

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

Case No. IT-99-37-PT

THE PROSECUTOR OF THE TRIBUNAL

AGAINST

**SLOBODAN MILOSEVIC
MILAN MILUTINOVIC
NIKOLA SAINOVIC
DRAGOLJUB OJDANIC
VLAJKO STOJILJKOVIC**

SECOND AMENDED INDICTMENT

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

**SLOBODAN MILOSEVIC
MILAN MILUTINOVIC
NIKOLA SAINOVIC
DRAGOLJUB OJDANIC
VLAJKO STOJILJKOVIC**

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

ACCUSED

1. **Slobodan MILOSEVIC** was born on 20 August 1941 in the town of Pozarevac in present-day Republic of Serbia (hereinafter "Serbia"). In 1964, he received a law degree from the University of Belgrade and began a career in management and banking. **Slobodan MILOSEVIC** held the posts of deputy director and later general director at *Tehnogas*, a major gas company until 1978. Thereafter, he became president of *Beogradska banka (Beobanka)*, one of the largest banks in the former Socialist Federal Republic of Yugoslavia (hereinafter "SFRY") and held that post until 1983.

2. In 1983, **Slobodan MILOSEVIC** began his political career. He became Chairman of the City Committee of the League of Communists of Belgrade in 1984. In 1986, he was elected Chairman of the Presidium of the Central Committee of the League of Communists of Serbia and was re-elected in 1988. On 16 July 1990, the League of Communists of Serbia and the Socialist Alliance of Working People of Serbia were united; the new party was named the Socialist Party of Serbia (hereinafter "SPS"), and **Slobodan MILOSEVIC** was elected its President. He continues to hold the post of President of the SPS as of the date of this indictment.

3. **Slobodan MILOSEVIC** was elected President of the Presidency of Serbia on 8 May 1989 and re-elected on 5 December that same year. After the adoption of the new Constitution of Serbia on 28 September 1990, **Slobodan MILOSEVIC** was elected to the newly established office of President of Serbia in multi-party elections held on 9 and 26 December 1990; he was re-elected on 20 December 1992.

4. After serving two terms as President of Serbia, **Slobodan MILOSEVIC** was elected President of the Federal Republic of Yugoslavia (hereinafter "FRY") on 15 July 1997 and he began his official duties on 23 July 1997. Following defeat in the September 2000 FRY Presidential elections, **Slobodan MILOSEVIC** stepped down from this position on 6 October 2000. At all times relevant to this indictment, **Slobodan MILOSEVIC** held the post of President of the FRY.

5. **Milan MILUTINOVIC** was born on 19 December 1942 in Belgrade in present-day Serbia. **Milan MILUTINOVIC** received a degree in law from Belgrade University.

6. Throughout his political career, **Milan MILUTINOVIC** has held numerous high level governmental posts within Serbia and the FRY. **Milan MILUTINOVIC** was a deputy in the Socio-Political Chamber and a member of the foreign policy committee in the Federal Assembly; he was Serbia's Secretary for Education and Sciences, a member of the Executive Council of the Serbian Assembly, and a director of the Serbian National Library. **Milan MILUTINOVIC** also served as an ambassador in the Federal Ministry of Foreign Affairs and as the FRY Ambassador to Greece. He was appointed the Minister of Foreign Affairs of the FRY on 15 August 1995. **Milan MILUTINOVIC** is a member of the SPS.

7. On 21 December 1997, **Milan MILUTINOVIC** was elected President of Serbia. At all times relevant to this indictment, **Milan MILUTINOVIC** held the post of President of Serbia.

8. **Nikola SAINOVIC** was born on 7 December 1948 in Bor, Serbia. He graduated from the University of Ljubljana in 1977 and holds a Master of Science degree in Chemical Engineering. He began his political career in the municipality of Bor where he held the position of President of the Municipal Assembly of Bor from 1978 to 1982.

9. Throughout his political career, **Nikola SAINOVIC** has been an active member of both the League of Communists and the SPS. He held the position of Chairman of the Municipal Committee of the League of Communists in Bor. On 28 November 1995, **Nikola SAINOVIC** was elected a member of the SPS's Main Committee and a member of its Executive Council. He was also named president of the Committee to prepare the SPS Third Regular Congress (held in Belgrade on 2-3 March 1996). On 2 March 1996, **Nikola SAINOVIC** was elected one of several vice chairmen of the SPS. He held this position until 24 April 1997.

10. **Nikola SAINOVIC** has held several positions within the governments of Serbia and the FRY. In 1989, he served as a member of the Executive Council of Serbia's Assembly and Secretary for Industry, Energetics and Engineering of Serbia. He was appointed Minister of Mining and Energy of Serbia on 11 February 1991, and again on 23 December 1991. On 23 December 1991, he was also named Deputy Prime Minister of Serbia. **Nikola SAINOVIC** was appointed Minister of the Economy of the FRY on 14 July 1992, and again on 11 September 1992. He resigned from this post on 29 November 1992. On 10 February 1993, **Nikola SAINOVIC** was elected Prime Minister of Serbia.

11. On 22 February 1994, **Nikola SAINOVIC** was appointed Deputy Prime Minister of the FRY.

He was re-appointed to this position in three subsequent governments: on 12 June 1996, 20 March 1997 and 20 May 1998. **Slobodan MILOSEVIC** designated **Nikola SAINOVIC** as his representative for Kosovo. **Nikola SAINOVIC** chaired the commission for co-operation with the Organisation for Security and Co-operation in Europe (hereinafter "OSCE") Verification Mission in Kosovo, and was an official member of the Serbian delegation at the Rambouillet peace talks in February 1999. **Nikola SAINOVIC** stepped down from his position as Deputy Prime Minister of the FRY on or before 4 November 2000, when a new Federal Government was formed. At all times relevant to this indictment, **Nikola SAINOVIC** held the post of Deputy Prime Minister of the FRY.

12. **Colonel General Dragoljub OJDANIC** was born on 1 June 1941 in the village of Ravni, near Uzice in what is now Serbia. In 1958, he completed the Infantry School for Non-Commissioned Officers and in 1964, he completed the Military Academy of the Ground Forces. In 1985, **Colonel General Dragoljub OJDANIC** graduated from the Command Staff Academy and School of National Defence with a Masters Degree in Military Sciences. At one time he served as the Secretary for the League of Communists for the Yugoslav National Army (hereinafter "JNA") 52nd Corps, the precursor of the 52nd Corps of the Armed Forces of the FRY (hereinafter "VJ").

13. In 1992, **Colonel General Dragoljub OJDANIC** was the Commander of the 37th Corps of the JNA, later the VJ, based in Uzice, Serbia. He was promoted to Major General on 20 April 1992 and became Commander of the Uzice Corps. Under his command, the Uzice Corps was involved in military actions in eastern Bosnia during the war in the Republic of Bosnia and Herzegovina (hereinafter "Bosnia and Herzegovina"). In 1993 and 1994, **Colonel General Dragoljub OJDANIC** served as Chief of the General Staff of the First Army of the VJ. He was Commander of the First Army between 1994 and 1996. In 1996, he became Deputy Chief of the General Staff of the VJ. On 24 November 1998, **Slobodan MILOSEVIC** appointed **Colonel General Dragoljub OJDANIC** Chief of General Staff of the VJ, replacing General Momcilo Perisic. **Colonel General Dragoljub OJDANIC** was named Federal Minister of Defence on 15 February 2000 and served in this position until 3 November 2000. He was retired from military service by Presidential decree on 30 December 2000. At all times relevant to this indictment, **Colonel General Dragoljub OJDANIC** held the post of Chief of the General Staff of the VJ.

14. **Vlajko STOJILJKOVIC** was born in 1937 in Mala Krsna, in Serbia. He graduated from the University of Belgrade with a law degree, and then was employed at the municipal court. Thereafter, he became head of the Inter-Municipal Secretariat of Internal Affairs in Pozarevac. **Vlajko STOJILJKOVIC** served as director of the PIK firm in Pozarevac, vice-president and president of the Economic Council of Yugoslavia, and president of the Economic Council of Serbia.

15. By April 1997, **Vlajko STOJILJKOVIC** became Deputy Prime Minister of the Serbian Government and Minister of Internal Affairs of Serbia. On 24 March 1998, the Serbian Assembly elected a new Government and **Vlajko STOJILJKOVIC** was named Minister of Internal Affairs of Serbia. He is also a member of the main board of the SPS. **Vlajko STOJILJKOVIC** resigned from his post as Minister of Internal Affairs of Serbia on 9 October 2000. He is a deputy in the Federal Assembly's Chamber of Republics. At all times relevant to this indictment, **Vlajko STOJILJKOVIC** held the post of Minister of Internal Affairs of Serbia.

INDIVIDUAL CRIMINAL RESPONSIBILITY

Article 7(1) of the Statute of the Tribunal

16. Each of the accused is individually responsible for the crimes alleged against him in this indictment under Articles 3, 5 and 7(1) of the Statute of the Tribunal. The accused planned,

instigated, ordered, committed, or otherwise aided and abetted in the planning, preparation, or execution of these crimes. By using the word "committed" in this indictment, the Prosecutor does not intend to suggest that any of the accused physically perpetrated any of the crimes charged, personally. "Committing" in this indictment refers to participation in a joint criminal enterprise as a co-perpetrator. The purpose of this joint criminal enterprise was, *inter alia*, the expulsion of a substantial portion of the Kosovo Albanian population from the territory of the province of Kosovo in an effort to ensure continued Serbian control over the province. To fulfil this criminal purpose, each of the accused, acting individually or in concert with each other and with others known and unknown, significantly contributed to the joint criminal enterprise using the *de jure* and *de facto* powers available to him.

17. This joint criminal enterprise came into existence no later than October 1998 and continued throughout the time period when the crimes alleged in counts 1 to 5 of this indictment occurred: beginning on or about 1 January 1999 and continuing until 20 June 1999. A number of individuals participated in this joint criminal enterprise during the entire duration of its existence, or, alternatively, at different times during the duration of its existence, including the accused **Slobodan MILOSEVIC, Milan MILUTINOVIC, Nikola SAINOVIC, Dragoljub OJDANIC, Vljako STOJILJKOVIC** and others known and unknown.

18. The crimes enumerated in Counts 1 to 5 of this Indictment were within the object of the joint criminal enterprise. Alternatively, the crimes enumerated in Counts 3 to 5 were natural and foreseeable consequences of the joint criminal enterprise and the accused were aware that such crimes were the likely outcome of the joint criminal enterprise. Despite their awareness of the foreseeable consequences, **Slobodan MILOSEVIC, Milan MILUTINOVIC, Nikola SAINOVIC, Dragoljub OJDANIC, Vljako STOJILJKOVIC** and others known and unknown, knowingly and wilfully participated in the joint criminal enterprise. Each of the accused and other participants in the joint criminal enterprise shared the intent and state of mind required for the commission of each of the crimes charged in counts 1 to 5. On this basis, under Article 7(1) of the Statute, each of the accused and other participants in the joint criminal enterprise bear individual criminal responsibility for the crimes alleged in counts 1 to 5.

Article 7(3) of the Statute of the Tribunal

19. **Slobodan MILOSEVIC, Milan MILUTINOVIC, Nikola SAINOVIC, Dragoljub OJDANIC** and **Vljako STOJILJKOVIC**, while holding positions of superior authority, are also individually criminally responsible for the acts or omissions of their subordinates, pursuant to Article 7(3) of the Statute of the Tribunal. A superior is responsible for the criminal acts of his subordinates if he knew or had reason to know that his subordinates were about to commit such acts or had done so, and the superior failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators.

20. **Slobodan MILOSEVIC** was elected President of the FRY on 15 July 1997 and assumed office on 23 July 1997. At all times relevant to this indictment, he held the post of President of the FRY.

