

IT-05-87-PT  
D4000-D3933  
05 APRIL 2008

p.4000 AT

THE INTERNATIONAL CRIMINAL TRIBUNAL  
FOR THE FORMER YUGOSLAVIA

Case No. IT-05-87-PT

THE PROSECUTOR

AGAINST

MILAN MILUTINOVIĆ  
NIKOLA ŠAINOVIĆ  
DRAGOLJUB OJDANIĆ  
NEBOJŠA PAVKOVIĆ  
VLADIMIR LAZAREVIĆ  
VLASTIMIR ĐORĐEVIĆ  
SRETEN LUKIĆ

SECOND AMENDED JOINDER INDICTMENT

The Prosecutor of the International Criminal Tribunal for the former Yugoslavia, pursuant to her authority under Article 18 of the Statute of the International Criminal Tribunal for the former Yugoslavia ("Statute of the Tribunal"), charges:

MILAN MILUTINOVIĆ  
NIKOLA ŠAINOVIĆ  
DRAGOLJUB OJDANIĆ  
NEBOJŠA PAVKOVIĆ  
VLADIMIR LAZAREVIĆ  
VLASTIMIR ĐORĐEVIĆ  
SRETEN LUKIĆ

with **CRIMES AGAINST HUMANITY** and **VIOLATIONS OF THE LAWS OR CUSTOMS OF WAR** as set forth herein.

THE ACCUSED

1. **MILAN MILUTINOVIĆ** was born on 19 December 1942 in Belgrade, Serbia. **MILAN MILUTINOVIĆ** received a degree in law from Belgrade University. Throughout his political career, **MILAN MILUTINOVIĆ** held numerous high level governmental posts in Serbia and the Federal Republic of Yugoslavia ("FRY") including that of the FRY Ambassador to Greece and the Minister of Foreign Affairs of the FRY. **MILAN MILUTINOVIĆ** was President of Serbia from 21 December 1997 until 29 December 2002.

2. **NIKOLA ŠAINOVIĆ** was born on 7 December 1948 in Bor, Serbia. **NIKOLA ŠAINOVIĆ** was active in the Socialist Party of Serbia ("SPS"), and held several positions within the governments of Serbia and the FRY, including Prime Minister of Serbia and Deputy Prime Minister of the FRY. **NIKOLA ŠAINOVIĆ**

served as Deputy Prime Minister of the FRY from February 1994 until on or about 4 November 2000, when a new Federal Government was formed.

3. **DRAGOLJUB OJDANIĆ** was born on 1 June 1941 in the village of Ravni, near Užice in Serbia. In 1992, **DRAGOLJUB OJDANIĆ**, as Commander of the Užice Corps of the Army of the FRY ("VJ"), was involved in military actions in eastern Bosnia during the war in the Republic of Bosnia and Herzegovina ("Bosnia and Herzegovina"). In 1996, **DRAGOLJUB OJDANIĆ** became Deputy Chief of the General Staff of the VJ. **DRAGOLJUB OJDANIĆ** was appointed on 24 November 1998 as the Chief of the General Staff of the VJ. He was named Federal Minister of Defence on 15 February 2000 and served in this position until 3 November 2000. He was retired from military service by Presidential decree on 30 December 2000.

4. **NEBOJŠA PAVKOVIĆ** was born on 10 April 1946 in the village of Senjski Rudnik, Serbia. **NEBOJŠA PAVKOVIĆ** held numerous positions in the Yugoslav National Army ("JNA"). In 1994, **NEBOJŠA PAVKOVIĆ** was assigned to the Priština Corps of the Armed Forces of the VJ in Priština, Kosovo where he held various staff positions in the command staff until he assumed command of the Corps on 9 January 1998. **NEBOJŠA PAVKOVIĆ** was promoted to the rank of Lieutenant General on 21 July 1998. On 25 December 1998, **NEBOJŠA PAVKOVIĆ** was appointed by Presidential Decree as Commander of the Third Army and remained in this position until early 2000. On 31 March 1999, he was promoted to the rank of Colonel General. **NEBOJŠA PAVKOVIĆ** was commended for his role during the state of war in 1999 by being awarded the Order of Freedom by President Milošević on 16 June 1999. In February 2000, **NEBOJŠA PAVKOVIĆ** was appointed Chief of the General Staff of the VJ. His service in the VJ and position as Chief of the General Staff was terminated by a Presidential Decree on 24 June 2002.

5. **VLADIMIR LAZAREVIĆ** was born in the town of Grnčar in Babušnica municipality, Serbia on 23 March 1949. In 1998, **VLADIMIR LAZAREVIĆ** became the Chief of Staff of the Priština Corps and, on 25 December 1998, was appointed Commander of the Priština Corps by Presidential Decree. For his role during the state of war, **VLADIMIR LAZAREVIĆ** received two official commendations and was promoted by Presidential Decree to Lieutenant General in June 1999. On 28 December 1999 **VLADIMIR LAZAREVIĆ** was appointed Chief of Staff of the Third Army and then Commander of the Third Army on 13 March 2000. **VLADIMIR LAZAREVIĆ** was promoted to the rank of Colonel General on 30 December 2000. In early 2002, **VLADIMIR LAZAREVIĆ** was appointed to the VJ General Staff as Assistant for Ground Forces. In August 2003, **VLADIMIR LAZAREVIĆ** was dismissed from the Army of Serbia and Montenegro.

6. **VLASTIMIR ĐORĐEVIĆ** was born in 1948 in Koznica, Vladičin Han municipality, in Serbia. **VLASTIMIR ĐORĐEVIĆ** was Assistant Minister of the Serbian Ministry of Internal Affairs ("MUP") and Chief of the Public Security Department ("RJB") of the MUP (initially in an acting capacity for the latter position) as of 1 June 1997 and held this position until 30 January 2001. **VLASTIMIR ĐORĐEVIĆ** was awarded the Order of the Yugoslav Flag of the First Degree by Slobodan Milošević on 5 July 1999.

7. **SRETEN LUKIĆ** was born on 28 March 1955 in Višegrad municipality, in Bosnia and Herzegovina. **SRETEN LUKIĆ** began his career in Internal Affairs in 1974 and held various positions including that of Assistant Chief of Police Duties at

the Secretariat for Internal Affairs in Belgrade which he took up in January 1992. In May 1998, **SRETEN LUKIĆ** was appointed Head of the Serbian Ministry of Internal Affairs Staff for Kosovo & Metohija ("MUP Staff") with the rank of Major General. The MUP Staff gained an expanded mandate on 16 June 1998 with **SRETEN LUKIĆ** remaining as its Head. On 12 May 1999, **SRETEN LUKIĆ** was promoted by Decree of the President of the Republic of Serbia from Major General to Lieutenant General. After June 1999, **SRETEN LUKIĆ** was the Assistant Chief of the RJB and the Chief of Border Administration of the Border Police in the MUP in Belgrade. On 31 January 2001, **SRETEN LUKIĆ** was appointed Assistant Minister and Chief of the RJB. While in this position, on 28 May 2001 he was promoted to Colonel-General by Presidential Decree of **MILAN MILUTINOVIĆ**.

### **POSITION OF THE ACCUSED**

8. During 1998 and at all times relevant to this indictment, **MILAN MILUTINOVIĆ** held the post of President of Serbia, a post to which he was elected on 21 December 1997. As President of Serbia:

- i. **MILAN MILUTINOVIĆ** was the head of State. He represented Serbia and conducted its relations with foreign states and international organisations.
- ii. **MILAN MILUTINOVIĆ** was a member of the Supreme Defence Council ("SDC") of the FRY and participated in decisions regarding the use of the VJ. He organised preparations for the defence of Serbia. Under the FRY Law on Defence, **MILAN MILUTINOVIĆ**, as a member of the SDC, also exercised command authority over MUP units subordinated to the VJ during a state of imminent threat of war or a state of war.
- iii. **MILAN MILUTINOVIĆ**, in conjunction with the Republic of Serbia Assembly, had the authority to request reports both from the Government of Serbia, concerning matters under its jurisdiction, and from the MUP, concerning its activities and the security situation in Serbia.
- iv. **MILAN MILUTINOVIĆ** had the authority to dissolve the Republic of Serbia Assembly, and with it the Government, "subject to the proposal of the Government on justified grounds," although this power applied only in peacetime.
- v. **MILAN MILUTINOVIĆ**, during a declared state of war or state of imminent threat of war, could enact measures normally under the competence of the Republic of Serbia Assembly, including the passage of laws; these measures could include the reorganisation of the Government and its ministries, as well as the restriction of certain rights and freedoms.

9. Starting in approximately February 1994 and at all times relevant to this indictment, **NIKOLA ŠAINOVIĆ** held the post of Deputy Prime Minister of the FRY. As Deputy Prime Minister of the FRY, **NIKOLA ŠAINOVIĆ** was a member of the Government of the FRY, which, among other duties and responsibilities, formulated domestic and foreign policy, enforced federal law, directed and coordinated the work of federal ministries, and organised defence preparations.

10. During 1998 and lasting throughout the period of the indictment, **NIKOLA ŠAINOVIĆ** was Slobodan Milošević's representative for Kosovo. In this capacity:

- i. **NIKOLA ŠAINOVIĆ** was Head of the Joint Command.
- ii. A number of diplomats and other international officials who needed to speak with a government official regarding events in Kosovo were directed to **NIKOLA ŠAINOVIĆ**.
- iii. **NIKOLA ŠAINOVIĆ** took an active role in negotiations establishing the Organisation for Security and Co-operation in Europe ("OSCE") verification mission for Kosovo and he participated in numerous other meetings regarding the Kosovo crisis.
- iv. At all times relevant to this indictment, **NIKOLA ŠAINOVIĆ** acted as the liaison between Slobodan Milošević and various Kosovo Albanian leaders.

11. Between June 1996 and 24 November 1998, **DRAGOLJUB OJDANIĆ** held the position of Deputy Chief of the General Staff of the VJ, immediately subordinate to the Chief of the General Staff. On 24 November 1998 he was appointed by Slobodan Milošević to replace General Momčilo Perišić as Chief of the General Staff of the VJ. He remained in that position throughout the period of this indictment. As Chief of the General Staff of the VJ :

- i. **DRAGOLJUB OJDANIĆ** commanded, ordered, instructed, regulated and otherwise directed the VJ, pursuant to acts issued by the President of the FRY and as required to command the VJ.
- ii. **DRAGOLJUB OJDANIĆ** determined the organisation, plan of development and formation of commands, units and institutions of the VJ, in conformity with the nature and needs of the VJ and pursuant to acts rendered by the President of the FRY.
- iii. **DRAGOLJUB OJDANIĆ** determined the plan for recruiting and filling vacancies within the VJ and the distribution of recruits therein; issued regulations concerning training of the VJ; determined the educational plan and advanced training of professional and reserve military officers; and performed other tasks stipulated by law.
- iv. **DRAGOLJUB OJDANIĆ** - or other officers empowered by him - assigned commissioned officers, non-commissioned officers and soldiers, and promoted non-commissioned officers, reserve officers, and officers up to the rank of colonel.
- v. **DRAGOLJUB OJDANIĆ** carried out preparations for the conscription of citizens and mobilisation of the VJ; co-operated with the MUP and the Ministry of Defence of the FRY in mobilising organs and units of the MUP; monitored and proposed measures to correct problems encountered during, and informed the Government of the FRY and the Supreme Defence Council about, the implementation of the mobilisation.
- vi. **DRAGOLJUB OJDANIĆ**, under the FRY Law on Defense, exercised command authority over MUP units as well as over military-territorial units, civil defence units and other armed groups subordinated to the VJ during a state of imminent threat of war or a state of war. A declaration of imminent

threat of war was proclaimed on 23 March 1999, and a state of war on 24 March 1999.

- vii. **DRAGOLJUB OJDANIĆ** nominated the president, judges, prosecutors, and their respective deputies and secretaries, to serve on military disciplinary courts.

12. Between 9 January 1998 and 25 December 1998, **NEBOJŠA PAVKOVIĆ** held the position of Commander of the Priština Corps of the Third Army. On 25 December 1998, he was appointed by Presidential Decree as Commander of the Third Army. He took up his duties as Commander of the Third Army on 13 January 1999 and he continued to hold this post throughout the period of this indictment. As the Commander of the Third Army:

- i. **NEBOJŠA PAVKOVIĆ** commanded all units of the VJ Third Army and units attached to it in the VJ Third Army's area of responsibility. He bore full responsibility for operations conducted by units of the VJ Third Army, units attached to the Third Army, and for the work of the Third Army Command Staff. **NEBOJŠA PAVKOVIĆ** exercised his authority as VJ Third Army Commander in relation to events in Kosovo from January 1999 to June 1999, inclusive.
- ii. **NEBOJŠA PAVKOVIĆ** exercised command authority or control over MUP units subordinated to, or operating in co-operation or co-ordination with, the VJ Third Army as well as over military-territorial units, civil defence units and other armed groups, under the FRY Law on Defense, and through joint command and coordination structures and mechanisms.

13. Between 15 January 1998 and December 1998, **VLADIMIR LAZAREVIĆ** held the post of Chief of Staff of the Priština Corps, immediately subordinate to the Corps Commander. He was appointed Commander of the Priština Corps of the VJ Third Army in December 1998. He assumed command no later than 6 January 1999 and continued to hold this post throughout the period of this indictment. As Corps Commander:

- i. **VLADIMIR LAZAREVIĆ** commanded all units of the Priština Corps and units attached to it in the Corps' area of responsibility. He bore full responsibility for operations conducted by units of the VJ Priština Corps, units attached to the Priština Corps, and for the work of the Priština Corps Command Staff.
- ii. **VLADIMIR LAZAREVIĆ** exercised command authority or control over MUP units subordinated to, or operating in co-operation or co-ordination with, the Priština Corps of the VJ Third Army as well as over military-territorial units, civil defence units and other armed groups, under the FRY Law on Defense, and through joint command and coordination structures and mechanisms.

14. Since at least 4 June 1997 and at all times relevant to this indictment, **VLASTIMIR ĐORĐEVIĆ** was the Assistant Minister of the MUP and Chief of the RJB. As Assistant Minister of the MUP and Chief of the RJB:

- i. **VLASTIMIR ĐORĐEVIĆ** led the RJB under the direction of the Minister of the Interior, Vlado Stojiljković. He was responsible for all units and personnel of the RJB in Serbia, including Kosovo, between 1 January and 20 June 1999.
15. From May 1998 and lasting throughout the period of this indictment, **SRETEN LUKIĆ** was the Head of the MUP Staff. As Head of the MUP Staff:
- i. **SRETEN LUKIĆ** planned, organised, guided, co-ordinated and controlled the work of the MUP in Kosovo.
- ii. **SRETEN LUKIĆ** was obligated to protect human lives and the safety of persons and possessions; to prevent and detect criminal acts and to arrest their perpetrators; and to maintain law and order.
- iii. **SRETEN LUKIĆ** had command of the MUP operations in Kosovo. As a superior officer of the MUP, **SRETEN LUKIĆ** was responsible for MUP units in Kosovo between 1 January and 20 June 1999.

### INDIVIDUAL CRIMINAL RESPONSIBILITY

16. Each of the accused is individually responsible for the crimes alleged against him in this indictment under Articles 3, 5 and 7 of the Statute of the Tribunal.

17. The accused planned, instigated, ordered, committed, or otherwise aided and abetted in the planning, preparation, or execution of these crimes. For the modes of liability of planning, instigating or ordering the crimes charged, the accused acted with the awareness of the substantial likelihood that the crimes would be committed in the execution of the plan, order or instigation. For the mode of liability of aiding and abetting, the accused acted with the knowledge that the acts performed would assist in the commission of the crimes.

18. By using the word "committed" in this indictment, the Prosecutor does not intend to suggest that any of the accused physically perpetrated any of the crimes charged, personally. "Committing" in this indictment, when used in relation to the accused, refers to participation in a joint criminal enterprise as a co-perpetrator, either directly or indirectly.

19. The purpose of this joint criminal enterprise was, *inter alia*, 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. To fulfil this purpose, each of the accused, acting individually and/or in concert with each other and others, contributed to the joint criminal enterprise using the *de jure* and *de facto* powers available to him.

20. This joint criminal enterprise came into existence no later than October 1998 and continued throughout the time period when the crimes alleged in Counts 1 to 5 of this indictment occurred: beginning on or about 1 January 1999 and continuing until 20 June 1999. A number of individuals participated in this joint criminal enterprise during the entire duration of its existence, or, alternatively, at different times during the duration of its existence, including **MILAN MILUTINOVIĆ**,

**NIKOLA ŠAINOVIĆ, DRAGOLJUB OJDANIĆ, NEBOJŠA PAVKOVIĆ, VLADIMIR LAZAREVIĆ, VLASTIMIR ĐORĐEVIĆ, SRETEN LUKIĆ,** Slobodan Milošević and Vljako Stojiljković. Others members included Radomir Marković, Obrad Stevanović, Dragan Ilić and unidentified persons who were members of command and coordinating bodies and members of the forces of the FRY and Serbia who shared the intent to effect the purpose of the joint criminal enterprise. In addition, and/or in the alternative, **MILAN MILUTINOVIĆ, NIKOLA ŠAINOVIĆ, DRAGOLJUB OJDANIĆ, NEBOJŠA PAVKOVIĆ, VLADIMIR LAZAREVIĆ, VLASTIMIR ĐORĐEVIĆ, SRETEN LUKIĆ,** Slobodan Milošević, Vljako Stojiljković, Radomir Marković, Obrad Stevanović, Dragan Ilić implemented the objectives of the joint criminal enterprise through members of the forces of the FRY and Serbia, whom they controlled, to carry out the crimes charged in this indictment. The phrase "forces of the FRY and Serbia" in this indictment encompasses the following forces and units: VJ, including the Third Army, in particular the Priština Corps of the Third Army, and other units temporarily or permanently deployed to Kosovo or otherwise participating in the conflict; MUP, including Special Police Units ("PJP"), the Special Anti-terrorist Unit ("SAJ"), police reservists, MUP secretariat ("SUP") personnel, the Special Operations Unit ("JSO") and State Security ("RDB") operatives; the Priština Military District and military-territorial units within it; Civil Defence units; Civil Protection units; civilian groups armed by the VJ and/or the MUP and formed into village defence units acting under the control and authority of the VJ and/or the MUP, and volunteers incorporated into units of the VJ and/or the MUP. At least one VJ and at least one MUP unit participated in each of the crimes enumerated in Counts 1 to 5 of this Indictment.

21. The crimes enumerated in Counts 1 to 5 of this Indictment were within the object of the joint criminal enterprise and the accused shared the intent with the other co-perpetrators that these crimes be perpetrated. Alternatively, the crimes enumerated in Counts 3 to 5 were natural and foreseeable consequences of the joint criminal enterprise and the accused were aware that such crimes were the possible consequence of the execution of that enterprise. Despite their awareness of the foreseeable consequences, **MILAN MILUTINOVIĆ, NIKOLA ŠAINOVIĆ, DRAGOLJUB OJDANIĆ, NEBOJŠA PAVKOVIĆ, VLADIMIR LAZAREVIĆ, VLASTIMIR ĐORĐEVIĆ** and **SRETEN LUKIĆ**, decided to participate in the joint criminal enterprise. Each of the accused and other participants in the joint criminal enterprise further shared the intent and state of mind required for the commission of each of the crimes charged in counts 1 to 5. On this basis, under Article 7(1) of the Statute, each of the accused bears individual criminal responsibility for the crimes alleged in Counts 1 to 5.

22. **MILAN MILUTINOVIĆ, NIKOLA ŠAINOVIĆ, DRAGOLJUB OJDANIĆ, NEBOJŠA PAVKOVIĆ, VLADIMIR LAZAREVIĆ, VLASTIMIR ĐORĐEVIĆ** and **SRETEN LUKIĆ**, while holding positions of superior authority, are also individually criminally responsible for the acts or omissions of their subordinates, pursuant to Article 7(3) of the Statute of the Tribunal for the crimes alleged in Counts 1 to 5 of this indictment. A superior is responsible for the criminal acts of his subordinates if he knew or had reason to know that his subordinates were about to commit such acts or had done so, and the superior failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators.

## **OVERVIEW OF THE JOINT CRIMINAL ENTERPRISE**

23. At all relevant times there existed a functioning chain of command that ensured that command and control ran from the highest levels in Belgrade to the forces of the FRY and Serbia in the field. The sophistication of the command and control structures in place ensured that there was a constant monitoring of the situation on the ground, with prompt responsiveness and continuous contact between superior commanders at the highest level and their subordinates. According to the Constitution and relevant laws and regulations of the FRY the highest authority responsible for strategic matters relating to the defence of the FRY was the SDC which during the indictment period was composed of, *inter alia*, Slobodan Milošević, **MILAN MILUTINOVIĆ** and **DRAGOLJUB OJDANIĆ**. The SDC had supreme authority over the VJ and other organisations engaged in defence of the country. During the state of war declared on 24 March 1999, the Supreme Command became the highest military-civilian leadership body. It was headed by Slobodan Milošević and included **MILAN MILUTINOVIĆ** and **DRAGOLJUB OJDANIĆ**. It formulated strategy, issued directions and commanded operations by forces of the FRY and Serbia. Members of the SDC, the Supreme Command and the command of the VJ exercised command and control over the MUP and its subordinate units as the relevant FRY law provided that during a state of imminent threat of war (23 March 1999) or state of war (from 24 March 1999 to 26 June 1999) the MUP was subordinated to the VJ when engaged in combat operations.

