

## **Part II**

# **Regional Overviews of the Human Rights Situation in Kosovo**



Photo: Thomas Dworzak



As the war ends houses continue to burn

## **GNJILANE/GJILAN: WHERE ONCE THERE WAS CALM**

### **A. Overview**

The Gnjilane/Gjilan Area of Responsibility<sup>1</sup> borders the former Yugoslav Republic of Macedonia to the south and the internal administrative boundary with the Federal Republic of Yugoslavia to the east. The scale of battle damage and related violence during the recent conflict was markedly lower than in other areas of Kosovo/Kosova. Prior to the conflict, the Gnjilane/Gjilan area had a large concentration of Kosovo Serb communities and no strong (now former) UCK presence and these factors contributed to the low level of damage and activity during the conflict.

Since the end of the conflict, however, the situation has been startlingly different. The descent into violence has been swift and widespread. It led to major flows of Kosovo Serbs either across the internal boundary to southern Serbia, or to enclaves within the province. The Roma population has left *en masse*. Daily human rights reports in June, July and August were dominated by reports of killings, house burnings, missing persons and abductions. Grenade attacks and mortar fire at times occurred on a daily basis. The pressure on minority populations was, and remains, immense and the current evidence suggests that subtler forms of pressure are now being applied to segments of the Kosovo Albanian population.

When OSCE returned to Gnjilane/Gjilan on 20<sup>th</sup> June, only one house in the town had been destroyed. By the end of October 280 houses have been burned or destroyed in Gnjilane/Gjilan.<sup>2</sup> The former, and current, OSCE Regional Centre building had been damaged as a result of NATO air-strikes on a major VJ barracks some 250m from the Centre: all the windows were blown out but the structure of the building remained intact. The worst damage to a former OSCE building which had been badly burned was in Kosovska Kamenica/Kamenice.<sup>3</sup>

### **B. Security**

KFOR first arrived in the Gnjilane/Gjilan area on 14<sup>th</sup> and 15<sup>th</sup> June. The first troops were French, followed by the US Marine Corps. The US Marine Corps were replaced by the US Army in early July. The current total of US, Greek, Polish and Russian troops, is 9,000, of which 7,000 are from the US.<sup>4</sup> Urosevac/Ferizaj municipality is the location of US KFOR Camp Bondsteel, scheduled to become the largest army base in the Balkans. Russian KFOR troops stationed in Kosovska Kamenica/Kamenice initially encountered blockades and suspicion from local Kosovo Albanians. Ironically, this changed dramatically on 5<sup>th</sup> September when Russian KFOR troops responded to an armed attack by three Kosovo Serbs against five Kosovo Albanians on the main road past Ranilug/Ranllug. The attackers killed two

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<sup>1</sup> The municipalities of Gnjilane/Gjilan, Kosovska Kamenica/Kamenice, Novo Brdo/Berde and Vitina/Viti.

<sup>2</sup> Of these burned houses 150 belonged to Kosovo Serbs and 130 to Roma. Information provided by the Gnjilane Church Board. The Church Board collects information from across the AOR using a substantial network of contacts.

<sup>3</sup> The new Kosovska Kamenica/Kamenice Field Office is in the building next door to the old Office.

<sup>4</sup> This total is for the whole new AOR, including Strpce/Shterpce, Urosevac/Ferizaj and Kacanik/Kacanik municipalities.

Kosovo Albanians and injured two more: one escaped. Russian KFOR has a checkpoint close by and was on scene quickly. It was reported that the Kosovo Serb attackers fired on the Russians, who returned fire resulting in the death of three Kosovo Serb males, one of whom was in a VJ uniform.<sup>5</sup> Since then there has been very little hostility towards Russian troops deployed in the Gnjilane/Gjilan area.

The UN Civil Administration has planned for a deployment of 300 International Police throughout the Gnjilane/Gjilan region. The first UNMIK Police appeared in the area on approximately 20<sup>th</sup> August, although the full policing mandate was not transferred from KFOR to UNMIK Police until 1<sup>st</sup> November.<sup>6</sup>

In sharp contrast to the period before the conflict, there was a strong and highly visible UCK presence in the Gnjilane/Gjilan area. The (now former) UCK took over many public buildings, claiming that this action was to prevent looting. One example of this was the occupation of a former boarding school, known as the Internat, a building said to be used as a UCK detention facility. A programme of moving the UCK out of these buildings was put in place by KFOR and the UNMIK. Today, the provisional TMK is equally visible. In early October OSCE witnessed two members of the provisional TMK directing traffic in Gnjilane/Gjilan, in full uniform and carrying automatic weapons.<sup>7</sup>

### **C. The Civil Administration<sup>8</sup>**

The self-styled civil administration was put in place quickly throughout the region according to guidelines produced centrally by the LBD.<sup>9</sup> By late July, self-styled civil administrations were established in Gnjilane/Gjilan,<sup>10</sup> Novo Brdo/Novo Berde,<sup>11</sup> Vitina/Viti<sup>12</sup> and Kosovska Kamenica/Kamenice.<sup>13</sup>

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<sup>5</sup> Report received from KFOR.

<sup>6</sup> In the interim, the UNMIK Police have been patrolling with KFOR. At the end of October despite the official hand-over, the UNMIK Police did not have full police powers and continue to work with KFOR.

<sup>7</sup> Human Rights Incident Report 1099/001.

<sup>8</sup> Based on information collected by the OSCE Democratisation Division, with additional information from human rights teams and papers from the OSCE/Council of Europe Expert Mission of 26<sup>th</sup> July to 6<sup>th</sup> August.

<sup>9</sup> The structure has a President, two Vice-Presidents and a Secretary General to oversee six Departments: Administration, Economy and Finance; Education, Culture and Sport; Geodesy and Records; Urbanisation; and Planning, Reconstruction and Development. The Department of Urbanisation has responsibility for construction and the environment, as well as public utilities.

<sup>10</sup> On 16<sup>th</sup> June, Ismail Kurteshi was appointed “head” of the municipal administration by the self-appointed “provisional government” of Hashim Thaci.

<sup>11</sup> A civil structure was in place by 20<sup>th</sup> July, under the leadership of Emin Germeshi, who said he was appointed by Hashim Thaci. Although the population in the municipality was 40% Kosovo Serb, no Kosovo Serb had a place in the self-styled civil administration.

<sup>12</sup> Headed by Daut Xhemaili, the self-styled civil administration was put in place around 20<sup>th</sup> July, with the task to form a temporary administrative unit until the UN was established. Xhemaili was a former LDK member who had spent 2 ½ years in prison. From 20<sup>th</sup> July, the administration controlled the fire service and some garbage collection services, but reported that it had no control over factories or other public utilities. By the end of October, it had taken over control of public utilities, according to reports from OSCE Democratisation Officers.

<sup>13</sup> Appointed “president” of the municipality in early August, Muhammed Rexha, is a former LDK member. He was open about links between his Office and the UCK. He reported that the hospital, health centre, fire brigade, electric company and post office were under UCK control, and that the

The self-styled authorities continue to operate throughout the Gnjilane/Gjilan region and perform many traditional municipal functions including providing certification for births and dealing with disputes over property.<sup>14</sup> Priorities for the self-styled authorities in the region are to secure state institutions, buildings and factories and to get Kosovo Albanians back to work. The general line is that Kosovo Serbs could remain in their jobs until the courts determine their status. Self-styled administrations also worked in villages, in many cases appointing village representatives, with the stated objective of preventing looting and making contact with humanitarian organisations to secure their assistance.

The self-styled authorities in Kosovska Kamenica/Kamenice were endorsed on 25<sup>th</sup> August, in Vitina/Viti on 31<sup>st</sup> August, and in Novo Brdo/Novo Berde on 22<sup>nd</sup> September. At the end of October in Gnjilane, following a long process of negotiation, it was reported that the UN was close to endorsing the self-styled Administration in Gnjilane/Gjilan. Agreement had been reached that two Kosovo Serbs should have places in the Administration.

## **D. Human Rights Patterns and Trends**

### **1. Gnjilane/Gjilan Region**

#### **(a) The first period - intense generalised violence, major population movements:**

The period of the most intense and widespread violence in the Gnjilane/Gjilan region began on 1<sup>st</sup> July and lasted some three weeks. It was characterised mainly by house burning and looting. With the exception of mortar attacks, all the forms of violence seen since in the Gnjilane/Gjilan area were already apparent by the beginning of July: killings, abductions, harassment including shooting, grenade attacks and threats. Not until 21<sup>st</sup> July did KFOR report the first mortar attack. The violence had its greatest effects on the Kosovo Serb and Roma communities: large outflows of both were witnessed from early July onwards. In the period from 10<sup>th</sup> to 18<sup>th</sup> July, no day or night went by without a house burning somewhere in Gnjilane/Gjilan town.

People fled from these attacks. In Zitinje/Zitinje, at that stage 50% Kosovo Serb, 50% Kosovo Albanian, the former Mayor's house was burned on 1<sup>st</sup> July. On 2<sup>nd</sup> July, the OSCE tried without success to speak to the remaining Kosovo Serbs in the village. On 1<sup>st</sup> August, 330 Kosovo Serbs, including the former Mayor, left the village. In Rogotovo, Zegra/Zheger and Prilepnica/Prilepnica, on 2<sup>nd</sup> July, houses were set alight. By 3<sup>rd</sup> July, the entire Kosovo Serb population had left Prilepnica/Prilepnica. On 4<sup>th</sup> July, the first of the houses in the Roma quarter of Gnjilane/Gjilan were set alight. On 7<sup>th</sup> July, it was reported that nine Krajina Serbs had been evicted from Novo

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majority of posts were taken by employees who had been sacked in 1989. People applied for posts directly to the UCK Headquarter building.

<sup>14</sup> This is not to suggest that the self-styled administration had authority to carry out these tasks, simply that it did perform a relatively wide range of functions. In some cases, the Gnjilane self-styled administration actively sought and received assistance from KFOR: in early September, the UNRA asked KFOR not to respond to requests from the "President" to perform certain municipal services, the case in point being removal of "unauthorised" street vendors, a task that KFOR had carried out at the "president's" direct request.

Brdo/Novo Berde by the UCK and had moved to Bostane/Bostan.<sup>15</sup> On 11<sup>th</sup> July, four fires were reported from the centre of Gnjilane/Gjilan: the following day, nine other houses were set alight in a six-hour period. On 18<sup>th</sup> July, a Roma leader reported that his community had shrunk from 8,500 before the conflict, to just 130 people: no Roma were left in Ogoste/Ogoshte, few remained in Koretin/Koretin, Roma were starting to leave Berivojce/Berivojce.<sup>16</sup>

On 5<sup>th</sup> July a convoy of 13 Kosovo Serb vehicles left Zegra/Zheger for Presevo with a KFOR escort, while UNHCR escorted 15 Krajina Serbs to Bujanovac. UNHCR reported on 12<sup>th</sup> July that it would resettle Krajina Serbs in Western Europe and would arrange travel to Croatia for those wishing to go there. On 15<sup>th</sup> July, the former President of Kosovska Kamenica/Kamenice reported that Kosovo Serbs had left 11 villages in the Municipality.<sup>17</sup> On 15<sup>th</sup> July, a bomb exploded in the market in Vitina/Viti: the market closed the following day and on 18<sup>th</sup> July, a convoy of 100 vehicles left Vitina/Viti for southern Serbia. The KFOR Summary on the Vitina/Viti area<sup>18</sup> for 1<sup>st</sup> August 1999 stated: “Exodus of all Serb residents of Zitinje/Zitinje. Massive wave of looting follows. At least 80 homes burnt in the past week. Burning continues.”

Though aimed primarily at the minority communities, many Kosovo Albanians were also terrified by events, and called for increased KFOR protection.<sup>19</sup> The fear arose not only from the burning of villages, but also from specific incidents: on 17<sup>th</sup> July, following the shooting of four Kosovo Albanian inhabitants, KFOR escorted the last remaining Kosovo Albanian villagers out of Mucibaba/Mucibaba into Gnjilane/Gjilan.

Ethnic Albanians from southern Serbia were also fleeing violence and entering the Gnjilane/Gjilan region: by 8<sup>th</sup> July, UNHCR had registered 2,100 ethnic Albanian IDPs. By 11<sup>th</sup> July, fears for security had already led certain Kosovo Serb communities to set up roadblocks. The first appeared in Silovo/Shillove, Kosaca/Kosace and Pasjane/Pasjan on 11<sup>th</sup> July. The next day, Kosovo Albanians had also established roadblocks on the roads to and from Gnjilane/Gjilan.

By 21<sup>st</sup> July, house burning was becoming less frequent, though it has never stopped completely. Nevertheless, in the words of one OSCE staff member, after three weeks of fires, areas of the Gnjilane/Gjilan region resembled a war zone. The first stark contrast with the period prior to K-Day was apparent. Nowhere was it more apparent than the Roma quarter of Gnjilane/Gjilan town.

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<sup>15</sup> Gnjilane/Gjilan Regional Centre Daily Report 7<sup>th</sup> July 1999 and interviews with the displaced persons taken on 7<sup>th</sup> July.

<sup>16</sup> See below for more detailed information on the fate of the Roma population.

<sup>17</sup> Koretin/Koretin, Donja Sipasnica/Shipashice I Ulet, Firiceje/Feriqueve, Carakovce, Catkocq, Bratilovce/Brahitovce, Kostadince/Kostadice, Lestar/Lesktar, Oraovica/Rahovice, Strezovce/Strezofc, Vaganes/Vaganesh and Gradjenik/Gregjenik.

<sup>18</sup> TF Tiger Major Ethnic Violence Summary (period covered: 9<sup>th</sup> July to 23<sup>rd</sup> September).

<sup>19</sup> Gnjilane/Gjilan Regional Centre Daily Report 2<sup>nd</sup> July.

**(b) Systematic Forced Eviction of Roma from Gnjilane/Gjilan Region:** Before the conflict approximately 4,825 Roma lived in the Gnjilane/Gjilan region. After the conflict, an estimated 875 Roma remained in Gnjilane/Gjilan, 350 in Kosovska Kamenica/Kamenice, 200 in Novo Brdo/Novo Berde, and 200 in Vitina/Viti.<sup>20</sup> In June, a 350-strong Roma community who used to live in Ogoste/Ogoshte fled to the former Yugoslav Republic of Macedonia. In mid July UNHCR registered 185 families with 533 members taking humanitarian aid in Gnjilane/Gjilan, in mid-August these figures had shrunk to 145 and 445 respectively. UNHCR reported that “more than 20 families did not turn up for food distribution on 20<sup>th</sup> August and were said to have left Gnjilane/Gjilan.”<sup>21</sup>

At the end of October, there were approximately 900 Roma in the Gnjilane region.<sup>22</sup> They are mostly elderly women, single people, children, and disabled people. It appears that the Roma leaving are moving to southern Serbia, Belgrade and the former Yugoslav Republic of Macedonia.

Many Roma are perceived by Kosovo Albanians as having collaborated with Serbian security forces. In the period following the withdrawal of the FRY Serbian forces a wave of arson and looting of Roma houses occurred in the Gnjilane/Gjilan area. Following the arrival of OSCE in Gnjilane/Gjilan, it appeared that a systematic effort was made to force Roma out of their homes by arson attacks, looting and the destruction of property. This was evident in Gnjilane/Gjilan near “Abdulla Preseva” street, where approximately 90% of Roma houses were burned within a three week period.<sup>23</sup> Since 27<sup>th</sup> June a total of 135 houses have been burned in Gnjilane/Gjilan, the majority belonged to Roma.<sup>24</sup>

Roma have reported to OSCE, UNHCR and KFOR that they have been directly told by Kosovo Albanians to leave Kosovo/Kosova under threat of violence. On 27<sup>th</sup> June, OSCE took a statement from a 17-year-old Roma male who had been abducted in Gnjilane/Gjilan on 26<sup>th</sup> June by individuals wearing camouflage uniforms and (at least one) UCK insignia and ill-treated while in detention.<sup>25</sup> On 27<sup>th</sup> July in Gnjilane/Gjilan, some 15 to 16 Kosovo Albanians arrived on a tractor, entered Roma houses and attempted to steal furniture. On 28<sup>th</sup> July, OSCE took a statement from a 49-year-old Roma male, who reported that three Roma males, aged 46, 47 and 60 and two Roma females, aged 71 and 45, had been ill-treated by Kosovo Albanians. Five Roma houses were looted and two Roma houses were burned on 28<sup>th</sup> July.<sup>26</sup>

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<sup>20</sup> Sources: ECMM, UNHCR, OSCE.

<sup>21</sup> UNHCR Sitrep on Community Services, 21<sup>st</sup> to 27<sup>th</sup> August.

<sup>22</sup> Source: UNHCR. In Gnjilane town, about 450 Roma remain. In Bostane/Bostan, Novo Brdo/Novo Berde, the total is around 50. In Kosovska Kamenica/Kamenice, the total is around 400.

<sup>23</sup> OSCE has documented single house-fires with video and photographic images. OSCE has also filmed the amount of destruction of the Roma quarter in the A. Preseva Street after the fires.

<sup>24</sup> Source: ECMM. OSCE daily human rights reports documented that one or more houses were on fire in Gnjilane/Gjilan on 8<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, 17<sup>th</sup>, 19<sup>th</sup>, 21<sup>st</sup>, 23<sup>rd</sup>, 24<sup>th</sup>, 26<sup>th</sup>, 28<sup>th</sup> July and 5<sup>th</sup> August. The majority of these arsons involved Roma houses.

<sup>25</sup> GN/GN/0043/99.

<sup>26</sup> GN/GN/0064/99.



On 31<sup>st</sup> July, OSCE interviewed a 49-year-old Roma male who stated that six Roma were stopped at gunpoint in the village of Dobrcane/Miresh while fleeing to Serbia proper. Their two vehicles were stopped by three Kosovo Albanian males, aged 30 to 40, armed with rifles and pistols. The Kosovo Albanians confiscated the two vehicles which contained household appliances, jewellery, a total of 1,200 Dinar and 790 German Marks, jewellery, identity documents and drivers licenses.<sup>27</sup>

On 25<sup>th</sup> August, a Roma male reported to KFOR that he had been unlawfully detained and threatened by a Kosovo Albanian in Gnjilane/Gjilan.<sup>28</sup> Also on 25<sup>th</sup> August, UNHCR identified a small group of Roma, consisting of nine families with a total of 45 members, living in the outskirts of Gnjilane/Gjilan in the “Cenar Qeshme” area in very poor conditions. They claimed not to have received food from Mother Teresa Society since the end of the conflict and “were obviously living partly on garbage from the nearby disposal area”.<sup>29</sup> The families had asked KFOR for protection after two of the males had been ill-treated and detained by Kosovo Albanians who instructed them to leave their homes. While KFOR investigated the incident, UNHCR attempted to find alternative accommodation for this group. However, the Roma insisted on leaving Kosovo and were escorted by KFOR towards Bujanovac in southern Serbia. “On 26<sup>th</sup> August, a group of approximately 40 Roma left Kosovo, they were too scared to stay in their houses as they had been threatened and beaten by Kosovo Albanian groups.”<sup>30</sup>

On 26<sup>th</sup> August, a Roma female reported to KFOR that she had been the victim of a burglary perpetrated by a Kosovo Albanian in Gnjilane/Gjilan.<sup>31</sup> On 3<sup>rd</sup> September, UNHCR wrote that “the security issue is still the biggest concern and KFOR Civil Affairs and KFOR Special Forces have been asked once more to carry out special patrols in Roma areas in Gnjilane/Gjilan, as instructed. If this will not take place, Gnjilane/Gjilan will slowly be emptied of Roma population.”<sup>32</sup>

Even those distributing humanitarian assistance were not immune. On 8<sup>th</sup> September the International Rescue Committee (IRC) reported to UNHCR that during the food distribution in one of the Roma areas in Gnjilane, Kosovo Albanians complained about the fact that IRC was distributing to the Roma and not to the Kosovo Albanians. On this occasion, the IRC driver was threatened and told he would have “problems” should he go back to distribute aid in the Roma area.<sup>33</sup> On 9<sup>th</sup> September, a Roma male reported to KFOR that unknown perpetrators had looted his accommodation.<sup>34</sup>

On 17<sup>th</sup> September, UNHCR wrote: “Still concerns about security, houses are still being looted and KFOR are not too visible in the area. Roma areas that have until now been safe are now needing more KFOR patrols.”<sup>35</sup> On 21<sup>st</sup> September, a Roma

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<sup>27</sup> GN/GN/0073/99.

<sup>28</sup> KFOR Information Sheets provided to OSCE/UNHCR.

<sup>29</sup> UNHCR Report on Roma, 26<sup>th</sup> August.

<sup>30</sup> UNHCR Sitrep on Community Services, 21<sup>st</sup> to 27<sup>th</sup> August.

<sup>31</sup> KFOR Information Sheets provided to OSCE/UNHCR.

<sup>32</sup> UNHCR Sitrep on Community Services, 28<sup>th</sup> August to 3<sup>rd</sup> September.

<sup>33</sup> IRC Memorandum to UNHCR 8<sup>th</sup> September.

<sup>34</sup> KFOR Information Sheets provided to OSCE/UNHCR.

<sup>35</sup> UNHCR Sitrep on Community Services, 11<sup>th</sup> to 17<sup>th</sup> September.

reported to KFOR that a Kosovo Serb had broken into his accommodation in Gnjilane.<sup>36</sup>

On 30<sup>th</sup> September, UNHCR wrote that individuals in two remaining Roma areas in Gnjilane/Gjilan “have been approached by Kosovo Albanians and threatened to leave their houses, among these a disabled Roma and his family of 10.”<sup>37</sup> Also on 30<sup>th</sup> September, a Roma female reported to KFOR that unknown individuals had broke and entered into her accommodation in Gnjilane/Gjilan.<sup>38</sup>

Access to schooling is presently denied to most Roma children. Pupils used to attend the Serbian schools. However, since they are mostly Muslims, they feel they could be discriminated against. Albanian schools do not represent an option, both for security reasons and because Roma children only speak the Serbian and Roma languages. Attempts have been made by IRC/Youth Programme to locate a Roma teacher, presently in Germany, who could arrange domestic classes.<sup>39</sup>

## **2. The Right to Life**

**(a) Targeting individuals:** The burning of houses was the most obvious manifestation of violence spreading fear among the whole population and causing a large number of Kosovo Serbs and Roma to leave, but they were not the only manifestation.

House fires led to major population flows and the ethnic cleansing of whole villages. The trend of attacks on individuals and small groups has exerted constant pressure on those who survived the initial explosion of violence. In some cases, these individuals had a clear demographic profile suggestive of very specific targeting and careful organisation; in others, opportunism was apparent; in still others, it appeared that any target would suffice. Into this mix, organised criminal elements were also present making it impossible in most cases to determine responsibility for individual acts. What can be determined is that the Gnjilane/Gjilan region was, and remains, subject to a general atmosphere of fear and intimidation that reached beyond simple criminal activity.

The first killing reported to OSCE was on 19<sup>th</sup> June, when three Kosovo Albanians and two Kosovo Serbs were shot and killed.<sup>40</sup> The evidence suggested that the Kosovo Albanians had been kidnapping the Kosovo Serb and had been caught in an ambush in Gnjilane/Gjilan. Two people were killed in Pones/Ponesh on the same day: OSCE has since registered three further killings in that village.<sup>41</sup> In terms of cases brought to the attention of the OSCE, July was apparently very quiet, with three killings reported, one each in Gnjilane/Gjilan, Koretiste/Koretishte and Cernica/Cernica. However, it emerged in August that six people, three of whom went missing on 4<sup>th</sup> July and three on 10<sup>th</sup> July had been killed and dumped in a shallow grave near Podgradje/Pogragje.<sup>42</sup>

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<sup>36</sup> KFOR Information Sheets provided to OSCE/UNHCR.

<sup>37</sup> UNHCR Sitrep on Community Services, 25<sup>th</sup> September to 1<sup>st</sup> October.

<sup>38</sup> KFOR Information Sheets provided to OSCE/UNHCR.

<sup>39</sup> IRC source.

<sup>40</sup> GN/0001/99.

<sup>41</sup> GN/0100/99, and GN/0104/99 and GN/0108/99.

<sup>42</sup> See case numbers GN/0039/99, GN/0045/99, GN/0046, and GN/0047/99 and below.

Five more bodies from that grave, and two in the river nearby, remain unidentified. In September, one other missing persons case was closed after the body of a man was discovered in fields close to Klokot/Kllokot, 250 metres from the spot from which he had disappeared on 23<sup>rd</sup> July.

On 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> August respectively, killings were reported in Ranilug/Ranllug, Dobrcane/Miresh, Podgradje/Pogragje and Gorni Makres/Gornji Makres. Also on 6<sup>th</sup> August, one killing was reported, again in Dobrcane/Miresh. Back to Pones/Ponesh on 9<sup>th</sup> August for one more killing, followed on 16<sup>th</sup> August by two killings in Klokot/Kllokot, this time as a result of a mortar attack.<sup>43</sup>

Following these incidents in August, there was a period in which no killings were reported. That calm period was very obviously broken again on 9<sup>th</sup> September, when two people were killed in Kmetovce/Kmetofc. On 13<sup>th</sup> September, one person was killed in Kosovska Kamenica/Kamenice and one in Gnjilane/Gjilan on 15<sup>th</sup> September. On 30<sup>th</sup> September, two Kosovo Serb brothers, both in their 50s, were attacked while harvesting fields between Drobesh/Drobesh and Vitina/Viti. One was killed the other critically injured by a stab wound to his jugular artery.<sup>44</sup>

Of the cases investigated by the OSCE, eleven victims were Kosovo Albanian, and twenty-nine were Kosovo Serbs.

**(b) Specific sub-groups and specific locations:** The fact that the July, August and September cases occurred in clusters is suggestive of a degree of planning, or of cells operating at certain times in certain areas, and the September cases in particular are suggestive of the organised targeting of a specific group. This pattern emerged most obviously in two sets of cases, the first tied to a specific location, the second to a specific Kosovo Serb sub-group.

**Pones/Ponesh:** In Pones/Ponesh, a pattern of killings and attempted killings in a specific village was apparent. The OSCE, based on information received during a village visit to Pones/Ponesh, received information about eight killings in the village, and a spate of shootings. The killings, all of Kosovo Serb males, were on 19<sup>th</sup> June (two cases)<sup>45</sup> and 9<sup>th</sup> August (1 case). On 16<sup>th</sup> August, four Kosovo Serb males were shot at and wounded in the village: one other shooting followed in Pones/Ponesh, on 25<sup>th</sup> August. One Kosovo Serb male from the village remains missing.<sup>46</sup>

**Podgradje/Pogragje Grave: the Donje Livoc/Livoci i Poshtem victims:** On 4<sup>th</sup> July, three male Kosovo Serbs travelling on two tractors from Blace and Bujanovac went missing near Donje Livoc/Livoci i Poshtem, a village on the main road running through the Gnjilane/Gjilan region. Two were returning to Klokot/Kllokot, one to Vitina/Viti. A Priest from Partes/Partesh reported that he had seen the men in Donje Livoc/Livoci I Poshtem: no one reports having seen them after they entered that

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<sup>43</sup> GN/0088/99.

<sup>44</sup> The second victim survived.

<sup>45</sup> GN/0100/99, GN/0104/99 and GN/0105/99.

<sup>46</sup> New information on the cases was received in late September. The Human right team co-ordinated follow-up with UNMIK Police and the case has been reopened.

village. The Priest has since left Kosovo/Kosova. The two tractors were reportedly last seen in Gnjilane/Gjilan.<sup>47</sup>

On 20<sup>th</sup> July, the son of one of the missing men reported that a man asking for 2,500 German Marks for the release of the three men had approached him twice, on 18<sup>th</sup> and 19<sup>th</sup> July. When the families of the three missing men agreed to pay the money, they were told it was only enough for the tractors, not for the people. On 8<sup>th</sup> August the father of one of the Donje Livoc/Livoci i Poshtem victims was approached by a Kosovo Albanian who wanted to buy sheep. The sheep buyer asked the father if his son was missing, and the father confirmed this. The buyer said that the victim was fine, named a man allegedly in charge of the victim's detention, and asked for 7,000 German Marks for the man's son to be released. The father did not have the money, but offered his tractor which the man accepted the next day. The Kosovo Albanian returned to the victim's father again on 11<sup>th</sup> August, and was given 2,200 German Marks and some clothes for the victim. The victim's father also gave him 29 sheep, which were never paid for. None of the victims was seen again until their bodies were released to the families on 9<sup>th</sup> September.