21. As President of the FRY, **Slobodan MILOSEVIC** was President of the Supreme Defence Council of the FRY. The Supreme Defence Council consists of the President of the FRY and the Presidents of the member republics, Serbia and Montenegro. The Supreme Defence Council decides on the National Defence Plan and issues decisions concerning the VJ. As President of the FRY, **Slobodan MILOSEVIC** had the power to order implementation of the National Defence Plan and commanded the VJ in war and peace pursuant to decisions made by the Supreme Defence Council. **Slobodan MILOSEVIC**, as Supreme Commander of the VJ, performed these duties through

commands, orders and decisions.

22. Under the FRY Law on Defence, as Supreme Commander of the VJ, **Slobodan MILOSEVIC** also exercised command authority over republican police units subordinated to the VJ during a state of imminent threat of war or a state of war. A declaration of imminent threat of war was proclaimed on 23 March 1999, and a state of war on 24 March 1999.

23. In addition to his *de jure* powers, at all times relevant to this indictment, **Slobodan MILOSEVIC** exercised extensive *de facto* control over numerous institutions essential to, or involved in, the conduct of the offences alleged herein. **Slobodan MILOSEVIC** exercised extensive *de facto* control over federal institutions nominally under the competence of the Assembly or the Government of the FRY. **Slobodan MILOSEVIC** also exercised *de facto* control over functions and institutions nominally under the competence of Serbia and its autonomous provinces, including the Serbian police force. **Slobodan MILOSEVIC** further exercised *de facto* control over numerous aspects of the FRY's political and economic life, particularly the media. Between 1986 and the early 1990s, **Slobodan MILOSEVIC** progressively acquired *de facto* control over these federal, republican, provincial and other institutions.

24. **Slobodan MILOSEVIC's** *de facto* control over Serbian, SFRY, FRY and other state organs stemmed, in part, from his leadership of the two principal political parties that ruled in Serbia from 1986 to 2000, and in the FRY from 1992 to 2000. From 1986 until 1990, he was Chairman of the Presidium of the Central Committee of the League of Communists in Serbia, then the ruling party in Serbia. In 1990, he was elected President of the Socialist Party of Serbia, the successor party to the League of Communists of Serbia and the Socialist Alliance of the Working People of Serbia. Throughout the period of his Presidency of Serbia, from 1990 to 1997, and as the President of the FRY, from 1997 to 2000, **Slobodan MILOSEVIC** was also the leader of the SPS.

25. Beginning no later than October 1988 and at all times relevant to this indictment, **Slobodan MILOSEVIC** exercised *de facto* control over the ruling and governing institutions of Serbia, including the MUP. Beginning no later than October 1988, he exercised *de facto* control over Serbia's two autonomous provinces - Kosovo and Vojvodina - and their representation in federal organs of the SFRY and the FRY. From no later than October 1988 until mid-1998, **Slobodan MILOSEVIC** also exercised *de facto* control over the ruling and governing institutions of the Republic of Montenegro (hereinafter "Montenegro"), including its representation in all federal organs of the SFRY and the FRY.

26. In significant international negotiations, meetings and conferences since 1989 and at all times relevant to this indictment, **Slobodan MILOSEVIC** was the primary interlocutor with whom the international community negotiated. He negotiated international agreements that were subsequently implemented within Serbia, the SFRY, the FRY, and elsewhere on the territory of the SFRY. Among the conferences and international negotiations at which **Slobodan MILOSEVIC** was the primary representative of the SFRY and FRY are: The Hague Conference in 1991; the Paris negotiations of March 1993; the International Conference on the Former Yugoslavia in January 1993; the Vance-Owen peace plan negotiations between January and May 1993; the Geneva peace talks in the summer of 1993; the Contact Group meeting in June 1994; the negotiations for a cease fire in Bosnia and Herzegovina, 9-14 September 1995; the negotiations to end the bombing by the North Atlantic Treaty Organisation (NATO) in Bosnia and Herzegovina, 14-20 September 1995; and the Dayton peace negotiations in November 1995.

27. As the President of the FRY, the Supreme Commander of the VJ, and the President of the Supreme Defence Council, and pursuant to his *de facto* authority, **Slobodan MILOSEVIC** is

criminally responsible for the actions of his subordinates within the forces of the FRY and Serbia, which included, but were not limited to, the VJ, the Serbia Ministry of Interior (hereinafter "MUP"), military-territorial units, civil defence units and other armed groups operating under the authority, or with the knowledge, of the five accused or their subordinates who committed the crimes alleged in counts 1 to 5 of this indictment.

28. **Slobodan MILOSEVIC**, as President of the FRY, Supreme Commander of the VJ and President of the Supreme Defence Council, is also, or alternatively, criminally responsible for the acts of his subordinates, pursuant to Article 7(3) of the Tribunal Statute, including, but not limited to, members of the VJ and the aforementioned personnel of other forces of the FRY and Serbia, for the crimes alleged in counts 1 to 5 of this indictment. In addition, **Slobodan MILOSEVIC**, pursuant to his *de facto* authority, is also, or alternatively, criminally responsible for the acts of his subordinates, pursuant to Article 7(3) of the Tribunal Statute, including, but not limited to, members of the VJ and employees of the MUP, for the crimes alleged in counts 1 to 5 of this indictment.

29. **Milan MILUTINOVIC** was elected President of Serbia on 21 December 1997 and remains President as of the date of this indictment. As President of Serbia, at all times relevant to this indictment, **Milan MILUTINOVIC** was the head of State. He represents Serbia and conducts its relations with foreign states and international organisations. He organises preparations for the defence of Serbia.

30. As President of Serbia, at all times relevant to this indictment, **Milan MILUTINOVIC** was a member of the Supreme Defence Council of the FRY and participated in decisions regarding the use of the VJ.

31. As President of Serbia, at all times relevant to this indictment, **Milan MILUTINOVIC**, in conjunction with the Republic of Serbia Assembly, had the authority to request reports both from the Government of Serbia, concerning matters under its jurisdiction, and from the MUP, concerning its activities and the security situation in Serbia. As President of Serbia, **Milan MILUTINOVIC** had the authority to dissolve the Republic of Serbia Assembly, and with it the Government, "subject to the proposal of the Government on justified grounds," although this power applies only in peacetime.

32. During a declared state of war or state of imminent threat of war, **Milan MILUTINOVIC**, as President of Serbia, could enact measures normally under the competence of the Republic of Serbia Assembly, including the passage of laws; these measures could include the reorganisation of the Government and its ministries, as well as the restriction of certain rights and freedoms.

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

34. In significant international negotiations, meetings and conferences since 1995 and at all times relevant to this indictment, **Milan MILUTINOVIC** was a principal interlocutor with whom the international community negotiated. Among the conferences and international negotiations at which **Milan MILUTINOVIC** was a primary representative of the FRY are: preliminary negotiations for a cease fire in Bosnia and Herzegovina, 15-21 August 1995; the Geneva meetings regarding the Bosnian cease fire, 7 September 1995; further negotiations for a cease fire in Bosnia and

Herzegovina, 9-14 September 1995; the negotiations to end the NATO bombing in Bosnia and Herzegovina, 14-20 September 1995; the meeting of Balkan foreign ministers in New York, 26 September 1995; and the Dayton peace negotiations in November 1995. **Milan MILUTINOVIC** was also present at the negotiations at Rambouillet in February 1999.

35. Under the FRY Law on Defence, **Milan MILUTINOVIC**, as a member of the Supreme Defence Council, also exercised command authority over republican police units subordinated to the VJ during a state of imminent threat of war or a state of war. A declaration of imminent threat of war was proclaimed on 23 March 1999, and a state of war on 24 March 1999.

36. **Milan MILUTINOVIC**, as President of Serbia and a member of the Supreme Defence Council, is also, or alternatively, criminally responsible for the acts of his subordinates, pursuant to Article 7 (3) of the Tribunal Statute, including, but not limited to, members of the VJ and the aforementioned personnel of other forces of the FRY and Serbia, for the crimes alleged in counts 1 to 5 of this indictment. In addition, **Milan MILUTINOVIC**, pursuant to his *de facto* authority, is criminally responsible for the acts of his subordinates, pursuant to Article 7(3) of the Tribunal Statute, including, but not limited to, members of the VJ and employees of the MUP, for the crimes alleged in counts 1 to 5 of this indictment.

37. **Nikola SAINOVIC** was re-appointed Deputy Prime Minister of the FRY on 20 May 1998. As such, he was a member of the Government of the FRY, which, among other duties and responsibilities, formulated domestic and foreign policy, enforced federal law, directed and coordinated the work of federal ministries, and organised defence preparations.

38. Prior to December 1998, **Slobodan MILOSEVIC** designated **Nikola SAINOVIC** as his representative for Kosovo. A number of diplomats and other international officials who needed to speak with a government official regarding events in Kosovo were directed to **Nikola SAINOVIC**. He took an active role in negotiations establishing the OSCE verification mission for Kosovo and he participated in numerous other meetings regarding the Kosovo crisis. At all times relevant to this indictment, **Nikola SAINOVIC** acted as the liaison between **Slobodan MILOSEVIC** and various Kosovo Albanian leaders. Pursuant to both his position as Deputy Prime Minister of the FRY and his role as **Slobodan MILOSEVIC**'s designated representative for Kosovo, **Nikola SAINOVIC** exercised effective control over numerous individuals and institutions essential to, or involved in, or responsible for, the conduct of the offences alleged herein.

39. **Nikola SAINOVIC**, pursuant to his *de facto* authority, is also, or alternatively, criminally responsible for the acts of his subordinates, pursuant to Article 7(3) of the Tribunal Statute, including, but not limited to, members of the VJ and employees of the MUP, for the crimes alleged in counts 1 to 5 of this indictment.

40. **Colonel General Dragoljub OJDANIC** was appointed Chief of the General Staff of the VJ on 24 November 1998. At all times relevant to this indictment, he held the post of Chief of the General Staff of the VJ. As Chief of the General Staff of the VJ, **Colonel General Dragoljub OJDANIC** commanded, ordered, instructed, regulated and otherwise directed the VJ, pursuant to acts issued by the President of the FRY and as required to command the VJ.

41. As Chief of the General Staff of the VJ, **Colonel General Dragoljub OJDANIC** determined the organisation, plan of development and formation of commands, units and institutions of the VJ, in conformity with the nature and needs of the VJ and pursuant to acts rendered by the President of the FRY.

42. In his position of authority, **Colonel General Dragoljub OJDANIC** also determined the plan for recruiting and filling vacancies within the VJ and the distribution of recruits therein; issued regulations concerning training of the VJ; determined the educational plan and advanced training of professional and reserve military officers; and performed other tasks stipulated by law.

43. As Chief of the General Staff of the VJ, **Colonel General Dragoljub OJDANIC** - or other officers empowered by him - assigned commissioned officers, non-commissioned officers and soldiers, and promoted non-commissioned officers, reserve officers, and officers up to the rank of colonel. In addition, **Colonel General Dragoljub OJDANIC** nominated the president, judges, prosecutors, and their respective deputies and secretaries, to serve on military disciplinary courts.

44. **Colonel General Dragoljub OJDANIC** carried out preparations for the conscription of citizens and mobilisation of the VJ; co-operated with the MUP and the Ministry of Defence of the FRY in mobilising organs and units of the MUP; monitored and proposed measures to correct problems encountered during, and informed the Government of the FRY and the Supreme Defence Council about, the implementation of the mobilisation.

45. **Colonel General Dragoljub OJDANIC**, as Chief of the General Staff of the VJ, under the FRY Law on Defense, also exercised command authority over republican police units subordinated to the VJ 3rd Army during a state of imminent threat of war or a state of war. A declaration of imminent threat of war was proclaimed on 23 March 1999, and a state of war on 24 March 1999.

46. **Colonel General Dragoljub OJDANIC**, as Chief of the General Staff of the VJ, is also, or alternatively, criminally responsible for the acts of his subordinates, pursuant to Article 7(3) of the Tribunal Statute,

including, but not limited to, members of the VJ and the aforementioned personnel of other forces of the FRY and Serbia, for the crimes alleged in counts 1 to 5 of this indictment. In addition, **Colonel General Dragoljub OJDANIC**, pursuant to his *de facto* authority, is also, or alternatively, criminally responsible for the acts of his subordinates, pursuant to Article 7(3) of the Tribunal Statute, including, but not limited to, members of the VJ and employees of the MUP, for the crimes alleged in counts 1 to 5 of this indictment.