24. Slobodan Milošević, **MILAN MILUTINOVIĆ** and **NIKOLA ŠAINOVIĆ**, also exercised command over the forces of the FRY and Serbia through other bodies including the Joint Command, headed by **NIKOLA ŠAINOVIĆ**, which was mandated to co-ordinate the work of civil affairs organs with the activities of the organisations that constituted the forces of the FRY and Serbia in Kosovo and to ensure that they conducted operations in accordance with political objectives. The Joint Command also exercised *de facto* command authority over these bodies. This command authority complemented the VJ and the MUP internal chains of command to ensure cooperation and co-ordination. The Joint Command included senior members of the civilian, political and military leadership including **NEBOJŠA PAVKOVIĆ**, the commander of the Third Army, **VLADIMIR LAZAREVIĆ**, the commander of Priština Corps, **SRETEN LUKIĆ**, the Head of the MUP Staff, the Head of the Temporary Executive Committee ("TEC"), and other leaders from the VJ and MUP.

25. 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.

26. 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.

27. 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 neighbors. 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.

28. Thousands of Kosovo Albanians who fled their homes as a result of the conduct of the forces of the FRY and Serbia and the deliberate climate of terror that pervaded the territory of Kosovo joined convoys of persons that moved toward Kosovo's borders with Albania and Macedonia. Along the routes to the border crossings, forces of the FRY and Serbia manned checkpoints where the displaced Kosovo Albanians were subject to further 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. By these methods, the forces of the FRY and Serbia maintained control over the movement of displaced Kosovo Albanians to the borders. Displaced Kosovo Albanians often arrived at the borders of Kosovo on foot in convoys of several thousand persons, or carried by tractors, trailers and trucks, as well as on trains, buses or trucks which were organised and provided by forces of the FRY and Serbia.

29. In addition, thousands of Kosovo Albanians who fled their homes and were thereby forcibly transferred as a result of the conduct of the forces of the FRY and Serbia and the deliberate climate of terror that pervaded the territory of Kosovo, were forced to seek shelter for days, weeks or months in other towns and villages, and/or in forests and mountains throughout the province. Some of these internally displaced persons remained inside the province of Kosovo throughout the time period relevant to this indictment and many persons died as a consequence of the harsh weather conditions, insufficient food, inadequate medical attention and exhaustion. Others eventually crossed over one of the Kosovo borders into Albania, Macedonia, Montenegro, or crossed the provincial boundary between Kosovo and Serbia. Forces of the FRY and Serbia controlled and coordinated the movements of many internally displaced Kosovo Albanians until they were finally expelled from Kosovo.

30. Throughout Kosovo, in a deliberate and widespread or systematic effort to deter expelled Kosovo Albanians from returning to their homes, forces of the FRY and Serbia looted and pillaged the personal and commercial property belonging to Kosovo Albanians. Forces of the FRY and Serbia used wholesale searches, threats of force, and acts of violence to rob Kosovo Albanians of money and valuables, and in a widespread or systematic manner, authorities at FRY border posts stole personal vehicles and other property from Kosovo Albanians being deported from the province.

31. 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.

32. The crimes perpetrated in each of the municipalities and locations set forth below in paragraphs 71-77 followed a clear pattern and were perpetrated by forces of the FRY and Serbia working in co-ordination and co-operation and performing complementary roles in order to achieve the common purpose.

33. Each of the accused participated in the joint criminal enterprise in the ways set out (for each accused) in the paragraphs below. Each accused is also liable under the planning, instigating, ordering and aiding and abetting modes of liability, pursuant to Article 7(1), and under Article 7(3) on the basis of the facts set out (for each accused) in the following paragraphs.

### MILAN MILUTINOVIĆ

34. The Prosecution re-alleges and incorporates by reference paragraphs 1 and 8.

35. **MILAN MILUTINOVIĆ**, acting individually and/or in concert with other members of the joint criminal enterprise, participated in the joint criminal enterprise in, among others, the following ways:

- a. As a member of the SDC and the Supreme Command and as a participant in other meetings of the highest civilian, VJ and MUP leadership, he commanded, controlled, directed and otherwise exercised effective control over the forces of the FRY and Serbia, which were involved in the perpetration of the crimes charged in this indictment.
- b. As a member of the SDC and the Supreme Command, and as a participant in other meetings of the highest civilian, VJ and MUP leadership, he participated in the planning, direction, coordination and ordering of the operations and activities of the forces of the FRY and Serbia in Kosovo, which were involved in the perpetration of the crimes charged in this indictment.
- c. In accordance with instructions from Slobodan Milošević, **MILAN MILUTINOVIĆ** exercised authority over the VJ and the MUP and was actively engaged in international negotiations.
- d. As the President of Serbia, he used his decree authority to impose measures to further the crimes charged in Counts 1, 2 and 5.
- e. He promoted, instigated, facilitated, encouraged and/or condoned the perpetration of crimes during 1998 and during the indictment period as a member of the SDC and the Supreme Command.
- f. He encouraged and gave legitimacy to crimes committed against Kosovo Albanians by failing to report and/or investigate crimes or alleged crimes against them, to follow up on such allegations and/or investigations, and/or to punish or discipline members of the forces of the FRY and Serbia.
- g. As a prominent member of the SPS, he enforced policies set by Slobodan Milošević, including by disciplining a senior Serb politician who challenged Slobodan Milošević's policies in Kosovo.

36. **MILAN MILUTINOVIĆ's** participation in the crimes charged is, in addition and in the alternative, the only inference to be drawn from the facts above, as well as among other factors:

- a. His authority over the forces of the FRY and Serbia, resulting from his role in the SDC and the Supreme Command, as well as in other meetings of the highest civilian, VJ and MUP leadership.
- b. The proper functioning of reporting to the SDC and the Supreme Command from the VJ and the MUP in 1998 and during the indictment period.
- c. His knowledge of the likelihood that the forces of the FRY and Serbia would commit crimes in Kosovo during the indictment period, including his knowledge gained as a result of the widespread reporting from many sources about allegations of crimes committed in Kosovo in 1998.
- d. His knowledge of the involvement of the forces of the FRY and Serbia in the crimes perpetrated in Kosovo in 1998 and during the indictment period.
- e. The widespread and systematic nature of the crimes charged.
- f. The time period over which these crimes were perpetrated.
- g. His failure to take reasonable measures to prevent or punish persons responsible for the crimes charged.
- h. His role in the creation of an environment permissive of criminal behaviour, including by failing to take reasonable measures to prevent or punish the commission of the crimes charged in Counts 1 to 5.
- i. His knowledge of the intent of persons in the joint criminal enterprise to effect the crimes charged in this indictment.
- j. His failure to exercise his powers as President of Serbia to prevent the perpetration, and/or to punish the perpetrators, of the crimes charged in this indictment.

37. In addition to his *de jure* powers, at all times relevant to this indictment, **MILAN MILUTINOVIĆ** exercised extensive *de facto* influence or control over numerous institutions essential to, or involved in, the conduct of the crimes alleged herein. **MILAN MILUTINOVIĆ** exercised *de facto* influence or control over functions and institutions nominally under the competence of the Government of Serbia and Assembly of Serbia and its autonomous provinces, including but not limited to the MUP.

38. As President of Serbia and voting member of the Supreme Defence Council and the Supreme Command, and pursuant to his *de facto* authority, **MILAN MILUTINOVIĆ** exercised command authority and/or effective control over the forces of the FRY and Serbia.

39. That **MILAN MILUTINOVIĆ** had the requisite *mens rea* for liability under Articles 7(1) and 7(3) is based on, and/or is the only inference to be drawn from many factors, including the factors set out above, as well as the following:

- a. His knowledge of the likelihood that forces of the FRY and Serbia would commit crimes in Kosovo resulting from the widespread reporting from many sources about allegations of crimes committed in Kosovo in 1998.

- b. These allegations were publicly and prominently raised by, among others, foreign diplomats, the United Nations, the OSCE, human rights organizations, the domestic and foreign media, and by Kosovo Albanians, including in his meetings in April 1999 with Ibrahim Rugova and other Kosovo Albanian leaders.
- c. His planning and consultation meetings with Slobodan Milošević.
- d. His presence at meetings where other members of the joint criminal enterprise made statements implying that all Kosovo Albanians were criminals who should be killed.
- e. His awareness and approval of the dismissal of senior officials in the MUP and the VJ who had expressed disapproval of Slobodan Milošević's policies in Kosovo while persons supportive of such policies were being promoted in their place.
- f. Allegations of crimes by the forces of FRY and Serbia led, among other things, to the establishment of the Kosovo Diplomatic Observer Missions ("KDOM") and the European Union Monitoring Mission ("EUMM"), as well as to the intense negotiations in Belgrade in October 1998 (which involved the civilian leadership of the FRY and of Serbia, and the senior staff of the MUP and the VJ) which led to, among other things, the Kosovo Verification Mission ("KVM").
- g. Such allegations were known throughout the world, including in the FRY, as the basis upon which NATO declared it was launching its air-strike against the FRY, regardless of whether one agreed or disagreed with that basis.
- h. He was informed of the massive displacement of Kosovo Albanians and the perpetration of numerous other crimes through, among other things, the reporting systems of the VJ and the MUP, the media, and his meetings with VJ and MUP senior staff.
- i. His knowledge of the concealment by members of the forces of the FRY and Serbia, of the crime of murder.

### **DRAGOLJUB OJDANIĆ**

40. The Prosecution re-alleges and incorporates by reference paragraphs 3 and 11.

41. **DRAGOLJUB OJDANIĆ**, acting individually and/or in concert with other members of the joint criminal enterprise, participated in the joint criminal enterprise in, among others, the following ways:

- a. As Chief of the General Staff of the VJ and Chair of the VJ Collegium, he commanded, controlled, directed and otherwise exercised effective control over the VJ and subordinated units, which were involved in the perpetration of the crimes charged in this indictment.
- b. He commanded, controlled, directed and/or otherwise exercised effective control over MUP units and other organs subordinated, under the FRY Law on Defense, to the VJ during a state of imminent threat of war or a state of war, or acting in concert with the VJ.
- c. As a member of the Supreme Command and the Supreme Command Staff, and as a participant in other meetings of the highest civilian, VJ and MUP leadership, he participated in the planning, direction, coordination and ordering of the operations and activities of the forces

- of the FRY and Serbia in Kosovo, which were involved in the perpetration of the crimes charged in this indictment.
- d. He carried out preparations for the conscription of citizens and mobilisation of the VJ; monitored and proposed measures to correct problems encountered during, and informed the Government of the FRY and the SDC about, the implementation of the mobilisation.
  - e. Organised and maintained communication among the SDC, VJ and units and institutions directly subordinated to and/or working in concert with the General Staff of the VJ.
  - f. He directed, coordinated, planned, instigated and ordered the operations and activities of the VJ, in particular the Third Army, including Priština Corps and forces subordinated to, or working in concert with, the VJ, which were involved in the perpetration of the crimes charged in this Indictment.
  - g. He participated in the planning, instigating and ordering of the concealment by members of the VJ and subordinated forces, of the crime of murder.
  - h. He promoted, instigated, facilitated, encouraged and/or condoned the perpetration of crimes by the VJ and subordinate forces during the indictment period as Chief of the General Staff of the VJ.
  - i. He encouraged and gave legitimacy to crimes committed against Kosovo Albanians by failing to investigate crimes or alleged crimes against them, to follow up on such allegations and/or investigations, and/or to punish or discipline members of the forces of the FRY and Serbia.
  - j. He was involved in, as the Deputy Chief of the General Staff of the VJ in 1998 and as Chief of the General Staff of the VJ during the indictment period, the arming and training of predominantly non-Albanian civilians into local or village defence units while predominantly Albanian villages were disarmed.
  - k. He knew of the incorporation into the VJ and MUP of volunteers and volunteer groups, including those with a history of allegations of involvement in serious crimes against civilians in other conflicts, including in Kosovo in 1998.

42. **DRAGOLJUB OJDANIĆ's** participation in the crimes charged is, in addition and in the alternative, the only inference to be drawn from the facts above, as well as, among other factors:

- a. His authority over the forces of the FRY and Serbia, resulting from his role as the Chief of the General Staff of the VJ and as chair of the VJ Collegium, as a member of the Supreme Command and the Supreme Command Staff, as well as from other meetings of the highest civilian, VJ and MUP leadership.
- b. The proper functioning of the VJ and MUP reporting systems in 1998 and during the indictment period.
- c. His knowledge of events in Kosovo derived from his position as the Chief of the General Staff of the VJ and as chair of the VJ Collegium, and as a member of the Supreme Command and the Supreme Command Staff, as well as all the reporting systems to those organs and from media reports.
- d. His knowledge of the crimes in Kosovo committed by the forces of the FRY and Serbia in 1998 and during the indictment period.

- e. His knowledge of the involvement of, in particular, the VJ and subordinate units in the crimes charged in 1998 and during the indictment period.
- f. His knowledge of the likelihood that the forces of the FRY and Serbia would commit crimes in Kosovo during the indictment period resulting from the widespread reporting from many sources about allegations of crimes committed in Kosovo in 1998.
- g. The widespread and systematic nature of the crimes charged in the area of responsibility of the Third Army and the Priština Corps and its subordinate units.
- h. The time period over which these crimes were perpetrated.
- i. His failure to take reasonable measures to prevent or punish persons responsible for the crimes charged.
- j. His role in the creation of an environment permissive of criminal behaviour, including by failing to take reasonable measures to prevent or punish the commission of the crimes charged in Counts 1 to 5.
- k. His knowledge of the intent of persons in the joint criminal enterprise to effect the crimes charged in this indictment.
- l. His involvement in discussion of crimes committed in Kosovo by the forces of the FRY and Serbia, including in meetings of the highest civilian, VJ and MUP leadership.

43. As Chief of the General Staff of the VJ and as a member of the Supreme Command and the Supreme Command Staff, **DRAGOLJUB OJDANIĆ** exercised command authority and/or effective control over the VJ, including the Third Army, in particular the Priština Corps of the Third Army, and other units temporarily or permanently deployed to Kosovo or otherwise participating in the conflict; MUP, including Special Police Units ("PJP"), the Special Anti-terrorist Unit ("SAJ"), police reservists, MUP secretariat ("SUP") personnel, the Special Operations Unit ("JSO") and State Security ("RDB") operatives; the Priština Military District and military-territorial units within it; Civil Defence units; Civil Protection units; civilian groups armed by the VJ and/or the MUP and formed into village defence units acting under the control and authority of the VJ and/or the MUP, and volunteers incorporated into units of the VJ and/or the MUP.

44. That **DRAGOLJUB OJDANIĆ** had the requisite *mens rea* for liability under Articles 7(1) and 7(3) is based on, and/or is the only inference to be drawn from many factors, including the factors set out above, as well as the following:

- a. His knowledge of the likelihood that the forces of the FRY and Serbia would commit crimes in Kosovo resulting from the widespread reporting from many sources about allegations of crimes committed in Kosovo in 1998.
- b. These allegations were publicly and prominently raised by, among others, foreign diplomats, the United Nations, the OSCE, human rights organizations, the domestic and foreign media, and by Kosovo Albanians.
- c. Allegations of crimes by the forces of FRY and Serbia led, among other things, to the establishment of the KDOM and EUMM missions, as well as to the intense negotiations in Belgrade in October 1998 (which involved the civilian leadership of the FRY and of Serbia, and the senior staff of the MUP and the VJ) which led to, among other things, the KVM mission.

- d. Such allegations were known throughout the world, including in the FRY, as the basis upon which NATO declared it was launching its air-strike against the FRY, regardless of whether one agreed or disagreed with that basis.
- e. He was informed of the massive displacement of Kosovo Albanians and the perpetration of numerous other crimes through, among other things, the reporting systems of the VJ, the media, his meetings with VJ and MUP senior staff.
- f. His involvement in discussion of crimes committed in Kosovo by the VJ and the MUP, including in meetings of the highest civilian, VJ and MUP leadership.

### NIKOLA ŠAINOVIĆ

45. The Prosecution re-alleges and incorporates by reference paragraphs 2 and 10.

46. **NIKOLA ŠAINOVIĆ**, acting individually and/or in concert with other members of the joint criminal enterprise, participated in the joint criminal enterprise in, among others, the following ways:

- a. As Deputy Prime Minister of the FRY with responsibility for Kosovo, he exercised the authority of Slobodan Milošević with regard to Kosovo, including authority over the VJ and the MUP and civilian bodies.
- b. As Deputy Prime Minister of the FRY with responsibility for Kosovo, he received instructions from Slobodan Milošević which he passed on, and elaborated, to the VJ and the MUP, both directly and through the Joint Command.
- c. As the Head of the Joint Command, he commanded, controlled, directed and otherwise exercised effective control over forces of the FRY and Serbia in Kosovo, which were involved in the perpetration of the crimes charged in this indictment.
- d. He participated in the planning, instigating and ordering of the operations and activities of the forces of the FRY and Serbia in Kosovo, which were involved in the perpetration of the crimes charged in this indictment.
- e. He participated in the planning, instigating and ordering of the concealment by members of the forces of FRY and Serbia of the crime of murder.
- f. He promoted, instigated, facilitated, encouraged and/or condoned the perpetration of crimes by the forces of the FRY and Serbia during 1998 and during the indictment period as Head of the Joint Command.
- g. He knew of, and approved, the incorporation into the VJ and MUP of volunteers and volunteer groups, including those with a history of allegations of involvement in serious crimes against civilians in other conflicts, including in Kosovo in 1998.
- h. He encouraged and gave legitimacy to crimes committed against Kosovo Albanians by failing to report and/or investigate crimes or alleged crimes against them, to follow up on such allegations and/or investigations, and/or to punish or discipline members of the forces of the FRY and Serbia.

- i. He was involved, as the Head of the Joint Command, in the arming and training of predominantly non-Albanian civilians into local or village defence units while disarming predominantly Albanian villages.
- j. He expressed the view that a better balance between Serb and Albanian demographic levels should be achieved in Kosovo.

47. **NIKOLA ŠAINOVIĆ**'s participation in the crimes charged is, in addition and in the alternative, the only inference to be drawn from the facts above, as well as, among other factors:

- a. His authority over the forces of the FRY and Serbia in Kosovo as Head of the Joint Command.
- b. His authority over the VJ and the MUP in accordance with instructions from Slobodan Milošević.
- c. The proper functioning of the VJ and MUP reporting systems in 1998 and during the indictment period.
- d. His knowledge of the crimes in Kosovo committed by the forces of the FRY and Serbia in 1998 and during the indictment period.
- e. His knowledge of the likelihood that the forces of the FRY and Serbia would commit crimes in Kosovo during the indictment period resulting from the widespread reporting from many sources about allegations of crimes committed in Kosovo in 1998.
- f. The widespread and systematic nature of the crimes charged in the area of responsibility of the forces of FRY and Serbia in Kosovo.
- g. The time period over which these crimes were perpetrated.
- h. His failure to take reasonable measures to prevent or punish persons responsible for the crimes charged.
- i. His role in the creation of an environment permissive of criminal behaviour, including by failing to take reasonable measures to prevent or punish the commission of the crimes charged in Counts 1 to 5.
- j. His knowledge of the intent of persons in the joint criminal enterprise to effect the crimes charged in this indictment.
- k. His exercise of authority over all other officials of the FRY and Serbia in Kosovo, by which he was informed of the massive displacement of Kosovo Albanians and the perpetration of numerous other crimes through, among other things, the reporting systems of the VJ and the MUP, the media, his chairing of meetings with VJ, MUP and civilian senior staff and the Joint Command and the TEC.
- l. His briefing by other members of the joint criminal enterprise on the Račak/Rečak incident on 15 January 1999 and participation in the meeting where responses to the Račak/Rečak incident were discussed.
- m. His involvement in discussion of crimes committed in Kosovo by the the forces of the FRY and Serbia, including in meetings of the highest civilian, VJ and MUP leadership.

48. As Deputy Prime Minister of the FRY, Slobodan Milošević's deputy in all Kosovo matters and Head of the Joint Command, **NIKOLA ŠAINOVIĆ** exercised command authority and/or effective control over VJ units deployed to Kosovo, including the Third Army, in particular the Priština Corps of the Third Army, and other units temporarily or permanently deployed to Kosovo; MUP deployed to Kosovo, including Special Police Units ("PJP"), the Special Anti-terrorist Unit ("SAJ"), police reservists; MUP secretariat ("SUP") personnel, the Special Operations Unit ("JSO") and State Security ("RDB") operatives; the Priština Military District and



military-territorial units within it; Civil Defence units; Civil Protection units; civilian groups armed by the VJ and/or the MUP and formed into village defence units acting under the control and authority of the VJ and/or the MUP, and volunteers incorporated into units of the VJ and/or the MUP. On a *de facto* basis, **NIKOLA ŠAINOVIĆ** also exercised authority over **DRAGOLJUB OJDANIĆ**, Vlajko Stojiljković and their subordinates on instructions from Slobodan Milošević.

