

SELECT KOSOVO HUMAN RIGHTS BIBLIOGRAPHY

Human Rights Watch Reports on Kosovo

Kosovo: Rape as a Weapon of "Ethnic Cleansing," 3/00
Civilian Deaths in the NATO Air Campaign, 2/00
A Village Destroyed: War Crimes in Kosovo, 10/99
Abuses Against Serbs & Roma in the New Kosovo, 8/99
"Ethnic Cleansing" in the Glogovac Municipality, 7/99
NATO's Use of Cluster Munitions, 5/99
Kosovo Flashes #1-50, 3-6/99
A Week of Terror in Drenica, 2/99
Detentions and Abuse in Kosovo, 12/98
Humanitarian Law Violations in Kosovo, 10/98
Persecution Persists: Human Rights Violations in Kosovo, 12/96
Human Rights Abuses of Non-Serbs in Kosovo, Sandzak & Vojvodina, 10/94
Open Wounds: Human Rights Abuses in Kosovo, 3/94
Abuses Continue in the Former Yugoslavia: Serbia, Montenegro & Bosnia-Herzegovina, 7/93
Human Rights Abuses in Kosovo, 10/92
Human Rights in a Dissolving Yugoslavia, 1/91
Yugoslavia: Crisis in Kosovo, 3/90

Other Reports on Kosovo

American Association for the Advancement of Science (AAAS) and the Institute for Legal and Policy Studies, *Policy or Panic? The Flight of Ethnic Albanians from Kosovo, March-May 1999*, April 2000.
American Bar Association (CEELI program) and AAAS, *Political Killings in Kosova/Kosovo*, September 2000.
American RadioWorks documentary, *Massacre at Cuska*, www.americanradioworks.org.
Amnesty International reports available at www.amnesty.org.
Balkan Human Rights Web Page, www.greekhelsinki.gr/.

- Bar Human Rights Committee of England and Wales, *Kosova 2000: Justice, Not Revenge*, February 2000.
- Council for the Defense of Human Rights and Freedoms, various reports available at: www.albanian.com/kmdlj/.
- European Roma Rights Center, *Roma in the Kosovo Conflict*, February 2000.
- Helsinki Committee for Human Rights in Serbia, *Status of National Minorities in Kosovo*, May 1998.
- Humanitarian Law Center reports available at www.hlc.org.yu.
- Independent International Commission on Kosovo, *The Kosovo Report*, October 2000.
- International Crisis Group, *Reality Demands: Documenting Violations of International Humanitarian Law in Kosovo 1999*, June 2000.
- International Crisis Group, *Kosovo Albanians in Serbian Prisons: Kosovo's Unfinished Business*, January 2000.
- International Helsinki Federation, various reports and statements available at www.ihf.hr.org.
- International Press Institute, *The Kosovo News and Propaganda War*, September 1999.
- Lawyers Committee for Human Rights, *Protection of Kosovar Refugees and Returnees: The Legal Principles*, June 1999.
- Lawyers Committee for Human Rights, *Kosovo: Protection and Peace-Building—Protection of Refugees, Returnees, Internally Displaced Persons, and Minorities*, August 1999.
- Lawyers Committee for Human Rights, *A Fragile Peace: Laying the Foundations for Justice in Kosovo*, October 1999.
- Medecins Sans Frontieres, *Kosovo: Accounts of a Deportation*, April 1999.
- Organization for Security and Cooperation in Europe (OSCE), *Kosovo/Kosova: As Seen/As Told*, Parts I and II, December 1999.
- Physicians for Human Rights, *War Crimes in Kosovo: A Population-Based Assessment of Human Rights Violations Against Kosovar Albanians*, August 1999.
- Society for Threatened Peoples, *Kosovo: War, Expulsion, Massacres*, August 1998.
- United Nations High Commissioner for Refugees and OSCE, *Assessments of the Situation of Ethnic Minorities in Kosovo* (July 1999, November 1999, February 2000, June 2000).
- United Nations Special Rapporteur on the Situation of Human Rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia, *Periodic Report on the Situation of Human Rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia* (September 24, 1999) and *Addendum* (November 1, 1999).
- United States Department of State, *Ethnic Cleansing - An Accounting*, December 1999, *Erasing History: Ethnic Cleansing in Kosovo*, May 1999.
- United States Department of State, *Kosovo Judicial Assessment Mission Report*, April 2000.

NOTES

Chapter 2. Background

- 1 For a good description of the evolution of the KLA, see Tim Judah, *Kosovo, War and Revenge* (New Haven and London: Yale University Press, 2000).
- 2 Ruza Petrovic and Marina Blagojevic, Migration of Serbs and Montenegrins from Kosovo and Metohija, Serbian Academy of Science and Arts, June 7, 1988.
- 3 For details, see Helsinki Watch (now Human Rights Watch), *Yugoslavia: Crisis in Kosovo*, March 1990.
- 4 Petrovic and Blagojevic, Migration of Serbs and Montenegrins from Kosovo and Metohija.
- 5 Judah, *Kosovo, War and Revenge*, p. 49.
- 6 Laura Silber and Allan Little, *Yugoslavia: The Death of a Nation*, (New York: Penguin USA, 1995).
- 7 On August 25, 2000, Ivan Stambolic was abducted by unknown persons from the Kosutnjak Park in Belgrade. As of August 2001, his whereabouts remained unknown. Stambolic's family accused Milosevic and his wife, Mirjana Markovic, former Serbian Interior Minister Vljeko Stojiljkovic, and former State Security Chief Rade Markovic of organizing the abduction because they feared Stambolic would reenter politics.
- 8 Tim Judah, "Kosovo's Road to War," *Survival*, July 1, 1999.
- 9 After six months in prison, Vllasi was charged with "counter-revolutionary acts" on August 28, as well as culpability in the deaths of twenty-four ethnic Albanians who had been shot by Serbian police on March 28, 1989 (see below), even though he was in prison at the time. He was convicted, but released after approximately one year in prison. (See Helsinki Watch (now Human Rights Watch) and the International Helsinki Federation for Human Rights, *Yugoslavia: Crisis in Kosovo*, March 1990.)
- 10 Ibid., by Helsinki Watch and the International Helsinki Federation for Human Rights, *Yugoslavia: Crisis in Kosovo*, March 1990.
- 11 The Program for the Realization of Peace, Freedom, Equality, Democracy, and Prosperity of the Socialist Autonomous Province of Kosovo, item 6, Republic of Serbia, March 30, 1990
- 12 Under pressure from the West, Albania's support for Kosovo's independence ceased with the change of government in 1992.

- 13 For documentation on human rights abuses following the revocation of Kosovo's autonomy, see Human Rights Watch, "Human Rights Abuses of Non-Serbs in Kosovo, Sandzak and Vojvodina," *A Human Rights Watch Report*, vol. 6, no.6, October 1994, Human Rights Watch; *Open Wounds: Human Rights Abuses in Kosovo*, (New York: Human Rights Watch, 1994); Human Rights Watch, "Abuses Continue in the Former Yugoslavia: Serbia, Montenegro & Bosnia-Herzegovina," *A Human Rights Watch Report*, vol. 5, no. 11, July 1993; Helsinki Watch (now Human Rights Watch), "Human Rights Abuses in Kosovo," *A Human Rights Watch Report*, vol. 8, no. 63, October 1992; *Human Rights in a Dissolving Yugoslavia*, 1/91, *Yugoslavia: Crisis in Kosovo*, 3/90.
- 14 The Serbian government constructed settlements for relocated Serbs throughout Kosovo. Ethnic Albanians referred to the newcomers as "colonizers."
- 15 Kosovar Albanians were requested to pay the LDK three percent of their annual income.
- 16 Ivo H. Daalder, "Kosovo: Bosnia Deja Vu," *Washington Post*, April 17, 1998.
- 17 Judah, *Kosovo: War and Revenge*, p. 113.
- 18 In response to a Freedom of Information Act request, Human Rights Watch received an unclassified cable sent from the U.S. embassy in Belgrade on December 2, 1996, highlighting the "lack of awareness [among Albanians] that U.S. policy toward Kosovo does not, repeat not, support its independence." The public affairs officer who sent the cable was concerned that "98 percent of Albanians do not know that the U.S. does not support Kosovo's independence" and he called for more clarity on this position from Washington, especially in the programming of the Voice of America.
- 19 The LDK spurned offers to support Milosevic's opponents in elections, like Milan Panic in 1992, because they thought their goal of independence was more achievable with the internationally despised Milosevic in power. A similar trend was discernible in October 2000 when the Albanians feared the victory of Vojislav Kostunica would undercut their drive for independence.
- 20 For documentation of the abuses in Albania between 1992 and 1996, see Human Rights Watch, *Human Rights in Post-communist Albania*, May 1996. The destabilization of Albania culminated in the 1997 collapse of the so-called pyramid schemes, multi-million dollar financial scams, and resulting months of anarchy. Arms depots were looted throughout the country and tens of thousands of small arms made their way across the border into Kosovo.
- 21 The Dayton Agreement divided the former Yugoslav republic of Bosnia Herzegovina into two entities: Republika Srpska and the Federation of Bosnia and Herzegovina. After large-scale ethnic cleansing during the war, Republika Srpska had an almost exclusively Serbian population.
- 22 Among those killed were Stana Radusinovic, a Serbian emigrant from Albania, and Blagoje Okulic, a Serbian refugee from Knin, who were killed while sitting in a Serb-owned cafe in the city of Decan. Two Serbian policemen, Zoran Dasic and Safet Kocan, were wounded.
- 23 Interview with former KLA commander of the Llap region Rrustem Mustafa (a.k.a . Remi), published in the Kosovo daily *Zeri* between April 21 and May 4, 2000.

- 24 On June 16, a Serbian policeman, Goran Mitrovic, was wounded by gunfire at the bus station in Podujevo. The next day, policeman Predrag Georgovic was shot dead in the village Sipolje (Shipol), while his colleague, Zoran Vujkovic, was wounded. The police station in the village of Luzane (Luzhane) was also attacked. Then, on August 2, four police stations in Podujevo (Podujeve) and Pristina were attacked, but no one was hurt. Six days later, there were several explosions at a Serbian settlement being built near Decan (Decane).

On August 28, three grenades were thrown at the police station in Lolopak (Lolopak) near Pec, causing no casualties but substantial material damage. That same day, an inspector with the Serbian police, Ejup Bajgora, was killed by automatic gunfire near his home in Donje Ljupce (Lupqi i Poshtem) near Podujevo. Finally, on October 26, a Serbian police officer, inspector Milos Nikic, and an employment office employee, Dragan Rakic, were ambushed and killed by unknown attackers in the village of Surkish (Surkish) near Podujevo. See Human Rights Watch, "Persecution Persists: Human Rights Violations in Kosovo," A Human Rights Watch Report, vol. 8, no. 18, December 1996.
- 25 For a description of police violence in 1996, see Human Rights Watch, *Persecution Persists*.
- 26 The vaguely worded agreement called for "the normalization of the educational system of Kosovo for Albanian youth," and "the return of the Albanian students and teachers back to schools."
- 27 According to the U.S. government, the outer wall of sanctions was to stay in place until Yugoslavia met the following demands: compliance with the terms of the Dayton Accords, cooperation with the International Criminal Tribunal for the Former Yugoslavia, regulated relations between the successor states of the former Yugoslavia and a restoration of civil and political rights in Kosovo. This position was emphasized on numerous occasions by European and U.S. diplomats.
- 28 See Human Rights Watch, *Persecution Persists*.
- 29 Human Rights Watch interview with Deputy Minister Rade Drobac, Belgrade, Yugoslavia, July 19, 1996.
- 30 U.N. peacekeepers had been stationed in Macedonia since 1991 to preserve the unity of the state, which is still seen as a vital buffer between competing countries in the southern Balkans. For information on human rights conditions in Macedonia, see Human Rights Watch, *A Threat to Stability: Human Rights in Macedonia*, (New York, Human Rights Watch, April 1996), and Human Rights Watch, *Police Violence in Macedonia*, (New York, Human Rights Watch, April 1998).
- 31 See Human Rights Watch, "Discouraging Democracy: Elections and Human Rights in Serbia," *A Human Rights Watch Report*, vol. 9, no. 11, September 1997.
- 32 The three fighters were Rexhep Selimi, Muje Krasniqi, and Daut Haradinaj.
- 33 Statement by the Contact Group on Kosovo, Moscow, February 25, 1998.
- 34 Press conference by U.S. Special Representative Robert S. Gelbard, Belgrade, Pristina, Serbia and Montenegro, February 22, 1998.
- 35 Press conference by U.S. Special Representative Robert S. Gelbard, Belgrade, Serbia and

- Montenegro, February 23, 1998. Gelbard repeated his condemnation of Albanian terrorist actions again on February 25 during an address at the U.S. Institute of Peace in Washington.
- 36 For a list of organizations considered terrorist groups by the U.S. government, see: www.state.gov/www/global/terrorism/, March 2001.
 - 37 Adem Jashari, a known KLA fighter who became a local hero and martyr after his death, had already been convicted in absentia by a Pristina court on July 11, 1997, for terrorist acts along with fourteen other ethnic Albanians, in a trial that clearly failed to conform to international standards. See press release, "Human Rights Watch/Helsinki Condemns Political Trial in Kosovo," July 15, 1997.
 - 38 See Human Rights Watch, *Humanitarian Law Violations in Kosovo*, (New York: Human Rights Watch, 1998).
 - 39 "Interior Ministry Spokesman Gives Press Conference," Tanjug, March 7, 1998.
 - 40 The International Criminal Tribunal for the former Yugoslavia, "Prosecutor's Statement Regarding the Tribunal's Jurisdiction Over Kosovo," The Hague, March 10, 1998.
 - 41 Press Statement by James P. Rubin, U.S. Department of State Spokesman, March 2, 1998.
 - 42 London Contact Group Meeting, March 9, 1998, Statement on Kosovo. Available at: www.secretary.state.gov/www/travels/980309_kosovo.html, March 2001.
 - 43 The Contact Group adopted four measures, although it did not specify how they were to be implemented: a) U.N. Security Council consideration of a comprehensive arms embargo against the FRY, including Kosovo; b) Refusal to supply equipment to the FRY which might be used for internal repression, or for terrorism; c) Denial of visas for senior FRY and Serbian representatives responsible for repressive action by FRY security forces in Kosovo; d) A moratorium on government-financed export credit support for trade and investment, including government financing for privatization, in Serbia.
 - 44 On March 10, 1998, the prosecutor's office at the war crimes tribunal stated that the violence in Kosovo fell within its mandate.
 - 45 Contact Group Statement on Kosovo, Bonn, March 25, 1998.
 - 46 Contact Group Statement on Kosovo, Rome, April 29, 1998.
 - 47 Members of the Kosovar Albanian group, known as the G5, were: Ibrahim Rugova, Pajazit Nushi (head of the Council for the Defense of Human Rights and Freedoms), Machmut Bakalli (former head of the Kosovo Communist Party), Fehmi Agani (leading member of the LDK, who was murdered by Serbian police during the NATO bombing), and Veton Surroi (publisher of the independent newspaper *Koha Ditore*).
 - 48 Media Center Pristina, *Dialogue not Separatism and Terrorism*, Third Amended Edition, (Pristina: Media Centar Pristina, 1998), pp 96–97.
 - 49 Conclusions of the European Union General Affairs Counsel, May 25, 1998.
 - 50 In his book, *Kosovo, War and Revenge*, Tim Judah claims that Rugova was promised a meeting with Clinton in return for agreeing to meet Milosevic. Judah, *Kosovo, War and Revenge*, p. 154.
 - 51 Negotiations foundered, largely because the Albanians, who had formed a larger group called the G15, refused to negotiate during an offensive that so severely affected civilians.
 - 52 See Human Rights Watch, *Humanitarian Law Violations in Kosovo*.

- 53 For information on the university law, see Human Rights Watch, "Deepening Authoritarianism in Serbia: The Purge of the Universities," *A Human Rights Watch Report*, vol. 11, no. 2, January 1999. For information on the Serbian media, especially Serbia's broadcast media laws, see "Restrictions on the Broadcast Media in FR Yugoslavia," a September 1998 report by Free2000, the international committee to protect free press in Serbia that is affiliated with the Serbia-based Association of Independent Electronic Media (ANEM). See <http://www.free2000.opennet.org/>, March 2001.
- 54 Declaration by the European Union on Kosovo, Brussels, June 9, 1998.
- 55 Statement on Kosovo issued at the meeting of the North Atlantic Council in Defense Minister Session, Brussels, June 11, 1998.
- 56 Statement by NATO Secretary General Dr. Javier Solana on Exercise "Determined Falcon," Brussels, June 13, 1998.
- 57 Contact Group Statement on Kosovo, London, June 12, 1998.
- 58 See ANEM's website at: www.anem.opennet.org/index.phtml
- 59 See Humanitarian Law Center, *Spotlight Report No. 28*, January, 1999, and Human Rights Watch, *Detentions and Abuse in Kosovo*.
- 60 See Human Rights Watch, *A Week of Terror in Drenica*.
- 61 Ibid.
- 62 "Persons missing in relation to the events in Kosovo from January 1998," International Committee of the Red Cross, First Edition, May 2000.
- 63 Humanitarian Law Center, "Kosovo—Disappearances in Times of Armed Conflict," *Spotlight Report No. 27*, August 5, 1998.
- 64 See Human Rights Watch, "Humanitarian Law Violations in Kosovo."
- 65 For details of the Klecka case, see Human Rights Watch, "Humanitarian Law Violations in Kosovo."

In April 2000, two Kosovar Albanians, Luan and Bekim Mazreku, went on trial in Nis, Serbia, for allegedly executing Serbian civilians in Klecka. On May 30, their trials were indefinitely postponed and, as of September, there had been no verdict. See trial monitoring reports by the Serbia-based organization, Group 484, April 21 and September 20, 2000.
- 66 *Koha Ditore*, July 11, 1998.
- 67 Reuters, July 29, 1998.
- 68 U.N. Security Council Resolution 1199, September 23, 1998.
- 69 Statement NATO Secretary General Javier Solana, Vilamoura, Portugal, September 24, 1998.
- 70 Dejan Anastasijevic, "Slamming the Door," *Vreme*, no. 415, October 3, 1998.
- 71 The creation of a large-scale human rights department was an innovation for OSCE missions. The human rights findings during the KVM's mission, as well as during and after the NATO bombing, were later presented in two useful reports: OSCE/ODIHR, *Kosovo: As Seen as Told*, Parts I and II.
- 72 On the occasion of his dismissal, Stanisic issued a brief statement that included these lines: "The service under my leadership functioned in line with its constitutional and legal framework, and it was under the constant legal control of the Serbian Supreme Court. The service linked its activities and the responsibilities primarily to the institu-

- tion of the Serbian president.” BBC Worldwide Monitoring, “Text of statement issued by Serbian security chief on his dismissal,” Source: Beta news agency, Belgrade, October 28, 1998.
- 73 Perisic, Chief of the Yugoslav Army General Staff from August 1993 to November 1998, was generally considered more inclined toward compromise with the West. For an interesting account of Perisic’s negotiations with western military leaders, see “Serbs’ Offensive Was Meticulously Planned,” by R. Jeffrey Smith and William Drozdiak, April 11, 1999, *The Washington Post*. See also, “Vengeful After First Setbacks, Army Chose Unrepentant Force,” by Michael R. Gordon and Thom Shanker, *New York Times*, May 29, 1999.
- 74 See the interview with former KLA commander of the Llap region Rrustem Mustafa (alias Remi), published in the Kosovo daily *Zeri* between April 21 and May 4, 2000. Commander Remi states, “The UCK [?] welcomed the [KVM] agreement, and in general it was profitable for us, for further mobilization, for the training of our soldiers, and for pulling our strength together so that we could continue the way that we had already started.”
- 75 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told—Part I*, pp 26–29.
- 76 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told—Part I*, pp. 384.
- 77 Smith and Drozdiak, “Serbs’ Offensive Was Meticulously Planned.”
- 78 See Human Rights Watch, “Yugoslav Government War Crimes in Racak,” A Human Rights Watch report, January 1999.
- 79 Statement by Serbian President Milan Milutinovic, *Borba*, January 18, 1999.
- 80 The Rambouillet Accords, Interim Agreement for Peace and Self-Government in Kosovo, February 23, 1999, Appendix B, paragraphs 8 and 21.
- 81 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told—Part I*, p 27.
- 82 Press conference of German Foreign Minister Fischer, April 6, 1999, World Hall of the Foreign Office, and Tony Paterson, “Germany Gives Details of Covert Plan,” *Times* (London), April 9, 1999.
- 83 John Goetz and Tom Walker, “Serbian Ethnic Cleansing Scare Was A Fake, Says General,” *Sunday Times*, April 2, 2000.

Chapter 3. Forces of the Conflict

- 1 For an indication of the diversity of Serbian and Yugoslav forces, see the Military Technical Agreement signed between the International Security Force (KFOR) and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia on June 9, 1999. The agreement says that “FRY forces” refers to: “regular army and naval forces, armed civilian groups, associated paramilitary groups, air forces, national guards, border police, army reserves, military police, intelligence services, federal and Serbian Ministry of Internal Affairs local, special, riot and anti-terrorist police, and any other groups or individuals so designated by the international security force (“KFOR”) commander.”

- 2 Photographs of members of security forces obtained by Human Rights Watch show that government troops often wore colored ribbons on their arms. Countless witness statements also describe this. The ribbons may have served to identify units engaged in particular operations or to reduce the possibility of KLA infiltration.
- 3 Human Rights Watch interview, name and place withheld, July 19, 1999.
- 4 Human Rights Watch interview with R.N., Cegrane, Macedonia, May 18, 1999.
- 5 After the change in Serbian and Yugoslav governments in late 2000, Serbian courts began to try some VJ soldiers for crimes committed in Kosovo during the war. See “The Work of the War Crimes Tribunal.”
- 6 In mid-December, 2000, Kertes gave an interview to *Nedeljni Telegraf*, in which he admitted providing funds to the ruling parties, as well as to the army and the police (see Danijela Bogunovic, “They Always Asked! More for More!,” *Nedeljni Telegraf*, December 13, 2000). He was arrested two days later and charged with embezzling \$2 million and \$700,000 in separate cases (see “Serbia Police Seize Milosevic Ally,” Associated Press, December 15, 2000).
- 7 *Beta*, April 9, 1998. Commander of the Yugoslav Third Army Gen. Nebojsa Pavkovic, with responsibility for Kosovo, later defended the killings in Drenica by calling them “the liquidation of a few members, a consequence.” See General Pavkovic’s interview with Frontline, available at: www.pbs.org/wgbh/pages/frontline/shows/kosovo/interviews/pavkovic.html, (March 20, 2001).
- 8 Momicilo Perisic was Chief of the VJ General Staff from August 1993 to November 1998, during which time he commanded the VJ and is believed to have remained in close contact with his Serbian counterparts in the Republika Srpska Krajina and the Republika Srpska.

From 1990 to 1991, Perisic was commander of the Yugoslav National Army’s (JNA) artillery school in Zadar, Croatia. Thereafter, he became chief of staff of the JNA’s newly formed Bileca Corps and commanded that Corps until 1992. In 1992, he became chief of staff and deputy commander of the 3rd Army. In August 1993, he was promoted to Colonel General and appointed VJ Chief of Staff, replacing Zivota Panic.

In 1997, Perisic was tried in absentia by a Zadar court and sentenced to twenty years in prison for war crimes and atrocities allegedly committed during the VJ attack on Zadar. In January 2001, Perisic was appointed a Deputy Prime Minister of the new Serbian government, prompting a protest from the Croatian Foreign Ministry.
- 9 In addition to extensive witness testimony collected by Human Rights Watch, the extent of the cooperation between MUP and VJ was reflected in a Serbian Ministry of Internal Affairs statement released after the war regarding a meeting of the MUP and VJ leadership:

The extremely successful and efficient cooperation during the previous period was emphasized, particularly regarding the fight against Albanians separatists and terrorists in Kosovo and Metohija, as well as special unity between the Yugoslav Army and the police forces in the defense from NATO aggression. (Announcement, MUP website, April 10, 2000.)
- 10 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, p. 21.