47. **Vlajko STOJILJKOVIC** was named Minister of Internal Affairs of Serbia on 24 March 1998. At all times relevant to this indictment, **Vlajko STOJILJKOVIC** held the post of Minister of Internal Affairs of Serbia. As head of a Serbian government ministry, **Vlajko STOJILJKOVIC** was responsible for the enforcement of laws, regulations and general acts promulgated by Serbia's Assembly, Government or President.

48. As Minister of Internal Affairs of Serbia, **Vlajko STOJILJKOVIC** directed the work of the MUP and its personnel. He determined the structure, mandate and scope of operations of organisational units within the MUP. He was empowered to call up members of the MUP reserve corps to perform duties during peacetime, and to prevent activities threatening Serbia's security. The orders which he and MUP superior officers issued to MUP personnel were binding unless they constituted a criminal act.

49. As Minister of Internal Affairs of Serbia, **Vlajko STOJILJKOVIC** had powers of review over decisions and acts of agents for the MUP. He considered appeals against decisions made in the first instance by the head of an organisational unit of the MUP. Moreover, he was empowered to decide appeals made by individuals who were detained by the police.

50. On 8 April 1999, as Minister of Internal Affairs of Serbia, **Vlajko STOJILJKOVIC**'s powers during the state of war were expanded to include transferring MUP employees to different duties within the MUP for as long as required.

51. As Minister of Internal Affairs of Serbia, **Vlajko STOJILJKOVIC** was responsible for ensuring the maintenance of law and order in Serbia.

52. **Vlajko STOJILJKOVIC**, as Minister of Internal Affairs of Serbia, is also, or alternatively, criminally responsible for the acts of his subordinates, pursuant to Article 7(3) of the Tribunal Statute, including, but not limited to, employees of the MUP and the aforementioned personnel of other forces of the FRY and Serbia, for the crimes alleged in counts 1 to 5 of this indictment. In addition, **Vlajko STOJILJKOVIC**, pursuant to his *de facto* authority, is also, or alternatively, criminally responsible for the acts of his subordinates, pursuant to Article 7(3) of the Tribunal Statute, including, but not limited to, employees of the MUP, for the crimes alleged in counts 1 to 5 of this indictment.

CHARGES

53. Following the commencement of the joint criminal enterprise, beginning on or about 1 January 1999 and continuing until 20 June 1999, **Slobodan MILOSEVIC, Milan MILUTINOVIC, Nikola SAINOVIC, Dragoljub OJDANIC, Vlajko STOJILJKOVIC** and others known and unknown, planned, instigated, ordered, committed or otherwise aided and abetted in a deliberate and widespread or systematic campaign of terror and violence directed at Kosovo Albanian civilians living in Kosovo in the FRY.

54. The deliberate and widespread or systematic campaign of terror and violence directed at the Kosovo Albanian population was executed by forces of the FRY and Serbia, acting at the direction, with the encouragement, or with the support of **Slobodan MILOSEVIC, Milan MILUTINOVIC, Nikola SAINOVIC, Dragoljub OJDANIC, Vlajko STOJILJKOVIC** and others known and unknown. Forces of the FRY and Serbia undertook the operations targeting the Kosovo Albanians with the objective of expelling a substantial portion of the Kosovo Albanian population from Kosovo in an effort to ensure continued Serbian control over the province. To achieve this objective, forces of the FRY and Serbia, acting in concert, engaged in well-planned and coordinated operations as described in paragraphs 55 through 61 below.

55. Forces of the FRY and Serbia, in a deliberate and widespread or systematic manner, forcibly expelled and internally displaced hundreds of thousands of Kosovo Albanians from their homes across the entire province of Kosovo. To facilitate these expulsions and displacements, forces of the FRY and Serbia intentionally created an atmosphere of fear and oppression through the use of force, threats of force, and acts of violence.

56. Throughout Kosovo, forces of the FRY and Serbia engaged in a deliberate and widespread or systematic campaign of destruction of property owned by Kosovo Albanian civilians. This was accomplished by the widespread shelling of towns and villages; the burning and destruction of property, including homes, farms, businesses, cultural monuments and religious sites; and the destruction of personal property. As a result of these orchestrated actions, villages, towns, and entire regions were made uninhabitable for Kosovo Albanians.

57. In addition to the deliberate destruction of property owned by Kosovo Albanian civilians, forces of the FRY and Serbia committed widespread or systematic acts of brutality and violence against

Kosovo Albanian civilians in order to perpetuate the climate of fear, create chaos and a pervading fear for life. Forces of the FRY and Serbia went from village to village and, in the towns and cities, from area to area, threatening and expelling the Kosovo Albanian population. Kosovo Albanians were frequently intimidated, assaulted or killed in public view to enforce the departure of their families and neighbors. Many Kosovo Albanians who were not directly forcibly expelled from their communities fled as a result of the climate of terror created by the widespread or systematic beatings, harassment, sexual assaults, unlawful arrests, killings, shelling and looting carried out across the province. Forces of the FRY and Serbia persistently subjected Kosovo Albanians to insults, racial slurs, degrading acts and other forms of physical and psychological mistreatment based on their racial, religious, and political identification. All sectors of Kosovo Albanian society were displaced including women, children, the elderly and the infirm.

58. Thousands of Kosovo Albanians who fled their homes as a result of the conduct of the forces of the FRY and Serbia and the deliberate climate of terror that pervaded the territory of Kosovo joined convoys of persons that moved toward Kosovo's borders with the Republic of Albania (hereinafter "Albania") and the former Yugoslav Republic of Macedonia (hereinafter "Macedonia"). Along the routes to the border crossings, forces of the FRY and Serbia manned checkpoints where the displaced Kosovo Albanians were subject to further beatings, extortion, robbery, harassment, assaults, illegal arrests and killings. At other times, forces of the FRY and Serbia escorted groups of expelled Kosovo Albanians to the borders. By these methods, the forces of the FRY and Serbia maintained control over the movement of displaced Kosovo Albanians to the borders. Displaced Kosovo Albanians often arrived at the borders of Kosovo on foot in convoys of several thousand persons, or carried by tractors, trailers and trucks, as well as on trains, buses or trucks which were organised and provided by forces of the FRY and Serbia.

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

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

61. In addition, throughout Kosovo, forces of the FRY and Serbia systematically seized and destroyed the personal identity documents and licenses of vehicles belonging to Kosovo Albanian civilians. As Kosovo Albanians were forced from their homes and directed towards Kosovo's borders, they were subjected to demands to surrender identity documents at selected points *en route* to border crossings and at border crossings into Albania and Macedonia. These actions were undertaken in order to erase any record of the deported Kosovo Albanians' presence in Kosovo and to deny them the right to return to their homes.

COUNT 1 DEPORTATION

62. The Prosecutor re-alleges and incorporates by reference paragraphs 55 - 61.

63. Beginning on or about 1 January 1999 and continuing until 20 June 1999, forces of the FRY and Serbia, acting at the direction, with the encouragement, or with the support of **Slobodan MILOSEVIC, Milan MILUTINOVIC, Nikola SAINOVIC, Dragoljub OJDANIC, Vljako STOJILJKOVIC** and others known and unknown, perpetrated the actions set forth in paragraphs 55 through 61, which resulted in the forced deportation of approximately 800,000 Kosovo Albanian civilians. To facilitate these expulsions and displacements, forces of the FRY and Serbia deliberately created an atmosphere of fear and oppression through the use of force, threats of force and acts of violence, as described above in paragraphs 55 through 61. Throughout Kosovo, forces of the FRY and Serbia systematically shelled towns and villages, burned homes and farms, damaged and destroyed Kosovo Albanian cultural and religious institutions, murdered Kosovo Albanian civilians and sexually assaulted Kosovo Albanian women. These actions were undertaken in all areas of Kosovo, and these deliberate means and methods were used throughout the province, including the following municipalities:

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

(i) On 25 March 1999, a large group of Kosovo Albanians went to a mountain near the village of Nogavac/Nagavc, also in Orahovac/Rahovec municipality, seeking safety from attacks on nearby villages. Forces of the FRY and Serbia surrounded them and on the following day, ordered the 8,000 people who had sought shelter on the mountain to leave. The Kosovo Albanians were forced to go to a nearby school and then they were forcibly dispersed into nearby villages. After three or four days, forces of the FRY and Serbia entered the villages, went from house to house and ordered people out. Eventually, they were forced back into houses and told not to leave. Those who could not fit inside the houses were forced to stay in cars and tractors parked nearby. On 2 April 1999, forces of the FRY and Serbia started shelling the villages, killing a number of people who had been sleeping in tractors and cars. Those who survived headed for the Albanian border. As they passed through other Kosovo Albanian villages which had been destroyed, they were taunted by forces of the FRY and Serbia. When the villagers arrived at the border, all their identification papers were taken from them. In the course of the expulsions, throughout the entire municipality of Orahovac/Rahovec, forces of the FRY and Serbia systematically burned houses, shops, cultural monuments and

religious sites belonging to Kosovo Albanians. Several mosques were destroyed, including the mosques of Bela Crkva/Bellacërkvë, Brestovac/Brestovc, Velika Krusa/Krushë e Madhe and others.

b. Prizren: On 25 March 1999 the village of Pirane was surrounded by forces of the FRY and Serbia, tanks and various military vehicles. The village was shelled and a number of the residents were killed. Thereafter, forces of the FRY and Serbia entered the village and burned the houses of Kosovo Albanians. After the attack, the remaining villagers left Pirane and went to surrounding villages. In the town of Landovica/Landovice, an old mosque was burned and heavily damaged by forces of the FRY and Serbia. Some of the Kosovo Albanians fleeing toward Srbica/Sërbica were killed or wounded by snipers. Forces of the FRY and Serbia then launched an offensive in the area of Srbica/Sërbica and shelled the villages of Donji Retimlje/Reti e Ulët, Retimle/Reti and Randubrava/Randobravë. Kosovo Albanian villagers were forced from their homes and sent to the Albanian border. From 28 March 1999, in the city of Prizren, forces of the FRY and Serbia went from house to house, ordering Kosovo Albanian residents to leave. They were forced to join convoys of vehicles and persons travelling on foot to the Albanian border. En route, members of the forces of the FRY and Serbia beat and killed Kosovo Albanian men, separated Kosovo Albanian women from the convoy and sexually assaulted the women. At the border all personal documents were taken away by forces of the FRY and Serbia.

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

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

(i) On 31 March 1999, approximately 80,000 Kosovo Albanians displaced from villages in the Suva Reka/Suharekë municipality

gathered near Belanica/Bellanicë. The following day, forces of the FRY and Serbia shelled Belanica/Bellanicë, forcing the displaced persons to flee toward the Albanian border. Prior to crossing the border, all of their identification documents were taken away.

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

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

g. Pristina/Prishtinë : Beginning on or about 24 March 1999 and continuing through the end of May 1999, Serbian police went to the homes of Kosovo Albanians in the city of Pristina/Prishtinë and forced the residents to leave. During the course of these forced expulsions, a number of people were killed. Many of those forced from their homes went directly to the train station, while others sought shelter in nearby neighbourhoods. Hundreds of ethnic Albanians, guided by Serb police at all the intersections, gathered at the train station and then were loaded onto overcrowded trains or buses after a long wait, during which time no food or water was provided. Those on the trains went as far as Deneral Jankovic/Hani i Elezit, a village near the Macedonian border. During the train ride many people had their identification papers taken from them. After getting off the trains, forces of the FRY and Serbia told the Kosovo Albanians to walk along the tracks into Macedonia since the surrounding land had been mined. Those who tried to hide in Pristina/Prishtinë were eventually expelled in a similar fashion. During the course of these forced expulsions, a number of people were killed and several women were sexually assaulted.