49. That **NIKOLA ŠAINOVIĆ** had the requisite *mens rea* for liability under Articles 7(1) and 7(3) is based on, and/or is the only inference to be drawn from many factors, including the factors set out above, as well as the following:

- a. His knowledge of the commission of crimes committed by the forces of the FRY and Serbia in 1998 which he gained as a member of several FRY fact-finding missions in Kosovo in 1998.
- b. His knowledge of the likelihood that forces of the FRY and Serbia in Kosovo, and in particular volunteers and volunteer units, would commit crimes in Kosovo resulting from the widespread reporting from many sources about allegations of crimes committed in Kosovo in 1998.
- c. These allegations were publicly and prominently raised by, among others, foreign diplomats, the United Nations, the OSCE, human rights organizations, the domestic and foreign media, and by Kosovo Albanians, many of whom he met personally in meetings.
- d. Allegations of crimes by the forces of the FRY and Serbia led, among other things, to the establishment of the KDOM and EUMM missions, as well as to the intense negotiations in Belgrade in October 1998 (which involved the civilian leadership of the FRY and of Serbia, and the senior staff of the MUP and the VJ) which led to, among other things, the KVM mission.
- e. Such allegations were raised by the KVM with regard to which he acted as chair of the FRY Cooperation Commission.
- f. Such allegations were known throughout the world, including in the FRY, as the basis upon which NATO declared it was launching its air-strike against the FRY, regardless of whether one agreed or disagreed with that basis.
- g. His knowledge of the massive displacement of Kosovo Albanians and the perpetration of numerous other crimes through, among other things, the reporting systems of the VJ and the MUP, the media, his meetings with VJ and MUP senior staff in the Joint Command and with the TEC.
- h. His involvement in discussion of crimes committed in Kosovo by the VJ and the MUP, including in briefings regarding Račak/Rečak on 15 January 1999, in a meeting in 1998 where a senior member of the VJ indicated that excessive force had been applied in Kosovo, and in meetings of the highest civilian, VJ and MUP leadership.

#### **NEBOJŠA PAVKOVIĆ**

50. The Prosecution re-alleges and incorporates by reference paragraphs 4 and 12.

51. **NEBOJŠA PAVKOVIĆ**, acting individually and/or in concert with other members of the joint criminal enterprise, participated in the joint criminal enterprise in, among others, the following ways:

- a. As commander of the Third Army, he commanded, controlled, directed and otherwise exercised effective control over the Third Army, including the Priština Corps and subordinated units, which were involved in the perpetration of the crimes charged in this indictment.
- b. As a member of the Joint Command, he commanded, controlled, and directed or otherwise exercised effective control over the Third Army, including the Priština Corps and forces subordinated to or working in concert with the VJ, which were involved in the perpetration of the crimes charged in this indictment in Kosovo.
- c. He was involved, as the commander of the Priština Corps in 1998 and as the commander of the Third Army during the indictment period, in the arming and training of predominantly non-Albanian civilians into local or village defence units while predominantly Albanian villages were disarmed.
- d. He directed, coordinated, planned, instigated and ordered the operations and activities of the Third Army, including the Priština Corps and forces subordinated to, or working in concert with, the VJ, which were involved in the perpetration of the crimes charged in this indictment.
- e. He participated in the planning, instigating and ordering of the concealment by members of the VJ and subordinated forces, of the crime of murder.
- f. He promoted, instigated, facilitated, encouraged and/or condoned the perpetration of crimes by the forces of the FRY and Serbia during 1998 as commander of the Priština Corps and during the indictment period as commander of the Third Army.
- g. He encouraged and gave legitimacy to crimes committed against Kosovo Albanians by failing to report and/or investigate crimes or alleged crimes against them, to follow up on such allegations and/or investigations, and/or to punish or discipline members of the VJ and subordinated forces.
- h. He knew of, and approved, the incorporation into the VJ and MUP of volunteers and volunteer groups, including those with a history of allegations of involvement in serious crimes against civilians in other conflicts, including in Kosovo in 1998.

52. **NEBOJŠA PAVKOVIĆ**'s participation in the crimes charged is, in addition and in the alternative, the only inference to be drawn from the facts above, as well as, among other factors:

- a. His authority within the VJ, as commander of the Third Army, over the Priština Corps and subordinate units.
- b. His authority over forces of the FRY and Serbia in Kosovo, as a member of the Joint Command.
- c. The proper functioning of the VJ and MUP reporting systems in 1998 and during the indictment period.
- d. His knowledge of events in Kosovo derived from his position as the commander of the Third Army and all the reporting systems in those units and from media reports.

- e. His knowledge of the crimes in Kosovo committed by the forces of the FRY and Serbia in 1998 and during the indictment period.
- f. His knowledge of the involvement of, in particular, the Priština Corps and subordinate units in the crimes committed in 1998 and during the indictment period.
- g. His knowledge of the likelihood that the forces of the FRY and Serbia would commit crimes in Kosovo during the indictment period resulting from the widespread reporting from many sources about allegations of crimes committed in Kosovo in 1998.
- h. The widespread and systematic nature of the crimes charged in the area of responsibility of the Third Army, and in particular the Priština Corps.
- i. The time period over which these crimes were perpetrated.
- j. His failure to take reasonable measures to prevent or punish persons responsible for the crimes charged.
- k. His role in the creation of an environment permissive of criminal behaviour, including by failing to take reasonable measures to prevent or punish the commission of the crimes charged in Counts 1 to 5.
- l. His knowledge of the intent of persons in the joint criminal enterprise to effect the crimes charged in this indictment.
- m. His involvement in discussion of crimes committed in Kosovo by the forces of the FRY and Serbia, including in meetings of the highest civilian, VJ and MUP leadership.

53. As commander of the Third Army, **NEBOJŠA PAVKOVIĆ** exercised command authority and/or effective control over the Third Army, the Priština Corps, and other VJ units deployed in Kosovo, the Priština military district, military-territorial units, civil defence units, civil protection units, units of the MUP deployed in Kosovo which were subordinated to, or acting in concert with, the VJ (including the PJP, SAJ, police reserve units, SUP personnel, JSO, and volunteers and volunteer groups incorporated into the MUP and the VJ), and civilian groups armed by the VJ and/or the MUP and formed into village defence units under the command of the VJ and/or the MUP.

54. That **NEBOJŠA PAVKOVIĆ** had the requisite *mens rea* for liability under Articles 7(1) and 7(3) is based on, and/or is the only inference to be drawn from many factors, including the factors set out above, as well as the following:

- a. His knowledge of the likelihood that VJ units would commit crimes in Kosovo resulting from the widespread reporting from many sources about allegations of crimes committed in Kosovo in 1998.
- b. These allegations were publicly and prominently raised by, among others, foreign diplomats, the United Nations, the OSCE, human rights organizations, the domestic and foreign media, and by Kosovo Albanians.
- c. Allegations of crimes by the forces of FRY and Serbia led, among other things, to the establishment of the KDOM and EUMM missions, as well as to the intense negotiations in Belgrade in October 1998 (which involved the civilian leadership of the FRY and of Serbia, and the senior staff of the MUP and the VJ) which led to, among other things, the KVM mission.

- d. Such allegations were known throughout the world, including in the FRY, as the basis upon which NATO declared it was launching its air-strike against the FRY, regardless of whether one agreed or disagreed with that basis.
- e. He was informed of the massive displacement of Kosovo Albanians and the perpetration of numerous other crimes through, among other things, the reporting systems of the VJ, the media, and his meetings with VJ and MUP senior staff in the Joint Command.
- f. His involvement in discussion of crimes committed in Kosovo by the VJ and the MUP, including in meetings of the highest civilian, VJ and MUP leadership.

### VLADIMIR LAZAREVIĆ

55. The Prosecution re-alleges and incorporates by reference paragraphs 5 and 13.

56. **VLADIMIR LAZAREVIĆ**, acting individually and/or in concert with other members of the joint criminal enterprise, participated in the joint criminal enterprise in, among others, the following ways:

- a. As commander of the Priština Corps, he commanded, controlled, directed and otherwise exercised effective control over the Priština Corps and subordinated forces, which were involved in the perpetration of the crimes charged in this indictment.
- b. As a member of the Joint Command, he commanded, controlled, and directed or otherwise exercised effective control over the Third Army, including the Priština Corps and forces subordinated to or working in concert with the VJ, which were involved in the perpetration of the crimes charged in this indictment.
- c. He directed, coordinated, planned, instigated and ordered the operations and activities of the Priština Corps and forces subordinated to, or working in concert with, the VJ, which were involved in the perpetration of the crimes charged in this indictment.
- d. He promoted, instigated, facilitated, encouraged and/or condoned the perpetration of crimes by the forces of the FRY and Serbia.
- e. He participated in the planning, instigating and ordering of the concealment by members of the Priština Corps and subordinated forces of the crime of murder.
- f. He encouraged and gave legitimacy to crimes committed against Kosovo Albanians by failing to report and/or investigate crimes or alleged crimes against them, to follow up on such allegations and/or investigations, and/or to punish or discipline members of the Priština Corps and subordinated forces.
- g. He knew of the incorporation into the VJ and MUP of volunteers and volunteer groups, including those with a history of allegations of involvement in serious crimes against civilians in other conflicts, including in Kosovo in 1998.

57. **VLADIMIR LAZAREVIĆ**'s participation in the crimes charged is, in addition and in the alternative, the only inference to be drawn from, among other factors:

- a. His authority over the Priština Corps and subordinate units, as the commander of the Priština Corps.
- b. His authority over forces of the FRY and Serbia in Kosovo, as a member of the Joint Command.
- c. The proper functioning of the VJ reporting systems in 1998 and during the Indictment period.
- d. His knowledge of events in Kosovo derived from his position as the commander of the Priština Corps and all the reporting systems in those units and from media reports.
- e. His knowledge of the crimes in Kosovo committed by the forces of the FRY and Serbia in 1998 and during the indictment period.
- f. His knowledge of the involvement of, in particular, the Priština Corps and subordinate units in the crimes committed in 1998 and during the indictment period.
- g. His knowledge of the likelihood that the forces of the FRY and Serbia would commit crimes in Kosovo during the indictment period resulting from the widespread reporting from many sources about allegations of crimes committed in Kosovo in 1998.
- h. The widespread and systematic nature of the crimes charged in the area of responsibility of the Priština Corps.
- i. The time period over which these crimes were perpetrated.
- j. His failure to take reasonable measures to prevent or punish persons responsible for the crimes charged.
- k. His role in the creation of an environment permissive of criminal behaviour, including by failing to take reasonable measures to prevent or punish the commission of the crimes charged in Counts 1 to 5.
- l. His knowledge of the intent of persons in the joint criminal enterprise to effect the crimes charged in this indictment.

58. As commander of the Priština Corps, **VLADIMIR LAZAREVIĆ** exercised command authority and/or effective control over the constituent units of the Priština Corps, other VJ units deployed in Kosovo which were subordinated to the Priština Corps, the Priština military district, military-territorial units, civil defence units, civil protection units, units of the MUP deployed in Kosovo which were subordinated to the VJ (including the PJP, SAJ, police reserve units, SUP personnel, JSO, and volunteers and volunteer groups incorporated into the MUP and the VJ), and civilian groups armed by the VJ and/or the MUP and formed into village defence units under the command of the VJ and/or the MUP.

59. That **VLADIMIR LAZAREVIĆ** had the requisite *mens rea* for liability under Articles 7(1) and 7(3) is based on, and/or is the only inference to be drawn from many factors, including the factors set out above, as well as the following:

- a. His knowledge of the likelihood that the Priština Corps and subordinate units would commit crimes in Kosovo resulting from the widespread reporting from many sources about allegations of crimes committed in Kosovo in 1998.
- b. These allegations were publicly and prominently raised by, among others, foreign diplomats, the United Nations, the OSCE, human rights organizations, the domestic and foreign media, and by Kosovo Albanians.
- c. Allegations of crimes by the forces of FRY and Serbia led, among other things, to the establishment of the KDOM and EUMM missions,

as well as to the intense negotiations in Belgrade in October 1998 (which involved the civilian leadership of the FRY and of Serbia, and the senior staff of the MUP and the VJ) which led to, among other things, the KVM mission.

- d. Such allegations were known throughout the world, including in the FRY, as the basis upon which NATO declared it was launching its air-strike against the FRY, regardless of whether one agreed or disagreed with that basis.
- e. He was informed of the massive displacement of Kosovo Albanians and the perpetration of numerous other crimes through, among other things, the reporting systems of the VJ, the media, his meetings with VJ and MUP senior staff in the Joint Command.

### **VLASTIMIR ĐORĐEVIĆ**

60. The Prosecution re-alleges and incorporates by reference paragraphs 6 and 14.

61. **VLASTIMIR ĐORĐEVIĆ**, acting individually and/or in concert with other members of the joint criminal enterprise, participated in the joint criminal enterprise in, among others, the following ways:

- a. As Assistant Minister of the MUP and Chief of the RJB and as a member of the MUP Collegium, he commanded, controlled, directed and otherwise exercised effective control over all RJB units and subordinate units in Kosovo, which were involved in the perpetration of the crimes charged in this indictment.
- b. As a member of the Joint Command, he commanded, controlled, directed or otherwise exercised effective control over the forces of the FRY and Serbia in Kosovo, which were involved in the perpetration of the crimes charged in this indictment in Kosovo.
- c. He participated in the planning, instigating and ordering of the operations and activities of the forces of the FRY and Serbia in Kosovo, which were involved in the perpetration of the crimes charged in this indictment, in particular the RJB and subordinate units.
- d. Together with Stojiljković and others, he took a lead role in the planning, instigating, ordering and implementation of the program of concealment by members of the RJB and subordinated units of the crime of murder, in coordination with persons in the RDB and in the VJ.
- e. He promoted, instigated, facilitated, encouraged and/or condoned the perpetration of crimes during 1998 and during the indictment period as Assistant Minister of the MUP and Chief of the RJB.
- f. He incorporated into the MUP volunteers and volunteer groups, including those with a history of allegations of involvement in serious crimes against civilians in other conflicts, including in Kosovo in 1998.
- g. He encouraged and gave legitimacy to crimes committed against Kosovo Albanians by failing to report and/or investigate crimes or alleged crimes against them, to follow up on such allegations and/or investigations, and/or to punish or discipline members of the MUP and subordinated units.

- h. He was involved as Assistant Minister of the MUP and Chief of the RJB, and as a member of the Joint Command, in the arming and training of predominantly non-Albanian civilians into local or village defence units while disarming predominantly Albanian villages.

62. **VLASTIMIR ĐORĐEVIĆ**'s participation in the crimes charged is, in addition and in the alternative, the only inference to be drawn from the facts above, as well as, among other factors:

- a. His authority over the forces of the FRY and Serbia, particularly over the MUP and subordinated units, resulting from his role in the Joint Command.
- b. His authority as Assistant Minister of the MUP and Chief of the RJB over the RJB and subordinated units in Kosovo.
- c. The proper functioning of the MUP reporting systems in 1998 and during the indictment period.
- d. His knowledge of events in Kosovo derived from his role in the Joint Command and from his position as Assistant Minister of the MUP and Chief of the RJB and all the reporting lines in RJB units and from media reports.
- e. His knowledge of the crimes in Kosovo committed by the forces of the FRY and Serbia in 1998 and during the indictment period.
- f. His knowledge of the involvement of, in particular, the RJB and subordinate units in the crimes committed in 1998 and during the indictment period.
- g. His knowledge of the likelihood that the MUP and subordinate units, and in particular volunteers incorporated into the MUP, would commit crimes in Kosovo during the indictment period resulting from the widespread reporting from many sources about allegations of crimes committed in Kosovo in 1998.
- h. The widespread and systematic nature of the crimes charged in the area of responsibility of the RJB and subordinated units.
- i. The time period over which these crimes were perpetrated.
- j. His failure to take reasonable measures to prevent or punish persons responsible for the crimes charged.
- k. His role in the creation of an environment permissive of criminal behaviour, including by failing to take reasonable measures to prevent or punish the commission of the crimes charged in Counts 1 to 5.
- l. His knowledge of the intent of persons in the joint criminal enterprise to effect the crimes charged in this indictment.

63. As Assistant Minister of the MUP and Chief of the RJB, **VLASTIMIR ĐORĐEVIĆ** exercised command authority and/or effective control over units of the MUP deployed in Kosovo (including the PJP, SAJ, police reserve units, SUP personnel, volunteers and volunteer groups incorporated into the RJB) and those units subordinated to, or operating in concert with, the MUP, including military-territorial units, civil defence units, civil protection units, and civilian groups armed by the MUP and formed into village defence units under the command of the MUP.

64. That **VLASTIMIR ĐORĐEVIĆ** had the requisite *mens rea* for liability under Articles 7(1) and 7(3) is based on, and/or is the only inference to be drawn from many factors, including the factors set out above, as well as the following:

- a. His knowledge of the commission of crimes committed by the forces of the FRY and Serbia in 1998 which he gained from being in Kosovo in 1998 with MUP units.
- b. His knowledge of the likelihood that MUP units, and in particular volunteers and volunteer units which he knew had committed serious crimes in other situations of ethnic tension, would commit crimes in Kosovo resulting from the widespread reporting from many sources about allegations of crimes committed in Kosovo in 1998.
- c. These allegations were publicly and prominently raised by, among other things, foreign diplomats, the United Nations, the OSCE, human rights organizations, the domestic and foreign media, and by Kosovo Albanians.
- d. Allegations of crimes by the forces of FRY and Serbia led, among other things, to the establishment of the KDOM and EUMM missions, as well as to the intense negotiations in Belgrade in October 1998 (which involved the civilian leadership of the FRY and of Serbia, and the senior staff of the MUP and the VJ) which led to, among other things, the KVM mission.
- e. Such allegations were known throughout the world, including in the FRY, as the basis upon which NATO declared it was launching its air-strike against the FRY, regardless of whether one agreed or disagreed with that basis.
- f. He was informed of the massive displacement of Kosovo Albanians and the perpetration of numerous other crimes through, among other things, the reporting systems of the VJ and the MUP, the media, his meetings with VJ, MUP and senior civilian staff, and through meetings of the Joint Command and the TEC.
- g. His involvement in the Račak/Reçek incident, including his notification to other members of the joint criminal enterprise that terrorists had been killed there, prior to the conduct of any investigation.
- h. His involvement in discussion of crimes committed in Kosovo by the VJ and the MUP, including in meetings of the highest civilian, VJ and MUP leadership.

### **SRETEN LUKIĆ**

65. The Prosecution re-alleges and incorporates by reference paragraphs 7 and 15.

66. **SRETEN LUKIĆ**, acting individually and/or in concert with other members of the joint criminal enterprise, participated in the joint criminal enterprise in, among others, the following ways:

- a. As Head of the MUP Staff, he commanded, controlled, directed and otherwise exercised effective control over the MUP and subordinate units in Kosovo, which were involved in the perpetration of the crimes charged in this indictment.
- b. As a member of the Joint Command, he commanded, controlled, directed or otherwise exercised effective control over the forces of the FRY and Serbia in Kosovo, which were involved in the perpetration of the crimes charged in this indictment in Kosovo.



- c. He participated in the planning, instigating and ordering of the operations and activities of the forces of the FRY and Serbia in Kosovo, which were involved in the perpetration of the crimes charged in this indictment, in particular the MUP and subordinate units.
- d. He participated in the planning, instigating and ordering of the concealment by members of the MUP and subordinated units of the crime of murder.
- e. He promoted, instigated, facilitated, encouraged and/or condoned the perpetration of crimes during 1998 and during the indictment period as Head of the MUP Staff.
- f. He encouraged and gave legitimacy to crimes committed against Kosovo Albanians by failing to report and/or investigate crimes or alleged crimes against them, to follow up on such allegations and/or investigations, and/or to punish or discipline members of the MUP and subordinated units.
- g. His involvement as the Head of the MUP Staff in the arming and training of predominantly non-Albanian civilians into local or village defence units while disarming predominantly Albanian villages.
- h. He knew of, and approved, the incorporation into the VJ and MUP of volunteers and volunteer groups, including those with a history of allegations of involvement in serious crimes against civilians in other conflicts, including in Kosovo in 1998.

67. **SRETEN LUKIĆ's** participation in the crimes charged is, in addition and in the alternative, the only inference to be drawn from the facts above, as well as, among other factors:

- a. His authority over the forces of the FRY and Serbia, particularly over the MUP and subordinated units, resulting from his role in the Joint Command.
- b. His authority as Head of the MUP Staff over the MUP and subordinated units in Kosovo.
- c. The proper functioning of the MUP reporting functions in 1998 and during the indictment period.
- d. His knowledge of events in Kosovo derived from his position as the Head of the MUP Staff and all the reporting systems in those units and from media reports.
- e. His knowledge of the crimes in Kosovo committed by the forces of the FRY and Serbia in 1998 and during the indictment period.
- f. His knowledge of the involvement of, in particular, the MUP and subordinate units in the crimes committed in 1998 and during the indictment period.
- g. His knowledge of the likelihood that the MUP and subordinate units would commit crimes in Kosovo during the indictment period resulting from the widespread reporting from many sources about allegations of crimes committed in Kosovo in 1998.
- h. The widespread and systematic nature of the crimes charged in the area of responsibility of the MUP Staff.
- i. The time period over which these crimes were perpetrated.
- j. His failure to take reasonable measures to prevent or punish persons responsible for the crimes charged.

- k. His role in the creation of an environment permissive of criminal behaviour, including by failing to take reasonable measures to prevent or punish the commission of the crimes charged in Counts 1 to 5.
- l. His knowledge of the intent of persons in the joint criminal enterprise to effect the crimes charged in this indictment.