- 11 Constitution of the Federal Republic of Yugoslavia, articles 135 and 136.
- 12 FreeB92 News, November 1, 2000.
- 13 Although there is no express provision in the Yugoslav constitution or any federal law that SDC decisions must be unanimous, this interpretation has been generally accepted and follows from the provisions of the Yugoslav constitution, in particular Article 1, which defines the Federal Republic of Yugoslavia as a sovereign state founded on the equality of citizens and the *equality of the constituent republics* (emphasis added). The SDC rules of procedure are not public.
- 14 "Djukanovic: Milosevic not Supreme Commander," Radio B92, March 16, 1999.
- 15 Ojdanic replaced Col. Gen Momcilo Perisic on November 3, 1998. He retired from military service on December 30, 2000.
- 16 "Three Thousand Officers, Non-Commissioned Officers, Soldiers and Civilians Employed in the Services of the VJ," *Politika*, June 16, 1999.
- 17 According to the United Kingdom Ministry of Defence, the chief of the VJ's counter intelligence service was Col. Gen. Geza Farkas. See www.mod.uk/news/kosovo/yugoforces.htm, April 20, 2001.
- 18 The First Army was commanded by General Srboljub Trajkovic. At the outset of the NATO bombing, the Second Army was commanded by General Radosav Martinovic. He was replaced by Colonel General Milorad N. Obradovic just after the start of the air strikes and subsequently placed on pension.
- 19 See the following for more information: the website of the Federation of American Scientists (www.fas.org/man/dod-101/ops/kosovo.htm, March 20, 2001), the United Kingdom's Ministry of Defense website (www.kosovo.mod.uk/, March 20, 2001), and the Jane's Defense Weekly website (www.janes.com/regional_news/europe/news/kosovo/jwa990401_01_n.shtml, March 20, 2001), as well as a report by the International Crisis Group, *Reality Demands*, June 2000.
- 20 Ibid.
- 21 See Jane's World Armies at www.janes.com/regional_news/europe/news/kosovo/jwa990401_01_n.shtml, March 2001.
- 22 Zoran Miladinovic, "Always Among the Prominent," *Vojska*, October 29, 1998. Cirkovic was also the commander of the Kosovski Junaci barracks in Pristina. B.K., "Dedication to the Call," *Vojska*, November 5, 1998. Cirkovic was also publicly named as commander of the 15th Armored Brigade by the U.S. State Department on April 7, 1999.
- 23 A June 25, 1998, article in *Vojska* (Vladica Krstic, "Write a Letter, Soldier.") said that Zivanovic was scheduled to replace Col. Srba Zdravkovic. Zivanovic was also publicly named as commander of the 125th Motorized Brigade by the U.S. State Department on April 7, 1999. An armored mechanized unit based in the Vojvoda Petar Bojovic barracks in Pec belonged to the brigade under the command of Major Milicko Jankovic. Ljiljana Bascarevic, "The Harmony Between Knowledge and Experience," *Vojska*, October 22, 1998.
- 24 Zoran Miladinovic, "Care for the Soldiers is the Priority," *Vojska*, November 12, 1998, refers on page nineteen to the "motorized unit of Pristina Corps, from Prizren, under the command of Bozidar Delic." According to the article, the unit "conducts complex

- tasks of securing the frontier, control of communications in the border area. . . . Since the beginning of the conflict in Kosovo and Metohija, the unit has had many clashes with terrorist bands which have tried to penetrate our country from the territory of the Republic of Albania.” Delic was also publicly named as commander of the 549th Mechanized Brigade by the U.S. State Department on April 7, 1999.
- 25 Jelic was publicly named as commander of the 243rd Mechanized Brigade by the U.S. State Department on April 7, 1999.
- 26 “Human Factor Makes No Mistakes,” *Vojska*, September 10, 1998. This is one of three artillery brigades in the Third Army, with others in Aleksinac and Vranje. It was based in Gnjilane in the Knez Lazar barracks. Stefanovic was also publicly named as commander of the 52nd Mixed Artillery Brigade by the U.S. State Department on April 7, 1999. The State Department also identified Col. Milos Djosan as commander of the 52nd Light Air Defense Artillery-Rocket Regiment, based in Djakovica.
- 27 Zoran Miladinovic, “Right Fighters at the Right Place,” *Vojska*, May 7/14, 1998. Pekovic was also publicly named as commander of the 52nd Military Police Battalion by the U.S. State Department on April 7, 1999. According to *Vojska*, the Military Police of the Pristina Corps have a special antiterrorist unit, commanded by Second Lieutenant Milija Vukanic. Zoran Miladinovic, “Terrorists Have No Chance,” *Vojska*, May 7/14, 1998, and Branko Kopunovic, “People Who Pass Their Shadow,” *Vojska*, May 7/14, 1998.
- 28 According to a researcher on the VJ at Belgrade’s Institute of Contemporary History, one of the VJ’s two fighter regiments (Lovacki Puk) at Pristina’s Slatina airport consisted of two squadrons of MIG-21 planes. “Units Filled to the Maximum,” *Nasa Borba*, May 4, 1998.
- 29 “Decrees on Promotions and Appointments,” *Vojska*, December 31, 1998, and January 7, 1999.
- 30 Zoran Miladinovic, “In Challenge You See a Hero,” *Vojska*, October 8, 1998. Mirko Starcevic’s position in the Third Army was also evident by his appearance at a press conference in Pristina on April 24, 1998, when he informed journalists about recent attacks on the army near the border with Albania. He was presented as “a representative of the Yugoslav Army Corps in Pristina.”
- 31 “Decrees on Promotions and Appointments,” *Vojska*, December 31, 1998 and January 7, 1999.
- 32 “General Stojimirovic Vows to Defend FRY,” Tanjug, March 26, 1999.
- 33 “General: Kosovars Have ‘Nothing But Praise’ for Serb Army,” Beta, July 17, 1999.
- 34 In a letter published on August 24, 1999, in *Blic*, these “generals of the Yugoslav Army’s Third Army,” together with Vladimir Lazarevic, countered claims that they had threatened some members of Serbia’s political opposition. Reported by Radio B2-92, August 24, 1999.
- 35 United Kingdom Ministry of Defense website, www.kosovo.mod.uk/, accessed March 2001.
- 36 R. Jeffrey Smith and Dana Priest, “Yugoslav Eviction Operation ‘Basically Done’; Government Forces in Kosovo Digging In For an Extended Stay,” *Washington Post*, May 11, 1999.

- 37 Branko Kopunovic, "With Sword and Shield," *Vojska*, April 23, 1998, and "Who are the New Generals," *Vojska*, January 22, 1998, which describes Stojimirovic as having been the commander of the Corps' motorized brigade and then its chief of staff before becoming overall commander.
- 38 "Decrees on Promotions and Appointments," *Vojska*, December 31, 1998 and January 7, 1999. Stojimirovic replaced Major General Miodrag Simic. Zoran Miladinovic, "Well Based Confidence of the People," *Vojska*, January 15, 1998, and Zoran Miladinovic, "Practical Modes of Training," *Vojska*, January 15, 1998. *See also*, "General Stojimirovic Vows to Defend FRY," Tanjug, March 26, 1999.
- 39 Branko Kopunovic, "With Sword and Shield," *Vojska*, April 23, 1998.
- 40 "The War That We Were Involved in Was the Most Unequal War Ever Known," *Politika*, November 27–30, 1999. Evidence that the 63rd Parachutist Brigade was active in Kosovo comes from various sources. On October 15, 1999, President Milosevic awarded the 63rd Parachutist Brigade with the Order of the National Hero, which was accepted by Lieutenant Colonel Todorov. In his acceptance speech, Todorov said that his forces has lost many men "in the defense of Yugoslavia from European and domestic forces, and in the fight against Shiptar (a pejorative term for Albanians) terrorists in the year 1998 and in the defense of the last defensive war." *Politika*, October 15, 1999. In addition, a colonel from the 63rd Parachutist Brigade, Goran Ostojic, was reported to have died in August 1998 after being sent "to the front." Srboľjub Bogdanovic and Daniel Bukumirovic, "Special Upbringing," *Evropljanin*, August 27, 1998. Lastly, in a October 1998 speech, former Chief of the VJ General Staff Momcilo Perisic said: "I congratulate the soldiers, sub-officers, officers, and civilians in the service of the 63rd Parachute Brigade of the Special Forces Corps. . . . In complex circumstances, remaining faithful to the traditions of parachuting and keeping the pride of the profession, you have shown how the motherland is to be protected and preserved. With professional responsibility and readiness to withstand all efforts, in the best possible manner you have confirmed the status of an elite unit of the Yugoslav Army." "They Confirm the Status of an Elite VJ Unit," *Vojska*, October 15, 1998.
- 41 B. Kopunovic, "When 'Otters' Fly with Falcons," *Vojska*, May 7/14, 1998. The article also says that, among the members of the 72nd Brigade are "the popular and well known Falcons [Sokolovi]."
- 42 Federation of American Scientists website, www.fas.org/man/dod-101/ops/kosovo.htm, (March 2001).
- 43 Branko Kopunovic, "People Who Pass Shadows," *Vojska*, May 7/14, 1998.
- 44 *Vecernje Novosti*, June 30, 1999.
- 45 Republic of Serbia, Autonomous Province of Vojvodina, Kovacica District, Department of General Management and Public Service, Local Office of Debeljaca, Number III-111/99-05, March 26, 1999, 2621 Debeljaca.
- 46 Maggie O'Kane, "Kosovo 'Cleaner' Tells How Villages Were Emptied," *Guardian* (London), April 27, 1999.
- 47 *Ibid.*
- 48 *Frontline*, Public Broadcasting System, available at: <http://www.pbs.org/wgbh/pages/frontline/shows/kosovo/interviews/pavkovic.html>, (March 20, 2001).

- 49 Ibid.
- 50 U.S. Department of State, Press Statement by James P. Rubin, Spokesman, April 7, 1999, "Responsibility of Individual Yugoslav Army and Ministry Of Internal Affairs Commanders for Crimes Committed By Forces Under Their Command in Kosovo." The other named commanders were: Major General Vladimir Lazarevic, Commander, Pristina Corps; Colonel Mladen Cirkovic, Commander, 15th Armored Brigade, HQ Pristina; Colonel Dragan Zivanovic, Commander, 125th Motorized Brigade, HQ Kosovska Mitrovica and Pec; Colonel Krsman Jelic, Commander, 243rd Mechanized Brigade, HQ Urosevac; Colonel Bozidar Delic, Commander, 549th Motorized Brigade, HQ Prizren and Djakovica; Colonel Radojko Stefanovic, Commander, 52nd Mixed Artillery Brigade, HQ Gnjilane; Colonel Milos Djosan, Commander, 52nd Light Air Defense Artillery-Rocket Regiment, HQ Djakovica; and Major Zeljko Pekovic, Commander, 52nd Military Police Battalion, HQ, Pristina.
- 51 Jane's World Armies (www.janes.com/defense/news/kosovo/jwa990401_01_n.shtml/, March 2001.)
- 52 "The Yugoslav Army's Third Army Commander Lieutenant General Nebojsa Pavkovic: Kosmet is not Lost," *Vojška*, June 16, 1999.
- 53 For details on the MUP, see its website, also in English, at www.mup.sr.gov.yu/domino/mup.nsf/pages/index-e, (March 20, 2001).
- 54 On February 7, 2001, Sokolovic was found dead in his car in Zajecar, Serbia, with a bullet wound to his head. Initial autopsy reports concluded the death was a suicide. "Solokovic Postmortem Indicates Suicide," Radio B92, February 8, 2001.
- 55 The Indictment of Milosevic et al., Case IT-99-37-I, International Criminal Tribunal for the Former Yugoslavia, May 24, 1999.
- 56 For details on the Draskovic incident, see Human Rights Watch report, "Curtailing Political Dissent: Serbia's Campaign of Violence and Harassment Against Government Critics," April 2000.
- 57 Milanka Ivezić, "Successfully, Professionally, Responsibly, and with Discipline," *Policajac*, No. 4/97, April 1997, "Appointments and Assignments in the Ministry," *Policajac*, No. 4/97, April 1997, and Filip Svarm, "Go to Kosovo," *Vreme*, March 28, 1998.
- 58 Svarm, "Go to Kosovo," and the Federation of American Scientists website: www.fas.org/man/dod-101/ops/kosovo.htm, accessed March 2001.
- 59 United Kingdom, Ministry of Defense, www.kosovo.mod.uk/mupstruct.htm, accessed March 2001.
- 60 Dejan Anastasijevic, "How the Police Renounced Slobodan Milosevic," *Vreme*, October 19, 2000.
- 61 "SAJ Belgrade Won First," *Policajac*, No. 6/97, June 1997.
- 62 Gradisa Katic, "They Train for Years for an Operation That Takes Several Seconds," *Blic*, March 15, 1998, which reports that the SAJ took part in the March 1998 attack on Donji Prekaz, along with the PJP and regular police.
- 63 Prior to this, Lukic was assistant chief of police in Belgrade. On August 2, 1997, he accompanied Serbian Minister of Internal Affairs Vljeko Stojiljkovic on a visit to the SAJ in Belgrade. "Adroitness, Skillfulness and Professionalism," *Policajac*, No. 9/97, August 1997.

- 64 "Sreten Lukic Promoted to the Rank of Two-Star General of the Police," *Politika*, May 13, 1999.
- 65 Milan and Sredoje Lukic have been charged, together with Mitar Vasiljevic, for the mass murder of approximately 135 Bosnian Muslims around the eastern Bosnian town of Visegrad between May 1992 and October 1994.
- 66 See Chuck Sudetic, "The Reluctant Gendarme," *Atlantic Monthly*, April 2000.
- 67 What's New: Foreign Diplomats Visit Kosovo and Metohija, MUP website (March 20, 2001).
- 68 Tom Walker, "Belgrade Pledges to Wipe Out 'Terrorists' in Kosovo," *Times (London)*, June 11, 1998.
- 69 What's New: Foreign Diplomats Visit Kosovo and Metohija, MUP website (March 20, 2001).
- 70 See Human Rights Watch, *Humanitarian Law Violations in Kosovo*, October 1998.
- 71 KDOM, Daily Report for August 21, 1998.
- 72 R. Jeffrey Smith, "Taps Reveal Coverup of Kosovo Massacre," *Washington Post*, January 28, 1999.
- 73 Dejan Anastasijevic, "How the Police Renounced Slobodan Milosevic," *Vreme*, October 19, 2000.
- 74 See "Serbian Government Promotes Rights Abuser: New Interior Ministry Appointee Commanded Police in Kosovo," Human Rights Watch press release, February 2, 2001.
- 75 Z. Miladinovic, "Gift From the People," *Vojska*, No. 331, December 10, 1998.
- 76 M. Manic and S. Kovacevic, "Will and Readiness to Carry Out All Security Tasks," *Policajac*, No. 18/98, October 1998.
- 77 "Everything Binds Us to This Land," *Policajac*, No. 18/98, October 1998.
- 78 "We Are Doing the Best We Can," *Policajac*, No. 4/97, April 1997.
- 79 "In Complex Security Circumstances, They Fulfill Their Obligations With Success," *Policajac*, No. 3/98, February 1998. Col. Zekavica was awarded the Order of Merit in Matters of Defense and Security of the First Degree on July 7, 1999 (see "Examples of Heroism and Patriotism," *Politika*, July 11, 1999).
- 80 "At New Duties," *Policajac*, No. 1/99, January 1999.
- 81 "Confidence Arrived Through Work and Good Results," *Policajac*, No. 3/98, February 1998.
- 82 "Good and Alert," *Policajac*, No. 8/98, April 1998.
- 83 "Ability to Persevere in the Fight Between Good and Evil," *Policajac*, No. 8/98, April 1998.
- 84 "At New Duties," *Policajac*.
- 85 See Human Rights Watch, *A Week of Terror in Drenica*, February 1999.
- 86 "Policeman Milan Tenic Killed," *Policajac*, No. 8/98, April 1998.
- 87 Milanki Mijatov, "We Are Capable of More and Better," *Policajac*, No. 4/99, February 1999, and Dejan Anastasijevic, "Bloody Weekend in Drenica," *Vreme*, March 7, 1998.
- 88 See "Justice for Kosovo" on the American RadioWorks website: www.americanradioworks.org, (March 20, 2001).
- 89 Gajic was with Sreten Lukic for the meeting with foreign diplomats in Pec on June 7, 1999. According to one press account, after the public affairs debacle in March 1998,

- when Albanian families were massacred in Drenica, Gajic was appointed to oversee security in the western region of Kosovo during the spring offensive. Tom Walker, "Belgrade Pledges to Wipe Out 'Terrorists' in Kosovo," *The Times* (London), June 11, 1998.
- 90 United Kingdom, Ministry of Defense, www.kosovo.mod.uk/mupstruct.htm, (March 20, 2001).
- 91 Dejan Anastasijevic, "The Boys From Brazil," *Vreme*, October 19, 2000, and "How the Police Renounced Slobodan Milosevic," *Vreme*, October 19, 2000; Robert Block and Matthew Kaminski, "Was Serbian Revolt the People's Alone?" *Wall Street Journal*, October 23, 2000.
- 92 See VIP Report 1975, February 28, 2001, which cites the newspaper *Vecernje Novosti*, as well as the VIP Report from May 7, 2001. Milorad Ulemek's (or Lukovic's) nickname "Legija" has also caused confusion because there are at least two other men known as "Legija" in Serbia's paramilitary structures.
- 93 Human Rights Watch interview with J.J., Belgrade, Yugoslavia, November 2, 1998.
- 94 Human Rights Watch interview with VJ soldier, Decan, Kosovo, September 24, 1998.
- 95 United Kingdom, Ministry of Defense, www.kosovo.mod.uk/mupstruct.htm, March 20, 2001.
- 96 Srboljub Bogdanovic and Daniel Bukumirovic, "Special Upbringing," *Evropljanin*, August 27, 1998, and Filip Svarm, "Go To Kosovo," *Vreme*, March 28, 1998.
- 97 Anastasijevic, "The Boys from Brazil."
- 98 See, for example, Zoran B. Mijatovic, "How the SPS and JUL Destroyed the State Security Service," *Nedeljni Telegraph*, November 8, 2000.
- 99 Andrew Purvis and Dejan Anastasijevic, "The Bloody Red Berets," *Time.com*, March 12, 2001.
- 100 VIP Report, May 7, 2001.
- 101 Ibid.
- 102 United Kingdom, Ministry of Defense, www.kosovo.mod.uk/mupstruct.htm, March 20, 2001.
- 103 See "Justice for Kosovo," American RadioWorks website.
- 104 *Vecernje Novosti*, June 30, 1999.
- 105 Arkan's Tigers were also known as the Serb Volunteer Guard. They were founded by Zeljko Raznatovic ("Arkan"), who was indicted by the ICTY on September 30, 1997, for crimes in Bosnia. He was killed by gunmen in a Belgrade hotel in January 2000.
- 106 The White Eagles were a paramilitary formation under the command of Vojislav Seselj, a deputy prime minister in the Serbian government and head of the Serbian Radical Party.
- 107 According to the OSCE, the Republika Srpska Delta Force came from the Ministry of Internal Affairs of the Republika Srpska. See OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*. p. 24.
- 108 Ibid.
- 109 Ibid.
- 110 Human Rights Watch interview with M.J., Dobratin, Kosovo, July 13, 1999.
- 111 Philip Sherwell, "Focus the Ethnic Cleansing Business: 'We Didn't Rape or Kill Enough. . .,'" *Sunday Telegraph* (London), June 27, 1999.

- 112 James M. Dorsey "Death Factory: For These Serbs, Ethnic Cleansing Was a Business Proposition," *Wall Street Journal Europe*, August 31, 1999.
- 113 Jack Kelley, "Remorseless Troops Tell About Pillaging Kosovo," *USA Today*, July 22, 1999.
- 114 See "Justice for Kosovo," American RadioWorks website.
- 115 Ibid.
- 116 Humanitarian Law Center, *Kosovo Roma: Targets of Abuse and Violence, March 24-September 1, 1999*, 1999.
- 117 See the following: Roy Gutman, "Russian 'Volunteers' Allegedly Helped Serbs," *Newsday*, June 22, 1999; Maggie O'Kane, "Russian Soldiers' Peace Role Gives Refugees Chills," *Guardian* (London), June 24, 1999; "Retour des Russes sous l'habit de la KFOR: Tusus n'y croit pas," *France 3 Infos*, June 21, 1999.
- 118 Ron Ben-Yishay, "The Israeli Soldiers of the Serb Army," *Tel Aviv Yedi'ot Aharonot*, June 11, 1999.
- 119 "Danish Mercenary Set Free With Charges," *Agence France Presse*, August 31, 1999.
- 120 Sainovic chaired the commission for cooperation with the OSCE's KVM mission and was a member of the Serbian delegation at the Rambouillet talks in February 1999. On May 11, 2001, the Yugoslav parliament voted to lift the immunity of Sainovic and Jovan Zebic, both former Yugoslav Deputy Prime Ministers. Sainovic and Zebic are wanted by the Belgrade District Court to answer charges that they abused their official position to help President Milosevic siphon off state funds.
- 121 Statute of the International Criminal Tribunal for the Former Yugoslavia, Adopted May 25, 1993, amended May 13, 1998. Articles two through five of the statute list the punishable crimes: Grave breaches of the Geneva Conventions of 1949, violations of the laws or customs of war, genocide, and crimes against humanity (such as murder, deportation, torture, and rape).
- 122 In a January 16, 2001, interview with Belgrade's Radio B92, General Pavkovic was asked directly about civilian casualties and mass graves in Kosovo. He answered: "The thing I do know is that the Army firmly observed all the terms of the Geneva Convention and the international agreements." When asked "How about war crimes?" Pavkovic responded, "I am not aware of any such thing." See <http://www.b92.net/intervju/eng/2001/0116.phtml>, April 28, 2001.
- 123 March 26, 1999, Announcement, MUP website, March 20, 2001.
- 124 May 4, 1999, Announcement, MUP website, March 20, 2001.
- 125 See www.pbs.org/wgbh/pages/frontline/shows/kosovo/interviews/pavkovic.html (March 20, 2001).
- 126 Radio B92 interview with Gen. Nebojsa Pavkovic, available at <http://www.b92.net/intervju/eng/2001/0116.phtml>, April 22, 2001.
- 127 The police records were left behind in Pec district offices and were viewed by Human Rights Watch in July 1999.
- 128 See "Justice for Kosovo," American RadioWorks website.
- 129 In 2001, the new Serbian government and the VJ began prosecuting some cases. See Work of the International Criminal Tribunal for the former Yugoslavia.