(i) During the same period, forces of the FRY and Serbia entered

the villages of Pristina/Prishtinë municipality where they beat and killed many Kosovo Albanians, robbed them of their money, looted their property and burned their homes. Many of the villagers were taken by truck to the town of Glogovac/Gllogoc in the municipality of Glogovac/Gllogoc. From there, they were transported to Deneral Jankovic/Hani i Elezit by train and buses and walked to the Macedonian border. Others, after making their way to the town of Urosevac/Ferizaj, were ordered by forces of the FRY and Serbia to take a train to Deneral Jankovic/Hani i Elezit, from where they walked across the border into Macedonia.

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

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

(ii) In addition, during late March and April 1999, forces of the FRY and Serbia forcibly expelled the Kosovo Albanian residents

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

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

j. Urosevac/Ferizaj: During the period between 24 March and 14 April 1999, forces of the FRY and Serbia shelled and attacked villages in the Urosevac/Ferizaj municipality, including Biba/Bibe, Muhadzer Prelez/Prelez i Muhaxherëve, Raka/Rakaj and Staro Selo, killing a number of residents. After the shelling, forces of the FRY and Serbia entered some of the villages, including Papaz and Sojevo/Sojevë, and ordered the residents to leave. Other Kosovo Albanians from Varos Selo/Varosh and Miroslavlje/Mirosalë fled their villages as the Serb forces entered. After the residents left their homes, the soldiers and policemen burned the houses. The displaced persons went to the town of Urosevac/Ferizaj, where most boarded trains which carried them to the Macedonia border crossing at Deneral Jankovic/Hani i

Elezit. Serb forces directed the train passengers to walk on the railroad tracks to the border. Others travelled in convoys from Urosevac/Ferizaj to the same border crossing. At the border, Serb forces confiscated all of their documents.

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

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

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

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

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

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

Decani/Deçan municipality. Forces of the FRY and Serbia went from house to house and told villagers to leave their houses immediately. About 300 men, women and children were moved out of their homes and gathered in a nearby field in the village of Beleg. Forces of the FRY and Serbia ordered all men and women to undress and all their personal property was taken away. Men were separated from women and children and taken to the basement of an unfinished house near the field. Women and children were ordered to go to another house. During the night at least 3 women were sexually assaulted. The next day, forces of the FRY and Serbia told the villagers to leave the village in trucks and tractors and go to Albania.

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

By these acts and omissions, **Slobodan MILOSEVIC, Milan MILUTINOVIC, Nikola SAINOVIC, Dragoljub OJDANIC, Vlajko STOJILJKOVIC** and others known and unknown, planned, instigated, ordered, committed or otherwise aided and abetted the planning, preparation or execution of:

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

COUNT 2 OTHER INHUMANE ACTS (FORCIBLE TRANSFER)

64. With respect to those Kosovo Albanians who were internally displaced within the territory of Kosovo, the Prosecutor re-alleges and incorporates by reference paragraphs 55 - 61 and, in particular, paragraph 59.

By these acts and omissions, **Slobodan MILOSEVIC, Milan MILUTINOVIC, Nikola SAINOVIC, Dragoljub OJDANIC, Vljako STOJILJKOVIC** and others known and unknown, planned, instigated, ordered, committed or otherwise aided and abetted the planning, preparation or execution of:

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

COUNTS 3-4 MURDER

65. The Prosecutor re-alleges and incorporates by reference paragraphs 55 - 63.

66. Beginning on or about 1 January 1999 and continuing until 20 June 1999, forces of the FRY and Serbia, acting at the direction, with the encouragement, or with the support of **Slobodan MILOSEVIC, Milan MILUTINOVIC, Nikola SAINOVIC, Dragoljub OJDANIC, Vljako STOJILJKOVIC** and others known and unknown, murdered hundreds of Kosovo Albanian civilians. These killings occurred in a widespread or systematic manner throughout the province of Kosovo and resulted in the deaths of numerous men, women, and children. Included among the incidents of mass killings are the following:

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

b. On or about 25 March 1999, forces of the FRY and Serbia surrounded and attacked the village of Bela Crkva/Bellacërkë (Orahovac/Rahovec municipality). Many of the residents of Bela Crkva/Bellacërkë fled along the Belaja River outside the village and were forced to seek shelter near a railroad bridge. As the forces of the FRY and Serbia approached the bridge, they opened fire on a number of villagers, killing 12 persons including 10 women and children. A two-year old child survived this incident. The forces of the FRY and Serbia then ordered the remaining villagers out of the streambed, at which time the men and older boys were separated from the elderly men, women and small children. The forces of the FRY and Serbia ordered the men and older boys to strip and then systematically robbed them of all valuables. The women and children were then ordered to leave towards an adjacent village called Zrze/Xërxë. A doctor from Bela Crkva/Bellacërkë attempted to speak with a commander of the attacking forces, but he was shot and killed, as was his nephew. The remaining men and older boys were then ordered back into the streambed. After they complied, the forces of the FRY and Serbia opened fire on these men and older boys, killing approximately 65 Kosovo Albanians. A number of men and older boys survived this incident and other persons hiding in the vicinity also witnessed this incident. In addition, forces of the FRY and Serbia also

killed six men found hiding in an irrigation ditch in the vicinity. (Those persons killed who are known by name are set forth in Schedule B, which is attached as an appendix to the indictment.)

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

d. On or about 26 March 1999, in the morning hours, forces of the FRY and Serbia surrounded the vicinity of the BERISHA family compound in the town of Suva Reka/Suharekë (Suva Reka/ Suharekë municipality). Tanks were positioned close to, and pointing in the direction of, the houses. The forces of the FRY and Serbia ordered the occupants out of one of the houses. Men were separated from women and children and six members of the family were killed. The remaining family members were herded towards a coffee shop by forces of the FRY and Serbia. Those family members were herded, along with three extended BERISHA family groups, into the coffee shop. Forces of the FRY and Serbia then walked into the coffee shop and opened fire on the persons inside. Explosives were also thrown into the shop. At least 44 civilians were killed and others seriously wounded during this action. The bodies of the victims were dragged out of the shop and placed in the rear of a truck, which was then driven in the direction of Prizren. Three injured persons, thrown in among the other bodies, jumped out of the truck *en route* to Prizren. Property pertaining to at least six of the persons killed in the coffee shop was found in a clandestine mass gravesite at a VJ firing range near Korusa/Korisha. In addition, identification documents pertaining to at least five of the persons killed in the coffee shop were found on bodies exhumed from a clandestine mass grave located in Batajnica, near Belgrade, Serbia. (Those persons killed who are known by name are set forth in Schedule K, which is attached as an appendix to this indictment.)

e. On or about the evening of 26 March 1999, in the town of Dakovica/Gjakovë , forces of the FRY and Serbia came to a house at 134a Ymer Grezda Street. The women and children inside the house were separated from the men, and were ordered to go upstairs. The forces of the FRY and Serbia then shot and killed the 6 Kosovo Albanian men who were in the house. (The names of those killed are set

forth in Schedule D, which is attached as an appendix to this indictment.)

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

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

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

i. On or about the early morning hours of 27 April 1999, forces of the FRY and Serbia launched a massive attack against the Kosovo Albanian population of the Carragojs, Erenik and Trava Valleys (Dakovica/Gjakovë municipality) in order to drive the population out of the area. A large number of forces of the FRY and Serbia were deployed, and several checkpoints were established. Throughout the entire day, villagers under direct threat from the forces of the FRY and Serbia left their homes and joined several convoys of refugees using tractors, horse carts and cars. In Meja/Mejë, Korenica/Korenicë and Meja Orize/Orize, a large, and as yet undetermined, number of Kosovo Albanian civilian males were separated from the

mass of fleeing villagers and abducted. Many of these men were summarily executed, and approximately 300 persons are still missing. Identity documents pertaining to at least seven persons who were last seen at Meja/Mejë on 27 April 1999 were found on bodies exhumed from a clandestine mass grave located in Batajnica, near Belgrade, Serbia. (Those persons killed who are known by name are set forth in Schedule I, which is attached as an appendix to this indictment).

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

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

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

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

(i) On or about 24 March 1999, the village of Kotlina/Kotlinë was attacked by forces of the FRY and Serbia. In the course of the attack, most of the houses were burnt down and at least 17 persons were killed. Some of those killed were captured in the woods, executed and then thrown into wells. Explosives were thrown on top of the wells.

(ii) On or about 13 April 1999, forces of the FRY and Serbia

surrounded the village of Slatina/Sllatinë and the hamlet of Vata/Vata. After shelling the village, infantry troops and police entered the village and looted and burnt the houses. During this action, 13 civilians were shot and killed.

(iii) On or about 21 May 1999, the village of Stagovo/Stagovë was surrounded by forces of the FRY and Serbia. The population tried to escape toward the mountains east of the village. During this action, at least 12 persons were killed. Most of the village was looted and burnt down.

(iv) On or about 25 May 1999, forces of FRY and Serbia surrounded the village of Dubrava/Lisnaje. As the forces entered the village, the population was ordered to gather at the school and leave the village on tractors. Men were then separated from women and children. During this action 4 men were killed. In addition, 4 members of the Qorri family were killed while trying to escape toward the woods. (Those persons killed in the municipality of Kacanik who are known by name are set forth in Schedule L, which is attached as an appendix to this indictment.)

By these acts and omissions, **Slobodan MILOSEVIC, Milan MILUTINOVIC, Nikola SAINOVIC, Dragoljub OJDANIC, Vljako STOJILJKOVIC** and others known and unknown, planned, instigated, ordered, committed or otherwise aided and abetted the planning, preparation or execution of:

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

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

COUNT 5 PERSECUTIONS

67. The Prosecutor re-alleges and incorporates by reference paragraphs 55 - 66.

68. Beginning on or about 1 January 1999 and continuing until 20 June 1999, the forces of the FRY and Serbia, acting at the direction, with the encouragement, or with the support of **Slobodan MILOSEVIC, Milan MILUTINOVIC, Nikola SAINOVIC, Dragoljub OJDANIC, Vljako STOJILJKOVIC** and others known and unknown, utilised the means and methods set forth in paragraphs 55 through 66 to execute a campaign of persecution against the Kosovo Albanian civilian population based on political, racial, or religious grounds. These persecutions included, but were not limited to, the following means:

- a. The forcible transfer and deportation by forces of the FRY and Serbia of approximately 800,000 Kosovo Albanian civilians as described in paragraphs 55 - 64.

b. The murder of hundreds of Kosovo Albanian civilians by forces of the FRY and Serbia as described in paragraphs 65 - 66.

c. The sexual assault by forces of the FRY and Serbia of Kosovo Albanians, in particular women, including the sexual assaults described in paragraphs 57 and 63.

d. The wanton destruction or damage of Kosovo Albanian religious sites. During and after the attacks on the towns and villages, forces of FRY and Serbia systematically damaged and destroyed cultural monuments and Muslim sacred sites. Mosques were shelled, burned and dynamited throughout the province. Included among the incidents are the following: the damage and/or destruction of mosques in Vucitrn/Vushtrii, Suva Reka/Suharekë, Celina/Celinë, Rogovo/Rogovë, Bela Crkva/Bellacërke, Cirez/Qirez, Kotlina/Kotlinë, Ivaja/Ivajë, Brestovac/Brestovc, Velika Krusa/Krushë e Mahde, Kosovska Mitrovica/Mitrovicë, Vlastica/Vlastica, Landovica/Landovice and Dakovica/Gjakovë, as described in paragraph 63.

By these acts and omissions, **Slobodan MILOSEVIC, Milan MILUTINOVIC, Nikola SAINOVIC, Dragoljub OJDANIC, Vljko STOJILJKOVIC** and others known and unknown, planned, instigated, ordered, committed or otherwise aided and abetted the planning, preparation or execution of:

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

GENERAL ALLEGATIONS

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

70. All acts and omissions charged as crimes against humanity were part of a widespread or systematic attack directed against the Kosovo Albanian civilian population of Kosovo in the FRY.

