit 070724 to 070724-ET and AT will be
4 Exhibit P491.

5 U003-8552 to U003-8690 at page U003-8645 to U003-8645 and the
6 Albanian translation will be Exhibit P492.

7 And, lastly, the preparation note, ERN 116022 to 116028 will be
8 Exhibit P493.

9 Thank you, Your Honour.

10 PRESIDING JUDGE SMITH: Thank you, Madam Court Officer.

11 You may proceed.

12 MR. BOYLE: Thank you, Your Honour.

13 On 6 October, the SPO circulated a proposed summary of this
14 witness's now admitted Rule 154 testimony to the Panel, the Defence,
15 and the Victims' Counsel. We have not received any objection to the
16 summary. And, therefore, before commencing the supplementary
17 questioning, I will provide a brief summary of Mr. Radosevic's
18 evidence contained in the documents that have just been admitted.

19 PRESIDING JUDGE SMITH: You may proceed.

20 MR. BOYLE: Mr. Radosevic was a journalist for Tanjug beginning
21 in 1996. On 18 October 1998, he was travelling by car with a Tanjug
22 photographer named Vladimir Dobricic in the vicinity of Magure when
23 they were stopped at a KLA checkpoint. They were then detained in
24 four places over 41 days including a detention site in Sedllar and
25 what Mr. Radosevic believes is Klecke.

1 While Mr. Radosevic was detained in Sedllar, a KLA member
2 pressed a rifle into his mouth and eye while demanding he identify
3 the KLA logo and speak Albanian.

4 While Mr. Radosevic was detained in Klecke, he was threatened
5 with a knife, and he and Mr. Dobricic were hit. Also while detained
6 in Klecke, Radosevic would hear the screams of two Serbian policemen
7 who were being beaten.

8 Mr. Radosevic was eventually told that he and Mr. Dobricic had
9 been convicted of travelling in KLA territory without permission and
10 without press identification on their car and sentenced to 60 days
11 imprisonment. Mr. Radosevic did not have the opportunity to
12 participate in any judicial process that reached these alleged
13 convictions. Mr. Radosevic and Mr. Dobricic were released on 27
14 November 1998 under the claim that they had been granted an amnesty
15 for Albanian flag day.

16 Q. Mr. Radosevic, in your SPO statement that was just admitted, you
17 stated that you had given an interview in 2018 to a publication
18 called Vice. Do you recall that?

19 A. It should be 2018, the interview with Vice.

20 Q. I apologise if I misstated the year. I meant to say 2018.

21 A. Okay. Certainly, it doesn't really make sense. I did give an
22 interview to Vice, to a friend, so I did provide that interview.

23 MR. BOYLE: And, Court Officer, I would like to call up on the
24 screen 114275 to 114289. And in English it's the same with ET at the
25 end.

1 Q. And, Mr. Radosevic, on the screen you'll see a document that
2 states that it is from vice.com and has the title "I was a KLA
3 captive for 41 days." Do you recognise this as the article
4 containing your interview with Vice magazine?

5 A. I do. This is it.

6 Q. And can you describe for the Court what were the circumstances
7 that led you to providing this interview to Vice magazine?

8 A. Excuse me, I don't really understand your question, but let me
9 tell you. We were sitting at a café. We were outside the Tanjug
10 building in a café, and a man asked me if I was willing to provide an
11 interview. Is that the answer to your question what were the
12 circumstances where I gave the interview? So this young man asked me
13 to give an interview. We went out of the building. We sat there a
14 little while, and I gave an interview. I don't know what else you
15 want me to say.

16 Q. That's sufficient. Thank you. Can you tell the Court what you
17 discussed in that interview?

18 A. Well, it was about what I had experienced in those 41 days
19 there. We knew each other from before. He was in Prishtine as well
20 in 1998 and 1999. I think at that time he worked for B92 or
21 something like that, but that doesn't really matter. We knew each
22 other. And then we met in Belgrade, and he asked me to give an
23 interview for some reason. I suppose that the office he worked for
24 felt that that would be interesting. So I told him basically the
25 same things I told you. More or less, that's it.

1 Q. And did you discuss in that interview aspects of your detention,
2 Mr. Dobricic's detention, your treatment, and your release?

3 A. Well, there's the only thing we generally talked about. As it
4 says here, this one portion of it, I told him what happened to us,
5 how we were released. And, of course, we also chatted a bit, you
6 know, "How are you doing" and "How are you doing," and so on, you
7 know. But generally we talked about this.

8 Q. Thank you.

9 MR. BOYLE: Your Honours, I'd like to tender this for admission.

10 MR. KEHOE: No objection, Judge.

11 MR. ELLIS: No objection, Your Honour.

12 MR. TULLY: None.

13 PRESIDING JUDGE SMITH: 114275 to 114289 is admitted and will be
14 assigned a Prosecution exhibit number.

15 THE COURT OFFICER: Your Honours, that will be Exhibit P494.

16 PRESIDING JUDGE SMITH: Thank you.

17 Go on.

18 MR. BOYLE: Thank you, Your Honours.

19 Q. Mr. Radosevic, in your statements that were admitted a few
20 minutes ago, you stated that after you were detained, you were told
21 you were being investigated for espionage and that you and
22 Mr. Dobricic were then told that you had been convicted of travelling
23 in KLA territory without a permit and of not having a press sign on
24 your car and sentenced to 60 days. And I'd like to ask you a few
25 more questions about that.

1 Can you please tell the Court during the time of your detention
2 at Sedllar, were you held in the same room as Mr. Dobricic or in
3 separate rooms?

4 A. I'm pausing because the Honourable Judge said I should pause
5 before I reply. So the first ten days I was in one room and
6 Mr. Dobricic was in another, 10 or 11 days, plus or minus one day.
7 That was -- let me explain everything. That was some kind of medical
8 office. There was a refrigerator there. There was equipment, dental
9 equipment. There were some pictures on the walls like in every
10 doctor's office. I was in one doctor's office, Dobricic was in
11 another one that could have been a waiting room because it was a
12 bigger room than the room where I was. And after about 10 or 11
13 days, we were both put in the same room, the room where Dobricic was
14 held. Okay?

15 Q. Understood. And after you were placed in the same room together
16 in Sedllar, were you then held together for the remainder of the time
17 that you were detained, that is, up until your release?

18 A. Yes, the remaining 30 days or so. 30 or 31, plus or minus that
19 one day, the two of us were together. From Sedllar, when I was taken
20 out of my room and transferred me to the room where Dobricic was, we
21 spent the rest of the time together.

22 Q. And after you were put in the same room together, did the two of
23 you discuss what had happened to each of you when you were held
24 separately for that first ten days?

25 A. Yes, of course.

1 Q. And did you ask Mr. Dobricic if he had been questioned by the
2 KLA?

3 A. Yes, of course. I asked him whether they had come to his room.
4 He said there had been some four or five men. So the same men who
5 were in my room. First they went to his room, and then they came to
6 mine on the same day.

7 Q. And did you talk to him about how many times he had been
8 questioned?

9 A. Well, what he told me. There was this one occasion at the same
10 time that he was questioned -- well, when he was questioned, I was
11 too. It lasted about ten minutes or so, as I've already told you.
12 Maybe they were intrigued by me because I was from Prishtine or
13 whatever. I don't know. But then they asked me about -- they
14 questioned about half an hour to 40 minutes, whereas in his case it
15 was a bit shorter.

16 So to recap, they spent about ten minutes with Dobricic. And
17 with me, when they came over, they spent about 30 to 40 minutes.

18 Q. And did he tell you any of the topics that they questioned him
19 on?

20 A. Well, he said roughly what you mentioned or what I mentioned
21 earlier. So that he was informed that we had been accused of spying
22 because we didn't have the appropriate sign on our car, that we were
23 press. After that, they came to my room. It lasted a bit longer.
24 Then they discussed -- there was talk about the political situation,
25 what Milosevic was doing to the Albanians, what the Serbs were doing

1 to Albanians. So mainly it was political talk about what Milosevic
2 was doing to Albanians and so on, and it was similar with me.

3 I can continue or I can end here. Whatever you please.

4 Q. If you know any other topics than political topics that they
5 asked Mr. Dobricic or yourself about, please continue.

6 A. Yes, all right. As for Mr. Dobricic, I don't know whether they
7 asked him anything else except for what I already told you. They
8 told him what we were accused of. They discussed the political
9 situation a bit in general terms, and that was it. That's what he
10 told me. Then we went on talking about some other topics.

11 Simply, I told him what they asked me. He told me what they
12 asked him. And then we were waiting for the outcome of the trial.
13 And, yes, I apologise, they also asked him about the pictures that he
14 had because he had made photographs of all sorts of things. So they
15 asked him how come he had photographs of Slobodan Milosevic, one of
16 himself with Slobodan Milosevic, but he also had a picture of himself
17 with Mr. Ibrahim Rugova.

18 So it was interesting to them. And they asked him how come you
19 have the one and the other. And he said, "Well, I was a reporter, so
20 I made these photographs. I could do it wherever I was. And I made
21 a photo of Mr. Ibrahim Rugova at a press conference." So that was
22 perhaps an interesting aspect of the questions that they asked him.

23 Otherwise, there was nothing else that was of any major
24 importance. So more or less that was it.

25 Q. And before you were informed that you had been convicted, were

1 you allowed to attend any trial concerning any charges against you?

2 A. No. We were just informed on that occasion when these men came
3 that proceedings were ongoing against us. End of story. We were not
4 present at anything. Nothing. And then after a while, they simply
5 informed us that we will be released. But we did not attend
6 anything. We didn't see anyone. We did not know that a trial was
7 going on. We didn't know anything. We were only aware of the
8 decision that they had taken and that was it.

9 Q. And did you ask whether there would be a trial?

10 A. Well, when they informed us on the fifth or sixth day -- please
11 don't insist on me saying precisely whether it was the fifth, sixth,
12 or seventh day, but it was thereabouts when they came to inform us.
13 We talked for half an hour about political topics and so on, about
14 me, they'd asked me about my friends in Prishtine and so on, but it
15 was unimportant. So we were informed about this. And, of course, we
16 asked, "Are we going to attend or not?" So I asked him something to
17 that effect, when the trial would begin, whether we would be present
18 or not, and I was told that we would have a fair trial and that we
19 shouldn't be concerned about it. And this is all I know about the
20 trial until the moment when we were told the decision was -- the
21 judgment was that we would be convicted to 60 days of imprisonment.

22 Q. And to your knowledge, was Mr. Dobricic allowed to attend any
23 trial?

24 A. Well, no. He was together with me for 30-plus days. Simply,
25 the man did not attend anything. And if you ask me about the four or

1 five or three days that we were not together, he didn't. He told me
2 that he did not. He never even mentioned any trial. And we
3 discussed the fact that we were accused, that we would be on trial,
4 but not at any given point did he attend anything that could be
5 called a trial. Nor did anyone come to see him, except, as I said,
6 when they came to inform us as they did. And as for the trial, we
7 had no idea what was going on.

8 Q. Before you were informed of your conviction, were you ever given
9 access to a lawyer?

10 A. We had no occasion to consult anyone. The two of us were alone.
11 There were the guards who, as I said, brought us food, water,
12 cigarettes. We could go out to go to the toilet. And that was the
13 whole story. No one ever offered us to have a lawyer nor did we
14 attend anything that could be called a trial. We saw the men that we
15 did see. And later on, when they came on the 14th or 15th day of our
16 detention, they came to tell us that we were convicted. Some of
17 them, I mean. And then, though that's an entirely different story,
18 they told us that we were not spies and that we will be going home
19 soon.

20 But later on, we went on hunger strike because we wanted to go
21 home quickly, and I don't know anything about what happened in the
22 meantime. The sixth or seven day, we were told that proceedings
23 would be conducted against us. Then on the 13th or the 14th day, we
24 were told that we were not spies and that we would be released to go
25 home soon. Then after we were not released for one whole day, then

1 we decided to go on a hunger strike in protest.

2 Q. Did you ever ask if you would have the opportunity to speak to a
3 lawyer?

4 A. Well, no. Specifically that not. As I said, they came to see
5 me on the sixth or seventh day, and then later on there was nobody I
6 could tell that. Only the guards who did not seem competent enough
7 to me as people I could address. We were told that we'd have a fair
8 trial, and that was the whole story about the trial. We expected
9 that perhaps somebody would summon us at some point, but nobody did.

10 The next information we got in connection with the trial is, as
11 I told you, that we were released. Precisely so. We were not spies.
12 We were released. We'd go home soon. And we understood that we
13 would be going home soon. They showed us like this: "You will be
14 going home soon." We thought it would be the same day. They did not
15 release us until the evening, and then we went on hunger strike, and
16 that was all.

17 Q. To your knowledge, was Mr. Dobricic ever given an opportunity to
18 speak to a lawyer?

19 A. I repeat, he did not tell me that they offered him anything like
20 that. I have no knowledge of Dobricic being offered to have a
21 lawyer.