- 130 Dusan Stojanovic, "Milosevic Makes Public Appearance," Associated Press, November 25, 2000.
- 131 Members of the Security Organs and Services on the Security Day May 13, MUP website, (March 20, 2001).
- 132 "Humanitarian Law Center Director's letter to the Yugoslav Army's General Staff," *Danas*, August 21, 2000.
- 133 In 1998, a splinter group tried to form a parallel fighting force: FARK—Forcave Armatures e Republikes e Kosovos (Armed Forces of the Republic of Kosova), under the command of Bujar Bukoshi, prime minister of the self-proclaimed Kosovo government. FARK was disbanded and, by March 1999, its members were fighting alongside the KLA.
- 134 The British press published unconfirmed reports in October 1999 that Ceku was under investigation by the war crimes tribunal for crimes committed by Croatian Army forces against ethnic Serbs in 1993. The tribunal neither confirmed nor denied the speculation, in accordance with its policy of not commenting on investigations. See, "Kosovo Commander Denies War Crimes in Croatia," Agence France Presse, October 12, 1999.
- 135 Other members of the KLA's General Staff included Jakup Krasniqi, Azem Sylja, Xhavit Haliti, Rame Buja, and Sokol Bashota, all in the political directorate, as well as Fatmir Limaj and Rexhep Selimi.
- 136 Rexha was gunned down by unknown assailants in front of his home in Prizren on May 8, 2000.
- 137 For details on some of the KLA personalities, see reports by the International Crisis Group, *Critical Implementation Issues and a "Who's Who" of Key Players*, March 1999, *Who's Who in Kosovo*, August 1999, and *What Happened to the KLA?*, March 2000. See also Zoran Kusovac, "The KLA: Braced to Defend and Control," *Jane's Intelligence Review*, April 7, 1999.
- 138 *Koha Ditore*, July 12, 1998.
- 139 KLA Communiqué Nr. 51, as published in *Koha Ditore*, August 26, 1998.
- 140 "Kosovo Reintegration Efforts are Bearing Fruits," IOM release, March 16, 2000.
- 141 The demilitarization agreement signed by the KLA on June 20, 1999, tended to confirm that non-Kosovo Albanians had participated in the KLA. Point 23(e) stipulated the withdrawal from Kosovo of "all UCK personnel, who are not of local origin, whether or not they are legally within Kosovo, including individual advisors, freedom fighters, trainers, volunteers, and personnel from neighboring and other States." (The "Undertaking of Demilitarization and Transformation by the UCK" is available at www.kforonline.com/resources/documents/uck.htm, March 20, 2001.)
- 142 For details, see, Roger Boyes and Eske Wright, "Drugs Money Linked to the Kosovo Rebels," *The Times* (London), March 24, 1999; Frank Viviano, "Separatists Supporting Themselves with Traffic in Narcotics," *San Francisco Chronicle*, June 10, 1994; "Speculation Plentiful, Facts Few About Kosovo Separatist Group," *Baltimore Sun*, March 6, 1998; Zoran Kusovac, "Another Balkans Bloodbath?—Part One," *Jane's Intelligence Review*, February 1, 1998; "TV report says Kosovo Albanians involved in Illegal Business in Germany," BBC Worldwide Monitoring, AND news agency, Berlin, June 28, 1999.

- 143 “Sreten Lukic Promoted to the Rank of Two-Star General of the Police,” *Politika*, May 13, 1999. See also the MUP website.
- 144 “Awards for the Defense of the Homeland,” *Policajac*, July 1999.
- 145 “Three Thousand Officers, Non-commissioned Officers, Soldiers and Civilians Employed in the Services of the VJ,” *Politika*, June 16, 1999.
- 146 *Ibid.*
- 147 “Examples of Heroism and Patriotism,” *Politika*, July 11, 1999. See also the MUP website. There Djordjevic is called a Lieutenant General, Stavanovic is a Major General, and Lukic is a Major General.
- 148 “Radojko Stefanovic New Commander of the Pristina Corps,” *Hronika*, December 30, 1999.
- 149 “The War That We Were Involved in Was the Most Unequal War Ever Known,” *Politika*, November 27–30, 1999.
- 150 May 13, 2000 Announcement, MUP website (March 20, 2001).
- 151 July 5, 2000, Announcement, MUP website (March 20, 2001).

Chapter 4. March–June 1999: An Overview

- 1 According to UNHCR statistics, the total number of refugees from Kosovo on June 9 was 862,979. This figure excludes those who had sought asylum in Europe prior to March 1999. No precise figures exist for the total population of internally displaced in Kosovo between March and June 1999 but most estimates range between 500,000 and 600,000, which includes the more than 200,000 persons internally displaced prior to March.
- 2 The expulsion of virtually all foreign journalists from Pristina on March 25 completed the removal of all foreign witnesses from Kosovo.
- 3 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told*, Part I, p. 37.
- 4 See the following press accounts: “[T]he death toll from Kosovo’s war was about 2,000 at the end of last year [1999], but that figure is substantially higher now,” Anne Thompson, “A worsening terror: Disappearances Grow in Kosovo,” Associated Press, March 18, 1999; “. . . more than 1500 people have been killed,” Charles Trueheart, “Kosovo Delegation Vows Anew to Sign Peace Agreement; West to Reapply Pressure on Belgrade,” *Washington Post*, March 16, 1999; “. . . more than 2,000 deaths,” Kurt Schork (Reuters), “A Year Ago, Serb Attack Kicked Off Kosovo War,” *Seattle Times*, March 5, 1999. See also, *The Kosovo Report*, The Independent International Commission on Kosovo, October 2000.
- 5 UNHCR Press Briefing Note: Kosovo, Tuesday, February 2, 1999.
- 6 According to a November 1998 survey of 285 villages in Kosovo carried out jointly by UNHCR and a group of humanitarian NGOs, 210 villages had been affected by the fighting in 1998. Twenty-eight percent of the homes in those villages (9,809) had been completely destroyed, and 15 percent (5,112) of the homes had severe damage. [UNHCR Pristina, “IDP/Shelter Survey Kosovo: Joint Assessment in 20 Municipalities,” November 12, 1998.]

- 7 Out of an estimated Kosovo population of 1.8 million, 850,000 Kosovars were refugees, and as many as 600,000 were internally displaced. Given that approximately 200,000 of the total population were Serbs, Roma, and other minorities, the percentage of displaced Albanians from Kosovo may have been as high as 90 percent.
- 8 UNHCR contingency plans prepared by the UNHCR Special Envoy for the Former Yugoslavia prior to March 24 put the maximum number of refugees from Kosovo that could be expected as a result of intensified hostilities in the province at 100,000. "The Kosovo refugee crisis: an independent evaluation of UNHCR's emergency preparedness and response," UNHCR Evaluation and Policy Analysis Unit, February 2000.
- 9 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, pp. 21–30.
- 10 Ibid.
- 11 For a Seselj statement on forced expulsions published in *The Greater Serbia Journal* on October 14, 1995, see: www.alb-net.com/cleansing.htm, (accessed March 2001).
- 12 Human Rights Watch found few cases of "identity cleansing" among refugees arriving in Macedonia. This may be due to the weaker base of support for the KLA in eastern Kosovo (the point of origin for most refugees arriving in Macedonia). Another possibility is that Macedonia, unlike Albania, would not permit such a large influx of Kosovo Albanians to remain indefinitely.
- 13 Bolstered by four years of a United Nations preventive deployment of peacekeepers, Macedonia had avoided the civil conflict that engulfed the other republics of the Socialist Federal Republic of Yugoslavia. The election of a multi-ethnic government coalition had mitigated tensions between the large ethnic Albanian community, whose experience of persistent discrimination had strengthened calls among many of its members for greater autonomy, and the larger ethnic Macedonian population, whose fears of a greater Albania were inflamed by such calls.

For more on human rights in Macedonia, see Human Rights Watch, "Police Violence in Macedonia," April 1998, and Human Rights Watch, *A Threat to Stability: Human Rights in Macedonia* (New York: Human Rights Watch, 1996).
- 14 The Macedonian government periodically closed its borders to Kosovo refugees until the international community agreed to transfer out of the country some of those already present in Macedonia. For more on the Macedonian government's treatment of refugees during the war, see a Human Rights Watch statement, "Macedonia Must Keep Border Open To Refugees," April 1, 1999.
- 15 After the end of the war, some western politicians even claimed that the return of refugees was the original objective of the NATO action—a temporal impossibility, further contradicted by NATO's own predictions about possible refugee flows that might follow the start of the bombing.
- 16 Human Rights Watch interviews, Bogovine, Macedonia, April 5, 1999; Neprosteno, Macedonia, April 10–11, 1999; Kukes, Albania, April 17 and April 26, 1999; Kukes, Albania, May 12–13 and May 22, 1999; Kukes, Albania, June 6, 1999.
- 17 Prior to March 1999, more than 90 percent of the population of Leposavic and approximately 75 percent of the populations of Zubin Potok and Zvecan were Serbs.
- 18 Human Rights Watch interviews, Bogovine, Macedonia, April 4, 1999.
- 19 Human Rights Watch interviews, Kukes, Albania: April 16–19, 1999; April 23, 1999;

- April 26, 1999; May 10, 1999; May 11, 1999; May 13, 1999; May 22, 1999; June 2, 1999 and June 7, 1999.
- 20 Many of them were displaced again during the forcible expulsion of large sections of Pristina in March and April 1999. (Human Rights Watch interviews, Dzepeviste, Macedonia, April 3, 1999).
- 21 Human Rights Watch interviews, Podujevo town, Dobratin village (Podujevo municipality), July 13, 1999; Kukes, Albania, May 22, 1999.
- 22 For more information on events in Kosovo Polje and Obilic municipalities during 1998, see: OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told*, pp. 235–239 and pp. 268–273. Some details on the KLA's brief capture of the Belacevac mine, and the nine Serbs who went missing, can be found in a Human Rights Watch report, *Humanitarian Law Violations in Kosovo*, October 1998.
- 23 Human Rights Watch interviews, Bogovine, Macedonia, April 4, 1999; Kukes, Albania, April 4 and April 14, 1999; Kukes, Albania, June 8, 1999.
- 24 Human Rights Watch interviews, Bogovine, Macedonia, March 31, 1999 and April 5, 1999; Kukes, Albania, April 29, 1999 and May 10, 1999.
- 25 For more information on Ade see: Human Rights Watch, *Kosovo Human Rights Flash #32*, April 29, 1999.
- 26 Human Rights Watch interviews, Morina, Albania, April 28, 1999; Kukes, Albania, April 29, 1999; Tetovo, Macedonia, April 30, 1999.
- 27 Human Rights Watch interviews, Krume, Albania, April 2, 1999; Kukes, Albania, April 8 and 9, 1999.
- 28 Human Rights Watch interviews, Morina, Albania, April 4, 1999; Kukes, Albania, April 8, 1999; Morina, Albania, April 28, 1999.
- 29 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told*, pp. 216–226.
- 30 Human Rights Watch interviews, Nprosteno, Macedonia, April 8 and 11, 1999; Zelino, Macedonia, April 12, 1999; Orasje, Macedonia, April 14, 1999; Senekos, Macedonia, April 16 and 17, 1999; Gostivar, Macedonia, April 18, 1999.
- 31 Human Rights Watch interviews, Orasje, Macedonia, April 12 and 14, 1999; Kotlina, Kosovo, August 8, 1999. See also, Amnesty International, "FRY: Killings in the Kacanik Area," April 9, 1999.
- 32 Human Rights Watch interviews, Senekos, Macedonia, April 16, 1999; Gostivar, Macedonia, April 18, 1999; Kukes, Albania, April 18, 1999; Kukes, Albania, May 14, 1999.
- 33 Human Rights Watch interviews, Nprosteno, Macedonia, April 8, 1999; April 10–11, 1999.
- 34 "Yugoslavs are Crying 'Crocodile Tears': Cohen — 100,000 Kosovars May be Dead, Says Defense Secretary," *Toronto Star*, May 17, 1999; David E. Rosenbaum, "Crisis in the Balkans: the Dead: U.S. Official Calls Tallies of Kosovo Slain Too Low," *New York Times*, April 19, 1999.
- 35 U.S. Department of State, "Erasing History: Ethnic Cleansing in Kosovo," May 1999; Transcript of Press Conference by Jamie Shea and Brigadier General Giuseppe Marani, NATO Headquarters, April 17, 1999.
- 36 "UN Sets Kosovo Dead at 11,000," Reuters, August 3, 1999, and "Kouchner's Spokeswoman Comments on Kosovo Death Figures," Agence France Press, August 3, 1999.

- 37 See, for example: Charles A. Radin and Louise D. Palmer, "Number of missing Kosovars is challenged," *The Boston Globe*, April 21, 1999.
- 38 For transcripts of the program, plus two other reports on war crimes in Kosovo, see: www.americanradioworks.org, (accessed March 2001).
- 39 "Milosevic Tried to Cover up Kosovo Crimes: Official," Agence France Presse, May 26, 2001, and "A Dark Secret Comes to Light in Serbia," by Carlotta Gall, *New York Times*, June 1, 2001.
- 40 Beta News, July 17, 2001, and Madame Carla Del Ponte, Prosecutor, ICTY, "Remarks to the Security Council," November 10, 1999.
- 41 ICRC Statement, "Persons Unaccounted for in Connection with the Kosovo Crisis," April 10, 2001. Prior to this statement, ICRC had said that 3,368 persons from Kosovo remained missing as of June 27, 2000. The majority of the missing are Kosovo Albanians, but also include 400 Serbs, one hundred Roma and persons from other minorities. Seventy-four percent disappeared between March and June 1999. ICRC, "Update 00/01 on ICRC activities in the Federal Republic of Yugoslavia," June 27, 2000.
- 42 Madame Carla Del Ponte, Prosecutor, ICTY, "Remarks to the Security Council," November 10, 1999.
- 43 Address to the Security Council by Madame Carla Del Ponte, prosecutor, International Criminal Tribunals for the former Yugoslavia and Rwanda, November 21, 2000, New York.
- 44 Human Rights Watch interview with N.B., Studencane, Kosovo, August 29, 1999.
- 45 Paul B Spiegel and Peter Salama, "War and mortality in Kosovo, 1998–99: an epidemiological testimony," *The Lancet*, Vol. 355, No. 9222, June 24, 2000.
- 46 Political Killings in Kosova/Kosovo, Central and East European Law Initiative of the American Bar Association and the American Association for the Advancement of Science, Washington D.C., October 2000.
- 47 Other known lawyers killed during the war were Urim Rexha from Djakovica, Mehdi Elshani from Suva Reka, and Ismet Gashi from Prizren.
- 48 Human Rights Watch interview with Nekibe Kelmendi, Pristina, Kosovo, July 25, 1999.
- 49 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, p. 236.
- 50 May 7, 1999, Announcement, MUP website, www.mup.sr.gov.yu/domino/mup.nsf/pages/index, (accessed March 2001).
- 51 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, pp. 151–152.
- 52 For a tribute to Mehmeti and Dervishi, see Robert Elsie, "Gone but not Forgotten," *Guardian*, April 3, 1999.
- 53 The findings of this research are set out in full in a separate Human Rights Watch report: "Kosovo: Rape as a Weapon of Ethnic Cleansing," *A Human Rights Watch Report*, vol. 12, no. 3, March 2000.
- 54 Human Rights Watch received credible reports of rape from the Center for the Protection of Women and Children, based in Pristina (Prishtina) (twenty-nine cases); the Albanian Counseling Center for Women and Girls, an NGO in Albania (twenty-eight cases); the Yugoslavia-based Humanitarian Law Center (four cases) and; the Kosovo-based Council for the Defense of Human Rights and Freedoms (four cases). Médecins Sans Frontières (MSF), with offices in Kosovo before and after the war, reported four

- cases, and other medical personnel working in Kosovo and Albania confirmed an additional eight cases. Physicians for Human Rights interviewed four victims of sexual violence, and Amnesty International documented another three cases of rape, although two were also counted by Human Rights Watch.
- 55 Human Rights Watch interview, R.G., Kukes Refugee Camp, Albania, June 5, 1999.
- 56 Human Rights Watch interview, P.J., Kukes Refugee Camp, Albania, June 5, 1999.
- 57 UNHCR Press Briefing Note: Kosovo, Tuesday, February 2, 1999.
- 58 UNHCR Press Briefing Note: Kosovo, April 13, 1999.
- 59 UNHCR Press Briefing Note: Kosovo, May 13, 1999.
- 60 Statistic from: "The Kosovo refugee crisis: an independent evaluation of UNHCR's emergency preparedness and response," UNHCR Evaluation and Policy Analysis Unit, February 2000. This figure excludes those who had sought asylum in Europe prior to March 1999.
- 61 No precise figures exist for the total population of internally displaced in Kosovo between March and June 1999 but most estimates range between 500,000 and 600,000.
- 62 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told*. pp. 98–99.
- 63 The American Association for the Advancement of Science, East-West Management Institute and the Institute for Legal and Policy Studies, *Policy or Panic: The Flight of Ethnic Albanians from Kosovo, March–May 1999*, May 2000. The report is available at: <http://hrdata.aaas.org/kosovo/policyorpanic/>, (accessed March 2001).
- 64 Human Rights Watch interview with M.B., Skopje, Macedonia, April 2, 1999.
- 65 Human Rights Watch interview with X.P., Skopje, Macedonia, April 2, 1999.
- 66 Human Rights Watch interview with N.J., Tetovo, Macedonia, March 31, 1999.
- 67 Human Rights Watch interview with S.K., Skopje, Macedonia, April 2, 1999.
- 68 See Human Rights Watch, Kosovo Human Rights Flash # 16, "Violent Ethnic Cleansing in Djakovica," April 3, 1999.
- 69 Human Rights Watch interview, name unknown, Krume, Albania, April 2, 1999.
- 70 International Criminal Tribunal for the former Yugoslavia, "Prosecutor of the Tribunal against Slobodan Milosevic and others: Indictment," June 1999.
- 71 See Human Rights Watch, "Detentions and Abuse in Kosovo," *A Human Rights Watch Report*, vol. 10, no. 10, December 1998.
- 72 Human Rights Watch interview with A.S. Prizren, Kosovo, June 13, 1999.
- 73 See Human Rights Watch, "Kosovo: Rape as a Weapon of 'Ethnic Cleansing'."
- 74 Human Rights Watch interview with R.N., Glogovac, Kosovo, November 5, 1999.
- 75 For more information on destruction during 1998, see Human Rights Watch, *A Week of Terror in Drenica*, February 1999. pp. 57–62.
- 76 UNHCR Pristina, "IDP/Shelter Survey Kosovo: Joint Assessment in 20 Municipalities," November 12, 1998.
- 77 UNHCR GIS Unit, Pristina, Kosovo, "UNHCR Shelter Verification: Agency Coverage," November 9, 1999.
- 78 Status Report, United Nations Interim Administration Mission in Kosovo, July 14, 2000.
- 79 Physicians for Human Rights, *War Crimes in Kosovo: A Population-Based Assessment of Human Rights Violations Against Kosovar Albanians*, August 1999.

- 80 Protocol II, Article 14, of the Geneva Conventions states: "It is therefore prohibited to attack, destroy, remove or render useless, for that purpose, objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works."
- 81 "Balkan Crisis: Cleaning Wells in Kosovo," ICRC News 99/37, September 8, 1999.
- 82 For more information on the case, see: Human Rights Watch, "Kosovo: Rape as a Weapon of 'Ethnic Cleansing'."
- 83 R. Jeffrey Smith, "Carcasses Dumped in Wells as Serb Crackdown Ended," *Washington Post*, December 10, 1998.
- 84 Valerie Reitman, "Kosovo Wells Emerging as Mass Graves," *Los Angeles Times*, August 10, 1999.
- 85 Human Rights Watch interview with Dr. Asllani, Pec, Kosovo, July 23, 1999.
- 86 *Corriere Della Sera*, July 6, 1999.
- 87 Human Rights Watch interview, Kukes, Albania, April 4, 1999.
- 88 Human Rights Watch interview with A.H., Cegrane, Macedonia, May 15, 1999.
- 89 Human Rights Watch interview with H.M., Stenkovac II refugee camp, Macedonia, May 10, 1999.
- 90 Human Rights Watch interview with I.X., Cegrane, Macedonia, May 15, 1999.
- 91 The four C's insignia is a Serbian nationalist symbol, comprising a cross and four Cyrillic S's. It is derived from the slogan "Only Unity Saves the Serbs" (Samo Sloga Srbina Spasava).
- 92 Human Rights Watch interview with H.S., Neprosteno, Macedonia, April 22, 1999.
- 93 International Crisis Group, *Reality Demands: Documenting Violations of International Humanitarian Law in Kosovo 1999* (Brussels: International Crisis Group, 2000).
- 94 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told*, pp. 94–96.
- 95 See also, Ian Fisher, "Refugees 'Human Shield' Witnesses Say They Were Held in Targeted Village," *New York Times*, May 31, 1999.
- 96 Human Rights Watch interview, Stenkovac II refugee camp, Macedonia, May 9, 1999.
- 97 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, pp. 94–96.
- 98 Physicians for Human Rights, *War Crimes in Kosovo: A Population-Based Assessment of Human Rights Violations Against Kosovar Albanians*, August 1999.
- 99 International Campaign to Ban Landmines, *Landmine Monitor Report 2000*, August 2000.
- 100 "103 Killed and 394 Disabled by Mines," KosovaLive, November 20, 2000.
- 101 Report of the Secretary General on the United Nations Interim Administration Mission in Kosovo, June 6, 2000 (S/2000/538).
- 102 Status Report, United Nations Interim Administration Mission in Kosovo, July 14, 2000.
- 103 Lord Robertson of Port Ellen, secretary general of NATO, "Kosovo One Year One—Achievement and Challenge," March 21, 2000.
- 104 Basic Points of the Statement by the Representative of the Federal Republic of Yugoslavia at the International Seminar on Anti-Personnel Mines, Budapest, March 26–28, 1998. For details of statement and the FRY government's position, see Human Rights Watch, *Humanitarian Law Violations in Kosovo*.

- 105 International Campaign to Ban Landmines, *Landmine Monitor Report 2000*, August 2000.
- 106 Consolidated Minefield Survey Results: Kosovo, the HALO Trust, Pristina, August 14, 1999.
- 107 Kosovo Crisis Fact Sheet #133, U.S. Agency for International Development, December 10, 1999.
- 108 Military Technical Agreement Between the International Security Force (“KFOR”) and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia, Article II, Paragraph 2.
- 109 Press Briefing by the Secretary-General’s Special Representative for Humanitarian Affairs in Kosovo, September 29, 1999.
- 110 See Human Rights Watch, “Ticking Time Bombs: NATO’s Use of Cluster Munitions in Yugoslavia,” *A Human Rights Watch Report*, vol. 11, no. 6 (D), June 1999.
- 111 See Human Rights Watch, “Civilian Deaths in the NATO Air Campaign,” *A Human Rights Watch Report*, vol. 12, no. 1 (D), February 2000.
- 112 International Campaign to Ban Landmines, *Landmine Monitor Report 2000*, August 2000. See also Human Rights Watch, “Civilian Deaths in the NATO Air Campaign,” *Cluster Bombs: Memorandum for CCW Delegates*, December 16, 1999, and “Ticking Time Bombs: NATO’s Use of Cluster Munitions in Yugoslavia.”
- 113 Estimates of overall dud rates vary from the conservative 2 to 5 percent claimed by manufacturers, to up to 23 percent observed in acceptance and operational testing, to some 10 to 30 percent observed on the ground in areas of Iraq after the Gulf War. Human Rights Watch has used a conservative estimate of 5 percent mechanical and fuse failures to estimate the humanitarian effect. For details, see Human Rights Watch, “Ticking Time Bombs: NATO’s Use of Cluster Munitions in Yugoslavia.”
- 114 NATO, “Teaching Kids to Stay Away—Cluster Bomb Fact-Sheet,” <http://kforonline.com>, July 6, 2000.
- 115 BBC News, “Kosovo Mine Expert Criticizes NATO,” May 23, 2000.