68. As Head of the MUP Staff, **SRETEN LUKIĆ** exercised command authority and/or effective control over units of the MUP deployed in Kosovo (including the PJP, SAJ, police reserve units, SUP personnel, JSO and other RDB units, and volunteers and volunteer groups incorporated into the MUP) and those units subordinated to, or operating in concert with, the MUP, including military-territorial units, civil defence units, civil protection units, and civilian groups armed by the MUP and formed into village defence units under the command of the MUP.

69. That **SRETEN LUKIĆ** had the requisite *mens rea* for liability under Articles 7(1) and 7(3) is based on, and/or is the only inference to be drawn from many factors, including the factors set out above, as well as the following :

- a. His knowledge of the likelihood that MUP units would commit crimes in Kosovo resulting from the widespread reporting from many sources about allegations of crimes committed in Kosovo in 1998.
- b. These allegations were publicly and prominently raised by, among other things, foreign diplomats, the United Nations, the OSCE, human rights organizations, the domestic and foreign media, and by Kosovo Albanians.
- c. Allegations of crimes by the forces of FRY and Serbia led, among other things, to the establishment of the KDOM and EUMM missions, as well as to the intense negotiations in Belgrade in October 1998 (which involved the civilian leadership of the FRY and of Serbia, and the senior staff of the MUP and the VJ) which led to, among other things, the KVM mission.
- d. Such allegations were known throughout the world, including in the FRY, as the basis upon which NATO declared it was launching its air-strike against the FRY, regardless of whether one agreed or disagreed with that basis.
- e. He was informed of the massive displacement of Kosovo Albanians and the perpetration of numerous other crimes through, among other things, the reporting systems of the VJ, the media, his meetings with VJ and MUP senior staff in the Joint Command.

## **CHARGES**

70. The Prosecutor hereby charges each of the accused for **Crimes Against Humanity** and **Violations of the Laws or Customs of War** as set forth below.

### **COUNT 1 DEPORTATION**

71. The Prosecutor re-alleges and incorporates by reference paragraphs 16-69:

72. Beginning on or about 1 January 1999 and continuing until 20 June 1999, forces of the FRY and Serbia, acting at the direction, with the encouragement, or with

the support of **MILAN MILUTINOVIĆ, NIKOLA ŠAINOVIĆ, DRAGOLJUB OJDANIĆ, NEBOJŠA PAVKOVIĆ, VLADIMIR LAZAREVIĆ, VLASTIMIR ĐORĐEVIĆ** and **SRETEN LUKIĆ**, perpetrated the actions set forth in paragraphs 23-33, 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, as described above in paragraphs 25-33. Throughout Kosovo, forces of the FRY and Serbia systematically shelled towns and villages, burned homes and farms, damaged and destroyed Kosovo Albanian cultural and religious institutions, murdered Kosovo Albanian civilians and other persons taking no active part in the hostilities, and sexually assaulted Kosovo Albanian women. These actions were undertaken in all areas of Kosovo, and these deliberate means and methods were used throughout the province, including the following municipalities:

a. Orahovac/Rahovec: On the morning of 25 March 1999, forces of the FRY and Serbia surrounded the village of Celina/Celinë with tanks and armoured vehicles. After shelling the village, forces of the FRY and Serbia entered the village and systematically looted and pillaged everything of value from the houses, set houses and shops on fire and destroyed the old mosque. Most of the Kosovo Albanian villagers had fled to a nearby forest before the army and police arrived. On 28 March 1999, forces of the FRY and Serbia forced the thousands of people hiding in the forest to come out. The men were separated from the women and were beaten, robbed, and all of their identity documents were taken from them. The men were then marched to Prizren and eventually forced to go to Albania.

(i) On 25 March 1999, a large group of Kosovo Albanians went to a mountain near the village of Nogavac/Nagavc, also in Orahovac/Rahovec municipality, seeking safety from attacks on nearby villages. Forces of the FRY and Serbia surrounded them and on the following day, ordered the 8,000 people who had sought shelter on the mountain to leave. The Kosovo Albanians were forced to go to a nearby school and then they were forcibly dispersed into nearby villages. After three or four days, forces of the FRY and Serbia entered the villages, went from house to house and ordered people out. Eventually, they were forced back into houses and told not to leave. On 2 April 1999, forces of the FRY and Serbia started shelling the villages, killing a number of people who had been sleeping in tractors and cars. Those who survived headed for the Albanian border. When the villagers arrived at the border, all their identification papers were taken from them. In the course of the expulsions, throughout the entire municipality of Orahovac/Rahovec, forces of the FRY and Serbia systematically burned houses, shops, cultural monuments and religious sites belonging to Kosovo Albanians. Several mosques were destroyed, including the mosques of Bela Crkva/Bellacërkvë, Brestovac/Brestovc, Velika Kruša/Krushë e Madhe and others.

b. Prizren: On 25 March 1999 the village of Pirane was surrounded by forces of the FRY and Serbia, tanks and various military vehicles. The village was shelled and a number of the residents were killed. Thereafter, forces of the FRY and Serbia entered the village and burned the houses of Kosovo

Albanians. After the attack, the remaining villagers left Pirane and went to surrounding villages. In the town of Landovica/Landovice, an old mosque was burned and heavily damaged by forces of the FRY and Serbia. Some of the Kosovo Albanians fleeing toward Srbica/Sërbica were killed or wounded by snipers. Forces of the FRY and Serbia then launched an offensive in the area of Srbica/Sërbica and shelled the villages of Donji Retimlje/Reti e Ulët, Retimlje/Reti and Randubrava/Randobravë. Kosovo Albanian villagers were forced from their homes and sent to the Albanian border. From 28 March 1999, in the city of Prizren, forces of the FRY and Serbia went from house to house, ordering Kosovo Albanian residents to leave. They were forced to join convoys of vehicles and persons travelling on foot to the Albanian border. En route, members of the forces of the FRY and Serbia beat and killed Kosovo Albanian men, separated Kosovo Albanian women from the convoy and sexually assaulted the women. At the border personal documents were taken away from the Kosovo Albanians by forces of the FRY and Serbia.

c. **Srbica/Skenderaj:** Beginning on or about 25 March 1999, forces of the FRY and Serbia attacked and destroyed the villages of Vojnikë/Vocnjak, Leocina/Lecine, Kladernica/Klladernicë, Turicevac/Turiçec and Izbica/Izbicë by shelling and burning. Many of the houses, shops and mosques were destroyed, including the mosque in the centre of the village of Cirez/Qirez. Some women and children were taken away by members of the forces of the FRY and Serbia and held in a barn in Cirez/Qirez. The women were subjected to sexual assault, and their money and property were stolen. At least eight of the women were killed after being sexually assaulted, and their bodies were thrown into three wells in the village of Cirez/Qirez. On or about 28 March 1999, at least 4,500 Kosovo Albanians from these villages gathered in the village of Izbica/Izbicë where members of the forces of the FRY and Serbia demanded money from these Kosovo Albanians and separated the men from the women and children. A large number of the men were then killed. The women and children were forcibly moved as a group towards Klina/Klinë, Dakovica/Gjakovë and eventually to the Albanian border.

d. **Suva Reka/Suharekë:** On the morning of 25 March 1999, forces of the FRY and Serbia surrounded the town of Suva Reka/Suharekë. During the following days, police officers went from house to house, threatening, assaulting and killing Kosovo Albanian residents, and removing many of the people from their homes at gunpoint. Many houses and shops belonging to Kosovo Albanians were set on fire and a mosque in Suva Reka/Suharekë was damaged. The women, children and elderly were sent away by the police and then a number of the men were killed by the forces of the FRY and Serbia. The Kosovo Albanians were forced to flee, making their way in trucks, tractors and trailers towards the border with Albania. While crossing the border, many had their identification documents and money taken away by forces of the FRY and Serbia.

(i) By 31 March 1999, approximately 80,000 Kosovo Albanians displaced from villages in the Suva Reka/Suharekë municipality gathered near Belanica/Bellanicë. The following day, forces of the FRY and Serbia shelled Belanica/Bellanicë, forcing the displaced persons to flee toward the Albanian border. Prior to crossing the border, their identification documents were taken away by forces of the FRY and Serbia.

e. Peć/Pejë: On or about 27 and 28 March 1999, in the city of Peć/Pejë, forces of the FRY and Serbia went from house to house forcing Kosovo Albanians to leave. Some houses were set on fire and a number of people were shot. Soldiers and police were stationed along every street directing the Kosovo Albanians toward the town centre. Once the people reached the centre of town, those without cars or vehicles were forced to get on buses or trucks and were driven to the town of Prizren and then on towards the Albania border. Outside Prizren, the Kosovo Albanians were forced to get off the buses and trucks and walk approximately 15 kilometres to the Albanian border where, prior to crossing the border, they were ordered to turn their identification papers over to forces of the FRY and Serbia.

f. Kosovska Mitrovica/Mitrovicë: Beginning on or about 25 March 1999 and continuing through the middle of April 1999, forces of the FRY and Serbia began moving systematically through the town of Kosovska Mitrovica/Mitrovicë. They entered the homes of Kosovo Albanians and ordered the residents to leave their houses at once and go to the bus station. Some houses were set on fire, forcing the residents to flee to other parts of the town. At least one of the mosques of the town was burned and damaged. Over a three-week period the forces of the FRY and Serbia continued to expel the Kosovo Albanian residents of the town. During this period, properties belonging to Kosovo Albanians were destroyed, Kosovo Albanians were robbed of money, vehicles, and other valuables, and Kosovo Albanian women were sexually assaulted. A similar pattern was repeated in other villages in the Kosovska Mitrovica/Mitrovicë municipality, where forces of the FRY and Serbia forced Kosovo Albanians from their homes and destroyed the villages. The Kosovo Albanian residents of the municipality were forced to join convoys going to the Albanian border via the towns of Srbica/Skenderaj, Peć/Pejë, Đakovica/Gjakovë and Prizren. *En route* to the border, forces of the FRY and Serbia officers robbed them of valuables and seized their identity documents.

g. Priština/Prishtinë: Beginning on or about 24 March 1999 and continuing through the end of May 1999, forces of the FRY and Serbia went to the homes of Kosovo Albanians in the city of Priština/Prishtinë and forced the residents to leave. During the course of these forced expulsions, a number of people were killed. Many of those forced from their homes went directly to the train station, while others sought shelter in nearby neighbourhoods. Hundreds of ethnic Albanians, guided by Serb police at all the intersections, gathered at the train station and then were loaded onto overcrowded trains or buses. Those on the trains went as far as Đeneral Janković/Hani i Elezit, a village near the Macedonian border. On the way to the border many people had their identification papers taken from them. After getting off the trains, forces of the FRY and Serbia told the Kosovo Albanians to walk along the tracks into Macedonia since the surrounding land had been mined. Those who tried to hide in Priština/Prishtinë were eventually expelled in a similar fashion. During the course of these forced expulsions, a number of people were killed and several women were sexually assaulted.

(i) During the same period, forces of the FRY and Serbia entered the villages of Priština/Prishtinë municipality where they beat and killed

many Kosovo Albanians, robbed them of their money, looted their property and burned their homes. Many of the villagers were taken by truck to the town of Glogovac/Gllogoc in the municipality of Lipljan/Lipjan. From there, they took the train to Đeneral Janković/Hani i Elezit and walked to the Macedonian border. Others, after making their way to the town of Uroševac/Ferizaj, were ordered by forces of the FRY and Serbia to take a train to Đeneral Janković/Hani i Elezit, from where they walked across the border into Macedonia.

h. Đakovica/Gjakovë: By March 1999, the population of the town of Đakovica/Gjakovë had increased significantly due to the large number of internally displaced persons who fled their villages to escape deliberate shelling by forces of the FRY and Serbia during 1998, and to escape the armed conflict between these forces and members of the Kosovo Liberation Army. The continual movement of these internally displaced persons increased after 24 March 1999 when, following violent expulsions in the town of Đakovica/Gjakovë, many internally displaced persons returned from the town of Đakovica/Gjakovë to the outlying villages, only to be expelled from these villages again by forces of the FRY and Serbia. Those forces controlled and coordinated the movement of these internally displaced persons as they travelled from these villages to and from the town of Đakovica/Gjakovë, and finally to the border between Kosovo and the Republic of Albania. Persons travelling on foot were sent from the town of Đakovica/Gjakovë directly toward one of several border crossings. Persons travelling in motor vehicles were routed first towards the town of Prizren before approaching the border and crossing into the Republic of Albania.

- (i) From on or about 24 March 1999 through 11 May 1999, forces of the FRY and Serbia began forcing residents of the town of Đakovica/Gjakovë to leave. Forces of the FRY and Serbia spread out through the town and went from house to house ordering Kosovo Albanians from their homes. In some instances, people were killed, and many persons were threatened with death. Many of the houses and shops belonging to Kosovo Albanians were set on fire, while those belonging to Serbs were protected. On 24 March 1999, the old mosque in Rogovo/Rogovë and the old historic quarter of Đakovica/Gjakovë, which included the bazaar, the Hadum Mosque and adjoining Islamic Library, were among the several cultural sites substantially and/or totally destroyed. During the period from 2 to 4 April 1999, thousands of Kosovo Albanians living in the town of Đakovica/Gjakovë and neighbouring villages joined a large convoy, either on foot or driving in cars, trucks and tractors, and moved to the border with Albania. Forces of the FRY and Serbia directed those fleeing along pre-arranged routes, and at checkpoints along the way most Kosovo Albanians had their identification papers and license plates seized by the forces of the FRY and Serbia. In some instances, Yugoslav army trucks were used to transport persons to the border with Albania.
- (ii) In addition, during late March and April 1999, forces of the FRY and Serbia forcibly expelled the Kosovo Albanian residents of many villages in the Đakovica/Gjakovë municipality, including the villages of

Dobroš/Dobrosh, Korenica/Korenicë and Meja/Mejë. Many of these residents were subsequently ordered or permitted to return to their communities, only to be expelled again by forces of the FRY and Serbia. On or about the early morning hours of 27 April 1999, forces of the FRY and Serbia launched a massive attack against the Carragojs, Erenik and Trava Valleys (Đakovica/Gjakovë municipality), including the remaining residents of the aforementioned villages, in order to drive the population out of the area. A large number of soldiers and policemen were deployed, and several checkpoints were established. In Meja/Mejë, Korenica/Korenicë and Meja Orize/ Orize, a large, and as yet undetermined, number of Kosovo Albanian civilian males were separated from the mass of fleeing villagers, abducted and executed. Throughout the entire day, villagers under direct threat from the forces of the FRY and Serbia left their homes and joined several convoys of refugees using tractors, horse carts and cars and eventually crossed into Albania. Forces of the FRY and Serbia confiscated the identity documents of many of the Kosovo Albanians before they crossed the border.

i. Gnjilane/Gjilan: Forces of the FRY and Serbia entered the town of Prilepnica/Përlepnicë on or about 6 April 1999, and ordered residents to leave. The townspeople left and tried to go to another village but forces of the FRY and Serbia turned them back. On 13 April 1999, residents of Prilepnica/Përlepnicë were again informed that the town had to be evacuated by the following day. The next morning, Kosovo Albanians left in a convoy of approximately 500 vehicles. Shortly after they left, the houses in Prilepnica/Përlepnicë were set on fire by forces of the FRY and Serbia. Throughout the entire municipality of Gnjilane/Gjilan, forces of the FRY and Serbia systematically burned and destroyed houses, shops, cultural monuments and religious sites belonging to Kosovo Albanians, including a mosque in Vlaštica/Vlastica. Kosovo Albanians in other villages in Gnjilane/Gjilan municipality were also forced from their homes. Thousands of displaced persons from villages such as Žegra/Zhegër, Nosalje/Nosalë and Vladovo/Lladovë sought shelter in the village of Donja Stubla/Stubëlle E Poshtme, located in the Vitina municipality. Many of these displaced persons from Gnjilane/Gjilan crossed Kosovo's boundary with the province of Serbia, where some of them suffered similar harassment and mistreatment to that which they experienced in Kosovo, before entering Macedonia. Others travelled directly to Macedonia. When the Kosovo Albanians reached the border with Macedonia, forces of the FRY and Serbia confiscated their identification papers.

j. Uroševac/Ferizaj: During the period between 24 March and 14 April 1999, forces of the FRY and Serbia shelled and attacked villages in the Uroševac/Ferizaj municipality, including Biba/Bibe, Muhadžer Prelez/Prelez i Muhaxherëve, Raka/Rakaj and Staro Selo, killing a number of residents. After the shelling, forces of the FRY and Serbia entered some of the villages, including Papaz and Sojevo/Sojevë, and ordered the residents to leave. Other Kosovo Albanians from Varoš Selo/Varosh and Mirosavljje/Mirosalë fled their villages as the forces of the FRY and Serbia entered. After the residents left their homes, the soldiers and policemen burned the houses. The displaced persons went to the town of Uroševac/Ferizaj, where most boarded trains

which carried them to the Macedonia border crossing at Đeneral Janković/Hani i Elezit. Forces of the FRY and Serbia directed the train passengers to walk on the railroad tracks to the border. Others travelled in convoys from Uroševac/Ferizaj to the same border crossing. At the border, forces of the FRY and Serbia confiscated their identity documents.

k. Kačanik/Kaçanik: Between March and May 1999, forces of the FRY and Serbia attacked villages in the Kačanik municipality and the town of Kačanik/ Kaçanik itself. This attack resulted in the destruction of houses and religious sites including, but not limited to, the mosques of Kotlina/Kotlinë and Ivaja/Ivajë.

(i) On or about 8 March 1999, forces of the FRY and Serbia attacked and partially burned the village of Kotlina/Kotlinë. On 24 March 1999, forces of the FRY and Serbia attacked Kotlina/Kotlinë again with heavy weapons systems and soldiers. Many of the male residents of Kotlina/Kotlinë fled into nearby forests during this attack, while forces of the FRY and Serbia ordered the women, children and elderly to board trucks which took them towards the town of Kačanik/ Kaçanik. Those who could not fit into the trucks were compelled to walk behind them towards Kačanik/Kaçanik. A number of male residents of Kotlina/Kotlinë were killed during this attack, including at least 17 men whose bodies were thrown into wells. Before departing Kotlina/Kotlinë, forces of the FRY and Serbia burned the remainder of the village. Many of the survivors fled to Macedonia.

(ii) On or about 27 and 28 March 1999, forces of the FRY and Serbia attacked the town of Kačanik/Kaçanik. Forces of the FRY and Serbia harassed, detained, beat, and shot many Kosovo Albanian residents of Kačanik/Kaçanik. Thousands of persons fled to nearby forests and eventually walked across the border into Macedonia. Other displaced persons from the town of Kačanik/Kaçanik and nearby villages walked to the village of Stagovo/Stagovë, where they boarded trains that took them to the Macedonian border.

(iii) On or about 13 April 1999, forces of the FRY and Serbia surrounded the village of Slatina/Sllatinë and the hamlet of Vata. After shelling the village, infantry troops and police entered the village and looted and burnt the houses. During this action, 13 civilians were shot and killed. Following this attack, much of the population of Slatina/Sllatinë fled to Macedonia.

(iv) On or about 25 May 1999, forces of the FRY and Serbia attacked the village of Dubrava/Lisnaje in the municipality of Kačanik/Kaçanik. During the attack, forces of the FRY and Serbia killed several Kosovo Albanian residents of Dubrava/Lisnaje. Many residents of Dubrava/Lisnaje formed a convoy of tractors and trailers and fled to Macedonia. Other residents fled to other villages or into forests before eventually crossing the border into Macedonia.

l. Dečani/Deçan: On or about 29 March 1999, forces of the FRY and Serbia surrounded and attacked the village of Beleg, and other surrounding



villages in the Dečani/Dečan municipality. Forces of the FRY and Serbia went from house to house and told villagers to leave their houses immediately. These forces then looted and burned the houses. Several men, women and children were moved out of their homes and gathered in a nearby field in the village of Beleg. Forces of the FRY and Serbia ordered all men and women to undress and all their personal property was taken away. Men were separated from women and children and taken to the basement of a building near the field. Women and children were ordered to go to another building. During the night at least 3 women were sexually assaulted. The next day, forces of the FRY and Serbia told the villagers to leave the village in trucks and tractors and go to Albania.

m. Vučitrn/Vushtrri: On or about 27 March 1999, forces of the FRY and Serbia began to burn houses in the town of Vučitrn/Vushtrri and burned the main mosque in that town. On or about 2 May 1999, forces of the FRY and Serbia attacked a number of villages north-east of the town of Vučitrn/Vushtrri, including Skrovna/Skromë, Slakovce/Sllakofc, Cecelija/Ceceli and Gornja Sudimlja/Studime e Epërme. The villagers were forced out of their homes, and many of their houses, shops and religious sites were completely burnt. The villagers, as well as persons previously displaced from other communities in the Vučitrn/Vushtrri municipality, were forced to form a convoy of approximately 20,000 people travelling on the "Studime Gorge" road, in the direction of the town of Vučitrn/Vushtrri. During the night of 2-3 May 1999, forces of the FRY and Serbia harassed, beat and killed approximately 104 Kosovo Albanians and robbed many others of their valuables. Thousands of Kosovo Albanians in this convoy were detained by forces of the FRY and Serbia in the agricultural cooperative near the town of Vučitrn/Vushtrri. On or about 3 May 1999, forces of the FRY and Serbia at the agricultural cooperative separated Kosovo Albanian men of military age from women, children and the elderly. The Kosovo Albanian women, children and elderly were directed to travel to Albania and a number of Kosovo Albanian men were forced to drive vehicles that carried the women, children and elderly to the Albanian border. The forces of the FRY and Serbia transported hundreds of Kosovo Albanian men of military age from the agricultural cooperative to a prison in the village of Smrekovrica/Smrakoncë. After several weeks of detention in inhumane conditions where they were subjected to beatings, torture and murder, many of these Kosovo Albanian men were transported to the village of Zur/Zhur, near the Albanian border, and forced to cross the border into Albania.