22 Q. Were you ever given any document describing the charges against
23 you?

24 A. No, we never got any written document about anything.

25 Q. And to your knowledge, did Mr. Dobricic ever receive any such

1 document?

2 A. No.

3 Q. Mr. Radosevic, did you ever have any opportunity, whether in the
4 context of a trial or not, to go before a judge?

5 A. No.

6 Q. And to your knowledge, did Mr. Dobricic?

7 A. Not him either.

8 Q. And when you and Mr. Dobricic were informed that you had been
9 convicted, did you ask for a copy of the judgment of conviction?

10 A. No, we didn't get anything either the first time or the second
11 time or the third time when they said that we were exonerated. We
12 did not get any document regarding any kind of decision.

13 Q. I understand you to be saying you didn't receive the document,
14 but did you ask for such a document?

15 A. I did ask. Dobricic was next to me, so I could also say that we
16 both asked for it. So in any case, I asked for it on the 14th or
17 15th day, but I did not get it. I asked to see a paper, to see a
18 document, whatever it was that they had decided. I did not get it.
19 I won't repeat here what this man said to me in reply to my asking
20 him to provide the document.

21 The next time I asked for the document was on the 20th or 21st
22 day, when we were already in Klecke, as I assume, because I'm not
23 claiming that it was Klecke. But as far as I know, from what I heard
24 later on from the police, I suppose that I was somewhere in Klecke.
25 I'm not claiming that I was, but as far as I knew it, we were in

1 Klecke.

2 Anyhow, there, at that time, some people came to tell us that we
3 were convicted to 60 days of imprisonment because we unlawfully
4 entered the territory of Kosovo Liberation Army and because we didn't
5 have the press decal on the car. That was it.

6 I asked this man, whom I referred to as Student, who questioned
7 us on the fifth or sixth day. This young man came on the 21st day to
8 tell us what I just told you. He said that we were convicted to 60
9 days of prison. I asked for the paper, I asked for that decision,
10 but I didn't get anything. He said that it was wartime, that the
11 conditions were different, and that they cannot even provide food and
12 clothing from the ICRC, which we did get once when we were in
13 Sedllar, but that's all.

14 I never got anything in writing, neither I nor Dobricic, except
15 what he told us, that we were convicted to 60 days of prison. He
16 added, "Mr. Radosevic, you know yourself that you won't be held here
17 for much longer." I said, "Thank you. I understand what you're
18 saying. Okay. Okay. Goodbye." "Can we help you in any other way
19 ," he asked me. And then I said, "Yes, we are cold." And then he
20 turned to someone, I suppose some kind of commander, and this man
21 said, "Okay. We'll provide them some blankets." We got two blankets
22 and that's the whole story. That's the end of it. I never saw the
23 man again.

24 Nobody ever mentioned any trial or conviction or anything else
25 except on the 36th day or whatever when we were amnestied.

1 Q. When you were told of your conviction, were you told of any
2 right to appeal that conviction or how you could exercise that right?

3 A. No. To be honest, I didn't even ask -- or, should I say, we
4 didn't even ask. 60 days of prison, we go home then, super. Okay.
5 The only question was whether the 20 days that we had spent in
6 Sedllar, those entire 20 days, whether that would be part of this
7 conviction, this punishment or sentence, and they said yes, like in
8 any other normal country.

9 So we spent all these 20 days that would be taken off our
10 sentence. We spent there another 40 days. But they said, "Okay,
11 there were 40 more days." And then he said, "Well, but you know
12 yourself that it won't take that long. You understand?" And I said,
13 "Yes, I do understand." I knew what he was trying to tell me, and it
14 turned out he was right. So the two of us, we understood each other
15 perfectly. That's it.

16 Q. Thank you, Mr. Radosevic. I'm now going to ask you to take a
17 look at some video footage of your release that you have been shown
18 before and discussed a bit in your statements that have been
19 admitted, and then I will have some questions for you about what's in
20 the video.

21 MR. BOYLE: If the Court Officer could please pull up P00093,
22 which should not be shown publicly. And then play the video with
23 sound from the 4 minute and 50 second mark until the 5 minute and 7
24 second mark.

25 [Trial Panel and Court Officer confers]

1 PRESIDING JUDGE SMITH: Do you need the sound on this or just
2 the video? Because it will be public if you need the sound -- the
3 sound will go out.

4 MR. BOYLE: You're correct, Your Honour. I apologise for that
5 oversight. If we could play the sound and go into private session in
6 order to do so.

7 PRESIDING JUDGE SMITH: All right.

8 So, Madam Court Officer, please go into private session.

9 MR. KEHOE: Excuse me, Your Honour, is there some reason we're
10 going into private session about this video?

11 PRESIDING JUDGE SMITH: [Microphone not activated]

12 MR. KEHOE: I'm just asking is there some articulated reason why
13 we're going into private session about this video?

14 MR. BOYLE: This video is currently marked as confidential. And
15 so if we're going to be playing the sound, we need to have it in
16 private session.

17 MR. KEHOE: Well, I believe the video itself is the release of
18 these individuals. And if that's the case, then we should be
19 revisiting the confidentiality of this video. I don't understand the
20 reason for why it was put in confidentially. It may have been put in
21 because the witness previously talking about it was in closed
22 session, because, you know, virtually all the witnesses have been in
23 closed session.

24 But is --

25 PRESIDING JUDGE SMITH: What is the reason you want it to remain

Witness: W03880 (Private Session)

Page 8462

Examination by Mr. Boyle

1 confidential?

2 MR. BOYLE: In part because of the source of the video,
3 Your Honour, which, again, I could go into in private session.

4 PRESIDING JUDGE SMITH: All right. Without making a decision,
5 we will go into private session so we can discuss this.

6 Madam Court Officer, into private session, please.

7 [Private session]

8 [Private session text removed]

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Witness: W03880 (Private Session)

Page 8463

Examination by Mr. Boyle

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16 [Open session]

17 PRESIDING JUDGE SMITH: We are ready to proceed, Witness. Are
18 you?

19 THE COURT OFFICER: We're in public session.

20 THE WITNESS: [Interpretation] Yes, okay.

21 PRESIDING JUDGE SMITH: Go ahead, Mr. Prosecutor.

22 MR. BOYLE: Thank you, Your Honour.

23 And I haven't mentioned this yet, but we did provide the
24 transcript of this video, which is also admitted, to the interpreters
25 to aid them should they need it. So if the Court Officer could

1 please play the video from the 4:50 mark until the 5:07 mark

2 [Video-clip played]

3 "Well, I think, as I say, this will be a first step, and I'm
4 hoping there will be many more steps to follow. Why don't we go to
5 the detainees."

6 MR. BOYLE:

7 Q. Mr. Radosevic, are you able to identify the two men that we
8 could see speaking in that video-clip, one in a blue jacket and one
9 in a camouflage jacket?

10 A. Mr. William Walker is speaking. He's the chief of OSCE. And
11 the other person is Sokol Bashota, the UCK or KLA commander, what you
12 will. Is that what you mean? Did you ask me about the two of them?

13 Q. Yes, that's what I was asking. And had you seen any images of
14 Mr. Bashota prior to the day that you were released?

15 A. Bashota, Sokol Bashota. That's what he's called. But never
16 mind. Yes, I did see him. For instance, in some of the Albanian
17 media previously he gave some statements somewhere. So more or less
18 I knew that it was him, and this was, though, the first occasion that
19 I saw him personally. I had just known him from the media. He used
20 to appear in the media, whether Koha or Bujku, I am not sure about
21 that. But simply, yes, he was someone that I was familiar with. The
22 rest of them I didn't know or what they looked like. I knew him.
23 Why or how exactly, I couldn't tell you, but from the media more or
24 less. And I know that he did give some statements for the media, and
25 that was why he was familiar to me.

1 Q. And did you see him at the location where you were released?

2 A. Just a moment. And the other man, Mr. Walker, this was the
3 first time that I saw him. I hadn't known what he looked like. So
4 perhaps just to point that out.

5 Q. I appreciate that clarification. Did you see Sokol Bashota at
6 the location where you were released?

7 A. Well, yes, here I did. I saw him there.

8 Q. What I was asking is on the day that you were released, did you
9 see Sokol Bashota?

10 A. Yes.

11 MR. BOYLE: And if the Court Officer could please play the video
12 now through to the 9:20 mark with the sound.

13 [Video-clip played]

14 "Excuse me.

15 "Are you with me?

16 "Let me ask you this. There are journalists here, they may be
17 interested in asking you questions. Do you want to answer any
18 questions or? Do you have any problem just to -- pardon? No,
19 you're -- yeah, we're going to go. We're going to take you back to
20 Prishtine. No, we've got cars. Don't worry about that. Yes. Thank
21 you. My question is, do you want to answer questions from the press?
22 It's up to you.

23 "Only short.

24 "Of course. Okay. Okay. Okay, good. I'm sure they're --
25 yeah, we'll be going, just after you say a few words.

1 "[Interpretation] Colleague, we will be very brief because we
2 wish to see our families, and you will understand us, and, after all,
3 this is our story too, and my older colleague can tell you what we
4 have gone through.

5 "How did they treat you?

6 "It was quite all right. It was mostly correct from the
7 beginning, from the first day, from the first meeting it was correct
8 all the way to the end. So -- well, the accommodation was as
9 available, depending on the conditions we got food regularly.

10 "What would be your message on this occasion?

11 "Well, I really don't know what message I could give out. I'm
12 not a politician. I have no idea.

13 "Are there any other prisoners on either side?

14 "I really don't know. I didn't see any prisoners on either
15 side. I think it would be normal for everyone to be released to go
16 home; right?

17 "Why were you arrested?

18 "[In English] "Do any of you smoke? He would like a light.

19 "[Interpretation] Because they told me I had entered the KLA
20 territory. That was why.

21 "[In English] There we go. Here we go. Thanks.

22 "[Interpretation] What was the trial like?

23 "I don't know that. They only informed us that we were
24 convicted.

25 "And you didn't see the judge?

Witness: W03880 (Open Session)

Page 8473

Examination by Mr. Boyle

1 "Well, at least he didn't introduce himself.

2 "All right. I think it's time for us to go home.

3 "[In English] You're all set? Let's go.

4 "[Interpretation] Thank you for your time."

5 MR. BOYLE:

6 Q. Mr. Radosevic, do you recognise the individuals that were
7 removed from the car?

8 A. Yes, that's Mr. Dobricic and myself. Okay?

9 Q. When you were removed from the car, you put on a pair of
10 glasses. Did you have your glasses while you were detained?

11 A. No, they took them away on the first day when they took us
12 prisoner, and then I got them back on the last day. On the last day,
13 they returned everything, our personal documents and glasses, except
14 for our vehicle. Except for the car, they returned everything else.
15 The documents that we had, the money, everything that we had on us
16 was given back to us, except for the car.

17 Q. And at the end of the video, there was a back and forth with
18 Mr. Dobricic where he said -- he was asked what his trial was like,
19 and he said:

20 "That, I don't know. We were only informed that we were
21 convicted."

22 Was that your experience as well?

23 A. Yes, I've been trying to say that all along. I hope it's clear
24 now. We did not have any trial. At least we did not see any. We
25 were only informed that we were convicted to such a number of days

1 and then that we were pardoned. So I would have said exactly the
2 same thing.

3 Q. I'd like to ask you a bit more about Mr. Dobricic. When did you
4 first meet him?

5 A. Can I answer? Well, when these events began to occur in Kosovo,
6 then journalists were sent from Belgrade to Prishtine to report from
7 there, because I was all by myself. I met Dobricic in May or June,
8 thereabouts, in the summer of 1998. He would come and go. He would
9 come to Prishtine, go to Belgrade. I didn't really follow that very
10 closely. He is a photojournalist, I was a reporter, so sometimes we
11 worked together. We weren't close. We didn't socialise. Whether I
12 liked him or not, I won't even comment on that because that's
13 irrelevant.

14 That's all I can say about Dobricic. We're not friends. We're
15 not pals. We happened to be where we ended up. We worked within the
16 organisation because we had to. As we would say in Serbian, that's
17 it and goodnight. We weren't very close. That's all I can say.

18 Q. And did Mr. Dobricic ever talk to you about anything in his past
19 other than working as a photographer?

20 A. He was married. The man passed away. He was married. He had a
21 son who was also a photojournalist for a while. He had a daughter.
22 I don't know anything about them. All I know about him was that he
23 was a photojournalist in Tanjug. I can't add anything to it. I
24 don't know anything about him. We didn't have many things in common.
25 We weren't close. We weren't of the same generation. We worked when

1 we had to work together. There were people with whom I worked well.
2 There were others I wasn't really interested in. We just had to work
3 together and that's it. We were not close. What we talked about
4 was: You report, you take photos. We weren't close at all. We
5 didn't socialise.