**The Ranilug/Ranllug victims:** In the early morning of 10<sup>th</sup> July a group of three Kosovo Serbs travelled on two tractors through the woods behind the village of Ranilug/Ranllug. Later that morning fourteen Kosovo Serbs walked in four groups to the same wood to cut timber. One group reportedly saw the tractors heading through the forest. At approximately 06:40 hours, one group of four people was stopped by four masked men (three in green camouflage uniform, one in black civilian clothes) armed with automatic pistols. One of the masked men allegedly said, "stop, this is the UCK. Hands up." The four Kosovo Serbs obeyed. They were marched 200 metres to where four other Kosovo Serb were being held, guarded by one Kosovo Albanian in civilian clothes. A third group of six Kosovo Serbs was also detained and taken through the woods to another point, 100 metres from the first two groups. This group was robbed of jewellery and cigarettes. All fourteen were released after roughly three hours. The three Kosovo Serbs who left earlier on the tractors were not seen alive again.<sup>48</sup>

**The grave itself:** On 24<sup>th</sup> July OSCE was notified of the discovery of a grave near Podgradje/Pogragje and visited the site. OSCE documented the site which included visible body parts (feet, buttocks) and empty cartridge cases. An ICTY team arrived to exhume the bodies during the week of 6<sup>th</sup> August. 11 bodies were found in the grave. Two additional bodies were discovered on 6<sup>th</sup> August in the river near to the gravesite. Of the 11 bodies in the grave, three were identified as being those men who went missing on 4<sup>th</sup> July near Donje Livoc/Livoci i Poshtem and three others were identified as those who went missing on 10<sup>th</sup> July from the village of Ranilug/Ranllug. Donje Livoc/Livoci i Poshtem is 10 kilometres from the grave at Podgradje/Pogragje and Ranilug/Ranllug is 16 kilometres from the grave.

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<sup>47</sup> GN/0039/99, GN/0046/99 and GN/0047/99.

<sup>48</sup> GN/0045/99.

In the course of its enquiries, the OSCE was told that one of the Ranilug/Ranllug victims was a Serb policeman who had been absent from the village during the conflict, operating in another area. OSCE was also notified about a house in the nearby village of Ugljare/Uglare that was used as an alleged UCK detention facility. OSCE visited the house and observed walls in the cellar that appeared to have been painted with oil in an attempt to mask bloodstains.<sup>49</sup> KFOR's investigation led to the arrest of a Kosovo Albanian who denied involvement in the killings but admitted to being involved in the robberies in the forest near Ranilug/Ranllug on 10<sup>th</sup> July. The suspect told KFOR that he had just returned from the former Yugoslav Republic of Macedonia and that he had joined the UCK. He said he had simply been walking near the woods on the morning of the robberies and had been asked to help with the robbery. At the end of October, he was still in custody.

On 26<sup>th</sup> October, when KFOR revisited the gravesite, another body was discovered. KFOR believe it is linked to the original killings and was placed in the grave at the same time as the other 11 bodies.

It is highly improbable that 12 bodies could have been put by coincidence in the same shallow grave. If more than one set of perpetrators was involved, then at a minimum there must have been information exchanged about the gravesite and its location. It is more likely that the same people were involved and brought all the bodies to the gravesite. Given the different dates of abduction for the two missing groups, this suggests that the abducted may have been held elsewhere.

Since the discovery of the grave at Podgradje/Pogragje, there have been further abductions of small groups, including three Kosovo Serb males taken on 30<sup>th</sup> July in Dobrcane, and two Kosovo Serb males taken from outside the Church Board in Gnjilane on 29<sup>th</sup> July.<sup>50</sup> These incidents contributed enormously to the general feeling of fear and intimidation, and resulted in increased restrictions of freedom of movement for the Kosovo Serb population.

**(c) The Elderly:** Among the general pattern of killings, one other specific trend also emerged: in early September, middle aged and elderly victims were targeted. This pattern began on 9<sup>th</sup> September with the shooting near Kmetovce/Kmetofc of two

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<sup>49</sup> OSCE received similar reports about the house in Ugljare/Uglare and reported the information to KFOR who visited the site that was then empty. Ugljare/Uglare is one of the places repeatedly mentioned to OSCE as being a UCK detention centre. Ugljare/Uglare is roughly 7 kilometres from Donje Livoc/Livoci i Poshtem and 10 kilometres from Ranilug/Ranllug. It is four kilometres from the gravesite near Podgradje/Pogragje.

<sup>50</sup> A summary of missing Serb males in the area follows: 22<sup>nd</sup> June, one Kosovo Serb male went missing in Gnjilane/Gjilan (GN 5); 25<sup>th</sup> June, one Kosovo Serb male went missing in Gnjilane/Gjilan (GN/0017/99); 4<sup>th</sup> July, one Kosovo Serb male went missing in Malisevo (GN/0035/99); 4<sup>th</sup> July, three Kosovo Serb males, the Donje Livoc/Livoci i Poshtem victims, went missing (GN/0039/99,GN/0046/99,GN/0047/99); 5<sup>th</sup> July, one Kosovo Serb male went missing in Gnjilane/Gjilan (GN/0031/99); 6<sup>th</sup> July, one Kosovo Serb male went missing in Gnjilane/Gjilan (GN/0029/99); 8<sup>th</sup> July, one Kosovo Serb mentally disabled male went missing in Gnjilane/Gjilan (GN/0040/99); 9<sup>th</sup> July, one Kosovo Serb male went missing in Gnjilane/Gjilan after a witness reported seeing him in the UCK Internat building (GN/0041/99); 10<sup>th</sup> July, the three Ranilug/Ranllug victims disappear; 14<sup>th</sup> July, one Kosovo Serb male disappeared, after a witness reports he taken from his apartment in Gnjilane/Gjilan to the UCK Internat building.

Kosovo Serbs, a 56-year-old male and a 57-year-old female.<sup>51</sup> This was followed on 13<sup>th</sup> September by a shooting on the main Bujanovac-Kosovska Kamenica/Kamenice road, in which one Kosovo Serb male was killed and one 65-year-old Kosovo Serb female was severely wounded. From 14<sup>th</sup> to 20<sup>th</sup> September, the home of 50-year-old Kosovo Serb male and one 52-year-old Kosovo Serb female was targeted and the occupants threatened. These incidents began with the Kosovo Serb male being followed, and culminated on 20<sup>th</sup> September with an explosive device being thrown into his property, the explosion being followed by a telephone call allegedly asking “why are you still alive?”<sup>52</sup> In Kolarci, one 82-year-old Kosovo Serb female was burned to death in her home, having previously been threatened and beaten.<sup>53</sup>

The trend has continued, with two Kosovo Serb males, a 66-year-old and a 40-year-old killed while travelling to Vrbica to collect belongings left behind when they evacuated their house in July to move to the Kosovo Serb village of Silovo/Shillove. Many of the Kosovo Serbs that remain in the province are elderly. It is this group that expresses its wish to stay in Kosovo/Kosova most strongly and it is common to hear elderly people say that they have always lived in Kosovo/Kosova, that it is their only home, that they have nowhere else to go and that they have no means to leave.

### **3. The Missing**

Three lists of the disappeared relate to the Gnjilane region for the period from K-Day to the end of October: KFOR’s central missing persons database, containing some 52 cases; the Church Board lists, containing 59 cases and the OSCE list, now containing 25 open cases for this reporting period.<sup>54</sup> Some of the cases are duplicates.

Both individuals and small groups of two or three people have gone missing. The OSCE, Church Board and KFOR lists all confirm this. Two clusters of abducted turned up in the same Podgradje/Pogragje grave.<sup>55</sup> A third cluster, of two Kosovo Serbs separated and taken from a group including five Kosovo Albanians all in the same Water Works company shuttle van, is also demonstrative of planning and organisation.

Two people went missing on 25<sup>th</sup> June, from Gnjilane/Gjilan. More went missing in Gnjilane/Gjilan, each on separate days: 5<sup>th</sup>, 6<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, 12<sup>th</sup>, 14<sup>th</sup> and 17<sup>th</sup> July. On 23<sup>rd</sup> July, in Klokot/Klllokot, one man went missing: his body was discovered on 27<sup>th</sup> September. On 24<sup>th</sup> July, a 64-year-old Kosovo Serb man went missing in Gnjilane/Gjilan whilst going to market.<sup>56</sup> On 29<sup>th</sup> July, Gnjilane/Gjilan was the scene of another disappearance, and one more person went missing that same day in Gorni Makres/Gornji Makres. On 4<sup>th</sup> August, one person disappeared in Dobrcane/Miresh.

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<sup>51</sup> GN/0123/99.

<sup>52</sup> GN/0133/99.

<sup>53</sup> GN/0134/99.

<sup>54</sup> The total registered cases was 31, but seven people on the list have been declared dead.

<sup>55</sup> Abductions: GN/0039/99, GN/0045/99, GN/0046/99 and GN/0047/99. Gravesite: GN/0086/99.

<sup>56</sup> GN/0077/99.

Organised criminal elements were maybe involved in these disappearances, although only one case has reportedly involved a ransom demand.<sup>57</sup> This example may suggest that opportunist criminals, on discovering that people were missing, decided to demand (successfully) a ransom, or that the original perpetrators decided to cash in further. The profile of the victims reviewed by the OSCE were that they were all male Kosovo Serbs. Their ages varied from 21 to 69 and their average age was just over 38. The locations from which they were taken varied greatly: many were taken whilst travelling alone or in small groups on the main road through the region;<sup>58</sup> two victims were taken from an escorted KFOR convoy;<sup>59</sup> others were taken, in broad daylight, from the streets of Gnjilane/Gjilan.<sup>60</sup> None of the families that OSCE has interviewed could think of any reason why their family members should have been taken, and in only one case, that of one of the Ranilug/Ranllug victims, has any evidence emerged that a victim was active in the Serb security forces. However, OSCE is limited in its ability to uncover full details of the background of victims and to make a thorough assessment of all the case files. Proper criminal investigations are required.

Six points can be made. One, disappearances are a direct cause of fear and insecurity. Two, they play a major part in limiting freedom of movement. Three, they appear targeted at the male Kosovo Serb population. Four, witnesses are afraid to talk. Five, for anyone who wishes to indulge in kidnapping, and to whatever end, the chances of detection and arrest are remote. Finally, as the human rights case law states, for the families, watching and waiting for the return of victims amounts to ill-treatment.

#### **4. Physical Integrity**

Reports of harassment, intimidation and ill-treatment have arrived in a steady flow between June and October. Indeed, the overall pattern of house burning, shooting and disappearance is in itself a form of harassment, since it creates fear and insecurity, not only for minority populations but for the whole population. The following analysis is based not only on those cases specifically reported as harassment, but also on reports of ill-treatment.<sup>61</sup>

Incidents of harassment and ill-treatment took many forms: shootings where the victim is wounded but not killed; grenade attacks; mortar attacks; beatings; specific threats and instructions to leave property, both written and verbal; and the use of insignia such as pennants and flags in cars and on buildings, or graffiti. Again, the trend was apparent immediately: on 19<sup>th</sup> June, a Kosovo Serb male was ill-treated during an unlawful detention in Koretin/Koretin by four or five alleged UCK members. The victim was released on 22<sup>nd</sup> June with cuts on his face and broken teeth.<sup>62</sup> Also on 19<sup>th</sup> June, five Kosovo Albanian civilians wearing green camouflage uniforms with UCK insignia stopped a Kosovo Serb man in the street in daylight

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<sup>57</sup> GN/GN/0039/99, GN/GN/0046/99 and GN/GN/0047/99.

<sup>58</sup> See, for example, the Donje Livoc cases, *ibid*.

<sup>59</sup> See, for example, GN/GN/0094/99.

<sup>60</sup> See, for example, GN/GN/0017/99, GN/GN/0029/99 and GN/GN/0083/99.

<sup>61</sup> It should be noted that in spite of the large number of harassment cases on file, in the opinion of the Human Rights team, cases of harassment are under-reported particularly among the Kosovo Albanian population.

<sup>62</sup> GN/GN/0013/99.

hours and forced him to hand over money.<sup>63</sup> On 28<sup>th</sup> June, an UCK insignia was placed on the shop of a Kosovo Serb: the shop was also looted and the owner ill-treated by perpetrators wearing UCK uniforms.<sup>64</sup> UCK involvement in June was much in evidence: every report of ill-treatment from 19<sup>th</sup> June to 1<sup>st</sup> July alleged that the perpetrators were UCK.<sup>65</sup>

Allegations of UCK involvement become more sporadic from early July, perpetrators being described more frequently as Kosovo Albanians. From early June, perpetrators in many cases claimed to work for the UCK/provisional TMK or were wearing UCK insignia or black or green camouflage. At times, perpetrators have said that they work for the UCK “police”. Both men and women have been targeted. Harassment may have taken place in home or shop premises, or out on the road at checkpoints. LDK members and at least one factory in Gnjilane/Gjilan were targeted.<sup>66</sup> Individuals may have been targeted more than once. On 24<sup>th</sup> July, a mixed Kosovo Serb/Bulgarian couple reported that they had been visited six times over three weeks by men searching for weapons: on 24<sup>th</sup> July they were given 24-hours to vacate their apartment.<sup>67</sup>

The population of specific villages had also been subject to persistent harassment and intimidation. One example was Cernica/Cernica, a village close to Gnjilane/Gjilan on which the Human Rights team researched and issued a special report on 8<sup>th</sup> October.<sup>68</sup> Cernica/Cernica has Kosovo Serbs on one side and Kosovo Albanians on the other with a permanent KFOR detachment located in the middle. Kosovo Serb villagers reported a series of incidents, many relating to attempts to retrieve property allegedly stolen from Kosovo Albanian villagers. More serious allegations of ill-treatment were also received.<sup>69</sup> OSCE Human Rights teams made a series of interventions. At the end of October, during one of its regular visits to the village, it was reported that one member of the KFOR detachment had been removed and that two Kosovo Albanians believed by Kosovo Serb villagers to be involved in the harassment had been arrested.<sup>70</sup> Kosovo Serb villagers stated that the situation had improved dramatically, that there had been no further incidents and that they were making preparations for the winter.<sup>71</sup>

**(a) Harassment and attempted forced eviction:** A Kosovo Serb family reported to OSCE that they were approached by a Kosovo Albanian male on 24<sup>th</sup> September and told to move out of their home by 28<sup>th</sup> September. The family was told to pass on the instruction to other families in the same street whose names were provided on a list. KFOR established a

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<sup>63</sup> GN/0014/99.

<sup>64</sup> GN/0015/99.

<sup>65</sup> GN/0002/99, GN/0003/99, GN/0015/99, GN/0023/99, GN/0027/99, GN/0041/99. See also reports from KFOR of 24<sup>th</sup> and 28<sup>th</sup> June.

<sup>66</sup> The Tobacco Factory. See below under Discrimination in Economic Life and Employment.

<sup>67</sup> GN/0060/99.

<sup>68</sup> Human Rights Gnjilane: Special Report on the Situation in Cernica/Cernica, 8<sup>th</sup> October.

<sup>69</sup> For example, a case in which a woman tried to intervene in an incident with KFOR and was allegedly held by the hair and shaken.

<sup>70</sup> One of the persistent complaints from Cernica/Cernica was that these two suspects had been identified to KFOR but never arrested.

<sup>71</sup> As with other villages which report persistent problems, a special Human Rights team is assigned to conduct regular visits to Cernica/Cernica to monitor and report on the situation.



checkpoint in the neighbourhood on 1<sup>st</sup> October and the families remained in their homes as of the end of October.

**(b) Shootings, grenade and mortar attacks:** Gunfire was, during much of July and August, a nightly and daily feature: OSCE's report of 10<sup>th</sup> August stated that, "automatic fire is now reported on a daily basis from Gnjilane/Gjilan, Silovo/Shillove, Ranilug/Ranllug, Kosovska Kamenica/Kamenice and Vitina/Viti." The village of Cernica/Cernica was twice in September subject to a spate of attacks including a shooting into a crowd by two men in an unmarked vehicle; shootings were reported on 6<sup>th</sup>, 7<sup>th</sup>, 12<sup>th</sup>, 14<sup>th</sup>, and again on 24<sup>th</sup>, 25<sup>th</sup>, 26<sup>th</sup> and 27<sup>th</sup> September, this time accompanied by grenade attacks. KFOR is permanently present in the village between the two communities.

Grenade attacks have been reported from Gnjilane/Gjilan, Kosovska Kamenica/Kamenice, Klokot/Kllokot, Vitina/Viti, Novo Brdo/Novo Berde and Cernica/Cernica. The majority of these attacks took place in Gnjilane/Gjilan itself, either against homes or shops. KFOR caught one perpetrator on 17<sup>th</sup> September: he is reported to have said his intention was "to frighten the Serbs but not to kill them." Nevertheless, KFOR declared officially on 26<sup>th</sup> September that they were treating all grenade attacks as attempted murders.

Women appeared to be the targets of a spate of grenade attacks in Gnjilane/Gjilan and Vitina/Viti in mid-August. This was perhaps the beginning of the trend of targeting perceived vulnerable groups that culminated in a spate of killings of elderly people in early to mid-September.<sup>72</sup>

The pattern of mortar attacks was most intense in late August and early September mainly on villages on the main roads to the west of Gnjilane/Gjilan.<sup>73</sup> The intense violence came, suddenly, to a halt prior to the demilitarisation of the (now former) UCK (19<sup>th</sup> September) and by the end of September, and into October, all those monitoring the situation believed that the intense violence was under control. They were wrong.

From 17<sup>th</sup> to 22<sup>nd</sup> October, a pattern repeated itself. On 17<sup>th</sup> October, a grenade was thrown into a Kosovo Serb house in Gnjilane/Gjilan and a shop belonging to another Kosovo Serb male was set alight. The following day, another grenade was thrown in the Kosovo Serb area, followed by rounds of automatic fire. Another house was set alight. On 18<sup>th</sup> October, Greek KFOR received a bomb threat: as a result, former UCK members were detained.

The week of 18<sup>th</sup> to 24<sup>th</sup> October was described in the OSCE Regional Centre Gnjilane/Gjilan twice weekly Report as "the most precarious since the end of the conflict." It was not that the level of violence was the worst ever seen in the AoR, for it was not: it was that the calm, or what passed for calm, was briefly but

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<sup>72</sup> See GN/0092/99 and GN/0093/99. The victims from Gnjilane were slightly injured and left Kosovo on 17<sup>th</sup> August, the day of the attack.

<sup>73</sup> KFOR has been looking since mid August for the "Mad Mortarman," who was operating in and around Vitina and Klokot, but have not caught him to date. He is said to be responsible for up to 20 incidents.

comprehensively shattered. The capacity for a return to intense violence was never so clearly illustrated.

On 18<sup>th</sup> October OSCE teams followed up a report that two anti-personnel mines were found near Vrbovac/Urbofc: both had been placed in cornfields known to belong to Kosovo Serbs, using tripwires tied to soon-to-be-harvested corn stacks.<sup>74</sup>

On 19<sup>th</sup> October automatic weapons fire in Vitina/Viti and Podgorce/Podgorc was followed by the launch of five Rocket-Propelled Grenades (RPG) rounds at the village of Mogila/Mogille in a salvo of three and a salvo of two: automatic fire followed, both at and from the Kosovo Serb quarter. A demolition charge damaged a house. KFOR found a large quantity of VJ uniforms in the search that followed the attacks.<sup>75</sup> Later the same day, a fragmentation grenade was thrown at the former LDK headquarters in Gnjilane/Gnjilan,<sup>76</sup> two grenades exploded in the Kosovo Serb quarter,<sup>77</sup> and a house was set on fire.<sup>78</sup>

On 20<sup>th</sup> October at 20:00 hours, a grenade was thrown into the kitchen of a Kosovo Serb house in Gnjilane/Gjilan. Two Kosovo Serb women, one a local employee for UNMIK, were injured, both were evacuated to Vranje/Vranje.<sup>79</sup> Half an hour later, two grenades were thrown at a Kosovo Serb house in Gnjilane/Gjilan: no one was injured.<sup>80</sup> Automatic fire was reported, directed at Kremenate/Kremenate.<sup>81</sup> In Gnjilane/Gjilan, KFOR found 7.62mm ammunition and hand grenades after searching the apartment of a Kosovo Serb male: three people were arrested.<sup>82</sup> Molotov cocktails were thrown into the window of a Kosovo Serb owned store in Kosovska Kamenica/Kamenice.<sup>83</sup>

On 21<sup>st</sup> October five MUP were seen in two vehicles in the vicinity of Podgradje/Pogragje: KFOR pursued them to the internal boundary.<sup>84</sup> Four Kosovo Albanians in black clothes broke into a Roma house in Gnjilane/Gnjilan and threatened the owners, accusing them of stealing and telling them to leave Kosovo/Kosova.<sup>85</sup> Three grenade attacks were reported in central Gnjilane: the grenades turned out to be home-made explosive devices, pellets and explosive packed inside soda cans.<sup>86</sup> An unexploded mortar was found near Silovo/Shillove. Four Kosovo Albanian men were wounded when they walked into a minefield near Vitina/Viti. KFOR conducted a cordon search of Kosovo Albanian houses in the

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<sup>74</sup> Regional Centre Gnjilane/Gjilan Twice Weekly Report 18<sup>th</sup>-24<sup>th</sup> October 1999.

<sup>75</sup> GN/VI/0006/99 and Regional Centre Gnjilane/Gjilan Twice Weekly Report 18<sup>th</sup>-24<sup>th</sup> October 1999.

<sup>76</sup> Regional Centre Gnjilane/Gjilan Twice Weekly Report 18<sup>th</sup>-24<sup>th</sup> October 1999.

<sup>77</sup> GN/0170/99.

<sup>78</sup> GN/0170/99.

<sup>79</sup> GN/0165/99.

<sup>80</sup> GN/0170/99.

<sup>81</sup> Regional Centre Gnjilane/Gjilan Twice Weekly Report 18<sup>th</sup>-24<sup>th</sup> October 1999.

<sup>82</sup> RC Gnjilane/Gnjilan Bi-weekly Report 3<sup>rd</sup> October.

<sup>83</sup> Regional Centre Gnjilane/Gjilan Twice Weekly Report 18<sup>th</sup>-24<sup>th</sup> October 1999.

<sup>84</sup> *ibid.*

<sup>85</sup> GN/0166/99.

<sup>86</sup> Regional Centre Gnjilane/Gjilan Twice Weekly Report 18<sup>th</sup>-24<sup>th</sup> October 1999.

villages of Ljubiste/Lupishte and Begunce/Begunce: they found one hand grenade, one assault rifle (AK-47) and a number of UCK uniforms.<sup>87</sup>

On 22<sup>nd</sup> October In Mogila/Mogille, a 63-year-old Kosovo Albanian male was shot in the shoulder and abdomen with a pistol: he was evacuated to US KFOR Camp Bondsteel.<sup>88</sup> Three explosions were reported from Pones/Ponesh. Two juveniles attacked a Kosovo Albanian woman in Gnjilane/Gjilan, striking her on the head.

These spate of attacks between 18<sup>th</sup> and 24<sup>th</sup> October in an area that had been relatively calm coincided with a major redeployment by KFOR as a battalion was transferred from Vitina/Viti to Gnjilane/Gjilan days before this most precarious week.

**(c) Harassment of Kosovo Albanians:** A general atmosphere of fear and intimidation cannot be confined to one community: it is pervasive. Not all Kosovo Albanians are affected, but some segments of the population clearly feel insecure.

One target group appears to be LDK members. OSCE has received information that LDK members have been approached and told to stop their political activities in the Gnjilane area, but it has proved impossible to get LDK members to file a case on this issue. KFOR reported in September that Kosovo Albanian shopkeepers who had continued to serve Kosovo Serbs had been threatened, or were being fined 100 German Marks for every sale to a Kosovo Serb.<sup>89</sup> In late September, a Human Rights team noticed that an instruction was being circulated throughout Gnjilane/Gjilan town. A copy of that paper was obtained. It is headed "Municipality Council in Gnjilane/Gjilan: Directorate of Economy and Finance, Tax Branch" and dated 24<sup>th</sup> September.<sup>90</sup> It refers to "Official Book No. 1 of the date 02 September 1999, Decree no. 3, article 12, paragraph 1 of decree for task of Provisional Government of Kosova." It contained an order for all juridical subjects, state and private, to value their stocks in order to calculate taxes. The taxes were to be levied at 10% of the value of the stock. Non-compliance would result in disciplinary measures in accordance with "article 23 from Official Book no. 1."

Other Kosovo Albanians have faced similar demands. An announcement on a private radio station in Gnjilane, run during the last week of October and into November, asked all local employees of international organisations to do their duty and give a "donation" to the provisional TMK.

## **5. Arbitrary arrest and detention**

Although the UCK does not have lawful powers of arrest, OSCE has received numerous reports of men dressed in UCK uniforms or identifying themselves to be UCK members to be involved in a pattern of arbitrary arrest and detention, sometimes accompanied by ill-treatment. This has been evident throughout June to October.

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<sup>87</sup> *ibid.*

<sup>88</sup> *ibid.*

<sup>89</sup> As with other reports of harassment against sectors of the Kosovo Albanian community, no one has filed a complaint.

<sup>90</sup> The self-styled Administration had not been endorsed by UNMIK at this date and, indeed, was not endorsed for over a month afterward.

The first reported case was on 19<sup>th</sup> June, when a Kosovo Serb male was detained by four or five UCK in Koretin/Koretin.<sup>91</sup> At least eight other victims report that they were taken to the UCK Headquarter building in Gnjilane/Gjilan and interrogated.

### **Assessment**

Harassment in many forms is the most pervasive and persistent trend in the Gnjilane region. UCK alleged involvement is a consistent feature, particularly early on in the reporting period. Not only Kosovo Serbs but Roma and Kosovo Albanians are subject to varying forms of harassment. While incidents involving Kosovo Serbs are the most acute, the general atmosphere of fear and intimidation resulting from arbitrary detention, ill-treatment and threats clearly has a chilling effect on Kosovo Albanian political parties, on minorities and on NGOs and will continue to do so.

## **6. Discrimination in Economic Life and Employment**

Industry in the Gnjilane/Gjilan region is centred in Gnjilane/Gjilan itself. Even prior to the conflict, the factories were not functioning at full capacity. Factories were overstaffed and stocked with out of date equipment. The infrastructure in Gnjilane/Gjilan is poor and deteriorating as a result of the current heavy usage. Although precise figures are not available, unemployment is high.

**(a) Employment** In late June and early July 1999 the self-styled authorities named “directors” to companies and public facilities. There is much dissatisfaction among the workers about those appointments. However, if almost all the persons interviewed agree on the fact that incompetent management was appointed in June, those same people are afraid to talk about it. The situation is largely described as being “locked up” by the self-styled civil administration and deeply influenced by corruption and nepotism.

UNMIK is not yet replacing the current management of the main companies because its believes that replacement Directors would suffer the same type and level of pressures as existing “directors” and would bring little change.<sup>92</sup>

Three of the main companies in Gnjilane/Gjilan are run by former school teachers: Binacka Morava (a construction company); 16 November and a Radiator Factory. Reportedly, political criteria have been predominant in the appointment of the IBG Battery Factor “director” and all LDK members have been sidelined.<sup>93</sup> Members of the Kosovo Serb community report that they do not feel welcome to return to their jobs. Given the pattern of appointments, allied to fear of moving, it is not expected that remaining Kosovo Serbs will go back to work. With no income, and no possibility of generating income, the pressure on them and their families can only increase.

**(b) The Hospital in Gnjilane/Gjilan:** At the end of June a hospital board composed of three Kosovo Albanians, two Kosovo Serbs and one KFOR representative was set

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<sup>91</sup> GN/0013/99.

<sup>92</sup> Statement given by UNMIK Administrator.

<sup>93</sup> Statement given by one engineer on the 22<sup>nd</sup> September.

up. Opposition to the inclusion of the Kosovo Serb representatives was expressed frequently, and the final result was that on 8<sup>th</sup> July one was taken out of the hospital and beaten up. The following day, Kosovo Serb patients were denied access to the hospital and a few days later, a Kosovo Serb surgeon was beaten up and a Kosovo Serb technician abducted. The present situation is that no Kosovo Serbs work at the hospital. Patients prefer to be hospitalised in Vranje outside of Kosovo rather than in Gnjilane/Gjilan or Pristina/Prishtine where only Kosovo Albanians are working and because of two cases in which Kosovo Serbs sent to Pristina/Prishtine Hospital died in allegedly “strange circumstances”.<sup>94</sup> Two reports show that Kosovo Albanians are also complaining about discrimination in access to jobs at the hospital reportedly based on political criteria and nepotism.<sup>95</sup>

**(c) The Water Plant in Prilepnica/Prilepnica:** The water plant had remained until the end of August 1999 the last example of Kosovo Serbs and Kosovo Albanians working together. On 24<sup>th</sup> August, a shuttle van transporting five Kosovo Albanians and two Kosovo Serb workers to the water plant was stopped by three unknown armed persons driving a large black car. The workers were asked to produce papers and when they did so, the two Kosovo Serbs were abducted and remain missing. Even though KFOR maintained a presence at the water plant, located a few kilometres north of Gnjilane/Gjilan, the last three Kosovo Serb workers live in fear for their security. Their Kosovo Albanian colleagues, similarly, live in fear of retaliation.<sup>96</sup>

A lack of skilled workers in the Water Plant means that the filtration system is failing for lack of proper maintenance: only two out of five filters are functional. At the beginning of November, capacity will be cut in half when KFOR and ICRC shut down one of the remaining filters to replace it. Once that task is complete, the other filter will be shut down and replaced.<sup>97</sup>

It is emphasised that the three Kosovo Serbs assigned to the Water Plant are the only members of that community working on the territory of Gnjilane/Gjilan municipality,<sup>98</sup> excluding the few hired by international organisations.