Chapter 5. Drenica Region

- 1 The intertwined history of Drenica’s two municipalities and the geographic pattern of the abuses make it logical to treat the region as a whole rather than as separate municipalities as we have done elsewhere in the report.
- 2 For more information on the attacks see: Human Rights Watch, *Federal Republic of Yugoslavia: Humanitarian Law Violations in Kosovo* (New York: Human Rights Watch, 1998), pp. 18–37.
- 3 *Ibid.*, pp. 33–37.
- 4 For more information on the attacks see: Human Rights Watch, *A Week of Terror in Drenica: Humanitarian Law Violations in Kosovo* (New York: Human Rights Watch, 1999).
- 5 As of May 15, 2000, more than 200 persons from the Drenica region remained missing,

- presumed dead. ICRC, "Persons Missing in Relation to the Events in Kosovo from January 1998," May 15, 2000.
- 6 International Criminal Tribunal for the Former Yugoslavia, "The Prosecutor of the Tribunal against Slobodan Milosevic, Milan Milutinovic, Nikola Sainovic, Dragoljub Ojdanic, Vlajko Stojiljkovic," section 98.f, May 24, 1999.
 - 7 Human Rights Watch interview with S.E., Kukes, Albania, March 25, 1999.
 - 8 Human Rights Watch interview with H.D., Stenkovac I refugee camp, Macedonia, June 9, 1999.
 - 9 Human Rights Watch interview with S.E., Kukes, Albania, March 25, 1999. For the full account of her story, see Human Rights Watch, *Kosovo Human Rights Flash no. 39*, May 19, 1999.
 - 10 Human Rights Watch interviews with Z.D. and S.E., Stenkovac I refugee camp, Macedonia, June 9, 1999, and Kukes, Albania, March 25, 1999.
 - 11 Human Rights Watch interview with H.D., Stenkovac I refugee camp, Macedonia, June 9, 1999.
 - 12 Human Rights Watch interview with F.A., Kukes, Albania, June 2, 1999.
 - 13 Human Rights Watch interview with S.E., Kukes, Albania, March 25, 1999.
 - 14 Ibid.
 - 15 Human Rights Watch interview with Z.D, Stenkovac I refugee camp, Macedonia, June 9, 1999.
 - 16 Human Rights Watch interview with H.D., Stenkovac I refugee camp, Macedonia, June 9, 1999.
 - 17 Human Rights Watch interview with I.H., Kukes, Albania, June 3, 1999.
 - 18 Amnesty International, "Federal Republic of Yugoslavia: Killings in the Izbica Area," *Kosovo Update*, May 25, 1999.
 - 19 Human Rights Watch interview with A. H., Vaise, Albania, June 3, 1999.
 - 20 Human Rights Watch interview with F. A., Kukes, Albania, June 2, 1999.
 - 21 Ibid., and Human Rights Watch interview with A.H., Vaise, Albania, June 3, 1999.
 - 22 NATO Press Conference by Jamie Shea and Brigadier General Giuseppe Marani, April 17, 1999. (To read a transcript of the briefing and see the aerial images, see <http://www.nato.int/kosovo/all-frce.htm>, March 2001).
 - 23 Human Rights Watch interview with H.D., Stenkovac I refugee camp, Macedonia, June 9, 1999.
 - 24 Remarks to the Security Council by Madame Carla Del Ponte, Prosecutor, International Criminal Tribunal for the former Yugoslavia, November 10, 1999, New York.
 - 25 "Serbs move Albanian bodies to area bombed by NATO—Albanian TV," BBC World Wide Monitoring Service, report by Albanian TV (Tirana), April 22, 1999.
 - 26 Human Rights Watch interview with X.X., Kosovo, October 11, 1999, location omitted and initials altered.
 - 27 Human Rights Watch interview with M.D., Srbica, Kosovo, October 11, 1999.
 - 28 Ibid.
 - 29 Human Rights Watch interview with X.X., Kosovo, October 11, 1999.
 - 30 Human Rights Watch interview with M.D., Srbica, Kosovo, October 11, 1999.

- 31 Ibid.
- 32 Julian Borger and Owen Bowcott, "War crimes: Serbs accused of obliterating evidence of mass graves," *The Guardian*, June 17, 1999.
- 33 Human Rights Watch interview with M.D., Srbica, Kosovo, October 11, 1999.
- 34 International Management Group, "Assessment of Damaged Buildings and Local Infrastructure in Kosovo," January 1999.
- 35 Human Rights Watch, *Humanitarian Law Violations in Kosovo*, pp. 33–37.
- 36 A list given to Human Rights Watch by Muqolli family members in a Macedonian refugee camp on May 8, 1999, had forty-four names and seven unknown victims, while a list given to Human Rights Watch in Poklek on June 25, 1999, had forty-eight names. Media accounts have cited other figures, such as fifty-two (*Irish Times*, June 18, 1999) and sixty-two (Associated Press, June 17, 1999).
- 37 Human Rights Watch interview with F.M., Cegrane refugee camp, Macedonia, May 8, 1999.
- 38 Human Rights Watch interview with R.M., Stari Poklek, Kosovo, June 25, 1999.
- 39 U.N. Assessment, GIS Unit Pristina, January 28, 1999.
- 40 A number of villagers from Staro Cikatovo requested anonymity in return for their testimony. The letters A.A., B.B., C.C., etc. are therefore used in this section to protect their identities.
- 41 Human Rights Watch interview with A.A., Stenkovac II refugee camp, Macedonia, May 9, 1999.
- 42 Human Rights Watch interview with B.B., Cegrane refugee camp, Macedonia, May 8, 1999.
- 43 Ibid.
- 44 Human Rights Watch interview with A.A., Stenkovac II refugee camp, Macedonia, May 9, 1999.
- 45 Human Rights Watch interview with D.D., Stenkovac II refugee camp, Macedonia, May 9, 1999.
- 46 Human Rights Watch interview with C.C., Cegrane refugee camp, Macedonia, May 12, 1999.
- 47 Human Rights Watch interview with E.E., Stenkovac II refugee camp, Macedonia, May 9, 1999.
- 48 Human Rights Watch interview with A.A., Stenkovac II refugee camp, Macedonia, May 9, 1999.
- 49 Human Rights Watch interview with C.C., Cegrane refugee camp, Macedonia, May 12, 1999.
- 50 OSCE, *Kosovo/Kosova: As Seen, As Told, Part I*, pp 190–191.
- 51 As of the close of the 1999 exhumation season, the ICTY had confirmed twenty-five bodies in Vrbovac, but had yet to confirm finding any bodies in Stutica. As of May 15, the ICRC had received reports of more than one-hundred missing persons from the area, including seventy-five from Vrbovac and twenty-seven from Stutica. (ICRC, "Persons Missing in Relation to the Events in Kosovo from January 1998," May 15, 2000.)
- 52 Human Rights Watch interview with R.K., Vrbovac, Kosovo, October 1, 1999.

- 53 Human Rights Watch interview with F.P., Vrbovac, Kosovo, September 29, 1999.
- 54 Human Rights Watch interview with R.N., Cegrane refugee camp, Macedonia, May 18, 1999.
- 55 Human Rights Watch interview with M.H., Poklek, Kosovo, October 2, 1999.
- 56 Human Rights Watch interview with S.G., Vrbovac, Kosovo, October 1, 1999.
- 57 Human Rights Watch interview with B.R., Vrbovac, Kosovo, October 1, 1999.
- 58 Human Rights Watch interview with Z.Z., Poljance, Kosovo, October 4, 1999. (Initials altered).
- 59 Human Rights Watch interview with A.D., Trstenik, Kosovo, October 2, 1999.
- 60 Human Rights Watch interview with Y.Y., Globare, Kosovo, October 8, 1999. (Initials altered).
- 61 Human Rights Watch interview with A.S., Cirez, Kosovo, October 13, 1999.
- 62 Human Rights Watch interview with Z.K., Gladno Selo, Kosovo, October 10, 1999.
- 63 Human Rights Watch interview with R.B., Stutica, Kosovo, June 25, 1999.
- 64 Human Rights Watch interview with A.A., Stutica, Kosovo, October 9, 1999. [Initials altered?]
- 65 Human Rights Watch interview with A.S., Stutica, Kosovo, October 5, 1999.
- 66 Human Rights Watch interview with Z.K., Gladno Selo, Kosovo, October 10, 1999.
- 67 Human Rights Watch interview with F.R., Cirez, Kosovo, July 11, 1999.
- 68 Human Rights Watch interview with M.F., Cirez, Kosovo, July 11, 1999. According to M.F. the victims were Rahim F. (18); Nazif F. (16); Dritan B. (16); Fidaim Z. (28); Mehmet M. (40); Halit H. (41) and; Ferti S. (28).
- 69 Human Rights Watch interview with Q.Q. (initials altered), Dosevac, Kosovo, October 5, 1999.
- 70 Human Rights Watch interview with A.S., Stutica, Kosovo, October 5, 1999.
- 71 Human Rights Watch interview with F.R., Cirez, Kosovo, July 11, 1999.
- 72 Human Rights Watch interview with A.A., Stutica, Kosovo, October 9, 1999. [Initials altered?]
- 73 Human Rights Watch interview with A.D., Trstenik, Kosovo, October 2, 1999.
- 74 Human Rights Watch interview with Z.K., Gladno Selo, Kosovo, October 10, 1999.
- 75 Human Rights Watch interview with F.R., Cirez, Kosovo, July 11, 1999.
- 76 Human Rights Watch interview with A.S., Cirez, Kosovo, October 13, 1999.
- 77 Human Rights Watch interview with Z.Z., Poljance, Kosovo, October 4, 1999. (Initials altered).
- 78 Human Rights Watch interview with Q.Q., Dosevac, Kosovo, October 5, 1999. (Initials altered.)
- 79 Human Rights Watch interview with representatives from the Council for the Defense of Human Rights, Glogovac, Kosovo, October 12, 1999.
- 80 Human Rights Watch interview with A.S., Cirez, Kosovo, October 13, 1999.
- 81 Human Rights Watch interview with R.B., Stutica, Kosovo, June 25, 1999.
- 82 Human Rights Watch interview with S.G., Vrbovac, Kosovo, October 1, 1999.
- 83 Human Rights Watch interview with Y.Y., Globare, Kosovo, October 8, 1999. (Initials altered.)

- 84 Human Rights Watch interview with A.D., Trstenik, Kosovo, October 2, 1999.
- 85 Human Rights Watch interview with R.B., Stutica, Kosovo, June 25, 1999.
- 86 Human Rights Watch interview with Z.K., Gladno Selo, Kosovo, October 10, 1999.
- 87 Human Rights Watch interview with A.A., Stutica, Kosovo, October 9, 1999. (Initials altered?)
- 88 Human Rights Watch, *A Week of Terror in Drenica*, pp. 42–47.
- 89 Villagers came to Glogovac from Staro Cikatovo, Trstenik, Poklek, Banjica, Domanek, and Gladno Selo, among other towns?.
- 90 For more information on abuses in Glogovac town, see: Human Rights Watch, “‘Ethnic Cleansing’ in the Glogovac Municipality,” *A Human Rights Watch Report*, vol.11, no. 8, July 1999.
- 91 Human Rights Watch researchers in Drenica in September 1998 also encountered some soldiers of the Yugoslav Army with KLA pins on their uniforms, clearly as a sarcastic trophy statement.
- 92 Human Rights Watch interview with N.B., Stenkovac refugee camp, Macedonia, May 8, 1999.
- 93 Human Rights Watch interview with B.K., Senekos refugee camp, Macedonia, May 23, 1999.
- 94 Human Rights Watch interview with A.H., Cegrane refugee camp, Macedonia, May 15, 1999.
- 95 Human Rights Watch interview with A.G., Stenkovac refugee camp, Macedonia, May 8, 1999.
- 96 Human Rights Watch interview with thirty-five-year-old man, Neprosteno refugee camp, Macedonia, April 30, 1999.
- 97 Human Rights Watch interview with I.X., Cegrane refugee camp, Macedonia, May 15, 1999.
- 98 Human Rights Watch interview with B.B., Cegrane refugee camp, Macedonia, May 13, 1999.
- 99 Human Rights Watch interview with X.D., Cegrane refugee camp, Macedonia, May 14, 1999.
- 100 Human Rights Watch interview with R.M., Cegrane refugee camp, Macedonia, May 8, 1999.
- 101 Human Rights Watch interview with N.B., Stenkovac refugee camp, Macedonia, May 8, 1999. N.B. claimed that he spent three days in a field hospital in the refugee camp due to head wounds. Human Rights Watch saw a scar on the back of his head where he claimed to have been injured by the police.
- 102 Human Rights Watch interview with twenty-three-year-old man from Glogovac, Neprosteno refugee camp, Macedonia, April 29, 1999.
- 103 Human Rights Watch interview with M.S., Neprosteno refugee camp, Macedonia, May 23, 1999.
- 104 Human Rights Watch interview with A.H., Cegrane refugee camp, Macedonia, May 15, 1999.
- 105 Human Rights Watch interview with C.C., Cegrane refugee camp, Macedonia, May 12, 1999.

- 106 Human Rights Watch interview with H.M., Stenkovac II refugee camp, Macedonia, May 10, 1999.
- 107 Human Rights Watch interview with B.B., Cegrane refugee camp, Macedonia, May 13, 1999.
- 108 Human Rights Watch interview with A.H., Cegrane refugee camp, Macedonia, May 15, 1999.
- 109 Human Rights Watch interview with X.D., Cegrane refugee camp, Macedonia, May 14, 1999.

Chapter 6. Djakovica (Gjakove) Municipality

- 1 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*.
- 2 For a good overall description of abuses in the municipality see International Crisis Group, *Reality Demands: Documenting Violations of International Humanitarian Law in Kosovo 1999*, (Brussels: International Crisis Group, June 2000).
- 3 See Human Rights Watch, "Civilian Deaths in the NATO Air Campaign," February 2000.
- 4 Since NATO's entry into Kosovo, Roma have been subjected to repeated harassment and violence by ethnic Albanians, many of whom view Roma as a group as having participated in crimes or collaborated with FRY state repression. In Djakovica, sections of the Roma neighborhood Brekoc were burned down and throughout mid-1999 approximately 600 Roma were living in a refugee camp on the outskirts of the city. Fifteen Djakovica Roma were reported killed or missing in political violence as of August 1999. (See chapter on Abuses After June 12, 1999.)
- 5 Human Rights Watch interview with Faton Polloshka, Djakovica, Kosovo, July 24, 1999.
- 6 Copies of the lists are on file in the Human Rights Watch office, New York.
- 7 Peter Finn, "On Polloshka's List, A Record of Horror," *Washington Post*, June 20, 1999.
- 8 John Kifner, "Mass Grave, Now Empty, Called Massacre Evidence," *New York Times*, June 23, 1999.
- 9 Human Rights Watch interview, name withheld, Djakovica, Kosovo, July 24, 1999.
- 10 Human Rights Watch interview with Faton Polloshka, Djakovica, Kosovo, July 24, 1999.
- 11 Although the *Washington Post* named Zdravkovic as the commander of the 125 Motorized Brigade, an article in the Yugoslav Army's *Vojska* magazine named Col. Dragan Zivanovic as the "future commander" of the brigade, without specifying when he would take command. (Vladica Krstic, "Write a Letter, Soldier," *Vojska*, June 25, 1998.) Zivanovic was also publicly named as commander of the 125th Motorized Brigade by the U.S. State Department on April 7, 1999. See the chapter on Forces of the Conflict.
- 12 Peter Finn and R. Jeffrey Smith, "Sudden Death in Kosovo's 'Heart of Darkness,'" *Washington Post*, April 30, 1999.
- 13 In an April 7, 1999, statement, U.S. State Department spokesman James Rubin announced that Colonels Mandic and Stefanovic, as well as seven other police and

army commanders, were “on notice” that their “forces are committing war crimes and crimes against humanity in Kosovo.” See statement by James P. Rubin, State Department Spokesman, April 7, 1999.

14 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*.

15 Between March 24 and June 12, three doctors from the city were killed, two in Djakovica (Dr. Izet Hima and Dr. Masar Radoniqi) and one in nearby Raca (Dr. Bedri Beqa). The deputy manager of the hospital, Esat Bicuri, was also killed. According to doctors at the Djakovica hospital, which remained open throughout the war, the police and army set up field hospitals in the Disco Tiffany and in a Catholic Church.

Human Rights Watch interviews with Dr. Juniku, Djakovica, Kosovo, July 26, 1999, and Dr. Burim Sahatqija, Djakovica, Kosovo, August 4, 1999.

16 Finn, “On Polloshka’s List, A Record of Horror.”

17 Between March 24 and June 12, six workers of the Mother Theresa Society in the Djakovica municipality were killed. Two others were wounded, and nine are missing. Another eight were temporarily detained and beaten, and the office was burned on March 25.

Human Rights Watch interview with Sadik Polloshka and Peter Quni, Djakovica, Kosovo, July 23, 1999.

18 According to the indictment, the other three men killed were Sylejman Begolli, Arif Bytyqi, and Urim Bytyqi. The OSCE’s report on Kosovo, “As Seen, As Told,” page 174, also mentions this incident, although the description is different from that provided in the indictment.

19 Finn, “On Polloshka’s List, A Record of Horror”.

20 List of Persons Killed in the Period March to May, 1999, Council for the Defense of Human Rights, July 1999.

21 See Human Rights Watch, “Violent Ethnic Cleansing in Djakovica,” *Kosovo Flash no. 16*, April 3, 1999.

22 Human Rights Watch interview with X.K. Krume, Albania, April 2, 1999.

23 Human Rights Watch interview, name unknown, Krume, Albania, April 2, 1999.

24 Human Rights Watch interview with N.C., Djakovica, Kosovo, July 24, 1999.

25 Human Rights Watch interview with A.N., Djakovica, Kosovo, July 24, 1999.

26 Human Rights Watch interview with G.J., Djakovica, Kosovo, July 25, 1999.

27 Human Rights Watch inspected the hole in the bricks of the attic, from which one could indeed see down the street.

28 Human Rights Watch interview with A.N., Djakovica, Kosovo, July 24, 1999.

29 See Finn, “Sudden Death in Kosovo’s ‘Heart of Darkness.’” According to the article, the killings took place in this order:

1. One unknown man not from Djakovica
2. Rexh Guci, 43, and his brother
3. Fehmi Lleshi, 46, butcher, and his wife
4. Hysen Deda, 77, his wife, Saja, 65, daughter Drita, 33, and her son, 6
5. Twenty people from five families, including twelve children (see below)
6. Jonuz Cana, 65, wife, daughter and son
7. Hasan Hasani, his wife, daughter and brother-in-law

8. Hasani's brother, son and daughter
9. Melahim Carkaxhiu, 36
10. Gezim Berdeniqi, 40.
11. Osam Dika, 70, and three sons
12. Skender Dylatahu, 34, and his brother
13. Myrteza Dinaj, 55, his son and four refugees
- 30 ICTY indictment of Milosevic, Milutinovic, Sainovic, Ojdanic and Stojiljkovic, para. 98(G).
- 31 Human Rights Watch interview with N.C., Djakovica, Kosovo, July 24, 1999.
- 32 Human Rights Watch interview with A.N., Djakovica, Kosovo, July 24, 1999.
- 33 Human Rights Watch interview with G.J., Djakovica, Kosovo, July 25, 1999.
- 34 Human Rights Watch interview with Faton Polloshka, Djakovica, Kosovo, July 24, 1999.
- 35 Human Rights Watch interview with V.V, Krume, Albania. April 10, 1999.
- 36 Human Rights Watch interview with R.R., Djakovica, Kosovo, June 15, 1999.
- 37 Human Rights Watch interview with Hekuran Hoda, Djakovica, Kosovo, July 24, 1999.
- 38 Human Rights Watch interview with L.V. Djakovica, Kosovo, July 23, 1999.
- 39 Human Rights Watch interview with B.E., Djakovica, Kosovo, July 24, 1999.
- 40 Human Rights Watch interview with Faton Polloshka, Djakovica, Kosovo, July 24, 1999.
- 41 Human Rights Watch interview with S.G., Djakovica, Kosovo, June 15, 1999.
- 42 Human Rights Watch interview with Fuat Haxhibeqiri, Djakovica, Kosovo, June 20, 1999.
- 43 Among those men released, according to the council, are Nezhdet Mejzini, Tomor Dyla, Afrim Gala, Nevruz Bakida, Ahmet Bakida (brother of Nevruz), Gezim Qela, Afrim Qela (brother of Gezim), Mirsad Qela (brother of Gezim and Afrim), and Hazmi Morina.
- 44 Fredrik Dahl, "Serb Court Orders Release of 143 Kosovo Albanians," Reuters, April 23, 2001.
- 45 Human Rights Watch interview with A.H., Djakovica, Kosovo, July 20, 1999.
- 46 Human Rights Watch interview with Dr. Sejoullah Hoxha, Pristina, Kosovo, July 21, 1999.
- 47 Human Rights Watch interview with Silvana Mirija, Tirana, Albania, July 24, 1999.
- 48 NATO press conference by Jamie Shea and Brigadier General Giuseppe Marani, Brussels, April 20, 1999.
- 49 Meja was also the site of a NATO attack on a convoy of internally displaced Albanians on April 14.
- 50 International Committee of the Red Cross, "Persons Missing in Relation to the Events in Kosovo from January 1998," First Edition, May 2000.
- 51 Human Rights Watch interviews, Kukes, Albania, April 28, 1999.
- 52 Human Rights Watch interview with V.A., Kukes, Albania, April 30, 1999.
- 53 Human Rights Watch interview with R.R., Kukes, Albania, June 4, 1999.
- 54 Human Rights Watch interview with A.S., Kukes, Albania, April 30, 1999.
- 55 Human Rights Watch interview with M.B., Kukes, Albania, June 4, 1999.

- 56 International Committee of the Red Cross, "Persons Missing in Relation to the Events in Kosovo from January 1998."
- 57 Human Rights Watch interview with M.Z., Kukes, Albania, April 30, 1999.
- 58 Human Rights Watch interview, name not provided, Kukes, Albania, April 29, 1999.
- 59 Human Rights Watch interview, Kukes, name not provided, Albania, April 29, 1999.
- 60 Human Rights Watch interview with Ray Wilkenson, Kukes, Albania, April 29, 1999.
- 61 Human Rights Watch interview with M.J., Kukes, Albania, April 29, 1999.
- 62 Human Rights Watch interview with L.J., Kukes, Albania, April 29, 1999.
- 63 Human Rights Watch interview with F.S., Kukes, Albania, April 29, 1999.
- 64 Human Rights Watch interview with V.A., Kukes, Albania, April 30, 1999.
- 65 Human Rights Watch interview with M.B., Kukes, Albania, April 30, 1999.
- 66 Human Rights Watch interview with K.S., Kukes, Albania, April 30, 1999.
- 67 Rame Mehmeti (aged forty-three) and Mehmet Mehmeti (aged nineteen) are both on the ICRC's list of missing people from Meja. According to the list, which was last updated on May 15, 2000, the two men, who were originally from Brovina, were last seen in Meja on April 27, 1999.
- 68 Human Rights Watch interview with A.S. Kukes, Albania, April 30, 1999.
- 69 The man in charge of the Roma street cleaning crews was Faton Polloshka, director of the Djakovica Public Works Department (see section on Djakovica). According to Polloshka, interviewed by Human Rights Watch on June 19, the municipal workers took approximately thirty bodies from Meja, although many more are believed to have been killed, whose whereabouts are unknown.
- 70 Milutin Prasevic's name also came up in interviews in Koronica (see section on Koronica). One man claimed that Prasevic was among the policemen harassing the villagers in early April. Human Rights Watch interview with M.M., Koronica, Kosovo, July 26, 1999. On June 7, 1999, officer Prasevic from the Djakovica police was posthumously awarded the Order of Merit in Matters of Defence and Security of the First Degree. *Politika*, October 15, 1999.
- 71 Human Rights Watch interview with K.H., Meja, Kosovo, July 25, 1999.
- 72 Human Rights Watch interview with Marie Colvin, Kukes, Albania, April 30, 1999.
Human Rights Watch interview with Ian Fisher, Korenica, Kosovo, June 16, 1999.
- 73 Jonathan S. Landay, "Evidence Mounts of War Crimes," *Christian Science Monitor*, June 21, 1999.
- 74 See <http://www.mup.sr.gov.yu/domino/mup.nsf/pages/index-e>, January 21, 2000.
- 75 Human Rights Watch interview with K.H., Meja, Kosovo, July 25, 1999.
- 76 Human Rights Watch interview with M.M., Koronica, Kosovo, July 26, 1999.
- 77 Human Rights Watch interview with K.H., Meja, Kosovo, July 25, 1999.
- 78 Human Rights Watch interview with A.S., Kukes, Albania, April 30, 1999.
- 79 Human Rights Watch interview with F.B., Kukes, Albania, April 29, 1999.
- 80 Among the missing from Guska are: Gjon Dedaj, aged approximately fifty-five, Pjeter Dedaj, aged approximately fifty-two, and Martin Dedaj (Pjeter's son), aged approximately twenty-nine.
- 81 Human Rights Watch interview with M.M., Korenica, Kosovo, July 26, 1999.