ADDITIONAL FACTS

71. The Autonomous Province of Kosovo and Metohija is located in the southern part of the Republic of Serbia, a constituent republic of the FRY. The territory now comprising the FRY was part of the SFRY. The Autonomous Province of Kosovo and Metohija is bordered on the north and north-west by Montenegro, another constituent republic of the FRY. On the south-west, the Autonomous Province of Kosovo and Metohija is bordered by the Republic of Albania, and to the south, by Macedonia. The capital of the Autonomous Province of Kosovo and Metohija is Pristina/Prishtinë.

72. In 1990 the Socialist Republic of Serbia promulgated a new Constitution which, among other things, changed the names of the republic and the autonomous provinces. The name of the Socialist Republic of Serbia was changed to the Republic of Serbia, the name of the Socialist Autonomous Province of Kosovo was changed to the Autonomous Province of Kosovo and Metohija (both hereinafter "Kosovo"); and the name of the Socialist Autonomous Province of Vojvodina was changed to the Autonomous Province of Vojvodina (hereinafter "Vojvodina"). During this same period, the Socialist Republic of Montenegro changed its name to the Republic of Montenegro.

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

74. In the 1981 census, the last census with near universal participation, the total population of Kosovo was approximately 1,585,000 of which 1,227,000 (77%) were Albanians, and 210,000 (13%) were Serbs. Only estimates for the population of Kosovo in 1991 are available because Kosovo Albanians boycotted the census administered that year. General estimates are that the population of Kosovo during the time period relevant to this indictment was between 1,800,000 and 2,100,000, of which approximately 85-90% were Kosovo Albanians and 5-10% were Serbs.

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

76. In April 1987, **Slobodan MILOSEVIC**, who had been elected Chairman of the Presidium of the Central Committee of the League of Communists of Serbia in 1986, travelled to Kosovo. In meetings with local Serb leaders and in a speech before a crowd of Serbs, **Slobodan MILOSEVIC** endorsed a Serbian nationalist agenda. In so doing, he broke with the party and government policy, which had restricted nationalist expression in the SFRY since the time of its founding by Josip Broz Tito after the Second World War. Thereafter, **Slobodan MILOSEVIC** exploited a growing wave of Serbian nationalism in order to strengthen centralised rule in the SFRY.

77. In September 1987, **Slobodan MILOSEVIC** and his supporters gained control of the Central Committee of the League of Communists of Serbia. In 1988, **Slobodan MILOSEVIC** was re-elected as Chairman of the Presidium of the Central Committee of the League of Communists of Serbia. From that influential position, **Slobodan MILOSEVIC** was able to further develop his political power.

78. From July 1988 to March 1989, a series of demonstrations and rallies supportive of **Slobodan MILOSEVIC**'s policies - the so-called "Anti-Bureaucratic Revolution" - took place in Vojvodina and Montenegro. These protests led to the ouster of the respective provincial and republican governments; the new governments were then supportive of, and indebted to, **Slobodan MILOSEVIC**.

79. Simultaneously, within Serbia, calls for bringing Kosovo under stronger Serbian rule intensified and numerous demonstrations addressing this issue were held. On 17 November 1988, high-ranking Kosovo Albanian political figures were dismissed from their positions within the provincial leadership and were replaced by appointees loyal to **Slobodan MILOSEVIC**. In early 1989, the Serbian Assembly proposed amendments to the Constitution of Serbia which would strip Kosovo of most of its autonomous powers, including control of the police, educational and economic policy, and choice of official language, as well as its veto powers over further changes to the Constitution of Serbia. Kosovo Albanians demonstrated in large numbers against the proposed changes. Beginning in February 1989, a strike by Kosovo Albanian miners further increased tensions.

80. Due to the political unrest, on 3 March 1989, the SFRY Presidency declared that the situation in the province had deteriorated and had become a threat to the constitution, integrity, and sovereignty

of the country. The government then imposed "special measures" which assigned responsibility for public security to the federal government instead of the government of Serbia.

81. On 23 March 1989, the Assembly of Kosovo met in Pristina/Prishtinë and, with the majority of Kosovo Albanian delegates abstaining, voted to accept the proposed amendments to the constitution. Although lacking the required two-thirds majority in the Assembly, the President of the Assembly nonetheless declared that the amendments had passed. On 28 March 1989, the Assembly of Serbia voted to approve the constitutional changes, effectively revoking the autonomy granted in the 1974 constitution.

82. At the same time these changes were occurring in Kosovo, **Slobodan MILOSEVIC** further increased his political power when he became the President of Serbia. **Slobodan MILOSEVIC** was elected President of the Presidency of Serbia on 8 May 1989 and his post was formally confirmed on 6 December 1989.

83. In early 1990, Kosovo Albanians held mass demonstrations calling for an end to the "special measures." In April 1990, the SFRY Presidency lifted the "special measures" and removed most of the federal police forces as Serbia took over responsibility for police enforcement in Kosovo.

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

85. On 16 July 1990, the League of Communists of Serbia and the Socialist Alliance of Working People of Serbia joined to form the Socialist Party of Serbia (SPS), and **Slobodan MILOSEVIC** was elected its President. As the successor to the League of Communists, the SPS became the dominant political party in Serbia and **Slobodan MILOSEVIC**, as President of the SPS, was able to wield considerable power and influence over many branches of the government as well as the private sector. **Milan MILUTINOVIC** and **Nikola SAINOVIC** have both held prominent positions within the SPS. **Nikola SAINOVIC** was a member of the Main Committee and the Executive Council as well as a vice-chairman; and **Milan MILUTINOVIC** successfully ran for President of Serbia in 1997 as the SPS candidate.

86. After the adoption of the new Constitution of Serbia on 28 September 1990, **Slobodan MILOSEVIC** was elected President of Serbia in multi-party elections held on 9 and 26 December 1990; he was re-elected on 20 December 1992. In December 1991, **Nikola SAINOVIC** was appointed a Deputy Prime Minister of Serbia.

87. After Kosovo's autonomy was effectively revoked in 1989, the political situation in Kosovo became more and more divisive. Throughout late 1990 and 1991 thousands of Kosovo Albanian doctors, teachers, professors, workers, police and civil servants were dismissed from their positions. The local court in Kosovo was abolished and many judges removed. Police violence against Kosovo Albanians increased.

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

89. In late June 1991, the SFRY began to disintegrate in a succession of wars fought in the Republic of Slovenia (hereinafter Slovenia), the Republic of Croatia (hereinafter Croatia), and Bosnia and Herzegovina. On 25 June 1991, Slovenia declared its independence from the SFRY, which led to the outbreak of war; a peace agreement was reached on 8 July 1991. Croatia declared its independence on 25 June 1991, leading to fighting between Croatian military forces on the one side and the JNA, paramilitary units and the "Army of the Republic of Srpska Krajina" on the other.

90. On 6 March 1992, Bosnia and Herzegovina declared its independence, resulting in wide scale war after 6 April 1992. On 27 April 1992, the SFRY was reconstituted as the FRY. At this time, the JNA was re-formed as the VJ. In the war in Bosnia and Herzegovina, the JNA, and later the VJ, fought along with the "Army of Republika Srpska" against military forces of the Government of Bosnia and Herzegovina and the "Croat Defence Council." Active hostilities ceased with the signing of the Dayton peace agreement in December 1995.

91. Although **Slobodan MILOSEVIC** was the President of Serbia during the wars in Slovenia, Croatia and Bosnia and Herzegovina, he was nonetheless the dominant Serbian political figure exercising *de facto* control of the federal government as well as the republican government and was the person with whom the international community negotiated a variety of peace plans and agreements related to these wars.

92. Between 1991 and 1997, **Milan MILUTINOVIC** and **Nikola SAINOVIC** both held a number of high ranking-positions within the federal and republican governments and continued to work closely with **Slobodan MILOSEVIC**. During this period, **Milan MILUTINOVIC** worked in the Foreign Ministry of the FRY, and at one time was Ambassador to Greece; in 1995, he was appointed Minister of Foreign Affairs of the FRY, a position he held until 1997. **Nikola SAINOVIC** was Prime Minister of Serbia in 1993 and Deputy Prime Minister of the FRY in 1994.

93. While the wars were being conducted in Slovenia, Croatia and Bosnia and Herzegovina, the situation in Kosovo, while tense, did not erupt into the violence and intense fighting seen in the other countries. In the mid-1990s, however, a faction of the Kosovo Albanians organised a group known as *Ushtria Çlirimtare e Kosovës* (UÇK) or, known in English as the Kosovo Liberation Army (hereinafter the "KLA"). This group advocated a campaign of armed insurgency and violent resistance to the Serbian authorities. In mid-1996, the KLA began launching attacks primarily targeting Serbian police forces. Thereafter, and throughout 1997, Serbian police forces responded with forceful operations against suspected KLA bases and supporters in Kosovo.

94. After concluding his term as President of Serbia, **Slobodan MILOSEVIC** was elected President of the FRY on 15 July 1997, and assumed office on 23 July 1997. Thereafter, elections for the office of the President of Serbia were held; **Milan MILUTINOVIC** ran as the SPS candidate and was elected President of Serbia on 21 December 1997. In 1996, 1997 and 1998, **Nikola SAINOVIC** was re-appointed Deputy Prime Minister of the FRY. In part through his close alliance with **Milan MILUTINOVIC**, **Slobodan MILOSEVIC** was able to retain his influence over the Government of Serbia.

95. Beginning in late February 1998, the conflict intensified between the KLA on the one hand, and forces of the FRY and Serbia, on the other hand. A number of Kosovo Albanians and Kosovo Serbs were killed and wounded during this time. Forces of the FRY and Serbia engaged in a campaign of shelling predominantly Kosovo Albanian towns and villages, widespread destruction of property, and expulsions of the civilian population from areas in which the KLA was active. Many residents fled the territory as a result of the fighting and destruction or were forced to move to other areas

within Kosovo. The United Nations estimates that by mid-October 1998, over 298,000 persons, roughly fifteen percent of the population, had been internally displaced within Kosovo or had left the province.

96. In response to the intensifying conflict, the United Nations Security Council (UNSC) passed Resolution 1160 in March 1998 "condemning the use of excessive force by Serbian police forces against civilians and peaceful demonstrators in Kosovo," and imposed an arms embargo on the FRY. Six months later the UNSC passed Resolution 1199 (1998) which stated that "the deterioration of the situation in Kosovo, Federal Republic of Yugoslavia, constitutes a threat to peace and security in the region." The Security Council demanded that all parties cease hostilities and that "the security forces used for civilian repression" be withdrawn.

97. In an attempt to diffuse tensions in Kosovo, negotiations between **Slobodan MILOSEVIC** and representatives of NATO and the OSCE were conducted in October 1998. An "Agreement on the OSCE Kosovo Verification Mission" was signed on 16 October 1998. This agreement and the "Clark-Naumann agreement," which was signed by **Nikola SAINOVIC**, provided for the partial withdrawal of forces of the FRY and Serbia from Kosovo, a limitation on the introduction of additional forces and equipment into the area, and the deployment of unarmed OSCE verifiers.

98. Although scores of OSCE verifiers were deployed throughout Kosovo, hostilities continued. During this period, international verifiers and human rights organisations documented a number of killings of Kosovo Albanians. In one such incident, on 15 January 1999, 45 unarmed Kosovo Albanians were murdered in the village of Racak in the municipality of Stimlje/Shtime.

99. In a further response to the continuing conflict in Kosovo, an international peace conference was organised in Rambouillet, France beginning on 7 February 1999. **Nikola SAINOVIC**, the Deputy Prime Minister of the FRY, was a member of the Serbian delegation at the peace talks and **Milan MILUTINOVIC**, President of Serbia, was also present during the negotiations. The Kosovo Albanians were represented by the KLA and a delegation of Kosovo Albanian political and civic leaders. Despite intensive negotiations over several weeks, the peace talks collapsed in mid-March 1999.

100. During the peace negotiations in France, the violence in Kosovo continued. In late February and early March, forces of the FRY and Serbia launched a series of offensives against dozens of predominantly Kosovo Albanian villages and towns. The FRY military forces were comprised of elements of the VJ's 3rd Army, specifically the 52nd Corps, also known as the Pristina Corps, and several brigades and regiments under the command of the Pristina Corps. At all times relevant to this indictment, the Chief of the General Staff of the VJ, with command responsibilities over the 3rd Army and ultimately over the 52nd Corps, was **Colonel General Dragoljub OJDANIC**. At all times relevant to this indictment, the Supreme Commander of the VJ was **Slobodan MILOSEVIC**.