**(d) The Construction Company in Gnjilane/Gjilan - Binacka Morava:** Binacka Morava was originally located in the current OSCE Regional Centre building. In theory, the company is jointly run by one Kosovo Albanian, (a former teacher of mathematics) and two former directors of the company (one Kosovo Serb and one Turk). It appears, however, that the Kosovo Albanian “director” has been blocking all

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<sup>94</sup> Information given by Church Board on the 24<sup>th</sup> September. It was alleged that two patients had been refused treatment in Gnjilane/Gjilan hospital and had been transferred to Pristina/Prishtine hospital where they had died. Human Rights teams were unable to uncover more information on these cases. However, news of the cases had certainly spread fear among Kosovo Serbs: while interviewing the victim of an aggravated assault, whose father had been shot, an Human Rights team tried to encourage the victim to go to Pristina/Prishtine hospital under KFOR escort. The victim, his mother and the Church Board all refused absolutely to contemplate the victim’s removal to Pristina. Their reason was that Kosovo Serbs were not safe there, and that two Kosovo Serbs had died there in September .

<sup>95</sup> Case GN/0111/99 and GN/0112/99.

<sup>96</sup> GN/GN/0106/99.

<sup>97</sup> KFOR source.

<sup>98</sup> Information given by the Church Board on the 24<sup>th</sup> September.

attempts to make decisions about the company's future, especially decisions on the creation of a proper operational Board.

In practice, the company is split into three parts, the only one operational being the one run by the Kosovo Albanians, since it controls the construction material and the trucks. At the end of July 1999, it had collected 400,000 US Dollars from US KFOR contracts and is expected to collect much more in the future.<sup>99</sup> The other departments are not working and death threats have reportedly been sent by Kosovo Albanian "director" to his non-Albanian colleagues.<sup>100</sup>

Divisions within the company recently spilled over on 27 October. OSCE workers trying to reach the car park at the rear of the Regional Centre Headquarter building were denied access. Two guards had been posted at the gate by the "director" of Binacka Morava who demanded the use of the Regional Centre building. Negotiations to reopen access to the car park continued for a week, without success. OSCE approached the UN Regional Administrator and KFOR, obtained a legal document stating that the building was public and, therefore, under UN control, and served the document on the "director" of Binacka Morava.

**(e) The Tobacco Factory in Gnjilane/Gjilan:** The factory is run by former LDK members, the only managers to have been appointed who are not apparently linked to the UCK/ provisional TMK. The factory operates at between 20% and 30% of its capacity. In March, there were 592 workers, including 407 Kosovo Serbs and 185 Kosovo Albanians. At the end of September, 215 Kosovo Albanian workers are employed, but no Kosovo Serbs.<sup>101</sup> On 27<sup>th</sup> September, the "director" of the factory received a visit from two Kosovo Albanians claiming to be working for the UCK "Financial Police"<sup>102</sup> who asked to see the Company's financial records in order to estimate taxes.

## 7. Organised Crime

Organised crime has traditionally been strong in the Gnjilane/Gjilan area. It is believed that the absence of any police and judicial system and the presence of international organisations has contributed to an environment in which there has been an increase in the activity of organised crime.<sup>103</sup> Shopkeepers and restaurants appear to be blackmailed on a regular basis.<sup>104</sup> Other forms of pressures or of attempts to collect "taxes" seem to be developing. Shopkeepers who had bought their premises from real estate companies and businesses that were run by Kosovo Serbs are now being requested to buy the property again or to pay a rent to the same real estate companies, now run by Kosovo Albanians.<sup>105</sup>

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<sup>99</sup> Statement of 29<sup>th</sup> September.

<sup>100</sup> Statement from a worker at the company, 29<sup>th</sup> September. The worker wishes to remain anonymous.

<sup>101</sup> Statement given by the "director" of the Tobacco factory on 28<sup>th</sup> September.

<sup>102</sup> *ibid.*

<sup>103</sup> Statement given by KFOR investigators in Gnjilane/Gjilan.

<sup>104</sup> Statement given by UNMIK Administrator.

<sup>105</sup> Statement given by a shopkeeper in Gnjilane/Gjilan on 23<sup>rd</sup> September.

## 8. The Effects on the non-Albanian Population

Motivation for leaving an area takes many forms, but can be described in two broad categories. First, push factors, such as general feelings of insecurity, lack of education for children, or being subject to specific threat or attacks. Second, pull factors, where people move because of ties elsewhere, such as having family members abroad or in other areas of FRY. Those non-Albanians who stay include the elderly who have lived in Kosovo/Kosova all their life. Others stay because they have no means of leaving, lacking income, family ties, or fearing to move because of the security situation. Others say that they face discrimination in FRY, but would move elsewhere if possible. One Kosovo Serb woman says that she stays in Gnjilane/Gjilan because her husband is missing, and she will not move until he is returned to her.<sup>106</sup>

Overall, the security situation has pushed Kosovo Serbs and Roma out of Kosovo/Kosova. Based on the figures established by UNHCR,<sup>107</sup> the Kosovo Serb community in Gnjilane/Gjilan town prior to the conflict was estimated at 5,982 individuals. While the Orthodox Church Board gave at the end of July an estimation of 4,000 and one month later of 3,400,<sup>108</sup> the Kosovo Serb population in Gnjilane/Gjilan town is now estimated (24<sup>th</sup> September) by the same Orthodox Church Board at approximately 1,500.<sup>109</sup> UNHCR figures differ: at the end of July, they estimated that 3,225 Kosovo Serbs remained in Gnjilane/Gjilan town itself and that at the end of October, the figure had dropped to 2,100.<sup>110</sup>

Within Gnjilane/Gjilan town, the Kosovo Serb community has moved during the last three months to one neighbourhood around the Church. Only a few of them are living in other parts of the town. Enclaves remain in Silovo/Shillove<sup>111</sup> and Ranilug/Ranllug.<sup>112</sup> In Kosovska Kamenica/Kamenice and Koretin/Koretin, the Kosovo Serb population has been squeezed into one end of both villages. In Cernica/Cernica, generally described as mixed, the Kosovo Serb and Kosovo Albanian communities live on either side of a dividing line marked by the KFOR permanent presence. In Vitina/Viti, the moderate Kosovo Serb who had persuaded others to stay and whose restaurant is now the only property not targeted by attacks, is preparing to leave.

Statements given at the end of September by representatives of the Kosovo Serb community show that with the exception of a few elderly people, all members of the

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<sup>106</sup> See also the case of the family of one of the Podgradje/Pogradje victims, who left Kosovo immediately after the funeral.

<sup>107</sup> Kosovo Village List, GIS Unit, UNHCR, 9<sup>th</sup> March 1999.

<sup>108</sup> See Preliminary Assessments of the Situation of Ethnic Minorities in Kosovo by UNHCR/OSCE of the 26<sup>th</sup> July and 6<sup>th</sup> September. Church Board figures on the size of the Kosovo Serb population tends not to be as reliable as other information provided by the Church Board. It is emphasised that a lot of Kosovo Serbs do not dare to report to KFOR or even to the Church Board, for fear of retaliation or further harassment. A visit of KFOR is often not welcomed by the victims. This phenomenon does not only concern particularly frightened elderly people but also others, including the few Kosovo Serbs currently working for International Organisations.

<sup>109</sup> See Annex 1: Reports on the period from 15<sup>th</sup> June to 21<sup>st</sup> September.

<sup>110</sup> Information supplied by UNHCR, 4<sup>th</sup> November.

<sup>111</sup> 1236, of which 268 are IDPs (UNHCR).

<sup>112</sup> 954 (UNHCR).

community currently living in Gnjilane/Gjilan town are thinking of leaving Kosovo/Kosova. Kosovo Serbs have started to sell their properties and prices appear to amount to approximately 30 to 50% of the pre-war prices. The owner of a building with two floors (shop and private accommodation) which had been bought in 1996 for 300,000 German Marks was “invited” to sell it for 20,000 German Marks.<sup>113</sup> So far he has refused the offer. It is not possible to know the number of real-estate transactions since they are not registered: the UN Regional Administrator reports that he does not have the staff resources to operate a registration system.

### **9. Effects on other minority communities: Croat Catholics**

Harassment and intimidation are not confined to the Kosovo Serb and Roma communities; one other minority community has also suffered.

Prior to the conflict, approximately 700 Kosovo Croats lived in Vitina/Viti municipality, primarily in five villages: Letnica/Letnice, Vrnavokolo/Vernakolle; Vrnez/Vernez; Sasare/Shashare; and Perutinovice/Perutinovice. The population has been leaving those villages in a steady flow since K-Day. By the end of August, their number was reduced to 456,<sup>114</sup> and by late October, to 360.<sup>115</sup> There is a small Catholic Albanian community in the same area, and during the conflict, two Croat Catholic Priests helped to maintain co-operation with the VJ, providing a relatively high measure of protection to the Catholic Albanian community.

OSCE teams have visited these villages several times since early September to assess the situation, speaking mainly to the two Croat Catholic Priests. According to the Letnica/Letnice Priest, the mood of the Croat Catholic population was of “despair and resignation.” The population felt trapped between the remaining Kosovo Serb and Kosovo Albanian communities, and lacked representation on any authority or administrative body. Relations with both other communities had deteriorated, and the Croat population was being targeted by unknown Kosovo Albanians. One person was killed, houses had been searched for weapons, members of the community have been harassed, and several people have been beaten.<sup>116</sup> As a result, the Croat Catholic community is leaving for Croatia.

The Croat authorities reportedly dispatched Government representatives to try to persuade the population to stay in Kosovo. Their interventions have failed: two thirds of the remaining population of 46 families signed a petition to President Tudjman, expressing their fears and asking for assistance.

A follow-up visit by OSCE on 12<sup>th</sup> October, to the village of Vrnez, revealed that only six of originally 14 families remained in the village. OSCE spoke to members of one of the remaining families who were also preparing to leave. They cited fear of harassment, fear for the winter and lack of protection: on 24<sup>th</sup> September, KFOR had moved from 24-hour patrols to night-time only. Both UNHCR and OSCE conducted a series of visits to the Croat Catholic villages during October. It appeared that trust

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<sup>113</sup> Statement given by the Church Board on 24<sup>th</sup> September.

<sup>114</sup> Source: UNHCR and Second Minorities Assessment.

<sup>115</sup> Source: UNHCR and visits conducted by Human Rights teams during the month of October.

<sup>116</sup> Situation Report on the Croats of Letnica, OSCE Human Rights team, 9<sup>th</sup> October.



was increasing, and that some families might opt to stay.<sup>117</sup> But, on 29<sup>th</sup> October, 306 Croat Catholics from the five villages boarded a bus and left Kosovo for Croatia.<sup>118</sup>

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<sup>117</sup> See Report on the Croat Catholics of Vrnez, 12<sup>th</sup> October.

<sup>118</sup> According to UNHCR, 54 people remain.





Photo: Thomas Dworzak

KFOR guarding elderly Kosovo Serbs

## **PEC/PEJE: POWER WITHOUT LEGITIMACY**

### **A. Overview**

Heavily damaged during the conflict, many who returned to the Pec/Peje Area of Responsibility (AoR)<sup>1</sup> remained displaced. Kosovo Albanian property was the most heavily damaged. In Pec/Peje municipality, 68% of the residential buildings in outlying villages were heavily damaged or destroyed.<sup>2</sup> Returnees sought shelter in Pec/Peje town, 55% of which was destroyed, swelling the pre-conflict population from an estimated 85,000, to more than 102,800. Damage in the rural Klina/Kline municipality was estimated to include 54% of the buildings, while damage to Klina/Kline town was 30%. In Istok/Istok, 67% of houses in the rural area were badly damaged. In Decani/Decan, 80% damage had already been sustained in the offensive of summer 1998.<sup>3</sup> In Djakovica/Gjakove,<sup>4</sup> the self-styled administration established two commissions to conduct its own damage assessment. The subsequent evaluation showed that 5,500 houses had been completely destroyed, including 1,430 in Djakovica/Gjakove town alone, 1,200 non-residential buildings were destroyed, and 21 Kosovo Albanian religious sites burned and destroyed with the industrial sector also heavily damaged.<sup>5</sup> Damage was minimal in the predominantly Kosovo Catholic Albanian villages along the Beli Drim valley.

NATO-inflicted damage was also considerable in the region, with most of the VJ and MUP facilities badly hit. Four out of six VJ camps in the AoR were completely destroyed,<sup>6</sup> one was badly damaged<sup>7</sup> and one slightly damaged.<sup>8</sup> The main regional MUP station in Djakovica/Gjakove was destroyed by NATO air strikes. Air strikes also destroyed the bridge over the Beli Drim River near the road junction with Klina/Kline.

OSCE property fared badly: two out of three locations in Pec/Peje town were looted and damaged and the other suffered some collateral damage from air strikes. Most houses rented to OSCE-KVM staff were destroyed by fire. On the day of the OSCE-KVM evacuation (20<sup>th</sup> March) a Serb policeman reportedly forced his way into the OSCE-KVM building in Djakovica/Gjakove, removed the OSCE flag and looted the offices, leaving only the furniture. An OSCE-KVM local employee was ordered to be present and was given a receipt for the items taken. The OSCE-KVM Field Office in

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<sup>1</sup> The OSCE Pec/Peje Area of Responsibility includes the municipalities of Pec/Peje, Decani/Decan, Djakovica/Gjakove, Istok/Istok and Klina/Kline.

<sup>2</sup> All figures were taken from the UNHCR Damage Assessment report, dated 7<sup>th</sup> July 1999, for buildings classified as Category 3, 4 and 5. UNHCR Category 3 (up to 30% roof damage; light shelling or bullet impact on walls; partial fire damage; could be repaired): or Category 4 (over 30% roof damage; severe fire damage; need for replacement of floors; doors and windows destroyed; could be repaired): Category 5 (destroyed, needs reconstruction, cannot be repaired).

<sup>3</sup> The villages of Gornji Streoc, Decani/Decan, Prilep and Glodjane were completely destroyed in the offensive.

<sup>4</sup> Under Tito's regime, Djakovica/Gjakove had jurisdiction over Decani/Decan and Orahovac/Rahovec. This jurisdiction was rescinded under the Milosevic regime. There was some Kosovo Albanian resentment that UNMIK had not reverted to the pre-Milosevic boundaries.

<sup>5</sup> Amongst the religious sites destroyed was the Hadum Mosque, one of the oldest buildings in Djakovica/Gjakove. Source: Assessment of the (self-styled) Municipal Administration.

<sup>6</sup> One of two camps in Djakovica/Gjakove was destroyed, as were camps in Deva/Deve, Damjane/Damjan and Babaj Boks/Babaj i Bokes.

<sup>7</sup> The VJ camp in Kosare/Koshare, since taken over by the (now former) UCK.

<sup>8</sup> The second camp in Djakovica/Gjakove town.

Rogovo/Rogove was also looted and then destroyed. The Klina/Kline Office was booby-trapped. The two OSCE-KVM Offices in Istok/Istog municipality were looted; one was partially burned, the other was destroyed by fire. The interior of the Decani/Decan office was destroyed.

The Serb police between 23rd and 26th March reportedly killed one former local staff member of OSCE-KVM in Pec/Peje. Many local staff left Kosovo/Kosova, not all of whom had returned. Two former security guards from Klina/Kline remain missing and the body of a third was found in the mass grave at Kralanje/Kralan. Another OSCE-KVM local employee was forced to accommodate between 15 and 50 VJ and Serb police for 72 days. Other former OSCE-KVM local staff were forced to flee: their houses were among the first to be looted and set on fire. Staff also fled from Istok/Istog, returning to find their houses burned.

Minority groups fared differently during the conflict and the way in which they acted or were treated had a major impact on their fate after K-Day. Catholic Albanians in Klina/Kline, for example, had fared better than their Muslim Slav neighbours in the sense that they were not forced to flee. Many, however, were allegedly forced to accommodate Yugoslav and Serbian security forces and had military equipment hidden in their compounds, gardens and orchards. Many were also victims of intimidation and extortion. As for the Roma population in Klina/Kline, some were forced to leave, others assisted the Yugoslav and Serbian forces and others were coerced into activities, such as the removal and burial of corpses. The Kosovo Serb, Roma and Muslim Slav populations of Istok/Istog tended to stay and were subsequently accused of collaborating with the Yugoslav and Serbian forces and of looting. Approximately 350 Kosovo Albanians and 600 Kosovo Serbs remained in Decani/Decan during the conflict. The Orthodox monastery became a place of shelter for some 150 of those Kosovo Albanians, along with 50 to 70 Kosovo Serbs from surrounding villages.

Refugees and internally displaced persons (IDPs) began to return to the area on 14<sup>th</sup> June. By 10<sup>th</sup> July, almost 60% of refugees had returned to the region and by the end of September, an estimated 95% of those displaced during the conflict had come back.<sup>9</sup>

## **B. Security**

KFOR arrived first in Djakovica/Gjakove in the early hours of 14<sup>th</sup> June, at which time there was still a VJ presence in the north of the town, and approximately 30 MUP. As they withdrew, KFOR moved in. Spanish KFOR entered the Istok/Istog region on 19<sup>th</sup> June, reaching full strength on 27<sup>th</sup> June. In Klina/Kline, 330 Italian troops were deployed by 29<sup>th</sup> June. At the end of October there were an estimated 5,222 KFOR troops in the Pec/Peje AoR, made up of contingents from Italy, Portugal, Spain and Russia.

By 23<sup>rd</sup> November 77 UNMIK Police were stationed in the Pec/Peje area, following initial deployment on 26<sup>th</sup> to 27<sup>th</sup> June. They maintained a functional presence in Decani/Decan, Klina/Kline, Istok/Istog and Djakovica/Gjakove.<sup>10</sup> At full strength,

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<sup>9</sup> According to UNHCR estimates.

<sup>10</sup> Deployment dates were as follows: Djakovica/Gjakove on 29<sup>th</sup> July; Istok/Istog on 17<sup>th</sup> August (initial deployment of three officers); Klina/Kline on 22<sup>nd</sup> August (initial deployment of three officers).

UNMIK Police will number 550 officers. In the interim, KFOR is responsible for ensuring public safety and order until UNMIK Police can take responsibility for this task.<sup>11</sup>

### **C. UN Interim Civil Administration**

The UN Regional Administrator arrived in Pec/Peje with a small staff in early July. In early August, the team was supplemented with eight Civil Affairs Officers. At the end of September, the office had 23 staff and three UN Volunteers. At full strength, the staff will number 50, assisted by UN volunteers. One UN Administrator has been assigned to each municipality.

In contrast to the UN deployment, the establishment of self-styled municipal authorities throughout the region was swift: “mayors” were in place by 16<sup>th</sup> June and departmental positions were quickly filled. The grip of the self-styled administration and its (now former) UCK security wing was and continues to be particularly strong in the former UCK stronghold of Djakovica/Gjakove. With the participation of the UCK and local political parties UNMIK set up municipal advisory boards, which assist in policy-making. Related administrative councils perform executive functions and also include the participation of locals. The control and influence of the self-styled authorities throughout Kosovo/Kosova is strongest in the Pec/Peje region. Nowhere is this more defined than in Djakovica/Gjakove<sup>12</sup>: between June and October Djakovica/Gjakove was the most obvious example of the power of the self-styled authorities and the ability of the (now former) UCK to maintain control of a town.

### **D. Human Rights Patterns and Trends**

By the time the Kosovo Albanians returned to the Pec/Peje region, most of the Kosovo Serb and other non-Albanian populations had already left. These minority groups were accused of collaboration with the Yugoslav and Serbian forces and were most fearful of retaliation, irrespective of whether they were actually guilty. With the primary targets gone, revenge attacks focused on three broad target groups. First, those who remained that had allegedly carried out minor supportive functions, such as transporting and burying corpses (as some of the Roma had done). Second, those who were associated with alleged perpetrators or collaborators, i.e. family members (or even just members of the same ethnic group). Third, those that had escaped persecution or appeared to have suffered less than others during the war.<sup>13</sup>

Not all of the attacks were retaliatory in nature, however. There were indications that some of the incidents reported may have been caused by material envy or opportunism: the chance to commit a mostly profit-oriented crime and act with impunity under the cover of the former UCK/now provisional TMK. Whatever the motivation behind the post K-Day acts of violence, the outcome was a general feeling

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<sup>11</sup> Report of the Secretary-General of the United Nations Interim Administration Mission in Kosovo of 12<sup>th</sup> July (S/1999/779).

<sup>12</sup> UN Civil Administrator.

<sup>13</sup> Statements made to OSCE Human Rights Officers. “There must be some reason the houses of the Muslim Slavs were not destroyed. They probably worked as spies for the police” or “Even the Gorani cannot be regarded as essentially apolitical ice cream-makers. They, like all other minority groups, have allowed themselves to be used by the Serb government for the formation of a multi-ethnic parliament in Kosovo in the past year which was designed to hurt the Albanian cause.”

of insecurity, mainly among minorities, but also among those Kosovo Albanians who were considered to be not supportive of the UCK cause.

In many cases, members of minorities (when specifically asked) reported threats, harassment and worse. The perpetrators often said that they were UCK, although the victims did not recognise any local UCK members. It was possible that the perpetrators were UCK from outside the area or that they used the UCK as a cover to legitimise their activities. Some UCK control was being exerted, however. In many cases the victims reported that once they had asked the (now former) UCK to intervene, the threats or harassment stopped.

Individual interventions on behalf of specific victims may have been successful, but there was no official UCK attempt to stop the overall pattern of harassment and intimidation, nor to condemn revenge in all its forms. The OSCE asked the UCK Zone Commander for Dukagjini/Dukagjini<sup>14</sup> specifically about incidents committed by men calling themselves UCK. His comments were illuminating:

1. How can you expect me to do anything as long as my people do not have roofs over their heads?
2. We no longer have policing powers; KFOR will have to deal with this;
3. I will not make a public statement against any revenge action unless directed to do so by Agim Ceku;<sup>15</sup>
4. It is not UCK. Anyway, we do not have a policy of killing people. We have a policy of killing the Serb interest in Kosovo/Kosova;
5. There is a difference between Serbs and other minorities. I will not deal with Serbs, but other groups sometimes approached us for help and sometimes we can help;
6. Anyway, my priority is my people. I have to take care of 1,400 soldiers and their families and the families of 400 soldiers who died. When that is taken care of we can look to other areas.

### **1. Djakovica/Gjakove**

Of all the self-styled authorities in Kosovo/Kosova, none was more developed than in Djakovica/Gjakove. The self-styled administrator was in place by 16<sup>th</sup> June and by 20<sup>th</sup> June the self-styled administration was functioning in co-operation with the Albanian National Democratic Party (PPsh) and two members of the local Democratic League of Kosovo (LDK).<sup>16</sup> In July, the self-styled local authorities organised refuse collection and conducted property assessments. In August the Djakovica/Gjakove authorities began distributing “Republic of Kosova” licence plates, the first recipients

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<sup>14</sup> OSCE meeting notes 1<sup>st</sup> September.

<sup>15</sup> Agim Ceku was the overall Commander of the UCK and is now the Commander of the provisional TMK (Trupat E Mbrojtjes se Kosoves, or Kosovo Protection Corps).

<sup>16</sup> Other local LDK members claimed that the two people on the self-styled authority were no longer party members. They did not recognise the legitimacy of the self-styled authority and had repeatedly asked the UN to take it over.

of which were the UCK leadership. By September, the authorities were collecting taxes, issuing business licences and reallocating residential properties. The two key criteria to the exercise of power by the self-styled administration in Djakovica/Gjakove were the ability to perform all necessary municipal functions and its “law” enforcement capability. “Law” enforcement was, and to a large extent remains, in the hands of the (now former) UCK “Ministry for Law and Order and Civil Defence.”

The UCK took control of the streets within hours of the Yugoslav and Serbian security forces’ withdrawal from the municipality of Djakovica/Gjakove: it directed and assisted returning refugees to their homes and villages; and quickly assumed policing duties, including traffic control. With this increasingly visible UCK presence came a rise in the number of allegations by victims (and eyewitnesses) in the municipality of UCK involvement in killings, abductions, detentions, evictions, house burnings, harassment and intimidation. There were numerous allegations of UCK involvement in attacks against minorities and Kosovo Albanians not deemed to be loyal to the UCK cause.

Ordinary criminality and organised crime were also widespread in the municipality. In late September, for example, counterfeit Dinar currency began to circulate and car theft increased. Complicating factors in the fight against crime were the different criminal gangs believed by KFOR and UNMIK Police to be active in the municipality. The long international border with Albania makes movement easy and detection difficult.

**(a) Right to Life, and Physical Integrity:** On 15<sup>th</sup> June five Kosovo Albanian males were reportedly stopped at a checkpoint in Jablanica/Jabllanice (west of Pec/Peje town) manned by Kosovo Albanians in UCK uniforms. They were questioned about alleged collaboration with the Yugoslav and Serbian security forces, held for seven hours and beaten. Three were later released. The other two were last seen sitting on a tractor with their hands tied behind their backs.<sup>17</sup> On 2<sup>nd</sup> July, three Catholic Albanians were taken into custody by men who identified themselves as the UCK, unlawfully detained in Djakovica/Gjakove and questioned in Rogovo/Rogove. All were beaten and two spent the night chained together in the basement before they were released. One of those detained has not been seen since.<sup>18</sup> On 16<sup>th</sup> July a male Kosovo Albanian was taken from his home for an “informative talk” by men claiming to be UCK. He has not been seen since.<sup>19</sup> The same day, another Kosovo Albanian male from Batusa/Batusa was detained and badly beaten by men dressed in UCK uniforms. On 21<sup>st</sup> July a Kosovo Albanian male, who had been a police officer for 27 years,<sup>20</sup> was taken from his car by three men, two of whom wore UCK uniforms and the third was dressed in black. The victim has not been seen since. On 27<sup>th</sup> July KFOR entered a local police station in which three Kosovo Albanians had been

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<sup>17</sup> It was reported that the couple who were separated from the others had accommodated a member of the local police in Doblibare/Doblibare. Villagers claimed that before the war, the UCK had armed the village, but the residents had handed the weapons into the VJ. The villagers felt that the UCK was angry with them.

<sup>18</sup> Source: UNHCR.

<sup>19</sup> *ibid.*

<sup>20</sup> The victim’s policing role was allegedly to check villages in his area and report any UCK activity. His wife denies that he ever played such a role.



detained by the UCK, accused of attempted kidnapping.<sup>21</sup> Reports of “informative talks” continued to be received in October when a Muslim Slav and Kosovo Albanian man told the OSCE that they had been detained and beaten at a UCK “police” station on 7<sup>th</sup> October. The Muslim Slav was accused of being a “MUP of Milosevic.” He was released after it was discovered that he had never been a member of the Serbian police. The Muslim Slav was required to submit a “letter of good behaviour” from the local SDA<sup>22</sup> leader and was contemplating leaving Kosovo/Kosova for security reasons.

In early September three Kosovo Albanian families accused of collaborating with the Serbs were evacuated by Caritas to Shkodra in Albania.<sup>23</sup> The families reported that individuals in UCK uniform had threatened, harassed and intimidated them. The house of one of the families, a member of which had been a policeman, was burned. In the second case, the male member of the family was accused of collaborating with the Serbs while employed at a local factory and of being involved in looting. Although the UCK reportedly told the man that he could return home, his wife was too afraid and the family left for Albania. The head of the third family was also a local policeman who went missing after the arrival of KFOR. UCK members reportedly revisited the house on several occasions and threatened to rape the daughter. For these three families and others accused of collaboration (and those that believed they would be accused) there was no fair trial. Those who intimidated them assumed their guilt.