By these acts and omissions, **MILAN MILUTINOVIĆ, NIKOLA ŠAINOVIĆ, DRAGOLJUB OJDANIĆ, NEBOJŠA PAVKOVIĆ, VLADIMIR LAZAREVIĆ, VLASTIMIR ĐORĐEVIĆ, and SRETEN LUKIĆ** planned, instigated, ordered, committed or otherwise aided and abetted the planning, preparation or execution of:

**Count 1:** Deportation, a **CRIME AGAINST HUMANITY**, punishable under Article 5(d) of the Statute of the Tribunal.

**COUNT 2  
OTHER INHUMANE ACTS (FORCIBLE TRANSFER)**

73. With respect to those Kosovo Albanians who were internally displaced within the territory of Kosovo, the Prosecutor re-alleges and incorporates by reference paragraphs 16-69, and 71-72, and, in particular, paragraph 29.

By these acts and omissions, **MILAN MILUTINOVIĆ, NIKOLA ŠAINOVIĆ, DRAGOLJUB OJDANIĆ, NEBOJŠA PAVKOVIĆ, VLADIMIR LAZAREVIĆ, VLASTIMIR ĐORĐEVIĆ, SRETEN LUKIĆ**, planned, instigated, ordered, committed or otherwise aided and abetted the planning, preparation or execution of:

**Count 2:** Other Inhumane Acts (Forcible Transfer), a **CRIME AGAINST HUMANITY**, punishable under Article 5(i) of the Statute of the Tribunal.

**COUNTS 3-4  
MURDER**

74. The Prosecutor re-alleges and incorporates by reference paragraphs 16-69.

75. Beginning on or about 1 January 1999 and continuing until 20 June 1999, forces of the FRY and Serbia, acting at the direction, with the encouragement, or with the support of **MILAN MILUTINOVIĆ, NIKOLA ŠAINOVIĆ, DRAGOLJUB OJDANIĆ, NEBOJŠA PAVKOVIĆ, VLADIMIR LAZAREVIĆ, VLASTIMIR ĐORĐEVIĆ** and **SRETEN LUKIĆ** murdered hundreds of Kosovo Albanian civilians and other persons taking no active part in the hostilities. 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. Included among the incidents of mass killings are the following:

a. On or about 15 January 1999, in the early morning hours, the village of Račak/Reçek (Štimlje/Shtime municipality) was attacked by forces of the FRY and Serbia. After shelling, the forces of the FRY and Serbia entered the village later in the morning and began conducting house-to-house searches. Villagers, who attempted to flee from the forces of the FRY and Serbia, were shot throughout the village. A group of approximately 25 men attempted to hide in a building, but were discovered by the forces of the FRY and Serbia. They were beaten and then were removed to a nearby hill, where they were shot and killed. Altogether, the forces of the FRY and Serbia killed approximately 45 Kosovo Albanians in and around Račak/Reçek. (Those persons killed who are known by name are set forth in Schedule A, which is attached as an appendix to this indictment.)

b. On or about 25 March 1999, forces of the FRY and Serbia surrounded and attacked the village of Bela Crkva/Bellacërkë (Orahovac/Rahovec municipality). Many of the residents of Bela Crkva/Bellacërkë fled along the Belaja River outside the village and were forced to seek shelter near a railroad bridge. As the forces of the FRY and Serbia approached the bridge, they opened fire on a number of villagers, killing 12 persons including 10 women and children. A two-year old child survived this incident. The forces of the FRY and Serbia then ordered the remaining villagers out of the streambed, at which time the men and older boys were separated from the elderly men,

women and small children. The forces of the FRY and Serbia ordered the men and older boys to strip and then systematically robbed them of all valuables. The women and children were then ordered to leave towards an adjacent village called Zrze/Xërxë. A doctor from Bela Crkva/Bellacërkë attempted to speak with a commander of the attacking forces, but he was shot and killed, as was his nephew. The remaining men and older boys were then ordered back into the streambed. After they complied, the forces of the FRY and Serbia opened fire on these men and older boys, killing approximately 65 Kosovo Albanians. A number of men and older boys survived this incident and other persons hiding in the vicinity also witnessed this incident. In addition, forces of the FRY and Serbia also killed six men found hiding in an irrigation ditch in the vicinity. (Those persons killed who are known by name are set forth in Schedule B, which is attached as an appendix to the indictment.)

c. On or about 25 March 1999, forces of the FRY and Serbia attacked the villages of Mala Kruša/Krusë e Vogël and Velika Kruša/Krushë e Mahde (Orahovac/Rahovec municipality). The villagers of Mala Kruša/Krusë e Vogel took refuge in a forested area outside Mala Kruša/Krusë e Vogel, where they were able to observe the forces of the FRY and Serbia systematically looting and burning their houses. The villagers subsequently took refuge in the house of Sedje Batusha, which is located on the outskirts of Mala Kruša/Krusë e Vogel. During the morning of 26 March 1999, forces of the FRY and Serbia located the villagers. The forces of the FRY and Serbia ordered the women and small children to leave the area and go to Albania. The forces of the FRY and Serbia detained and searched the men and boys and confiscated their identity documents and valuables. Subsequently, the forces of the FRY and Serbia ordered the men and boys, under threat of death, to walk to an unoccupied house in Mala Kruša/Krusë e Vogel. The forces of the FRY and Serbia forced the men and boys to enter the house. When the men and boys were assembled inside, the forces of the FRY and Serbia opened fire with machine guns on the group. After several minutes of gunfire, the forces of the FRY and Serbia set fire to the house in order to burn the bodies. As a result of the shooting and fire, approximately 105 Kosovo Albanian men and boys died. (Those persons killed who are known by name are set forth in Schedule C, which is attached as an appendix to this indictment.)

d. On or about 26 March 1999, in the morning hours, forces of the FRY and Serbia surrounded the vicinity of the BERISHA family compound in the town of Suva Reka/Suharekë (Suva Reka/Suharekë municipality). Tanks were positioned close to, and pointing in the direction of, the houses. The forces of the FRY and Serbia ordered the occupants out of one of the houses. Men were separated from women and children and six members of the family were killed. The remaining family members were herded towards a coffee shop by forces of the FRY and Serbia. Those family members were herded, along with three extended BERISHA family groups, into the coffee shop. Forces of the FRY and Serbia then opened fire on the persons inside. Explosives were also thrown into the shop. At least 44 civilians were killed and others seriously wounded during this action. The bodies of the victims were placed in the rear of a truck, which was then driven in the direction of Prizren. Three injured persons, thrown in among the dead bodies, jumped out of the truck *en route* to Prizren. Human remains of the BERISHA killings have since been recovered at two locations; the first at a firing range site in Prizren

municipality and the second being a mass grave site at the SAJ training centre at Batajnica, near Belgrade, Serbia. (Those persons killed who are known by name are set forth in Schedule D, which is attached as an appendix to this indictment.)

e. On or about 26 March 1999, in the morning hours, forces of the FRY and Serbia attacked the village of Padaliste/Padaliste (Istok/Istog municipality). As the forces of the FRY and Serbia entered the village, they fired on houses and on villagers who attempted to flee. Eight members of the Beke IMERAJ family were forced from their home and were killed in front of their house. Other residents of Padaliste/Padaliste were killed at their homes and in a streambed near the village. Altogether, forces of the FRY and Serbia killed approximately 20 Kosovo Albanians from Padaliste/Padaliste. (Those persons killed who are known by name are set forth in Schedule E, which is attached as an appendix to this indictment.)

f. On or about 27 March 1999, forces of the FRY and Serbia shelled the village of Izbica/Izbicë (Srbica/Skenderaj municipality) with heavy weapons systems. At least 4,500 villagers from Izbica/Izbicë and surrounding villages took refuge in a meadow in Izbica/Izbicë. On 28 March 1999, forces of the FRY and Serbia surrounded the villagers and approached them, demanding money. After the forces of the FRY and Serbia stole the villagers' valuables, the men were separated from the women and small children. The men were then further divided into two groups, one of which was sent to a nearby hill, and the other was sent to a nearby streambed. The forces of the FRY and Serbia then fired upon both groups of men and at least 116 Kosovo Albanian men were killed. Also on 28 March 1999, the women and children gathered at Izbica/Izbicë were forced to leave the area and walk towards Albania. Two elderly disabled women were sitting on a tractor-trailer unable to walk. Forces of the FRY and Serbia set the tractor-trailer on fire and the two women were burned to death. (Those persons killed at Izbica/Izbicë who are known by name are set forth in Schedule F, which is attached as an appendix to this indictment.)

g. On or about the late evening of 1 April 1999 and continuing through the early morning hours of 2 April 1999, forces of the FRY and Serbia launched an operation against the Qerim district of Đakovica/Gjakovë. Over a period of several hours, forces of the FRY and Serbia forcibly entered houses of Kosovo Albanians in the Qerim district, killed the occupants, and then set fire to the buildings. Dozens of homes were destroyed and over 50 persons were killed. For example, in a house located at 157 Miloš Gilić/Millosh Giliq Street, forces of the FRY and Serbia shot the occupants and then set the house on fire. As a result of the shootings and the fires set by the forces of the FRY and Serbia at this single location, 20 Kosovo Albanians were killed, of whom 19 were women and children. (The names of those killed at this location are set forth in Schedule G, which is attached as an appendix to this indictment.)

h. On or about the early morning hours of 27 April 1999, forces of the FRY and Serbia launched a massive attack against the Kosovo Albanian population of the Carragojs, Erenik and Trava Valleys (Đakovica/Gjakovë municipality) in order to drive the population out of the area. A large number of forces of the FRY and Serbia were deployed, and several checkpoints were

established. Throughout the entire day, villagers under direct threat from the forces of the FRY and Serbia left their homes and joined several convoys of refugees using tractors, horse carts and cars. In Meja/Mejë, Korenica/Korenicë and Meja Orize/ORize, a large, and as yet undetermined, number of Kosovo Albanian civilian males were separated from the mass of fleeing villagers and abducted. Many of these men were summarily executed, and approximately 300 persons went missing. Identity documents pertaining to at least seven persons and human remains of many of those 300 persons last seen at Meja/Mejë on 27 April 1999 were found in a clandestine mass grave located at the SAJ training centre in Batajnica, near Belgrade, Serbia. (Those persons killed who are known by name are set forth in Schedule H, which is attached as an appendix to this indictment).

i. On or about 2 May 1999, forces of the FRY and Serbia attacked several villages north-east of the town of Vučitrn/Vushtrri including Skrovna/Skromë, Slakovce/Sllakofc, Ceceli/Cecelija and Gornja Sudimlja/Studime e Epërme. The villagers were forced out of their homes, and many of their houses, shops and religious sites were completely burnt. They were subsequently forced into a convoy of approximately 20,000 people travelling on the "Studime Gorge" road, in the direction of the town of Vučitrn/Vushtrri. In the course of these actions, forces of the FRY and Serbia harassed, beat and robbed Kosovo Albanians travelling in the convoy and killed approximately 104 Kosovo Albanians. (Those persons killed who are known by name are set forth in Schedule I, which is attached as an appendix to this indictment.)

j. On or about 22 May 1999, in the early morning hours, a uniformed person in the Dubrava/Dubravë Prison complex (Istok/Istog municipality) announced from a watchtower that all prisoners were to gather their personal belongings and line up on the sports field at the prison complex for transfer to the prison in Niš, Serbia. Within a very short time, hundreds of prisoners had gathered at the sports field with bags of personal belongings and lined up in rows to await transport. Without warning, forces of the FRY and Serbia opened fire on the prisoners from the watchtower, from holes in the perimeter wall and from gun emplacements beyond the wall. Many prisoners were killed outright and others wounded.

(i) On or about 23 May 1999, forces of the FRY and Serbia threw grenades and shot into the drains, sewers, buildings and basements, killing and wounding many additional prisoners who had sought refuge in those locations after the events of the previous day. Altogether, approximately 50 prisoners were killed. (Many of the murdered prisoners remain unidentified, however, the names of those persons who are known to have been killed are set forth in Schedule J, which is attached as an appendix to this indictment.)

k. During the period between March 1999 and May 1999, forces of the FRY and Serbia launched a series of massive offensives against several villages in the municipality of Kačanik/Kaçanik, which resulted in the deaths of more than one hundred civilians.

- (i) On or about 24 March 1999, the village of Kotlina/Kotlinë was attacked by forces of the FRY and Serbia. In the course of the attack, most of the houses were burnt down and at least 17 persons were killed. Some of those killed were captured in the woods, executed and then thrown into wells. Explosives were thrown on top of the wells.
- (ii) On or about 13 April 1999, forces of the FRY and Serbia surrounded the village of Slatina/Sllatinë and the hamlet of Vata/Vata. After shelling the village, infantry troops and police entered the village and looted and burnt the houses. During this action, 13 civilians were shot and killed.
- (iii) On or about 21 May 1999, the village of Stagovo/Stagovë was surrounded by forces of the FRY and Serbia. The population tried to escape toward the mountains east of the village. During this action, at least 12 persons were killed. Most of the village was looted and burnt down.
- (iv) On or about 25 May 1999, forces of FRY and Serbia surrounded the village of Dubrava/Lisnaje. As the forces entered the village, the population was ordered to gather at the school and leave the village on tractors. Men were then separated from women and children. During this action 4 men were killed. In addition, 4 members of the Qorri family were killed while trying to escape toward the woods. (Those persons killed in the municipality of Kačanik/Kaçanik who are known by name are set forth in Schedule K, which is attached as an appendix to this indictment.)

By these acts and omissions, **MILAN MILUTINOVIĆ, NIKOLA ŠAINOVIĆ, DRAGOLJUB OJDANIĆ, NEBOJŠA PAVKOVIĆ, VLADIMIR LAZAREVIĆ, VLASTIMIR ĐORĐEVIĆ** and **SRETEN LUKIĆ** planned, instigated, ordered, committed or otherwise aided and abetted the planning, preparation or execution of:

**Count 3:** Murder, a **CRIME AGAINST HUMANITY**, punishable under Article 5(a) of the Statute of the Tribunal.

**Count 4:** Murder, a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR**, punishable under Article 3 of the Statute of the Tribunal and recognised by Article 3(1)(a) (murder) of the Geneva Conventions.

### **COUNT 5 PERSECUTIONS**

76. The Prosecutor re-alleges and incorporates by reference paragraphs 16-69 and 75.

77. Beginning on or about 1 January 1999 and continuing until 20 June 1999, the forces of the FRY and Serbia, acting at the direction, with the encouragement, or with the support of **MILAN MILUTINOVIĆ, NIKOLA ŠAINOVIĆ, DRAGOLJUB OJDANIĆ, NEBOJŠA PAVKOVIĆ, VLADIMIR LAZAREVIĆ, VLASTIMIR ĐORĐEVIĆ** and **SRETEN LUKIĆ**, utilised the means and methods set forth in paragraphs 26 through 33 to execute a campaign of persecution against the

Kosovo Albanian population, including Kosovo Albanian civilians based on political, racial, or religious grounds. Each of the accused intended to discriminate against the Kosovo Albanian population on political, racial or religious grounds or was aware of the substantial likelihood that the forces of the FRY and Serbia would perpetrate the crimes set forth in paragraphs 26 through 33 against the Kosovo Albanian population on political, racial, or religious grounds, as is evident from, among other things, the overwhelming predominance of Kosovo Albanians of Muslim faith among the victims of crimes and the widespread use of terms derogatory to Kosovo Albanians. These persecutions included, but were not limited to, the following means:

- a. The forcible transfer and deportation by forces of the FRY and Serbia of approximately 800,000 Kosovo Albanian civilians as described in paragraphs 26-33.
- b. The murder of hundreds of Kosovo Albanian civilians and other persons taking no active part in the hostilities by forces of the FRY and Serbia as described in paragraphs 28-29.
- c. The sexual assault by forces of the FRY and Serbia of Kosovo Albanians, in particular women, including the sexual assaults described in paragraphs 26 and 28.
- d. The wanton destruction or damage of Kosovo Albanian religious sites. During and after the attacks on the towns and villages, forces of FRY and Serbia systematically damaged and destroyed cultural monuments and Muslim sacred sites. Mosques were shelled, burned and dynamited throughout the province. Included among the incidents are the following: the damage and/or destruction of mosques in Vucitrn/Vushtrri, Suva Reka/Suharekë, Celina/Celinë, Rogovo/Rogovë, Bela Crkva/Bellacërke, Cirez/Qirez, Kotlina/Kotlinë, Ivaja/Ivajë, Brestovac/Brestovc, Velika Kruša/Krushë e Mahde, Kosovska Mitrovica/Mitrovicë, Vlastica/Vlastica, Landovica/Landovice and Đakovica/Gjakovë, as described in paragraph 73.

By these acts and omissions, **MILAN MILUTINOVIĆ, NIKOLA ŠAINOVIĆ, DRAGOLJUB OJDANIĆ, NEBOJŠA PAVKOVIĆ, VLADIMIR LAZAREVIĆ, VLASTIMIR ĐORĐEVIĆ, SRETEN LUKIĆ**, planned, instigated, ordered, committed or otherwise aided and abetted the planning, preparation or execution of:

**Count 5:** Persecutions on political, racial and religious grounds, a **CRIME AGAINST HUMANITY**, punishable under Article 5(h) of the Statute of the Tribunal.

#### **GENERAL ALLEGATIONS**

78. At all times relevant to this indictment, a state of armed conflict existed in Kosovo in the FRY.

79. All acts and omissions charged as crimes against humanity were part of a widespread or systematic attack directed against the Kosovo Albanian civilian population and other persons taking no active part in the hostilities.

#### **BACKGROUND AND CONTEXT FOR THE ALLEGATIONS**

80. Kosovo is located in the southern part of the Republic of Serbia, a constituent republic of Serbia and Montenegro ("SCG"). The territory now comprising SCG was part of the Socialist Federal Republic of Yugoslavia ("SFRY"). Kosovo is bordered on the north and north-west by the Republic of Montenegro, on the south-west by the Republic of Albania ("Albania"), and to the south by the Former Yugoslav Republic of Macedonia ("Macedonia"). The capital of Kosovo is Priština/Pristinë.

81. In the 1981 census, the last census with near universal participation, the total population of Kosovo was approximately 1,585,000 of which 77% were Albanians and 13% were Serbs. Kosovo Albanians boycotted the census administered in 1991, but general estimates about the population during the period relevant to this indictment suggest that it was approximately 85-90% Kosovo Albanian and 5-10% Serb.

82. In 1974, a new SFRY Constitution provided for a devolution of power from the central government to the six constituent republics of the country. Within Serbia, Kosovo and Vojvodina were given considerable autonomy including control of their educational systems, judiciary, and police. They were represented in the Assembly, the Constitutional Court, and the Presidency of the SFRY.

83. During the 1980s, Serbs voiced concern about discrimination against them by the Kosovo Albanian-led provincial government while Kosovo Albanians expressed concern about economic underdevelopment and called for greater political liberalisation and republican status for Kosovo. From 1981 onwards, Kosovo Albanians staged demonstrations which were suppressed by SFRY military and police forces of Serbia.

84. On 24 April 1987, Slobodan Milošević, who had been elected Chairman of the Presidium of the Central Committee of the League of Communists of Serbia in 1986, travelled to Kosovo. In meetings with local Serb leaders and in a speech before a crowd of Serbs, Slobodan Milošević endorsed a Serbian nationalist agenda. Thereafter, Slobodan Milošević exploited a growing wave of Serbian nationalism in order to strengthen centralised rule in the SFRY.

85. In early 1989, the SFRY government launched a process aimed at stripping Kosovo of the autonomy it had gained under the 1974 constitution. Due to the political unrest, in February 1989, the SFRY Presidency declared that the situation in Kosovo had deteriorated and had become a threat to the constitution, integrity, and sovereignty of the country and imposed "special measures" reassigning responsibility for public security from the provincial government of Kosovo to the government of the SFRY. This prompted massive demonstrations by Kosovo Albanians.

86. In July 1990, the Assembly of Serbia passed a decision suspending the Assembly of Kosovo shortly after 114 of the 123 Kosovo Albanian delegates from that Assembly passed an unofficial resolution declaring Kosovo an equal and independent entity within the SFRY. In September 1990, many of these same Kosovo Albanian delegates proclaimed a constitution for a "Republic of Kosovo." One year later, in September 1991, Kosovo Albanians held an unofficial referendum in which they voted overwhelmingly for independence. On 24 May 1992, Kosovo Albanians held unofficial elections for an assembly and president for the "Republic of Kosovo."



87. Slobodan Milošević was elected President of the Presidency of the Socialist Republic of Serbia on 8 May 1989. Following the adoption of the new Constitution of Serbia and multi-party elections, he was elected President of Serbia on 26 December 1990, and re-elected to this post on 20 December 1992. In December 1991, **NIKOLA ŠAINOVIĆ** was appointed a Deputy Prime Minister of Serbia.