- 82 Ibid.
- 83 Human Rights Watch interview with Anton Dedaj, Korenica, Kosovo, June 16, 1999.
- 84 Human Rights Watch interview with Tom Dedaj, Korenica, Kosovo, June 16, 1999. The fact that some paramilitaries were wearing red arm bands suggests a possible central command.
- 85 Ibid.
- 86 Human Rights Watch interview with K.M., Korenica, June 16, 1999.
- 87 Human Rights Watch interview with R.R. and S.R., Kukes, Albania, June 4, 1999.

Chapter 7. Istok (Istog) Municipality

- 1 UNHCR GIS Unit, Pristina, Kosovo, "UNHCR Shelter Verification: Agency Coverage," November 9, 1999.
- 2 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, pp 208–210.
- 3 M.Manic and S. Kovacevic, "Will and Readiness to Carry Out All Security Tasks," *Policajac*, No. 18/98, October 1998.
- 4 By mid-2000, many more Dubrava survivors had been released. In September, seventy-nine of them held a hunger strike in front of Dubrava prison to highlight the plight of the Albanian prisoners still in Serbian custody.
- 5 See interviews with Ahmet Ahmeti (Izabela Kistic, "Tukli su nas, mucili elektrosokovima i pucli," *Danas*, November 5, 1999); Bajrush Xhemali ("Former Kosovar Prisoner Says Serbs 'Massacred' Over 100 Inmates," BBC Worldwide Monitoring of *Beta News Agency*, August 26, 1999); and Remzi Tetrica ("We Were Attacked With Automatic Weapons, Snipers and Bombs in Dubrava Prison," *Kosova Sot*, September 30, 1999); and information from Naser Husaj (Carlotta Gall, "Stench of Horror Lingers in a Prison in Kosovo," *New York Times*, November 8, 1999.)
- 6 "NATO Crimes in Yugoslavia: Documentary Evidence, 25 April–10 June 1999," Yugoslav Ministry of Foreign Affairs, Belgrade, July 1999, p. 319.
- 7 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, pp. 213–214.
- 8 "We Were Attacked With Automatic Weapons, Snipers and Bombs in Dubrava Prison," *Kosova Sot*, September 30, 1999.
- 9 "Report on the Trial of the So-called 'Djakovica Group,'" Group 484, Volunteer Center for Direct Human Rights, April 2000.
- 10 "Former Kosovar Prisoner Says Serbs 'Massacred' Over 100 Inmates," BBC Worldwide Monitoring.
- 11 Hoti (age fifty-six), head of the Party of National Unity (Unikomb), was arrested on May 14, 1993, and subsequently sentenced to five years in prison.
- 12 Paul Watson, "NATO Bombs Ignite Prison Chaos—KLA Officers Reported to be Among Inmates," *Toronto Star*, May 22, 1999.
- 13 A.K. was arrested in Pec in August 1998, and sentenced in November 1998 to one year in prison for "terrorist acts." Human Rights Watch inspected A.K.'s verdict from the Pec district court, signed by Judge Goran Petronijevic, but the document number and pre-

- cise court dates are not provided here to protect the identity of the witness. A.K. told Human Rights Watch that he had joined the KLA in June 1998, and had fought in Glodjane under Ramush Haradinaj, the KLA's regional commander in the area.
- 14 Human Rights Watch interview with A.K., Pec, Kosovo, November 17, 1999.
 - 15 B.K. was arrested in September 1998 and sentenced to one year in prison that March 1999 for terrorist activities. He admitted to Human Rights Watch to having been a KLA battalion commander. The precise dates of his arrest and sentencing are not provided to protect the identity of the witness.
 - 16 Human Rights Watch interview with B.K., near Pec, Kosovo, November 17, 1999.
 - 17 NATO press conference, NATO Headquarters, Brussels, May 20, 1999.
 - 18 Yugoslav Ministry of Foreign Affairs, NATO Raids on Manufacturing and Civilian Facilities on May 19 and in the Night Between May 19 and 20, 1999.
 - 19 Ibid.
 - 20 Jacky Rowland, "Bombs, Blood and Dark Despair," *Scotland on Sunday*, May 23, 1999.
 - 21 Paul Watson, "Dispatch from Kosovo: 20 Killed, 10 Wounded as NATO Targets Prison," *Los Angeles Times*, May 22, 1999.
 - 22 Ibid.
 - 23 "NATO Hits Kosovo Jail Again Friday Night," *Associated Press*, May 21, 1999.
 - 24 NATO Morning Briefing, NATO Headquarters, Brussels, May 22, 1999.
 - 25 Watson, "NATO Bombs Ignite Prison Chaos."
 - 26 "Former Kosovar Prisoner Says Serbs 'Massacred' Over 100 Inmates," BBC Worldwide Monitoring.
 - 27 Izabela Kistic, "Tukli su nas, mucili elektrosokovima I pucli," *Danas*, November 5, 1999.
 - 28 "At Least 19 Killed in NATO Bombardment of Prison In Istok," Tanjug, May 21, 1999.
 - 29 "NATO Aircraft Attack Prison In Istok Six Times in One Day," Tanjug, May 22, 1999.
 - 30 "Dozens of Inmates Killed in NATO Air Strikes on Istok Prison," Tanjug, May 22, 1999.
 - 31 Human Rights Watch interview with B.K., near Pec, Kosovo, November 17, 1999.
 - 32 Human Rights Watch interview with A.K., Pec, November 17, 1999.
 - 33 Bajrush Xhemaili was head of the Council for the Defense of Human Rights and Freedom's sub-council in Urosevac/Ferizaj, as well as a member of the council's presidency in Pristina. He was arrested in 1993 and sentenced on August 5, 1993, to eight years in prison. He was released on June 8, 1999, and is currently active in the Party for Democratic Prosperity, the new political party headed by Hashim Thaci, former political director of the KLA and current prime minister of Kosovo's self-appointed Provisional Government.
 - 34 "Former Kosovar Prisoner Says Serbs 'Massacred' Over 100 Inmates," BBC Worldwide Monitoring of *Beta News Agency*, August 26, 1999.
 - 35 Human Rights Watch interview with B.K., near Pec, Kosovo, November 17, 1999.
 - 36 Human Rights Watch interview with A.K., Pec, November 17, 1999.
 - 37 A *New York Times* reporter, Carlotta Gall, who visited Dubrava prison on November 7, 1999, saw weapons in the basement of the cultural center, including a spade, metal spikes, wooden bars and metal piping. ["Stench of Horror Lingers in a Prison in Kosovo," by Carlotta Gall, *The New York Times*, November 8, 1999.]
 - 38 Gall, "Stench of Horror Lingers in a Prison in Kosovo."

- 39 Ibid.
- 40 “We Were Attacked with Automatic Weapons, Snipers and Bombs in Dubrava Prison,” *Kosova Sot*, September 30, 1999.
- 41 Human Rights Watch interviewed another former prisoner who was in Lipljan prison from May 24 to June 9 but was not in Dubrava who also reported having to walk through a cordon of policemen. Human Rights Watch interview with R.M., Glogovac, Kosovo, November 5, 1999.
- 42 Humanitarian Law Center Communique, October 10, 1999.
- 43 Human Rights Watch interview with A.K., near Pec, Kosovo, November 17, 1999.
- 44 Human Rights Watch interview with B. Z., Glogovac, Kosovo, November 5, 1999.
- 45 “Number of Persons Killed in NATO raids on Istok prison Still Uncertain,” Tanjug, May 25, 1999.
- 46 On May 24, Vladan Bojic was quoted on the state-run Belgrade Radio as saying that NATO had “committed the biggest mass murder of inmates in the history of modern civilization,” and that the court would begin to investigate the crime.
- 47 FRY MFA, NATO Raids on Manufacturing and Civilian Facilities on May 29th and in the Night Between May 29th and 30th 1999.
- 48 Yugoslav press reports; “Identifikovano 86 mrtvih,” *DAN*, 27 May 1999, p. 2; “Jos sedam leseva,” *DAN*, 30 May 1999.
- 49 “NATO Crimes in Yugoslavia: Documentary Evidence, 25 April–10 June 1999,” p. 319, Yugoslav Ministry of Foreign Affairs, Belgrade, July 1999.
- 50 “Istok Prison’s Unanswered Questions,” BBC World News, May 25, 1999.
- 51 Daniel Williams, “Kosovo Revisited; At War’s End, Old Places Seen in New Light,” *Washington Post*, June 26, 1999.
- 52 Ibid.
- 53 Gall, “Stench of Horror Lingers in a Prison in Kosovo.”
- 54 “Spanish Teams Excavating Mass Burial Site,” Associated Press, August 13, 1999.
- 55 Remarks to the Security Council by Madame Carla Del Ponte, Prosecutor, International Criminal Tribunal for the former Yugoslavia, New York, November 10, 1999.
- 56 William Booth, “Doctor Tells of Life Among Serbia’s Captives,” *Washington Post*, July 19, 1999.
- 57 Paul Watson, “NATO Bombs Ignite Prison Chaos—KLA Officers Reported to be Among Inmates,” *Toronto Star*, May 22, 1999.
- 58 Human Rights Watch interview with Faton Mexhmeti Ramusij, Babaloc (Baballoq), July 17, 1999.

Chapter 8. Lipljan (Lipjan) Municipality

- 1 Human Rights Watch interview with A.I., Cegrane refugee camp, Macedonia, May 4, 1999.
- 2 Human Rights Watch interview with B.S., Neprosteno refugee camp, Macedonia, April 29, 1999.
- 3 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, pp. 254–265.

- 4 Large numbers of people from surrounding villages took shelter in Lugadzija as a result. The village of Smolusa, which was also not directly attacked, served as a similar refuge.
- 5 Human Rights Watch interview with S.S., Zelino, Macedonia, May 7, 1999.
- 6 Ibid.
- 7 Human Rights Watch interview with B.D., Kukes, Albania, April 18, 1999. The chapter on Lipljan in OSCE/ODIHR, *Kosovo/Kosovs: As Seen, As Told* contains a similar account of events in the village.
- 8 Human Rights Watch interview with K.G., Neprosteni refugee camp, Macedonia, April 29, 1999; Human Rights Watch interview with B.D., Kukes, Albania, April 18, 1999.
- 9 The chapter on Lipljan in OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told* includes witness accounts of an attack on Gornje Gadimlje on March 26, forcible expulsions on March 29 and the subsequent influx of large numbers of displaced persons in mid-April.
- 10 Human Rights Watch interview with B.H., Kukes, Albania, April 18, 1999.; Human Rights Watch interview with B.D., Kukes, Albania, April 18, 1999.; Human Rights Watch interview with B.E., Kukes, Albania, April 19, 1999. Witnesses cited in *As Seen, As Told* indicate that the population was expelled on April 17 but are otherwise consistent.
- 11 Human Rights Watch interview with M.L., Negotino refugee camp, Macedonia, May 6, 1999.
- 12 Human Rights Watch interview with S.S., Zelino, Macedonia, May 7, 1999.
- 13 Human Rights Watch interview with Q.F., Neprosteni refugee camp, Macedonia, April 27, 1999.
- 14 Ibid.
- 15 Human Rights Watch interview with F.P., Neprosteni refugee camp, Macedonia, April 29, 1999.
- 16 Human Rights Watch interview with M.L., Neprosteni refugee camp, Macedonia, April 27, 1999.
- 17 Human Rights Watch interview with A.A., Cegrane refugee camp, Macedonia, May 1, 1999.
- 18 Ibid.
- 19 "As Seen, As Told," Lipljan chapter.
- 20 Human Rights Watch interview with B.B., Cegrane refugee camp, Macedonia, May 1, 1999.
- 21 Human Rights Watch interview with F.P., Neprosteni refugee camp, Macedonia, April 29, 1999.
- 22 Human Rights Watch interview with B.B., Cegrane refugee camp, Macedonia, May 1, 1999. "As Seen, As Told," Lipljan chapter.
- 23 Human Rights Watch interview, Bogovine, Macedonia, May 6, 1999.
- 24 Witness statements in the Lipljan chapter of "As Seen, As Told" confirm the deaths and most of the details of the attack provided by the woman.
- 25 Human Rights Watch interview with Y.S., Cegrane refugee camp, Macedonia, May 20, 1999.
- 26 "As Seen As Told," includes a detailed account of the killings and describes twenty-six

- or twenty-seven dead. See also, Julian Borger, "A Joyous Welcome from the Living, a Grisly Reminder from the Dead," *Guardian*, June 14, 1999. Borger's account, written after a visit to the village, reports twenty-six graves. The ICTY has exhumed 26 bodies from the site.
- 27 Human Rights Watch interview with J.K., Cegrane refugee camp, Macedonia, May 3, 1999.
 - 28 Ibid.
 - 29 Gregor Mayer, "Mass graves come to light after KFOR enters," Deutsche Presse-Agentur, June 14, 1999. See also, David Rohde, "In Kosovo, Signs of Massacres and a Cover-Up," *New York Times*, June 14, 1999.
 - 30 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told*, Lipljan chapter.
 - 31 The ICTY exhumed twenty bodies from graves in the village.
 - 32 Susan Milligan and Mary Leonard, "Serb atrocity evidence mounting," *Boston Globe*, June 18, 1999.
 - 33 Human Rights Watch interview with F.B., Cegrane refugee camp, Macedonia, May 1, 1999.
 - 34 Human Rights Watch interview with F.G., Slovinje, Kosovo, July 24, 1999.
 - 35 Human Rights Watch interviews with F.B., Cegrane refugee camp, Macedonia, May 1, 1999; F.G., Slovinje, Kosovo, July 24, 1999.
 - 36 On June 25, 1999, British military police with KFOR arrested a Serb man from Slovinje, after investigating allegations that he had participated in the killings as a paramilitary.
 - 37 Human Rights Watch interview with Z.G., Slovinje, Kosovo, July 23, 1999.
 - 38 Human Rights Watch interview with F.B., Cegrane refugee camp, Macedonia, May 1, 1999; interview with M.B., Cegrane, Macedonia, May 4, 1999; interview with F.G., Slovinje, Kosovo, July 24, 1999.
 - 39 Human Rights Watch interview with I.N., Slovinje, Kosovo, July 23, 1999.
 - 40 Human Rights Watch interview with M.B., Cegrane refugee camp, Macedonia, May 4, 1999.
 - 41 Human Rights Watch interview with K.G., Neprosteno refugee camp, Macedonia, April 29, 1999.
 - 42 Human Rights Watch interview with H.K., Slovinje, Kosovo, June 22, 1999.
 - 43 Human Rights Watch interview with F.G., Slovinje, Kosovo, July 24, 1999.
 - 44 Human Rights Watch interview with S.B., Slovinje, Kosovo, July 24, 1999.
 - 45 Human Rights Watch interview with F.B., Cegrane refugee camp, Macedonia, May 3, 1999. (Follow-up interview in Lugu i Demas (near Slovinje village), Kosovo, July 23, 1999.)
 - 46 Yonuz's wife Havushe Pacolli (b. 1946) died of a heart attack on April 18.
 - 47 Human Rights Watch interview with F.G., Slovinje, Kosovo, July 24, 1999.
 - 48 Ibid.
 - 49 Human Rights Watch interview with F.B., Cegrane refugee camp, Macedonia, May 3, 1999. (Follow-up interview in Lugu I Demas (near Slovinje village), Kosovo, July 23, 1999.)
 - 50 Human Rights Watch interview with S.B., Slovinje, Kosovo, July 24, 1999.

- 51 Ibid.
- 52 Human Rights Watch interview with H.K., Slovinje, Kosovo, June 22, 1999.
- 53 Human Rights Watch interview with Z.G., Slovinje, Kosovo, July 23, 1999.
- 54 Human Rights Watch interview with S.B., Slovinje, Kosovo, July 24, 1999.
- 55 In addition to the sixteen killed on April 16, the body of heart-attack victim Havushe Paccolli had also been buried at the site.
- 56 Human Rights Watch interview with S.S., Slovinje, Kosovo, June 24, 1999.
- 57 Ibid.
- 58 Ibid.
- 59 Ibid.
- 60 Human Rights Watch interview with P.F., Slovinje, Kosovo, June 24, 1999.
- 61 Ibid.
- 62 Ibid.
- 63 The Berisha family were less fortunate. On June 12, the day that NATO forces entered Kosovo, the family were on their way to Smolusa from Slovinje to collect food when they triggered an explosive device believed to be an unexploded NATO bomb. Sixty-one-year old Shaban, twenty-seven-year-old Mehaz and twenty-five-year Ibrahim were killed instantly and several other family members were badly wounded. Human Rights Watch interview with the Berisha family, Slovinje, Kosovo, June 24, 1999.
- 64 "Paramilitary" is an imprecise term in Kosovo that can variously describe any irregular forces including armed civilians and persons in uniforms from the regular security services wearing masks to hide their faces.
- 65 Human Rights Watch interview with D.N., Slovinje, Kosovo, July 23, 1999.

Chapter 9. Orahovac (Rrahovec) Municipality

- 1 For details, see Human Rights Watch, *Humanitarian Law Violations in Kosovo*, October 1998.
- 2 In February 1999, for instance, the KLA admitted to the abduction of two Serb civilians from Velika Hoca. One of the men was killed and the other was severely beaten. See OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, p. 37.
- 3 "In Complex Security Circumstances, They Fulfill Their Obligations With Success," *Policajac*, No. 3/98, February 1998.
- 4 "At New Duties," *Policajac*, No. 1/99, January 1999.
- 5 A survivor of the massacre told Human Rights Watch that the KLA had a base in Drenoc, but not in Pusto Selo. Human Rights Watch interview, Pusto Selo, Kosovo, June 26, 1999. See also "Report of the High Commissioner for Human Rights on the Situation of Human Rights in Kosovo," U.N. Doc. E/CN.4/2000/10, 27 September 1999, para. 35 (stating that previous fighting between the KLA and Serbs in the area led to reprisal killings in Pusto Selo); and OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*. (chapter on Orahovac, which notes that fighting between KLA and Serbs had taken place in the region around Pusto Selo prior to the massacre).
- 6 Human Rights Watch interview with B.K., Pusto Selo, Kosovo, June 26, 1999.

- 7 Human Rights Watch interview with T.K., Pusto Selo, Kosovo, June 26, 1999.
- 8 Human Rights Watch interview with B.K., Pusto Selo, Kosovo, June 26, 1999.
- 9 Human Rights Watch interview with B.K., Pusto Selo, Kosovo, June 26, 1999.
- 10 Human Rights Watch interview with R.K., Pusto Selo, Kosovo, June 26, 1999.
- 11 At approximately this time the first reports of the Pusto Selo killings appeared in Kosovapress, the KLA's news agency. It released a short bulletin on the massacre on April 3, publishing a list of ninety-nine of the dead the following day. "Rahovec: Bodies of 136 massacred people found in a village near Rahovec," Kosovapress, April 3, 1999, and; "The list of the executed and massacred people in the village of Pastasel, Commune of Rahovec," Kosovapress, April 4, 1999.
- 12 The photographs were posted on the web site of the U.S. Department of State: http://www.state.gov/www/regions/eur/rpt_9905_ethnic_ksvo_7b.html, (March 22, 2001).
- 13 See, for example, "NATO: Aerial photo may show mass graves in Kosovo," CNN, April 11, 1999; "Mountain Refugees and Mass Graves," ABC.NEWS.com, April 11, 1999.
- 14 Human Rights Watch interview with T.K., Pusto Selo, Kosovo, June 26, 1999. The U.S. Department of State, in its May 7, 1999 update on the Kosovo crisis, stated that KLA sources mentioned exhumations in Pusto Selo beginning on April 23, and that the bodies were sent to Orahovac by truck. U.S. Department of State, "Fact Sheet: The Ethnic Cleansing of Kosovo," May 7, 1999.
- 15 Panorama, "The Valley of the Dead," broadcast July 5, 1999 (available on the Internet at http://news.bbc.co.uk/hi/english/static/inside_kosovo/, (March 22, 2001)).
- 16 "NATO Photos of Kosovo Mass Graves are Fake: Report," Agence France Presse, April 24, 1999.
- 17 In late 1999, as a body count of the ethnic Albanians killed during the conflict was beginning to be established, numerous analyses were published arguing that NATO had greatly exaggerated the extent of Serb atrocities (see "March-June 1999: An Overview"). Because the aerial photograph of the grave site at Pusto Selo was among the most compelling pieces of evidence produced by NATO during the war in support of its claims of mass killings, the absence of physical proof of the killings—that is, the 106 missing corpses—was widely reported in critical accounts of NATO's wartime conduct. An article by Alexander Cockburn is notable in this respect. In it, Cockburn notes the claim that 106 ethnic Albanians were killed by Serb forces in Pusto Selo, stating that NATO "rushed out" photographs of the graves. Asserting that "[n]othing to buttress that charge has yet been found," he neglects to mention, however, that survivors of the events had come forward and described the massacre in detail, as well as telling of the subsequent exhumation of the bodies. See Alexander Cockburn, "Where's the Evidence of Genocide of Kosovar Albanians?" *Los Angeles Times*, October 29, 1999. Cockburn perhaps obtained most of the information in his article from a report by Stratfor.com, a Texas think tank. Yet the Stratfor.com report, unlike Cockburn's article, points out that the villagers of Pusto Selo explained that the Serbs had removed the bodies of their dead. See Stratfor.com, "Where Are Kosovo's Killing Fields?" October 17, 1999 (available at <http://www.stratfor.com/crisis/kosovo/genocide.htm> (March 21, 2001)).
- 18 Human Rights Watch interview with T.K., Pusto Selo, Kosovo, June 26, 1999.

Chapter 10. Pec (Peja) Municipality

- 1 Lodja is a village of 2,800 people just outside of Pec where intense fighting took place between the KLA and government forces in the summer of 1998. In mid-August the police pushed the KLA from the village with ground and air power, looted the valuables, and then systematically destroyed all of the village's 284 houses, including the mosque, with bulldozers. Photographs of the destroyed village, taken in February 1999, can be viewed on the Human Rights Watch website: www.hrw.org/hrw/campaigns/kosovo98/photo/pics299/299a.htm, (March 23, 2001).
- 2 Those killed were Zoran Stanojevic (17), Svetislav Ristic (17), Ivan Obradovic (15), Dragan Trifovic (17), Vukosav Gvozdenovic (18), and Ivan Radevic (25).
- 3 The local branch of the Council for the Defense of Human Rights and Freedoms claimed that more than 500 people in the Pec municipality had been killed during the war, although it is not clear how many of these people were civilians. Human Rights Watch interview with Dr. Neshat Asllani, Pec, Kosovo, July 15, 1999.
- 4 "Special Report, Retribution in Kosovo," VIP Daily News Report, Issue 1559, July 28, 1999.
- 5 M. Manic and S. Kovacevic, "Will and Readiness to Carry Out All Security Tasks," *Policajac*, No. 18/98, October 1998.
- 6 Matthew McAllester, "Written in blue. . .," *Newsday*, August 15, 1999.
- 7 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, pp 284–290.
- 8 Human Rights Watch interview Dr. Neshat Asllani, Pec, Kosovo, July 23, 1999.
- 9 Human Rights Watch interview with X.H., Tirana, Albania, March 29, 1999.
- 10 Human Rights Watch interview, Durres, Albania, March 31, 1999.
- 11 Human Rights Watch interview with Mehe Muzlukaj, Tirana, Albania, March 29, 1999.
- 12 Human Rights Watch interview with Bujar Tabaku, Tirana, Albania, March 29, 1999.
- 13 Human Rights Watch interview with Father Jovan, Pec, Kosovo, July 17, 1999.
- 14 "Bloody Traces, Interview with Father Sava," *Nin Magazine*, July 8, 1999.
- 15 Human Rights Watch interview with Pec Imam, Pec, Kosovo, July 19, 1999.
- 16 Human Rights Watch interview with Agim, Pec, Kosovo, July 18, 1999.
- 17 Human Rights Watch interview with Ibrahim, Pec, Kosovo, July 18, 1999.
- 18 On June 26, 1999, a woman believed to have been "Kaplan's" sister was raped and killed by men in KLA uniforms.
- 19 Human Rights Watch interview with Dr. Ibrahim Rexhaj, Pec, Kosovo, July 15, 1999.
- 20 NATO press conference by Jamie Shea and Brigadier General Giuseppe Marani, Brussels, April 20, 1999.
- 21 The U.S. State Department report, "Ethnic Cleansing in Kosovo: An Accounting," is available at www.state.gov/www/global/human_rights/kosovooi/op.html, (March 23, 2001).
- 22 Elisabeth Bumiller, "Deny Rape or Be Hated: Kosovo Victims' Choice," *New York Times*, June 22, 1999; this states: "For now, State Department officials in Washington say they have received refugee reports that Serbs were using the Hotel Karagac in the town of Pec and an army camp near Djakovica as rape camps."

