

United Nations
Nations UniesInternational Criminal Tribunal
for the former Yugoslavia
Tribunal Pénal International
pour l'ex-Yugoslavie

(IT-05-87/1)

VLASTIMIR ĐORĐEVIĆ

**VLASTIMIR ĐORĐEVIĆ***Indicted for persecutions on political, racial or religious grounds, murder, deportation, forcible transfer*

From 1 June 1997 to 30 January 2001, Assistant Minister of the Serbian Ministry of Internal Affairs (MUP) and Chief of the Public Security Department (RJB) of the MUP; responsible for all units and personnel of the RJB in Serbia, including Kosovo between 1 January and 20 June 1999

Crimes Indicted for:

Deportation, other inhumane acts (forcible transfer), murder, persecutions on political, racial and religious grounds (crimes against humanity) and

Murder (violations of the laws or customs of war)

- Forces of the Federal Republic of Yugoslavia (FRY) and Serbia, acting at the direction, with the encouragement, or with the support of Vlastimir Đorđević perpetrated crimes which resulted in the forced deportation of approximately 800,000 Kosovo Albanian civilians. To facilitate these expulsions and displacements, forces of the FRY and Serbia deliberately created an atmosphere of fear and oppression through the use of force, threats of force and acts of violence.
- The same forces, acting at the direction, with the encouragement, or with the support of the accused murdered hundreds of Kosovo Albanian civilians and other persons taking no active part in the hostilities and sexually assaulted Kosovo Albanians, in particular women.
- These forces also systematically damaged and destroyed cultural monuments and Muslim sacred sites. They shelled, burned and dynamited mosques throughout the province.

Born	17 November 1948 in Koznica, in Vladičin Han municipality, in Serbia
Indictment	Initial indictment: 2 October 2003, made public on 20 October 2003; redacted third amended joinder indictment: 26 June 2006; fourth amended: 7 July 2008
Arrested	17 June 2007 in Montenegro
Transferred to ICTY	17 June 2007
Initial (and further) appearances	19 June 2007, did not enter a plea; 16 July 2007, pleaded not guilty to all counts; 17 July 2008, pleaded not guilty to an additional count

STATISTICS

TRIAL	
Commenced	27 January 2009
Trial Chamber II	Judge Kevin Parker (presiding), Judge Christoph Flügge and Judge Melville Baird
Counsel for the Prosecution	Chester Stamp, Patricia Neema, Daniela Kravetz, Matthias Neuner, Priya Gopalan, Silvia D'Ascoli
Counsel for the Defence	Dragoljub Đorđević, Veljko Đurđić

RELATED CASES <i>by geographical area</i>
HARADINAJ <i>et al.</i> (IT-04-84)
LIMAJ <i>et al.</i> (IT-03-66)
MILOŠEVIĆ (IT-02-54) "KOSOVO, CROATIA & BOSNIA"
ŠAINOVIĆ <i>et al.</i> (IT-05-87) "KOSOVO"

INDICTMENT AND CHARGES

All of the charges against Đorđević are in relation to the crimes committed in the territory of Kosovo, beginning on or about 1 January 1999 and continuing until 20 June 1999.

The initial indictment against Nebojša Pavković, Vladimir Lazarević, Vlastimir Đorđević and Sreten Lukić (case number IT-03-70, "Pavković *et al.*") was confirmed on 2 October 2003 and made public on 20 October 2003.

The initial indictment against Slobodan Milošević, Milan Milutinović, Nikola Šainović, Dragoljub Ojdanić and Vljako Stojiljković (case number IT-99-37) was confirmed on 24 May 1999 and made public on 27 May 1999. This indictment was amended on 29 June 2001. The indictment was further amended on 29 October 2001 (second amended indictment) and on 5 September 2002 (third amended indictment). In the third amended indictment, the charges against Milošević and Stojiljković were removed, due to the death of Stojiljković and the fact that Milošević was being tried separately (case number IT-02-54). The case was given the name Milutinović *et al.*

On 1 April 2005 the Prosecution filed a motion seeking to join cases Milutinović *et al.* and Pavković *et al.* The motion was granted on 8 July 2005, and the Trial Chamber ordered the Prosecution to file an amended joinder indictment. The amended joinder indictment was filed on 16 August 2005. This indictment was challenged by the Defence. Following an order from the Trial Chamber, the Prosecution submitted the second amended joinder indictment on 5 April 2006. On 11 May 2006, the Trial Chamber ordered the Prosecution to file a final copy of the indictment. On 12 May 2006, the Prosecution filed the third amended joinder indictment.