101. The police forces taking part in the actions in Kosovo were members of the MUP. At all times relevant to this indictment, all police forces employed by or working under the authority of the MUP were commanded by **Vlajko STOJILJKOVIC**, Minister of Internal Affairs of Serbia. Under the FRY Law on Defence, those police forces engaged in military operations during a state of war or imminent threat of war are subordinated to the command of the VJ, whose commanders, at all times relevant to this indictment, were **Colonel General Dragoljub OJDANIC** and **Slobodan MILOSEVIC**.

102. During their offensives, forces of the FRY and Serbia acting in concert engaged in a well-planned and co-ordinated campaign of destruction of property owned by Kosovo Albanian civilians.

Towns and villages were shelled, homes, farms, and businesses were burned, and personal property destroyed. As a result of these orchestrated actions, towns, villages, and entire regions were made uninhabitable for Kosovo Albanians. Additionally, forces of the FRY and Serbia harassed, humiliated, and degraded Kosovo Albanian civilians through physical and verbal abuse. The Kosovo Albanians were also persistently subjected to insults, racial slurs, degrading acts based on ethnicity and religion, beatings, and other forms of physical mistreatment.

103. The unlawful deportation and forcible transfer of thousands of Kosovo Albanians from their homes in Kosovo involved well-planned and co-ordinated efforts by the leaders of the FRY and Serbia, and forces of the FRY and Serbia, all acting in concert. Actions similar in nature took place during the wars in Croatia and Bosnia and Herzegovina between 1991 and 1995. During those wars, Serbian military, paramilitary and police forces forcibly expelled and deported non-Serbs in Croatia and Bosnia and Herzegovina from areas under Serbian control utilising the same method of operations as were used in Kosovo in 1999: heavy shelling and armed attacks on villages; widespread killings; destruction of non-Serbian residential areas and cultural and religious sites; and forced transfer and deportation of non-Serbian populations.

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

105. In addition to the forced expulsions of Kosovo Albanians, forces of the FRY and Serbia also engaged in a number of killings of Kosovo Albanians since 24 March 1999. Such killings occurred at numerous locations, including, but not limited to, Bela Crkva/Bellacërkvë, Mala Krusa/Krushë e Vogel, Velika Krusa/Krushë e Mahde, Dakovica/Gjakovë, Padaliste/Padaliste, Izbica/Izbicë, Vucitrn/Vushtrri, Meja/Mejë, Dubrava prison, Suva Reka/Suharekë, and Kacanik.

106. By June 1999, approximately 800,000 Kosovo Albanians, about one-third of the entire Kosovo Albanian population, had been expelled from Kosovo. Thousands more were believed to be internally displaced. An unknown number of Kosovo Albanians were killed in the operations conducted by forces of the FRY and Serbia.

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

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

Carla del Ponte
Prosecutor

Dated This Sixteenth Day of October 2001
The Hague
The Netherlands

Schedule A
Persons Known by Name Killed at Racak - 15 January 1999

| <u>Name</u> | <u>Approximate Age</u> | <u>Sex</u> |
|---------------------|----------------------------|------------|
| ASLLANI, Lute | 30 | Female |
| AZEMI, Banush | | Male |
| BAJRAMI, Ragip | 34 | Male |
| BEQIRI, Halim | 13 | Male |
| BEQIRI, Rizah | 49 | Male |
| BEQIRI, Zenel | 20 | Male |
| BILALLI, Lutfi | | Male |
| EMINI, Ajet | | Male |
| HAJRIZI, Bujar | | Male |
| HAJRIZI, Myfail | 33 | Male |
| HALILI, Skender | | Male |
| HYSENAJ, Haqif | | Male |
| IBRAHIMI, Hajriz | | Male |
| IMERI, Hakip | | Male |
| IMERI, Murtez | | Male |
| IMERI, Nazmi | | Male |
| ISMALJI, Meha | | Male |
| ISMALJI, Muhamet | | Male |

| | | |
|-----------------------|----|--------|
| JAKUPI, Ahmet | | Male |
| JAKUPI, Esref | 40 | Male |
| JAKUPI, Hajriz | | Male |
| JAKUPI, Mehmet | | Male |
| JAKUPI, Xhelal | | Male |
| JASHARI, Jasher | 24 | Male |
| JASHARI, Raif | 20 | Male |
| JASHARI, Shukri | 18 | Male |
| LIMANI, Fatmir | 35 | Male |
| LIMANI, Nexhat | 19 | Male |
| LIMANI, Salif | 23 | Male |
| MEHMETI, Bajram | | Male |
| MEHMETI, Hanumshah | | Female |
| METUSHI, Arif | | Male |
| METUSHI, Haki | 70 | Male |
| MUSTAFA, Ahmet | | Male |
| MUSTAFA, Aslani | 34 | Male |
| MUSTAFA, Muhamet | 21 | Male |
| OSMANI, Sadik | 35 | Male |
| SALIHU, Jashar | 25 | Male |
| SALIHU, Shukri | 18 | Male |
| SHABANI, Bajrush | 22 | Male |

| | | |
|----------------------|----|------|
| SMAJLAI, Ahmet | 60 | Male |
| SYLA, Sheremet | 37 | Male |
| SYLA, Shyqeri | | Male |
| XHELADINI, Bajram | | Male |
| ZYMERI, Njazi | | Male |

Schedule B

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

| <u>Name</u> | <u>Approximate Age</u> | <u>Sex</u> |
|--------------------|------------------------|------------|
| BEGAJ, Abdullah | 25 | Male |
| BERISHA, Murat | 60 | Male |
| GASHI, Fadil | 46 | Male |
| MORINA, Musa | 65 | Male |
| POPAJ, Abdullah | 18 | Male |
| POPAJ, Agon | 14 | Male |
| POPAJ, Alban | 21 | Male |
| POPAJ, Bedrush | 47 | Male |
| POPAJ, Belul | 14 | Male |
| POPAJ, Ethem | 46 | Male |
| POPAJ, Hazer | 77 | Male |
| POPAJ, Hyshi | 37 | Male |
| POPAJ, Irfan | 41 | Male |
| POPAJ, Isuf | 76 | Male |

| | | |
|----------------------------------------|----|--------|
| POPAJ, Kreshnik | 18 | Male |
| POPAJ, Lindrit | 18 | Male |
| POPAJ, Mehmet | 46 | Male |
| POPAJ, Mersel | 53 | Male |
| POPAJ, Nazmi | 45 | Male |
| POPAJ, Nisim | 35 | Male |
| POPAJ, Rrustem | | Male |
| POPAJ, Sahid | 40 | Male |
| POPAJ, Sedat | 47 | Male |
| POPAJ, Shendet | 17 | Male |
| POPAJ, Vehap | 58 | Male |
| POPAJ, Xhavit | 32 | Male |
| SPAHIU, FNU (daughter of Xhemal) | | Female |
| SPAHIU, FNU (daughter of Xhemal) | | Female |
| SPAHIU, FNU (daughter of Xhemal) | | Female |
| SPAHIU, FNU (daughter of Xhemal) | | Female |
| SPAHIU, FNU (wife of Xhemal) | | Female |
| SPAHIU, Xhemal | | Male |
| ZHUNIQI, Abein | 37 | Male |

| | | |
|-------------------------------------|----|--------|
| ZHUNIQI, Agim | 51 | Male |
| ZHUNIQI, Bajram | 51 | Male |
| ZHUNIQI, Biladh | 67 | Male |
| ZHUNIQI, Clirim | 40 | Male |
| ZHUNIQI, Dardan | 6 | Male |
| ZHUNIQI, Dardane | 8 | Female |
| ZHUNIQI, Destan | 68 | Male |
| ZHUNIQI, Eshref | 55 | Male |
| ZHUNIQI, Fatos | 42 | Male |
| ZHUNIQI, FNU | 4 | Male |
| ZHUNIQI, FNU (wife of Clirim) | | Female |
| ZHUNIQI, FNU (son of Fatos) | 16 | Male |
| ZHUNIQI, Hysni | 70 | Male |
| ZHUNIQI, Ibrahim | 68 | Male |
| ZHUNIQI, Kasim | 33 | Male |
| ZHUNIQI, Medi | 55 | Male |
| ZHUNIQI, Muhammet | 70 | Male |

| | | |
|----------------------|----|------|
| ZHUNIQI, Muharrem | 30 | Male |
| ZHUNIQI, Qamil | 77 | Male |
| ZHUNIQI, Qemal | 59 | Male |
| ZHUNIQI, Reshit | 32 | Male |
| ZHUNIQI, Shemsi | 52 | Male |

Schedule C

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

| <u>Name</u> | <u>Approximate Age</u> | <u>Sex</u> |
|----------------------|----------------------------|------------|
| ASLLANI, Adem | 68 | Male |
| ASLLANI, Asim | 34 | Male |
| ASLLANI, Feim | 30 | Male |
| ASLLANI, Muharrem | 66 | Male |
| ASLLANI, Nexhat | 27 | Male |
| ASLLANI, Nisret | 33 | Male |
| ASLLANI, Perparim | 26 | Male |
| AVDYLI, Bali | 72 | Male |
| AVDYLI, Enver | 28 | Male |
| BATUSHA, Ahmet | 38 | Male |
| BATUSHA, Amrush | 32 | Male |
| BATUSHA, Asllan | 46 | Male |

| | | |
|---------------------------------|----|------|
| BATUSHA, Avdi | 45 | Male |
| BATUSHA, Bekim | 22 | Male |
| BATUSHA, Beqir | 68 | Male |
| BATUSHA, Birim | 18 | Male |
| BATUSHA, Enver | 22 | Male |
| BATUSHA, Feim | 23 | Male |
| BATUSHA, FNU (son of Ismail) | 19 | Male |
| BATUSHA, FNU (son of Zaim) | 20 | Male |
| BATUSHA, Haxhi | 28 | Male |
| BATUSHA, Lirim | 16 | Male |
| BATUSHA, Milaim | 32 | Male |
| BATUSHA, Muharrem | 69 | Male |
| BATUSHA, Njazi | 39 | Male |
| BATUSHA, Osman | 65 | Male |
| BATUSHA, Sefer | 19 | Male |
| BATUSHA, Sejdi | 68 | Male |
| BATUSHA, Skifer | 22 | Male |
| BATUSHA, Sulejman | 46 | Male |
| BATUSHA, Zaim | 50 | Male |
| HAJDARI, Abaz | 40 | Male |
| HAJDARI, Abedin | 17 | Male |
| HAJDARI, Halil | 42 | Male |

| | | |
|------------------------------------|----|------|
| HAJDARI, Halim | 70 | Male |
| HAJDARI, Hysni | 20 | Male |
| HAJDARI, Marsel | 17 | Male |
| HAJDARI, Nazim | 33 | Male |
| HAJDARI, Qamil | 46 | Male |
| HAJDARI, Rasim | 25 | Male |
| HAJDARI, Sahit | 36 | Male |
| HAJDARI, Selajdin | 38 | Male |
| HAJDARI, Shani | 40 | Male |
| HAJDARI, Vesel | 19 | Male |
| HAJDARI, Zenun | 28 | Male |
| LIMONI, Avdyl | 45 | Male |
| LIMONI, Limon | 69 | Male |
| LIMONI, Luan | 22 | Male |
| LIMONI, Nehbi | 60 | Male |
| RAMADANI, Afrim | 28 | Male |
| RAMADANI, Asllan | 34 | Male |
| RAMADANI, Bajram | 15 | Male |
| RAMADANI, FNU (son of Hysen) | 23 | Male |
| RAMADANI, Hysen | 62 | Male |
| RAMADANI, Murat | 60 | Male |
| RAMADANI, Ramadan | 59 | Male |

