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Tribunal Pénal
International pour
l'ex-Yougoslavie

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REGISTRY
GREFFE

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**MILAN MILUTINOVIĆ TRANSFERRED TO THE INTERNATIONAL CRIMINAL
TRIBUNAL FOR THE FORMER YUGOSLAVIA**

Milan Milutinović was transferred to the Detention Unit of the International Criminal Tribunal for the former Yugoslavia today, Monday 20 January, 2003. The date and time for his initial appearance, at which he will be asked to enter a plea to the charges against him, will be set in the coming days.

The accused

Milan Milutinović was born on 19 December 1942 in Belgrade, Serbia. He has held numerous high level government posts within Serbia and the FRY including President of Serbia to which he was elected on 21 December 1997. He held this post until 29 December 2002.

The Indictment, Milošević and others "Kosovo" (IT-99-37), alleges that Milan Milutinović, was a member of a joint criminal enterprise to expel a substantial portion of the Kosovo Albanian population from the province of Kosovo in an effort to ensure continued Serbian control over the province.

As President of Serbia, Milan Milutinović was a member of the Supreme Defence Council of the FRY and participated in decisions regarding the use of the Yugoslav Army (VJ). In addition to the powers that these positions afforded him, Milan Milutinović also exercised *de facto* influence or control over numerous institutions essential to, or involved in, the conduct of the crimes alleged in the Indictment. He also exercised control over functions and institutions normally under the competence of the Government of Serbia and the Assembly of Serbia and its autonomous provinces.

Milan Milutinović was a representative of the FRY and a principal negotiator at conferences and international negotiations including the preliminary negotiations for a ceasefire in Bosnia and Herzegovina in August and September 1995, negotiations to end NATO bombing of Bosnia and Herzegovina in September 1995, the Dayton peace negotiations in November 1995 and the negotiations at Rambouillet in February 1999.

The Indictment

Factual allegations

The Indictment alleges that Milan Milutinović, with other members of the joint criminal enterprise, planned, instigated, ordered, committed or otherwise aided and abetted a widespread or systematic campaign of terror and violence against Kosovo Albanian civilians living in Kosovo in the FRY. Forces of the FRY and Serbia undertook operations targeting Kosovo Albanians with the objective of expelling a substantial portion of them from Kosovo. These well-planned and coordinated operations included forcibly expelling and internally displacing hundreds of Kosovo Albanians from their homes by creating an atmosphere of fear and oppression through the use of force, threats of force, and acts of violence. Further actions included the destruction of property belonging to Kosovo Albanians resulting in some cases to entire regions becoming uninhabitable for Kosovo Albanians. Forces of the FRY and Serbia

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also committed widespread or systematic acts of brutality and violence against Kosovo Albanian civilians, perpetuating a climate of fear, chaos and a pervading fear for life.

Thousands of Kosovo Albanians joined convoys to flee their homes to escape this climate of terror perpetuated by the FRY and Serbian forces. These convoys were halted at checkpoints manned by forces of the FRY and Serbia who subjected the displaced Kosovo Albanians to beatings, extortion, robbery, harassment, assaults, illegal arrests and killings. Many other Kosovo Albanians who were displaced from their homes but did not join the convoys out of Kosovo, died as consequence of harsh weather conditions, insufficient food, inadequate medical attention and exhaustion. FRY and Serbian forces controlled and coordinated the movements of these internally displaced Kosovo Albanians until they were finally expelled from Kosovo. In an effort to deter the return of Kosovo Albanians to their homes, forces of the FRY and Serbia looted and pillaged their personal and commercial property. Kosovo Albanians were robbed of money and other valuables including vehicles and property. Lastly, forces of the FRY and Serbia seized and destroyed the personal identity documents and vehicle licences belonging to Kosovo Albanian civilians in order to erase any record of their presence in Kosovo and deny them the right to return to their homes.

All these actions resulted in the forced deportation of approximately 800,000 Kosovo Albanian civilians.

Charges

The Indictment charges Milan Milutinović on the basis of the following:

Individual criminal responsibility (Article 7(1) of the Statute of the Tribunal) and superior criminal responsibility (Article 7(3)) with:

- Violations of the laws or customs of war (Article 3) – Murder,
- Crimes against humanity (Article 5(d)) – Deportation,
- Crimes against humanity (Article 5 (i)) – Other Inhumane Acts (Forcible Transfer),
- Crimes against humanity (Article 5 (a)) – Murder and,
- Crimes against humanity (Article 5 (h)) – Persecutions on political, racial and religious grounds.