On 17 May 2006, the Pre-Trial Judge ordered the Prosecution to correct some typographical errors in the third amended joinder indictment and to sever Đorđević, who was still at large, from the other accused, thereby allowing the trial against the remaining accused to commence as scheduled. On 21 June 2006, the Prosecution requested leave to replace the third amended joinder indictment with the corrected version of the indictment (filed on the same day), and leave to sever Đorđević from the case. On 26 June 2006, the Trial Chamber granted the severance and accepted the redacted third amended joinder indictment as the operative indictment against the remaining six accused. Đorđević was assigned a new case number (IT-05-87/1) and the operative indictment against him remained the third amended joinder indictment.

On 2 June 2008, the Prosecution filed a motion for leave to amend the third amended joinder indictment in order to add a murder incident involving 14 victims in the town of Podujevo and the names of four victims killed during two other murder incidents. On 7 July 2008, the Trial Chamber granted the motion and on 9 July the Prosecution filed the fourth amended indictment, which then became the operative indictment in the case.

The indictment alleges that Đorđević participated in a joint criminal enterprise that came into existence no later than October 1998 and continued throughout the time period when the crimes alleged in the indictment occurred. The purpose of the joint criminal enterprise was, among other things, the modification of the ethnic balance in Kosovo in order to ensure continued Serbian control over the province. This purpose was to be achieved by criminal means consisting of a widespread or systematic campaign of terror and violence that included deportations, murders, forcible transfers and persecutions directed at the Kosovo Albanian population during the indictment period. It is alleged that forces of the FRY and Serbia, in a deliberate and widespread or systematic manner, forcibly expelled and internally displaced hundreds of thousands of Kosovo Albanians from their homes across the entire province of Kosovo. To facilitate these expulsions and displacements, forces of the FRY and Serbia intentionally created an atmosphere of fear and oppression through the use of force, threats of force, and acts of violence.

The indictment states that throughout Kosovo, forces of the FRY and Serbia engaged in a deliberate and widespread or systematic campaign of destruction of property owned by Kosovo Albanian civilians. This was accomplished by the widespread shelling of towns and villages; the burning and destruction of property, including homes, farms, businesses, cultural monuments and religious sites, and the destruction of personal property. As a result of these orchestrated actions, villages, towns, and entire regions were made uninhabitable for Kosovo Albanians.

It is further alleged that, in addition to the deliberate destruction of property owned by Kosovo Albanian civilians, forces of the FRY and Serbia committed widespread or systematic acts of brutality and violence against Kosovo Albanian civilians in order to perpetuate a climate of fear, create chaos and a pervading fear for life. Forces of the FRY and Serbia went from village to village and, in the towns and cities, from area to area, threatening and expelling the Kosovo Albanian population. Kosovo Albanians were frequently intimidated, assaulted or killed in public view to enforce the departure of their families and neighbours. Many Kosovo Albanians who were not directly forcibly expelled from their communities fled as a result of the climate of terror created by the widespread or systematic beatings, harassment, sexual assaults, unlawful arrests, killings, shelling and looting carried out across the province. Forces of the FRY and Serbia persistently subjected Kosovo Albanians to insults, racial slurs, degrading acts and other forms of physical and psychological mistreatment based on their racial, religious, and political identification. All sectors of Kosovo Albanian society were displaced including women, children, the elderly and the infirm.

The indictment states that thousands of Kosovo Albanians who fled their homes as a result of the conduct of the forces of the FRY and Serbia, joined convoys of persons that moved toward Kosovo's borders with Albania and Macedonia. Allegedly, forces of the FRY and Serbia manned checkpoints along the routes to the border crossings and subjected the displaced Kosovo Albanians to beatings, extortion, robbery, harassment, assaults, illegal arrests and killings. At other times, forces of the FRY and Serbia escorted groups of expelled Kosovo Albanians to the borders. According to the indictment, approximately 800,000 Kosovo Albanian civilians were deported.

In addition, throughout Kosovo, forces of the FRY and Serbia systematically seized and destroyed the personal identity documents and licenses of vehicles belonging to Kosovo Albanian civilians. As Kosovo Albanians were forced from their homes and directed towards Kosovo's borders, they were subjected to demands to surrender identity documents at selected points en route to border crossings and at border crossings into Albania and Macedonia. These actions were undertaken in order to erase any record of the deported Kosovo Albanians' presence in Kosovo and to deny them the right to return to their homes.

The operative indictment charges Vlastimir Đorđević on the basis of his individual criminal responsibility (Article 7(1) of the Statute) and on the basis of his superior criminal responsibility (Article 7(3) of the Statute) with:

- **Deportation, other inhumane acts (forcible transfer), murder, persecutions on political, racial or religious grounds** (crimes against humanity, Article 5),
- **Murder** (violations of the laws or customs of war, Article 3).

TRIAL

The trial commenced on 27 January 2009. The Prosecution completed its case on 28 October 2009. The Defence case commenced on 30 November 2009.