| | | |
|------------------------------|----|------|
| RAMADANI, Selajdin | 27 | Male |
| RASHKAJ, FNU | 16 | Male |
| RASHKAJ, FNU | 18 | Male |
| RASHKAJ, Refki | 17 | Male |
| SHEHU, Adnan | 20 | Male |
| SHEHU, Arben | 20 | Male |
| SHEHU, Arif | 36 | Male |
| SHEHU, Bekim | 22 | Male |
| SHEHU, Burim | 19 | Male |
| SHEHU, Destan | 68 | Male |
| SHEHU, Din | 68 | Male |
| SHEHU, Dritan | 18 | Male |
| SHEHU, Fadil | 42 | Male |
| SHEHU, Flamur | 15 | Male |
| SHEHU, FNU (son of Haziz) | 20 | Male |
| SHEHU, FNU (son of Sinan) | 18 | Male |
| SHEHU, Haxhi | 25 | Male |
| SHEHU, Haziz | 42 | Male |
| SHEHU, Ismail | 68 | Male |
| SHEHU, Ismet | 40 | Male |
| SHEHU, Mehmet | 13 | Male |
| SHEHU, Mentor | 18 | Male |
| SHEHU, Myftar | 44 | Male |
| SHEHU, Nahit | 15 | Male |
| SHEHU, Nehat | 22 | Male |

| | | |
|-------------------------------|----|------|
| SHEHU, Nexhat | 38 | Male |
| SHEHU, Sahit | 23 | Male |
| SHEHU, Sali | 44 | Male |
| SHEHU, Sami | 24 | Male |
| SHEHU, Sefer | 44 | Male |
| SHEHU, Shani | 34 | Male |
| SHEHU, Shefqet | 38 | Male |
| SHEHU, Sinan | 50 | Male |
| SHEHU, Veli | 28 | Male |
| SHEHU, Vesel | 19 | Male |
| SHEHU, Xhafer | 38 | Male |
| SHEHU, Xhavit | 20 | Male |
| SHEHU, Xhelal | 13 | Male |
| ZYLFIU, Afrim | 22 | Male |
| ZYLFIU, FNU (son of Halim) | 18 | Male |
| ZYLFIU, Halim | 60 | Male |
| ZYLFIU, Hamdi | 62 | Male |
| ZYLFIU, Hamit | 22 | Male |
| ZYLFIU, Hysen | 50 | Male |
| ZYLFIU, Njazim | 24 | Male |

Schedule D

Persons Killed at Dakovica / Gjakove - 26 March 1999

| <u>Name</u> | <u>Approximate Age</u> | <u>Sex</u> |
|-------------------|----------------------------|------------|
| BEGOLLI, Sylejman | 48 | Male |
| BYTYQI, Arif | 72 | Male |

| | | |
|-----------------------|----|------|
| BYTYQI, Urim | 38 | Male |
| DERVISHDANA, Emin | 31 | Male |
| DERVISHDANA, Fahri | 37 | Male |
| DERVISHDANA, Zenel | 59 | Male |

Schedule E

Persons Known by Name Killed at Padalishte / Padalishtë - 26 March 1999

| <u>Name</u> | <u>Approximate Age</u> | <u>Sex</u> |
|----------------------|------------------------|------------|
| IMERAJ, Afrim | 2 | Male |
| IMERAJ, Ardiana | 13 | Female |
| IMERAJ, Arijeta | 11 | Female |
| IMERAJ, Avdyl | 67 | Male |
| IMERAJ, Beke | 53 | Male |
| IMERAJ, Feride | 21 | Female |
| IMERAJ, Fetije | 42 | Female |
| IMERAJ, Florije | 19 | Female |
| IMERAJ, Hasan | 63 | Male |
| IMERAJ, Mihane | 72 | Female |
| IMERAJ, Mona | 72 | Female |
| IMERAJ, Muhamet | 19 | Male |
| IMERAJ, Nexhmedin | | Male |
| IMERAJ, Rab | 30 | Male |

| | | |
|----------------------|----|--------|
| IMERAJ, Rustem | 73 | Male |
| IMERAJ, Sabahat | 21 | Male |
| IMERAJ, Shehide | 70 | Female |
| IMERAJ, Violeta | 17 | Female |
| IMERAJ, Xhyfidane | 14 | Female |

Schedule F

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

| <u>Name</u> | <u>Approximate Age</u> | <u>Sex</u> |
|------------------------|----------------------------|------------|
| ALUSHI, Jetullah | 93 | Male |
| AMRUSHI, Asllan (Q) | | Male |
| BAJRA, Asslan | 60 | Male |
| BAJRA, Bajram | 62 | Male |
| BAJRA, Bajram C. | | Male |
| BAJRA, Bajram S. | 68 | Male |
| BAJRA, Brahim | 81 | Male |
| BAJRA, Fazli | 60 | Male |
| BAJRA, Ilaz | 70 | Male |
| BAJRA, Sami | | Male |
| BAJRAKTARI, Bislim | | Male |
| BAJRAKTARI, Hajdar | | Male |
| BEHRAMI, Demush | 60 | Male |

| | | |
|---------------------|----|------|
| BEHRAMI, Muhamet | 76 | Male |
| BEHRAMI, Nuredin | 85 | Male |
| DAJAKU, Asllan | | Male |
| DANI, Dibran (A) | | Male |
| DERVISHI, Sali | 61 | Male |
| DERVISHI, Bajram | | Male |
| DERVISHI, Ilaz | 73 | Male |
| DOCI, Musli | | Male |
| DOQI, Hamdi | 42 | Male |
| DRAGA, Ali | 65 | Male |
| DRAGA, Cen | 68 | Male |
| DRAGA, Hajriz | 43 | Male |
| DRAGA, Ismet | | Male |
| DRAGA, Murat | 68 | Male |
| DRAGA, Rahim | 70 | Male |
| DRAGA, Rrustem | 81 | Male |
| DRAGAJ, Zade | | Male |
| DURAKU, Avdullah | 55 | Male |
| DURAKU, Bel (A) | 81 | Male |
| DURAKU, Dibran | 65 | Male |
| DURAKU, Rexhep | 87 | Male |
| EMRA, Muhamet | | Male |
| FETAHU, Lah | 67 | Male |
| GASHI, Ibrahim | 70 | Male |
| GASHI, Ram | | Male |

| | | |
|-----------------------|----|------|
| HAJDARI, Halil | | Male |
| HAJRA, Mehmet | 65 | Male |
| HALITI, Haliti | | Male |
| HAXHA, Fejz | 75 | Male |
| HOTI, Hazir | 67 | Male |
| HOTI, Qerim | 42 | Male |
| HOTI, Rifat | 54 | Male |
| HOTI, Rrustem | 70 | Male |
| HOTI, Tahir | | Male |
| HOTI, Muhamet | | Male |
| HOTI, Sadik | 66 | Male |
| HOTI, Shefqet (A) | | Male |
| HOTI, Vehbi | | Male |
| ISUFI, Zenel | | Male |
| JETULLAHU, Beqir | 27 | Male |
| KAJTAZDI, Kajtaz Z | | Male |
| KELMENDI, Bajram | | Male |
| KELMENDI, Jetullah | | Male |
| KOTOORI, Ram | | Male |
| KOTOORI, Brahim | | Male |
| KOTOORI, Hajzer | | Male |
| KRASNIQI, Deli | 77 | Male |
| KRASNIQI, Mustaf | | Male |

| | | |
|-----------------------|----|------|
| KRASINIQI, Rrahim | 69 | Male |
| KUQICA, Azem | | Male |
| LOSHI, Sami | | Male |
| LOSHI, Jashar | | Male |
| LOSHI, Selman | | Male |
| MORINA, Halil | 38 | Male |
| MURSELI, Sokol (H) | | Male |
| MUSLIU, Beqir | 45 | Male |
| MUSLIU, Ilaz | 73 | Male |
| MUSLIU, Shaban | 87 | Male |
| MUSLIU, Halit | 62 | Male |
| MUSLIU, Naim | 23 | Male |
| MUSLIU, Mehmet | 46 | Male |
| MUSTAFA, Hasan | 70 | Male |
| OSMANI, Azem | 75 | Male |
| OSMANI, Fatmir | | Male |
| OSMANI, Hetem | 70 | Male |
| OSMANI, Muharrem | 90 | Male |
| QAKA, Pajazit (D) | | Male |
| QALLAPEKU, Sabit | | Male |
| QELAJ, Ismajl | | Male |
| QELAJ, Rexhep | 72 | Male |
| QELAJ, Metush | 68 | Male |
| QUPEVA, Hamz | 49 | Male |
| RACI, Ramadan | 56 | Male |

| | | |
|-----------------|----|------|
| RAMAJ, Halit | 60 | Male |
| REXHEPI, Muj | | Male |
| SEJDIU, Mustaf | | Male |
| SHABANI, Azem | | Male |
| SHALA, Hysen A | 65 | Male |
| SHALA, Idriz | | Male |
| SHALA, Isuf | | Male |
| SHALA, Isuf | | Male |
| SHALA, Muj | 62 | Male |
| SHALA, Sali | | Male |
| SHALA, Zymer | 63 | Male |
| SHALA, Halim | 63 | Male |
| SHALA, Hijraz | | Male |
| SHERIFI, Sadik | | Male |
| SHPATI, Zeqir | | Male |
| SPAHIU, Rizah | | Male |
| SYLA, Ram | | Male |
| TAHIRI, Brahim | 83 | Male |
| TEMAJ, Gani | | Male |
| TEMAJ, Hamdi | | Male |
| THAQA, Hamit B. | 70 | Male |
| THAQA, Ram H. | | Male |
| THAQA, Ajet (D) | | Male |
| THAQA, Sheremet | | Male |
| UKA, Uke | 80 | Male |
| VELIQI, Zenel | 75 | Male |
| XHEMAJLI, Idriz | 73 | Male |

| | |
|--------------------|------|
| XHEMAJLI, Qazim | Male |
| ZEKA, Jahir | Male |
| ZEKA, Milazim | Male |
| Unidentified Male | Male |

Burned To Death at Izbica / Izbicë - 28 March 1999

| | | |
|--------------|----|--------|
| FEJZA, Zyre | 61 | Female |
| OSMANI, Zoje | 70 | Female |

Schedule G

Persons Killed at Dakovica / Gjakovë - 2 April 1999

| <u>Name</u> | <u>Approximate Age</u> | <u>Sex</u> |
|---------------------------|----------------------------|------------|
| CAKA, Dalina | 14 | Female |
| CAKA, Delvina | 6 | Female |
| CAKA, Diona | 2 | Female |
| CAKA, Valbona | 34 | Female |
| GASHI, Hysen | 50 | |
| HAXHIAVDIJA, Doruntina | 8 | Female |
| HAXHIAVDIJA, Egzon | 5 | |
| HAXHIAVDIJA, Rina | 4 | Female |
| HAXHIAVDIJA, Valbona | 38 | Female |
| HOXHA, Flaka | 15 | Female |
| HOXHA, Shahindere | 55 | Female |
| NUÇ I, Manushe | 50 | Female |

| | | |
|-----------------|----|--------|
| NUÇ I, Shirine | 70 | Female |
| VEJSA, Arlind | 5 | Male |
| VEJSA, Dorina | 10 | Female |
| VEJSA, Fetije | 60 | Female |
| VEJSA, Marigona | 8 | Female |
| VEJSA, Rita | 2 | Female |
| VEJSA, Sihana | 8 | Female |
| VEJSA, Tringa | 30 | Female |