6 But if you want to ask me about what we talked about while we
7 were there, we talked about all sorts of things: How to bake cake,
8 whether I was going to get married once I was out, whether -- all
9 sorts of different topics. We were released. And then after that,
10 we only met once or twice. He never came back to work, as far as I
11 know. He never went back to Kosovo. He no longer worked for Tanjug,
12 because I returned to Tanjug on 20 January 1989.

13 So what I'm saying is that he was not sent by Tanjug to work in
14 Kosovo anymore. Whether he went there on his own, I don't know. The
15 next time I saw him was perhaps 2001 when I returned and worked in
16 Tanjug. That's it.

17 Q. And to your knowledge, was Mr. Dobricic ever engaged in spying
18 while he was in Kosovo?

19 A. I have no clue. I don't know. Simply put, I don't know
20 anything about it. He never talked about it. We never discussed
21 that. I don't know what he was involved in. All I know was that he
22 was a photojournalist for Tanjug. I have no clue. That's the way we
23 say it in Serbian. I have no clue. That I didn't like him, I
24 already told you a thousand times.

25 I didn't have any special contact with him except where we had

1 to work together professionally. And even this time when we went to
2 Kosovo, we were just waiting there for Walker and his mission to
3 arrive. They never did arrive. And then we went somewhere -- off
4 somewhere by Magure there or something, where he wanted to take
5 photos there of something, that there had been some shooting a few
6 days before the agreement was signed with Milosevic.

7 Well, I keep going off on a tangent. But we just detoured
8 because somebody told him at the media centre that something was --
9 that something had happened there. So he said, "Let's go this way so
10 I can take some photos," and so on. We got in the car --

11 Q. Mr. Radosevic, I think --

12 A. Okay.

13 Q. I apologise for cutting you off, but I think all of that is in
14 your statements. I want to ask you were you ever engaged in any
15 spying when you were in Kosovo?

16 A. No. I'm saying again no.

17 Q. And in the months or weeks after you were released, did you ever
18 have the opportunity to talk to anyone in the Yugoslav People's Army
19 who had information regarding your detention?

20 A. Yes, I know what you're trying to get. In December or January
21 1998 or 1999, respectively, when I was released, for a while I stayed
22 in Prishtine. And after that, my then girlfriend and later wife, we
23 travelled around Serbia a bit. I was trying to rest a little. I
24 have some relatives in Nis, so we went to Nis.

25 I can't recall whether this was in December or January. I was

1 with my relative Dusan Samardzic, who was a general -- or a general,
2 colonel. I think he was the commander of the Prishtine corps at the
3 time. Something like that. I don't know if that's exactly what his
4 role was, but he was in the General Staff. So I visited him. We
5 were related. In the 1990s he was --

6 THE INTERPRETER: In the 1980s, interpreter's correction.

7 THE WITNESS: [Interpretation] He was the commander of the
8 Prishtine garrison. He was my mother's cousin. So we were related.
9 I visited him in his office in Nis, and then he said to me: "Neso,
10 just so you know, I'm glad you're well, but one guy from Sedllar was
11 an informer for us, and he would go to Prishtine and -- he went to
12 Prishtine from time to time. He sold cheese in the market, and then
13 he reported back to me that you were still well and alive." But then
14 on the next occasion, he said, "Well, just to tell you about Demaci
15 and Thaci. Demaci said to Thaci, 'Hey, maybe we should release these
16 journalists,' because there was a lot of pressure both from the press
17 and from other sources, but then Thaci, according to what Samardzic
18 told me, said, 'I will let them go, I will release them when I decide
19 to, not when you tell me to.'"

20 That's all that I heard and that's as much as I can tell you
21 about this man. He was a relative. He was in a high position, so he
22 would know this about me. And why he would lie to me, I can't see.
23 So that's what he told me, and this is what I'm relaying to you.

24 Q. Did he represent to you that this was a conversation that
25 Mr. Thaci and Mr. Demaci had in person or a conversation that they

1 had over the telephone or some other way?

2 A. I tried to be precise. There was an intercept of a telephone
3 conversation between Thaci and Demaci. Demaci said that, "Perhaps
4 these two journalists should be released because I am under a lot of
5 pressure from the press and others in Prishtine." And Thaci replied
6 that he would release us when he decides to and not when Demaci tells
7 him to. So I assume that he meant -- when he said "the intercept"
8 that he meant a telephone conversation. How else? What else would
9 it be?

10 Q. Thank you, Mr. Radosevic.

11 MR. BOYLE: Your Honours, I have no further questions.

12 PRESIDING JUDGE SMITH: [Microphone not activated]

13 MR. KEHOE: [Microphone not activated]

14 PRESIDING JUDGE SMITH: [Microphone not activated]

15 MR. KEHOE: [Microphone not activated]

16 PRESIDING JUDGE SMITH: [Microphone not activated]

17 THE COURT OFFICER: Thank you, Your Honour. Just while
18 Mr. Kehoe is allowing me a moment.

19 Earlier this morning, I assigned Exhibit P492 to associated
20 exhibit U003-8554 to U003-8690 at page U003-8645 to U003-8645. That
21 page has already previously been admitted as Exhibit P378, Your
22 Honours. So with your agreement, I would vacate the number assigned
23 this morning as P492 and use it as the next Prosecution number when
24 they tender a document.

25 PRESIDING JUDGE SMITH: Thank you. Correction made.

1 Go ahead, Mr. Kehoe.

2 MR. KEHOE: [Microphone not activated]

3 Cross-examination by Mr. Kehoe:

4 Q. Mr. Radosevic, good morning. I am Gregory Kehoe. I am counsel
5 to President Hashim Thaci.

6 A. Good morning.

7 Q. And I'd just like to ask you a few questions. If you don't
8 understand any question that I ask you, please, I will repeat it. If
9 I interrupt you while you're giving an answer, I apologise ahead of
10 time. Just tell me you haven't finished your answer, because we want
11 all of your testimony on the record. But I do apologise ahead of
12 time if I say that. So if we could just proceed.

13 I see from your testimony, and also from your witness statement,
14 you were born in September 1966; is that right?

15 A. Yes.

16 Q. And tell us about your education, sir. Can you tell us a little
17 bit more about your education?

18 A. I finished elementary and high school in Prishtine. Sorry, the
19 first two years of high school, I was in Nis. And then the third and
20 fourth year, the junior and senior years, I was in Prishtine. After
21 that, I enlisted at the agricultural college and also fine arts --
22 the history of art, sorry, but I did not get a bachelor's degree in
23 either. Well, I started to work, so I couldn't really finish my
24 studies.

25 I taught in a couple of schools as a substitute teacher. My

1 mother, too, was a teacher all her life. So I worked as a teacher.

2 That's about it.

3 Q. So you finished secondary school. You were about 18. And

4 then -- and that would be in 1984; right?

5 A. 1985.

6 Q. 1985.

7 A. [In English] 1985.

8 Q. And then you decided to go to university and you began to study
9 agriculture; right?

10 A. [Interpretation] That's correct.

11 Q. But you didn't study journalism, did you?

12 A. No.

13 Q. And then you quit your studies, right, at the university?

14 A. I never quite quit. Later on I continued, but I didn't quite
15 finish it, so I taught as a history teacher up until 1996.

16 Q. Well, after you quit -- after you stopped going to the
17 university, you then did your military service in Bosnia-Herzegovina;
18 isn't that right?

19 A. In 1986 to 1987, or 1985 to 1986, I served in Visoko in Bosnia
20 and Herzegovina. When I went back, I continued my studies. But from
21 1990 or 1991, I began teaching as a history teacher.

22 Q. So you're saying that when you finished your military service
23 and you came back to Kosovo, you went back to the university; is that
24 right?

25 PRESIDING JUDGE SMITH: You have to answer.

1 THE WITNESS: [Interpretation] I enrolled previously. I had
2 enrolled before that. I enrolled in university before I served in
3 the army. And then in May of the next year, I joined the army for
4 some personal reasons. And then a year later, I returned and
5 continued with my agriculture studies. After this, I also enrolled
6 in the history college.

7 MR. KEHOE:

8 Q. And then you stopped going to school again; right?

9 A. I stopped when I started working as a journalist.

10 Q. Well, you started working as a journalist in 1996; isn't that
11 right?

12 A. Yes, I think in June. Whether it was in 1996 -- whether it was
13 on the 16th or the 6th, I can't quite recall, but thereabouts.

14 Q. But it was in 1996; right?

15 A. Yes.

16 Q. So you didn't have a university degree, hadn't studied
17 journalism, you studied agriculture and some history, and Tanjug
18 hired you in 1996 as the reporter in Prishtine; is that right?

19 A. Yes.

20 Q. And at the time in 1996, June 1996, when you were hired by
21 Tanjug, you were the only correspondent for Tanjug that was
22 permanently based in Prishtine; isn't that right?

23 A. The man who hired me, Djordje Jevtic, moved to Prishtine where
24 he was a member of the town hall, some kind of official. And when he
25 left, I was left alone. No matter how strange that sounds, but

1 that's how it was.

2 Q. So as things were getting more active in Kosovo, you were the
3 only permanent correspondent for Tanjug in Prishtine; is that right?

4 A. Yes.

5 Q. So you had no right --

6 A. Well, from time to time there would be people coming to report
7 when there were some exceptional events, but I was the main contact
8 point there, and I reported on all sorts of things.

9 Q. And they hired you to report on all sorts of things, and you had
10 absolutely no writing experience, did you?

11 A. Well, no, I didn't, but I learned.

12 Q. So it's your understanding, sir, that they hired you as the
13 sole -- Tanjug had hired you as the sole reporter in Prishtine as
14 opposed to someone who had had some journalism and writing
15 experience; right?

16 A. I agree with what you're saying. Absolutely.

17 Q. And Tanjug was a state-run news agency; isn't that right?

18 A. That's right.

19 Q. That means the director was appointed by the Slobodan Milosevic
20 government at the time; right?

21 A. Probably, yes. I guess that's how it goes. I think the
22 assembly actually appoints people. I don't know exactly how it
23 works. But, yes, he was state appoint -- it was a state agency.

24 Q. And if we talk -- I'm sorry, I didn't mean to interrupt you. I
25 apologise. And if we talk about October 1998, the Tanjug director at

Witness: W03880 (Open Session)

Page 8483

Cross-examination by Mr. Kehoe

1 that time was Zoran Jevdjevic?

2 A. Jevdjevic, yes.

3 Q. Jevdjevic. Let me show you an exhibit, which is DHT02673, and
4 I'm going to show you DHT02674, and, unfortunately, I don't believe
5 that there is a Serb translation, so I'll read it. And if we could
6 just look at that --

7 MR. KEHOE: If you could just blow that up a bit.

8 Q. And this is coming from a book by an individual by the name of
9 Mark Thompson. The book is called "Forging war: The media in Serbia,
10 Croatia and Bosnia and Hercegovina." And in that paragraph that
11 begins "In August," it notes that:

12 "In August 1996, Jovanovic was replaced by director by Zoran
13 Jevdevic, 'an ardent follower of President Milosevic'."

14 Now, that's true, isn't it, that the person that was running --
15 excuse me, let me finish my --

16 A. I assume so. Yes.

17 Q. So the person that began to run Tanjug shortly after you were
18 hired was an ardent supporter of Slobodan Milosevic? That's true,
19 isn't it?

20 A. Yes. Okay.

21 Q. And when you were working for Tanjug, the state-run agency, that
22 Mr. Jevdjevic was, in fact, a hardcore supporter of Slobodan
23 Milosevic, isn't it?

24 A. You could put it that way, yes. I did know it. It was a
25 state-run agency, and the state would appoint its leaders.

1 Q. Now, as tensions began to rise in Kosovo in the mid-1990s -
2 1996, 1997, 1998 - did your assignment with Tanjug change at all?

3 A. I was involved in other things just as previously. I want to
4 make it clear. I was even -- I even reported on agriculture, how
5 much was sowed, what type of crops, and so on. There were people
6 coming from Belgrade but -- because there was a lot of work there and
7 I couldn't do it all. So people would come from Belgrade, like this
8 photojournalist, Dobricic. They would come, one or two or three
9 people, depending on the occasion, but there would always be someone
10 to come over to help because I was all by myself. But there were
11 always others who worked for Tanjug.

12 Q. Okay. Who -- who were these other -- I'm sorry, I didn't mean
13 to --

14 MR. KEHOE: I'm sorry, interpreters. I thought we were finished
15 there. I apologise for overlapping there, Judge.

16 Q. Who were these other journalists that came to Prishtine from
17 Tanjug during this period? Give us some names. Who were they?

18 A. Well, journalists, just like me. They would come from Belgrade,
19 from Nis, from Krusevac, sometimes from Novi Sad. There were at
20 least 20 of them who took turns depending on who could come when and
21 how long they could stay and whom Tanjug appointed. So there was a
22 team of journalists. I wasn't the lone journalist there anymore.