- 23 See Peter Finn, "Signs of Rape Scar Kosovo; Families' Shame Could Hinder Investigation," *Washington Post*, June 27, 1999.
- 24 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, p. 290.
- 25 In September, Agim Ceku became the head of the newly-formed Kosovo Protection Corps, the successor to the Kosovo Liberation Army.
- 26 Human Rights Watch interview with A.A., Ulcin, Montenegro, Yugoslavia, June 15, 1999.
- 27 Testimony of Ceku family members, Lawyers Committee for Human Rights, Witness Project, Massacre in Qyshk te Pejës, Kosovo. See the Witness Project website: www.witness.org, (March 23, 2001).
- 28 Website of the Serbian Secretary of Information, www.serbia-info.com, (March 23, 2001), "Albanian terrorism after Milosevic-Holbrooke Accord," February 25, 1999, and BBC Worldwide Monitoring, Serbian Radio, Belgrade, "Serbia: Shoot-out Reported in Pec as Police Arrest Six Albanians," December 22, 1998.
- 29 The Centre for the Protection of Women and Children, War Chronicle of the Week, December 22, 1998.
- 30 Human Rights Watch interview with A.A., Ulcin, Montenegro, Yugoslavia, June 15, 1999.
- 31 Testimony of Ceku family members, Lawyers Committee for Human Rights, Witness Project, Massacre in Qyshk te Pejës, Kosovo. See the Witness Project website: www.witness.org, (March 23, 2001).
- 32 Ibid.
- 33 Human Rights Watch interview with B.B., Cuska, July 15, 1999.
- 34 Human Rights Watch interview with A.S., Ulcin, Montenegro, Yugoslavia, June 15, 1999.
- 35 Human Rights Watch interview with B.B., Cuska, Kosovo, July 15, 1999.
- 36 Ibid.
- 37 Human Rights Watch interview with C.C., Cuska, Kosovo, July 16, 1999.
- 38 Human Rights Watch interview with D.D., Rozaje, Montenegro, Yugoslavia, June 8, 1999.
- 39 Human Rights Watch interview with A.A., Ulcin, Montenegro, Yugoslavia, June 15, 1999.
- 40 Human Rights Watch interview with C.C., Cuska, Kosovo, July 16, 1999.
- 41 Human Rights Watch saw what appeared to be bullet scars below the witness' left knee and above his right knee. At the time of interview, in July 1999, the witness was still wearing a cast from his right knee down to his ankle. When visited one year later, in July 2000, the man had left the area for further medical treatment.
- 42 Human Rights Watch interview with B.B., Cuska, Kosovo, July 15, 1999.
- 43 "Kosovo Crisis - The Awful Truth," *Time*, June 28, 1999.
- 44 Human Rights Watch interview with A.A., Ulcin, Montenegro, Yugoslavia, June 15, 1999.
- 45 Ibid.
- 46 Human Rights Watch interview with D.D., Rozaje, Montenegro, Yugoslavia, June 8, 1999.

- 47 Human Rights Watch interview with F.F., Pec, Kosovo, July 15, 1999.
- 48 Human Rights Watch interview, Cuska, July 15, 1999.
- 49 “Kosovo Crisis—The Awful Truth,” *Time*, June 28, 1999.
- 50 Human Rights Watch interview with B.B., Cuska, Kosovo, July 15, 1999.
- 51 Human Rights Watch interview with F.F., Pec, Kosovo, July 15, 1999.
- 52 Human Rights Watch interviews with villagers in Zahac, Kosovo, July 17, 1999.
- 53 The others were killed on May 12 (one person), June 10 (seven people), and June 14 (one person).
- 54 Human Rights Watch interviews with villagers in Pavljan, Kosovo, July 17, 1999.
- 55 Human Rights Watch interview with G.G., Pavljan, Kosovo, July 17, 1999.
- 56 Human Rights Watch interview with H.H., Cuska, Kosovo, July 16, 1999.
- 57 Human Rights Watch interview with B.B., Cuska, Kosovo, July 15, 1999.
- 58 One of the people who identified the man as a commander also claimed that he had taken her away into a home, apparently with the aim to rape her. According to the woman, the man told her she knew what she had to do to save her family. For an unknown reason, she was then let go.
- 59 Human Rights Watch later interviewed the same ethnic Albanian who, without suggestion, identified the man in photograph no. 3 as Srecko Popovic.
- 60 For more information from the American RadioWorks report, including photographs, see their website: www.americanradioworks.org, (March 23, 2001).
- 61 Smith and Montgomery later confronted Cvetkovic directly in Montenegro, where he was living after the war. He denied being in Cuska or ever being in uniform.
- 62 Human Rights Watch interview with I.I., Zahac, Kosovo, July 22, 1999
- 63 Human Rights Watch interview with H.H., Cuska, Kosovo, July 16, 1999.
- 64 For an article on Salipur, see Paul Salopek, “The Merciless Life and Death of a Paramilitary Killer; Sadistic Cop Tortured Town,” *Chicago Tribune*, June 27, 1999.
- 65 *Policajac*, July 1999.
- 66 Kandic later confirmed her report directly to Human Rights Watch. Commander of the 125th Motorized Brigade was Col. Dragan Zivanovic (see chapter on Forces of the Conflict). It is possible, however, that the document viewed by Kandic was signed by Col. Djordje Nikolic, a representative of Col Zivanovic. Human Rights Watch obtained a document from the 125th Motorized Brigade, dated June 2, 1999, and marked “Military Secret”, that was signed by Col. Djordje Nikolic, Representing Commander. The document [No. 2824-1, June 2, 1999] was unimportant, ordering all battalion and division commanders to prepare reports and attend a meeting the following day.
- 67 “Special Report, Retribution in Kosovo,” VIP Daily News Report, Issue 1559, July 28, 1999.
- 68 Jack Kelley, “U.N. Records Link Serbs to War Crimes,” *USA Today*, July 14, 1999.
- 69 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, pp.?.
- 70 Remarks to the U.N. Security Council by Madame Carla Del Ponte, November 10, 1999.
- 71 Tanjug, May 25, 1998. [Is there a news title?]
- 72 See Human Rights Watch, *Humanitarian Law Violations in Kosovo*, (New York: Human Rights Watch, 1998).

- 73 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, p. 290.
- 74 Human Rights Watch interview with K.B., Ljubenic, Kosovo, July 19, 1999.
- 75 Chris Stephen, "Kosovo's Heights of Mass Murder," *Scotsman*, July 10, 1999.
- 76 James Pringle, "Serbs Killed 350 in Orgy of Violence," *Times* (London), July 10, 1999.
- 77 Michael Smith, "Large Grave Found: Massacre Detailed," *Chicago Sun Times*, July 10, 1999.
- 78 Paul Salopek, "A Village Ripe with Sorrow, Loss," *Chicago Tribune*, June 22, 1999.
- 79 Jim Heintz, "U.N. Reports New Possible Mass Killing Site in Western Kosovo," Associated Press, July 9, 1999.
- 80 Chris Stephen, "Kosovo's Heights of Mass Murder," *Scotsman*, July 10, 1999.
- 81 Ibid., and "Her Family's War—'Where is the World,'" *Providence Journal*, August 8, 1999; James Pringle, "Serbs Killed 350 in Orgy of Violence," *Times* (London), July 10, 1999.; and Sylvie Groult, "Kosovo Massacre Survivor Tells of Miraculous Escape," Agence France Presse, July 11, 1999.
- 82 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, p. 290.
- 83 "Her Family's War—'Where is the World,'" *Providence Journal*..
- 84 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, p. 290.

Chapter 11. Prizren Municipality

- 1 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, p. 331.
- 2 "In Complex Security Circumstances, They Fulfill Their Obligations With Success," *Policajac*, no. 3/98, February 1998.
- 3 "At New Duties," *Policajac*, no. 1/99, January 1999.
- 4 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, pp. 332–335.

Serbian sources, in contrast, claim that the building was destroyed by aerial cluster bombs dropped by NATO. See Committee for National Solidarity, "Aide Memoire on the Use of Inhumane Weapons in the Aggression of the North Atlantic Treaty Organization Against the Federal Republic of Yugoslavia," May 15, 1999.

The League of Prizren was founded in 1878, bringing together representatives of all Albanian inhabited regions to demand autonomy from the Ottomans. The establishment of the League was a landmark in the movement for Albanian self-determination. The building that was destroyed—where the League was organized—archived historic documents relating to the League's creation and activities.

- 5 Press conference given by NATO Spokesman Jamie Shea and SHAPE Spokesman Major General Walter Jertz, Brussels, Belgium, May 17, 1999. (Available at www.nato.int/kosovo/press/p990517b.htm, April 19, 2001.)
- 6 Human Rights Watch interview with R.G., Kukes, Albania, June 6, 1999; Human Rights Watch interview with F.K., Kukes, Albania, June 9, 1999. Human Rights Watch also interviewed the relatives of six other men who were said to have been taken at the same time. The six were killed in the attack on the Tusus neighborhood of Prizren only days after they were released from digging trenches. Human Rights Watch interviews with F.A., H.A., and J.A., Prizen, Kosovo, June 14, 1999.

- 7 Human Rights Watch interview with L.G., Morina border crossing, Albania, April 14, 1999.
- 8 The *Washington Post* interviewed several refugee eyewitnesses within days of the incident. See John Ward Anderson, "Massacre Reported in Kosovo," *Washington Post*, May 30, 1999. The UNHCR also reported on the incident based on refugee testimonies. See UNHCR, Kosovo Crisis Update, June 2, 1999 (stating that twenty-five people were allegedly killed on May 26 in Tusus), available at www.ess.uwe.ac.uk/Kosovo/Kosovo-Current_News209.htm, (March 23, 2001).
- 9 Human Rights Watch interview with L.V., Prizren, Kosovo, June 14, 1999. Another witness told Human Rights Watch that his wife saw the bodies of two Serbian police in the street at about 7:30 that morning. He said that he woke up "to a burst of automatic weapon fire," and that his wife had gone to peer out into the street to see what was happening; she then noticed the bodies. Human Rights Watch interview with F.K., Kukes, Albania, June 9, 1999.
- 10 "As the Historic City of Prizren Burns, Dozens of Kosovars Murdered," *Kosovapress*, May 28, 1999. Available on the internet at: <http://www.alb-net.com/kcc/052899.htm#7>, (March 23, 2001).
- 11 See the MUP website, www.mup.sr.gov.yu/domino/mup.nsf/pages/index-e, (March 23, 2001).
- 12 Human Rights Watch interview with F.K., Kukes, Albania, June 9, 1999.
- 13 Human Rights Watch interview with L.V., Prizren, Kosovo, June 14, 1999.
- 14 Human Rights Watch interview with A.V., Prizren, Kosovo, June 14, 1999.
- 15 Human Rights Watch interview with J.A., Prizren, Kosovo, June 14, 1999.
- 16 Human Rights Watch interview with F.A., Prizren, Kosovo, June 14, 1999.
- 17 Human Rights Watch interview with L.V., Prizren, Kosovo, June 14, 1999.
- 18 Human Rights Watch interview with A.V., Prizren, Kosovo, June 14, 1999.
- 19 Human Rights Watch interview with M.B., Kukes, Albania, June 11, 1999.
- 20 Human Rights Watch interview with K.V., Prizren, Kosovo, June 14, 1999.
- 21 Human Rights Watch interview with M.B., Kukes, Albania, June 11, 1999. Press accounts cite other witnesses who claim that Russian "mercenaries" were involved in the Tusus killings. Roy Gutman, "Russian 'volunteers' allegedly helped Serbs," *Newsday*, June 22, 1999; Maggie O'Kane, "Russian soldiers' peace role gives refugees chills," *Guardian* (London), June 24, 1999; "Retour des Russes sous l'habit de la KFOR: Tusus n'y croit pas," *France 3 Infos*, June 21, 1999.
- 22 The *Washington Post* reported that one woman claimed to have seen thirty-one bodies at the morgue. Anderson, "Massacre Reported in Kosovo."
- 23 Human Rights Watch interview with E.M., Kukes, Albania, June 11, 1999.
- 24 Human Rights Watch interview with A.M., Kukes, Albania, June 11, 1999.
- 25 Human Rights Watch interview with S.M., Kukes, Albania, June 11, 1999.

Chapter 12. The Prizren—Djakovica (Gjakove) Road

- 1 Human Rights Watch interview with B.Z., Kukes, Albania, April 15, 1999.
- 2 Human Rights Watch interview with N.Z., Domaj, Albania, April 15, 1999.
- 3 Ibid.
- 4 Human Rights Watch interview with S.Z., Domaj, Albania, April 15, 1999.
- 5 Human Rights Watch interview with I. Z., Kukes, Albania, April 12, 1999.
- 6 Human Rights Watch interview with I.Z., Kukes, Albania, April 16, 1999.
- 7 A documentary on Kosovo produced by Frontline includes an interview with a soldier from the Yugoslav Army who talks about stripping Albanians in order to look for military clothes. The soldier, identified as “K” said: “Yes, they [ethnic Albanians] would forget to change their clothes completely, and they’d be wearing their army underwear. In principle, they had a good system. They were wearing civilian clothes over their uniforms . . . then they would have their uniforms over their civilian clothing. And another layer of civilian clothing over that . . . and they took it off when appropriate . . .” See <http://www.pbs.org/wgbh/pages/frontline/shows/kosovo/interviews/>, (March 23, 2001).
- 8 Human Rights Watch interview with S.Z., Domaj, Albania, April 15, 1999.
- 9 Human Rights Watch interview with I.Z., Kukes, Albania, April 16, 1999.
- 10 Human Rights Watch interview with M.P., Kukes, Albania, May 11, 1999.
- 11 Human Rights Watch interview with S.G., Kukes, Albania, April 15, 1999.
- 12 Remarks of Carla Del Ponte to the UN Security Council, November 10, 1999, New York.
- 13 Human Rights Watch interview, Morina border crossing, Albania, April 28, 1999.
- 14 Ibid.
- 15 Human Rights Watch interview with R.T. and H.T., Zrze, Kosovo, June 22, 1999. The couple provided the names of sixteen victims: Nasim Rexhepi (aged sixty-six), Muharrem Rexhepi (aged approximately sixty), Nejazi Rexhepi (aged approximately fifty-eight), Shani Rexhepi (aged approximately fifty-five), Teki Rexhepi (son of Muharrem, aged approximately forty-two), Hysni Ibrahimimi (aged approximately forty-three), Dërqut Rexhepi (aged approximately forty-three), Naim Rexhepi (Dergut’s brother, aged approximately forty), Isa Rexhepi (uncle of Naim, aged approximately fifty), Haki Rexhepi (Isa’s brother, aged approximately sixty), Alban Rexhepi (Haki’s nephew, aged approximately fifteen), Betullah Rexhepi (aged approximately sixty-five), Muhamet Hajdari, aged approximately seventy, Hajdar Hajdari (age unknown), Refahi Hajdari (son of Muhamet, age unknown), Nebi Krasniqi (guest from Velika Krusha, age unknown).
- 16 John Kifner, “Refugees Tell of Atrocities,” *New York Times*, April 6, 1999.
- 17 This appears to be different from the incident observed by the first witness in which fifteen or sixteen men were killed and their bodies burned.
- 18 Human Rights Watch interview, Durres, Albania, March 31, 1999.
- 19 Ibid.
- 20 Human Rights Watch interview with Q.R., Celina, Kosovo, June 21, 1999.
- 21 John Daniszewski, “Beneath Bits of Fresh Earth, Tales of Horror,” *Los Angeles Times*, July 3, 1999.

- 22 John Daniszewski, "Evidence Details Systematic Plan of Killing in Kosovo," *Los Angeles Times*, August 8, 1999.
- 23 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, p. 279.
- 24 The KLA had checkpoints in the area beginning in spring 1998 and periodically attacked police checkpoints or convoys. On April 27, for example, two policemen, Bojan Nikolic and Srdjan Ilic, were wounded near the Mala Krusa railway station, according to SRNA, the Bosnian Serb press agency, as well as the Serbian Ministry of Interior. According to the Serbian Ministry of Interior, policemen Neven Gloginja (nineteen) and Boban Radenovic (twenty-six) were wounded in a KLA attack on November 14, 1998, near Pirane.
- 25 Thousands of villagers gathered in and around Nogavac, and there is some indication that they were being directed there by the security forces. Some police were helpful, a few witnesses said, even warning the Albanians that "there are Arkan soldiers in Velika Krusa so we are taking you to Nogavac." But many Albanians reported beatings and robberies, as well as some killings. Nogavac was also shelled at least twice in late March and April, resulting in an undetermined number of deaths. One fifty-four-year-old man who was injured in one of the attacks, said that Nogavac was bombed by Serbian airplanes in the night of April 29.
- 26 Remarks of Carla Del Ponte to the U.N. Security Council, November 10, 1999, New York.
- 27 According to Kosovapress, the news agency of the KLA, four KLA soldiers died in Velika Krusa: Fitim Islam Duraku, Enver Eqrem Duraku, Bekim Ismet Gashi, and Dalip Isuf Behra, Kosovapress, May 16, 1999.
- 28 Human Rights Watch interview with R.E., Kukes, Albania, June 8, 1999.
- 29 Other press accounts also mentioned twenty charred bodies. See, for example, "NATO Troops Find More Than 20 Charred Corpses in Kosovo House," Agence France Press, June 15, 1999.
- 30 Tom Cohen, "Victims of Serb Crackdown Reburied," *Associated Press*, August 12, 1999.
- 31 John Daniszewski, "Victims of Village Massacre Laid to Rest," *Los Angeles Times*, June 28, 1999.
- 32 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*.
- 33 Human Rights Watch interview with R.E., Kukes, Albania, June 8, 1999.
- 34 Human Rights Watch interview with S.G. Velika Krusa, Kosovo, June 19, 1999.
- 35 Human Rights Watch interview with R.D., Kukes, Albania, April 26, 1999.
- 36 Human Rights Watch interview with R.H., Velika Krusa, May 19, 1999.
- 37 Human Rights Watch interview, Morina border crossing, Albania, April 2, 1999.
- 38 "The Killing of Kosovo," Panorama, April 1999.
- 39 Tanjug, April 5, 1999.
- 40 Human Rights Watch interview with R.E., Kukes, Albania, June 8, 1999.
- 41 John Sweeney, "What Kind of Men Could Slaughter 100 of Their Own Neighbors? This Kind," *Observer*, October 31, 1999.
- 42 See <http://www.cnn.com/WORLD/europe/9904/03/kosovo.atrocities/>, (March 26, 2001).

- 43 “The Cleansing of Krushe,” by John Sweeney, *The Observer*, April 4, 1999.
- 44 Human Rights Watch interview with E.B., Kukes, Albania, May 22, 1999.
- 45 Human Rights Watch interview with R.T., Kukes, Albania, May 22, 1999.
- 46 One family reported that they had been forced to leave the village on April 4, but they had returned two days later because Serbian authorities had closed the Albanian border. They were then expelled again on May 4.
- 47 Human Rights Watch interview with S.G., Kukes, Albania, April 15, 1999.
- 48 Human Rights Watch interview with S.Z., Domaj, Albania, April 15, 1999.

Chapter 13. Suva Reka (Suhareke) Municipality

- 1 Villages around Suva Reka like Restan, Pecan, Slapuzane, Bukos, Semetishte, and Vranic were areas of KLA activity in 1998 and 1999 and, therefore, the targets of government attacks, many of them indiscriminate. Human Rights Watch visited Pecan in February 1999, for example, and observed that only seven of the villages approximately 300 houses were not damaged in some manner from the government’s summer offensive. In Slapuzane, where the OSCE-KVM had a small presence, 131 of 142 houses were damaged. For details on the September 1998 destruction and killings in Vranic, see Human Rights Watch, *Humanitarian Law Violations in Kosovo*, Appendix B.
- 2 According to the OSCE report, the KLA had informed Albanians in the Suva Reka municipality of safe areas where they could go, including: Budakovo (Budakove), Djinovce (Gjinofc), Dubrava (Dubrave), Grejkovce (Grejkoc), Musutiste (Mushtishte), Papaz (Papaz), Savrovo (Savrove), Selograzde (Sellograzde) and Sopina (Sopine).
- 3 Human Rights Watch interview with Shkender Bytyqi, Suva Reka, Kosovo, August 24, 1999.
- 4 Human Rights Watch interview with Haki Gashi, Suva Reka, Kosovo, August 24, 1999.
- 5 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, pp 361–370.
- 6 Remarks of Carla Del Ponte to the U.N. Security Council, November 10, 1999, New York.
- 7 When first deployed in November 1998, the OSCE-KVM stayed in Miskovic’s Hotel Boss. Later, the OSCE—KVM stayed in private houses.
- 8 *Policajac*, February 1998. Lt. Vitosevic was named by one witness who said he saw him in the village of Vranic the day after a government offensive on September 27, 1998. During this offensive in 1998, two witnesses identified the Suva Reka policeman Milan Sipka by name. See Human Rights Watch, *Humanitarian Law Violations in Kosovo*, Appendix B.
- 9 Not the survivor’s real name.
- 10 The witness is a gynecologist.
- 11 None of the survivors’ real names.
- 12 Human Rights Watch interview with A.B., Prizren, Kosovo, August 25, 1998.
- 13 The OSCE report is slightly inaccurate here since the boy was not the woman’s son, and he was hit by grenade shrapnel rather than by a bullet.

