



United Nations
Nations Unies



International
Criminal Tribunal
for the former
Yugoslavia

Tribunal Pénal
International pour
l'ex-Yougoslavie

Press Release . Communiqué de presse

(Exclusively for the use of the media. Not an official document)

REGISTRY

GREFFE

The Hague, 10 March 2005
JL/MOW/946c

INDICTMENT AGAINST RAMUSH HARADINAJ, IDRIZ BALAJ AND LAHI BRAHIMAJ RELEASED TO THE PUBLIC

Today, 10 March 2005, the International Criminal Tribunal for the former Yugoslavia released the detailed charges against Ramush Haradinaj, Idriz Balaj and Lahi Brahimaj. The indictment was confirmed on 4 March 2005, by Judge Bonomy.

THE ACCUSED

Ramush Haradinaj, also known as "Smajl" was born on 3 July 1968 in Glodane/Gllogjan in the municipality of Dečani/Deçan in Kosovo. At all times relevant to the indictment, he was a commander of the Kosovo Liberation Army (KLA) and had overall command of the KLA forces in one of the KLA operational zones, called Dukagjin. He was one of the most senior KLA leaders in Kosovo. This operational zone encompassed the municipalities of Peć/Pejë, Dečani/Deçan, Đakovica/Gjakovë, and part of the municipalities of Istok/Istog and Kline/Klinë.

Idriz Balaj, also known "Toger/Togeri" or "Lieutenant" was born on 23 August 1971 in Iglarevo/Gllarevë in the municipality of Kline/Klinë in Kosovo. At all times relevant to the indictment, he was a member of the KLA and acted as the commander of the special unit known as the "Black Eagles". He was subordinate to Ramush Haradinaj, reported directly to him, and worked closely with him.

Lahi Brahimaj, also known as "Maxhup" or "Gipsy" was born on 26 January 1970 in Jablanica/Jabllanicë in the municipality of Đakovica/Gjakovë in Kosovo. He is a close relative of Ramush Haradinaj. At all times relevant to the indictment, he was a member of the KLA and acted as the Deputy Commander of the Dukagjin Operative Staff or as the Dukagjin zone contact person to the KLA General Staff. Stationed in Jablanica/Jabllanicë, he was subordinate to Ramush Haradinaj, reported directly to him, and worked closely with him.

According to the indictment, Ramush Haradinaj, Idriz Balaj and Lahi Brahimaj are individually criminally responsible for planning, instigating, ordering, committing, or otherwise aiding and abetting the commission of the alleged crimes. "Committing" does not mean that the three accused necessarily each physically committed all of the crimes charged. "Committing" in this indictment includes the participation of each of the accused in a joint criminal enterprise.

JOINT CRIMINAL ENTERPRISE

The indictment alleges that the joint criminal enterprise of which the accused were members came into existence on or before April 1998 and that its purpose was the consolidation of total control of the KLA over the KLA operational zone of Dukagjin by attacking and persecuting certain sections of the civilian population there, namely the unlawful removal of Serb civilians from that area, and the forcible, violent suppression of any real or perceived form of collaboration with the Serbs by Albanian or Roma civilians there. The criminal purpose included the intimidation, abduction, imprisonment, beating, torture and murder of targeted civilians.

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

Communications Service/ Media Office

Churchillplein 1, 2517 JW The Hague. P.O. Box 13888, 2501 EW The Hague. Netherlands
Tel.: +31-70-512-5356; 416-5343 Fax: +31-70-512-5355

THE CHARGES

Ramush Haradinaj is charged with:

- 17 counts of crimes against humanity - Article 5 of the Tribunal's Statute: persecution (harassment, inhumane acts, destruction of property, unlawful detention, deportation or forcible transfer of civilians, murder, rape); inhumane acts; deportation and other inhumane acts; imprisonment and other inhumane acts; murders and other inhumane acts; rape and other inhumane acts, and
- 20 counts of violations of the laws or customs of war – Article 3 of the Tribunal's Statute: cruel treatment; murders; rape.

Idriz Balaj and Lahi Brahimaj are charged with:

- 16 counts of crimes against humanity - Article 5 of the Tribunal's Statute: persecution (harassment, inhumane acts, unlawful detention, deportation or forcible transfer of civilians, murder, rape); deportation and other inhumane acts; imprisonment and other inhumane acts; murders and other inhumane acts; rape and other inhumane acts, and
- 19 counts of violations of the laws or customs of war - Article 3 of the Tribunal's Statute: cruel treatment, murders, rape.

All crimes alleged in the indictment occurred between 1 March 1998 and 30 September 1998 in the territory of Kosovo in the former Yugoslavia and were directed against the Serb civilian population and those members of the Albanian and Roma/Egyptian civilian population in Dečani/Deçan, Peć/Pejë, Đakovica/Gjakovë, Istok/Istog and Kline/Klinë municipalities perceived to be collaborators or not supporting the KLA.