23 Q. So just tell us -- give us some names of these journalists that
24 came so we can check their work coming out of Prishtine at the time.
25 Tell us some names of these journalists.

1 A. Okay. I'll tell you some names, although I don't know why that
2 is relevant. I apologise. That's my question. Do I have to involve
3 them as well? I mean, I don't get it. So, okay, Davor Lukac, a
4 Tanjug journalist. He was the one who came most frequently. Dejan
5 Miljkovic, a Tanjug journalist from Krusevac. There were also -- I
6 can't recall the last name. It doesn't matter. But there were also
7 from Nis -- I mean, this was 20 years ago. These were the people
8 that I recall. There was Vesna Pejdic who was a journalist from
9 Tanjug, a female journalist. And then there was a person from
10 Novi Sad. What was his name? Can't recall. It's on the tip of my
11 tongue. If I recall, I'll let you know, but I can't really tell you
12 right away. It was over 20 years ago.

13 Q. Well, let's talk about the first person that you just discussed,
14 Davor Lukac. You said he came all the time; right?

15 A. Davor Lukac.

16 Q. Davor Lukac, D-a-v-o-r, Lukac. Right?

17 A. [No interpretation]

18 Q. Are you familiar with Davor Lukac's contacts working with the
19 Serb intelligence service?

20 A. No, I have no idea. I have no idea what you're talking about.
21 We continued working in Tanjug a couple of years later till 2004 or
22 2005, then he moved to FoNet. He clashed with the then director
23 there, and then he went to some other agency to work. That's it.

24 MR. KEHOE: If I may, Judge, I think it's 11.00. I mean, I
25 think it's the appropriate time.

1 PRESIDING JUDGE SMITH: Witness, we will take a half-hour break
2 now. You will be escorted from the courtroom by the Court Usher.
3 Remember not to speak to anybody about your testimony outside of this
4 courtroom.

5 THE WITNESS: [Interpretation] Okay.

6 [The witness stands down]

7 PRESIDING JUDGE SMITH: We are adjourned until 11.30.

8 --- Recess taken at 11.01 a.m.

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

10 PRESIDING JUDGE SMITH: Madam Usher, please bring the witness
11 in.

12 MR. KEHOE: Before the witness comes in, Judge, I just neglected
13 to offer into evidence DHT02673 and 2674, which are the two pages
14 from the Mark Thompson book.

15 PRESIDING JUDGE SMITH: Any objection?

16 MR. BOYLE: No objection. No objection.

17 PRESIDING JUDGE SMITH: Okay. DHT02673 to DHT02674 is admitted.

18 THE COURT OFFICER: Your Honours, that will be Exhibit 1D51.

19 [The witness takes the stand]

20 PRESIDING JUDGE SMITH: All right, Witness. We're ready to
21 continue with Mr. Kehoe's questions.

22 MR. KEHOE:

23 Q. Mr. Radosevic, I hope you got some rest and a cup of coffee. I
24 just have a some other questions for you. Just going back to your
25 hiring by Tanjug, who hired you at Tanjug?

1 A. [In English] Interesting story. Wonderful.

2 [Interpretation] It's an interesting story. My mother heard on the
3 radio that Tanjug had openings for journalists, and at that time I
4 did not have -- my schedule at school was not full. It was the month
5 of June, and I knew that I wouldn't be able to work full-time in the
6 school. And then my mother said, "Neso, my son, you're a clever boy.
7 You're educated. You read a lot."

8 Q. If I may, Witness. I don't mean to interrupt you. My question
9 was very simple. Who hired you at Tanjug?

10 MR. KEHOE: I didn't mean to interrupt him, Judge. I just
11 wanted to go back to the question.

12 PRESIDING JUDGE SMITH: It's no problem. Just listen to the
13 question and answer.

14 THE WITNESS: Okay.

15 MR. KEHOE:

16 Q. Who hired you at Tanjug?

17 A. I was hired by Djordje Jevtic, who was then the chief of the
18 correspondents office in Tanjug. And I just applied and that's it.

19 Q. Now, in Prishtine where was the Tanjug office?

20 A. It was across from the university building. I don't know
21 exactly the address. It was close to Bankos. It was downtown. In
22 the centre of the town.

23 Q. And how far was that from the Grand Hotel?

24 A. 200 metres.

25 Q. And the Serb media centre also operated out of the Grand Hotel,

1 didn't they?

2 A. That's correct. They were on the 1st floor.

3 Q. Were you involved with the Serb media -- the Serb media centre
4 in the Grand Hotel?

5 A. Well, like all other journalists, local and foreign -- I mean,
6 the [indiscernible] was Serbian, Albanian. We were all at the media
7 centre at the Hotel Grand. That was the place where we gathered,
8 basically.

9 Q. Now, during your time in Prishtine, did you meet or speak with
10 Zoran Andjelkovic? And he was the head of the executive council for
11 Kosovo. Did you meet with him?

12 A. I think the exact name was Zoran Bakic Andjelkovic. Yes, he was
13 a member of the SPS and he was the chief man for Kosovo. Yes, of
14 course, as a journalist I always attended the press conferences, and
15 I wrote reports like everybody else. I did my job. I knew the man.

16 Q. And how often did you either meet or speak with Mr. Andjelkovic?

17 A. Well, whenever there was a press conference, when he appeared at
18 various events, when some opening was of some building or something.
19 But if you ask me if we were friends, no. He was a politician. He
20 did his job and I did mine. That's it.

21 Q. Well, did you meet and speak with Nikola Sainovic, the deputy
22 prime minister of Serbia?

23 A. I don't think I ever saw him. But believe me, I have no idea if
24 I ever saw him. Only possibly if he came to Prishtine and held a
25 press conference. But other than that, with Mr. Sainovic, I

1 absolutely don't remember that I had anything to do with him. If he
2 possibly came somewhere or later on, when they were no longer in
3 power, if he happened to hold a press conference somewhere. But I
4 don't know him. I don't have his phone number. I simply don't know
5 the man.

6 Q. How about Sreten Lukic, the police chief, the Serbian police
7 chief in Kosovo? Did you meet and talk to him?

8 A. No connection whatsoever. Never saw him or heard him in my
9 life. Perhaps I may have seen him at some point later, but down
10 there, no. I don't know him.

11 Q. So your testimony is never spoke or met with Mr. Lukic; is that
12 right?

13 A. I do not remember having had any contact with him there. Now,
14 whether in the last 10 or 15 years, whether I came across him in
15 Belgrade at some point or whether he was at a press conference about
16 something, I don't know. But I'm not a friend of his. I don't know
17 him. I don't have his phone number. So nothing of importance that I
18 could say in connection with him.

19 Q. Now, there was another individual that was working with you by
20 the name of Milovan -- is it Drecun, D-r-e-c-u-n? Do you know him?

21 A. Milovan Drecun did not work with me. He worked for the radio
22 and television of Serbia, and I know him as a journalist. And he was
23 down there in Prishtine. So I worked with him later on.

24 Q. And he was a radio journalist?

25 A. Radio Television of Prishtine -- or rather of Serbia. The RTB,

1 the Radio Television of Belgrade, and he reported for them. And he
2 was a TV journalist rather than a radio journalist.

3 Q. Now, was Milovan Drecun embedded with the Yugoslav Army or the
4 police when massacres were taking place throughout Kosovo?

5 A. Well, look here. He reported from Kosovo. Whether he had some
6 connections with them and they took him around, I don't know. I
7 cannot claim what sort of information that he received. But that he
8 reported from there, that he reported from the front, yes, he did.
9 That's all over the place on TV. You can check probably any
10 interview he did and all the rest. Generally speaking, he was a
11 well-known journalist, and I suppose that he was in the TV news
12 practically all the time; that is to say, the most important news
13 show on the Radio Television of Serbia, and that included,
14 *inter alia*, the reports that he sent from Kosovo.

15 Do I know him personally? I do.

16 Q. Now, were Tanjug reporters such as yourself embedded with the
17 Yugoslav Army or the police when they were attacking the KLA or Serb
18 villages?

19 A. Once I -- though not alone, there were several of us
20 journalists. When they took us to the border with Albania, at Qafe e
21 Prushit or Qafe e Duhles, one of these two border posts, once we were
22 somewhere near Obiliq where the military was stationed and we went
23 there to make a report on that. This was an official invitation from
24 the army sent not only to me but all other media representatives,
25 whoever wanted to go and whoever had been invited, to see what the

1 army was doing there, eating, drinking, how they were conducting
2 themselves, and what they were doing, and so on and so forth. So we
3 reported on how the troops were spending their day.

4 On that day when I was there, near Obiliq, where they were
5 stationed, that's what I'm talking about, there was no shooting or
6 anything that I could inform about. They invited us as they would do
7 at any point as they do now, when there are manoeuvres or exercises
8 and then journalists are invited. No one from Tanjug called
9 personally on me to make a report on fighting between them and the
10 KLA. I never had such an assignment nor do I know that anybody else
11 from Tanjug ever received such an invitation.

12 Q. You say no one received such an invitation. You do recall that
13 for the Jashari massacre in March 1998, the first journalists that
14 were present on the scene were Tanjug journalists, weren't they?

15 A. Hardly. I was there then. I don't know who else of the Tanjug
16 journalists could have been there. That was in March 1998; right?

17 Q. March 1998.

18 A. I was not there. And I'm not aware of any other Tanjug
19 journalist having been there. I simply don't know, and I doubt that
20 we were present there.

21 Q. Mr. Radosevic, if Tanjug was reporting on the attack on Jashari
22 in March 1998 while it was happening and afterwards, who would that
23 Tanjug reporter have been if it wasn't you?

24 A. I was not there and it wasn't me. Whether the police and the
25 army sent someone directly from Belgrade to the Tanjug main office, I

1 don't know. I didn't have this information. I knew just what
2 everybody else knew, what I could read in the papers. I had no idea
3 at all that the attack on Jashari's compound was taking place. I had
4 no idea, believe it or not.

5 Now, whether the main office in Belgrade received information
6 and in what way, nobody ever informed me about that. Whether I was
7 not sufficiently important to know that, that's a question. But ...

8 Q. So, Mr. Radosevic, are you telling this Court that one of the
9 largest events in Kosovo, this Jashari massacre in March 1998, that
10 was covered by Tanjug, that you, the sole correspondent in Prishtine,
11 have no idea who the Tanjug reporters were that were covering that
12 event? Is that your testimony?

13 A. Exactly. That's just what I'm telling you. I have no idea
14 whether they received information about this at the main office in
15 Belgrade and who gave it to them. I have absolutely no idea about
16 that whatsoever. I don't know.

17 Q. Mr. Radosevic, when you were in Prishtine during this period of
18 time, did you meet with the individual known as Legija? Did you ever
19 meet and talk to him?

20 A. No.

21 Q. Were you aware of his activities in the field and his conduct of
22 his troops committing atrocities? Were you aware of that?

23 A. No.

24 Q. So if Legija was committing atrocities in the field, you, as the
25 sole correspondent in Prishtine, didn't know anything about it;

1 right?

2 MR. BOYLE: Objection, Your Honour. Asked and answered.

3 PRESIDING JUDGE SMITH: Sustained.

4 MR. KEHOE:

5 Q. Now, you said that you were operating -- you were going in and
6 out of this Serb media centre at the Grand Hotel. Now, that was also
7 the headquarters of Arkan when he was in Kosovo, wasn't it?

8 A. I'm sorry, I don't really understand the question. You want to
9 tell me that the media centre was Arkan's HQ? Is that what you're
10 suggesting? Or what?

11 Q. We established that the Serb media centre was at the
12 Grand Hotel; right?

13 A. Yes, correct.

14 Q. And also the Grand Hotel was Arkan's headquarters when he was in
15 Kosovo, wasn't it?

16 A. When Arkan was the president or something of the kind of the
17 football club Prishtine, then his seat was at the Grand Hotel, yes.

18 Q. During the war in Kosovo, Arkan was in the Grand Hotel in
19 Prishtine, wasn't he?

20 A. I don't know.

21 Q. You don't know anything about that?

22 A. I simply don't know.

23 Q. How much --

24 A. He was coming there perhaps, but I don't know.

25 Q. So as the Tanjug reporter covering events in Prishtine, you

1 don't know whether Arkan was in the Grand Hotel during the war; is
2 that right?

3 MR. BOYLE: Objection, Your Honour. Asked and answered.

4 PRESIDING JUDGE SMITH: Sustained.

5 MR. KEHOE:

6 Q. Let me change the subject. How about Seselj? Did you meet
7 Seselj when he was in Kosovo?

8 A. I did see Seselj. It may have been in 1997 or 1996, or 1997.
9 When were the elections in Serbia when Milutinovic won? 1997, right?
10 That was when I saw him at his HQ or his staff in the centre of
11 Prishtine. He held a press conference. That was as much of Seselj
12 as I saw then. The next time I saw him was in 2001 or 2002, when I
13 started working for Tanjug again and I covered all of the political
14 parties, including Seselj. So that was what I saw of Seselj.