- 14 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, p. 363.
- 15 Ibid.
- 16 Human Rights Watch interview with N.E., Suva Reka, Kosovo, August 31, 1999.
- 17 Human Rights Watch interview with Z.E. Suva Reka, Kosovo, August 31, 1999.
- 18 Human Rights Watch interview with K.E. Suva Reka, Kosovo, August 31, 1999.
- 19 Human Rights Watch interview with R.H., Suva Reka, August 31, 1999.
- 20 For more details on Bardhyl's story, including excerpts from his journal, see an article in the *Berliner Zeitung*, Frank Nordhausen, "The Prisoner from Suva Reka" ("Der Gefangene von Suva Reka"), June 29, 1999.
- 21 Human Rights Watch interview with Bardhyl H., Suva Reka, Kosovo, August 31, 1999.
- 22 Human Rights Watch interview with H.B., Kukes, Albania, April 12, 1999.
- 23 Human Rights Watch interview with X.X., Kukes, Albania, May 22, 1999.
- 24 Ibid.
- 25 Human Rights Watch interview with S. B., Kukes, Albania, April 4, 1999.
- 26 John Daniszewski, "The Death of Belanica," *Los Angeles Times*, April 25, 1999.
- 27 Human Rights Watch interview with H.S. Kukes, Albania, May 18, 1999.
- 28 Human Rights Watch interview, Kukes, Albania, April 4, 1999.
- 29 Human Rights Watch interview, Kukes, Albania, April 4, 1999.
- 30 Human Rights Watch interview with S. B., Kukes, Albania, April 4, 1999.
- 31 Human Rights Watch interview with H.B., Kukes, Albania, April 4, 1999.
- 32 Human Rights Watch interview with H.S., Kukes, Albania, May 18, 1999.
- 33 Ibid.
- 34 Human Rights Watch interview, name withheld, Kukes, Albania, April 4, 1999.
- 35 Human Rights Watch interview with S.Z., Belanica, Kosovo, August 15, 1999.
- 36 Human Rights Watch interview with F.V., Moralija, Kosovo, August 20, 1999.
- 37 The two witnesses gave different ages for Bekim Vrenezi, fifteen and sixteen respectively.
- 38 Human Rights Watch interview with R.B., Moralija, Kosovo, August 20, 1999.
- 39 The only known names of the victims are, according to witnesses: Osman Vrenezi (27), Bekim Vrenezi (15 or 16), Agim Bytyqi (38–40), and Izet Hoxha (77).
- 40 John Daniszewski, "A Family, A Village Begin Anew in Kosovo War," *Los Angeles Times*, December 30, 1999.
- 41 Statement of Carla del Ponte to the U.N. Security Council, November 10, 1999, New York.
- 42 Human Rights Watch interview with I.Z., Belanica, Kosovo, August 19, 1999.
- 43 Ibid.
- 44 Human Rights Watch interview with S.Z., Belanica, Kosovo, August 19, 1999.
- 45 The name of the village has been withheld in order to protect the victims of sexual assault and rape who live there.
- 46 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*.
- 47 Human Rights Watch interview with A.T., Suva Reka village, Kosovo, August 1, 1999.
- 48 According to the Serbian Ministry of Internal Affairs website (www.mup.sr.gov.yu, (March 21, 2001)), the wounded policemen were: Vlastimir Selenic (1971), Dejan Bajic

(1976), Miodrag Djikic (1971), Srdjan Ilic (1965), Miodrag Djukic (1971), Dejan Tosic (1972), Sinisa Pejev (1960), Branislav Bozic (1969), Slavko Milic (1953), Danijel Spasenov (age unknown), Miodrag Stevanovic (age unknown), Bratislav Stojkovic (1961), Slavoljub Zivkovic (1970), Sasa Krstic (1969), Ljubisa Miljkovic (1968), Dragan Pesic (1969), Slavisa Ivkovic (1964), Vukasin Jovanovic (1963), and Dragan Medic (1970).

- 49 Human Rights Watch interview, name withheld. Kukes, Albania, April 27, 1999.
- 50 Human Rights Watch interview, name withheld. Kukes, Albania, April 27, 1999.
- 51 Human Rights Watch interview, name withheld. Kukes, Albania, April 27, 1999.
- 52 Human Rights Watch interview, name withheld. Kukes, Albania, April 27, 1999.
- 53 Human Rights Watch with Dr. Saeed Albloushi, Kukes, Albania, April 27, 1999.
- 54 Statement of Carla Del Ponte to the U.N. Security Council, November 10, 1999, New York.
- 55 The OSCE/ODHIR report, *Kosovo/Kosova: As Seen, As Told, Part I*, p. 367, puts the death toll, based on witness and hearsay statements at “around 40.”
- 56 Human Rights Watch interview with I.G., Trnje, Kosovo, August 29, 1999.
- 57 N.B. lost his wife, daughter-in-law, and grandson in the March 25 attack.
- 58 Human Rights Watch inspected what appeared to be a bullet wound in his hand.
- 59 Human Rights Watch interview with N.B., Studencane, Kosovo, August 29, 1999.
- 60 Human Rights Watch interview with B.G., Trnje, Kosovo, August 29, 1999.
- 61 Human Rights Watch interview with N.B., Studencane, Kosovo, August 29, 1999.

Chapter 14. Vucitrn (Vushtrri) Municipality

- 1 OSCE/ODIHR, *Kosovo/Kosova: As Seen As Told*, p. 384.
- 2 “Persons Missing in Relation to the Events in Kosovo from January 1998,” International Committee of the Red Cross, First Edition, May 2000.
- 3 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told, Part I*, pp. 388–390.
- 4 See Human Rights Watch Kosovo Flash #40, May 20, 1999.
- 5 A former KLA commander told Human Rights Watch that he was in charge of a fifty-six person unit that was responsible for Gornja and Donja Sudimlja. They retreated from the area, he said, because they did not want to place the 10,000–15,000 internally displaced civilians at risk. The unit returned to the villages after the May 2 offensive. Human Rights Watch interview with M.T., Vucitrn, Kosovo, August 18, 1999.
- 6 Human Rights Watch interview with S.A., Kukes, Albania, May 13, 1999.
- 7 Human Rights Watch interview with K.B., Kukes, Albania, May 12, 1999.
- 8 Human Rights Watch interview with Z.A., Kukes, Albania, May 12, 1999.
- 9 Human Rights Watch interview with B.A., Kukes, Albania, May XX, 1999.
- 10 Human Rights Watch interview with Z.G., Gornja Sudimlja, Kosovo, August 14, 1999.
- 11 Human Rights Watch interview with M.G., Gornja Sudimlja, Kosovo, August 14, 1999.
- 12 Human Rights Watch interview with S.B., Gornja Sudimlja, Kosovo, August 14, 1999.
- 13 Human Rights Watch observed the wound.

- 14 Human Rights Watch observed what appeared to be a bullet wound that had entered the back and exited the middle of the man's torso.
- 15 Human Rights Watch interview with H.A., Gornja Sudimlja, Kosovo, August 16, 1999.
- 16 Remarks to the Security Council of Carla del Ponte, November 10, 1999, New York.
- 17 Human Rights Watch interview with Z. G., Gornja Sudimlja, Kosovo, August 14, 1999.
- 18 Human Rights Watch interview with M.T., Vucitrn, Kosovo, August 18, 1999.
- 19 Ray Moseley, "Living and Dead Bear Witness to Atrocities," *Chicago Tribune*, June 16, 1999.
- 20 Emma Daly, "War in the Balkans: Villagers Saw More Than 100 Men Shot," *Independent*, May 5, 1999.
- 21 Two other men from the Vucitrn area also identified Dragan Petrovic by name, but in two different events. See below. Human Rights Watch interviews with K.B. and Z.A., Kukes, Albania, May 12, 1999, and with S.A., Kukes, Albania, May 13, 1999.
- 22 Human Rights Watch interview with S.B., Kukes, Albania, May 13, 1999.
- 23 In addition to the killings during this period documented below, Human Rights Watch was told about the shooting death of Afrim Bekteshi, aged twenty-seven or twenty-eight, although the precise date and circumstances of his death remain unclear. Human Rights Watch interview with G.I., Vucitrn, Kosovo, August 16, 1999.
- 24 Human Rights Watch interview with V.Z., Donja Sudimlja, Kosovo, August 19, 1999.
- 25 Human Rights Watch interview with G.I., Vucitrn, Kosovo, August 16, 1999.
- 26 Human Rights Watch interview with M.T., Vucitrn, Kosovo, August 18, 1999.
- 27 Killed near the family house were: Selatin Gerxhaliu (born 1951 or 1952, husband of Fexhrie), Shaban Gerxhaliu (born 1983, son of Selatin and Fexhrie), and Xhemal Gerxhaliu (born 1937, cousin of family). Killed in the house were: Sala (short for Salihe) Gerxhaliu (born 1918, mother of Selatin), Fexhrie Gerxhaliu (born 1954, wife of Selatin), Muharem Gerxhaliu (born 1985, son of Selatin and Fexhrie), Mexhit Gerxhaliu (born 1987, son of Selatin and Fexhrie), Abdurahim Gerxhaliu (1989, son of Selatin and Fexhrie), Mybera Gerxhaliu (born 1991, daughter of Selatin and Fexhrie), Sabahudin Gerxhaliu (born 1993, son of Selatin and Fexhrie), Sofie Gerxhaliu (born 1963, wife of Nexhmedin), and Safer Gerxhaliu (born 1992, son of Sofie and Nexhmedin).
- 28 Human Rights Watch interview with Sali Gerxhaliu, Donja Sudimlja, Kosovo, August 16, 1999.
- 29 Ibid.
- 30 Ibid.
- 31 Human Rights Watch interview with Shukri Gerxhaliu, Gornja Sudimlja, Kosovo, August 14, 1999.
- 32 Human Rights Watch interview with G.I., Vucitrn, Kosovo, August 16, 1999.
- 33 Corroborative testimony is available in an Amnesty International report, "Smrekovnica Prison — a Regime of Torture and Ill-treatment Leaves Hundreds Unaccounted For," October 1999.
- 34 Human Rights Watch interview with X.X. (initials altered), Kukes, Albania, May 22, 1999.

- 35 Human Rights Watch interview with Y.Y. (initials altered), Kukes, Albania, May 22, 1999.
- 36 Human Rights Watch interview with A.K., Kukes, Albania, May 22, 1999.
- 37 Human Rights Watch interview, name not provided, Kukes, Albania, June 7, 1999.
- 38 Human Rights Watch interview, Kukes, Albania, June 7, 1999.
- 39 Human Rights Watch interview with N.K., Kukes, Albania, June 7, 1999.
- 40 Human Rights Watch interview with E.H., Kukes, Albania, June 2, 1999.

Chapter 15. Statistical Analysis of Violations

- 1 Dr. Patrick Ball, Deputy Director of AAAS's Science and Human Rights Program, designed the statistical analysis. Rebecca Morgan, a Human Rights Watch consultant, coordinated the coding process. Dr. Herbert F. Spirer, Professor Emeritus at the University of Connecticut, Adjunct Professor of International Affairs at Columbia University and consultant to AAAS, conducted the statistical analysis and generated the graphs. Fred Abrahams from Human Rights Watch wrote the accompanying text. Outside reviews were conducted by Dr. Fritz Scheuren and Tom Jabine.

Human Rights Watch is grateful to Drs. Ball, Spirer, Jabine and Scheuren for their time and expertise, as well as to the many volunteers, mentioned in the acknowledgment section, who helped to code the data.

This chapter is a joint product of Human Rights Watch and the Science and Human Rights Program of American Association for the Advancement of Science, which operates under the oversight of the AAAS Committee on Scientific Freedom and Responsibility (CSFR). The CSFR, in accordance with its mandate and association policy, supports publication of this chapter as a scientific contribution to human rights. The interpretations and conclusions are those of the authors and do not purport to represent the views of the Board, the Council, the CSFR, or the members of the AAAS.

- 2 Five other statistical studies of war crimes in Kosovo have been conducted by other organizations: See Central and East European Law Initiative of the American Bar Association and the American Association for the Advancement of Science, *Political Killings in Kosova/Kosovo*, September 2000; American Association for the Advancement of Science, *Policy or Panic? The Flight of Ethnic Albanians from Kosovo, March-May 1999*, April 2000; Physicians for Human Rights, *War Crimes in Kosovo—A Population-Based Assessment of Human Rights Violations Against Kosovar Albanians*, August 1999; Doctors Without Borders/Médécins Sans Frontières, *Kosovo: Accounts of a Deportation.*, April 30, 1999; Paul B Spiegel and Peter Salama, *War and Mortality in Kosovo, 1998–99: An Epidemiological Testimony*, *The Lancet*, vol. 355, no. 9222, June 24, 2000.

Books on human rights and data analysis that addressed related methods include: Spirer and Spirer, *Data Analysis for Monitoring Human Rights*, Washington: AAAS (1993); Patrick Ball, *Who Did What to Whom?*, Washington, AAAS (1996); Patrick Ball, Herbert F. Spirer and Louise Spirer (eds.), *Making the Case: Investigating Large Scale Human Rights Violations Using Information Systems and Data Analysis*, Washington,

- AAAS (2000); Jabine and Claude (eds.), *Human Rights and Statistics: Getting the Record Straight*, Philadelphia, University of Pennsylvania Press (1992); and Patrick Ball, Paul Kobrak and Herbert F. Spirer, *State Violence in Guatemala, 1960–1996: A Quantitative Reflection*, AAAS, Washington, 1999.
- 3 Human Rights Watch coded for the following violations: robbery, execution, looting, destruction of non-military objects, harassment, displacement, detention, abduction, beating, rape, sexual assault, indiscriminate shelling, separation, “disappearance,” forced labor, torture, and human shields.
 - 4 Separation was defined as a case where men and women and children were separated and the fate of one group or another, at the time of the interview, was not known.
 - 5 Displacement was defined as forced expulsion or displacement from an area.
 - 6 Detention was defined as an arrest or imprisonment in which detainees were held in the custody of the state. This includes cases in which detainees were subsequently tortured, “disappeared,” or summarily executed.
 - 7 Four of the Gerxhaliu victims were female, aged eight, thirty-six, forty-five, and eighty-one. Three other male victims were under the age of fourteen.
 - 8 At least seven boys and five girls seventeen years of age or younger were killed.
 - 9 This is especially true given that Kosovar Albanians have the highest birthrate in Europe.
 - 10 For a description of the areas covered by Human Rights Watch, see the section on Methodology in the Introduction.
 - 11 American Association for the Advancement of Science, *Policy or Panic? The Flight of Ethnic Albanians from Kosovo, March-May 1999*, April 2000.
 - 12 Ibid.
 - 13 The impact of this comparison is muted slightly by the fact that the AAAS data was predominantly from refugees who entered Albania, while the Human Rights Watch data was not limited in this way. However, Appendix A of the AAAS report explains why their data may be generalized, within limits, to the entire population of Kosovar Albanian refugees during this period, i.e. those who exited to Macedonia, Montenegro or Bosnia-Herzegovina. One important exception mentioned in the report is those who were internally displaced within Kosovo throughout the NATO bombing, for whom there is no information.
 - 14 It is important to note that the time intervals for the two graphs are different: the Human Rights Watch graph is plotted by week, while the AAAS data is plotted by two-day periods. This does not, however, minimize the impact of the comparison. On the contrary, the correlation between the three phases is strengthened by the fact that, using different time intervals, the three phases still match. This helps show that the data are, in statisticians’ terms, “robust.”
 - 15 The confidence interval indicates that if this study were repeated 100 times using different but independent lists of data, one would expect that in 95 of 100 studies, the estimate would fall within the range of 7,449 and 13,627.

Chapter 16. The Nato Air Campaign

- 1 Discussion of bombing outside Kosovo is beyond the scope of this report. For further information on bombing elsewhere in the Federal Republic of Yugoslavia, see: Human Rights Watch, "Civilian Deaths in the NATO Air Campaign," February 2000.
- 2 Each of the thirty-two incidents in Kosovo is set out, together with supporting references, in Annex A of "Civilian Deaths in the NATO Air Campaign," pp. 29–64.
- 3 For an early account of the use of cluster bombs by NATO in the Federal Republic of Yugoslavia and Human Rights Watch's position, see "Ticking Time Bombs: NATO's Use of Cluster Munitions in Yugoslavia," *A Human Rights Watch Short Report*, vol. 11, no. 6(D), May 1999; and Human Rights Watch, "Cluster Bombs: Memorandum for CCW Delegates," December 16, 1999.
- 4 The question as to what extent the military is obligated to expose its own forces to danger in order to limit civilian casualties or damage to civilian objects is examined in William J. Fenrick, "Attacking The Enemy Civilian As A Punishable Offense," *Duke Journal of Comparative and International Law*, 1997, p. 546, located at <http://www.law.duke.edu/journals/djcil/articles/djcil7p539.htm> (March 27, 2001).
- 5 The eighty-seven deaths in Korisa are counted in the Human Rights Watch total of 500 [cited in the report, "Civilian Deaths in the NATO Air Campaign"]; the seventy-six at Dubrava prison are not.
- 6 NATO, SHAPE News Morning Update, April 15, 1999; Reuters, 150059 GMT, April 15, 1999.
- 7 Joie Chen and Jamie McIntyre, "As Serb Force Grows, Limits of Air Attacks Become Apparent," CNN, *The World Today*, April 19, 1999; Sarah Chayes, "General Daniel Leaf Explains the Refugee Bombings," National Public Radio, *All Things Considered*, April 19, 1999.
- 8 FRY Ministry of Foreign Affairs, *NATO Crimes in Yugoslavia*, vol. 1, pp. 1, 21–26, 32–37; FRY Ministry of Housing, "Photo Documentation of Civilians Who Were Killed By NATO Attacks, from 24.03 until 20.05.1999."
- 9 Tanjug, Pristina, April 15, 1999.
- 10 Two eyewitnesses told Human Rights Watch that within the convoy were military vehicles interspersed. Interviews with Kole Hasanaj, Meja, July 25, 1999, and with Safet Shalaj, Djakovica, July 25, 1999.
- 11 Special U.S. Department of Defense Press Briefing with Gen. Wesley Clark, Supreme Allied Commander, Europe, Topic: Kosovo Strike Assessment; Also Participating: Airmen and Analysts from Operation Allied Force and Post-Strike Assessment Work, Brussels, Belgium, September 16, 1999.
- 12 Ibid.
- 13 FRY Ministry of Foreign Affairs, *NATO Crimes in Yugoslavia*, vol. II, pp. 1–17. Though the *White Book* states that there were "only" forty-eight victims in Korisa, Yugoslav and Western press, as well as the U.S. State Department and the U.N. report figures of eighty to eighty-seven victims. Based upon Human Rights Watch investigations and discus-

- sions with Western journalists who attempted to reconstruct the incident, it appears certain that more than forty-eight people died in the Korisa attack. The range of deaths reported is thus used.
- 14 Transcript of Backgrounder given by Peter Daniel and Major General Walter Jertz, in Brussels, May 15, 1999.
 - 15 NATO, Subject: Press Release (99) 079, Statement by the NATO Spokesman on the Korisa Incident, May 15, 1999.
 - 16 Transcript of Backgrounder, May 15, 1999.
 - 17 Transcript, U.S. Department of Defense News Briefing, May 15, 1999.
 - 18 Reuters 152249 GMT, May 15, 1999; Kosovo Chronology, Timeline of events 1989–1999 relating to the crisis in Kosovo, released by the Department of State, Washington, D.C., June 18, 1999.
 - 19 Hans-Peter Gasser, "Protection of the Civilian Population," in Dieter Fleck (ed.), *The Handbook of Humanitarian Law in Armed Conflicts* (Oxford: Oxford University Press, 1995), p. 505, para. 506. Hans-Peter Gasser is a senior legal adviser of the ICRC.
 - 20 Information provided by Yugoslav civil defense authorities; FRY MFA, NATO raids on manufacturing and civilian facilities on May 21st and on the night between May 21st and 22nd 1999.
 - 21 FRY Ministry of Foreign Affairs, NATO Raids on Manufacturing and Civilian Facilities on May 29th and in the Night Between May 29th and 30th 1999.
 - 22 Yugoslav press reports; "Identifikovano 86 mrtvih," *DAN*, May 27, 1999, p. 2; "Jos sedam leseva," *DAN*, May 30, 1999.
 - 23 FRY Ministry of Foreign Affairs, *NATO Crimes in Yugoslavia*, vol. II, p. 319.
 - 24 NATO, Operation Allied Force Update, May 22, 1999, 0930 CET. See also Transcript of Press Conference given by Mr. Jamie Shea and Col. Konrad Freytag in Brussels on Saturday, May 22, 1999.
 - 25 Jacky Rowland, "Bombs, Blood and Dark Despair," *Scotland on Sunday*, May 23, 1999; Paul Watson, "NATO Bombs Ignite Prison Chaos—KLA Officers Reported to be Among Inmates," *Toronto Star*, May 22, 1999; Associated Press, "NATO Hits Kosovo Jail Again Friday Night," May 21, 1999.
 - 26 Carlotta Gall, "Stench of Horror Lingers in a Prison in Kosovo," *New York Times*, November 9, 1999.
 - 27 NATO (SHAPE), ACE News Release—Press Release 99-05-02, May 8, 1999.
 - 28 Transcript of Press Conference given by the NATO Secretary General, Mr. Javier Solana, in Brussels, on Saturday, May 8, 1999 (including Maj. Gen. Jertz).
 - 29 Human Rights Watch correspondence with a U.S. Air Force officer, November 1999.
 - 30 Human Rights Watch discussions with U.S. Air Force and Joint Chiefs of Staff officers, October 1999.
 - 31 U.K. Ministry of Defense, Royal Air Force, Operation Allied Force News and Downloadable Images (<http://www.mod.raf.uk/news/kosovonews.html>).

Chapter 17. Abuses After June 12, 1999

- 1 The Kosovo Liberation Army also abducted, killed, and drove Kosovar Serbs and Roma from Kosovo, as well as ethnic Albanians accused of being “collaborators,” in 1998 and early 1999. See section on “Abuses by the KLA” in the Background chapter, as well as Human Rights Watch, “Humanitarian Law Violations in Kosovo,” October 1998, pp. 75–87.
- 2 Between February and April 2000, UNHCR registered 180,000 displaced persons from Kosovo in Serbia and 30,000 in Montenegro respectively. More than 150,000 of the 180,000 displaced persons in Serbia reported that they had fled after June 12, 1999. (See UNHCR *Refugees Daily*, May 23, 2000.)
- 3 The Kosovo Liberation Army was officially demilitarized in September 1999, and many of its members subsumed into the Kosovo Protection Corps, a civil defense organization headed by former KLA Commander Agim Ceku.
- 4 “Crucified Kosovo—Destroyed and Desecrated Serbian Orthodox Churches in Kosovo and Metohija (1999–2000),” expanded electronic edition. See: www.kosovo.com/crucified/default.htm (March 21, 2001).
- 5 By June 2000, international officials were finally willing to concede that attacks against minorities in Kosovo were systematic in nature. In his June 6 report to the Security Council on UNMIK (S/2000/538), U.N. Secretary-General Kofi Annan wrote that attacks on minorities, “appear to be orchestrated.” U.S. State Department special envoy James O’Brien stated on June 8 that the violence “seems to be systematic.” “Anti-Serb Violence Condemned,” AP, June 8, 2000. On May 31, NATO Secretary-General Lord Robertson termed the violence as “ethnic cleansing,” noting that “We did not stop ethnic cleansing one year to see ethnic cleansing of another kind take place today.” “Kosovo: NATO’s Patience Wearing Thin,” NATO press release, May 31, 2000.
- 6 UNHCR *Refugees Daily*, May 23, 2000.
- 7 UNHCR-OSCE Ad Hoc Task Force on Minorities “Overview of the Situation of Minorities” (February 11, 2000). UNHCR is the source of the 1998 Pristina population estimate.
- 8 Information compiled from “Overview of the Situation of Minorities” (February 11, 2000) and from Human Rights Watch field research (June–November 1999).
- 9 The 1991 Yugoslav census indicated a Roma population of between 30,000 and 40,000 in Kosovo but the real figure is likely to be higher due to non-participation in censuses and continued migration.
- 10 UNHCR-OSCE Ad Hoc Task Force on Minorities, “Overview of the Situation of Minorities,” November 3, 1999.
- 11 UNHCR-OSCE Ad Hoc Task Force on Minorities “Assessment of the Situation of Ethnic Minorities in Kosovo,” February 11, 2000.
- 12 The victims were Hajzer Ahmeti, Ibush Ahmeti, Isret Bajrami, and Agron Mehmeti.
- 13 “Ashkali Murder to Have a ‘Chilling’ Effect on Return of Refugees, Says UNHCR,” *KosovaLive*, November 10, 2000.