Schedule H

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

| <u>Name</u> | <u>Approximate Age</u> | <u>Sex</u> |
|-----------------------|----------------------------|------------|
| ABAZI, Musa | 55 | Male |
| ADEMI, H. Rahman | 26 | Male |
| ALIU, Z. Ramadan | 38 | Male |
| ALIU, B. Remzi | 55 | Male |
| BEKTESHI, M. Afrim | 23 | Male |
| BEQIRI, Nezir | 54 | Male |
| BUNJAKU, M. Hysni | 21 | Male |
| FEJZULLAHU, Qamile | 84 | Female |
| FERATI, Xh. Istref | 27 | Male |

| | | |
|----------------------------|----|------|
| FERATI, Milazim | 20 | Male |
| FERATI, Rifat | 36 | Male |
| FERIZI, M. Bislim | 63 | Male |
| FERIZI, B. Mihrije | 63 | Male |
| FERIZI, B. Ruzhdi | 35 | Male |
| GERGURI, B. Agim | 38 | Male |
| GERGURI, Sh. Enver | 50 | Male |
| GERGURI, S. Musli | 45 | Male |
| GERXHALIU, Fahri | | Male |
| GERXHALIU, A. Haki | 39 | Male |
| GERXHALIU, H. Kadri | 42 | Male |
| GERXHALIU, H. Shaban | 49 | Male |
| GERXHALIU, I. Skender | 43 | Male |
| GERXHALIU, H. Zejnullah | 42 | Male |
| GERGURI, A Shukri | 44 | Male |
| GERGURI, M. Skender | 26 | Male |
| GERGURI, Sh. Naman | 39 | Male |
| GERGURI, N. Ramush | 63 | Male |

| | | |
|--------------------------|----|--------|
| GERXHALIU, B. Avdyl | 43 | Male |
| GERXHALIU, F. Avdyl | 47 | Male |
| GERXHALIU, B. Bajram | 40 | Male |
| GERXHALIU, A. Fatmir | | Male |
| GERXHALIU, U. Fatmir | 35 | Male |
| GERXHALIU, I. Imer | 42 | Male |
| GERXHALIU, Sh. Nuhi | 25 | Male |
| GERXHALIU, H. Sejdi | 39 | Male |
| GERXHALIU, N. Xhevdet | 18 | Male |
| GJATA, Meriton | 23 | Male |
| GJATA, Sevdije | 48 | Female |
| GJATA, Tefik | 44 | Male |
| HAXHAJ, Bahri | 28 | Male |
| HAZIRI, Nafije | 27 | Female |
| HYSENI, R. Agim | 38 | Male |
| HYSENI, B. Ali | | Male |
| HYSENI, K. Beqir | 40 | Male |
| HYSENI, Kada | 86 | Female |
| HYSENI, Q. Hysen | 26 | Male |
| HYSENI, Q. Hysen | 25 | Male |
| HYSENI, D. Qazim | 24 | Male |

| | | |
|--------------------------|----|--------|
| HYSENI, Ramadan | 18 | Male |
| HYSENI, Rrahman | 61 | Male |
| HYSENI, Q. Xhevdet | 24 | Male |
| IBISHI, H. Selman | 63 | Male |
| IBISHI, I. Sylejman | | Male |
| IBISHI, Rahim | 72 | Male |
| IBISHI, Tafil | 55 | Male |
| KURTI, Bajram | 43 | Male |
| KONJUHI, B. Afrim | 29 | Male |
| KONJUHI, Z. Rexhep | 40 | Male |
| KRASNIQI, B. Shaban64 | 64 | Male |
| KRASNIQI, R. Syle | 70 | Male |
| LUSHAKU, A. Ibadete | 26 | Female |
| LUSHAKU, H. Shehide | 89 | Female |
| MAXHUNI, Z. Driton | 32 | Male |
| MAXHUNI, F. Sabri | 34 | Male |
| MERNICA, Sh. Ali | 49 | Male |
| MORINA, Sh. Remzi | 35 | Male |
| MULAKU, A. Ekrem | 32 | Male |

| | | |
|-----------------------|----|--------|
| MULAKU, L. Xhavit | 30 | Male |
| MULI, I. Gani | 21 | Male |
| MULI, N. Asllan | 49 | Male |
| MULI, N. Hazir | 52 | Male |
| MULIQI, I.. Bajram | | Male |
| MUSA, F. Islam | 56 | Male |
| MUSA, Kadrush | 37 | Male |
| MUSA, H. Nexhmi | 54 | Male |
| MUSLIU, M. Mehdi | 24 | Male |
| MUSLIU, Ragip | | Male |
| MUZAQI, I. Besim | 32 | Male |
| MUZAQI, H. Salih | 37 | Male |
| PARDUZI, Shehide | 84 | Female |
| PECI, Murat | | Male |
| POPOVA, A. Ismajl | 29 | Male |
| PRRONAJ, Sh. Enver | 32 | Male |
| PRRONAJ, Sh. Zymer | 35 | Male |
| RASHICA, I. Ali | 45 | Male |

| | | |
|-----------------------|----|--------|
| RASHICA, I. Deli | 48 | Male |
| RASHICA, S. Eshref | 38 | Male |
| REXHEPI, I. Ahmet | | Male |
| REXHEPI, Ilaz | | Male |
| REXHEPI, Ismet | 38 | Male |
| SADIKU, H. Agim | 23 | Male |
| SHALA, R. Hamdi | 26 | Male |
| SFARQA, Shehide | | Female |
| SFARQA, Sh. Sherif | 43 | Male |
| SFARQA, S. Skender | 39 | Male |
| TAHIRI, Fetah | 39 | Male |
| TERNAVA, Fehmi | 39 | Male |
| TIKU, A. Sahit | 68 | Male |
| VERSHEVCI, Azemine | 75 | Male |
| VIDISHIQI, Faik | 35 | Male |
| XHAFA, Driton | | Male |
| XHAFA, Nazif | 55 | Male |
| XHAFA, S. Veli | 45 | Male |

ZHEGROVA, R. 34 Male
Naser

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

| <u>Name</u> | <u>Approximate Age</u> | <u>Sex</u> |
|---------------------|----------------------------|------------|
| DEDA, Linton | 16 | Male |
| DEDA, Mark | 47 | Male |
| DEDA, Pashk | 42 | Male |
| DUZHMANI, Kole | | Male |
| GAXHERRI, Brahim | 38 | Male |
| KABASHI, Andrush | 18 | Male |
| KABASHI, Arben | 14 | Male |
| KABASHI, Nikoll | 32 | Male |
| MALAJ, Blerim | 15 | Male |
| MALAJ, Vat | 37 | Male |
| MARKAJ, Bekim | 23 | Male |
| MARKAJ, Mark | 65 | Male |
| MARKAJ, Pashuk | 38 | Male |
| MARKAJ, Petrit | 27 | Male |
| MARKAJ, Prend | 60 | Male |
| NDREJAJ, Pashk | 44 | Male |
| PJETRI, Skender | 27 | Male |
| SELMANI, Sherif | 66 | Male |

Schedule J
Persons Known by Name Killed at Dubrava / Dubravë Prison - 22 to 23 May 1999

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

| | |
|----------------|------|
| SPAHA, Fejz | Male |
| SYLAJ, Dervish | Male |
| TAFILAJ, Muse | Male |

Schedule K
Persons Known by Name Killed at Suva Reka / Suharekë - 26 March 1999

| <u>Name</u> | <u>Approximate Age</u> | <u>Sex</u> |
|-----------------------|----------------------------|------------|
| BERISHA, Afrim | 24 | Male |
| BERISHA, Altin | 11 | Male |
| BERISHA, Arta | 18 | Female |
| BERISHA, Avdi | 43 | Male |
| BERISHA, Besim | 26 | Male |
| BERISHA, Bujar | 40 | Male |
| BERISHA, Dafina | 15 | Female |
| BERISHA, Dorentina | 4 | Female |
| BERISHA, Drilon | 13 | Male |
| BERISHA, Edon | 12 | Male |
| BERISHA, Eron | 1 | Male |
| BERISHA, Fatime | 37 | Female |
| BERISHA, Fatime | 48 | Female |

| | | |
|-----------------------|----|--------|
| BERISHA, Fatmire | 22 | Female |
| BERISHA, Faton | 27 | Male |
| BERISHA, Flora | 38 | Female |
| BERISHA, Hajbin | 37 | Male |
| BERISHA, Hamdi | 54 | Male |
| BERISHA, Hanumusha | 9 | Female |
| BERISHA, Hanumusha | 81 | Female |
| BERISHA, Hava | 63 | Female |
| BERISHA, Herolinda | 13 | Female |
| BERISHA, Ismet | 2 | Male |
| BERISHA, Kushtrin | 11 | Male |
| BERISHA, Lirije | 24 | Female |
| BERISHA, Majlinda | 15 | Female |
| BERISHA, Merita | 10 | Female |
| BERISHA, Mevlude | 26 | Female |
| BERISHA, Mihrije | 26 | Female |
| BERISHA, Mirat | 7 | Male |

| | | |
|-----------------------|----|--------|
| BERISHA, Musli | 63 | Male |
| BERISHA, Nefije | 54 | Female |
| BERISHA, Nexhat | 43 | Male |
| BERISHA, Nexhmedin | 37 | Male |
| BERISHA, Redon | 1 | Male |
| BERISHA, Sait | 83 | Male |
| BERISHA, Sebahate | 25 | Female |
| BERISHA, Sedat | 45 | Male |
| BERISHA, Sherine | 17 | Female |
| BERISHA, Sofia | 58 | Female |
| BERISHA, Vesel | 61 | Male |
| BERISHA, Vlorjan | 17 | Male |
| BERISHA, Zana | 13 | Female |
| BERISHA, Zelihe | 50 | Female |

Schedule L

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

Kotlina / Kotlinë - 24 March
1999

KUQI, Idriz 55 Male

| | | |
|----------------|----|------|
| KUQI, Ismail | 21 | Male |
| KUQI, Nexhadi | 31 | Male |
| KUQI, Xhemjal | 22 | Male |
| LOKU, Agim | 31 | Male |
| LOKU, Atan | 28 | Male |
| LOKU, Garip | 47 | Male |
| LOKU, Ibush | 20 | Male |
| LUKU, Ismajl | 28 | Male |
| LOKU, Izijah | 19 | Male |
| LOKU, Milaim | 34 | Male |
| LOKU, Naser R. | 17 | Male |
| LOKU, Sabit | 20 | Male |
| LOKU, Zymer | 67 | Male |
| REXHA, FNU | 16 | Male |
| VLASHI, SaliM. | 42 | Male |
| VLASHI, Vesel | 55 | Male |

Slatina / Sllatinë 13 April 1999

| | | |
|--------------------|----|------|
| CAKA, Ilir Osman | 15 | Male |
| CAKA, Jakup Mustaf | 37 | Male |
| CAKA, Mahmut Hasan | 45 | Male |
| DEDA, Qemajl | 47 | Male |
| ELEZI, Nazmi | 29 | Male |
| ELEZI, Vesel | 41 | Male |
| LAMA, Brahim | 52 | Male |
| LAMA, Hebib | 18 | Male |
| LAMA, Ibrahim | 52 | Male |

| | | |
|---------------------|----|------|
| SALIHU, Izahir Ilaz | 22 | Male |
| SALIHU, Kemajl Ilaz | 40 | Male |
| SALIHU, Sabri Ilaz | 38 | Male |
| SHIQERIBER, Haliali | 46 | Male |

Stagovo / Stagovë - 21 May
1999

| | | |
|---------------------|----|--------|
| BELA, Baki | 72 | Male |
| DASHI, Hamdi | 53 | Male |
| DASHI, Ibrahim Avdi | 31 | Male |
| DASHI, Ramadan | 58 | Male |
| ELEZI, Bahrije R. | 56 | Female |
| GUDAQI, Fitim | 7 | Male |
| GUDAQI, Hanife | 77 | Female |
| GURI, Sevdije | 54 | Female |
| JAHA, Elife | 83 | Female |
| JAHA, Ramush | 75 | Male |
| MANI, Fahri | 56 | Male |
| RRUSHI, Ibush | 59 | Male |

Dubrava / Lisnaje 25 May 1999

| | | |
|------------------------|----|--------|
| QORRI, Arton Hajrush | 17 | Male |
| QORRI, Fatije Hajrush | 7 | Female |
| QORRI, Hajrush Mehmet | | Male |
| QORRI, Rexhep Zejnulla | | Male |
| TUSHA, Ali | 17 | Male |
| TUSHA, Xhemajl | 39 | Male |
| VISHI, Rrahim Beqir | | Male |

VISHI, Milaim Misim

Male