15 Q. During the war, did you cover Seselj coming to Kosovo to visit
16 with his troops?

17 A. No, I didn't work on that. I don't know. I'm telling you there
18 were many other people from Tanjug as well. I was not assigned to do
19 this, so I don't know. And which units of his? Just to make that
20 clear.

21 Q. Well, let's just shift gears and go back to your actual work
22 during this period of time in 1996, 1997, 1998, as tensions began to
23 rise in Kosovo. As tensions began to rise in Kosovo and violence
24 rose in Kosovo, did your assignment from Tanjug change at all?

25 A. Well, there were simply more. I worked as previously. And

1 there was reporting from press conferences that were held in
2 connection with conflicts at the media centre or one of the
3 politicians or Mr. Zoran Andjelkovic, Baki whom we mentioned, perhaps
4 others were holding press conferences for the press and information
5 that could be received. That was what I covered. And, of course, I
6 had other assignments to do as well.

7 Q. Well, with regard to the war, did you have a particular area or
8 zone or location that you were supposed to cover?

9 A. No, no, we didn't have such a division.

10 Q. And prior to this -- prior to the war, did you have any
11 experience reporting from a war zone?

12 A. No.

13 Q. So --

14 A. No. How -- how could I? No, I didn't.

15 Q. And let me see if I understand where we are. As the war is
16 going on -- and I'll put this to you, and then ask you for a comment.
17 So this is 1996, 1997, 1998. You are an agricultural school dropout.
18 You have no experience as a writer. And you're put in as the
19 Prishtine correspondent after you dropped out of the university at a
20 time when tensions were rising in Kosovo. Is that about right on
21 your status at the time?

22 MR. BOYLE: Objection, Your Honour. I think we have to be
23 specifying what year we're talking about. Obviously, by 1998 he did
24 have experience as a journalist.

25 MR. KEHOE: He can answer the question, Judge. It's

1 cross-examination.

2 PRESIDING JUDGE SMITH: Overruled.

3 You may answer the question.

4 THE WITNESS: [Interpretation] Can you please repeat the
5 question?

6 MR. KEHOE:

7 Q. Sure. So let me see if I understand this, and I am putting my
8 case to you. So during this period of time - 1996, 1997 - you come
9 to Tanjug as an agricultural school dropout, no experience as a
10 writer, to be the Prishtine correspondent for Tanjug, the state-run
11 agency, after you drop out of university, at a time when tensions and
12 violence are rising in Kosovo. Is that about right?

13 A. That's right.

14 Q. Now, you were an employee of the Serbian government at the time
15 you were in Prishtine and working for Tanjug; right?

16 A. Well, you could put it that way.

17 Q. Well, let's move forward. At the time when you gave an
18 interview to the SPO in 2019, you were an employee of the Serb
19 government, and, in fact, there was a Serb prosecutor in the room
20 during the interview, wasn't there?

21 A. Yes, there was a Serb prosecutor there. They called me to give
22 a statement to this Court.

23 Q. Well, let me turn in -- and if we can put this, your LinkedIn --
24 we can move ahead. Your LinkedIn profile notes that you are a
25 multimedia journalist employed by the Serbian government. Is that

1 right?

2 A. LinkedIn?

3 Q. LinkedIn.

4 A. What's written there?

5 Q. That you are a -- it shows that you are a multimedia journalist
6 employed by the Serbian government. Is that right?

7 A. Honestly, I don't really know what's written in my LinkedIn
8 profile. I've no idea. I don't know when I enter it. I could check
9 on my mobile phone, but I don't really know. Multimedia journalist?
10 Well ...

11 Q. Well, are you a journalist for Kosovo Online? You are, aren't
12 you?

13 A. Oh, yes. That I am, right. For Kosovo Online, yes.

14 Q. Kosovo Online is funded by the Serbian government, isn't it?

15 A. That's what you say.

16 Q. Well, is it true?

17 A. I don't know whether it was established by the government of
18 Serbia. I know who called me to work there. But as for who
19 established it. I simply don't know who is the owner of Kosovo
20 Online as such. I don't know --

21 MR. KEHOE: Let's look at DHT02675 and DHT02681. We can just go
22 to the front page.

23 Q. This is the first page of your LinkedIn page, and it says you,
24 Mr. Radosevic:

25 "Federal Government

1 "Multimedia Journalist

2 "March 2019 - Present ..."

3 "Federal Government." And prior to that, you have the period of
4 time that you were with Tanjug, another state agency. So is that
5 right, sir, that you are a multimedia journalist working for the Serb
6 federal government? Yes or no?

7 A. Well, yes, it says "multimedia journalist." All right. Okay.
8 Yes. Let's say that that's right. Yes, all right. I work for the
9 government. But so what? I don't understand.

10 Q. So you were working for the government going back --

11 A. But I'm no longer working for the government. I am -- left
12 Kosovo Online in 2021. I'm working for Studio B.

13 Q. So at the time you were speaking to the SPO, the Prosecutor's
14 Office in December 2019, you were working for the federal government;
15 right?

16 A. I worked for Kosovo Online.

17 Q. And that was -- that was, as it says in your --

18 A. All right. Okay. Yes.

19 Q. So you worked for Kosovo Online, which is an information centre
20 for Serbs residing in the north of Kosovo; isn't that right?

21 A. Not only for them but all of Serbia. Whoever wants to read it
22 can do so. It's not an information centre only for the Serbs who
23 live in Kosovo and Metohija. It's a portal. So we work for
24 everyone. And we are also used as a source by the media in
25 Prishtine, as a source of information while I worked there. And the

1 media from Prishtine, we took the statements from the ones and the
2 others and the third and the fourth, and whoever wanted to use it and
3 convey it could do so.

4 Q. So just moving -- rounding this out. So approximately from June
5 1996, barring some intermediary periods in the latter 2018, from June
6 1996 until, we say, 2021, you were in the employ of the federal
7 government, Serbian federal government, weren't you?

8 A. Yes, if you put it that way, yes. I worked for the government
9 all along. It wasn't the federal all the time but the government.
10 The republican government. All right.

11 Q. Now, when you spoke to the Prosecutor in a few months ago about
12 testifying here, you had some objections to the time schedule because
13 you were scheduled to speak to President Vucic, the Serb president,
14 weren't you?

15 A. You couldn't put it that way. I'm not sure how you interpreted
16 that. I covered the president of Serbia, and that's all right.

17 Q. Well, let us turn our attention.

18 MR. KEHOE: Counsel, for your frame -- reference, it's 114682 to
19 114683 at 114682, paragraph 3.

20 Q. And this is a note that came from the SPO after a discussion
21 with you. You "stated that the shifting decisions regarding when he
22 would need to come testify 'seemed like a joke' and that it seemed
23 like the KSC was not a serious court." You "stated that the SPO was
24 asking him to testify against war criminals but was not serious."
25 You, sir, further emphasised that you are "a serious person with

1 serious responsibilities," and that you have "made arrangements to
2 his work and life to be able to travel to the KSC."

3 Quote:

4 "He noted by way of example of his serious responsibilities that
5 the following day he was due to interview the president of Serbia as
6 part of his work as a journalist."

7 Well, that's true, isn't it?

8 A. Yes, that's true. Not to do an interview with him but to cover
9 him because he participated at an event. But that doesn't really
10 matter. It's all the same. May I explain what this is all about?

11 Q. All I'm saying is that you told the Prosecutor, and they sent
12 this over to us as a note, that you were due to interview the
13 president of Serbia as part of your work as a journalist. Right?

14 MR. BOYLE: Objection, asked and answered.

15 PRESIDING JUDGE SMITH: Sustained. And one other thing. I
16 think we're getting to the point that you need to state your case
17 more clearly. You're obviously getting at something.

18 MR. KEHOE: I will get something, Judge. And I'm building it
19 and it's building along --

20 PRESIDING JUDGE SMITH: I would like you to state your case to
21 him now.

22 MR. KEHOE: I will do it outside the presence of the witness,
23 Your Honour, because I have some items that I want to get into first
24 before I state my case to him, if I may.

25 PRESIDING JUDGE SMITH: Items? No, we're not going to remove

1 him.

2 MR. KEHOE: Items concerning his -- what he was talking about,
3 concerning Mr. --

4 PRESIDING JUDGE SMITH: Okay. Go ahead but make it short.

5 THE WITNESS: [Interpretation] Thank you.

6 MR. KEHOE:

7 Q. Now, let's go back to Mr. Dobricic. If we can move ahead. So
8 you say that you met Mr. Dobricic when? May -- April, May, June
9 1998?

10 A. Yes.

11 Q. And you told the SPO, and this is in 116028-116030, paragraph 2,
12 that you only worked with him occasionally; right?

13 A. Yes.

14 Q. Now, you also told the SPO that the person who would be
15 knowledgeable about the KLA activities during that period of time of
16 1998 was you; right?

17 MR. BOYLE: Excuse me, if I could just have a reference for
18 that.

19 MR. KEHOE: Sure. It's 070725 Part 3, page 20, lines 17 to 23,
20 and it's the last three lines in that -- it should be line 21, 22,
21 and 23.

22 Q. Is that right, sir?

23 A. Can you please repeat the question because I'm not sure what you
24 asked me. I haven't understood you at all.

25 Q. And any time you don't --

1 A. [In English] Please.

2 Q. Any time you don't understand, ask me to repeat it and I will.

3 Thank you. So --

4 A. Please.

5 Q. -- you told the Prosecutor during the period of time when the
6 KLA was active, that you were the person who would be knowledgeable
7 about the activities of the KLA; isn't that right?

8 A. [Interpretation] I don't know what exactly is meant by that. I
9 had some information about -- any other journalist -- about what the
10 KLA was doing, what could be gathered from the press conferences,
11 what could be read from the media, and so on. I was not an expert
12 for the KLA. I mean, compared with Dobricic, I certainly knew much
13 more. But I'm not sure what exactly is meant by this here.

14 Q. Let me read to you --

15 A. [Overlapping speakers] ...

16 Q. -- the question and the answer that you gave.

17 MR. KEHOE: Again, counsel, this is 070725-TR-ET Part 3, page
18 20, lines 17 to 23.

19 Q. I don't have the Serb translation, so I'll read it to you.

20 Question, and this is by the SPO:

21 "Who ran any bureaus or offices of Tanjug that were present in
22 Kosovo and Metohija through the conflict period? Are there any names
23 of other journalists, photographers, if you still remember, who were
24 also working alongside you during the period? Specifically, anyone
25 who might be knowledgeable about the activities of the KLA during

1 that [period of time].

2 "A: That was me."

3 Now, did you tell the SPO that -- in December 2019, that the
4 person who was knowledgeable about the KLA during that period of time
5 was you?

6 A. Yes, I did know more than some of the people from Belgrade.
7 Compared to them, yes.

8 Q. So they -- you told us that Mr. Dobricic came in to Kosovo
9 around May -- well, that's when you met him. Around May 1998.

10 A. I guess so.

11 Q. Well, you tell me. I don't want you to guess. When did you
12 meet Mr. Dobricic?

13 A. I don't know exactly. Why wouldn't I tell you? How would I
14 know whether he got there in May or June? He came just like others
15 came before him. I don't know.

16 Q. And I'm not asking you for a specific date, Mr. Radosevic.

17 A. Go ahead.

18 Q. So from your testimony, it's approximately May or June; right?

19 A. Yes, I think that's how it was. It was summer, spring or
20 summer. Thereabouts.

21 Q. And Tanjug flew Mr. Dobricic in from Belgrade, didn't they?

22 A. Yes, he used to work in Belgrade.

23 Q. Was there no local photographers available in Prishtine to cover
24 whatever you were going to cover as far as the war was concerned?

25 A. Tanjug had their own photojournalists. Why would they hire

1 anyone local? They had their photojournalists, and they would send
2 them to cover certain events as needed, whether something
3 international or in connection with Serbia or whatever it may have
4 been.

5 Q. Now, let us talk -- but the fact of the matter is that Tanjug
6 flew in a journalist from Belgrade to cover the war with you; right?

7 A. That's right. Yes. It was rather me who was a kind of
8 assistance. They dealt with this more than I did. I was more
9 concerned with Prishtine and what was going on there, and they were
10 more focused on this. Perhaps because they had more experience and
11 all that, they were all older than me, had longer work experience
12 than I did, and that was it.

13 Q. But Tanjug was very deliberate in who they sent when they sent
14 Mr. Dobricic, weren't they?

15 A. And? Well, they selected him. I had nothing to do with that.

16 Q. Now, Mr. Dobricic himself, you said this morning that you didn't
17 like Mr. Dobricic. And that's on page 39, line 11. Right?

18 A. That's right. No.

19 Q. Oh, you knew his nickname; right?

20 A. Kica.

21 Q. And you said that -- you told us this morning that you only met
22 him once or twice after your release; right?

23 A. Perhaps twice, three times. But on the whole, we didn't
24 socialise much, nor did I really care about what he was doing or not
25 doing, so I wasn't really knowledgeable about that.

