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International
Criminal Tribunal
for the former
Yugoslavia

Tribunal Pénal
International pour
l'ex-Yougoslavie



PRESS RELEASE

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CHAMBERS

The Hague, 21 November 2005

CVO/MO/1025e

NEBOJŠA PAVKOVIĆ PROVISIONALLY RELEASED

On 21 November 2005, Nebojša Pavković was provisionally released, pursuant to a decision rendered on 18 November 2005 by Trial Chamber III, subject to certain specific terms and conditions. The decision had been stayed allowing the Prosecution 24 hours to appeal, which it did not.

On 2 October 2003, Pavković was indicted, alongside Vladimir Lazarević, Vlastimir Đorđević and Sreten Lukić by the ICTY for persecutions, murder, deportation and forcible transfer against Kosovo Albanians as part of a widespread and systematic campaign of brutality and violence that resulted in the forced deportation of approximately 800,000 Kosovo Albanian civilians.

According to the indictment, forces of the FRY and Serbia, acting at the direction, with the encouragement, or with the support of Pavković and others “*murdered hundreds of Kosovo Albanian civilians. These killings occurred in a widespread or systematic manner throughout the province of Kosovo and resulted in the deaths of numerous men, women, and children.*”

The indictment also alleges the following:

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.

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 the 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.

Internet address: <http://www.un.org/icty>

Media Office/Communications Service

Churchillplein 1, 2517 JW The Hague. P.O. Box 13888, 2501 EW The Hague. Netherlands

Tel.: +31-70-512-5343; 512-5356 Fax: +31-70-512-5355

After being at large for more than a year and a half, Nebojša Pavković was transferred to the Tribunal on 25 April 2005 from Serbia. On 30 September 2005, the Trial Chamber granted Pavković's motion for provisional release, but stayed the decision pending an appeal from the Prosecution. The Prosecution appealed the decision on 3 October to which the Defence responded on 6 October. On 1 November 2005, the Appeals Chamber granted the Prosecution's appeal, quashed the initial decision and remitted the matter back to the Trial Chamber for further consideration.

In its decision, the Trial Chamber stated that the accused satisfied the requirements that if provisionally released, he would appear for the commencement of his trial and not pose a danger to any victim, witness or other person while on provisional release.

*Hard copies of the decision may be requested from the Media Office.
Courtroom proceedings can be followed on the Tribunal's website.*