- 14 "Ethnic Croats from Kosovo evacuated to Croatia," Associated Press, November 1, 1999. Quoted in UNHCR Refugee Daily, 11/1/99.
- 15 UNHCR-OSCE Ad Hoc Task Force on Minorities "Assessment of the Situation of Ethnic Minorities in Kosovo," February 11, 2000.
- 16 Ibid.
- 17 ICRC statement, "Person Unaccounted for in Connection with the Kosovo Crisis," April 10, 2001.
- 18 Press conference of the Association of the Families of the Missing and Kidnapped in Kosovo and Metohija, Belgrade, Yugoslavia, November 10, 2000.
- 19 "Persons Missing in Relation to the Events in Kosovo From January 1998," ICRC, May 2000. The book of the missing can be searched by name on the ICRC website at: www.familylinks.icrc.org/kosovo.
- 20 Humanitarian Law Center report, *Kosovo—Disappearances of Non-Albanians 24th March-10th August 1999*. Available at www.greekhelsinki.gr/english/reports/hlc-24-3-10-8-99.html, (March 22, 2001).
- 21 ICRC Statement, April 10, 2001.
- 22 European Roma Rights Center, "Press Statement: The Current Situation of Roma in Kosovo," July 9, 1999.
- 23 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told—Part II*, pp.?.
- 24 Ibid.
- 25 UNHCR-OSCE Ad Hoc Task Force on Minorities "Assessment of the Situation of Ethnic Minorities in Kosovo," February 11, 2000.
- 26 UNHCR-OSCE Ad Hoc Task Force on Minorities, "Update on the Situation of Ethnic Minorities in Kosovo (Period Covering February through May 2000)," May 31, 2000.
- 27 Statistics for aggravated assault over the same period include forty-nine cases of charges against Serbs, two against Roma, two against Muslim Slavs, ninety against Albanians and nine against persons of unknown ethnicity. "Update on the Situation of Ethnic Minorities in Kosovo (Period Covering February through May 2000)."
- 28 UNHCR-OSCE Ad Hoc Task Force on Minorities, "Update on the Situation of Ethnic Minorities in Kosovo (Period Covering February through May 2000)," May 31, 2000.
- 29 "U.N. Kosovo Head Condemns Killing of Serb Doctor as 'Sabotage,'" Reuters, March 2, 2000.
- 30 "Upsurge in Violence in Kosovo in past week: UN," Agence France Presse, April 10, 2000.
- 31 "Kosovo Farmer Gunned Down in Northern Kosovo," Associated Press, May 22, 2000.
- 32 KFOR Press Update, May 29, 2000.
- 33 "Albanians Attack Serbs in Kosovo," Reuters, June 1, 2000.
- 34 "Landmine Kills Two Serbs in Latest Kosovo Attack," Reuters, June 2, 2000.
- 35 "Five Serbs Injured in Kosovo Grenade Attack—KFOR," Reuters, June 6, 2000.
- 36 KFOR Press Update, June 16, 2000; For additional information see: "Two Serbs killed, one injured as car hits landmine in Kosovo," Agence France Presse, June 15, 2000.
- 37 "Serb Working for UN Killed in Kosovo," Reuters, May 17, 2000.
- 38 For examples of attacks against Albanian "collaborators" in the months following June 1999, see: OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told—Part II*.

- 39 Paul Watson, "Extremist Albanians Target Moderates in Kosovo Strife," *Los Angeles Times*, November 20, 1999.
- 40 Carlotta Gall, "Kosovo Towns Mourn a Slain Guerrilla Army Commander," *New York Times*, May 12, 2000.
- 41 For background on Rexha's murder, see Granit Guri, "Elimination of Former KLA Commanders," AIM Pristina, May 18, 2000.
- 42 "Senior Politician Killed in Kosovo," Agence France Presse, June 19, 2000.
- 43 "Police Arrest Suspects in Raci Killing," KosovaLive, November 3, 2000.
- 44 "Peja Municipal Council Member Attacked," KosovaLive, November 16, 2000.
- 45 R. Jeffrey Smith, "Advocate of Nonviolence Gunned Down in Kosovo," *Washington Post*, November 24, 2000.
- 46 OSCE/ODIHR, *Kosovo/Kosova: As Seen, As Told—Part II*.
- 47 Secretary Albright, KFOR Commander General Jackson, and UN Special Representative Kouchner, press remarks, July 29, 1999.
- 48 UNHCR-OSCE Ad Hoc Task Force on Minorities, "Overview of the Situation of Minorities," November 3, 1999.
- 49 Ibid.
- 50 UN Mission in Kosovo, Status Report, October 19, 2000. See: www.un.org/peace/kosovo/pages/kosovo_status.htm, (March 22, 2001).
- 51 "Class 11 graduates from OSCE Kosovo Police Service School," OSCE press release, December 15, 2000.
- 52 See, for example, Roy Gutman, "Bias Seen in Judicial System in Kosovo: UN Refuses to Appoint Judges Above the Fray," *Newsday*, April 2, 2000.
- 53 For more information on Kosovo's post-war judicial system see the following reports: Lawyers Committee for Human Rights, *A Fragile Peace: Laying the Foundations for Justice in Kosovo*, October 1999; United States Department of State, *Kosovo Judicial Assessment Mission Report*, April 2000.
- 54 The KPC, publically intended for civic defence and emergency relief, is headed by former KLA General Agim Ceku, composed mostly of former KLA combatants, structured along military lines (including special forces units), and supervised by KFOR rather than international civilian authorities. The KPC is widely regarded in Kosovo as the successor force to the KLA.
- 55 The *New York Times* quoted an unnamed "senior UN official" in February of this year saying that "the unwillingness of the West and KFOR to read the riot act to the KLA remains a central problem here." Steven Erlanger, "Torn Mitrovica Reflects West's Trials in Kosovo," *New York Times*, February 27, 2000.
- 56 "Clark Sees No Evidence KLA Behind Attacks On Serbs," *Reuters*, 13 August 1999.
- 57 The existence of the report was first reported in *the Observer* newspaper in March 2000. See John Sweeney and Jens Holsoe, "Revealed: UN-backed Unit's Reign of Terror—Kosovo 'Disaster Response Service' Stands Accused of Murder and Torture," *Observer* (London), March 12, 2000.
- 58 In late 2000 and early 2001 a group of armed ethnic Albanians calling itself the Liberation Army of Preshevo, Medvedja and Bujanovc (UCPMB) had occupied the buffer zone between Kosovo and southern Serbia in which, based on the Military Technical

- Agreement, neither KFOR nor Yugoslav forces were allowed to enter. In March 2001, another group called the National Liberation Army (Ushtria Clirimtare e Kombit, or UCK in Albanian) began occupying villages in north western Macedonia, where ethnic Albanians form a majority.
- 59 See Report of the Secretary-General on the United Nations Interim Administration in Kosovo (S/2000/538), June 6, 2000; "Anti-Serb Violence Condemned," AP, June 8, 2000; "Kosovo: NATO's Patience Wearing Thin," NATO, May 31, 2000.
- 60 Neither the Military Technical Agreement nor UN Security Council Resolution 1244, which established the U.N.'s post-war presence in Kosovo, mentioned the prisoners' issue. According to a report by the International Crisis Group, early drafts of the Agreement did contain provisions regarding the prisoners. See International Crisis Group, *Kosovar Albanians in Serbian Prisons: Kosovo's Unfinished Business*, January 26, 2000.
- 61 "Zatvorenici sa Kosova Izmesteni u Srbiju," *Glas Javnosti*, June 18, 1999.
- 62 ICRC News 01/10, "Federal Republic of Yugoslavia: Detainees released under amnesty act return home," March 15, 2001.
- 63 See detailed trial monitoring reports by two Serbian-based organizations: Group 484's Volunteer Group on Human Rights and the Humanitarian Law Center (Communique from July 13, 2000).
- 64 Kurti was sentenced to fifteen years in prison on March 13, 2000, after ten months in detention. He was still in prison as of April 2001.
- 65 Human Rights Watch interview with M. K., Barane, Kosovo, November 17, 1999.
- 66 "Fifty-four Kosova Albanians Released from Serbian Prison," Reuters, October 4, 1999.
- 67 Ibid.
- 68 Humanitarian Law Center Communiques, January 29, 2000, and the Associated Press, January 29, 2000.
- 69 See the trial monitoring reports by Group 484's Volunteer Group on Human Rights (April 2000) and the Humanitarian Law Center (Communique from July 13, 2000.).
- 70 See Human Rights Watch release, "Belgrade Tries Ethnic Albanian Students For 'Terrorism'—Defendants Allege Torture," December 16, 1999, and "Ethnic Albanian Tells Court He Was Tortured," Reuters, November 23, 1999.
- 71 See trial monitoring reports by Group 484's Volunteer Group for Human Rights report (April 26, 1999) and two Humanitarian Law Center releases (December 21, 1999, and June 23, 2000.)
- 72 Humanitarian Law Center Communique, November 8, 1999.
- 73 Humanitarian Law Center Communique, October 10, 1999. Many of the minors in detention were subsequently released.
- 74 Brovina was sentenced for seditious conspiracy, according to Article 136 of the Yugoslav Criminal Code, in conjunction with terrorism during a state of war, according to Article 125. On April 10, 2000, Flora Brovina was awarded the PEN/Barbara Goldsmith Freedom-to-Write Award.
- 75 Human Rights Watch interview with Ajri Begu, Pristina, Kosovo, November 2, 1999.
- 76 See trial monitoring reports from Group 484.
- 77 Peter Finn, "Jailed Albanians Walk for a Fee for Freedom," *Washington Post*, October 9, 1999.

- 78 International Crisis Group, *Kosovar Albanians in Serbian Prisons: Kosovo's Unfinished Business*, January 26, 2000.
- 79 "HLC Attorney Arrested on Highway After Visiting Detained Clients," Humanitarian Law Center release, December 4, 1999.
- 80 "Ethnic Albanian Lawyer Beaten by Unknown Assailants," Agence France Presse, March 17, 1999.
- 81 ICRC News 01/10, "Federal Republic of Yugoslavia: Detainees released under amnesty act return home," March 15, 2001.

Chapter 18. Work of the War Crimes Tribunal

- 1 U.N. Security Council Resolution 827, May 25, 1993.
- 2 Fact Sheet on ICTY Proceedings, March 15, 2001. An unknown number of other individuals have been the object of sealed indictments.
- 3 The International Criminal Tribunal for the former Yugoslavia, "Prosecutor's Statement Regarding the Tribunal's Jurisdiction Over Kosovo," The Hague, March 10, 1998.
- 4 Contact Group Statement on Kosovo, London, June 12, 1998.
- 5 Communication from the Prosecutor to the Contact Group Members, The Hague, July 7, 1998.
- 6 Press conference of Ambassador David Scheffer, Zagreb, Croatia, August 31, 1998.
- 7 Human Rights Watch first called on the tribunal to undertake an investigation into alleged war crimes in Kosovo on March 7. In a letter to Chief Prosecutor Arbour, Human Rights Watch argued that "The violations of humanitarian law apparently being committed in Kosovo fall under the purview of the International Criminal Tribunal for the former Yugoslavia. . . . By opening an immediate investigation into the apparent war crimes being committed in Kosovo, and signaling that the Tribunal's jurisdiction extends to these atrocities, your office can help to curtail them." See Human Rights Watch press release, "Human Rights Watch Calls on Yugoslav War Crimes Tribunal to Investigate Possible War Crimes in Kosovo," March 7, 1998.
- 8 For details of these incidents, except Volujak, see Human Rights Watch, *Humanitarian Law Violations in Kosovo*, and Human Rights Watch, *A Week of Terror in Drenica*.
- 9 See Human Rights Watch, "A Week of Terror in Drenica."
- 10 See Human Rights Watch press release, "Interference with Kosovo Forensic Team 'Unacceptable,'" December 11, 1998.
- 11 "Thwarted Kosovo Mission of Louise Arbour," Tribunal Update 109, Institute for War and Peace Reporting, January 18–23, 1999. See also "Don't Tamper with Evidence, UN Prosecutor Tells Belgrade," Agence France Press, January 21, 1999.
- 12 Report of the EU Forensic Expert Team on the Racak Incident, March 17, 1999.
- 13 Press Statement by James P. Rubin, Spokesman, April 7, 1999, "Responsibility of Individual Yugoslav Army and Ministry Of Internal Affairs Commanders for Crimes Committed By Forces Under Their Command in Kosovo."
- 14 Ibid.

- 15 The Indictment of Milosevic et al., Case IT-99-37-I, International Criminal Tribunal for the Former Yugoslavia, May 24, 1999.
- 16 Remarks to the Security Council by Madame Carla Del Ponte, Prosecutor, International Criminal Tribunal for the former Yugoslavia, November 10, 1999, New York.
- 17 Address to the Security Council by Madame Carla Del Ponte, Prosecutor, International Criminal Tribunals for the former Yugoslavia and Rwanda, November 21, 2000, New York.
- 18 Press Release, "Statement by Carla Del Ponte, Prosecutor of the International Criminal Tribunal for the Former Yugoslavia, on the Investigation and Prosecution of Crimes Committed in Kosovo," September 29, 1999.
- 19 Ibid.
- 20 Address to the Security Council by Madame Carla Del Ponte, Prosecutor, International Criminal Tribunals for the former Yugoslavia and Rwanda, November 21, 2000, New York.
- 21 "Belgrade Pledges War Crimes Purge," BBC News, November 6, 2000.
- 22 Statement by the Prosecutor, Carla Del Ponte, On the Occasion of Her Visit to Belgrade, The Hague, January 30, 2001.
- 23 Statement by the Prosecutor Carla Del Ponte, The Hague, March 21, 2001.
- 24 See Human Rights Watch press releases, "Simic Surrender Not "Cooperation", March 12, 2001, and "Stakic Arrest Welcomed But Milosevic Still Must Be Surrendered to The Hague," March 23, 2001. For details about Stakic's role in Prijedor, see Human Rights Watch, "The Unindicted: Reaping the Rewards of 'Ethnic Cleansing,'" January 1997.
- 25 "Powell Certified Aid for Yugoslavia," Associated Press, April 2, 2001.
- 26 As of September 2000, at least twenty detainees had escaped hospitals or detention facilities, including one person who escaped from the U.S. Camp Bondsteel. According to the Belgrade-based Radio B2-92 (August 4, 2000), three Serbian detainees accused of war crimes escaped in early August from a hospital in Northern Mitrovica: Dragan Jovanovic, Vlastimir Aleksic, and Dragisa Peica. In early September 2000, thirteen detainees escaped from the detention facility in Northern Mitrovica, prompting the U.N. authorities to tighten security measures on September 18.
- 27 "Few War Crimes in Kosova Will Ever Be Prosecuted, Police Say," KosovaLive, December 8, 2000.
- 28 For informative reports on the post-war justice system in Kosovo see, Lawyers' Committee for Human Rights, "A Fragile Peace: Laying the Foundations for Justice in Kosovo," October 1999, and a U.S. government interagency report, "Kosovo Judicial Assessment Mission Report," April 2000 (available at www.state.gov/www/global/human_rights/kosovooii/042000_kosovo_rpt.pdf, as of March 2001).
- 29 OSCE Report, "The Development of the Kosovo Judicial System," January 2000.
- 30 "Group 484 Report on the Trial of Luan Mazreku and Bekim Mazreku," April 21, 2000.
- 31 Humanitarian Law Center release, "Luan and Bekim Mazreku Denied Fair Trial," September 24, 2000, and "Legal Analysis of the Mazreku Trial."
- 32 "Policemen Jailed for Murder of Albanians," B2-92, July 19, 2000. See also Carlotta Gall, "Seeing Enemies Everywhere, Serbia Begins a Legal Offensive," *New York Times*, November 29, 1999.

- 33 Humanitarian Law Center Legal Opinion, "Trial and Sentencing of Yugoslav Army Personnel for the Murder of Two Kosovo Albanian Civilians," December 25, 2000. For details on the case, see R. Jeffrey Smith, "A Yugoslav Officer's Crusade," *Washington Post*, December 20, 2000.
- 34 R. Jeffrey Smith, "Three Soldiers Convicted in Kosovo Atrocity," *Washington Post*, December 21, 2000.
- 35 "Yugoslav Army Begin Crime Cases," Associated Press, April 19, 2001.
- 36 "Officers Charged for Kosovo Killings," Associated Press, April 24, 2001.
- 37 Final Report to the Prosecutor by the Committee Established to Review the NATO Bombing Campaign Against the Federal Republic of Yugoslavia, June 8, 2000.
- 38 Press Release, "Statement by Carla Del Ponte, Prosecutor of the International Criminal Tribunal for the Former Yugoslavia, on the Investigation and Prosecution of Crimes Committed in Kosovo," September 29, 1999.
- 39 Address to the Security Council by Madame Carla Del Ponte, Prosecutor, International Criminal Tribunals for the former Yugoslavia and Rwanda, November 21, 2000, New York.
- 40 Statement by the Prosecutor Carla Del Ponte, The Hague, March 21, 2001.

Chapter 19. Legal Standards in the Kosovo Conflict

- 1 Human Rights Watch reports from this period are: "Increasing Turbulence: Human Rights in Yugoslavia," October 1989; "Yugoslavia: Crisis in Kosovo," with the International Helsinki Federation, March 1990; "Yugoslavia: Human Rights Abuses in Kosovo 1990–1992," October 1992; *Open Wounds: Human Rights Abuses in Kosovo*, March 1993; "Persecution Persists: Human Rights Violations in Kosovo," December 1996.
- 2 Yugoslavia acceded to the four Geneva Conventions on April 21, 1950, and to Protocols I and II on June 11, 1979.
- 3 International Committee of the Red Cross, *Commentary*, III Geneva Convention (International Committee of the Red Cross: Geneva 1960), p. 23.
- 4 International Committee of the Red Cross, *Commentary*, IV Geneva Convention (International Committee of the Red Cross: Geneva 1958), p. 35.
- 5 *Ibid.*
- 6 International Committee of the Red Cross *Commentary* to Protocol II, p. 90.
- 7 U.N. General Assembly, *Respect for Human Rights in Armed Conflicts*, United Nations Resolution 2444, G.A. Res. 2444, 23 U.N. GAOR Supp. (No. 18) U.N. Doc. A/7433 (New York: U.N., 1968), p. 164.
- 8 U.N. General Assembly Resolution 2444 affirms:
 - . . . the following principles for observance by all government and other authorities responsible for action in armed conflicts:
 - (a) That the right of the parties to a conflict to adopt means of injuring the enemy is not unlimited;
 - (b) That it is prohibited to launch attacks against the civilian populations as such;
 - (c) That distinction must be made at all times between persons taking part in the hos-

tilities and members of the civilian population to the effect that the latter be spared as much as possible.

- 9 The Prosecution v. Dusko Tadic, Appeals Chamber Decision on the Defense Motion for Interlocutory Appeal on Jurisdiction, para. 89 (October 2, 1995).
- 10 Human Rights Watch also takes some concepts from Protocol I, since it provides useful interpretive guidance on the rules of war.
- 11 The ICRC *Commentary* to article 1 of Protocol II addresses the requirements for control over territory. Paragraph 3.3. says: "In many conflicts there is considerable movement in the theater of hostilities; it often happens that territorial control changes hands rapidly. Sometimes domination of a territory will be relative, for example, when urban centres remain in government hands while rural areas escape their authority. In practical terms, if the insurgent armed groups are organized in accordance with the requirements of the Protocol, the extent of territory they can claim to control will be that which escapes the control of the government armed forces. However, there must be some degree of stability in the control of even a modest area of land for them to be capable of effectively applying the rules of the Protocol."
- 12 The ICRC *Commentary* on Common Article 3, paragraph 1, states that, among other criteria, an internal armed conflict exists when, "the insurgent civil authority agrees to be bound by the provisions of the Convention."
- 13 *Koha Ditore*, July 12, 1998.
- 14 KLA Communiqué Nr. 51, as published in *Koha Ditore*, August 26, 1998.
- 15 The "combatant's privilege" is a license to kill or capture enemy troops and destroy military objectives. This privilege immunizes combatants from criminal prosecution by their captors for their violent acts that do not violate the laws of war but would otherwise be crimes under domestic law. Prisoner of war status depends on and flows from this privilege. See W. Solf, "The Status of Combatants in Non-International Armed Conflicts Under Domestic Law and Transnational Practice," *American University Law Review*, no. 33 (1953), p. 59.
- 16 International Committee of the Red Cross (ICRC), *Commentary, IV Geneva Convention* (Geneva: ICRC, 1958), p. 226.
- 17 The ICRC *Commentary on the Additional Protocols*, p. 874, defines hostages as persons who find themselves, willingly or unwillingly, in the power of the enemy and who answer with their freedom or their life for compliance with the orders of the latter and for upholding the security of its armed forces.
- 18 Protocol II, article 8, states:

Whenever circumstances permit, and particularly after an engagement, all possible measures shall be taken, without delay, . . . to search for the dead, prevent their being despoiled, and decently dispose of them.
- 19 R. Goldman, "International Humanitarian Law and the Armed Conflicts in El Salvador and Nicaragua," *American University Journal of International Law and Policy*, vol. 2 (1987), p. 553.
- 20 A wounded or captured combatant is "out of the fighting," and so must be protected.
- 21 Report of Working Group B, Committee I, 18 March 1975 (CDDH/I/238/Rev.1; X, 93),

- in Howard S. Levie, ed., *The Law of Non International Armed Conflict*, (Dordrecht, Netherlands: Martinus Nijhoff, 1987), p. 67. See Rosario Conde, "Policemen without Combat Duties: Illegitimate Targets of Direct Attack under Humanitarian Law," student paper (New York: Columbia Law School, May 12, 1989).
- 22 M. Bothe, K. Partsch, and W. Solf, *New Rules for Victims of Armed Conflicts: Commentary on the Two 1977 Protocols Additional to the Geneva Conventions of 1949* (The Hague: Martinus Nijhoff, 1982), p. 303.
- 23 Civilians include those persons who are "directly linked to the armed forces, including those who accompany the armed forces without being members thereof, such as civilian members of military aircraft crews, supply contractors, members of labour units, or of services responsible for the welfare of the armed forces, members of the crew of the merchant marine and the crews of civil aircraft employed in the transportation of military personnel, material or supplies. . . . Civilians employed in the production, distribution and storage of munitions of war. . . ." *Ibid.*, pp. 293–94.
- 24 *Ibid.*, p. 303.
- 25 ICRC, *Commentary on the Additional Protocols*, p. 619.
- 26 ICRC, *Commentary on the Additional Protocols*, p. 618–19. This is a broader definition than "attacks" and includes at a minimum preparation for combat and return from combat. Bothe, *New Rules for Victims of Armed Conflicts*, p. 303.
- 27 *Ibid.*, p. 303.
- 28 Protocol I, art. 52 (2).
- 29 Bothe, et.al., *New Rules for Victims of Armed Conflicts*, pp. 306–07.
- 30 *Ibid.*, p. 362 (footnote omitted).
- 31 *Ibid.*, p. 365.
- 32 ICRC, *Commentary on the Additional Protocols*, p. 685.
- 33 *Ibid.*, p. 685. As set out above, to constitute a legitimate military objective, the object, selected by its nature, location, purpose or use must contribute effectively to the enemy's military capability or activity, and its total or partial destruction or neutralization must offer a "definite" military advantage in the circumstances. See Protocol I, art. 52 (2) where this definition is codified.
- 34 ICRC, *Commentary on the Additional Protocols*, p. 684.
- 35 *Ibid.*, p. 626.
- 36 *Ibid.*, p. 1472.
- 37 *Ibid.*
- 38 Constitution of the Federal Republic of Yugoslavia, Section 1, Article 9.
- 39 Official Gazette of the Federal Republic of Yugoslavia 43/94. Amendments to the law were published in the Official Gazette 28/96.
- 40 Official Gazette of the Republic of Serbia 44/91. Amendments to the law were published in the Official Gazette 79/91 and 54/96.