1 Q. Well, let us turn our attention to P94, which is your Vice
2 article of 4 June 2018.

3 MR. KEHOE: Excuse me, Exhibit 494. I apologise if I ... so
4 that should be -- I do have the Serbian, by the way. It's 114285 to
5 114289 the ET, and the Serbian is 11475 [sic] to 114289. And the
6 page I'm looking for is page 114287.

7 Q. Now, if you can look at that page, sir, in Serbian, and I
8 realise there is a mistranslation.

9 MR. KEHOE: There is a mistranslation in the English, what I'm
10 told by the Serbian translators, and I will highlight it now.

11 Q. You told Vice in -- this individual that was interviewing you on
12 4 June 2018, and this is on page 114287, that:

13 "But Tanjug did allow me a short break, so I spent a couple of
14 weeks in Belgrade with my colleague Kica and then I had a vacation to
15 Kopaonik."

16 Did you tell him that?

17 MR. BOYLE: Objection. That's not what the English says.

18 MR. KEHOE: No, because the English is wrong. That's what I'm
19 saying.

20 Q. If you go back -- tell us what the -- does the Serb translation
21 say, because it was mistranslated, does the Serb translation say that
22 you told this individual that you "spent a couple of weeks in
23 Belgrade with my colleague Kica"? Does it say that?

24 PRESIDING JUDGE SMITH: Yes, that's for you.

25 MR. KEHOE:

1 Q. That's for you. You can answer that.

2 PRESIDING JUDGE SMITH: You can answer, Witness.

3 THE WITNESS: [Interpretation] Aha, okay, okay. Sorry, sorry.
4 I've been reading. So you are asking me whether I met Kica? We did
5 spend this week or two on vacation at Kopaonik mountain and that was
6 all. After that, I didn't see the man. We were there for a couple
7 of weeks.

8 Now, if this is a big problem -- but I don't see what the
9 problem is. We were at Kopaonik for a week or so. And then, as I
10 said, bye-bye and good luck. And I saw him a couple of times later
11 when I returned to Tanjug. I'm not lying anything here. I forgot.
12 We were there a couple of weeks, he with his daughter, I with my then
13 girlfriend, my future wife. And even then, I didn't socialise a lot
14 with him, to be honest, because I was trying to go skiing. He would
15 go away on his own.

16 How would I put it? I don't really like him a lot. I saw him
17 then and several times afterwards, and there it is.

18 MR. KEHOE:

19 Q. Well, did you go on vacation with --

20 A. Yes, I did. I was with him for two weeks. That's correct.
21 They sent us there together. I did not choose whether I wanted to go
22 there together with him or not.

23 Q. Did anybody force you to meet with Mr. Dobricic in Belgrade?

24 A. No, nobody forced us. But they allowed us to go there for two
25 weeks on vacation and stay at a hotel, the Jat apartments in

1 Kopaonik, so why wouldn't I go? And that was all there was to it.

2 Q. So I stand corrected. So you went on vacation for two weeks
3 with your family and with Mr. Dobricic and his family; right?

4 A. Yes, right.

5 Q. And where did you go on vacation?

6 A. To Kopaonik mountain. It's a tourist centre, a mountain.

7 Q. So you were with Dobricic in Belgrade and then you were also
8 with Dobricic when you went up to this mountain, at Kopaonik?

9 A. Yes, they sent us there together. I came to Belgrade, and on
10 the following day we were both sent there to go and have some rest,
11 so we would recuperate from everything we had gone through.

12 Q. So you spent these weeks with him and you socialised with him
13 when you were together, both in Belgrade and up in the mountain,
14 didn't you?

15 A. No, I did not socialise with him in Belgrade. And up on the
16 mountain, I tried to socialise as little as I could. Except for what
17 I had to if we had breakfast or lunch together. I didn't spend much
18 time with him at the mountain. I spent the time with my wife.

19 Q. And during these weeks that you were up on the mountain with
20 Mr. Dobricic, you certainly got the opportunity to get to know
21 Mr. Dobricic and to talk to him, did you not?

22 MR. BOYLE: Objection, asked and answered.

23 PRESIDING JUDGE SMITH: Overruled. You may answer.

24 THE WITNESS: [Interpretation] It really makes no sense.

25 PRESIDING JUDGE SMITH: Witness, you may answer --

1 THE WITNESS: [Interpretation] I did not socialise with him in
2 any special way or was his friend. And, actually, he left Kopaonik
3 mountain two or three days before me. I stayed longer with my wife
4 because we had several more days at our disposal. After that, I went
5 to visit my relatives in Nis. I already talked about that.

6 Mr. Dobricic is a man with whom I worked together for a while.
7 Such were the circumstances. It simply so happened, as it did, they
8 called me to Belgrade and they asked me, "Do you want to go for a
9 couple of weeks to Kopaonik?" And I did go there. It doesn't mean
10 that I was sitting there all day long socialising with Mr. Dobricic.

11 I'm telling you for the 1.000th time, and I repeat again, I did
12 not really like him. I did not want to socialise with him. I spent
13 only as much as time with him as I had to. I would say, "Hello.
14 Good morning. Good afternoon. How are you? What are you doing? Do
15 you want to go here? Would you want to come here?" I would go with
16 my wife and go and ski and so on.

17 PRESIDING JUDGE SMITH: Witness.

18 THE WITNESS: [Interpretation] All right. Sorry. Sorry, sorry.
19 I apologise.

20 PRESIDING JUDGE SMITH: Can we move on from this, Mr. Kehoe.

21 MR. KEHOE: Yes, Your Honour.

22 Q. So when you're back in the field in Kosovo, you spent 45 days in
23 the field with Dobricic, didn't you, up until when you were arrested
24 on 18 October; right? 45 days in the field with Dobricic, didn't
25 you? Yes or no?

1 A. No.

2 Q. No?

3 A. No, I didn't -- I wasn't with him every day. How could I have?

4 MR. KEHOE: Let me pull up -- and this is 083812 to 083822 at
5 383813, which is the statement by the now deceased Mr. Dobricic
6 before a Serb investigative judge in 1999. If we could bring that up
7 on the screen. And I believe this is on the next page.

8 Q. Now, this is an interview by Mr. Dobricic before a Serb
9 investigative judge in 1999. And I believe it is the same. The
10 second paragraph:

11 "My colleague Nebojsa Radosevic and I were sent to Kosovo as
12 reporters for Tanjug in the middle of 1998 to report from there on
13 current developments. We spent 45 days in the field until 18 October
14 1998 and reported on various events from Djakovica, Peja, and Kosovo
15 Mitrovica."

16 Now, this is a statement that Mr. Dobricic gave to an
17 investigative judge in Belgrade. Is that true?

18 A. Well, this can -- this is not very honourable of him. This is
19 not true. This has nothing to do with reality. I never spent 45
20 days with Dobricic anywhere or any time. From what it says here, it
21 appears like I went all over Kosovo with him and sent reports. The
22 only thing that is true is that I had only met him 30 days or so
23 before. We did not spend this much time together. Maybe we were
24 together one time or --

25 Q. So when Mr. Dobricic told the investigative judge that you spent

1 45 days in the field, he's lying to the investigative judge?

2 MR. BOYLE: Objection, Your Honour. The witness doesn't know
3 what Mr. Dobricic told.

4 PRESIDING JUDGE SMITH: You might want to rephrase that.

5 MR. KEHOE: Absolutely, Judge.

6 Q. So when Mr. Dobricic told the investigative judge that, "We
7 spent 45 days in the field," you and he spent 45 days in the field,
8 was that true or not?

9 A. No, he wasn't telling the truth. And here's another thing.
10 What does it read here:

11 "My colleague Nebojsa Radosevic and I as Tanjug journalists were
12 sent to Kosovo in mid-1999 ..."

13 So how could somebody send me to Kosovo when I was living in
14 Kosovo? So that testifies to his truthfulness and if we want to hold
15 on to every single word he says. How could I be sent to Kosovo when
16 I was living in Kosovo?

17 Q. So --

18 A. So?

19 Q. So when he told them that you were spending 45 days, you're
20 saying that that was not true; right?

21 MR. BOYLE: Objection, Your Honour. Asked and answered.

22 THE WITNESS: [Interpretation] It's not the truth.

23 PRESIDING JUDGE SMITH: You got your answer.

24 MR. KEHOE: Yes.

25 Q. Were you told, Mr. Radosevic, that the SPO wants to introduce

1 Mr. Dobricic's statement into evidence for its truth? Did you know
2 that?

3 MR. BOYLE: Objection, Your Honour. Relevance.

4 MR. KEHOE: I asked him if he knows.

5 MR. BOYLE: It's unclear how the witness's views on what the SPO
6 is doing is relevant.

7 PRESIDING JUDGE SMITH: That's sustained.

8 MR. KEHOE:

9 Q. Let's move on, sir. He says here that you went to Djakovica.
10 Did you and Dobricic go to Djakovica?

11 A. Djakovica? I think that we did go there. And I think it was
12 when we went to visit the Gllogjan lake. I guess that's somewhere in
13 the vicinity of Djakovica. So it's possible we went out into the
14 field to some of these places. But 45 days, I wasn't together with
15 him at all. Probably he had in mind that he spent 45 days there on
16 the whole, but I wasn't with him for 45 days continuously.

17 It's possible that we went to Djakovica when we went to
18 Gllogjan. I guess that it was at about that time. But that's as
19 much as I can say with any precision.

20 Q. So you went to Djakovica with Dobricic. Did you drive?

21 A. No, I don't drive.

22 Q. Did he drive?

23 A. I think that we were driven by -- if he was there, whether he
24 was a reporter of Blic or another. There were four of us in the car.
25 There was somebody else who was driving us. We were not in a Tanjug

1 car and he was not the driver. There was somebody else together with
2 us. There was a convoy, and I think that we were going to this lake
3 in Gllogjan, and that there were five, six, or seven vehicles with
4 escort, and that was it. So we were not going in our car, and he was
5 not the one who drove me.

6 Q. And how long did it take you to get there from Prishtine?

7 A. Well, I've no idea how much it is from Prishtine to Djakovica.
8 About two, two and a half hours probably, thereabouts. I don't know.
9 Two or two and a half hours. There was a convoy. I have no idea how
10 long we were driving. Really, I don't know. I don't know.

11 Q. Did you speak to Mr. Dobricic during that trip?

12 A. How would I know that? I have no idea what I talked about with
13 Mr. Dobricic or if I talked with him at all.

14 Q. Well, did you go to Peje with Mr. Dobricic? Peje or Pec?

15 A. I don't remember.

16 Q. You don't remember?

17 A. I don't remember. I simply don't remember. And I especially
18 don't remember having gone to Kosovska Mitrovica.

19 Q. Well, did you go to Kosovo Mitrovica with Mr. Dobricic?

20 A. I told you I don't remember. I don't remember having gone to
21 Kosovska Mitrovica at the time at all. It's not that I do not want
22 to remember, but I just don't know. I don't remember having gone to
23 Kosovska Mitrovica in that period. I've told you where I did go. I
24 did go to Qafe e Prushit or Qafe e Duhles. I did go to Urosevac.
25 That's what I do know. Once we went to Sar Planina, whatever that

1 was about. And I mostly covered events in Prishtine, not what was
2 happening all over the place.

3 Q. So you travelled -- when you travelled to -- with Dobricic to
4 these various locations, you travelled in a car; right?

5 A. Well, I said so, yes.

6 Q. And you had the opportunity to speak with one another during
7 that period of time, didn't you?

8 A. Well, yes. I guess we did have some conversation.

9 Q. And you ate meals together when you were on the road with
10 Mr. Dobricic, weren't you -- didn't you?

11 A. Sometimes we did. Sometimes we probably didn't.

12 Q. Well, the fact is, and I will put this to you, you had plenty of
13 time with Mr. Dobricic to talk and learn about Mr. Dobricic before
14 18 October; right?

15 A. Did I have time? Yes. If that was your question. Did I have
16 time for that? I did.

17 Q. And during this conversations with -- multiple conversations
18 with Mr. Dobricic, you realised that Mr. Dobricic was a hardcore Serb
19 nationalist, didn't you, and that he had been in war zones such as
20 Croatia and Bosnia-Herzegovina; isn't that right?

21 A. No.

22 Q. No? Your testimony is that that subject never came up at all;
23 is that right?

24 MR. BOYLE: Objection, asked and answered.

25 PRESIDING JUDGE SMITH: Overruled.

Witness: W03880 (Open Session)

Page 8514

Cross-examination by Mr. Kehoe

1 You can answer the question. You can answer.

2 THE WITNESS: [Interpretation] Okay. I know that he worked for
3 Tanjug. I know that he did go to various war zones. But where
4 exactly he went or didn't, I don't know. Whether he was a hardcore
5 Serb nationalist, I've no idea. He never declared himself, nor did I
6 ask him about that, nor was I interested in that. I know that I
7 myself am not a big nationalist, so, therefore, I don't really raise
8 this issue that much. And I didn't discuss this with him at all.

