

Albanian Witness Refuses to Testify in Haradinaj Trial

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A witness from Kosovo cited fear for his security as a reason for not showing up in court. A witness charged with contempt of court failed to appear at his scheduled hearing this week.

Shefquet Kabashi, a former member of the Kosovo Liberation Army, KLA, was ordered to appear before the judges after he refused to answer questions from the prosecution. He had been called to testify against Kosovo's former prime minister Ramush Haradinaj and his two ex-subordinates.

However, Kabashi never showed up. The defense lawyer representing him, Michael Karnavas, told the court on June 7 that Kabashi didn't appear for their meeting the day before either.

Karnavas said he went to Kabashi's hotel on June 6, as arranged. A representative from the victims and witness section of the tribunal was also waiting there.

But Kabashi wasn't there. On entering his room, they found it empty of all his belongings, with a note addressed to the tribunal next to the bed.

In the note, Kabashi said that conditions were not "fulfilled for a witness to testify properly" in court. He also asked the judges to release him from the trial and to give him the "right and security" to return home.

The deputy-in-chief of the victims and witnesses section, Wendy Lobwein, told the court her staff had repeatedly called Kabashi but were unable to get through.

Kabashi had told the court when he was on the stand earlier in the week that he wouldn't testify against the three defendants - Haradinaj, a one-time senior officer of the KLA, Idriz Balaj and Lahi Brahimaj.

He said he lived in a state where witnesses get killed, and therefore shouldn't be required to testify.

However, Kabashi had previously asked for the protective measures to be lifted because he didn't believe they work. He said he had been threatened after testifying under protective measures in a previous case before the tribunal, and several protected witnesses who had testified in that same case had been killed.

At that point, the judges determined Kabashi did not have a choice in giving evidence and ordered him to speak. When he refused, they decided to hold him in contempt.

The case against Haradinaj, Balaj and Brahimaj has been overshadowed by questions of witness intimidation and protection since it began in March.

The three men are charged for their role in the “unlawful removal and mistreatment of Serb civilians” and the mistreatment of other civilians perceived to be collaborating with Serbian forces between March 1 and September 1998.

Kabashi had been ordered not to leave The Netherlands.

The presiding judge, Alphons Orie, adjourned the trial until further notice.

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Location: Kosovo

Topic: Kratke Vesti

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