88. The political situation in Kosovo became increasingly divisive following the first moves to revoke Kosovo's autonomy, and the imposition of "special measures". Serbia took complete control of Kosovo's police, courts, as well as its educational, social and economic policy and the choice of official language in the region. Throughout late 1990 and 1991 thousands of Kosovo Albanian doctors, teachers, professors, workers, police and civil servants were dismissed from their positions. The local court in Kosovo was abolished and many judges removed. Police violence against Kosovo Albanians increased.

89. On 16 July 1990, the League of Communists of Serbia and the Socialist Alliance of Working People of Serbia joined to form the SPS and Slobodan Milošević was elected its President. **MILAN MILUTINOVIĆ** and **NIKOLA ŠAINOVIĆ** both held prominent positions within the SPS. Slobodan Milošević used the SPS majority in the federal and republic assemblies to pass legislation in furtherance of nationalist policies in Kosovo and relied on loyal members chosen from among the SPS main board – including **MILAN MILUTINOVIĆ** and **NIKOLA ŠAINOVIĆ**—to implement his policies in Kosovo.

90. During this period, the unofficial Kosovo Albanian leadership pursued a policy of non-violent civil resistance and began establishing a system of unofficial, parallel institutions in the health care and education sectors.

91. Beginning in June 1991, the SFRY began to disintegrate in a succession of wars fought in the Republic of Slovenia, the Republic of Croatia, and Bosnia and Herzegovina. While the wars were being conducted in Slovenia, Croatia and Bosnia and Herzegovina, the situation in Kosovo, while tense, did not erupt into the violence and intense fighting seen in the other countries. Nevertheless, many of the patterns of criminal conduct observed in those conflicts were seen again in Kosovo during the period covered by this Indictment. Active hostilities ceased with the signing of the Dayton peace agreement in December 1995. The status of Kosovo was not on the Dayton agenda.

92. In the mid-1990s, a faction of the Kosovo Albanians organised a group known as Ushtria Çlirimtare e Kosovës (UÇK) or, known in English as the Kosovo Liberation Army ("KLA"). This group advocated a campaign of armed insurgency and violent resistance to the Serbian authorities, and was the principle Kosovo Albanian organised, armed group conducting operations against forces of the FRY and Serbia.

93. In mid-1996, the KLA began launching attacks primarily targeting Serbian police forces, but also at Albanians loyal to the Serbian authorities. In 1996 and 1997, the KLA only consisted of a small group of people who were poorly armed, disorganised, and distributed in small groups with its leadership abroad. Thereafter, and throughout 1997, Serbian police forces responded with forceful operations against suspected KLA bases and supporters in Kosovo and persecution of Kosovo Albanian civilians intensified. The collapse of law and order in neighbouring Albania in 1997

resulted in a greater flow of weapons to the KLA. By 1998, the KLA grew to a group of several thousand members and became more active.

94. In late February 1998, the conflict intensified between the KLA and the forces of the FRY and Serbia. The forces of the FRY and Serbia engaged in a campaign against the KLA in the course of which they applied excessive and indiscriminate force against Kosovo Albanian civilians. In February and March, in clashes with the KLA in the Drenica area, forces of the FRY and Serbia shelled predominantly Kosovo Albanian towns and villages and expelled residents from their homes. In early March, forces of the FRY and Serbia attacked the village of Donji Prekaze/Prekazi i Pshtem (Srbica/Skenderaj municipality), killing around 50 people, including most of the family members of Adem Jashari, women, children and the elderly. Around Easter, the old part of the village of Dečani / Dečan was destroyed by forces of the FRY and Serbia.

95. In mid-July 1998, the forces of the FRY and Serbia launched a large-scale offensive operation throughout the province of Kosovo. This involved, inter alia, brigades of the Priština Corps and special units of the MUP. At the end of July, heavy shelling causing wanton destruction was reported in the area of Dulje / Duhel, Blace, Junik and Mališevo / Malishevë. Around 5 and 6 August, operations were conducted in the area of Drenica, Junik and Jablanica. Most villages along the Peć-Priština / Peja – Prishtina road and along the Gornja Klina-Rudnik-Rakoš / Klina e Epërm – Rudnik – Rakosh road were wantonly destroyed. By the end of September, forces of the FRY and Serbia had shelled and burned down about half of the villages in Dečani / Dečan, and had razed the village of Prilep / Prelep to the ground with heavy artillery. Representatives of the international community who were visiting the province at the time observed ongoing shelling and burning of villages by forces of the FRY and Serbia in the Suva Reka / Suha Reka valley. On 26 September, in the course of an anti-terrorist operation in and around the compound of the Delijaj family in Gornje Dobrinje / Dobrinja e Epërm, forces of the FRY and Serbia killed 21 members of this family, among them women and children.

96. As a result of the use of excessive and indiscriminate force by the forces of the FRY and Serbia, many Kosovo Albanian residents were displaced within Kosovo or fled the province. From approximately February 1998 until May 1998, approximately 15,000 Kosovo Albanians fled to Northern Albania. By mid-October, the United Nations estimated that approximately 285,000 persons, roughly fifteen percent of the population, had been internally displaced within Kosovo or had left the province. By the end of 1998 and up to 23 March 1999, some 349,000 Kosovo Albanians were displaced.

97. From at least March 1998 onwards, the United Nations, human rights organizations such as Human Rights Watch, foreign diplomats, the OSCE, domestic and international media, and Kosovo Albanian leaders publicly and repeatedly condemned the use of excessive and indiscriminate force by the forces of the FRY and Serbia in resolutions and reports, and in meetings with the civilian and military leadership of the FRY and Serbia. At least between the end of July and the end of October 1998, Joint Command meetings dealing with the situation in Kosovo were held in Priština / Prishtina on an almost daily basis.

98. In an attempt to defuse tensions in Kosovo, negotiations between Slobodan Milošević and representatives of the international community were conducted in October 1998. These negotiations resulted in a number of agreements being signed.

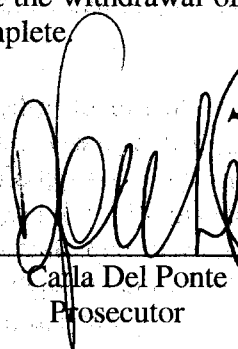
An "Agreement on the OSCE Kosovo Verification Mission" was signed on 16 October 1998. On 25 October 1998, **NIKOLA ŠAINOVIĆ** and **VLASTIMIR ĐORĐEVIĆ** signed agreements on behalf of the FRY and Serbia respectively. These agreements provided for the partial withdrawal of forces of the FRY and Serbia from Kosovo, a limitation on the introduction of additional forces and equipment into the area, and the deployment of unarmed OSCE verifiers.

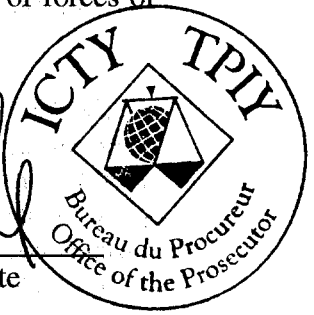
99. In a further response to the continuing conflict in Kosovo, an international peace conference was organised in Rambouillet and Paris, France beginning on 6 February 1999. **NIKOLA ŠAINOVIĆ** was the political head of the Serbian delegation at Rambouillet. **MILAN MILUTINOVIĆ** was also present during the negotiations. The Kosovo Albanians were represented by the KLA and a delegation of Kosovo Albanian political and civic leaders. During the peace negotiations in France, the violence in Kosovo continued. In late February and early March, forces of the FRY and Serbia launched a series of offensives against dozens of predominantly Kosovo Albanian villages and towns. The peace talks collapsed in mid-March 1999.

100. On 24 March 1999, NATO began launching air strikes against targets in the FRY. The FRY issued decrees of an imminent threat of war on 23 March 1999 and a state of war on 24 March 1999. After the air strikes commenced, forces of the FRY and Serbia intensified their widespread or systematic campaign and forcibly expelled hundreds of thousands of Kosovo Albanians from Kosovo.

101. On 3 June 1999, the FRY and Serbia accepted a document of principles towards a resolution of the crisis in Kosovo, which was presented to their representatives to the European Union and the Russian Federation. That document, which was followed by Security Council resolution 1244 (1999), provided for a political solution to the Kosovo crisis, including an immediate end to violence and a rapid withdrawal of forces of the FRY and Serbia and the deployment of international civil and security presence in Kosovo under United Nations auspices.

102. On 9 June 1999, the Military Technical Agreement was signed between NATO, and representatives of the VJ and the MUP, providing for the withdrawal of all forces of the FRY and Serbia from Kosovo. Under the terms of the Military Technical Agreement, the NATO bombing campaign against targets in the FRY would terminate upon the complete withdrawal of forces of the FRY and Serbia. On 20 June 1999, KFOR, the Kosovo Force, announced that the withdrawal of forces of the FRY and Serbia from the territory of Kosovo was complete.

  
Carla Del Ponte  
Prosecutor



Dated this Fifth Day of April 2006  
The Hague  
The Netherlands

**Schedule A**  
Persons Known by Name Killed at Račak/Rečak - 15 January 1999

| <i>Name</i>   | <u>Approximate Age</u> | <u>Sex</u> |
|---|------------------------|------------|
| ASLLANI, Mustafa  | 33                     | Male       |
| BAJRAMI, Ragip  | 34                     | Male       |
| BEQIRI, Halim   | 13                     | Male       |
| BEQIRI, Rizah   | 49                     | Male       |
| BEQIRI, Zenel   | 20                     | Male       |
| BILALLI, Lutfi  | 41                     | Male       |
| BRAHIMI/EMINI, Ajet                                     | 39                     | Male       |
| BRAHIMI/IBRAHIMI, Hajriz                                | 61                     | Male       |
| HAJRIZI, Bujar  |                        | Male       |
| HAJRIZI, Myfail   | 33                     | Male       |
| HALILI, Skender   | 30                     | Male       |
| HYSENAJ, Haqif  | 51                     | Male       |
| IMERI, Hakip  | 31                     | Male       |
| IMERI, Murtez   | 19                     | Male       |
| IMERI, Nazmi  | 81                     | Male       |
| ISMALJI/ISMAJLI/SMAILI/SM<br>AJLE, Muhamet/Mehmet/Ahmet | 39                     | Male       |
| JAKUPI, Ahmet   | 58                     | Male       |
| JAKUPI, Eshref/Esref                                    | 40                     | Male       |
| JAKUPI, Mehmet  | 43                     | Male       |
| JAKUPI, Xhelal  | 17                     | Male       |
| KAMERI, Banuš   | 62                     | Male       |
| LIMANI, Fatmir  | 37                     | Male       |
| LIMANI, Nexhat  | 19                     | Male       |
| LIMANI, Salif/Salif/Sali                                | 24                     | Male       |
| MEHMETI, Bajram   | 53                     | Male       |
| MEHMETI, Hanumshah                                      | 22                     | Female     |
| METUSHI/SYLA, Arif                                      | 52                     | Male       |
| METUSHI/SYLA, Haki                                      | 61                     | Male       |
| METUSHI/SYLA, Sabri                                     | 59                     | Male       |
| MUSTAFA/SMALJLI, Ahmet                                  | 68                     | Male       |
| MUSTAFA, Muhamet  | 21                     | Male       |
| OSMANI, Sadik   | 44                     | Male       |
| SALIHU, Jashar  | 24                     | Male       |
| SALIHU, Raif  | 20                     | Male       |
| SALIHU, Shukri  | 18                     | Male       |
| SHABANI, Bajrush  | 22                     | Male       |
| SYLA, Sheremet/Saremet                                  | 37                     | Male       |
| SYLA, Shyqeri/Šučeri                                    | 61                     | Male       |
| XHELADINI/DZELJADINI,<br>Bajram                         | 34                     | Male       |
| ZYMERI/ZUMERI, Njazi/Niazi                              | 44                     | Male       |

**Schedule B**

Persons Known by Name Killed at Bela Crkva / Bellacërkvë - 25 March 1999

| <b>Name</b>      | <b>Approximate Age</b> | <b>Sex</b> |
|------------------|------------------------|------------|
| BEGAJ, Abdullah  | 25                     | Male       |
| BERISHA, Murat   | 60                     | Male       |
| GASHI, Fadil     | 46                     | Male       |
| MORINA, Musa     | 65                     | Male       |
| POPAJ, Abdullah  | 18                     | Male       |
| POPAJ, Agon      | 14                     | Male       |
| POPAJ, Alban     | 21                     | Male       |
| POPAJ, Bedrush   | 47                     | Male       |
| POPAJ, Belul     | 14                     | Male       |
| POPAJ, Ethem     | 46                     | Male       |
| POPAJ, Hazer     | 77                     | Male       |
| POPAJ, Hysni     | 37                     | Male       |
| POPAJ, Irfan     | 41                     | Male       |
| POPAJ, Isuf      | 76                     | Male       |
| POPAJ, Kreshnik  | 18                     | Male       |
| POPAJ, Lindrit   | 18                     | Male       |
| POPAJ, Mehmet    | 46                     | Male       |
| POPAJ, Mersel    | 53                     | Male       |
| POPAJ, Nazmi     | 45                     | Male       |
| POPAJ, Nisim     | 35                     | Male       |
| POPAJ, Rrustem   | 63                     | Male       |
| POPAJ, Sahid     | 40                     | Male       |
| POPAJ, Sedat     | 47                     | Male       |
| POPAJ, Shendet   | 17                     | Male       |
| POPAJ, Vehap     | 58                     | Male       |
| POPAJ, Xhavit    | 32                     | Male       |
| SPAHIU, Marigona | 10                     | Female     |
| SPAHIU, Iliriana | 12                     | Female     |
| SPAHIU, Lirim    | 7                      | Male       |
| SPAHIU, Qamile   | 69                     | Female     |
| SPAHIU, Xhemal   | 70                     | Male       |
| ZHUNIQI, Abein   | 37                     | Male       |
| ZHUNIQI, Agim    | 51                     | Male       |
| ZHUNIQI, Bajram  | 51                     | Male       |
| ZHUNIQI, Bilall  | 67                     | Male       |
| ZHUNIQI, Clirim  | 40                     | Male       |
| ZHUNIQI, Dardan  | 6                      | Male       |
| ZHUNIQI, Dardane | 8                      | Female     |
| ZHUNIQI, Destan  | 68                     | Male       |
| ZHUNIQI, Eshref  | 55                     | Male       |
| ZHUNIQI, Fatos   | 42                     | Male       |
| ZHUNIQI, Dhurata | 4                      | Male       |
| ZHUNIQI, Lumnie  | 39                     | Female     |
| ZHUNIQI, Labinot | 16                     | Male       |
| ZHUNIQI, Hysni   | 70                     | Male       |
| ZHUNIQI, Ibrahim | 68                     | Male       |

|                   |    |      |
|-------------------|----|------|
| ZHUNIQI, Kasim    | 33 | Male |
| ZHUNIQI, Medi     | 55 | Male |
| ZHUNIQI, Muhammet | 70 | Male |
| ZHUNIQI, Muharrem | 30 | Male |
| ZHUNIQI, Qamil    | 77 | Male |
| ZHUNIQI, Qemal    | 59 | Male |
| ZHUNIQI, Reshit   | 32 | Male |
| ZHUNIQI, Shemsi   | 52 | Male |

**Schedule C**

Persons Known by Name Killed at Mala Kruša/Krushë e Vogel -- Velika Kruša /  
Krushë e Mahde - 26 March 1999

| <b>Name</b>         | <b>Approximate Age</b> | <b>Sex</b> |
|---------------------|------------------------|------------|
| ASLLANI, Adem       | 68                     | Male       |
| ASLLANI, Asim       | 34                     | Male       |
| ASLLANI, Feim       | 30                     | Male       |
| ASLLANI, Muharrem   | 66                     | Male       |
| ASLLANI, Nexhat     | 27                     | Male       |
| ASLLANI, Nisret     | 33                     | Male       |
| ASLLANI, Perparim   | 26                     | Male       |
| AVDYLI, Bali        | 72                     | Male       |
| AVDYLI, Enver       | 28                     | Male       |
| BATUSHA, Ahmet      | 38                     | Male       |
| BATUSHA, Amrush     | 32                     | Male       |
| BATUSHA, Asllan     | 46                     | Male       |
| BATUSHA, Avdi       | 45                     | Male       |
| BATUSHA, Bekim      | 22                     | Male       |
| BATUSHA, Beqir      | 68                     | Male       |
| BATUSHA, Burim      | 18                     | Male       |
| BATUSHA, Enver      | 22                     | Male       |
| BATUSHA, Feim/Fehim | 23                     | Male       |
| BATUSHA, Mergim     | 20                     | Male       |
| BATUSHA, Haxhi      | 28                     | Male       |
| BATUSHA, Lirim      | 16                     | Male       |
| BATUSHA, Milaim     | 32                     | Male       |
| BATUSHA, Muharrem   | 69                     | Male       |
| BATUSHA, Njazi      | 39                     | Male       |
| BATUSHA, Osman      | 65                     | Male       |
| BATUSHA, Sefer      | 19                     | Male       |
| BATUSHA, Sejdi      | 68                     | Male       |
| BATUSHA, Skifer     | 22                     | Male       |
| BATUSHA, Sulejman   | 46                     | Male       |
| BATUSHA, Zaim       | 50                     | Male       |
| HAJDARI, Abaz       | 40                     | Male       |
| HAJDARI, Abedin     | 17                     | Male       |
| HAJDARI, Halil      | 42                     | Male       |
| HAJDARI, Halim      | 70                     | Male       |
| HAJDARI, Hysni      | 20                     | Male       |
| HAJDARI, Marsel     | 17                     | Male       |
| HAJDARI, Nazim      | 33                     | Male       |
| HAJDARI, Qamil      | 46                     | Male       |
| HAJDARI, Rasim      | 25                     | Male       |
| HAJDARI, Sahit      | 36                     | Male       |
| HAJDARI, Selajdin   | 38                     | Male       |
| HAJDARI, Shani      | 40                     | Male       |
| HAJDARI, Vesel      | 19                     | Male       |
| HAJDARI, Zenun      | 28                     | Male       |

|                           |    |      |
|---------------------------|----|------|
| LIMONI, Avdyl             | 45 | Male |
| LIMONI, Limon             | 69 | Male |
| LIMONI, Luan              | 22 | Male |
| LIMONI, Nehbi             | 60 | Male |
| RAMADANI, Afrim           | 28 | Male |
| RAMADANI, Asllan          | 34 | Male |
| RAMADANI, Bajram          | 15 | Male |
| RAMADANI, Sabit           | 23 | Male |
| RAMADANI, Hysen           | 62 | Male |
| RAMADANI, Murat           | 60 | Male |
| RAMADANI, Ramadan         | 59 | Male |
| RAMADANI, Selajdin        | 27 | Male |
| RASHKAJ, Kadri            | 16 | Male |
| RASHKAJ, Demir            | 18 | Male |
| RASHKAJ, Refki            | 17 | Male |
| SHEHU, Adnan              | 20 | Male |
| SHEHU, Arben              | 20 | Male |
| SHEHU, Arif               | 36 | Male |
| SHEHU, Bekim              | 22 | Male |
| SHEHU, Burim              | 19 | Male |
| SHEHU, Destan             | 68 | Male |
| SHEHU, Din                | 68 | Male |
| SHEHU, Dritan             | 18 | Male |
| SHEHU, Fadil              | 42 | Male |
| SHEHU, Flamur             | 15 | Male |
| SHEHU, FNU (son of Haziz) | 20 | Male |
| SHEHU, FNU (son of Sinan) | 18 | Male |
| SHEHU, Haxhi              | 25 | Male |
| SHEHU, Haziz              | 42 | Male |
| SHEHU, Ismail             | 68 | Male |
| SHEHU, Ismet              | 40 | Male |
| SHEHU, Mehmet             | 13 | Male |
| SHEHU, Mentor             | 18 | Male |
| SHEHU, Myftar             | 44 | Male |
| SHEHU, Nahit              | 15 | Male |
| SHEHU, Nehat              | 22 | Male |
| SHEHU, Nexhat             | 38 | Male |
| SHEHU, Sahit              | 23 | Male |
| SHEHU, Sali               | 44 | Male |
| SHEHU, Sami               | 24 | Male |
| SHEHU, Sefer              | 44 | Male |
| SHEHU, Shani              | 34 | Male |
| SHEHU, Shefqet            | 38 | Male |
| SHEHU, Sinan              | 50 | Male |
| SHEHU, Veli               | 28 | Male |
| SHEHU, Vesel              | 19 | Male |
| SHEHU, Xhafer             | 38 | Male |
| SHEHU, Xhavit             | 20 | Male |
| SHEHU, Xhelal             | 13 | Male |
| ZYLFIU, Afrim             | 22 | Male |
| ZYLFIU, Halim             | 60 | Male |



|                |    |      |
|----------------|----|------|
| ZYLFIU, Hamdi  | 62 | Male |
| ZYLFIU, Hamit  | 22 | Male |
| ZYLFIU, Hysen  | 50 | Male |
| ZYLFIU, Njazim | 24 | Male |
| ZYLFIU, Xhelal | 18 | Male |