9 So, I mean, please. As for Dobricic and his political
10 convictions and all that, what does that have to do with me? I
11 really don't get it.

12 MR. KEHOE:

13 Q. Well, sir --

14 A. It's his own thing or his political conviction. I don't know
15 what he was or not.

16 Q. You knew full well --

17 A. Okay, please go ahead.

18 Q. You knew full well that Mr. Dobricic was a Serb nationalist that
19 was brought to Kosovo with a photographer's cover in order to get
20 information about KLA movements in the field, and you were there to
21 help him; isn't that right?

22 A. No.

23 Q. Well --

24 A. No, it's not right.

25 Q. Okay. So you were well aware -- well, by the way, you were

1 listening to matters concerning the opening statement in this case,
2 and you were aware of information that there is evidence of
3 Mr. Dobricic's involvement in war crimes in Bosnia-Herzegovina and in
4 Croatia; right?

5 A. I don't know.

6 Q. Well, you called the SPO about it, didn't you? Didn't you --
7 after you saw what had been shown during opening statement by the
8 Defence, didn't you call the SPO and say that you were upset because
9 you saw a programme about Thaci and he talked about a screenshot and
10 that you were going to send a screenshot to the SPO; right? Do you
11 remember that?

12 Don't look at them. Don't look at the Prosecution. That
13 happened, didn't it?

14 A. No, no, no. I'm looking but I -- I'm not sure what you are
15 asking me about. What -- what screenshot? I've no idea what you're
16 asking me.

17 Q. Let me read to you what -- about your comments to the SPO.

18 MR. KEHOE: And this is at 112748 to 112750, and I'm reading
19 from 112748 to 49.

20 Q. This is the interpreter. The interpreter asked to speak to you,
21 and the people from the SPO introduce themselves, and you stated that
22 he was upset because he saw a programme on television about Thaci
23 *et al* trial, that he stated that he was sent a screenshot of what he
24 saw, and he would wait for a call back to discuss. You disconnected
25 and shortly thereafter sent the screenshot. And the screenshot was a

1 screenshot of the Defence opening. Did you do that?

2 A. Just a moment. That's not -- aha, yes. There was on the Radio
3 Television of Serbia, whether it was in the news, and I saw that they
4 showed one part of the indictment where it's noted that the two
5 Tanjug journalists were arrested or kidnapped. And I -- what do you
6 call it? I recorded it or I made a screenshot and I sent it to them
7 so they could see that the indictment was publicly broadcast. You
8 know what I mean. Yes. Yes, right. Yes, I know. I'm aware now of
9 what you're talking about.

10 Q. You were upset, sir, because this was a public airing in the
11 opening statement of evidence of Mr. Dobricic's involvement in war
12 crimes; isn't that right?

13 MR. BOYLE: Objection, Your Honour. There's nothing in this
14 statement --

15 MR. KEHOE: It's a question.

16 MR. BOYLE: -- in regards --

17 MR. KEHOE: It's just a question.

18 THE WITNESS: [Interpretation] No, no.

19 PRESIDING JUDGE SMITH: Finish your objection.

20 THE WITNESS: [Interpretation] No.

21 MR. BOYLE: The objection is in regards to foundation, because
22 there's nothing on that topic in this document.

23 PRESIDING JUDGE SMITH: [Microphone not activated]

24 MR. KEHOE: It notes that he was upset. That he was sent a
25 screenshot --

1 PRESIDING JUDGE SMITH: It doesn't say about what he was upset,
2 though.

3 MR. KEHOE: That's the point. That's cross. I'm saying what he
4 was upset about --

5 PRESIDING JUDGE SMITH: [Microphone not activated]

6 MR. KEHOE:

7 Q. Well, you were upset about the fact that all this evidence --

8 PRESIDING JUDGE SMITH: [Microphone not activated] You're telling
9 him. Ask him.

10 MR. KEHOE: Okay.

11 Q. Weren't you upset because all -- all --

12 PRESIDING JUDGE SMITH: [Microphone not activated] ... it's a
13 question. Ask him a question.

14 MR. KEHOE:

15 Q. Weren't you upset about all this evidence coming out concerning
16 Mr. Dobricic's involvement in war crimes?

17 A. Where on earth do you see that? I was upset because the Radio
18 and Television of Serbia showed that two journalists -- that is to
19 say, on the indictment where it's noted the two Tanjug journalists,
20 and so on and so forth. It has nothing to do with anything else. I
21 simply informed them that this was mentioned, that we were mentioned,
22 and that the indictment was mentioned in the public service, the
23 Radio Television of Serbia.

24 What on earth does Mr. Dobricic have to do with that and my
25 being upset?

1 Q. Well, I'm --

2 PRESIDING JUDGE SMITH: [Microphone not activated].

3 He's answered that twice.

4 MR. KEHOE: Yes, Your Honour.

5 PRESIDING JUDGE SMITH: Let's move on.

6 MR. KEHOE:

7 Q. Well, let me put to you the evidence that was produced, and then
8 I want to talk to you about your conversations with Mr. Dobricic as
9 his -- in his role as a Tanjug photographer.

10 MR. KEHOE: And if I can first turn to DHT02025 to DHT2029, and
11 I'm looking at page 2028 to 2029.

12 Q. And I'm going to read you some of these items because it's not
13 in Serbian, and then I'm going to ask you some questions and put some
14 questions to you about it.

15 The first is a report from a Simo Rosic dated 11 March 1992 and
16 gives some additional information. And this is a report but it's
17 encompassed in a statement by Ari Kerkkanen, an ICTY analyst with the
18 Office of the Prosecutor.

19 MR. KEHOE: And I believe it's on page 42 of this document. 42.
20 That's it at the bottom there.

21 Q. Now, this is Mr. Kerkkanen writing a report at the ICTY and he's
22 quoting a Simo Rosic. He said:

23 "A report by Simo Rosic dated on 11 March 1992 gives additional
24 information. According to this information the group that committed
25 murders was headed by their commander at the time, Zoran Tadic and

1 besides him, murders were committed by the Serbian volunteers Kizo
2 (should perhaps read Kico), Pajser and Zoran Dondor. In this report
3 Kico has been identified as Kico Dobricic, a Tanjug journalist, a
4 hard-core Chetnik and a member of one of those organisations.

5 "RSK State Security Service department in Benkovac in its report
6 on Vladimir Dobricic aka Kica gives more information about the
7 killings in Skabrnja. The report states that Vladimir Dobricic came
8 in October ... along with a group of volunteers from Serbia. With
9 other volunteers he joined the unit for a special purpose at the
10 Staff of the Territorial Defence. The report further states that due
11 to criminal activities and murders committed, especially near
12 Skabrnja where they killed tens of civilians, it was decided that
13 this unit be closed down, and that the mentioned group should be
14 expelled from Benkovac. The report also names Ljubisa Vucicevic and
15 Zoran Dondur aka Jaro belonging to this group. Vladimir Dobricic,
16 Ljubisa Vucicevic and Zoran Dondur are listed on a payroll of the 2nd
17 Platoon of TO Special Purpose Unit in November 1991. Dobricic
18 reappeared in the region in March 1992 trying to arrange arms
19 supplies to the Serbs in Bosnia."

20 I also want to show you another report from Serb internal
21 security.

22 MR. KEHOE: And that's DHT02030 to DHT02043. And the English is
23 at page 2 and the Serbian is at page 2 as well.

24 Q. It reads as follows:

25 "Dobricic Vladimir, called Kica, appeared in this area in

1 October of last year along with a group of volunteers from Serbia and
2 B&H. Dobricic claimed to be a newspaper photographer of Tanjug and
3 had a certified newspaper identification card. However, he expressed
4 his wish to join the units of Benkovac Territorial Defence as a
5 volunteer. Therefore, along with other volunteers, he joined the
6 unit for a special purpose at the Staff of TO. This unit took part
7 in almost all battles led in this area. The group of volunteers,
8 gathered around Dobricic, gained the reputation of criminals for a
9 short time, criminals who were abusing their participation in battles
10 to carry out robberies and often, even murders. Besides Dobricic,
11 the following persons ... stood out: Vucicevic Ljubisa, Dondur
12 Zoran, a person with nickname Jaro, from Ilijas and several persons
13 whose names we don't know. Due to criminal activities and murders
14 committed, especially in actions near Skabrnja where they killed tens
15 of civilians, it was decided that this unit be closed down, and that
16 the mentioned group should be expelled from Benkovac. At that time
17 as well, the Service had information that Dobricic and others were
18 engaged in the resale of seized arms, arms from military sources and
19 looted goods. At our request, military police of the TO staff
20 searched the hotel premises where the mentioned persons were living,
21 but according to the report of military police they did not find
22 anything."

23 Now, all of this information that is set forth, is it your
24 testimony that Mr. Dobricic never mentioned the fact that he was a
25 radical fighter involved in fighting in Croatia, that he was

1 smuggling arms, and that he was operating during this period of time
2 under the cloak of a Tanjug photographer, and that he was a hardcore
3 Chetnik? At no point throughout all of your conversations did
4 Mr. Dobricic or anybody else bring any of this information to your
5 attention?

6 MR. BOYLE: If we could just get clarification about the period
7 of time that you're talking about.

8 MR. KEHOE: Any time.

9 MS. BOLICI: Not that it was mentioned but that the allegations
10 in the documents that you showed to him.

11 MR. KEHOE: Any time.

12 Q. Did Dobricic mention any of his activities of operations in
13 Croatia, gun-running in Bosnia-Herzegovina, murders in the Republic
14 of Serb Krajina, any of that? Did he mention any of that?

15 A. No. As I've already told you, the man was -- he looked kind of
16 suspicious to me, and I did not like him.

17 Q. Well, let me ask you about another event involving Mr. Dobricic,
18 who was a fighter with Seselj's Seseljevci. And let me show you this
19 document.

20 MR. KEHOE: And this is DHT02044 to DHT02047. It's an
21 intelligence report. And if we go to turn -- page -- intelligence
22 report from the security organ of the JNA security administration
23 with more details on the killings in Skabrnja and Nadin in Croatia.

24 MR. BOYLE: Objection, Your Honour. The witness has just stated
25 categorically that he has no information about this.

1 PRESIDING JUDGE SMITH: Sustained.

2 MR. KEHOE:

3 Q. Well, I mean, did you know about -- you said that you knew about
4 Mr. Dobricic's son. Was that the Masa?

5 A. I don't know his name. I just know that he was a
6 photojournalist.

7 Q. And he was a photojournalist?

8 A. I think he too was a photojournalist.

9 Q. [Overlapping speakers] ...

10 A. I think so.

11 Q. Were you aware that Masa was likewise fighting in Croatia under
12 the guise of being a photojournalist?

13 A. Oh, come on. I have no clue. I don't even know about this guy.
14 How should I know anything about his son? I have no idea. I heard
15 that he had a son when we were with his daughter and that his son was
16 a photojournalist, and that he gave a statement to some journalist
17 talking about what his dad told him about how he had fared where we
18 were held by KLA.

19 Q. Now, you said that he looked suspicious but you continued to
20 work with him; is that right?

21 A. So?

22 Q. So the answer to that is "yes"?

23 A. Yes, of course. Of course. He did his job and I did mine. The
24 job that I had done five to ten years prior to that.

25 Q. Did he tell you that he was in -- you know what Ilijas is, do

Witness: W03880 (Open Session)

Page 8523

Cross-examination by Mr. Kehoe

1 you not? Outside of -- out of Sarajevo?

2 A. I know there is a place called Ilijas somewhere in Bosnia.

3 Q. Well, did he tell you that he was working with Seselj and
4 Seselj's group when they were operating out of Ilijas? Did
5 Mr. Dobricic tell you that?

6 MR. BOYLE: Objection, Your Honour. Again, this has already
7 been asked and answered.

8 MR. KEHOE: It has not been asked and answered.

9 PRESIDING JUDGE SMITH: He can answer the question.

10 MR. KEHOE:

11 Q. Yes or no? Did he tell you that he had been involved in
12 Seselj -- the Seseljevci with Seselj and they were operating out of
13 Ilijas? Did he tell you that?

14 A. No, he didn't say any of that.

15 Q. You don't know anything about that either; right?

16 PRESIDING JUDGE SMITH: [Microphone not activated]

17 THE WITNESS: [Interpretation] Absolutely not.

18 MR. KEHOE:

19 Q. Let me turn your attention to -- you know who Ratko Mladic is,
20 right?

21 A. Well, of course.

22 Q. Let me show you a page from his diary.

23 MR. KEHOE: And this would be DHT2270 to 2666, and the page I'm
24 looking for is on 2390. And this is a page from his diary on
25 24 March 1992 on the eve of the war in Bosnia.