Alleged UCK activities in Djakovica/Gjakove were not confined to interrogations, detentions and abductions. After the withdrawal of the Yugoslav and Serbian forces, UCK members began allocating apartments and expelling the remaining Kosovo Serbs.<sup>24</sup> By 22<sup>nd</sup> June, there were only 50 Kosovo Serbs left in Djakovica/Gjakove. The UCK reportedly visited each Kosovo Serb apartment, knocking on the door and threatening to burn the building if the occupants did not leave. Kosovo Albanians believed to be collaborators were also threatened and told to leave their homes. Some of the seized apartments were then reportedly offered to and occupied by UCK veterans, while other apartments were “sold” to Kosovo Albanian families. The “Commission for Urbanism” of the self-styled administration was said to be in charge of these “transactions.” The pattern was repeated as late as 17<sup>th</sup> September, when people in civilian clothes claiming to be from the UCK broke into a Kosovo Albanian’s apartment in Djakovica/Gjakove and threatened the occupants. The apartment was apparently needed to house the perpetrators. At the end of August the only remaining Serbs in Djakovica/Gjakove were seven elderly people who sought refuge with the Patriarchy of Pec/Peje.

KFOR actively searched for alleged UCK detention centres, raiding the Eroniku factory and the Auto School in Djakovica/Gjakove without results. In July, KFOR raided a locally known UCK base in Junik/Junik, but did not find any detainees. The OSCE interviewed one man who claimed to have been held at the UCK Junik/Junik base for 22 days in June and July. The detainee told OSCE that uniformed and armed

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<sup>21</sup> Source: UNMIK Mission Liaison Office, 28<sup>th</sup> July.

<sup>22</sup> Stranka Demokratska Akcije, Party of Democratic Action (a Muslim Slav party, originally from Bosnia, headed by Alija Izetbegovic).

<sup>23</sup> OSCE Pec/Peje Regional Centre report 6<sup>th</sup> to 7<sup>th</sup> September.

<sup>24</sup> Source: Information Centre Djakovica/Gjakove.

UCK had entered his house and then taken him to Junik/Junik. He was forced to work during the day performing menial tasks such as cleaning and loading trucks. He and another 15 detainees were beaten and interrogated.<sup>25</sup> He was told to sign a statement saying that he had co-operated with the Serbs and had stolen and raped. He stated to the OSCE that he had not committed these crimes. He said that when KFOR came one day to search the detention facility the UCK captors took the detainees outside and hid them in the forest until KFOR left. Allegedly, after the KFOR search two Kosovo Serbs and three Roma were transferred to an unknown location while the remaining ten Roma were released.

**(b) Roma:** There remain numerous Roma communities within Djakovica/Gjakove.<sup>26</sup> This community is a very diverse group. Those Roma that speak Serbian and identified themselves more with the Serb cause left with the Yugoslav and Serb security forces; those who remained have been the targets of killings, house burnings, evictions, harassment and intimidation.

In July there were a spate of arsons, grenade attacks and harassment of Roma families living in small settlements near Kolonija/Kolonija outside Djakovica/Gjakove. At the end of July, more than 1,000 Roma from these isolated hamlets fled to a makeshift camp near the cemetery in Djakovica/Gjakove. The families huddled at one end of a bridge secured by KFOR. More families fled from nearby villages to the bridge because of the KFOR protection. Efforts to increase KFOR patrols in the villages from where the Roma fled did not prevent the development of a crisis situation.

In early August the Roma living at the Djakovica/Gjakove bridge camp swelled from 370 to 1,000 in a matter of days. Living conditions were terrible and UNHCR worked relentlessly to find alternative sites and to improve the security in the villages from where the Roma fled. UNHCR planned to move the group to a more suitable location in the area of Decani/Decan until a more permanent and long-term solution could be found. Relations between the Roma at the bridge and the nearby Roma community of Brekovac/Brekoc became tense. The latter believed that the presence of the IDPs made the whole security situation worse.

By the third week of August the situation with the Roma at the bridge camp became critical. In frustration, the Roma gave the international community a deadline of 22 August to find an acceptable solution. UNHCR and OSCE worked with the group to encourage them not to do anything reckless. The group insisted on getting assistance to relocate to a third country. When KFOR stated that it was unwilling to provide transport the Roma made their own arrangements. On 24<sup>th</sup> August, approximately 450 Roma boarded six buses and left for Montenegro.

The neighbourhood of Brekovac/Brekoc was inhabited by Hashkalija<sup>27</sup> who speak the Romany language. Prior to the departure of the bridge camp IDPs the Hashkalija had

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<sup>25</sup> Two detainees were Kosovo Serbs and the remainder Roma.

<sup>26</sup> At the end of July there were an estimated 5,000 Roma living in Djakovica/Gjakove. That number fell on 24<sup>th</sup> August when 450 Roma left for Montenegro. See UNHCR/OSCE Preliminary and Second Assessment of the Situation of Ethnic Minorities in Kosovo Reports, dated 26<sup>th</sup> July and 6<sup>th</sup> September, respectively.

<sup>27</sup> This group had called themselves Egyptian for the last 10 years. The term "Hashkalja" was also used by Roma from other areas of Kosovo/Kosova.

experienced harassment and intimidation that included drive-by shootings, beatings and Kosovo Albanian males pounding on front doors. Initially the UCK provided members of the Hashkalija with a document that permitted them to travel. This was then suspended and no travel authority was required. After the departure of the 450 Roma from the bridge camp and the subsequent return of other Roma to their villages following the provision of increased KFOR security, those living in Brekovac/Brekoc reported no significant security incidents. As had been seen elsewhere, an increased KFOR presence had a significant impact on physical and psychological security.<sup>28</sup>

Kolonija/Kolonija was an isolated Roma settlement on the outskirts of Djakovica/Gjakove. While some families left for Montenegro, a few also returned. Their neighbours were mostly ambivalent about the Roma presence, but not hostile. UNHCR and NGOs developed a community-wide approach to the distribution of aid in order to encourage families to remain in the community and try to improve relations with their Kosovo Albanian neighbours. Approximately 45 Roma families remained in this village with 24-hour KFOR protection. Some members of this group were previously with the Roma IDPs at the bridge camp in Brekovac/Brekoc, but chose to return to their homes and families. The group was divided between those who wished to remain in the village and those who wished to move to Montenegro.

The Roma in Kolonija/Kolonija complained about a lack of freedom of movement and were conscious of the security threat when they travelled to Djakovica/Gjakove. They said that they had to face that threat in order to work and purchase those goods not provided by NGOs. They received many verbal threats from Kosovo Albanians and some members of the group have been physically assaulted.<sup>29</sup> They felt that they were prisoners in their own homes.

Within the town of Djakovica/Gjakove there was another distinct Roma community that has retained a level of proficiency in the Romany language. There were approximately 40 Roma families remaining in the Mahalla Sefes area of Djakovica/Gjakove. The Kosovo Albanian director of the local school was committed to ensuring their integration into the community despite pressure from the Kosovo Albanian members of the community seeking to prevent this. The School Director himself went from house to house to register the Roma children for the new school year. In order to ensure their security he arranged for the establishment of an escort system whereby the teachers walk with the children to and from school.

**(c) Catholic Albanians:** Catholic Albanians in Kosovo and evangelical groups have faced continued intimidation and harassment. The basis for the intimidation does not appear to have been religious: the groups were viewed with suspicion by Kosovo Albanian returnees simply because they stayed in Kosovo/Kosova during the conflict. Such suspicion was fuelled by the fact that Catholic Albanian villages suffered relatively little damage during the conflict.<sup>30</sup> This was symptomatic of the post K-Day period throughout Kosovo: those who had suffered were spared while those perceived to have been spared were now made to suffer.

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<sup>28</sup> See, for example, the section on the Zupa Valley in the Prizren Regional Report.

<sup>29</sup> For example, on 6<sup>th</sup> August, during the night, three young men harassed a 60-year-old Roma woman from Kolonija/Kolonija. They threatened that they would burn the whole village at 03:00 hours. Neighbours rescued the woman and the village was not burned.

<sup>30</sup> Human Rights Core Group Meeting on 13<sup>th</sup> September.

Djakovica/Gjakove had the largest Catholic population in Kosovo/Kosova.<sup>31</sup> There were 14 villages in the area with a total Catholic Albanian population of approximately 10,000. There were over 70 confirmed detainees from the area currently held in Serbian prisons and the Catholic Albanian village of Korenic/Korenica suffered a mass killing of over 180 persons during the conflict. The village of Doblbare/Doblbare was untouched by the war. Complaints were made to KFOR about shooting during the evenings. A UCK policeman was arrested for issuing letters to all villagers telling them to turn in their weapons to the UCK.<sup>32</sup>

The patterns discernible in Djakovica/Gjakove were repeated throughout the region, perhaps with less intensity, but no less effectively. Attacks on property and physical assaults were reported, attributed to various motives. A common feature of many attacks was the underlying intention to force minorities to leave and/or to ensure their silence through fear. This strategy was effective. Once again a consistent factor was the presence of the UCK and those presenting themselves, rightly or wrongly, as UCK. Even if these perpetrators misrepresented themselves, there was evidence that using the UCK as cover was effective.

## **2. Pec/Peje and Decani/Decan**

**(a) Right to Life:** There were relatively few allegations of violations of the right to life in Pec/Peje and Decani/Decan, but where violations were reported the victims appear to have been carefully targeted. The same pattern was evident throughout the region. The victims came from the few remaining members of minorities: Kosovo Serbs, Roma, Catholic Albanians and Muslim Slavs.

Of the killings that were reported in the municipality of Pec/Peje, five of the victims were Muslim Slavs, one Roma, one Kosovo Serb, three Kosovo Albanians and one unidentified. In two incidents, the victims had been ill-treated or tortured prior to death. In one case, the victims were accused of collaboration, but in the other cases no motive for the killings had been found or reported. Since the killings had generally taken place in what appeared to be mono-ethnic communities, it is possible that a self-imposed veil of silence descended. However, a more accurate conclusion might be that persistent pressure on those accused of collaboration, combined with threats and intimidation, had terrified people into silence. They had also, in many cases, terrorised the victims' families into leaving.

The bodies of a Muslim Slav couple accused of collaboration were found on 10<sup>th</sup> July on the riverbank in the centre of Pec/Peje town. They had been tortured before being killed.<sup>33</sup> On 27<sup>th</sup> July, four bodies were found; one Muslim Slav male; his Kosovo Albanian wife; and a Kosovo Albanian woman and her son. The bodies again showed signs of torture or ill-treatment prior to death. The motive for the killing was not

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<sup>31</sup> Source: The Priest of the Catholic Church in Bistrazin/Bistrazhin. The Priest explained that there was no division between Kosovo Albanians with regard to religion and that there was one goal of all Kosovo Albanians and that was to be equal with others regardless of religion. He was aware of the situation in the wholly Catholic Albanian village of Doblbare/Doblbare, but said that those who had committed crimes must face justice.

<sup>32</sup> Source: KFOR 21<sup>st</sup> September.

<sup>33</sup> UNHCR, Sitrep 6<sup>th</sup> to 11<sup>th</sup> July.

clear, since informants in the neighbourhood claimed that the victims were on good terms with their neighbours.<sup>34</sup> On 25<sup>th</sup> August another body was found, recently killed, in Drsnik/Drsnik. On 9<sup>th</sup> September, a Roma woman was killed in Zahac/Zahac. The victim lived alone, was reported to be on good terms with her neighbours and had received occasional visits from KFOR.<sup>35</sup> On 13<sup>th</sup> September two Muslim Slav women were found shot dead near the Zastava factory in Pec/Peje.<sup>36</sup>

A 61-year-old Muslim Slav male was shot when hunting rabbits near Vitimirica/Vitimirice on 15<sup>th</sup> October. The victim was speaking Serbian to his 14-year-old son when a Kosovo Albanian in a nearby field shot at them both. The father was hit six times, the son fled unharmed.<sup>37</sup> Three days earlier, OSCE had reported that the Muslim Slavs in the village continued to suffer intimidation, in spite of KFOR and UNMIK Police patrols.

**(b) Physical Integrity:** Fear took many forms and was created in numerous ways. It was not always linked to specific incidents, or even to any incident. It did not always follow specific patterns, or specific locations. It was not always violent. One allegation concerned a series of beatings in the area surrounding the Pec/Peje hospital, reported on 29<sup>th</sup> July: it was the same area in which three Kosovo Albanians and one Muslim Slav had been killed earlier in the week.<sup>38</sup> The original report was that patients in the hospital were being beaten, although this later proved false. Earlier, on 4<sup>th</sup> July, a former OSCE local employee was approached by a UCK member while sitting in a Muslim Slav cafe with friends and told not to give money or business to the Muslim Slavs, who were the “enemies” of the Kosovo Albanians.<sup>39</sup>

Apart from spreading fear and undermining the rule of law, such cases restricted freedom of movement and other rights. For the few Kosovo Serbs remaining in the Pec/Peje area, freedom of movement was at stake. By 23<sup>rd</sup> June, 300 Kosovo Serbs in the Patriarchy of Pec/Peje were being guarded by KFOR 24-hours a day. Some subsequently left. Very few approached the OSCE asking for help to return to their homes. On 28<sup>th</sup> July, the OSCE reported that Kosovo Serbs only felt safe to move between identified safe points and then only with a KFOR escort. Pressure subsequently grew to leave altogether and outflows continued: on 13<sup>th</sup> August, 10 Krajina Serbs announced their intention to leave for Montenegro; on 16<sup>th</sup> August, 30 Kosovo Serbs were assisted by the Patriarchy of Pec/Peje to travel to Montenegro. They were joined by other Kosovo Serbs en route and escorted by KFOR.

**(c) Peaceful Enjoyment of Property:** Property fires were the most prevalent acute trend in Pec/Peje Municipality. Between 6<sup>th</sup> and 11<sup>th</sup> July, UNHCR reported that over a two-week period an average of 10 houses a day had been burned. The trend continued, albeit with less intensity and by the second week of August an average of two to three house fires were reported each day. The fires, with one exception,<sup>40</sup> were all in Pec/Peje town and incidents were recorded on 7<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup>, 18<sup>th</sup>

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<sup>34</sup> Reported by UNHCR.

<sup>35</sup> UNHCR Sitrep 13<sup>th</sup> to 14<sup>th</sup> September.

<sup>36</sup> UNMIK Report, 13<sup>th</sup> September.

<sup>37</sup> PE/PE/0042/99.

<sup>38</sup> Bi-Weekly Pec/Peje Human Rights Report, 28<sup>th</sup> to 31<sup>st</sup> July.

<sup>39</sup> HR Record of Events, 5<sup>th</sup> July.

<sup>40</sup> The exception being a fire in the village of Orasje on 16<sup>th</sup> August.

and 24<sup>th</sup> August. Generally, Kosovo Serb houses were targeted. In one case a restaurant formerly owned by Kosovo Serbs but then taken over by Kosovo Albanians was destroyed by fire. It was likely that the restaurant fire was intended to kill the Kosovo Albanian owner and although this failed he was killed two weeks later.<sup>41</sup>

In the last week of August, a series of reports were received about forced evictions. The victims were generally found to have been living in houses or apartments previously owned by Kosovo Serbs. Repeatedly the perpetrators were said to be UCK and in many cases the apartments were offered to UCK veterans after the residents had moved out.<sup>42</sup>

**(d) Serb Returns:** Population movements were not all out of Kosovo. Amongst the other incidents that had affected the community in Pec/Peje municipality, the return of Kosovo Serbs to Gorazdevac/Gorazhdec exposed deep-rooted fear and suspicion among the Kosovo Albanian and Kosovo Serb communities. Again, a persistent theme was the question of suspected, but unproven, collaboration with FRY and Serbian Security by some of the Kosovo Serbs that wished to return. The Gorazdevac/Gorazhdec story was perhaps the most delicately balanced single issue outside Djakovica/Gjakove. It was also the most likely to initiate violence.

The village of Gorazdevac/Gorazhdec was the only remaining Kosovo Serb village in the Pec/Peje area and was therefore vulnerable. Every week groups of Kosovo Serbs returned to Gorazdevac/Gorazhdec under KFOR escort from other parts of Serbia and Montenegro. The size of the returnee groups varied and were composed primarily of Kosovo Serb internally displaced persons (IDPs) from Montenegro or the Kraljevo area in Serbia. Some returned with the intention of staying, while others returned only to check the condition of their property and assess the security situation. Those living in Gorazdevac/Gorazhdec but travelling outside of the area (to Montenegro, Kraljevo or Zubin Potok/Zubin Potok) to buy food and other supplies always needed KFOR protection.

At the end of October the estimated population had gradually increased in the village to 650 to 700 Kosovo Serbs. Some of the Kosovo Serb returnees were originally from Gorazdevac/Gorazhdec while others were from villages in Pec/Peje, Klina/Kline and the Istok/Istog areas. It was reported several times by Kosovo Albanians that alleged Kosovo Serb war criminals were among the returnees and might be using the KFOR convoy as cover for movements back and forth between Montenegro and Kosovo/Kosova. Kosovo Albanian villagers had also claimed that they could identify some of the temporary returnees as having been involved in house burnings and killing Kosovo Albanians. This caused severe distress amongst the Kosovo Albanian community. Further tension was evident because KFOR did not escort Kosovo Albanians from neighbouring villages through Gorazdevac/Gorazhdec. Pocesce/Poceste, for example, was a Kosovo Albanian village that had only one access road to Pec/Peje, which passed through Gorazdevac/Gorazhdec. The Pocesce/Poceste villagers had alleged repeatedly that they, as well as some NGOs, had been harassed and threatened by Kosovo Serbs when they tried to pass through Gorazdevac/Gorazhdec.<sup>43</sup>

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<sup>41</sup> The fire took place on 26<sup>th</sup> July (PE/PE/104/99).

<sup>42</sup> Human Rights Report 26<sup>th</sup> to 30<sup>th</sup> August.

<sup>43</sup> For example, InterSOS NGO.

Even the humanitarian movement of Kosovo Serbs through the Pec/Peje region had the ability to spark violence. Such deep rooted hostility to the presence of Serbs surfaced in late October when a UNHCR convoy of 155 internally displaced Kosovo Serbs relocating from Orahovac/Rahovec to Montenegro was violently attacked in downtown Pec/Peje. The convoy of four buses and 21 vehicles was under KFOR protection when one of the cars broke down between Decani/Decan and Pec/Peje. The four buses and several vehicles continued and entered Montenegro by-passing Pec/Peje without incident but the second part of the convoy got separated and took a wrong turn and entered into the centre Pec/Peje. They became stuck in a market-day traffic jam. Kosovo Albanians claimed that the old, young and sick Kosovo Serbs in the vehicles had taunted them and soon a crowd of several hundred Kosovo Albanians surrounded the 17 cars. They began throwing rocks and attempted to pull the Kosovo Serbs from the cars. KFOR soldiers assisted in extracting the 35 Kosovo Serbs and transported them to the Italian Carabinieri building in Pec/Peje. Kosovo Albanians then set the 17 vehicles on fire. A crowd of nearly 2,000 surrounded the Carabinieri building. Only after the former UCK leader and the provisional TMK commander addressed the crowd did the 2,000 disperse and calm was restored. Later that night KFOR transported the Kosovo Serbs to Montenegro.

### **3. Istok/Istok and Klina/Kline**

**(a) Right to Life, and Physical Integrity:** In Istok/Istog both Muslim Slav and Roma communities suffered. Four Roma were shot dead in Istok/Istog on 31<sup>st</sup> August. According to friends from the village, the head of the family had many Kosovo Serb friends and was a member of the SPS.<sup>44</sup> They suspected that these associations were the primary motive for the murder; the other three family members who first witnessed the murder were then also killed.<sup>45</sup> In Zac/Zhaq, as a result of the killing of two Roma and the disappearance of two more, the remaining Roma did not feel safe and they asked for 24-hour KFOR protection, which was provided.<sup>46</sup>

On 1<sup>st</sup> September, a Kosovo Serb male was killed, one injured and a third escaped unhurt when their vehicle was ambushed on the road from Banja/Banje (Kosovska Mitrovica/Mitrovica) to Crkolez/Cerkolez. The road was a major route for Kosovo Serbs going to buy food in Zubin Potok/Zubin Potok.<sup>47</sup> On 2<sup>nd</sup> October a 52-year-old Muslim Slav male was killed and a 65-year-old male was wounded when a grenade was thrown into the flat as they were playing chess. The injured man told the OSCE that he had been the director of a large company in Pec/Peje, but was forbidden by the local authorities to return to his job. He felt unsafe in the hospital and was considering taking his family to Montenegro. On 5<sup>th</sup> October, a 21-year-old Muslim Slav male was killed. Prior to the killing the man and his family had been intimidated and physically harassed by Kosovo Albanians from the neighbourhood. The family was accused of having burned Kosovo Albanian houses during the conflict.<sup>48</sup>

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<sup>44</sup> Socialist Party of Serbia (*Socijalisticka Partija Srbije*) led by Slobodan Milosevic.

<sup>45</sup> PE/IS/0001/99.

<sup>46</sup> PE/IS/0011/99.

<sup>47</sup> Source: interviews with villagers in Crkolez/Cerkolez and report of the Spanish Guardia Civil.

<sup>48</sup> PE/IS/0004/99.

In Klina/Kline or 18<sup>th</sup> October an elderly Kosovo Albanian couple were found shot in their home. They had left Kosovo/Kosova when the Yugoslav and Serb forces withdrew in June and had returned to the area only days before they were killed.<sup>49</sup>

Violations of the right to life and violations of physical integrity had an obvious chilling effect on people's willingness to give statements or evidence. There were many examples of this, including a shooting on 23<sup>rd</sup> August in Stupelj/Shtupel<sup>50</sup> (Klina/Kline) and a killing on 30<sup>th</sup> August in Rudice/Rudice<sup>51</sup> (Klina/Kline).<sup>52</sup> In both instances, witnesses and victims withdrew or limited their statements concerning the circumstances of the events because they believed that to speak out meant risking their lives. Simply stated, it was not safe to name the real perpetrators when protection could not be guaranteed. These cases certainly had an impact on witnesses to other incidents, contributing to a general "nothing heard, nothing seen" attitude that undermined the administration of justice. Yet without witness statements, it became impossible to build a case, identify suspects and make an arrest, or to keep someone in detention and get a conviction.

From witness statements it appeared that at least one member of the UCK "police" took an active part in rounding up Kosovo Serbs from Stupelj/Shtupel. These people subsequently disappeared. Known members of the UCK were also connected to intimidation of the Roma. Pervasive fear was evident everywhere. The family of two Roma males, one of whom was killed and the other injured on 16<sup>th</sup> July in Klina/Kline, subsequently left the village and sheltered with other family members. The perpetrators were never identified. Following the murder of an elderly Croat woman, killed in the early hours of the morning near Donji Petric/Petriqi Poshtem on 18<sup>th</sup> July after receiving a series of threats, the victim's daughter left for Montenegro.<sup>53</sup> In Rudice/Rudice, on 29<sup>th</sup> August, a 30-year-old Kosovo Albanian man hit a Roma male on the head with a blunt instrument, causing serious head injuries. The victim was sent to Pec/Peje Hospital but was admitted under a false name because his family feared reprisals. The victim died of his injuries and the family reported that they were under pressure from Kosovo Albanian villagers to withdraw their allegation against the perpetrator.<sup>54</sup> On 30<sup>th</sup> August in Vidanje/Vidanje (a village occupied by Serbian security forces during the conflict), one perpetrator, known to the victim, visited a Catholic Albanian and told him to leave the country or be killed.<sup>55</sup> Another Catholic Albanian male, from Budisavci/Budisalc, had been threatened and told that he would be killed. The victim was a former VJ Officer. In August he reported having been questioned by the UCK, but had withdrawn this allegation. It was believed that he feared reprisals.<sup>56</sup>

On 2<sup>nd</sup> July four remaining Kosovo Serbs were killed in Istok/Istog town. Two were shot, one after being tortured, and two killed by blows to the back of the neck. The

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<sup>49</sup> PE/KL/00038/99.

<sup>50</sup> PE/KL/0003/99; PE/KL/0004/99.

<sup>51</sup> PE/KL/00022/99.

<sup>52</sup> See also, PE/IS/0018/99 where on 21<sup>st</sup> October, a male Roma was summoned to the UCK "police" station in Djurakovac about his activity during the conflict and warned about his contacts and meetings with KFOR and the OSCE.

<sup>53</sup> PE/KL/0017/99.

<sup>54</sup> PE/KL/0022/99.

<sup>55</sup> PE/KL/0016/99; KFOR Report.

<sup>56</sup> PE/KL/0024/99.



house was set alight with the bodies inside. Kosovo Albanian neighbours could not provide information saying that they had not seen or heard anything.<sup>57</sup>

Ethnicity was no guarantee of safety. A Kosovo Albanian male disappeared from Klina/Kline on 15<sup>th</sup> September. His body was found the following day and showed evidence of beating and stabbing prior to being shot at close range in the head and heart. On 14<sup>th</sup> September he had been “invited” for questioning by the UCK and asked about the activities of Serbs during the war. He was suspected by the UCK of having passed information to the Serbs and of having several Kosovo Serb friends.<sup>58</sup> An LDK member working for an NGO also reported being threatened by the UCK. In order to interview this man, a secret location had to be found and an interpreter from outside the area had to be used.<sup>59</sup> The pattern continued into October when the body of a 38-year-old Kosovo Albanian male, who had been abducted from his home in Dragobilje/Dragobil on 5<sup>th</sup> October, was found by shepherds close to the village of Svrhe/Sverke. The body was handcuffed and showed burn marks.<sup>60</sup>

**(b) Peaceful Enjoyment of Property:** In Klina/Kline, there was repeated intimidation of Roma families in particular areas. The intimidation showed signs of being organised, although it cannot be excluded that isolated, individual acts of revenge also took place.<sup>61</sup> Witness statements indicated that the perpetrators took advantage of KFOR’s limited ability to provide 24-hour protection to isolated areas. Several Roma families, fearful for their lives, were evacuated by UNHCR and/or KFOR and more left of their own volition without an escort.

A pattern of forced evictions of the Roma continued into October. Between 3<sup>rd</sup> and 5<sup>th</sup> October a Roma family consisting of 10 members departed for Montenegro following pressure from Kosovo Albanian neighbours.<sup>62</sup> On 5<sup>th</sup> October the OSCE received and confirmed information that two Roma communities, totalling approximately 80 persons, had left Kosovo/Kosova from their homes in Klina/Kline municipality. On 10<sup>th</sup> October a Roma family from Krusevo/Krusevo left to join relatives in Zahac/Zahac. In September the family had been the victim of threats and intimidation by a gang of Kosovo Albanians who burned the family’s haystacks. On 11<sup>th</sup> October the family left the province for Montenegro.<sup>63</sup>

In late October a Kosovo Albanian restaurant employee in Klina/Kline was for the second time given a letter of eviction by the self-styled municipal authorities. His family occupied an abandoned Kosovo Serb property. In the first incident, the so-called “Commission for Evidence for Protection of State and Private Property” included references to KFOR in the eviction letter saying that if the family did not vacate the premises before a certain date KFOR would assist in the eviction. The “Director of Public Security” of the self-styled authorities was told by KFOR that the Commission’s work was illegal. No further steps were taken to evict the family until

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<sup>57</sup> Information supplied by the Spanish Guardia Civil (NO. Dil.8/99).

<sup>58</sup> PE/KL/0030/99.

<sup>59</sup> PE/KL/0023/99.

<sup>60</sup> PE/KL/0037/99.

<sup>61</sup> See, for example, PE/KE/0005/99, a case in which a Roma family was harassed by the (now former) UCK until KFOR arrived alerted by shouting. The head of the family had worked for the municipal authorities for 30 years.

<sup>62</sup> PE/KL/0036/99.

<sup>63</sup> PE/KL/0030/99.

25<sup>th</sup> October when a similar letter was provided that contained a warning and a deadline of 24-hours to move out. The family did not move, but lived in a state of fear that they would be forcibly evicted or that the threats would be carried out.<sup>64</sup>

There was also a case of the displacement of an entire village. The OSCE recorded on 13<sup>th</sup> October that the village of Bica/Biq in Klina/Kline municipality had been abandoned. Formerly, six families comprising 54 Roma lived in the village. Five families went to Montenegro; the other went to the village of Mahala Bista/. On 10<sup>th</sup> October, after their departure, the village was looted and burned. The Roma had reportedly been “hired” by a Kosovo Albanian gang to destroy the Kosovo Serb property. That done, the Kosovo Albanian gang then turned on the “hired” Roma and threatened them with automatic weapons and stated that they now deserved the same treatment.<sup>65</sup>

Three displaced families living in an abandoned kindergarten in Istok/Istok reported that on 26<sup>th</sup> September, uniformed members of the provisional TMK told them to vacate the premises. The families remained at the abandoned kindergarten under KFOR protection.

Low level tension also existed between the Catholic Albanian and Kosovo Albanian Muslim communities. One cause was the building of a new Catholic Church in Klina/Kline, an expensive project at a time when many Kosovo Albanians Muslims desperately required money to rebuild their houses. However, incidents of looting and harassment had not developed into further violence by the end of October.