FACTUAL ALLEGATIONS

The indictment alleges that after 24 March 1998, KLA forces under the command and control of Ramush Haradinaj mounted a systematic campaign to seize control of the area between villages of Glodane/Gllogjan and Dečani/Deçan and particularly the villages of Dubrava/Dubravë, Rznić/Irzniq, Ratiš/Ratishe and Dašinovac/Dashinoc in order to drive ethnic Serbs out of the villages where they were living and that they also continued to launch attacks against the camp of refugees of Babaloć/Baballoq near Dečani/Deçan (this camp had been the target of similar KLA attacks since 1997).

The indictment states that the KLA forces under the command and control of Ramush Haradinaj, including the "Black Eagles" under the direct command of Idriz Balaj harassed, beat or otherwise drove Serbian civilian and Roma/Egyptian civilians out of these villages, and killed those civilians that remained behind or had refused to abandon their homes and that they continued to mount similar attacks against the Serb and Roma/Egyptian civilians, as well as Albanian civilians perceived as collaborators. The indictment further states that many abductions by KLA forces took place in the Dukagjin zone and that tens of civilians went missing. The indictment also alleges that the KLA forces acting under the command and control of Ramush Haradinaj had full control of the operational zone and did not tolerate the presence of any other Albanian factions fighting against the Serbs, such as the Armed Forces of the Republic of Kosovo ("FARK").

The indictment alleges that in the second half of May 1998, a make-shift detention centre was established at the KLA headquarters in Jablanica/Jabllanicë and that between then and August 1998, at least 16 non-combatants were detained, beaten and tortured there. One is known to have died while the others are still missing.

The indictment also states that during the end of August and the beginning of September 1998, Serb forces temporarily retook the area surrounding Glodane/Gllogjan and that a Serbian forensic crime scene team conducted an investigation in the vicinity of the canal leading to Lake Radonjić/Radoniq, the Ekonomija Farm in Rznić/Irzniq and the road leading to Dašinovac/Dashinoc. They identified at least 39 bodies and partial remains. Several of these remains have been identified as

those of Serb, Roma and Albanian civilians who disappeared between April and early September 1998 in the Dukagjin area.

The indictment alleges that, as commander of the Dukagjin Operational Zone, Ramush Haradinaj ensured that the KLA forces under his control operated in a structured and disciplined manner, provided overall control of planning and organisation of operations, and established a system whereby individuals were targeted for abduction, mistreatment and murder, and whereby a systematic attack on vulnerable sections of the civilian population was carried out; that by excluding all rival KLA forces, Haradinaj secured power for his own troops within his zone, and by attacking Serb forces in rural areas gave his own troops freedom to dominate and persecute vulnerable sections of the civilian population; that he used his own house as a centre of operations, and used his other Haradinaj family member resources and the support of his family members to further the consolidation of this power and his persecution of civilians. The indictment alleges that Haradinaj appointed and maintained his co-accused in positions of responsibility and condoned and encouraged their criminal conduct in such positions. It further states that on some occasions, Haradinaj personally ordered, controlled and participated in beatings of persons detained by his forces and taking no active part in hostilities, and on other occasions by his presence and tacit or overt approval of such criminal conduct he, in his position as Commander, encouraged and instigated criminality by members of his own forces. The indictment also alleges that Haradinaj controlled the continued detention or release or medical treatment of persons held by the KLA in his operational zone, that he participated in the abduction of persons who were later found murdered and that on at least one occasion, he gave his tacit approval as Commander for detained persons to be executed.

The indictment alleges that as Commander of the "Black Eagles" Special Unit, Idriz Balaj worked closely with Ramush Haradinaj and provided direct operational support for his activities, that he personally, and using soldiers under his command, repeatedly abducted, beat, mutilated, tortured and murdered civilians and detained persons taking no active part in hostilities, that he raped a Roma/Egyptian woman, that he personally visited the Jablanica/Jabllanicë detention centre, mutilated and tortured a prisoner there and, by his presence as a KLA commander, provided his tacit or overt approval for persecution and criminal conduct by other KLA soldiers there and knew that the facility was operating in a persecutory and criminal fashion. The indictment also states that Balaj attempted to prevent enquiry into and to conceal the abduction and murder of civilians and the disposal of their bodies at Radonjić/Radoniq Lake.

The indictment also alleges that as Deputy Commander of the Dukagjin Operative Staff and the responsible local KLA commander, Lahi Brahimaj ran the KLA detention facility at Jablanica/Jabllanicë, ordered, supervised and participated in the beating and torture and murder of persons who were detained there and that he personally abducted one civilian and took him to the Jablanica/Jabllanicë detention facility where he was repeatedly beaten, and personally took him from the detention facility to a potential place of execution.

***The full text of the indictment is available on the Tribunal's website
www.un.org/icty. Hard copies can also be obtained from the Media Office.***