Schedule D  
Persons Known by Name Killed at Suva Reka / Suharekë –  
26 March 1999

| <u>Name</u>        | <u>Approximate<br/>Age</u> | <u>Sex</u> |
|--------------------|----------------------------|------------|
| BERISHA, Afrim     | 24                         | Male       |
| BERISHA, Altin     | 11                         | Male       |
| BERISHA, Arta      | 18                         | Female     |
| BERISHA, Avdi      | 43                         | Male       |
| BERISHA, Besim     | 26                         | Male       |
| BERISHA, Bujar     | 40                         | Male       |
| BERISHA, Dafina    | 15                         | Female     |
| BERISHA, Dorentina | 4                          | Female     |
| BERISHA, Drilon    | 13                         | Male       |
| BERISHA, Edon      | 12                         | Male       |
| BERISHA, Eron      | 1                          | Male       |
| BERISHA, Fatime    | 37                         | Female     |
| BERISHA, Fatime    | 48                         | Female     |
| BERISHA, Fatmire   | 22                         | Female     |
| BERISHA, Faton     | 27                         | Male       |
| BERISHA, Flora     | 38                         | Female     |
| BERISHA, Hajbin    | 37                         | Male       |
| BERISHA, Hamdi     | 54                         | Male       |
| BERISHA, Hanumusha | 9                          | Female     |
| BERISHA, Hanumusha | 81                         | Female     |
| BERISHA, Hava      | 63                         | Female     |
| BERISHA, Herolinda | 13                         | Female     |
| BERISHA, Ismet     | 2                          | Male       |
| BERISHA, Kushtrin  | 11                         | Male       |
| BERISHA, Lirije    | 24                         | Female     |
| BERISHA, Majlinda  | 15                         | Female     |
| BERISHA, Merita    | 10                         | Female     |
| BERISHA, Mevlude   | 26                         | Female     |
| BERISHA, Mihrije   | 26                         | Female     |
| BERISHA, Mirat     | 7                          | Male       |
| BERISHA, Musli     | 63                         | Male       |
| BERISHA, Nefije    | 54                         | Female     |
| BERISHA, Nexhat    | 43                         | Male       |
| BERISHA, Nexhmedin | 37                         | Male       |
| BERISHA, Redon     | 1                          | Male       |
| BERISHA, Sait      | 83                         | Male       |
| BERISHA, Sebahate  | 25                         | Female     |
| BERISHA, Sedat     | 45                         | Male       |
| BERISHA, Sherine   | 17                         | Female     |
| BERISHA, Sofia     | 58                         | Female     |
| BERISHA, Vesel     | 61                         | Male       |
| BERISHA, Vlorjan   | 17                         | Male       |
| BERISHA, Zana      | 13                         | Female     |
| BERISHA, Zelihe    | 50                         | Female     |

Schedule E  
Persons Known by Name Killed at Padaliste / Padalishtë - 26 March 1999

| <i>Name</i>       | <i>Approximate Age</i> | <u>Sex</u> |
|-------------------|------------------------|------------|
| IMERAJ, Afrim     | 2                      | Male       |
| IMERAJ, Ardiana   | 13                     | Female     |
| IMERAJ, Arijeta   | 11                     | Female     |
| IMERAJ, Avdyl     | 67                     | Male       |
| IMERAJ, Beke      | 53                     | Male       |
| IMERAJ, Feride    | 21                     | Female     |
| IMERAJ, Fetije    | 42                     | Female     |
| IMERAJ, Florije   | 19                     | Female     |
| IMERAJ, Hasan     | 63                     | Male       |
| IMERAJ, Mihane    | 72                     | Female     |
| IMERAJ, Mona      | 72                     | Female     |
| IMERAJ, Muhamet   | 19                     | Male       |
| IMERAJ, Nexhmedin |                        | Male       |
| IMERAJ, Rab       | 30                     | Male       |
| IMERAJ, Rustem    | 73                     | Male       |
| IMERAJ, Sabahat   | 21                     | Male       |
| IMERAJ, Shehide   | 70                     | Female     |
| IMERAJ, Violeta   | 17                     | Female     |
| IMERAJ, Xhyfidane | 14                     | Female     |

**Schedule F**

Persons Known by Name Killed at Izbica / Izbicë - 28 March 1999

| <b>Name</b>                     | <b>Approximate Age</b> | <b>Sex</b> |
|---------------------------------|------------------------|------------|
| ALUSHI, Jetullah                | 93                     | Male       |
| AMRUSHI, Asllan (Q)             |                        | Male       |
| BAJRA, Asllan                   | 60                     | Male       |
| BAJRA, Bajram                   | 62                     | Male       |
| BAJRA, Bajram C.                | 60                     | Male       |
| BAJRA, Bajram S.                | 68                     | Male       |
| BAJRA, Brahim                   | 81                     | Male       |
| BAJRA, Fazli                    | 60                     | Male       |
| BAJRA, Ilaz                     | 70                     | Male       |
| BAJRA, Sami                     | 19                     | Male       |
| BAJRAKTARI, Bislim              | 58                     | Male       |
| BAJRAKTARI, Hajdar              | 53                     | Male       |
| BEHRAMI, Demush                 | 63                     | Male       |
| BEHRAMI, Muhamet                | 61                     | Male       |
| BEHRAMI, Nuredin                | 76                     | Male       |
| DAJAKU, Asllan                  | 63                     | Male       |
| DANI, Dibran (A)                | 67                     | Male       |
| DERVISHI, Sali                  | 61                     | Male       |
| DERVISHI, Bajram                | 73                     | Male       |
| DERVISHI, Ilaz                  | 73                     | Male       |
| DOCI, Musli                     | 63                     | Male       |
| DOQI, Hamdi                     | 42                     | Male       |
| DRAGA, Ali                      | 65                     | Male       |
| DRAGA, Cen                      | 68                     | Male       |
| DRAGA, Hajriz                   | 43                     | Male       |
| DRAGA, Ismet                    | 31                     | Male       |
| DRAGA, Murat                    | 68                     | Male       |
| DRAGA, Rahim                    | 70                     | Male       |
| DRAGA, Rrustem                  | 81                     | Male       |
| DRAGAJ, Zade                    | 71                     | Male       |
| DURAKU, Avdullah                | 55                     | Male       |
| DURAKU, Bel (A)                 | 81                     | Male       |
| DURAKU, Dibran                  | 65                     | Male       |
| DURAKU, Rexhep                  | 87                     | Male       |
| EMRA, Muhamet or KADRIU Muhamet | 56                     | Male       |
| FETAHU, Lah                     | 67                     | Male       |
| GASHI, Ibrahim                  | 70                     | Male       |
| GASHI, Ram                      |                        | Male       |
| HAJDARI, Halil                  | 50                     | Male       |
| HAJRA, Mehmet                   | 65                     | Male       |
| HALITI, Haliti                  | 60                     | Male       |
| HAXHA, Fejz                     | 75                     | Male       |
| HOTI, Hazir                     | 67                     | Male       |
| HOTI, Qerim                     | 42                     | Male       |

|                         |    |      |
|-------------------------|----|------|
| HOTI, Rifat             | 54 | Male |
| HOTI, Rrustem           | 70 | Male |
| HOTI, Tahir             | 55 | Male |
| HOTI, Muhamet           | 52 | Male |
| HOTI, Sadik             | 66 | Male |
| HOTI, Shefqet (A)       |    | Male |
| HOTI, Vehbi             |    | Male |
| ISUFI, Zenel            | 72 | Male |
| JETULLAHU, Beqir        | 27 | Male |
| KAJTAZDI, Kajtaz Z      | 68 | Male |
| KELMENDI, Bajram        | 66 | Male |
| KELMENDI, Jetullah      | 56 | Male |
| KOTOORI/KOTORRI, Ram    |    | Male |
| KOTOORI/KOTORRI, Brahim |    | Male |
| KOTOORI/KOTORRI, Hajzer |    | Male |
| KRASNIQI, Deli          | 77 | Male |
| KRASNIQI, Mustaf        | 63 | Male |
| KRASINIQI, Rrahim       | 69 | Male |
| KUQICA, Azem            | 88 | Male |
| LOSHI, Sami             | 25 | Male |
| LOSHI, Jashar           | 48 | Male |
| LOSHI, Selman           | 78 | Male |
| MORINA, Halil           | 38 | Male |
| MURSELI, Sokol (H)      | 63 | Male |
| MUSLIU, Beqir           | 45 | Male |
| MUSLIU, Ilaz            | 73 | Male |
| MUSLIU, Shaban          | 87 | Male |
| MUSLIU, Halit           | 62 | Male |
| MUSLIU, Naim            | 23 | Male |
| MUSLIU, Mehmet          | 46 | Male |
| MUSTAFA, Hasan          | 70 | Male |
| OSMANI, Azem            | 75 | Male |
| OSMANI, Fatmir          | 24 | Male |
| OSMANI, Hetem           | 70 | Male |
| OSMANI, Muharrem        | 90 | Male |
| QAKA, Pajazit (D)       | 70 | Male |
| QALLAPEKU, Sabit        | 55 | Male |
| QELAJ, Ismajl           | 61 | Male |
| QELAJ, Rexhep           | 72 | Male |
| QELAJ, Metush           | 68 | Male |
| QUPEVA, Hamz            | 49 | Male |
| RACI, Ramadan           | 56 | Male |
| RAMAJ, Halit            | 60 | Male |
| REXHEPI, Muj            | 49 | Male |
| SEJDIU, Mustaf          | 46 | Male |
| SHABANI, Azem           |    | Male |
| SHALA, Hysen A          | 65 | Male |
| SHALA, Idriz            | 69 | Male |
| SHALA, Isuf             | 64 | Male |
| SHALA, Muj              | 62 | Male |
| SHALA, Sali             | 38 | Male |

|                   |    |      |
|-------------------|----|------|
| SHALA, Zymer      | 63 | Male |
| SHALA, Halim      | 63 | Male |
| SHALA, Hijraz     | 70 | Male |
| SHERIFI, Sadik    |    | Male |
| SHPATI, Zeqir     | 60 | Male |
| SPAHIU, Rizah     | 70 | Male |
| SYLA, Ram         | 63 | Male |
| TAHIRI, Brahim    | 83 | Male |
| TEMAJ, Gani       | 41 | Male |
| TEMAJ, Hamdi      | 49 | Male |
| THAQI, Hamit B.   | 70 | Male |
| THAQI, Ram H.     |    | Male |
| THAQI, Ajet (D)   | 71 | Male |
| THAQI, Sheremet   | 49 | Male |
| UKA, Uke          | 80 | Male |
| VELIQI, Zenel     | 75 | Male |
| XHEMAJLI, Idriz   | 73 | Male |
| XHEMAJLI, Qazim   | 57 | Male |
| ZEKA, Jahir       | 60 | Male |
| ZEKA, Milazim     | 52 | Male |
| Unidentified Male |    | Male |

Burned To Death at Izbica / Izbicë - 28 March 1999

|              |    |        |
|--------------|----|--------|
| FEJZA, Zyre  | 65 | Female |
| OSMANI, Zoje | 67 | Female |

**Schedule G**

Persons Killed at Đakovica / Gjakovë - 2 April 1999

| <b>Name</b>            | <b>Approximate Age</b> | <b>Sex</b> |
|------------------------|------------------------|------------|
| CAKA, Dalina           | 14                     | Female     |
| CAKA, Delvina          | 6                      | Female     |
| CAKA, Diona            | 2                      | Female     |
| CAKA, Valbona          | 34                     | Female     |
| GASHI, Hysen           | 50                     | Male       |
| HAXHIAVDIJA, Doruntina | 8                      | Female     |
| HAXHIAVDIJA, Egzon     | 5                      | Male       |
| HAXHIAVDIJA, Rina      | 4                      | Female     |
| HAXHIAVDIJA, Valbona   | 38                     | Female     |
| HOXHA, Flaka           | 15                     | Female     |
| HOXHA, Shahindere      | 55                     | Female     |
| NUÇI, Manushe          | 50                     | Female     |
| NUÇI, Shirine          | 70                     | Female     |
| VEJSA, Arlind          | 5                      | Male       |
| VEJSA, Dorina          | 10                     | Female     |
| VEJSA, Fetije          | 60                     | Female     |
| VEJSA, Marigona        | 8                      | Female     |
| VEJSA, Rita            | 2                      | Female     |
| VEJSA, Sihana          | 8                      | Female     |
| VEJSA, Tringa          | 30                     | Female     |

Schedule H  
Persons Known by Name Killed at Meja / Mejë - 27 April 1999

| Name               | Approximate Age | Sex  |
|--------------------|-----------------|------|
| ABAZI, Mark        | 37              | Male |
| ABAZI, Pashk       | 40              | Male |
| ABAZI, Pjeter      | 53              | Male |
| ADEMAJ, Bekim      | 18              | Male |
| ADEMAJ, Shemsi     | 38              | Male |
| ADEMI, Isuf        | 36              | Male |
| ADEMI, Mazllum     | 17              | Male |
| AHMETAJ, Liridon   | 17              | Male |
| AHMETI, Ahmet      | 54              | Male |
| AHMETI, Ahmet      | 65              | Male |
| AHMETI, Blerim     | 19              | Male |
| AHMETI, Hysen      | 68              | Male |
| AHMETI, Male       | 63              | Male |
| ALIAJ, Adem        | 55              | Male |
| ALIAJ, Agron       | 17              | Male |
| ALIAJ, Ali         | 50              | Male |
| ALIAJ, Sali        | 53              | Male |
| ALIAJ, Zenun       | 44              | Male |
| ALIAJ, Arben       | 19              | Male |
| AVDULLAHU, Ymer    | 17              | Male |
| AVDYLI, Avdyl      |                 | Male |
| AVDYLI, Afrim      | 19              | Male |
| AVDYLI, Bajrush    | 16              | Male |
| AVDYLI, Hysen      | 56              | Male |
| AVDYLI, Mehmet     | 42              | Male |
| AVDYLI, Muhedin    | 26              | Male |
| AVDYLI, Pajazit    | 32              | Male |
| BAJRAKTARI, Lavdim | 22              | Male |
| BAJRAMI, Ali       | 55              | Male |
| BAJRAMI, Shaban    | 27              | Male |
| BAJRAMI, Syle      | 37              | Male |
| BAJRAMI, Xhafer    | 35              | Male |
| BAJRAMI, Xhavit    | 27              | Male |
| BALA, Ali          | 75              | Male |
| BALA, Bajram       | 46              | Male |
| BALA, Mehmet       | 38              | Male |
| BALA, Perparim     | 28              | Male |
| BALIU, Ragip       | 30              | Male |
| BARDHECI, Demush   | 29              | Male |
| BARDHECI, Idriz    | 25              | Male |
| BATUSHA, Haki      | 29              | Male |
| BEQAJ, Armend      | 17              | Male |
| BEQAJ, Bajram      | 41              | Male |
| BEQAJ, Bedri       | 36              | Male |
| BEQAJ, Brahim      | 28              | Male |
| BEQAJ, Dritan      | 17              | Male |



|                  |    |      |
|------------------|----|------|
| BEQAJ, Emin      | 34 | Male |
| BEQAJ, Kujtim    | 16 | Male |
| BEQAJ, Mentor    | 19 | Male |
| BEQAJ, Milazim   | 31 | Male |
| BEQAJ, Ramadan   | 57 | Male |
| BEQAJ, Rasim     | 46 | Male |
| BEQAJ, Tafe      | 54 | Male |
| BEQAJ, Ymer      | 50 | Male |
| BEQIRAJ, Albert  | 21 | Male |
| BEQIRAJ, Arsim   | 16 | Male |
| BEQIRAJ, Syle    | 55 | Male |
| BEQIRAJ, Tahir   | 58 | Male |
| BERISHA, Ahmet   | 45 | Male |
| BERISHA, Halil   | 50 | Male |
| BINAKU, Avni     | 42 | Male |
| BINAKU, Binak    | 34 | Male |
| BINAKU, Ismail   | 36 | Male |
| BOBI, Ismet      | 21 | Male |
| CUNI, Fixhri     | 46 | Male |
| CUNI, Muharrem   | 67 | Male |
| CUNI, Sutki      | 20 | Male |
| CURRI, Istref    | 32 | Male |
| CURRI, Izet      | 26 | Male |
| DEDA, Linton     | 16 | Male |
| DEDA, Mark       | 47 | Male |
| DEDA, Martin     | 32 | Male |
| DEDA, Pashk      | 42 | Male |
| DEDAJ, Frrok     | 34 | Male |
| DEDAJ, Gjon      | 62 | Male |
| DEDAJ, Mikel     | 37 | Male |
| DEDAJ, Pjeter    | 64 | Male |
| DELIU, Deli      | 37 | Male |
| DEMAJ, Ali       | 39 | Male |
| DUZHMANI, Agron  | 17 | Male |
| DUZHMANI, Frane  | 23 | Male |
| DUZHMANI, Gezim  | 25 | Male |
| DUZHMANI, Gostin | 35 | Male |
| DUZHMANI, Manuel | 20 | Male |
| DUZHMANI, Marjan | 31 | Male |
| DUZHMANI, Mikel  | 32 | Male |
| DUZHMANI, Pal    | 33 | Male |
| DUZHMANI, Pashk  | 34 | Male |
| FAZLIJAJ, Male   | 44 | Male |
| FAZLIJAJ, Shani  | 36 | Male |
| FETAJ, Haxhi     | 40 | Male |
| GASHI, Lulzim    | 30 | Male |
| GASHI, Robert    | 29 | Male |
| GAXHERRI, Brahim | 38 | Male |
| GAXHERI, Hasan   | 28 | Male |
| GAXHERI, Xhafer  | 66 | Male |
| GJOCAJ, Deme     | 39 | Male |

|                      |    |      |
|----------------------|----|------|
| GJOKAJ, Ardian       | 23 | Male |
| GOLAJ, Asllan        | 41 | Male |
| GOLAJ, Avdi          | 31 | Male |
| GOLAJ, Idriz         | 56 | Male |
| GOLAJ, Musa          | 24 | Male |
| GOLAJ, Rame          | 35 | Male |
| GOLAJ, Rexhe         | 54 | Male |
| HADERGJONAJ, Skender | 18 | Male |
| HAJREDINI, Faik      | 43 | Male |
| HAJREDINI, Hysni     | 35 | Male |
| HAJREDINI, Qamil     | 34 | Male |
| HASANAJ, Elson       | 28 | Male |
| HASANAJ, Gjon        | 66 | Male |
| HASANAJ, Luan        | 17 | Male |
| HASANAJ, Mitër       | 56 | Male |
| HASANAJ, Ndue        | 60 | Male |
| HASANAJ, Shyt        | 45 | Male |
| HAXHA, Mentor        | 25 | Male |
| HAXHIU, Afrim        | 36 | Male |
| HAXHIU, Avdi         | 23 | Male |
| HAXHIU, Florim       | 33 | Male |
| HAXHIU, Tahir        | 49 | Male |
| HOXHA, Ardian        | 16 | Male |
| HOXHA, Bajram        | 44 | Male |
| HOXHA, Blendian      | 18 | Male |
| HOXHA, Fadil         | 39 | Male |
| HOXHA, Fitim         | 32 | Male |
| HOXHA, Hajrullah     | 27 | Male |
| HOXHA, Naim          | 25 | Male |
| HOXHA, Ramiz         | 42 | Male |
| HOXHA, Rifat         | 33 | Male |
| HYKOSMANAJ, Gafurr   | 23 | Male |
| HYSENI, Binak        | 17 | Male |
| IBRAHIMI, Ali        | 37 | Male |
| IBRAHIMI, Hysni      | 40 | Male |
| IDRIZI, Masar        | 21 | Male |
| ISLAMAJ, Demë        | 63 | Male |
| ISUFI, Bajram        | 16 | Male |
| ISUFI, Isa           | 19 | Male |
| KABASHI, Andrush     | 18 | Male |
| KABASHI, Arben       | 14 | Male |
| KABASHI, Nikoll      | 32 | Male |
| KACOLI, Pjeter       | 23 | Male |
| KACOLI, Tom          | 23 | Male |
| KAMERI, Besim        | 29 | Male |
| KAMERI, Gëzim        | 29 | Male |
| KAMERI, Muharrem     | 36 | Male |
| KAMERI, Rrustem      | 41 | Male |
| KAMERI, Shpend       | 49 | Male |
| KOMANI, Nikolle      | 26 | Male |
| KOMANI, Fran         | 28 | Male |