Security fears materialised in October when 29 Kosovo Serbs spontaneously returned to the village of Cerkoz in Istok/Istok from Novi Pazar outside of the province via Zubin Potok/Zubin Potok. The return was self-organised, although escorted in part by KFOR. The returning Kosovo Serbs said that they had been encouraged to return by the Belgrade media. Their return sparked a public demonstration of Kosovo Albanians in Istok/Istog and Crkoz/Cerkoz. Fearing attack, the 29 Kosovo Serbs left Kosovo/Kosova the next day.

A review of the files and reports from the municipalities of Pec/Peje, Istok/Istog, Klina/Kline and Decani/Decan revealed a striking number of cases with alleged UCK or provisional TMK involvement. A general atmosphere of intimidation prevented some people from giving full accounts and there is a high probability that many incidents were never reported, but in total, the (now former) UCK were alleged to have been involved in 33 cases. From killing, to eviction and tax collection, there were apparently few areas into which the power and control of the UCK/provisional TMK, allied to that of the self-styled administration, did not reach. If, as the UCK/provisional TMK Commander said, the UCK/provisional TMK was not involved, but impostors, opportunists and organised elements were using the UCK/provisional TMK as cover, then this too raises issues worthy of further investigation.

In addition to murders and killings preceded by torture, there were evident cases of ill-treatment, intimidation and harassment. While there was little similarity between the

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<sup>64</sup> PE/KL/0041/99.

<sup>65</sup> PE/KL/0028/99.

types of pressure applied, the common themes were pressure on minorities and the creation of an atmosphere in which various freedoms were violated. Freedom of movement, in a situation of fear, was limited. Freedom of expression in such an atmosphere also suffered. Perhaps the most insidious result of this intimidation, as with killing and death threats, was the impact on the administration of justice. Fear of reprisal was linked directly to an unwillingness to report violations, just as it was linked directly to the inability to build and try cases. Whatever the means, the end was the same: a climate of impunity.



Photo: Thomas Dworzak



The funeral of 14 Kosovo Serbs in Gracko

## PRISTINA/PRISHTINE: CAN THE CENTRE HOLD?

### A. Overview

The region of Pristina/Prishtine covers municipalities from Podujevo/Podujeve in the far north, to Pristina/Prishtine, Obilic/Obiliq, Kosovo Polje/Fushe Kosove in the centre, Glogovac/Gllogoc to the west and Lipljan/Lipjan and Stimlje/Shtime to the south. The municipalities of Strpce/Shterpce and Urosevac/Ferizaj are also included in this section.<sup>1</sup>

The region contains the provincial capital of Kosovo/Kosova, the fulcrum around which the international community in particular is balanced. There was little structural damage in Pristina/Prishtine itself, though outlying villages, Vranjevac, Velanija, Taslidza and Tauk Basta - were badly hit. Houses and businesses were looted, and NGO offices, political party premises, and media offices were destroyed, looted or burned. Municipalities with a predominantly Kosovo Albanian population suffered the worst battle damage,<sup>2</sup> and in mixed municipalities, Kosovo Albanian areas and villages bore the brunt of the destruction.<sup>3</sup> Glogovac/Gllogoc,<sup>4</sup> Kacanik/Kacaniku,<sup>5</sup> Kosovo Polje/Fushe Kosove,<sup>6</sup> Lipljan/Lipjan,<sup>7</sup> Obilic/Obiliq,<sup>8</sup> Podujevo/Podujeve,<sup>9</sup> Stimlje/Shtime,<sup>10</sup> Strpce/Shterpce<sup>11</sup> and Urosevac/Ferizaj<sup>12</sup> all fared much worse than Pristina/Prishtine.

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<sup>1</sup> In accordance with the KFOR divisional boundaries, the southern municipalities of Kacanik/Kacaniku, Urosevac/Ferizaj and Strpce/Shterpce were transferred from the OSCE Regional Centre in Pristina/Prishtine to the OSCE Regional Centre in Gnjilane/Gjilan on 1<sup>st</sup> September.

<sup>2</sup> Glogovac/Gllogoc, Kacanik/Kacaniku and Podujevo/Podujeve.

<sup>3</sup> Kosovo Polje/Fushe Kosove, Lipljan/Lipjan, Obilic/Obiliq, Stimlje/Shtime, Strpce/Shterpce and Urosevac/Ferizaj.

<sup>4</sup> Glogovac/Gllogoc, with a 99% Kosovo Albanian population, sustained 40-60% damage, including 2,300 houses completely destroyed and approximately 80% of all houses damaged to some extent. 30 schools, 14 health facilities and seven religious institutions were damaged: 10 elementary schools and two secondary schools were totally destroyed. Some 30-40,000 people in Glogovac/Gllogoc municipality remain without any shelter of their own. The two OSCE-KVM Offices in the municipality were looted and burned.

<sup>5</sup> In Kacanik/Kacaniku, also 99% Kosovo Albanian, the outlying villages were badly hit, with over 60% of housing destroyed. Again, community facilities including eight village schools, were partially or totally destroyed.

<sup>6</sup> For Kosovo Polje/Fushe Kosove, with its distinctive historic role, extensive destruction was evident throughout the Municipality. In Kosovo Polje/Fushe Kosove itself, only 27% of houses are now considered habitable. Community facilities were also hit, with many schools too damaged to function and two, in Dobri Dub/Doberdup and Donje Dobrevo/Miradi e Ulet, completely destroyed. The OSCE-KVM Office was looted but structurally undamaged.

<sup>7</sup> In Lipljan/Lipjan, the town itself was largely spared, but in the surrounding villages, over 1,700 houses were damaged, the worst hit villages being Slovinje/Silovi and Oklap/Okllap in the east and Magura/Magure in the west. The former OSCE-KVM Office was looted but structurally undamaged.

<sup>8</sup> Obilic/Obiliq, which remains one of the most mixed areas in the Pristina/Prishtine region, sustained damage to 4 health facilities. Mosques were looted and damaged, and 1,246 houses destroyed.

<sup>9</sup> Podujevo/Podujeve, 98% Kosovo Albanian, was also badly hit. In the town of Podujevo/Podujeve, 80% of buildings were damaged, looted or burned and in the villages, 1,171 moderately damaged, 1,861 severely damaged and 3,262 totally destroyed. The former OSCE-KVM Office was looted but the building suffered no structural damage.

<sup>10</sup> The Kosovo Albanian villages in the mountainous areas of Stimlje/Shtime municipality were badly damaged: the UCK had various command centres in these villages. In contrast, Stimlje/Shtime town was lightly damaged.

<sup>11</sup> Damage to the Kosovo Albanian villages around Strpce/Shterpce followed the same pattern, some suffering as much as 90% destruction. Six hundred houses and four schools were destroyed. The former OSCE-KVM Office was undamaged.

In the municipalities that were predominantly Kosovo Albanian prior to the conflict, the population remains predominantly Kosovo Albanian: Glogovac/Gllogoc, Kacanik/Kacaniku and Podujevo/Podujeve<sup>13</sup> remain homogenous and with exceptions, very few violent incidents have been reported from these areas during the period covered by this report.<sup>14</sup>

In Urosevac/Ferizaj town, with a pre-war population of 90% Kosovo Albanian and 10% Kosovo Serb, only 60-70 Kosovo Serbs remain, most of them elderly widows. In the rest of the municipality, where over 8,000 Kosovo Serbs and 5,500 other minorities lived before the war, the population is now 99% Kosovo Albanian. Stimlje/Shtime is demonstrative of the same pattern, its pre-war population of about 10% Kosovo Serbs now reduced to 50-60 in total, all of them elderly and living in the town of Stimlje/Shtime itself.

Pristina/Prishtine before the war was a city of some 163,000 people, of whom 130,000 were Kosovo Albanians, 21,000 Kosovo Serbs and 12,000 non-Albanians. The 84 villages in the municipality contained an estimated 225,000 people, of whom 180,000 were Kosovo Albanians, 30,000 Kosovo Serbs and 15,000 non-Albanians. The non-Albanian population in the municipality as a whole has fallen dramatically. By the end of July, only 5,000 Kosovo Serbs were living in the area. By the end of October, according to UNHCR and the Centre for Peace and Tolerance, less than 600 Kosovo Serbs remained.

## **B. Security**

KFOR entered Pristina/Prishtine City on 12<sup>th</sup> June and began frequent foot patrols on the streets. A mobile unit was set up to visit Kosovo Serb and other minority areas, in an attempt to persuade minorities to stay in the city. KFOR continues to operate a maximum patrol schedule in the city.

Arrival dates in the other municipalities varied by a few days. KFOR arrived in Glogovac/Gllogoc on 15<sup>th</sup> June. In Lipljan/Lipjan, the first deployment of 600 arrived on 12<sup>th</sup> and 13<sup>th</sup> June. In Obilic/Obiliq, the first contingent arrived on 12<sup>th</sup> June: British and Canadian KFOR now cover the municipality. Also on 12<sup>th</sup> June, KFOR troops arrived in Podujevo/Podujeve.<sup>15</sup> Stimlje/Shtime received its first KFOR

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<sup>12</sup> In Urosevac/Ferizaj, the vast majority of Kosovo Albanian shops and businesses were looted, vandalised and/or destroyed. Many homes suffered internal damage as a result of looting and vandalism; some were structurally damaged by fire. The former OSCE-KVM Office was looted and blown up a few days after the evacuation.

<sup>13</sup> In Podujevo/Podujeve, a spate of arson attacks, coupled with the killing of three Kosovo Serbs, led to the flight of almost the entire Kosovo Serb population of 1,400 people. By the end of September, only two Kosovo Serbs remained in Podujevo/Podujeve, both old women who now live in apartments in the centre of the town under 24-hour KFOR protection.

<sup>14</sup> Unless otherwise stated, all pre-war population figures are taken from the UNHCR Kosovo Village List. Post-war figures taken from the joint UNHCR/OSCE Minorities Assessments of July and August.

<sup>15</sup> Troops first went to the western area to monitor the situation in Podujevo/Podujeve town, and had to wait until 19<sup>th</sup> June to take control of the town and the whole municipality, since Podujevo/Podujeve was part of Zone Three of the Serbian withdrawal. The municipality now has some 920 troops headed by Czech KFOR

contingent on 14<sup>th</sup> June.<sup>16</sup> In Kosovo Polje/Fushe Kosove, build-up was gradual, with 130 troops in the area by August.<sup>17</sup>

The southern municipalities of Kacanik/Kacaniku, Strpce/Shterpce, and Urosevac/Ferizaj are covered mainly by US KFOR, who arrived from 12<sup>th</sup> to 14<sup>th</sup> June. Greek KFOR now oversees Urosevac/Ferizaj, and Polish KFOR operates in Strpce/Shterpce.

In Pristina/Prishtine, the official hand-over from the KFOR to UNMIK Police took place on 23<sup>rd</sup> August. The early emphasis was on high-visibility, and UNMIK Police now operate five sub-Stations in Pristina/Prishtine.<sup>18</sup> Outside Pristina/Prishtine, the UNMIK Police presence continues to build-up.<sup>19</sup>

### **C. Civil Administration**

In such a diverse area as the Pristina/Prishtine region, there is consistency in the speed with which the self-styled administration was set up, though not the manner in which they were set up. The self-styled administrations in Glogovac/Gllogoc and Kacanik/Kacaniku have been operational almost since K-Day. The UNMIK Interim Civil Administrators arrived in late summer and work with the self-styled administrations.

In Lipljan/Lipjan, the self-styled administration started work on 1<sup>st</sup> July. The UN Civil Administrator was in place at the beginning of September. Negotiations to set up the Obilic/Obiliq self-styled administration began early: on 24<sup>th</sup> June, the UCK representative and the LDK President approached KFOR to make contact. By 28<sup>th</sup> June, the first joint meeting with KFOR had been held. The meetings included Kosovo Serb representatives: at the initiative of KFOR. By 5<sup>th</sup> July, twice weekly meetings were being held, and since early August, the Kosovo Albanian delegation has maintained a permanent presence in the former municipal building: the Kosovo Serb delegation attended the regular meetings but did not work from the municipal building. The UN Civil Administrator took over on 29<sup>th</sup> July and works with the self-styled authorities.

The capital, Pristina/Prishtine, was quickly provided with a self-styled administration, the “mayor” being a prominent UCK member. The LDK has refused to participate

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<sup>16</sup> Much of the Municipality is now covered by Finnish KFOR, with small areas in the east covered by Canadian and German contingents.

<sup>17</sup> The increased tension in September led to three more units being moved into the municipality. Kosovo Polje/Fushe Kosove itself is overseen by Greek KFOR. Russian KFOR maintains a field hospital in the area

<sup>18</sup> In the main Station, covering central Pristina/Prishtine, 65 officers are deployed. In Station One, covering the north, deployment is 85; in Station Two, east, 79 are deployed; in Station Three, west, 64 officers operate; and at Station Four, covering the south, deployment is 78. A small unit has been deployed to deal with security problems at Pristina/Prishtine Hospital.

<sup>19</sup> In Glogovac/Gllogoc, total deployment at the end of September was 15 officers. Kosovo Polje/Fushe Kosove had 37 UNMIK Police officers throughout the municipality, supplemented during the tense period in September by officers from Station Four in Pristina/Prishtine. Lipljan/Lipjan is covered by a total of 24 officers, Podujevo/Podujeve by 17, and Strpce/Shterpce by 10. In Urosevac/Ferizaj, UNMIK Police officers are conducting joint patrols with KFOR. UNMIK Police were deployed in Stimlje/Shtime in October.



because the administration is not elected.<sup>20</sup> The UNMIK Interim Civil Administrator arrived at the end of July. In Podujevo/Podujeve, the pattern is the same. The self-styled “mayor” was appointed on 19<sup>th</sup> June, and set about choosing his “council.” The vast majority of “councillors” are UCK affiliated. The LDK has refused to participate in the “administration.” The UNMIK Interim Civil Administrator arrived on 3<sup>rd</sup> September. In Urosevac/Ferizaj, this pattern is similar, the administration being UCK-controlled and the LDK having refused to take part.

The UNMIK Interim Civil Administrator arrived in Stimlje/Shtime on 6<sup>th</sup> September to find self-styled authorities that had been operational since 14<sup>th</sup> June. In Strpce/Shterpce, talks over the formation of the local administration have been stalled over the issue of proportional representation. Kosovo Albanians are seeking equal power sharing with Kosovo Serbs: this would not reflect the ethnic breakdown of the municipality (70% Kosovo Serb, 30% Kosovo Albanian). Both groups occupy the same building, but on separate floors, and the balance of power to the end of October was clearly with the Kosovo Serbs. The UNMIK Interim Civil Administrator continues holding talks to seek a solution.

When KFOR entered Kosovo Polje/Fushe Kosove, most municipal functions were still operating, with the majority of the Kosovo Serb leadership continuing to hold their positions. From 14<sup>th</sup> July until the arrival of the UNMIK Interim Civil Administrator, KFOR chaired meetings with both Kosovo Serb and Kosovo Albanian representatives. The UNMIK Interim Civil Administrator sought to create a new structure on arrival in August, trying to integrate the Kosovo Serb and Kosovo Albanian systems. Agreement was reached but relations became strained and the Kosovo Albanian delegates boycotted the meetings for the four weeks prior to 27<sup>th</sup> September. The main point of disagreement was schooling. A breakthrough on 27<sup>th</sup> September came to nothing as a result of a grenade attack on the Kosovo Polje/Fushe Kosove marketplace.<sup>21</sup>

## **D. Human Rights Patterns and Trends**

### **1. Pristina/Prishtine**

Within two days of OSCE’s return to Pristina/Prishtine in mid-June, hundreds of people had been to the OSCE Office seeking information on missing family members, reporting gravesites and asking for information about humanitarian aid. In July and early August, the pattern of complaints to the OSCE in Pristina/Prishtine changed: more and more, those seeking assistance were from Kosovo Serbs and minority groups such as Roma, Muslim Slavs and Croats. The range of incidents reported included killings, disappearances, harassment and grenade attacks. At times, flashpoints would emerge: Gracko on 23<sup>rd</sup> July; Gracanica/Ulpiana throughout September; Kosovo Polje/Fushe Kosove in late September and Lipljan/Lipjan from June to October. By the end of October the number of incidents occurring or being reported by non-Albanians had declined and for the first time since K-Day, Kosovo Albanians outnumbered minorities as victims.

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<sup>20</sup> The LDK leadership has indicated that it will not participate in any elections that are not overseen by the OSCE or UN.

<sup>21</sup> Human Rights Pristina/Prishtine Daily Report, 23<sup>rd</sup> September.

The picture across the Pristina/Prishtine region was not the same. Several patterns emerged, but did not apply to every municipality. What was clear was that ethnically motivated violent incidents built up over July and August but declined in September and October. By the end of September most of the remaining minorities in the region, particularly Kosovo Serbs, had left. From September onwards, trends that had existed, somewhat submerged, came more to the fore and new trends emerged.

All the trends were evident in Pristina/Prishtine itself. As the provincial capital, what happened in the city, and the response to it, was particularly important. In Pristina/Prishtine, both acute and chronic problems were evident from the outset, and these patterns were reflected in other municipalities. They were reflected, also, in population movements. The majority of Kosovo Serbs in the city of Pristina/Prishtine left after K-Day.

**(a) The Right to Life:**<sup>22</sup> Reports of summary and arbitrary executions (violations of the right to life) in the Pristina/Prishtine region included both individual and mass incidents. The predominant targets were individual Kosovo Serb males but in one case, Gracko, the 14 Kosovo Serb men were killed in a single incident. Kosovo Polje/Fushe Kosove was the site of a spate of attacks in late September that culminated in the death of four Kosovo Serbs and injuries to 40 others. Outside Pristina/Prishtine itself, the trends and patterns have been echoed, but it is the cases in Gracko and Kosovo Polje/Fushe Kosove that most affected the region.

The first killing was reported on 21<sup>st</sup> June, from the village of Slivovo/Slivove, where four elderly Kosovo Serb males were killed: three were stabbed, one was shot.<sup>23</sup> On 24<sup>th</sup> June, a Kosovo Serb man was shot while moving out of his apartment in Pristina/Prishtine.<sup>24</sup> On 8<sup>th</sup> July, three Kosovo Serb men were murdered in separate attacks in Pristina/Prishtine municipality.<sup>25</sup> Two more Kosovo Serb males were killed on 10<sup>th</sup> July,<sup>26</sup> one Kosovo Serb male was killed on 14<sup>th</sup> July and another on 15<sup>th</sup> July. On 18<sup>th</sup> July, the victim was a Kosovo Serb female, the following day, the victims were an elderly Kosovo Serb couple. Another elderly Kosovo Serb couple were killed on 31<sup>st</sup> July. Interspersed with these killings was the attempted killing, by grenade attack, of a Kosovo Serb male on 22<sup>nd</sup> July.<sup>27</sup> By late July, over 3,000 Kosovo Serbs had left Pristina/Prishtine.

Further incidents in which single Kosovo Serb men were the victims were reported on 21<sup>st</sup>, 26<sup>th</sup>, and 29<sup>th</sup> July and 2<sup>nd</sup>, 3<sup>rd</sup>, 13<sup>th</sup> and 15<sup>th</sup> August. On 8<sup>th</sup> August, two Kosovo Serb males were stabbed, two Kosovo Serb females shot and one 12-year-old Roma girl critically injured by a grenade in Pristina/Prishtine.<sup>28</sup> Individual Kosovo Serb females were reported killed on 2<sup>nd</sup> and 3<sup>rd</sup> August, the female victims of 15<sup>th</sup> and 16<sup>th</sup> August were both elderly.

On 3<sup>rd</sup> September a bomb explosion at the home of a Kosovo Serb family in the Gracanica/Ulpiana district of Pristina/Prishtine killed a young Kosovo Serb man and

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<sup>22</sup> For all reported violations to the right to life, see the attached annexes.

<sup>23</sup> Central Criminal Investigation Unit, Investigation List (CCIU).

<sup>24</sup> PR/PR/0168/99.

<sup>25</sup> Royal Military Police report.

<sup>26</sup> Royal Military Police reports 14<sup>th</sup> to 15<sup>th</sup> July and 15<sup>th</sup> to 16<sup>th</sup> July.

<sup>27</sup> Source: KFOR.

<sup>28</sup> Source: KFOR.

wounded eight neighbours. The incident was the first deliberate murder in the district and was obviously designed to create terror. It seemed to have been targeted at the deceased who had been mobilised into the VJ during the war. The explosive was strapped to the door of the apartment and was initiated by a short fuse. The perpetrators either rang the doorbell to the apartment or called the flat with a cellular phone as the victim was assessed to have been close behind the door, possibly about to either answer the door or telephone, when the bomb exploded.<sup>29</sup>

On 11<sup>th</sup> October, an international staff member of UNMIK who had only arrived in Kosovo earlier that day was attacked and killed on the street in the centre of Pristina. He was separated from his colleagues with whom he was walking, and was beaten and shot dead by Kosovo Albanians who seem to have identified him as a Serb. Someone who asked the time apparently stopped him on the street and when he responded in Serbo-Croat he was attacked and killed. This killing has greatly reduced the use of Serbo-Croat by local and international Slav speakers. No one has yet been charged with the killing.

**(b) Access to Healthcare:** Pristina/Prishtine Hospital was a major focal point for the international community. At times, it has had a mixed staff, but Kosovo Serb medical staff reported numerous cases of intimidation and harassment. In July, the majority of Kosovo Serb and minority medical staff walked out. At the beginning of August, following the detention and release of a Kosovo Serb interpreter, the situation was still tense, and incidents of harassment against the few remaining minority staff continued. At the end of September, Kosovo Serb doctors were still “on leave,” saying that they would return only if the situation improved. Only a handful of Kosovo Serb staff remained. By the end of October, one Turkish, one Muslim Slav and one Kosovo Serb were serving on staff.

A Turkish doctor and several Kosovo Albanian staff all of whom worked at the hospital prior to the conflict, had also been threatened. The Turkish doctor claimed that he had been targeted because, as a long-time employee, he used to “work for the Belgrade Government.” The cause of the harassment for the Kosovo Albanian staff appeared to be related to the present: they had been told by extremist Kosovo Albanian medical staff that there were “ways of dealing with people who are not in agreement with the (self-styled) government.”<sup>30</sup>

Reports of poor treatment at the hospital have also been made; another factor that discourages non-Albanians from using the facility. KFOR Military Police in Pristina/Prishtine have a number of statements on file about the behaviour of one Kosovo Albanian doctor at the hospital. According to the statements, a Kosovo Serb man with stab wounds was given stitches by the doctor: no painkillers were given and the doctor is reported to have said, “they treated us like dogs, we will treat them like dogs.” The same doctor told a Kosovo Serb woman with gunshot wounds to the chest that she should have an injection, but that she should get it at her local medical centre: Pristina/Prishtine Hospital would not provide transportation.<sup>31</sup>

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<sup>29</sup> PR/0241/99.

<sup>30</sup> Pristina/Prishtine Regional Centre Daily Report, 25<sup>th</sup> June.

<sup>31</sup> KFOR, 10<sup>th</sup> August.

## 2. Lipljan/Lipjan

Attacks on the person and attacks on property are often difficult to distinguish in the current climate. An attack on a house, for example, with a grenade, may result in property damage rather than physical injury to the person, but it clearly damages the general feeling of security. Sustained attack, even without physical injury, exerts extreme pressure, leaving people not only unable to move outside their home, but unable to live peacefully within their home.

In the Pristina/Prishtine region, the most sustained threat to physical integrity occurred in Lipljan/Lipjan, where a series of grenade attacks on Kosovo Serbs took place, starting on 12<sup>th</sup> July with six grenade attacks against Kosovo Serbs from across Lipljan/Lipjan municipality: at least four Kosovo Serbs were injured.<sup>32</sup> Further grenade attacks took place in Lipljan/Lipjan on 16<sup>th</sup> and 24<sup>th</sup> July: one person received minor injuries in the first attack. On 27<sup>th</sup> July, two grenades were thrown into Kosovo Serb-owned houses in Lipljan/Lipjan: they caused extensive damage but no one was injured. On 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 7<sup>th</sup> August, again in Lipljan/Lipjan, more grenades were thrown at Kosovo Serb-owned apartments. Again, there were no injuries, but on 12<sup>th</sup> August two Kosovo Serb females were wounded by a grenade attack in Lipljan/Lipjan.<sup>33</sup>

In total, between 9<sup>th</sup> July and 7<sup>th</sup> August, 30 grenade attacks and related incidents took place in Lipljan/Lipjan. On 7<sup>th</sup> August, the first of a series of 16 arrests were made in connection with the attacks: all those arrested were Kosovo Albanians. The attacks were believed to be organised by FARK<sup>34</sup> and a UCK member who also supplied the grenades. Those arrested were a gang of young men and women aged between 14 and 20. Their modus operandi was to approach the target in couples, the female carrying the grenade on the basis that KFOR did not conduct body searches on women or girls. A second couple would keep watch. The female would then hand the grenade to her partner, who would throw it at the target. They would linger in the area until KFOR troops arrived, then slowly walk away.

In the time between those first arrests and the release of the last suspects on 21<sup>st</sup> September,<sup>35</sup> there were only three recorded grenade attacks, believed to be unrelated to the original series of incidents.<sup>36</sup> Nevertheless, all were released for lack of evidence. Following their release, nine additional grenade attacks occurred.

Other forms of violence also affected Lipljan/Lipjan municipality. On 9<sup>th</sup> July, a Kosovo Serb male was killed in the Lipljan/Lipjan region: another Kosovo Serb man was killed in Lipljan/Lipjan on 17<sup>th</sup> July.<sup>37</sup> Two Kosovo Serb male farmers were killed in Lipljan/Lipjan on 3<sup>rd</sup> August. On 5<sup>th</sup> September, in the village of Dobrotin/Mirate, a mortar attack injured a Kosovo Serb woman. As a result, local

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<sup>32</sup> Source: Royal Military Police.

<sup>33</sup> Human Rights Pristina/Prishtine Daily Report, 10<sup>th</sup> and 12<sup>th</sup> August 1999.

<sup>34</sup> Armed Forces of the Republic of Kosovo.

<sup>35</sup> Five were released on 9<sup>th</sup> September, one on 15<sup>th</sup> September and eight on 17<sup>th</sup> September. The last two suspects were released on 22<sup>nd</sup> September.

<sup>36</sup> These two attacks took place on 1<sup>st</sup>, 4<sup>th</sup> and 19<sup>th</sup> September. In the first, in which a grenade was thrown onto the porch of Kosovo Serb-owned apartment, one person sustained minor injuries. In the second, a grenade was thrown at a Kosovo Serb house. In the third, a grenade was thrown into the garden of a Kosovo Serb house: no one was injured.

<sup>37</sup> Royal Military Police Report 16<sup>th</sup> to 17<sup>th</sup> July.

Kosovo Serbs erected a barricade. Seven Kosovo Albanian motorists were dragged from their vehicles, beaten with axe handles and their vehicles set on fire. A further three Kosovo Albanians were dragged away from the barricade, held for over two hours and beaten.<sup>38</sup> On 10<sup>th</sup> October, one kilometre north of the Lipljan/Lipjan town centre, four rocket propelled grenades were fired from a Zasatava car: one Kosovo Serb man, elderly, was slightly injured.<sup>39</sup> On the same day, a Kosovo Serb male representative was reportedly followed while travelling with a passenger from Lipljan/Lipjan to Podujevo/Podujeve. On arrival in Podujevo/Podujeve, occupants of the van that had been following the car opened fire. The passenger was injured in the attack.<sup>40</sup> On 18<sup>th</sup> October, a grenade was thrown at a Roma house in Janjevo/Janjeve.<sup>41</sup> On 29<sup>th</sup> October, in the village of Suvi Do/Suhodoll, three Kosovo Serbs were injured in a shooting incident and on 30<sup>th</sup> October three more Kosovo Serbs were injured during a drive-by shooting in the village of Novo Neselje.

On 22<sup>nd</sup> September, KFOR responded to increased fear among Kosovo Serbs by setting a checkpoint on the road from Lipljan/Lipjan to Suvi Do/Suhodoll. An explosion next to the house of an elderly Kosovo Serb couple, both of whom were injured and later died, sparked rising tension. Both Kosovo Serb and Kosovo Albanian communities erected roadblocks, the former in fear of more attacks, the latter in fear of retaliation. These roadblocks were quickly removed as KFOR stepped in.