1 THE COURT OFFICER: Can we get the number again, please?

2 MR. KEHOE: The page I'm looking for is 02390. It's 2683 to
3 2684. I guess we made an excerpt this morning. My apologies.

4 Q. This is an excerpt from the Milosevic diary where he notes about
5 Vladimir Dobricic, Kica, 46 years old from Benkovac, 81-803 from
6 Benkovac, ringleader in smuggling of weapons. Do you likewise know
7 nothing about Mr. Dobricic's activities of the ringleader and
8 smuggling weapons?

9 MR. BOYLE: Objection, asked and answered.

10 PRESIDING JUDGE SMITH: Sustained.

11 MR. KEHOE: And I said this is the Milosevic. It is the Mladic
12 diary. Your Honour, I just --

13 PRESIDING JUDGE SMITH: It doesn't make any difference where the
14 information came from. He said he -- he denied that he knew he was a
15 smuggler.

16 MR. KEHOE: I understand. I just have to put this to him. I
17 beg the Court's patience on it, but I have to put this to him. And I
18 will put the case to him right now.

19 PRESIDING JUDGE SMITH: [Microphone not activated]

20 MR. KEHOE:

21 Q. Mr. Radošević, I'm putting this information to you about
22 Mr. Dobricic because you know very well that Mr. Dobricic was a
23 violent extremist nationalist. And you ate with him, you drank with
24 him [overlapping speakers] ...

25 MR. BOYLE: Objection, counsel has already put this to the

1 witness.

2 MR. KEHOE: Excuse me. Excuse me.

3 MR. BOYLE: Counsel has already put this to the witness.

4 MR. KEHOE: I'm putting this case to this witness.

5 PRESIDING JUDGE SMITH: [Microphone not activated]

6 MR. KEHOE:

7 Q. You ate with him, you drank with him, you talked with him many
8 times, you vacationed with him, and you're asking this Court to
9 believe that he never revealed his nationalistic views or the fact
10 that he had been a combatant in two prior wars, that never came up
11 even once. Isn't that a fact? Is that your testimony?

12 A. Exactly.

13 Q. And I will put this case to you. The truth is that you and
14 Mr. Dobricic went out on the day in question and were taking pictures
15 for Serb intelligence and gathering information for Serb
16 intelligence. Just as Mr. Dobricic had done in Croatia, just as
17 Mr. Dobricic had done in Bosnia, he was using his Tanjug credentials
18 as a photographer to hide his true identity as a combatant as were
19 you. Isn't that a fact?

20 A. It's not a fact. It's not true. At least not in my case. As
21 for him, whatever.

22 Q. But you acknowledge, sir, that when you were driving through KLA
23 areas, that you didn't have a press sign on your vehicle, did you?

24 A. That's true.

25 Q. Why not?

1 A. Are you going to tell me that every press vehicle has a press
2 sign on it? We didn't have it.

3 Q. I'm asking you, sir, why you didn't have anything on your
4 vehicle designated that you -- when you were driving with
5 Mr. Dobricic up through KLA area, why you didn't have anything on
6 your vehicle to identify you as a member of the press.

7 A. Simply it wasn't there. And, again, I can just repeat not every
8 press vehicle has press sign on it.

9 Q. Well, I mean, when you were stopped by the KLA, you attempted to
10 conceal your identity, didn't you?

11 A. It's not true.

12 Q. It's not true.

13 A. We said that we were journalists and we gave our IDs. We
14 provided everything they asked for.

15 Q. Well, I mean, you would at least agree with me that Mr. Dobricic
16 didn't reveal to the KLA all of his activities, wartime activities in
17 Croatia and Bosnia-Herzegovina, didn't he?

18 A. Well, look. While I was with him, I don't know that he told
19 them anything about it. Whether he had done that in those ten days
20 when he was not with me, I wouldn't know anything about that.

21 Q. Well, the fact is that when you came up to the checkpoint, when
22 you saw the KLA soldiers when you came back, you told Dobricic to
23 run, didn't you?

24 A. Well, I told him to turn around the car so that we -- and we
25 should head back. We went through their checkpoint, and I said,

1 "Turn around. Let's go back. Where are we going?"

2 Q. And when you knew that you were confronting KLA soldiers, you
3 told Dobricic to run, didn't you?

4 A. Well, to go back. That's true. Because where would we go
5 forward? Because it was obvious we were going to their territory,
6 the KLA territory. So I said, "Let's go back, and then whatever
7 happens, that's it." That's true.

8 Q. Did you not tell Dobricic when you came back around to the KLA
9 checkpoint, did you or did you not tell him to run? Yes or no?

10 A. No. They were standing in front of us. Where would we run?

11 Q. Let me show you a document that is an interview of
12 Mr. Dobricic's son.

13 MR. KEHOE: This is DHT02667 to DHT02671, and I'm interested in
14 page 2671. And if you can turn to page 2670, please. Back one more,
15 I think, please, and just scroll up a bit. It's at the bottom of
16 that page.

17 Q. And this is Mr. Dobricic's son giving an interview. And he
18 notes that:

19 "At the time of his capture, Vladimir Dobricic had several
20 photos on him, *inter alia*, of Ibrahim Rugova, Veton Surroi, but also
21 one that he always carried in his wallet.

22 "- It's a photograph with Slobodan Milosevic and my father
23 thought that they had survived precisely because of that photograph,
24 which seems rather illogical. The moment they realised that they
25 were facing the KLA soldiers with balaclavas, Nebojsa shouted:

1 'Run', and my father stopped the car. A commander who spoke Serbian
2 came up to them and said: 'Had you gone two more metres, you would
3 have been shot. Now, get out.'

4 Now, is this a fact that when you came up to this checkpoint and
5 you saw these KLA soldiers that you told Mr. Dobricic to run; yes or
6 no?

7 A. No.

8 Q. So this is not true?

9 A. That's right. It's not true. Whether his son wanted to make
10 his father out as a hero, that's a different issue. But this is not
11 true. There was no mention of any run or anything like that. The
12 man came up to us, he asked for IDs, and that's how it went.

13 MR. KEHOE: Now, let's look at the Prosecution's document on
14 this, which is P300, which is dated 29 October and bears the heading
15 "Military Police Directorate of the Kosovo Liberation Army for Media
16 Statement no. 3." P300.

17 Q. Now, it notes that:

18 "On Sunday 18 October of this year at around 15:00 hours the
19 Kosovo Liberation Army Military Police met a Yugo Florida vehicle
20 with registration plates from Belgrade near Margure village without
21 'Press' signs with a driver and passenger Vladimir Dobricic and
22 Nebojsa Radosevic. After the sign was given for them to stop, they
23 stopped after a delay ... allowing them to hide their identities.
24 This also led to doubts about their identity; that is, not believing
25 that they were journalists and that the purpose of their visit was

1 espionage.

2 "They were stopped and were sentenced to pre-trial detention for
3 the purpose of investigating their real identity and the purpose of
4 their travel."

5 Now, let us break this down a little bit. Now, you were, in
6 fact, driving a Yugo vehicle with Belgrade plates without a press
7 sign. That is all true; right? Right?

8 A. Yes.

9 Q. And then it says:

10 "After the sign was given for them to stop, they stopped after a
11 delay ..."

12 Now, you acknowledged that you drove past the KLA checkpoint
13 about 500 metres and then turned around and went back to that
14 checkpoint; right?

15 A. That's right. That's right.

16 Q. The reason why you turned around and went back to the other
17 checkpoint was because you saw another checkpoint down the road;
18 isn't that right?

19 A. We didn't see any other checkpoint down the road, but it was
20 clear to us that we were wading further into the territory of the
21 KLA. So what would we do further in there? So we decided to just
22 turn around and go back.

23 Q. Okay. Let me look at --

24 A. The people said that we should stop and we stopped.

25 Q. Well, let me look at your proofreading note that you have given

1 to the SPO.

2 MR. KEHOE: And that exhibit number is P493 if I'm not mistaken,
3 counsel. It's at page 2.

4 Q. You clarified that instead of eight to ten KLA members at the
5 checkpoint, there were around 15 to 20 in total, with eight to ten of
6 them on the side of the road where they were stopped and an
7 additional KLA members at a location further up the hill. Is that
8 right? Is that right?

9 A. Yes.

10 Q. So you blow past the first checkpoint, and then you see there is
11 another group of KLA soldiers on the road ahead of you, and that's
12 the reason why you turned back; right?

13 A. No. We went through the first checkpoint. On the right-hand
14 side, we saw those people. They were there. We went some 50 to 100
15 metres, and we turned around to go back because we could already see
16 that up ahead there was a village of some sort. We realised that we
17 were heading into or through KLA territory, so we turned around and
18 went back.

19 MR. KEHOE: I note the time, Your Honours.

20 PRESIDING JUDGE SMITH: Witness, it's time for the end of your
21 testimony today. You'll need to be back here tomorrow at 9.00.
22 Remember not to talk to anyone outside of the courtroom about your
23 testimony. The Court Usher will escort you out of the room.

24 [The witness stands down]

25 MR. EMMERSON: Your Honour, whilst that's being done, once we've

1 returned to open session, there is one minor issue of housekeeping I
2 would like to raise on the public record.

3 MR. KEHOE: I think we are in open session.

4 PRESIDING JUDGE SMITH: [Microphone not activated]

5 MR. KEHOE: I think we are in open session.

6 MR. EMMERSON: I think we will be. Oh, we're in open session
7 now? Oh, sorry.

8 PRESIDING JUDGE SMITH: [Microphone not activated].

9 MR. EMMERSON: [Overlapping speakers] ...

10 MR. KEHOE: Yeah, please do. Go ahead. Go ahead, please.

11 MR. EMMERSON: No, this doesn't relate to this witness. It
12 relates to the witness who is due, I believe, to testify tomorrow --
13 or when this witness's evidence is concluded.

14 I don't know whether Your Honours have yet had a chance to cast
15 an eye over the proofing notes for the witness, but may I, perhaps in
16 advance of tomorrow, invite your attention to the second proofing
17 note. That is to the preparation note which contains a description
18 of the witness's - I think there is no other way of describing it -
19 attempts to negotiate something from the Prosecution prior to giving
20 evidence. And it's between paragraphs 1 and 12. There is then a
21 discussion between what has been promised to him in the past and what
22 has not, and there is a very clear conflict between what he says was
23 promised to him and what counsel, Mr. Pace, says was promised to him,
24 in other words, nothing.

25 But you have a situation here where the witness has expressed a

1 desire to negotiate a particular package. And the first 12
2 paragraphs raise an issue which I know in the US and UK jurisdictions
3 would raise questions as to the appropriateness of counsel who is
4 leading the witness being potentially a witness himself in direct
5 contradiction to the evidence that the witness is likely to give in
6 relation to these previous discussions. In other words, a
7 straightforward conflict of flag between Mr. Pace and the witness.

8 And certainly in the UK, and I believe also in the US, having
9 checked the procedure, whether it's called professional embarrassment
10 or otherwise, counsel cannot call a witness in relation to events
11 which will be the subject of examination where counsel's recollection
12 may result in counsel being a witness himself.

13 And so I'm putting that on the record now. I'm not asking to
14 argue it at this stage, obviously. But I would ask Your Honours'
15 attention to the first 17 paragraphs of the proofing note and put on
16 record that I would invite the SPO and Mr. Pace to consider that
17 question overnight and what implications there might be in relation
18 to it, because getting to the bottom of what lies under paragraphs 1
19 to 17 is going to be a significant part of my cross-examination and
20 with the consent of my colleagues I'm leading in relation to this
21 witness.

22 Secondly, the second half of that section, 13 to 17, raises some
23 very real difficulties because the witness is saying -- the position
24 with the witness is that [REDACTED] Pursuant to In-Court Redaction Order
F01843RED.

25 [REDACTED] Pursuant to In-Court Redaction Order F01843RED.

1 [REDACTED] Pursuant to In-Court Redaction Order F01843RED.

2 [REDACTED] Pursuant to In-Court Redaction Order F01843RED.

3 [REDACTED] Pursuant to In-Court Redaction Order F01843RED.

4 MR. BOYLE: I'm sorry, Your Honour. This should be in closed
5 session if we're going to go into these types of details.

6 MR. EMMERSON: I don't think so.

7 PRESIDING JUDGE SMITH: [Microphone not activated]

8 MR. EMMERSON: It doesn't identify the witness in the slightest.

9 PRESIDING JUDGE SMITH: There is a split opinion on that. We
10 will go into private session --

11 MR. EMMERSON: Very well.

12 PRESIDING JUDGE SMITH: -- so you can discuss it freely.

13 MR. EMMERSON: Very well.

14 [Private session]

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25 [Open session]

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

2 PRESIDING JUDGE SMITH: Now we're adjourned until 9.00 tomorrow.

3 --- Whereupon the hearing adjourned at 1.14 p.m.

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