|                   |    |        |
|-------------------|----|--------|
| KOMANI, Pashk     | 33 | Male   |
| KQIRA, Mikel      | 37 | Male   |
| KQIRA, Pashk      | 40 | Male   |
| KQIRAJ, Luz       | 39 | Male   |
| KRASNIQI, Albert  | 19 | Male   |
| KRASNIQI, Lazer   | 39 | Male   |
| KRASNIQI, Mark    | 24 | Male   |
| KRASNIQI, Ndue    | 33 | Male   |
| KRASNIQI, Pjeter  | 33 | Male   |
| KUQI, Hasan       | 37 | Male   |
| KUQI, Shpend      | 19 | Male   |
| KURPALI, Ilmi     | 19 | Male   |
| KURTAJ, Haki      | 19 | Male   |
| KURTAJ, Isa       | 30 | Male   |
| KURTAJ, Muhamet   | 45 | Male   |
| KURTAJ, Sami      | 29 | Male   |
| LLESHI, Anton     | 25 | Male   |
| MALA, Kllaudie    | 15 | Female |
| MALA, Kol         | 44 | Male   |
| MALA, Monika      | 66 | Female |
| MALAJ, Blerim     | 15 | Male   |
| MALAJ, Vat        | 37 | Male   |
| MALAJ, Vilson     | 29 | Male   |
| MALOKU, Blerim    | 40 | Male   |
| MALOKU, Burim     | 17 | Male   |
| MALOKU, Petrit    | 22 | Male   |
| MALOKU, Ymer      | 39 | Male   |
| MALUSHAJ, Besim   | 32 | Male   |
| MALUSHAJ, Esad    | 29 | Male   |
| MALUSHAJ, Shefki  | 38 | Male   |
| MARKAJ, Bekim     | 23 | Male   |
| MARKAJ, Mark      | 65 | Male   |
| MARKAJ, Dede      | 36 | Male   |
| MARKAJ, Gezim     | 21 | Male   |
| MARKAJ, Gjovalin  | 36 | Male   |
| MARKAJ, Mark      | 65 | Male   |
| MARKAJ, Milan     | 35 | Male   |
| MARKAJ, Pashk     | 38 | Male   |
| MARKAJ, Petrit    | 27 | Male   |
| MARKAJ, Pren      | 60 | Male   |
| MARKAJ, Sokol     | 63 | Male   |
| MEHMETI, Agron    | 21 | Male   |
| MEHMETI, Arben    | 19 | Male   |
| MEHMETI, Gani     | 45 | Male   |
| MEHMETI, Hysen    | 44 | Male   |
| MEHMETI, Hysni    | 40 | Male   |
| MEHMETI, Mehmet   | 18 | Male   |
| MEHMETI, Muharrem | 68 | Male   |
| MEHMETI, Quash    | 45 | Male   |
| MEHMETI, Rame     | 43 | Male   |
| MEHMETI, Sami     | 20 | Male   |

|                    |    |      |
|--------------------|----|------|
| MERTURI, Marash    | 29 | Male |
| META, Bajram       | 15 | Male |
| MIFTARI, Ismet     | 22 | Male |
| MIROCI, Brahim     | 18 | Male |
| MIROCI, Fahredin   | 24 | Male |
| MIROCI, Isuf       | 44 | Male |
| MIROCI, Sokol      | 42 | Male |
| NDREJAJ, Kole      | 45 | Male |
| NDUE, Nue          | 68 | Male |
| NEZIRI, Ahmet      | 25 | Male |
| NIMANAJ, Naim      | 22 | Male |
| NDREJAJ, Pashk     | 44 | Male |
| NREJAJ, Nrec       | 32 | Male |
| NUO ose NDUE Sokol | 45 | Male |
| NUZA, Sokol        | 51 | Male |
| OSMANI, Shpend     | 71 | Male |
| PAJAZITI, Avdyl    | 41 | Male |
| PAJAZITI, Gani     | 37 | Male |
| PAJAZITI, Halil    | 24 | Male |
| PAJAZITI, Haxhi    | 15 | Male |
| PAJAZITI, Idriz    | 45 | Male |
| PAJAZITI, Ismet    | 30 | Male |
| PAJAZITI, Muje     | 52 | Male |
| PAJAZITI, Qerim    | 40 | Male |
| PAJAZITI, Shkelzen | 19 | Male |
| PAJAZITI, Shpend   | 58 | Male |
| PAJAZITI, Smajl    | 48 | Male |
| PAJAZITI, Zenel    | 49 | Male |
| PALOKAJ, Mark      | 55 | Male |
| PEPAJ, Uke         | 16 | Male |
| PJETRI, Gasper     | 33 | Male |
| PJETRI, Ilirian    | 24 | Male |
| PJETRI, Skender    | 27 | Male |
| PRELAJ, Ardian     | 18 | Male |
| PRELAJ, Driton     | 24 | Male |
| PRELAJ, Gjergj     | 29 | Male |
| PRELAJ, Sokol      | 34 | Male |
| PRELAJ, Tome       | 37 | Male |
| PRENDI, Gjergj     | 22 | Male |
| PRENDI, Leonard    | 21 | Male |
| PRENDI, Mark       | 26 | Male |
| PRENDI, Pal        | 49 | Male |
| PRENDI, Prend      | 55 | Male |
| PRENDI, Robert     | 24 | Male |
| PRENDI, Sokol      | 37 | Male |
| PRENDI, Viktor     | 28 | Male |
| QESTAJ, Hajdar     | 61 | Male |
| RAMA, Adem         | 22 | Male |
| RAMA, Bujar        | 27 | Male |
| RAMA, Nijazi       | 22 | Male |
| RAMA, Sadri        | 50 | Male |

|                  |    |      |
|------------------|----|------|
| RAMA, Sezaj      | 36 | Male |
| RAMA, Zenun      | 33 | Male |
| RAMA, Zeqir      | 80 | Male |
| RAMAJ, Rame      | 27 | Male |
| RAMAJ, Tahir     | 70 | Male |
| REXHA, Adem      | 44 | Male |
| REXHA, Anton     | 20 | Male |
| REXHA, Avni      | 28 | Male |
| REXHA, Bashkim   | 20 | Male |
| REXHA, Iber      | 53 | Male |
| REXHA, Ruzhdi    | 25 | Male |
| REXHAI, Hamza    | 62 | Male |
| REXHAI, Isuf     | 27 | Male |
| REXHAI, Tahir    | 19 | Male |
| REXHAI, Xhevdet  | 40 | Male |
| RRUSTEMI, Bekim  | 28 | Male |
| RRUSTEMI, Dan    | 35 | Male |
| RRUSTEMI, Xhafer | 27 | Male |
| SADIKU, Iber     | 40 | Male |
| SADIKU, Ismet    | 28 | Male |
| SADIKU, Osman    | 59 | Male |
| SADIKU, Ramiz    | 33 | Male |
| SADIKU, Sadik    | 57 | Male |
| SADRIU, Hysni    | 37 | Male |
| SADRIU, Rexhep   | 44 | Male |
| SADRIU, Shaqir   | 47 | Male |
| SAHITI, Esat     | 34 | Male |
| SALCAJ, Xhavit   | 26 | Male |
| SALHAJ, Osman    | 47 | Male |
| SALIHU, Bajram   | 50 | Male |
| SALIHU, Nimon    | 49 | Male |
| SELMANAJ, Beqir  | 40 | Male |
| SELMANAJ, Nexhat | 16 | Male |
| SELMANI, Ali     | 54 | Male |
| SELMANI, Baki    | 26 | Male |
| SELMANI, Burim   | 19 | Male |
| SELMANI, Jonuz   | 30 | Male |
| SELMANI, Sherif  | 66 | Male |
| SELMANI, Shpend  | 20 | Male |
| SELMANI, Ujkan   | 18 | Male |
| SELMANI, Xheme   | 65 | Male |
| SELMANI, Zenun   | 45 | Male |
| SHALA, Deme      | 29 | Male |
| SHEHU, Agim      | 34 | Male |
| SHEHU, Ahmet     | 53 | Male |
| SHEHU, Bujar     | 18 | Male |
| SHEHU, Ismet     | 30 | Male |
| SHEHU, Mehmet    | 25 | Male |
| SHEHU, Rame      | 44 | Male |
| SHOSHI, Elvis    | 19 | Male |
| SHOSHI, Naser    | 25 | Male |

|                    |    |      |
|--------------------|----|------|
| SHOSHI, Perparim   | 21 | Male |
| SMAJLI, Gani       | 41 | Male |
| SOKOLI, Filip      | 45 | Male |
| SOKOLI, Gjergj     | 38 | Male |
| SOKOLI, Kastriot   | 18 | Male |
| SOKOLI, Kriste     | 30 | Male |
| SOKOLI, Simon      | 37 | Male |
| SYLA, Ismet        | 48 | Male |
| SYLA, Rexhep       | 77 | Male |
| SYLAJ, Bajram      | 51 | Male |
| TAHIRAJ, Bajram    | 55 | Male |
| TAHIRAJ, Halil     | 34 | Male |
| TAHIRAJ, Isuf      | 63 | Male |
| TAHIRAJ, Osman     | 47 | Male |
| TAHIRAJ, Ramadan   | 37 | Male |
| TAHIRAJ, Rustem    | 22 | Male |
| TAHIRAJ, Selman    | 47 | Male |
| TAHIRAJ, Xhevdet   | 24 | Male |
| XHEMAJLI, Uke      | 30 | Male |
| XHEMAJLI, Alban    | 19 | Male |
| XHEMAJLI, Hasan    | 64 | Male |
| XHEMAJLI, Ilija    | 23 | Male |
| XHEMAJLI, Isa      | 55 | Male |
| XHEMAJLI, Miftar   | 34 | Male |
| XHEMAJLI, Muharrem | 26 | Male |
| XHEMAJLI, Rifat    | 19 | Male |
| XHEMAJLI, Shkelzen | 20 | Male |
| XHEMAJLI, Shpend   | 21 | Male |
| XHEMAJLI, Xhemajl  | 46 | Male |
| YMERI, Elez        | 59 | Male |
| YMERI, Gani        | 41 | Male |
| YMERI, Halit       | 57 | Male |
| YMERI, Hasan       | 24 | Male |
| YMERI, Hysen       | 18 | Male |
| YMERI, Musa        | 36 | Male |
| YMERI, Xhafer      | 68 | Male |
| YMERI, Zenel       | 41 | Male |
| ZENUNI, Bajram     | 36 | Male |
| ZENUNI, Xhevat     | 43 | Male |
| ZENUNI, Zenel      | 42 | Male |
| ZEQIRI, Hasan      | 56 | Male |
| ZYBERI, Arber      | 17 | Male |
| ZYBERI, Gani       | 36 | Male |
| ZYBERI, Skender    | 30 | Male |

**Schedule I**

Persons Known by Name Killed at Vucitrn / Vushtrii - 2 May 1999

| <b>Name</b>             | <b>Approximate Age</b> | <b>Sex</b> |
|-------------------------|------------------------|------------|
| ABAZI, Musa             | 55                     | Male       |
| ADEMI, H. Rrahman       | 26                     | Male       |
| ALIU, Z. Ramadan        | 38                     | Male       |
| ALIU, B. Remzi          | 55                     | Male       |
| BEKTESHI, M. Afrim      | 23                     | Male       |
| BEQIRI, Nezir           | 54                     | Male       |
| BUNJAKU, M. Hysni       | 21                     | Male       |
| FEJZULLAHU, Qamile      | 84                     | Female     |
| FERATI, Xh. Istref      | 27                     | Male       |
| FERATI, Milazim         | 20                     | Male       |
| FERATI, Rifat           | 36                     | Male       |
| FERIZI, M. Bislim       | 63                     | Male       |
| FERIZI, B. Mihrije      | 63                     | Male       |
| FERIZI, B. Ruzhdi       | 35                     | Male       |
| GERGURI, B. Agim        | 38                     | Male       |
| GERGURI, Sh. Enver      | 50                     | Male       |
| GERGURI, S. Musli       | 45                     | Male       |
| GERXHALIU, Fahri        |                        | Male       |
| GERXHALIU, A. Haki      | 39                     | Male       |
| GERXHALIU, H. Kadri     | 42                     | Male       |
| GERXHALIU, H. Shaban    | 49                     | Male       |
| GERXHALIU, I. Skender   | 43                     | Male       |
| GERXHALIU, H. Zejnullah | 42                     | Male       |
| GERGURI, A Shukri       | 44                     | Male       |
| GERGURI, M. Skender     | 26                     | Male       |
| GERGURI, Sh. Naman      | 39                     | Male       |
| GERGURI, N. Ramush      | 63                     | Male       |
| GERXHALIU, B. Avdyl     | 43                     | Male       |
| GERXHALIU, F. Avdyl     | 47                     | Male       |
| GERXHALIU, B. Bajram    | 40                     | Male       |
| GERXHALIU, A. Fatmir    |                        | Male       |
| GERXHALIU, U. Fatmir    | 35                     | Male       |
| GERXHALIU, I. Imer      | 42                     | Male       |
| GERXHALIU, Sh. Nuhi     | 25                     | Male       |
| GERXHALIU, H. Sejdi     | 39                     | Male       |
| GERXHALIU, N. Xhevdet   | 18                     | Male       |
| GJATA, Meriton          | 23                     | Male       |
| GJATA, Sevdije          | 48                     | Female     |
| GJATA, Tefik            | 44                     | Male       |
| HAXHAJ, Bahri           | 28                     | Male       |
| HAZIRI, Nafije          | 27                     | Female     |
| HYSENI, R. Agim         | 38                     | Male       |
| HYSENI, B. Ali          |                        | Male       |
| HYSENI, K. Beqir        | 40                     | Male       |

|                     |       |        |
|---------------------|-------|--------|
| HYSENI, Kada        | 86    | Female |
| HYSENI, Q. Hysen    | 26    | Male   |
| HYSENI, D. Qazim    | 54    | Male   |
| HYSENI, Ramadan     | 18    | Male   |
| HYSENI, Rrahman     | 61    | Male   |
| HYSENI, Q. Xhevdet  | 24    | Male   |
| IBISHI, H. Selman   | 63    | Male   |
| IBISHI, I. Sylejman | 20-30 | Male   |
| IBISHI, Rahim       | 72    | Male   |
| IBISHI, Tafil       | 55    | Male   |
| KURTI, Bajram       | 43    | Male   |
| KONJUHI, B. Afrim   | 29    | Male   |
| KONJUHI, Z. Rexhep  | 40    | Male   |
| KRASNIQI, B. Shaban | 64    | Male   |
| KRASNIQI, R. Syle   | 70    | Male   |
| LUSHAKU, A. Ibadete | 26    | Female |
| LUSHAKU, H. Shehide | 89    | Female |
| MAXHUNI, Z. Driton  | 32    | Male   |
| MAXHUNI, F. Sabri   | 34    | Male   |
| MERNICA, Sh. Ali    | 49    | Male   |
| MORINA, Sh. Remzi   | 35    | Male   |
| MULAKU, A. Ekrem    | 32    | Male   |
| MULAKU, L. Xhavit   | 30    | Male   |
| MULI, I. Gani       | 21    | Male   |
| MULI, N. Asllan     | 49    | Male   |
| MULI, N. Hazir      | 52    | Male   |
| MULIQI, I. Bajram   | 60    | Male   |
| MUSA, F. Islam      | 56    | Male   |
| MUSA, Kadrush       | 37    | Male   |
| MUSA, H. Nexhmi     | 54    | Male   |
| MUSLIU, M. Mehdi    | 24    | Male   |
| MUSLIU, Ragip       | 30-35 | Male   |
| MUZAQI, I. Besim    | 32    | Male   |
| MUZAQI, H. Salih    | 37    | Male   |
| PARDUZI, Shehide    | 84    | Female |
| PECI, Murat         | 60    | Male   |
| POPOVA, A. Ismajl   | 29    | Male   |
| PRRONAJ, Sh. Enver  | 32    | Male   |
| PRRONAJ, Sh. Zymer  | 35    | Male   |
| RASHICA, I. Ali     | 45    | Male   |
| RASHICA, I. Deli    | 48    | Male   |
| RASHICA, S. Eshref  | 38    | Male   |
| REXHEPI, I. Ahmet   | 20-25 | Male   |
| REXHEPI, Ilaz       |       | Male   |
| REXHEPI, Ismet      | 38    | Male   |
| SADIKU, H. Agim     | 23    | Male   |
| SHALA, R. Hamdi     | 26    | Male   |
| SFARQA, Shehide     | 50-60 | Female |
| SFARQA, Sh. Sherif  | 43    | Male   |
| SFARQA, S. Skender  | 39    | Male   |
| TAHIRI, Fetah       | 39    | Male   |



|                    |       |      |
|--------------------|-------|------|
| TERNAVA, Fehmi     | 39    | Male |
| TIKU, A. Sahit     | 68    | Male |
| VERSHEVCI, Azemine | 75    | Male |
| VIDISHIQI, Faik    | 35    | Male |
| XHAFA, Driton      | 30-40 | Male |
| XHAFA, Nazif       | 55    | Male |
| XHAFA, S. Veli     | 45    | Male |
| ZHEGROVA, R. Naser | 34    | Male |

**Schedule J**

Persons Known by Name Killed at Dubrava / Dubravë Prison –  
22 to 23 May 1999

| <u>Name</u>               | <i>Approximate Age</i> | <u>Sex</u> |
|---------------------------|------------------------|------------|
| ADEMAJ, Hysen             |                        | Male       |
| AGUSHI, Zahir             |                        | Male       |
| AZEMI, Xhevet             |                        | Male       |
| BRAHMI, Sahit             |                        | Male       |
| BISTRICA, Xhevdid         |                        | Male       |
| DOMONAGA, Ilir            |                        | Male       |
| ELSHANI, Agim             |                        | Male       |
| GASHI, Avni               |                        | Male       |
| GJINI, Gjon               |                        | Male       |
| GUTA, Napolon             |                        | Male       |
| GUTA Muhedin              |                        | Male       |
| HASAN RAMAJ, Zek          |                        | Male       |
| KCIRAJ/KEQIRAJ/KQIRA, Zef |                        | Male       |
| KRASNIQI, Januz           |                        | Male       |
| LEKAJ, Gani               |                        | Male       |
| MEMIJA, Ramiz             |                        | Male       |
| MULAJ, Mete               |                        | Male       |
| NIKOLL BIBAJ, Valentin    |                        | Male       |
| PAQARIZI, Besim           |                        | Male       |
| PROJAGJI, Lush            |                        | Male       |
| QAMPUZ, Bashkim           |                        | Male       |
| ZOSJA, Shaban             |                        | Male       |
| RAMUSHI Zahir             |                        | Male       |
| SPAHIA, Fejz              |                        | Male       |
| SYLAJ, Dervish            |                        | Male       |
| TAFILAJ, Muse             |                        | Male       |

Schedule K  
Persons Known by Name Killed at Kacanik - March to May 1999

Kotlina / Kotlinë - 24 March 1999

| <u>Name</u>     | <u>Approximate Age</u> | <u>Sex</u> |
|-----------------|------------------------|------------|
| KUQI, Idriz     | 55                     | Male       |
| KUQI, Ismail    | 21                     | Male       |
| KUQI, Nexhadi   | 31                     | Male       |
| KUQI, Xhemjal   | 22                     | Male       |
| LOKU, Agim      | 31                     | Male       |
| LOKU, Atan      | 28                     | Male       |
| LOKU, Garip     | 47                     | Male       |
| LOKU, Ibush     | 20                     | Male       |
| LOKU, Ismajl    | 28                     | Male       |
| LOKU, Izijah    | 19                     | Male       |
| LOKU, Milaim    | 34                     | Male       |
| LOKU, Naser R.  | 17                     | Male       |
| LOKU, Sabit     | 20                     | Male       |
| LOKU, Zymer     | 67                     | Male       |
| REXHA, Neshat   | 16                     | Male       |
| VLASHI, Sali M. | 42                     | Male       |
| VLASHI, Vesel   | 55                     | Male       |

Slatina / Sllatinë 13 April 1999

| <u>Name</u>          | <u>Approximate Age</u> | <u>Sex</u> |
|----------------------|------------------------|------------|
| CAKA, Ilir Osman     | 15                     | Male       |
| CAKA, Jakup Mustaf   | 37                     | Male       |
| CAKA, Mahmut Hasan   | 45                     | Male       |
| DEDA, Qemajl         | 47                     | Male       |
| ELEZI, Nazmi         | 29                     | Male       |
| ELEZI, Vesel         | 41                     | Male       |
| LAMA, Brahim         | 52                     | Male       |
| LAMA, Hebib          | 18                     | Male       |
| LAMA, Ibrahim        | 52                     | Male       |
| SALIHU, Izahir Ilaz  | 22                     | Male       |
| SALIHU, Kemajl Ilaz  | 40                     | Male       |
| SALIHU, Sabri Ilaz   | 38                     | Male       |
| SHIQUERIBER, Haliali | 46                     | Male       |

Stagovo / Stagovë - 21 May 1999

| <u>Name</u>         | <u>Approximate Age</u> | <u>Sex</u> |
|---------------------|------------------------|------------|
| BELA, Baki          | 72                     | Male       |
| DASHI, Hamdi        | 53                     | Male       |
| DASHI, Ibrahim Avdi | 31                     | Male       |
| DASHI, Ramadan      | 58                     | Male       |
| ELEZI, Bahrije R.   | 56                     | Female     |
| GUDAQI, Fitim       | 7                      | Male       |
| GUDAQI, Hanife      | 77                     | Female     |

|               |    |        |
|---------------|----|--------|
| GURI, Sevdije | 54 | Female |
| JAHA, Elife   | 83 | Female |
| JAHA, Ramush  | 75 | Male   |
| MANI, Fahri   | 56 | Male   |
| RRUSHI, Ibush | 59 | Male   |

Dubrava / Lisnaje 25 May 1999

| <u>Name</u>            | <u>Approximate Age</u> | <u>Sex</u> |
|------------------------|------------------------|------------|
| QORRI, Arton Hajrush   | 17                     | Male       |
| QORRI, Fatije Hajrush  | 7                      | Female     |
| QORRI, Hajrush Mehmet  |                        | Male       |
| QORRI, Rexhep Zejnulla |                        | Male       |
| TUSHA, Ali             | 17                     | Male       |
| TUSHA, Xhemajl         | 39                     | Male       |
| VISHI, Rrahim Beqir    |                        | Male       |
| VISHI, Milaim Misim    |                        | Male       |