The sustained and apparently organised pattern in Lipljan/Lipjan was echoed elsewhere in the municipality. The most obvious pattern targeted Roma in the village of Mali Alas, starting on 6<sup>th</sup> October when a grenade was thrown at a Roma house in the village. A second grenade attack took place in the same village on 12<sup>th</sup> October, a third on 15<sup>th</sup> October, and the fourth on 27<sup>th</sup> October. Following the last incident, in which a grenade was thrown onto the roof of a Roma house, UNMIK Police arrested two Kosovo Albanian men, both suspected of having perpetrated the earlier grenade attacks on the village.<sup>42</sup>

**Gracko:** Gracko is a small village to the south west of Lipljan/Lipjan town. Its population on 23<sup>rd</sup> July was approximately 460 Kosovo Serbs including 57 Kosovo Serb IDPs. The incident that sent shock waves across the province and beyond took place on the night of 23<sup>rd</sup> July. At approximately 21:00 hours the sound of firing was heard outside the village by a KFOR patrol who responded and in a field by some woods were the dead bodies of fourteen men aged between 15 and 60 years of age. 13 of the bodies were grouped close together while one was discovered 150 metres away near a tractor. Six farm vehicles were at the scene of the killings, several with their engines running.

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<sup>38</sup> Human Rights Pristina/Prishtine Daily Report, 6 September 1999.

<sup>39</sup> Minutes, Lipljan/Lipjan Meeting, 12<sup>th</sup> October and Regional Centre Pristina/Prishtine Twice Weekly Report 11<sup>th</sup> to 14<sup>th</sup> October.

<sup>40</sup> Regional Centre Pristina/Prishtine Twice Weekly Report 11<sup>th</sup> to 14<sup>th</sup> October.

<sup>41</sup> Regional Centre Pristina/Prishtine Twice Weekly Report 21<sup>st</sup> and 24<sup>th</sup> October and Pristina/Prishtine Human Rights Daily Report 26<sup>th</sup> October.

<sup>42</sup> Regional Centre Pristina/Prishtine Twice Weekly Report 14<sup>th</sup> to 17<sup>th</sup> October and reports dated 27<sup>th</sup> October and 2<sup>nd</sup> November.

Throughout the night KFOR Military Police conducted a forensic examination of the scene. KFOR patrols were immediately increased in the area and UNMIK Police attended the scene as observers. The bodies were removed to Pristina/Prishtine Hospital for post-mortem examinations. OSCE arranged for an international pathologist to be present during the post-mortem examinations that took place over the next three days.

The victims were men from the village out to harvest the remaining crops and just returning from the fields when they were attacked. Their families state that protection from KFOR during the harvest was requested but denied because of limited resources. Seven of the victims came from Gracko itself while the rest were IDPs from neighbouring villages.

The investigation that followed resulted in the arrest of several Kosovo Albanian suspects. Their houses were searched and a number of weapons were found, as well as clothing, and sent to the Forensic Science Laboratory in London, UK, for examination. One Kosovo Albanian remains in custody charged with firearms offences. The forensic analysis continues although it is known that the fourteen were killed by three AK-47 assault rifles. The investigation has been handed over to UNMIK Police who continue their enquiries.<sup>43</sup>

### **3. Kosovo Polje/Fushe Kosove**

Kosovo Polje/Fushe Kosove was the scene of a spate of attacks from 26<sup>th</sup> to 28<sup>th</sup> September. In the first attack, two elderly Kosovo Serbs were stabbed in Bresje/Bresje. In the second attack, on the following day in Ugljare/Uglare, a Kosovo Serb man was shot in the stomach: he died from his injuries. In the third attack, two explosions shook the marketplace in Kosovo Polje/Fushe Kosove itself. The first explosion, at 10:00 hours, killed two Kosovo Serbs and injured 38 others.

KFOR quickly arrested two Kosovo Albanians, placing them in an armoured vehicle for their protection. Almost as quickly, the Kosovo Serb community erected roadblocks on the Pristina/Prishtine-Pec/Peje road. Tension remained high and KFOR deployed additional units to control the situation. On 29<sup>th</sup> September, the town was again closed to traffic when a large crowd of Kosovo Albanian demonstrators gathered near the centre of Kosovo Polje/Fushe Kosove and erected a roadblock of their own. On 30<sup>th</sup> September, following the funeral of one of the victims of the explosion, the Kosovo Serb roadblock was expected to come down: it did not. The Kosovo Albanians continued their protests and retained their barricades as a result. Only late on 30<sup>th</sup> September was the Kosovo Albanian roadblock removed, on the understanding that the Kosovo Serb roadblock would also be dismantled.

Grenades were not the only weapons deployed. KFOR reported an average of two to three house fires a night during early August in Kosovo Polje/Fushe Kosove. Most of the houses burned belonged to Kosovo Serbs. On 4<sup>th</sup> October, in Kosovo Polje/Fushe Kosove, a Roma male was assaulted by three Kosovo Albanians, sustaining head injuries and requiring a KFOR escort to hospital.

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<sup>43</sup> KFOR Press briefing 10<sup>th</sup> September.

#### **4. Gracanica/Ulpiana**

Gracanica/Ulpiana has an estimated 5,650 inhabitants, 3,380 of whom are Kosovo Serb, 865 Kosovo Albanians and 1,400 are from other minorities. The inhabitants include approximately 1,500 IDPs who have left Urosevac/Ferizaj, Stimlje/Shtime, Lipljan/Lipjan or Pristina/Prishtine to seek refuge in Gracanica/Ulpiana. Bishop Artemije, the leader of the Orthodox Church in Kosovo/Kosova, has remained in Gracanica/Ulpiana, reinforcing its political influence by hosting meetings with Kosovo Serb representatives from throughout Kosovo/Kosova. The Bishop was, together with Momcilo Trajkovic, appointed by UNMIK as one of the two Kosovo Serb representatives to the Kosovo Transitional Council. They both resigned on 22<sup>nd</sup> September following disagreement on the application of UNSC Resolution 1244 as well as the lack of security and the role of the Kosovo Protection Corps.

From June to August Gracanica/Ulpiana was a relatively quiet and safe place with very few incidents reported. Around 1<sup>st</sup> September, following the abduction of one of the Kosovo Serb inhabitants, the village residents set up two roadblocks on the main road crossing the village, blocking access from Pristina/Prishtine to Gnjilane. It was the fourth time since K-Day that a Kosovo Serb from the area was kidnapped while driving in the Mramor area. This region, next to Gracanica/Ulpiana, was well known for its commitment to the UCK cause. The abduction also followed a mortar attack on Gracanica/Ulpiana from the neighbouring village of Ajvalija/Hajvali on 26<sup>th</sup> August.

By setting up roadblocks the inhabitants of Gracanica/Ulpiana wanted to highlight the lack of security and safety in the area for minorities. They were also complaining about their lack of freedom of movement. According to KFOR, the setting-up of two roadblocks was a spontaneous act and no leaders were identified. Around 500 men organised themselves with cars, tyres and anything they could find to put an end to the traffic movement between Gnjilane/Gjilan and Pristina/Prishtine. Five or six unarmed men were constantly located near the blockade only allowing access into the village to KFOR, UNMIK and some NGOs.

The inhabitants eventually agreed to dismantle the roadblock if the four kidnapped villagers were released. They also wanted promises that KFOR would increase patrolling and security in Gracanica/Ulpiana and on the road to Gnjilane/Gjilan. They were afraid of vehicles speeding through the village giving occupants the opportunity to throw grenades or open-fire on villagers.

On 26<sup>th</sup> September the Gracanica/Ulpiana inhabitants removed the roadblock. KFOR increased patrolling in Gracanica/Ulpiana and set up checkpoints at both entrances of the village. KFOR and UNMIK Police opened a Station in the centre of the village where they are co-located. According to the Gracanica/Ulpiana villagers, the situation has improved.

#### **5. Urosevac/Ferizaj**

In Urosevac/Ferizaj on 28<sup>th</sup> September, the kidnapping of two schoolteachers proved to be another flash-point. The victims were in a group of four from Strpce/Shterpece, a Kosovo Serb enclave, travelling under the protection of KFOR. The two victims separated from the others to attend a meeting in their former school: in attendance were the Director, Assistant Director and School Secretary. With the apparent

agreement of the two victims, the KFOR escort was sent away and asked to return later.<sup>44</sup> In the absence of the escort, at some time between 13:00 hours and 14:00 hours, the two teachers were abducted.<sup>45</sup>

The responses to the abductions were almost immediate and often violent. UNMIK Police and KFOR were evacuated from Strpce/Shterpce on 28<sup>th</sup> September, not returning until 1<sup>st</sup> October. In Gotovusa/Getovushe, Jazince/Jazhince and Strpce/Shterpce on 29<sup>th</sup> September, roadblocks were set up. The first was in Gotovusa/Getovushe manned by 150-200 Kosovo Serbs. Only KFOR vehicles were allowed to enter the village, the OSCE and other international organisations were barred. At 11:00 hours, a roadblock was set up in Strpce/Shterpce, again manned by some 200 Kosovo Serbs. By 12:00 hours the road to Jazince/Jazhince was also blocked. Behind the Jazince/Jazhince roadblock were two workers from the NGO People in Need. One was pulled from his car and beaten, the crowd accusing him of having run over some children and being sympathetic to the former UCK and provisional TMK. The car was written off. The other aid worker managed to drive away but became trapped by the gathering crowd. He was surrounded and badly beaten before escaping. KFOR in the village came to the scene and provided protection to the two workers, who remained trapped in the village until 30<sup>th</sup> September.<sup>46</sup>

OSCE gained access to Strpce/Shterpce, after negotiations, on 1<sup>st</sup> October. The son of one of the abductees claimed that his father's visit to Urosevac/Ferizaj had not been planned and the Kosovo Albanian staff of the school had not been informed of the visit. The Director, Assistant Director and School Secretary who had met with the two victims were detained for questioning by KFOR on 29<sup>th</sup> September. They were held in US KFOR Camp Bondsteel throughout October until released on the order of a judge reviewing their detention on the primary grounds that the evidence against them was purely circumstantial. The two victims were not found.

## **6. Obilic/Obiliq**

Obilic/Obiliq remains one of the most mixed areas in the Pristina/Prishtine region. Its pre-war population numbered 33,000 of whom 23,000 were Kosovo Albanian. Today, the villages of Babin Most/Babimoc, Plementina/Plementine, Crkvena Vodica/Palaj and the town of Obilic/Obiliq remain mixed. An estimated 9,000 Kosovo Serbs remaining in the municipality comprise a disproportionate number of elderly people, many families having sent at least one member out of Kosovo/Kosova. Obilic/Obiliq also had a significant Roma population, now confined to the camp near Krusevac/Krushefc, which at one point held 1,200 Roma.

Two isolated communities were particularly badly hit in the post-K-day period. The first, a group of Roma confined in poor conditions in a camp at Obilic/Obiliq, faced direct hostility from the Kosovo Albanian community. The second, Kosovo Serbs in the enclave of Strpce/Shterpce, faced continual power cuts as a result of sabotage on power lines. Both communities were somewhat better off by the end of October

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<sup>44</sup> One of the other teachers claimed to have overheard the two victims agree that the escort should leave. This information was reported to OSCE by the son of one of the victims, interviewed on 1<sup>st</sup> October.

<sup>45</sup> GN/ST/02/99.

<sup>46</sup> When they were allowed to leave the village, they were medically evacuated out of Kosovo.



though both remained restricted in their freedom of movement and both continued to be vulnerable. Kosovo Albanians in the Strpce/Shterpce area suffered problems that resulted from severe battle damage during the conflict.

Shortly after the bombing campaign ended, Roma from the Pristina/Prishtine region began to gather at a school in Kosovo Polje/Fushe Kosove. The number swelled to approximately 6,000 in July and included Roma and Hashkali from other parts of Kosovo. At the end of July, UNHCR moved the population to a camp facility in Obilic/Obiliq municipality, near the village of Krusevac/Krushefc.

On 20<sup>th</sup> September, approximately 450 camp, requesting international resettlement, left the camp and began walking to the border with the former Yugoslav Republic of Macedonia (FYROM). They reached the outskirts of Pristina/Prishtine when Kosovo Albanians began harassing and throwing stones at them. UNHCR called in additional KFOR security. The group remained in no-mans land at the border for one week before the FYROM government allowed them access but only after high level interventions by UNHCR.

The atmosphere at the camp remained calm for much of October. Most camp residents continued to express the desire to leave Kosovo/Kosova. The camp numbered between 800 and 850 residents and concerns about their future grew as the weather deteriorated. Frustrated with their situation, over the weekend of 16<sup>th</sup> October, the residents erected a blockade and staged a hunger strike, calling for “freedom and democracy.” The UNHCR Special Envoy visited the camp and explained that the barracks in Plementina/Plementine would be renovated to house those in the camp. Consultations had taken place beforehand with all of the parties concerned, in particular UNMIK and KFOR, and Plementina/Plementine barracks was deemed suitable winter accommodation. Given the fact that there are various communities in the area, tensions remain high, particularly in light of the difficulties surrounding the opening of an integrated school.

On 17<sup>th</sup> October, a Roma male from the camp at Obilic/Obiliq alleged that he was first verbally abused and then assaulted by separate perpetrators while seeking medical care in Pristina/Prishtine hospital.<sup>47</sup> The Kosovo Serbs of Obilic/Obiliq were also subject to attack. For the week from 5<sup>th</sup> to 10<sup>th</sup> July alone, KFOR recorded 81 arson attacks and 36 lootings.<sup>48</sup> A total of seven people were injured in a series of grenade attacks on Kosovo Serb bars in Obilic/Obiliq town on 7<sup>th</sup> and 14<sup>th</sup> August, and on 19<sup>th</sup> August two grenades were thrown in Crkvena Vodica/Palaj, injuring two people.<sup>49</sup> KFOR reported further grenade attacks in late September.<sup>50</sup>

## **7. Strpce/Shterpce**

The Kosovo Albanian community in Strpce/Shterpce municipality suffered badly during the conflict, and several formerly mixed villages were cleansed of their Kosovo Albanian inhabitants. Demographically, Strpce/Shterpce comprises purely Kosovo Serb towns and villages to the west, including Strpce/Shterpce itself, and a few scattered and badly damaged Kosovo Albanian villages in the eastern hills. In

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<sup>47</sup> Human Rights Pristina/Prishtine Daily Report 18<sup>th</sup> October.

<sup>48</sup> Source: KFOR.

<sup>49</sup> Human Rights Pristina/Prishtine Daily Report, 19<sup>th</sup> August.

<sup>50</sup> Human Rights Pristina/Prishtine Daily Report, 24 September 1999.

effect, the Kosovo Serb areas are surrounded, the only means of movement being a twice-weekly convoy out of Kosovo to other parts of Serbia, escorted by KFOR, and there is a clear boundary between the two parts of the municipality.

Throughout July and August, and into September, pylons and power lines supplying the Kosovo Serb areas were sabotaged, leaving the Kosovo Serbs without any power for periods of up to three weeks.<sup>51</sup> Two further acts of sabotage in the same location occurred in August and September. The power cuts paralysed the community in two ways. First, by cutting heat and light and leaving homes and public facilities badly affected.<sup>52</sup> Second, by raising fears about the coming winter and the ability of the community to survive should the power be cut again. From mid-September, Strpce/Shterpce only suffered from the power cuts that affected the whole of Kosovo/Kosova, but for those who already felt cut off from normal life, and who were confined to this mountain enclave, fears were little diminished. Allied to the kidnapping in late September of two Kosovo Serb teachers from Strpce/Shterpce, the sense of security in the community has been badly affected.

While post-conflict problems have hit the now Kosovo Serb areas of the municipality, Kosovo Albanian villages also face persistent problems. Kosovo Albanian villages, supplied by secondary power lines, were unaffected by the acts of sabotage. Their problems relate much more to the level of damage sustained during the conflict, including damage to school facilities that will make schooling through the winter months difficult and, in some cases, impossible. The school in Firaja/Firaje, for example, has not been winterised and even their secondary power lines are affected by general power shortages.<sup>53</sup>

While both communities continue to face restrictions on basic needs such as warmth, light and adequate shelter, no progress has been made in setting up a mixed municipal board that might help to address some of these issues and find common solutions.

## **8. The Missing**

As in other parts of Kosovo/Kosova, abductions and reports of missing persons were constant throughout the region. On 23<sup>rd</sup> June, OSCE received a report concerning the abduction of five Kosovo Serb men from Pristina/Prishtine. According to the report, the men had been taken by the (now former) UCK in separate but related incidents. The common link was the location: all had been taken on 12<sup>th</sup> and 13<sup>th</sup> June near the school in the Vranjevac area of the city. On 21<sup>st</sup> June, a Roma man was first assaulted and then abducted in Pristina/Prishtine<sup>54</sup> and the following day, four Kosovo Serb

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<sup>51</sup> The first cuts followed an explosion that caused damage to two pylons on 6<sup>th</sup> July: power was restored on 24<sup>th</sup> July, but cut off again the following day when one of the pylons damaged in the original explosion collapsed. The pylon was fixed on 2<sup>nd</sup> August but Kosovo-wide power cuts meant that power itself was not restored until 17<sup>th</sup> August. On 4<sup>th</sup> September, following another explosion, the power went off again and was not restored until around 21<sup>st</sup> September.

<sup>52</sup> While hot water was not available, and lack of power to electric pumps meant that water pressure was often extremely low, Strpce/Shterpce's water supply was not completely cut off: much of the town's water comes from mountain streams.

<sup>53</sup> The OSCE is conducting weekly visits to the Kosovo Albanian villages. Some winterisation assistance has been offered by KFOR and international NGOs, but these organisations cannot provide labour to carry out the necessary work.

<sup>54</sup> Source: UNMIK Police.

males were reported as having gone missing from Pristina/Prishtine.<sup>55</sup> On 2<sup>nd</sup> July, a Kosovo Serb electrician was abducted from his workplace at the Pristina/Prishtine power station.<sup>56</sup> On 5<sup>th</sup> July, the victims were two Roma males, taken from Pristina/Prishtine.<sup>57</sup> On 7<sup>th</sup> July, two Kosovo Albanian men were taken in Pristina/Prishtine, again in separate but related incidents, the common link here being that they had both previously worked for the municipal authorities.<sup>58</sup> The perpetrators identified themselves by showing UCK membership cards. A single Kosovo Serb male was abducted from his apartment in Pristina/Prishtine on 12<sup>th</sup> July: one of the perpetrators showed an UCK identity card and said that the victim was a reservist captain “needed” by the UCK. The perpetrator also said that the victim would return: he has not been seen since.<sup>59</sup> On 13<sup>th</sup> July, a Kosovo Serb, formerly in the VJ, was reported abducted from Pristina/Prishtine.<sup>60</sup>

On 22<sup>nd</sup> July, three Kosovo Serb males were abducted by men allegedly in UCK uniforms in Pristina/Prishtine.<sup>61</sup> Two more Kosovo Serb men disappeared from the city on 25<sup>th</sup> July, one more was reportedly abducted from Pristina/Prishtine on 31<sup>st</sup> July, and another Kosovo Serb male went missing on 2<sup>nd</sup> August. On 8<sup>th</sup> August, the victim was a Kosovo Serb female:<sup>62</sup> another Kosovo Serb female went missing on 12<sup>th</sup> August.<sup>63</sup> Three days later, a Kosovo Serb male went missing, followed by one more Kosovo Serb male on 26<sup>th</sup> August. On 11<sup>th</sup> September a Kosovo Albanian male helping a Kosovo Serb female move out of her apartment was assaulted in Pristina/Prishtine. The woman herself later disappeared.<sup>64</sup>

Outside Pristina/Prishtine, there was also evidence of abductions and missing persons, though the incidents were very sporadic. On 8<sup>th</sup> July, a report was received from Lipljan/Lipjan that two Kosovo Serb males had gone missing<sup>65</sup> and on 15<sup>th</sup> July in Lipljan/Lipjan, an UCK member was reported missing. On 21<sup>st</sup> July, three Kosovo Serb males were reported kidnapped when they disappeared on the road to Strpce/Shterpce,<sup>66</sup> and over a month later, on 31<sup>st</sup> August, a Kosovo Serb male was reported missing, again in Lipljan/Lipjan.<sup>67</sup> In Urosevac/Ferizaj, on 12<sup>th</sup> July, a Roma man was reportedly abducted in front of his home by four Kosovo Albanian men and one Kosovo Albanian woman. As a result of this kidnapping, many Roma living in the municipality decided to leave.<sup>68</sup> Again in Urosevac/Ferizaj, a member of the Roma community was reported missing on 11<sup>th</sup> October. The community suspected former UCK were involved. On 12<sup>th</sup> October, another Roma male was reported missing.<sup>69</sup>

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<sup>55</sup> Royal Military Police Daily Activity Report.

<sup>56</sup> PR/0167/99.

<sup>57</sup> Source: UNMIK Police.

<sup>58</sup> PR/0244/99.

<sup>59</sup> PR/0197/99.

<sup>60</sup> Pristina/Prishtine Human Rights Daily Report 6<sup>th</sup> October.

<sup>61</sup> HR Special Report on Security Meeting, 21<sup>st</sup> July.

<sup>62</sup> Source: KFOR.

<sup>63</sup> Source: KFOR.

<sup>64</sup> PR/0268/99.

<sup>65</sup> Source: KFOR.

<sup>66</sup> Human Rights Pristina/Prishtine Daily Report 31<sup>st</sup> July.

<sup>67</sup> Human Rights Pristina/Prishtine Daily Report 2<sup>nd</sup> September.

<sup>68</sup> Human Rights Gnjilane/Gjilan (Follow-up activity), 20<sup>th</sup> October.

<sup>69</sup> Human Rights Gnjilane/Gjilan Daily Report, 14<sup>th</sup> October.

Two kidnappings in particular have impacted on the Pristina/Prishtine region, not simply as a result of the original abductions, but because of the actions that followed. One incident involves the September 1<sup>st</sup> abduction of a Kosovo Serb from Gracanica/Ulpiana and the other is related to the two teachers from Strpce/Shterpce that disappeared on 28<sup>th</sup> September when they were visiting Urosevac/Ferizaj. Both demonstrate the effects of isolated incidents on the general feeling of fear and security: in each case, the response of communities already restricted in their freedom of movement was to restrict that movement even further.

## **9. Access to Education**

In the ethnically mixed areas of the Pristina/Prishtine region, education proved to be one of the most controversial issues of the reporting period, and one of the most difficult to resolve. In some instances, it became an issue that sparked violence. In most areas, the 1998-99 school year was severely disrupted by the conflict, and all communities were eager for their children to resume classes. In one survey of minorities in urban Pristina/Prishtine, every household with children raised the issue of school access as the main criterion for their decision to leave Pristina/Prishtine: those interviewed indicated that many children had already left Kosovo for schools in other parts of Serbia. They also indicated that other family members would follow.<sup>70</sup> The intransigence of the groups that do have access to school facilities and the languages in which classes will be taught are the common themes of the education issue.

**(a) Lipljan/Lipjan:** A few weeks prior to the start of the school year on 1<sup>st</sup> September, KFOR opened negotiations between Kosovo Serb and Kosovo Albanian families in Lipljan/Lipjan. A delegation of three representatives from each community was formed and a number of meetings held to discuss how best to achieve mixed schooling. Separate negotiations were also conducted. In the discussions, both delegations agreed to use a shift system, with Kosovo Albanian and Kosovo Serb children using the same building but at different times. The plan appeared to be understood and approved by all concerned.

On 1<sup>st</sup> September, Kosovo Serb students arrived in the morning to start their shift. Later, Kosovo Albanian students arrived for their shift, but 45 minutes early, while Kosovo Serb children were still in classes. The Kosovo Albanian self-styled representative for education claimed that the school bus had been booked to deliver Kosovo Albanians students 45 minutes early, yet most of those students had not arrived by bus. The same day, people in UCK uniform began patrolling the school building. Kosovo Serb students have not returned to the school.

**(b) Kosovo Polje/Fushe Kosove:** From 21<sup>st</sup> June, the school in Bresje was used by the Yugoslav Red Cross as a shelter centre for displaced Kosovo Serbs. The first arrived on 20<sup>th</sup> June. At the beginning of September, 460 Kosovo Serb IDPs were still using the facility. Kosovo Albanian parents maintained that the people in the shelter were staying there only to prevent Kosovo Albanians using the building for classes. Kosovo Serbs using the shelter and the Yugoslav Red Cross denied UNMIK representatives access to the school. Kosovo Serbs outside the shelter erected roadblocks and staged demonstrations, increasing the tension.

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<sup>70</sup> UNHCR Urban Pristina/Prishtine Minority Project, Report Two, 16<sup>th</sup> to 30<sup>th</sup> August.

In the last week of September UNHCR found an alternative shelter centre. With the opening of the Bresje School imminent, the UN proposed a general plan for allocation of space for schooling in Kosovo Polje/Fushe Kosove, using Bresje and two other school buildings. Under that plan, all three buildings would be mixed. The Kosovo Serb delegation at the weekly municipal meeting on 23<sup>rd</sup> September greeted the plan cautiously. The response of the Kosovo Albanian delegation could only be guessed: they boycotted the meeting.

(c) **Janjevo/Janjeve:** There are three ethnic communities in Janjevo/Janjeve: Kosovo Albanians, Croats and Roma. The pre-conflict education system had Croat and Roma children schooled in Serbo-Croat: Kosovo Albanian children had attended Albanian-language schools in the parallel system. On 1<sup>st</sup> September, the Kosovo Albanian community opened Janjevo/Janjeve School for their children. Two weeks later, Croat and Roma children were still not attending the school: their parents were afraid that they would not be safe.

KFOR called weekly meetings, and agreement was apparently reached on 20<sup>th</sup> September that schooling would take place both in Albanian and in Serbo-Croat. One week later, the agreement collapsed. The Kosovo Albanian “head” of the Janjevo/Janjeve self-styled administration decreed that Kosovo Albanian teachers only would provide lessons for Croat and Roma children, in Albanian. The issue remained unresolved in October.

## **10. The Right to Work**

Jobs are scarce throughout Kosovo/Kosova. Finding one is increasingly difficult and keeping one, if you are a member of an ethnic minority, can be impossible. On 18<sup>th</sup> June, the acting director (self-styled) of the Elektro Kosovo in Urosevac/Ferizaj reported that 260 Kosovo Serbs had left since 15<sup>th</sup> June, leaving 50 Kosovo Albanian staff to run the plant: the period from 17<sup>th</sup> to 18<sup>th</sup> June had seen 5,000 Kosovo Serbs leave Urosevac/Ferizaj. On 24<sup>th</sup> June, a Kosovo Serb engineer went missing while driving from Levane to Obilic/Obiliq to work on repairing water pipes: a week later, KFOR found the man’s body. On 22<sup>nd</sup> June, a Kosovo Serb doctor told OSCE that the situation at Pristina/Prishtine Hospital was extremely tense. By 26<sup>th</sup> June, the entire Kosovo Serb staff had left, refusing to return to work. On 28<sup>th</sup> June, an estimated 200 Kosovo Albanians entered the Radio Television (RTV) building in Pristina/Prishtine and attempted to evict the Kosovo Serb employees. On 2<sup>nd</sup> July, a Kosovo Serb electrician was abducted from his workplace at the Pristina/Prishtine Power Plant. His fellow workers were then afraid to go to work. On 6<sup>th</sup> July, 10 Kosovo Serb medical staff were assaulted by four Kosovo Albanians at the medical centre in Lipljan/Lipjan. On 13<sup>th</sup> August, armed UCK members allegedly threatened the Kosovo Serb employees in the Kosovo Polje/Fushe Kosove municipal building. Kosovo Serb staff decided not to return to work.

In Stimlje/Shtime, the UNMIK Interim Civil Administrator has received a letter of complaint from 64 former municipal employees who have been refused a position in the new self-styled administration. The complainants claim that they were chased out by the (now former) UCK because of their LDK membership. One LDK member reported that he was beaten by the bodyguards of the self-styled president.

## 11. Peaceful Enjoyment of Property

Forced displacement in the Pristina/Prishtine region affected all communities and was effected in different ways. In the initial period the primary means of displacing people was house burning. Entire communities, including the Roma quarter in Obilic/Obiliq, were destroyed. More insidious but no less effective methods, sometimes apparently tailored to specific groups, were also apparent.

OSCE interviewed 11 Roma families living in the IDP camp near Krusevac/Krushefc, Obilic/Obiliq municipality. Of these people, seven originated from Pristina/Prishtine, having lived in mixed neighbourhoods. Most maintained that they had good or excellent relations with their Kosovo Albanian neighbours before the war: some had shared food with those neighbours while sheltering in Pristina/Prishtine.<sup>71</sup> Many interviewees stated that low-level harassment by Kosovo Albanians began immediately after KFOR's arrival, as people began to return to the city. A common form of intimidation, building on general prejudice, was an accusation of theft followed by demands to search Roma houses for stolen goods.<sup>72</sup>

The majority of reported harassment was by civilian Kosovo Albanians and much appeared opportunistic. In some cases, the victims recognised the perpetrators. On 20<sup>th</sup> June, a 31-year-old Hashkali woman reported that five Kosovo Albanian men came to her home and told her and her husband that, "if you don't leave we will kill your children and you. If we find any Roma left, you know what we will do with them."<sup>73</sup> On 27<sup>th</sup> June, a 33-year-old Hashkali woman was given five minutes to leave her house by four Kosovo Albanian men in civilian clothes. She recognised one as a merchant from the local marketplace.<sup>74</sup> A Turkish man, who had purchased his apartment from the company that employed him for 12 years, was sent an eviction notice by the new owners of the company. He was given three days to leave the apartment. Since receiving the notice, the man has received threatening phone calls on a daily basis: the callers told him to leave immediately or they would "break your legs".<sup>75</sup>

Crude as those threats may be, they were often effective. Yet they were not the only method used to force people out of their homes: two more sophisticated patterns were evident, both using threats under colour of law.

In one pattern clear organisation and a persistent practice was evident. An eviction notice would be issued, followed by threats delivered in person. Then, if the victim still remained, physical assault and even death would follow. The second method however gave rise to even more concern as it demonstrated the association of "law" with terror. The law was abused by illegitimate police forces in order to coerce minorities into leaving, but also as a means of applying pressure on less "deserving" sectors of the Kosovo Albanian population and forcing them to move.

In early July, another method of eviction, again under colour of law, began to emerge. This time the victims were Kosovo Albanian. It was reported that in a mixed

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<sup>71</sup> See, for example, PR/0246/99 and PR/0247/99.

<sup>72</sup> See, for example, PR/0247/99; PR/0251/99; and PR/0260/99.

<sup>73</sup> PR/PR/0251/99.

<sup>74</sup> PR/0250/99.

<sup>75</sup> PR/0283/99. The man is pursuing a legal claim.

apartment block in Pristina/Prishtine, Kosovo Albanian families who had been looking after apartments for their Kosovo Serb neighbours were threatened. In this case, UCK “police” were alleged to be involved although the harassment began with groups of two to three young men appearing in one apartment block on “house-hunting” expeditions. They demanded that the occupants turn over their flats. On 3<sup>rd</sup> August, a Kosovo Albanian family was singled out and targeted. They had been asked by former neighbours, Kosovo Serbs who had left the building, to look after the apartment. Their neighbour threatened them, and they were given 12-hours to leave on the basis that the Kosovo Serb owners of the apartment had “no authority” to hand it over for safekeeping. The neighbour threatened to call in the UCK “police.” An international staff member intervened, calling a KFOR patrol. On arrival at the building, the KFOR patrol found two men in the threatened apartment. KFOR detained the men, who admitted they were UCK “police” and produced identity cards. On the back of those cards, the following instruction was written:

“The bearer of this official ID is an officially authorised person that has weapons, and can use them as mentioned by law; to detain persons and bring them to police stations; to get access into apartments without warning; to use other persons’ vehicles for transport and phones; and to confiscate goods that are contraband.”

Although KFOR had initially increased its patrols, it was unable to maintain a maximum patrolling pattern, and once the patrols decreased, the harassment flared. The apartment block in question, before the conflict, was 50% Kosovo Albanian and 50% a mixture of Kosovo Serbs, Muslim Slavs, Croats, Turks and Roma. By the end of July, only six non-Albanian residents remained in the building. In early August, the Kosovo Albanian woman who had been looking after her former neighbour’s apartment fled. She took her three small children and everything she could carry.





Photo: Thomas Dworzak



KFOR prevents further violence in Mitrovica

## **KOSOVSKA MITROVICA/MITROVICE: THE VIEW FROM THE BRIDGE**

### **A. Overview**

The Kosovska Mitrovica/Mitrovice region has become clearly divided. The most northerly region in Kosovo/Kosova, comprising six municipalities<sup>1</sup> with a total area of 200 square kilometres, the pre-war population was estimated at 300,000 of whom some 43,000 were Kosovo Serbs. During the conflict, the Kosovo Albanian majority municipalities suffered very heavy damage, with an estimated 65% of homes looted and destroyed, while the predominantly Kosovo Serb municipalities were almost untouched. Evidence of damage from the NATO bombardment was limited to a former hospital building in the VJ barracks in the centre of Kosovska Mitrovica/Mitrovice town, the MUP station in the north of the town and to isolated hilltop radio repeaters and communications equipment in the northern municipalities. The former OSCE Regional Centre had been searched, but was largely undamaged. However, private apartments and a hotel used by OSCE-KVM staff were badly damaged. In particular, the hotel was looted and gutted by fire. The OSCE Field Office in Vucitrn/Vushtrri was also destroyed.

The northern municipalities of Leposavic/Leposaviq, Zvecan/Zvecan and Zubin Potok/Zubin Potok remained overwhelmingly populated by Kosovo Serbs,<sup>2</sup> with only a small number of suburbs and isolated villages with a Kosovo Albanian population. The southern municipalities of Vucitrn/Vushtrri and Srbica/Skenderaj had become predominantly Kosovo Albanian.<sup>3</sup> Only one village with both Kosovo Albanian and Kosovo Serb inhabitants remained. Central to this district stands the town of Kosovska Mitrovica/Mitrovice itself, the north of which was dominated by Kosovo Serbs, the south by Kosovo Albanians, with small pockets of Muslim Slavs and Turks. Most of the town's Roma population left after the burning of the Roma quarter in Kosovska Mitrovica/Mitrovice. Some 700 Roma remained in the whole region.<sup>4</sup>

Kosovska Mitrovica/Mitrovice was divided in two by a fault line formed by the Ibar River and by checkpoints and it was divided in three by administrative structures: Kosovo Albanian, Kosovo Serb and the UN Interim Civil Administration. In the minds of many, the town stands as a metaphor for Kosovo, with the focus almost exclusively on the division and how to end it. The northern area of the town now contains some 8-10,000 Kosovo Serbs, 2,000 Kosovo Albanians and 1,700 Muslim Slavs. The south contains some 50,000 Kosovo Albanians, including approximately 7,000 Kosovo Albanian IDPs from the north. The Roma population in the south, amounting to some 6,000 people before the conflict, has now gone leaving only a few Roma scattered in the northern part of town.<sup>5</sup> For the international community in general and for the world's media Kosovska Mitrovica/Mitrovice presented an image of people divided along ethnic lines with KFOR soldiers standing in between.

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<sup>1</sup> The six Municipalities are: Leposavic/Leposaviq, Kosovska Mitrovica/Mitrovice, Srbica/Skenderaj, Vucitrn/Vushtrri, Zubin Potok/Zubin Potok, and Zvecan/Zvecan.

<sup>2</sup> Estimated at 95% of the total population in the three municipalities. See UNHCR/OSCE Overview of the Situation of Ethnic Minorities in Kosovo, 6<sup>th</sup> September.

<sup>3</sup> Estimated at 98% of the total population.

<sup>4</sup> UNHCR, KFOR, Yugoslav Red Cross estimates.

<sup>5</sup> The total Roma population of Kosovska Mitrovica/Mitrovice town was 8-10,000 prior to the conflict. See Second OSCE/UNHCR Minorities Assessment report, 6<sup>th</sup> September.

## **B. Security**

When KFOR arrived in Kosovska Mitrovica/Mitrovice on 17<sup>th</sup> June, Yugoslav and Serb forces were withdrawing, but were still providing security to the large Kosovo Serb population, both those in residence and those IDPs arriving in Kosovska Mitrovica/Mitrovice from the south. KFOR waited for the Yugoslav and Serb forces to leave before entering the town and their deployment was complete by 25<sup>th</sup> June. The southern districts were reported to be almost empty and Kosovo Albanians only slowly emerged from their homes, returned from their hiding places in the surrounding hills or came back from further afield.

Illegal checkpoints appeared almost immediately in the northern districts as an expression of the fear felt by the Kosovo Serb population of the returning Kosovo Albanians, particularly men of fighting age. Movement between the north and south was restricted but excluded men of military age. The Kosovo Serbs formed the “Group from the Bridge,” able to mobilise hundreds of people within minutes to prevent any attempts by Kosovo Albanians to move into the north of the town. Sentries were placed on apartment buildings.

By the end of October deployment numbers had reached a total of 7,385 troops, predominantly French, but supplemented by Belgian, Danish, United Arab Emirates and Russian soldiers.<sup>6</sup> The French Gendarmes have performed all policing functions in the Kosovska Mitrovica/Mitrovice region since K-Day (12 June 1999). UNMIK Police had a presence in the region but was not fully operational in Kosovska Mitrovica/Mitrovice municipality until 20<sup>th</sup> October; the first two police officers arrived in Kosovska Mitrovica/Mitrovice on 29<sup>th</sup> June. International police numbers built up slowly and by the end of September 88 police officers were stationed in the region.<sup>7</sup> The total planned deployment is 300.

In the southern municipalities, the former UCK presence was strong and there was evidence that the former UCK “police” (and later the Kosovo Protection Corps (provisional TMK)) performed a range of functions, including patrolling, detaining and questioning suspects.<sup>8</sup>

Former Serb police were said to be present in the northern municipalities, although not in uniform. Generally, Kosovo Serbs in the northern areas reported few security concerns, and had in one instance asked that the local KFOR deployment to stay in its barracks.<sup>9</sup>

## **C. Civil Administration**

The UN Regional Administrator arrived in Kosovska Mitrovica/Mitrovice on 6<sup>th</sup> July and UNMIK Municipal Administrators were in place throughout the region by the end

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<sup>6</sup> By municipality, the deployment is: Kosovska Mitrovica/Mitrovice, 2,949 French KFOR; Leposavic/Leposaviq, 1,037 Belgian KFOR; Zvecan/Zvecan and Zubin Potok/Zubin Potok, 738 Danish KFOR; Vucitrn/Vushtrri and Srbica/Skenderaj, 1,176 French, 1,005 UAE and 480 Russian.

<sup>7</sup> In Kosovska Mitrovica/Mitrovice, Leposavic/Leposaviq, Zubin Potok/Zubin Potok, Zvecan/Zvecan and Vucitrn/Vushtrri.

<sup>8</sup> On 1<sup>st</sup> September, OSCE followed up a report of harassment in Prvi Tunnel and discovered that the UCK “police” had detained and were questioning a suspect MI/0051/99 refers.

<sup>9</sup> In Leposavic/Leposaviq municipality. It was possible that the request in part resulted from the proximity of the VJ over the Kosovo administrative boundary.

of September. The UNMIK Interim Civil Administration has specialists on the environment, public utilities and gender issues.

The arrival of the UN Regional Administrator was preceded by the presence of self-appointed administrations that continue to exercise authority. In the southern municipalities, the self-styled Hashim Thaci “provisional government” appointed these authorities and in the north, the existing Serb municipal bodies continued to function. With the exception of Kosovska Mitrovica/Mitrovice itself, the UN accepted the *de facto* situation. In Kosovska Mitrovica/Mitrovice, the division between the strong self-styled Kosovo Albanian structure and the strong Serb National Council (SNC) structure needed resolution.

**(i) Self-Styled Kosovo Albanian Authority:** The President of the Kosovo Albanian self-styled authorities in Kosovska Mitrovica/Mitrovice was a former LDK member and surgeon. Generally, relations between the Kosovo Albanian parties appeared to be good<sup>10</sup> and it was reported that technical posts in the self-styled administration were filled on the basis of expertise rather than political affiliation. The self-styled administration publicly promoted the notion of mixed ethnicity in Kosovska Mitrovica/Mitrovice town and continually pushed for Kosovo Albanians to be returned to the northern areas.

The self-styled administration did not work alone: UCK “police” provided security and the Mother Theresa Society had primary responsibility for delivering humanitarian aid in the southern municipalities. Thus strengthened, the Kosovska Mitrovica/Mitrovice self-styled administration clearly extended its influence throughout the Kosovo Albanian areas. Its level of control extended also to the Muslim Slav and Turkish communities reaching an agreement to represent these groups so that they would all “speak with once voice.” Its degree of control was demonstrated on several occasions when a call from the self-styled administration to cease demonstrations or violence resulted in almost immediate calm.<sup>11</sup>

**(ii) The Serb National Council (SNC):** In contrast with much of Kosovo, the Kosovo Serb population in Kosovska Mitrovica/Mitrovice had political representation from the outset.<sup>12</sup> The first representative structure, the former municipal authority, quickly lost credibility among Kosovo Serbs. During the initial public demonstrations in Kosovska Mitrovica/Mitrovice, the Mayor and his deputies were unable to exercise any control over the actions of the crowd. Attention turned to the organisers of the

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<sup>10</sup> On 26<sup>th</sup> June Kosovska Mitrovica/Mitrovice LDK leadership at a meeting with OSCE stated they “respect and co-operate with the UCK designated administrator” Daily Report of 26<sup>th</sup> June. Uniformed UCK paid their respects at the reburial on 9<sup>th</sup> August, of the former Kosovska Mitrovica/Mitrovice LDK President, Latif Berisha, killed on 24<sup>th</sup> March. Daily Report 12<sup>th</sup> August. Good relations were acknowledged informally by the self styled administrator

<sup>11</sup> See, for example, 9<sup>th</sup> September when demonstrations in Kosovska Mitrovica/Mitrovice town were sparked by attempted returns in Brdo/Vitakut. The UNMIK Administrator appealed for calm through the Kosovo Albanian leadership. Calm was restored in less than an hour. MI/0055/99

<sup>12</sup> Organised political representation for Kosovo Serbs was not the norm. In Gracanica/Ulpianj and Gnjilane/Gjilan, for example, representation is through the Church Board. There was some evidence that the SNC in Kosovska Mitrovica/Mitrovice was seeking ties to the two Church Boards in order to extend its influence as well as that of the Church Boards. Elsewhere, the SNC and similar bodies were not overtly functional the salient exception being the recent formation of the Gracanica SNC under the leadership of Bishop Artemija.

“Group from the Bridge”, the leadership of which formed a seven-member Board within the Serb National Council (SNC). The SNC, formed in January 1999,<sup>13</sup> comprises representatives from all municipalities in the region, all of whom were originally elected, with the exception of Kosovska Mitrovica/Mitrovice municipality itself. The SNC leaders are Oliver Ivanovic and Dr Marko Jaksic, who continue to play a key (and UNMIK publicly-criticised) role in the dispute over access to the Mitrovica Hospital in the north of the town.<sup>14</sup>

The current SNC demonstrates a similar degree of control over the Kosovo Serb population to that exercised by the Kosovo Albanian self-appointed authorities over the Kosovo Albanians. Both sides have been seemingly able to call and end demonstrations at will.<sup>15</sup>

Like the Kosovo Albanian representation, the SNC has at its disposal a security mechanism, although it is less formal and less effective than the former UCK or provisional TMK. The existence of some form of security presence was particularly evident during the unrest in Kosovska Mitrovica/Mitrovice on 9<sup>th</sup> September when Kosovo Serbs with walkie-talkies appeared to be co-ordinating events. These demonstrations in the northern municipalities, called by the SNC in response to the formation of the provisional TMK, highlighted the demand for a Serb Protection Corps.<sup>16</sup> On occasion, the SNC has also needed to call on KFOR for security.<sup>17</sup>

The SNC’s main pre-occupation had been its opposition to the return of Kosovo Albanians to the north and it argued consistently that a returns policy would result in the expulsion of Kosovo Serbs from the north of Kosovska Mitrovica/Mitrovice town and, ultimately, from the whole region.

#### **D. The Industrial Landscape: Trepca/Trepqa**

The economic life of Kosovska Mitrovica/Mitrovice and arguably of Kosovo was dependant upon the Trepca/Trepqa Conglomerate, a facility of some 42 mines, processing and production companies. The Conglomerate’s Headquarters was in Belgrade, but the vast majority of assets were concentrated in Kosovo. The management offices were based in Zvecan/Zvecan, where the population was 95% Kosovo Serb. On 28<sup>th</sup> June the Kosovo Serb management attempted to gain access to mines in the south of Kosovska Mitrovica/Mitrovice, but no security could be provided and they were unsuccessful. At the same time, the Kosovo Albanian community was considering the issue of the management of Trepca/Trepqa and members of the pre-1989 Kosovo Albanian management team were invited by Thaci’s self-styled “Provisional Government” to form a new management board. Former Kosovo Albanian workers of the Conglomerate also formed a board, but neither the management nor the workers were able to access the key facility in Kosovo Serb-controlled Zvecan/Zvecan.

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<sup>13</sup> Source: Prominent member of the SNC.

<sup>14</sup> See below.

<sup>15</sup> Kosovska Mitrovica/Mitrovice Regional Centre, Daily Reports 14<sup>th</sup> July, 12<sup>th</sup> August, 11<sup>th</sup> September and 14<sup>th</sup> September.

<sup>16</sup> The demonstrations also focused on access to education. They were sparked by an incident in Brdo when a Kosovo Serb demonstration reportedly met with an armed response from Kosovo Albanians.

<sup>17</sup> For example, in Gojbulja/Gojbuje and for those moving from Kosovo Serb villages to Kosovska Mitrovica/Mitrovice.

Both KFOR and UNMIK have conducted assessments of the facility, although results have not yet been made publicly available. The fate of Trepca/Trepqa, with its resources divided between majority Kosovo Albanian and Kosovo Serb areas, would continue to be significant for Kosovo/Kosova. Industrial capacity in the province as a whole was poor, overstaffed and with outdated infrastructure. Trepca/Trepqa suffered similar problems, but did offer recognisable economic capacity. For this reason alone, the prospect of employment linked to the Trepca/Trepqa Conglomerate was attractive to both communities, but for different reasons. For Kosovo Albanians the need to construct some form of self-sufficient economy and alleviate unemployment made ownership and control of Trepca/Trepqa an economic necessity. That was particularly true if foreign investment on favourable terms could be secured to update the facilities. For Kosovo Serbs, and for Belgrade, control of access to at least some of the Trepca/Trepqa facilities, in the northern municipalities, would achieve two ends. First, it would separate some of the processing capacity from less profitable raw material production. Second, it would strengthen ties to the rest of Serbia, reopening mutually beneficial trade links and providing some economic security.

## **E. Human Rights Patterns and Trends**

### **1. Kosovska Mitrovica/Mitrovice**

The simple physical geography of Kosovska Mitrovica/Mitrovice is that the Kosovo Serbs now live to the north of the Ibar River. The Kosovo Serb community in northern Kosovska Mitrovica/Mitrovice is geographically linked to the three northern, predominantly Serb, municipalities that adjoin the northern Kosovo administrative boundary. Therefore, unlike in other areas in Kosovo the Kosovo Serb community living here does not constitute an enclave. Prior to the conflict, the population of the north of town was at least 50% ethnic Albanian. On the southern side of the river, the population remained predominantly Kosovo Albanian becoming more demographically concentrated as almost all of the 300 ethnic Serb families who used to live in the south were displaced to the north. As of 12<sup>th</sup> October only 20 Kosovo Serbs, most of them elderly persons, remained and were concentrated in the neighbourhood next to the Orthodox Church, relying on 24-hour KFOR protection.

Many members of both communities own property in the “other” part of town and repeated attempts have been made to reclaim it using both negotiation and force. The Kosovo Serb community vowed to protect the northern area and maintain its residence and security there. The Kosovo Albanians for their part have vowed to return to their property.<sup>18</sup> For this they required freedom of movement not only for access to property but also for access to the educational establishments, healthcare (the only hospital is in the north) and important commercial interests (Trepca/Trepqa

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<sup>18</sup> At the first post conflict co-ordination meeting in Kosovska Mitrovica/Mitrovice on 3<sup>rd</sup> July attended by UNHCR, OSCE, KFOR, UN Civil Administration and the self-styled “administration” stressed the importance of achieving a solution of the problem of returning Kosovo Albanians. Adding that while the (now former) UCK was currently complying with KFOR, the “administration” could not hope to hold onto its credibility if solutions were not resolved. Similar sentiments were expressed during the freedom of movement/returns negotiations in mid July. However, the Kosovo Serb leadership declined to sign an initial agreement on the grounds that Kosovo Serbs had been expelled elsewhere in Kosovo and it was only in Kosovska Mitrovica/Mitrovice that they could defend themselves as a community. Daily report 3<sup>rd</sup>, 16<sup>th</sup> and 17<sup>th</sup> July.

Mine and associated industries)<sup>19</sup> that are in the north. The Kosovo Albanian community claimed to fear a *de facto* partition of Kosovo/Kosova through central Kosovska Mitrovica/Mitrovice and referred only to the problems of returns. However, although not publicly voiced, for the Kosovo Albanians the returns issue was not confined to homes and institutions. It included the economic benefits that would be gained if the Kosovo Albanian community could extend its geographic control five kilometres further north, to Zvecan/Zvecan, where control of a major part of Trpce mine and its associated industries would be gained.

**(a) Access to Healthcare:** Access to the Kosovska Mitrovica/Mitrovice Hospital for Kosovo Albanians was restricted due to its location in the north of the town. Throughout July and August, access for Kosovo Albanians was possible, but like other key issues in the town,<sup>20</sup> agreements reached eventually broke down and the resulting series of verbal and physical confrontations over access to healthcare ultimately achieved little.

The first confrontation over access to the hospital came on 26<sup>th</sup> June, three days after the OSCE had re-established its Regional Centre in Kosovska Mitrovica/Mitrovice. Kosovo Albanians called for a mass “walk over the bridge” by Kosovo Albanian medical staff and patients in order to secure treatment at the hospital. On the morning of 26<sup>th</sup> June, Kosovo Serbs gathered to the north of the central bridge to block access, while Kosovo Albanians gathered on the southern side: KFOR stood between them. The Kosovo Albanian crowd was dispersed when head of the self-styled “Provisional Government”, Hashim Thaci, addressed them, saying that it was not a good day to solve the problem.

Following this abortive protest, KFOR opened negotiations. By 28<sup>th</sup> June, there was an international Administrator working at the hospital along with two Kosovo Albanian doctors. Negotiations continued and at the beginning of July an agreement was reached to increase the number of Kosovo Albanian medical staff. Subsequently, the Kosovo Albanian staff and patients were transported north across the bridge to the hospital. Transport was initially provided by KFOR and then by Action Humanitaire de France. The buses transporting medical staff and patients were occasionally stoned, but this violence seemed more sporadic and opportunistic than organised. The situation remained stable until September, when the hospital once again became the issue around which political manipulation by both sides was focused.

The organised nature of such incidents first became apparent on 20<sup>th</sup> September when two shuttle buses driving Kosovo Albanian medical staff to the hospital were stoned. Kosovo Serbs reportedly arranged traffic jams to impede the progress of the buses, slowing them down and making them easier targets for individuals hidden within the gathering crowd. The violence was organised by individuals using hand-held radios and hiding within the crowds making it impossible for KFOR to find and arrest the organisers or those throwing the stones. On 22<sup>nd</sup> September, a strike among Kosovo

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<sup>19</sup> The Trpce Mining, Metallurgical, Chemical Complex was a joint stock company, a matter disputed by Kosovo Albanians. The company was comprised of more than 42 elements such as mines, factories and ore processing plants. These were situated in 32 locations in FRY, the majority of which were within Kosovo/Kosova.

<sup>20</sup> For example, access to the University and the PTT, both of which followed a similar pattern to the debate over access to health.

Serb hospital staff meant that the access road to the hospital was blocked throughout the morning.

On 23<sup>rd</sup> September disturbances took place at the hospital itself. KFOR reported that the driver of one of the Action Humanitaire France shuttle buses became involved in a dispute, leaving the bus carrying some form of stick and assaulting a Kosovo Serb who sustained head injuries. The driver was detained by the Gendarmes and found to be carrying a side arm. The seriousness of a firearm being discovered in an international vehicle cannot be overstated.<sup>21</sup> That this was also a medical vehicle makes the offence all the more serious. Kosovo Serb medical staff then surrounded all the buses and reportedly began to stone them. The last bus to leave the hospital had several windows broken. In the hospital building, a Kosovo Albanian worker was allegedly assaulted and required the intervention of the international Administrator of the hospital and KFOR to protect and evacuate him. Again, however, the size of the Kosovo Serb crowd prevented KFOR from singling out anyone to arrest.

On 24<sup>th</sup> September the hospital's Deputy Administrator announced that "proper security" would henceforth be guaranteed at the hospital, following an agreement with KFOR and the UNMIK Interim Civil Administration. Kosovo Albanian staff were again allowed access into the hospital.<sup>22</sup> When the hospital's international Administrator arrived later that afternoon, Kosovo Serb protestors blocked the path of his vehicle. The Administrator was forced to walk to the hospital building, abandoning his car. Although harassed and intimidated, the Administrator was not injured during this short walk.

On 27<sup>th</sup> September the international Administrator reported that 150 Kosovo Serbs had again blocked access to the hospital, putting a car across the entrance. Reportedly, this action was linked to continuing problems with the PTT, where attempts were being made to introduce Kosovo Albanians to the workforce.<sup>23</sup> However, comments made by one of the Kosovo Serb medical staff, Dr Marko Jaksic, who is also one of the SNC leaders, aggravated the difficulties: Jaksic demanded that all Kosovo Albanian patients and staff be removed from the hospital. That evacuation did not take place and on the afternoon of 27<sup>th</sup> September, Kosovo Albanian staff were able to access the hospital. Yet on 29<sup>th</sup> September, following further pressure from Jaksic and further inflammatory comments by some members of the Kosovo Serb medical staff,<sup>24</sup> the Kosovo Albanian staff withdrew their services and all Kosovo Albanian patients had to be evacuated. The hospital was once again entirely staffed and used by Kosovo Serbs. This situation remained unchanged at the end of October.

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<sup>21</sup> International humanitarian organisations never allow weapons of any type to be carried in their vehicles, since this is regarded as increasing, and not ameliorating, the security risk.

<sup>22</sup> The vehicles were not allowed into the hospital grounds, the passengers walked from buses to the hospital building without incident.

<sup>23</sup> Negotiations on the PTT were scheduled to start on 24<sup>th</sup> September, but no Kosovo Serb staff turned up at the meeting. On the morning of 24<sup>th</sup> September, KFOR was called to the PTT following reports that Kosovo Staff were removing equipment from the building. The property was returned and the Kosovo Serbs escorted away. A large crowd of Kosovo Albanians gathered, numbering up to 1,300 people, and some stones were thrown at the departing Kosovo Serbs.

<sup>24</sup> One such comment was that "any commitment to an undivided city will mean either the deaths of Kosovo Albanians or the withdrawal of all Kosovo Serb staff and patients".



**(b) Returns:** During the meetings on the issue of the hospital in late June, KFOR stated clearly that it did not want to see Kosovska Mitrovica/Mitrovice divided. It also stated that it did not have the resources to guarantee safe passage or permanent security for Kosovo Albanians wishing to return to their homes in northern Kosovska Mitrovica/Mitrovice. However, the arrival of 150 French Gendarmes in late June expanded KFOR's capacity to secure a degree of law and order and provided proof of ownership could be produced, the Gendarmes began to escort small numbers of Kosovo Albanians to their homes in the northern districts.

The limited numbers of Kosovo Albanians who returned to the north were not enough to satisfy their political leaders and by mid July, frequent and sometimes violent demonstrations took place around the central bridge in Kosovska Mitrovica/Mitrovice.<sup>25</sup> The immediate result was counter-demonstrations by the Kosovo Serbs.<sup>26</sup> The overall result was that KFOR was again forced to deploy significant numbers of troops to keep the two sides apart, leaving fewer resources to provide security in other areas, or to secure freedom of movement and the right to peaceful enjoyment of property. The focus fell back on that central bridge.

On 16<sup>th</sup> July the first joint negotiation meeting took place between the UNMIK Interim Civil Administration and the Kosovo Serb and Kosovo Albanian leaderships, producing a proposal for limited freedom of movement for groups of one to three people and a moratorium on demonstrations.<sup>27</sup> The Kosovo Albanian leadership immediately posted notices requesting the youth not to demonstrate. But on the following day, the three-man Kosovo Serb leadership refused to sign.<sup>28</sup> Nevertheless, the agreement to stop demonstrations and to cease harassment, house burnings and looting, remained in place. A follow-up meeting was called for 21<sup>st</sup> July.

From 17<sup>th</sup> to 21<sup>st</sup> July, rather than becoming quieter, the situation deteriorated. A series of property fires occurred in the northern and southern parts of the town and a KFOR checkpoint was attacked near the western bridge. On 19<sup>th</sup> July, the same day as a KFOR unit left the adjacent building, the first of a series of evictions was reported, with Kosovo Serbs being driven from their building in central Kosovska Mitrovica/Mitrovice.<sup>29</sup> The families, with KFOR assistance, were returned to their homes the following day. The return was temporary and following a series of visits

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<sup>25</sup> Daylight demonstration of approximately 200, (an OSCE estimate) on 26<sup>th</sup> June; daylight demonstration of approximately 5,000, (an OSCE estimate), through north Kosovska Mitrovica/Mitrovice on 7<sup>th</sup> July; an evening demonstration of 300, (an OSCE estimate), on 14<sup>th</sup> July; an evening demonstration on 15<sup>th</sup> July with stone throwing between ethnic Albanians and Serbs. Crowd size decreased on 16<sup>th</sup> July following an appeal by the self appointed administration and the UCK Commander for parents to control their children. Demonstration ceased within one hour of an appeal to the Kosovar Albanian leadership by the UNMIK Interim Civil Administrator on 10<sup>th</sup> September.

<sup>26</sup> 300, (an OSCE estimate), Kosovo Serbs demonstrated in response to the gathering of Kosovo Albanians on 26<sup>th</sup> June. Approximately 50 Kosovo Serbs demonstrated in response to that of Kosovo Albanians (Daily report 14<sup>th</sup> July).

<sup>27</sup> Essentially the agreement was a joint declaration guaranteeing freedom of movement for groups of up to three adults and a moratorium on demonstrations.

<sup>28</sup> The former Mayor of Kosovska Mitrovica/Mitrovice said that he had to consult his Board; the DSS leader cited security concerns as his reason for not signing; the third representative had no choice and did not sign either.

<sup>29</sup> MI/0053/99.

from UCK “police” claiming that only they could nominate occupants for the apartments, all the Kosovo Serb families left the building.<sup>30</sup>

Negotiations re-opened on 21<sup>st</sup> July without international attendance and closed with the conclusion of a Declaration of Principles calling for a cessation of violence and expressing a willingness to live together. Annexes on freedom of movement and return to properties were also agreed. The Declaration was to be signed on 22<sup>nd</sup> July, but the Kosovo Serb leadership refused to sign, this time citing violence against Kosovo Serbs. They did agree to take the Declaration to a plenary meeting of the SNC on 25<sup>th</sup> July. The massacre of 14 Kosovo Serbs in Gracko on 23<sup>rd</sup> July<sup>31</sup>, however, derailed the talks and ended hopes that the Kosovo Serbs would endorse the Declaration.

The immediate response of the Kosovo Albanian representatives was a request to UNHCR to press ahead with returns to the north. The request was accompanied by an ultimatum setting 19<sup>th</sup> July as the deadline for full agreement. Were the deadline not met, further demonstrations would take place. The request was that 100 families a day should return over a three-week period.

The UNMIK Regional Administrator announced his intention to address the SNC on 30<sup>th</sup> July, working in the meantime with the Kosovo Albanian leadership to persuade them not to organise demonstrations. Simultaneously, the international community continued to plan for the returns process, despite UNHCR reservations that the conditions were not right for return. The first meeting of a Joint Commission for Kosovska Mitrovica/Mitrovice municipality was called, inviting a range of representatives from the Kosovo Serbs, Kosovo Albanians, Muslim Slavs, Turkish and Roma minorities: no fixed agreement was reached.

On 28<sup>th</sup> July, KFOR closed the central bridge in Kosovska Mitrovica/Mitrovice in an attempt to clear the Kosovo Serb watch keepers (sentries) from the area. Over the weekend of 30<sup>th</sup> to 31<sup>st</sup> July houses were burned both north and south of the river.<sup>32</sup> A KFOR patrol was reportedly threatened by an armed Kosovo Serb while escorting a Kosovo Albanian family to their apartment.<sup>33</sup> KFOR and the Gendarmes responded with a highly visible joint operation in the north, blocking all access for several hours.

UNMIK, KFOR, OSCE and UNHCR agreed to establish a Joint Commission on Return to which representatives of all communities were invited. The main purpose of the Commission was to further discuss and agree upon the establishment of conditions conducive to return.

The Gendarmes reported at the end of July that they had opened 1,500 case files, of which 75% were for looting and arson, but that no one had been detained for these acts. The effects on the people of Kosovska Mitrovica/Mitrovice were stark: by the

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<sup>30</sup> MI/0053/99.

<sup>31</sup> See also Pristina/Prishtine Regional Report.

<sup>32</sup> A Kosovo Albanian property in northern Kosovska Mitrovica/Mitrovice, KFOR source, one Kosovo Serb house in southern Kosovska Mitrovica/Mitrovice, OSCE source.

<sup>33</sup> Kosovska Mitrovica/Mitrovice Regional Centre, Daily report , 2<sup>nd</sup> August.

end of July, there were few Kosovo Serbs in the south of the town and few Kosovo Albanians had returned to the north.<sup>34</sup>

**(c) August - one step forward, two steps back:** Early August in Kosovska Mitrovica/Mitrovice town was a period of rising tension and increased violence. On 2<sup>nd</sup> August a Kosovo Serb man was reportedly abducted from the Orthodox Cemetery.<sup>35</sup> Following this incident and a KFOR-conducted arms search in the Kosovo Serb village of Zupce/Zupc, the Kosovo Serb leadership called off any attempts to resolve the north-south divide in Kosovska Mitrovica/Mitrovice. In response, the Kosovo Albanian self-styled administration posted notices claiming that all negotiations had failed and calling on citizens to use their own initiative to push for a return to the north.

The response to the call was a grenade attack, from the south to the north of Kosovska Mitrovica/Mitrovice, on 4<sup>th</sup> August. One Kosovo Serb house was damaged, but no one was injured.<sup>36</sup> For its part, the Kosovo Serb community opened a market close to the controversial central bridge, collecting larger than normal numbers of people in the market area and visibly demonstrating their intention to remain and to live in the north.

Despite several meetings regarding freedom of movement held in the UNMIK Interim Civil Administration regional office and attended by OSCE, UNHCR and KFOR, Albanian and Serb representatives further radicalised their positions. While the SNC decided to postpone the holding of the UNMIK Joint Commission meeting for a week and to suspend the proposed two days of freedom of movement, the Kosovo Albanian self-styled administration decided to publicly announce the proposed two-day test period. Moreover, the self-styled “Provisional Government, Municipality Council” posted an information leaflet in town, calling citizens to use their own initiative to find ways to return to their homes in the north of Kosovska Mitrovica/Mitrovice. On 7<sup>th</sup> August following a meeting in which it was agreed that the Kosovo Albanian leadership would also speak on behalf of Muslim Slavs and Turks, an attempted mass crossing of the bridge took place. Approximately 1,000 male Kosovo Albanians gathered in the south ready to try and move to the northern part of Kosovska Mitrovica/Mitrovice, but they were prevented from doing so by KFOR. Following the end of the protest, representatives from the (now former) UCK, the self-styled administration and UNMIK met and agreed on a limited return of Kosovo Albanians to their homes under KFOR escort in the following week. With little room for manoeuvre following this pressure, the Kosovo Serb leadership went back to joint talks. Both sides agreed that any returns must be voluntary and free from conditions and they agreed to draw up lists of those who would be willing to move, apartment block by apartment block.

Whatever the political agreement reached, the Kosovo Serb population was opposed to it. The violence increased, reaching a peak on 10<sup>th</sup> August in a series of grenade attacks from the south, targeted against apartment blocks on the riverfront.<sup>37</sup> Both Kosovo Albanian and Kosovo Serb homes were hit, but no one was injured. In

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<sup>34</sup> Approx. 30 Kosovo Serbs around the Orthodox Church, KFOR source.

<sup>35</sup> MI/0090/99.

<sup>36</sup> Kosovska Mitrovica/Mitrovice Regional Centre, Daily report, 4<sup>th</sup> August.

<sup>37</sup> Kosovska Mitrovica/Mitrovice Regional Centre, Daily report, 12<sup>th</sup> August.

reaction, thousands of people gathered on both sides of the central bridge and during the night, Kosovo Serbs forcibly evicted Kosovo Albanian and Muslim Slav families from the north. A total of 130 people were reported to have been evicted, many being removed by KFOR to a place of safety.<sup>38</sup>

In the days following the grenade attacks, the violence subsided. The SNC called a rally, asking for the perpetrators of the grenade attacks to be punished and for a hold to be put on all returns. They also called for a return of the VJ and MUP to ensure security. The concept of cantonisation was raised for the north of the town and northern municipalities. Early the next morning, several trucks containing armed Kosovo Serbs were prevented from crossing into the southern districts by KFOR and on 14<sup>th</sup> August two Kosovo Serb men were detained in the south of the town for being in possession of hand grenades.<sup>39</sup>

By 19<sup>th</sup> August, little progress had been made on the issue of returns, with the exception that many of those expelled on 10<sup>th</sup> and 11<sup>th</sup> August were returned to their homes in the north and it appeared that the situation had reached a stalemate. At a meeting of the international community, UNHCR expressed its concern that the returns issue was being forced before the time was right. Conversely, KFOR argued that the only reason for the relative calm was the steady trickle of returns to the north. The UN Regional Administrator strongly supported the continuation of the returns process. UNHCR remained opposed.

**(d) September - new fronts and old:** The issue of returns and access to health initiated the most violent confrontations, but by September new issues were also in play. The start of the school year and the announcement that schools should be mixed, switched attention to the issue of access to education. As ever, the issue was over the concept of sharing facilities, although the mixed education policy did not require that Kosovo Albanians and Kosovo Serbs be taught at the same times, only that they be taught at different times in the same buildings. The approach of the 19<sup>th</sup> September deadline for demilitarisation of the (now former) UCK drew attention to security issues, and the imminent formation of the Kosovo Protection Corps (provisional TMK).

In early September Brdo/Vitakut in northern Kosovska Mitrovica/Mitrovice was the scene of violence. Brdo/Vitakut was chosen as the site for planned and controlled returns, with guarantees of security from KFOR. A previous attempt to return to this site had failed when Kosovo Albanian returnees had been expelled by Kosovo Serbs and their tents had been destroyed, despite KFOR providing security.<sup>40</sup> At an SNC rally on 8<sup>th</sup> September, Kosovo Serbs had been called upon to demonstrate at the Brdo/Vitakut site. Preparations began on both sides. On 9<sup>th</sup> September a group of approximately 35 Kosovo Albanian males and their families were working on their homes in the north when two large groups of Kosovo Serb males arrived in the area. At least some of the group reportedly managed to pass the KFOR checkpoints and in an organised and pre-planned manner the Kosovo Serbs began beating Kosovo

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<sup>38</sup> MI/0027/99.

<sup>39</sup> Kosovska Mitrovica/Mitrovice Regional Centre, Report, 16<sup>th</sup> August.

<sup>40</sup> MI/0055/99.

Albanians and destroying property.<sup>41</sup> The Kosovo Albanians responded in a similarly organised manner (later the UCK Zone Commander was seen leaving Brdo/Vitakut and going to Kosovska Mitrovica/Mitrovice centre<sup>42</sup>) and at some point Kosovo Albanians opened fire. They in turn were fired upon by KFOR. The activity spread to the town centre where a group of Kosovo Albanians attempted to cross the river. A number succeeded and grenades were thrown injuring some Kosovo Serbs and Gendarmes.<sup>43</sup> A large-scale disturbance followed resulting in many injuries within the two communities and amongst KFOR.<sup>44</sup> No further escorted attempts were made by the international community for the Kosovo Albanian families to return to their homes in Brdo/Vitakut.

On 9th September the confrontation re-ignited in Kosovska Mitrovica/Mitrovice town and a large group of Kosovo Albanians again attempted to cross the river. Calm was restored only at 23:00 hours when the UN Regional Administrator made an appeal through the Kosovo Albanian leadership. It was a measure of the level of the continued control exercised by that leadership that the violence stopped within the hour.

According to Kosovo Albanian and Serb leaders, the violence was politically motivated.<sup>45</sup> Kosovo Albanian leaders were frustrated about the continued lack of freedom of movement and wanted faster returns to the northern part of Kosovska Mitrovica/Mitrovice. Kosovo Serb leaders said they were protesting their strong opposition to an integrated school system, as proposed by UNMIK. It was reported to OSCE that Kosovo Serbs in the region were called to defend northern Kosovska Mitrovica/Mitrovice from incoming ethnic Kosovo Albanian students expected to return to their schools on 13<sup>th</sup> September.<sup>46</sup>

During the series of rallies sparked by the returns to Brdo/Vitakut, returns were not the only issue. Calls were made for all Kosovo Serbs to go to Kosovska Mitrovica/Mitrovice town on 13<sup>th</sup> September to protest the imposition of mixed schools and at the formation of the Kosovo Protection Corps (provisional TMK). The question of education was to become a focal point, just as the hospital had been. Protests about mixed education policy were to dominate discussions about schooling at primary and secondary level, and had their most violent expression in confrontations about the University.

Dissent between Kosovo Albanians and Kosovo Serbs arose first over the use of buildings and facilities. The Kosovo Albanian community demanded mixed schools so that they could have access to what, in their view, were the larger and better

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<sup>41</sup> OSCE observed groups of Kosovo Serb males active in northern Kosovska Mitrovica/Mitrovice. Additionally KFOR and local sources subsequently reported harassment and assaults of Kosovo Albanians in northern Kosovska Mitrovica/Mitrovice.

<sup>42</sup> Kosovska Mitrovica/Mitrovice Regional Centre, Spot report, 11<sup>th</sup> September, KFOR source.

<sup>43</sup> Kosovska Mitrovica/Mitrovice Regional Centre, Spot report, 11<sup>th</sup> September.

<sup>44</sup> 11 seriously injured Kosovo Albanians were admitted to Pristina Hospital; 30 injured Kosovo Serbs were admitted to Kosovska Mitrovica/Mitrovice Hospital; seven Gendarmes and three KFOR troops were injured. A further 150 Kosovo Albanians reported to two health centres in southern Kosovska Mitrovica/Mitrovice, Hospital & KFOR sources.

<sup>45</sup> Sources within the Kosovo Albanian and Serb leadership. Kosovska Mitrovica/Mitrovice Regional Centre, Spot report, 11<sup>th</sup> September.

<sup>46</sup> Kosovska Mitrovica/Mitrovice Regional Centre, Spot report, 11<sup>th</sup> September.

facilities in the north. The Kosovo Serbs considered facilities in the south to be sufficient. In the north were the technical and medical secondary schools, in the south the Gymnasium and the economics secondary schools. However, KFOR was resident in the two southern schools and their presence would have forced Kosovo Albanians to use primary school facilities for secondary schooling. On 6<sup>th</sup> September the UN Regional Administrator announced the schooling policy: schools were to be mixed. The immediate concern was that the Kosovo Serb leadership would not accept this policy and an unconfirmed report was received that Kosovo Albanian teachers had been harassed when trying to enter their former school in northern Kosovska Mitrovica/Mitrovice.<sup>47</sup> The Kosovo Albanian leadership agreed that Muslim Slav and Turkish children could be schooled with Kosovo Albanian children in the south, but in early September all parties were awaiting approval of the UN Regional Administrator of payment for materials.

By mid-September, following the series of rallies in the northern municipalities, the decision on mixed schooling was suspended by the UN Regional Administrator pending an assessment. Schools would now be split ethnically north and south of the river. One immediate result was that Kosovo Albanian school children “staged” a protest outside the UNMIK building. It was not known who was responsible for calling and organising the protest, but the political manipulation first seen over the issue of returns, with individual families being encouraged to make a bridgehead, seemed also to have spread to children.

The last two weeks of September saw renewed violence across the divide. On 19<sup>th</sup> September a spate of looting was reported in the north of the town and some Kosovo Serbs were arrested. The Orthodox Cemetery was attacked, with 109 graves damaged.<sup>48</sup> Arms caches were found in both the north and the south.<sup>49</sup> The hospital bus was stoned twice, on 22<sup>nd</sup> and 23<sup>rd</sup> September,<sup>50</sup> and a roadblock was placed at the hospital entrance. The train serving Kosovo Serb areas was again derailed<sup>51</sup> and the shuttle bus to the isolated Kosovo Serb community of Zvinare/Frasher was stoned and the service was withdrawn.<sup>52</sup> The Court remained the only functioning joint institution in September, but this too was to succumb to the forces of segregation with the resignation of the Kosovo Serb judges on 3 September and 4 October 1999.

**(e) October:** In October the same patterns were evident in Kosovska Mitrovica/Mitrovice with the focal points continuing to be the Court, Hospital and University. The specific incidents in the June to October period were to a large extent all security related. The heart of the matter was not a hospital, nor schools, nor the PTT, nor even returns but instead, the fear about security in the wake of attempts to create mixed institutions. Placed in a human rights context, with the possible exception of schooling, the key issues were individuals’ security, discrimination and restricted freedom of movement.

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<sup>47</sup> CDHRF source.

<sup>48</sup> MI/0091/99.

<sup>49</sup> Kosovska Mitrovica/Mitrovice Regional Centre, Twice Weekly Report, 23<sup>rd</sup> September.

<sup>50</sup> MI/0052/99.

<sup>51</sup> Kosovska Mitrovica/Mitrovice Regional Centre, Twice Weekly Report, 28<sup>th</sup> September.

<sup>52</sup> Kosovska Mitrovica/Mitrovice Regional Centre, Twice Weekly Report, 28<sup>th</sup> September.

The Ibar River formed as much of a barrier at the end of this period as it had at the beginning. Returns were halted. Access to health at the one hospital in the north had been won, but then lost. The PTT remained closed. Kosovska Mitrovica/Mitrovice town was more divided than ever. Another common denominator in the story of Kosovska Mitrovica/Mitrovice town was the success, by both sides, in manipulating the responses of their people, of the international community and of the media, and the overall lack of progress made on any front. Across all the points of conflict, extreme elements on both sides fed off each other, one side's acts providing justification for the other's response and for continued mutual intransigence.

On 5<sup>th</sup> October a 44-year old Kosovo Serb male from Pristina/Prishtine was beaten to death with metal sticks by a Kosovo Albanian mob and his throat was reportedly slit with a piece of glass. The man had escaped from a van that had got stuck in a traffic jam and then attacked by Kosovo Albanians. The traffic jam was caused by a funeral of 18 Kosovo Albanians who had been exhumed from the mass grave in Vidomiric/Kosovska Mitrovica/Mitrovice municipality. The funeral took place at Supkovac graveyard located on the road to Vucitrn/Vushtrri, three km from Kosovska Mitrovica/Mitrovice town and was attended by an estimated 2,500 Kosovo Albanians. A second Kosovo Serb male was very seriously beaten in the same incident. Further clashes followed, resulting in the injury of another eight Kosovo Serbs and of 15 French Gendarmes (including their Commander), other members of KFOR and the UNMIK Police.

**(f) Other Minorities:** The Kosovo Albanian/Kosovo Serb nexus on which attention had focused left other communities unseen and unheard. Kosovska Mitrovica/Mitrovice municipality as a whole, by early July, had one mixed village to the south of Kosovska Mitrovica/Mitrovice town and some partially populated Kosovo Albanian villages to the north. Within Kosovska Mitrovica/Mitrovice, some 300 Kosovo Serb families lived in the Kosovo Albanian dominated south, and some 8,000 Kosovo Albanians in the Kosovo Serb dominated north.<sup>53</sup> Also in the north were 1,700 Muslim Slavs and in the south, the remnants of a once 5,000-strong Roma community, most of whom had left with the VJ.<sup>54</sup>

By the end of June, the remaining Roma had been forcibly expelled. Most of their houses had been looted and burned and while the Kosovo Albanian leadership expressed its disgust, no action was taken and no statement made to stop it.<sup>55</sup> KFOR managed to secure the area by 2<sup>nd</sup> July when extra resources were deployed.<sup>56</sup> This deployment came three days after the burned body of a Roma leader was found inside his gutted house on 29<sup>th</sup> June<sup>57</sup> and did not stop the outflow of remaining Roma in Kosovska Mitrovica/Mitrovice town and the surrounding area. At the same time as the Roma left from Kosovska Mitrovica/Mitrovice, they were forced from

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<sup>53</sup> Source KFOR, UNHCR, Kosovo Albanian & Serb leadership, Kosovska Mitrovica/Mitrovice Regional Centre, Spot report, 11<sup>th</sup> September, Kosovska Mitrovica/Mitrovice Regional Centre, Report, 27<sup>th</sup> August.

<sup>54</sup> 1<sup>st</sup> Minorities Assessment Report, Case Numbers MI/0056/99 to MI/0062/99.

<sup>55</sup> Case Numbers MI/0056/99 to MI/0062/99, Report dated 26<sup>th</sup> and 29<sup>th</sup> June, KFOR source "it would be impossible to secure that area as children would still be sent into burn the houses", Daily report dated 3<sup>rd</sup> July.

<sup>56</sup> Kosovska Mitrovica/Mitrovice Regional Centre, Daily report 29<sup>th</sup> June and 3<sup>rd</sup> July .

<sup>57</sup> MI/0088/99.

neighbouring Stari Trg/Stanerg and other areas in the south of Kosovska Mitrovica/Mitrovice town.<sup>58</sup>

Harassment of the Muslim Slav communities in the municipality continued. On 16<sup>th</sup> August the family of a Muslim Slav man reported that he had been abducted, possibly in connection with his cigarette business. Unable to find cigarette supplies in Kosovska Mitrovica/Mitrovice, it was thought that the man travelled to Pristina/Prishtine as he had done previously. On this occasion, he had not returned.<sup>59</sup> On 30<sup>th</sup> July a Muslim Slav was reportedly assaulted in front of the Gendarmerie in the south of Kosovska Mitrovica/Mitrovice town.<sup>60</sup> In Prvi Tunnel/Tuneli i Pare, north-east of Kosovska Mitrovica/Mitrovice town at the beginning of September, there were allegations that the UCK “police” were harassing Muslim Slav families. Oddly, the cases had also been reported to the UCK “police”, who were in the process of interviewing one suspect when OSCE and KFOR arrived on 1<sup>st</sup> September. A number of (now former) UCK vehicles were seen in the village. The suspect was released but has not been traced since.<sup>61</sup> Non-Albanian speakers continued to report harassment when they left their homes.<sup>62</sup> In Kosovska Mitrovica/Mitrovice itself, several incidents of harassment of Muslim Slavs, including women, were reported in September and October.<sup>63</sup>

## **2. Vucitrn/Vushtrri and Srbica/Skenderaj**

In the areas of the region outside Kosovska Mitrovica/Mitrovice town, the situation from June to October was relatively calm, both in comparison to the town itself, and to other areas of Kosovo/Kosova. Within Kosovska Mitrovica/Mitrovice municipality, there were some links between the situation in the town and incidents elsewhere, crosscurrents in both directions. Elsewhere, the reporting period was marked by isolated rather than sustained incidents of violence. The targets of violence were overwhelmingly those living in isolated communities and while the victims were predominantly Kosovo Serbs, no community escaped: Kosovo Albanians, Roma and Muslim Slavs were also targeted.<sup>64</sup>

In the southern municipalities, soon after K-Day, self-styled authorities were in place that included LDK involvement in Vucitrn/Vushtrri and Srbica/Skenderaj. Links to the UCK and provisional TMK were strong. A strong provisional TMK presence was maintained in Vucitrn/Vushtrri and at one stage they had taken a main building in the town as a centre of operations from where “security” and “policing” functions were controlled. In Srbica/Skenderaj, the birthplace of the UCK, the presence also remained strong. In several villages around Vucitrn/Vushtrri, reports of harassment of LDK officials were received. In an often-repeated pattern, LDK members refused to confirm or deny the reports. However, the LDK reported that its presence remained strong in the villages.<sup>65</sup>

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<sup>58</sup> Minorities Assessment Report, Case Numbers MI/0056/99 and MI/0063/99.

<sup>59</sup> MI/0032/99.

<sup>60</sup> Kosovska Mitrovica/Mitrovice Regional Centre, Daily report, 30<sup>th</sup> July .

<sup>61</sup> MI/0051/99.

<sup>62</sup> MI/0051/99.

<sup>63</sup> MI/0054/99.

<sup>64</sup> MI/0026/99, MI/0036/99 to MI/0038/99, MI/0043/99 to MI/0045/99, MI/0047/99 to MI/0051/99, MI/0065/99, MI/0067/99 and MI/0080/99.

<sup>65</sup> Kosovska Mitrovica/Mitrovice Regional Centre, OSCE Assessment of parallel civil administration in Vucitrn/Vushtrri, August.



**(a) The Right to Life, and Physical Integrity:** In Vucitrn/Vushtrri municipality, a spate of abductions took place in the second half of June. On 19<sup>th</sup> June a 50-year-old Kosovo Serb male went out to buy bread in his village, Gojbulja/Gojbuje, and never returned.<sup>66</sup> On 25<sup>th</sup> June four Kosovo Serb men were reportedly abducted by the UCK, also from Gojbulja/Gojbuje. One was later released, but the others were not found.<sup>67</sup> On 27<sup>th</sup> July, two Kosovo Serb males were reportedly killed in an ambush on the road from Gojbulja/Gojbuje to Kosovska Mitrovica/Mitrovice. During their funerals, a security cordon was placed around the area and as a result of the incidents in the village, KFOR agreed to provide permanent security.<sup>68</sup> In Kcic/Kqiq on 21<sup>st</sup> August, a Kosovo Serb man was reportedly abducted when his vehicle broke down. One of the perpetrators was wearing a camouflage uniform and carrying an automatic weapon. As a result, a group of 14 Kosovo Serb families who had been planning their return to the area cancelled their plans.<sup>69</sup>

For the municipality of Srbica/Skenderaj, the return of the Kosovo Albanian population to Rudnik/Runik (where KFOR reported that a UCK base was located) caused an increase in tension for the surrounding Kosovo Serb villages. The Kosovo Serb population was confined to the village of Banja/Banje, the mixed village of Suvo Grlo/Suhogerlle, and the Devic Monastery. In July, tension between the inhabitants in Suvo Grlo/Suhogerlle<sup>70</sup> and arson at the Monastery<sup>71</sup> also served to increase feelings of insecurity, but the municipality did not experience a wave of violence as a result. Overall, it was relatively calm and KFOR was reported in July to have provided security for all three Kosovo Serb areas.

The calm was broken in August by three incidents. First, the bodies of three Kosovo Albanian males, one allegedly associated with the MUP, had been found in the town of Srbica/Skenderaj on 18<sup>th</sup> June and 11<sup>th</sup> July. The bodies were released without autopsy and the investigation was closed by KFOR in late September.<sup>72</sup> Second, in the village of Banja/Banje, those trying to work their fields reported being shot at from nearby woods and on 21<sup>st</sup> August the assailants killed a Kosovo Serb male.<sup>73</sup> An eyewitness claimed that the attackers were wearing UCK uniforms. The third incident was on 28<sup>th</sup> August when another shooting incident occurred when a vehicle driving from Banja/Banje to Dren/Dren was ambushed, resulting in the death of one Kosovo Serb passenger and injuries to another. A third passenger was escaped uninjured.<sup>74</sup> The dead man was the nephew of the victim in the shooting of 21<sup>st</sup> August. Following these attacks, the Kosovo Serb villagers of Banja/Banje announced their intention to leave, but elected to stay after KFOR increased security, including escorts to Zubin Potok/Zubin Potok and Kosovska Mitrovica/Mitrovice so that villagers could buy food.

Pressure was not limited to Kosovo Serbs. On 3<sup>rd</sup> July the Roma community demanded full protection from KFOR after 40 of their number were expelled from

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<sup>66</sup> MI/0048/99.

<sup>67</sup> MI/0043/99 and MI/0044/99.

<sup>68</sup> MI/0045/99.

<sup>69</sup> MI/0037/99.

<sup>70</sup> KFOR report dated 31<sup>st</sup> August.

<sup>71</sup> KFOR report dated 31<sup>st</sup> August.

<sup>72</sup> MI/0050/99.

<sup>73</sup> MI/0036/99.

<sup>74</sup> MI/0038/99.

Vucitrn/Vushtrri.<sup>75</sup> In late July, KFOR had a security presence in all three Kosovo Serb areas in Vucitrn/Vushtrri. Following the shootings on 27<sup>th</sup> July near Gojbulja/Gojbuje, villagers requested a permanent KFOR presence and KFOR complied. On 9<sup>th</sup> August, following a meeting in Gojbulja/Gojbuje with village representatives, it was reported that the level of protection was satisfactory, though KFOR also agreed to provide twice-weekly escorts for those travelling from the village to Kosovska Mitrovica/Mitrovice.<sup>76</sup>

**(b) Freedom of Movement:** Freedom of movement was a major issue in the Vucitrn/Vushtrri Municipality. In July, the main train line, used exclusively by Kosovo Serbs and Roma, Zvinare/Frasher and Zvecan/Zvecan suffered a series of derailments on its path through Vucitrn/Vushtrri. On 20<sup>th</sup> July, the train was derailed, though no injuries were reported. Apart from the derailments, the train was persistently stoned by Kosovo Albanians on its path through Zvecan/Zvecan to Kosovo Polje/Fushe Kosove. KFOR provided an escort, but the train again came under attack on 26<sup>th</sup> September, when KFOR were unable to provide the normal escort. On this occasion, the bolts holding the railway sleepers together had been tampered with and a 100m stretch of track was affected: five wagons were derailed.<sup>77</sup>

**(c) Access to Education:** Concern about access to education rose both as a result of specific violent acts and with the approach of the new school year. In Banja/Banje on 17<sup>th</sup> August, villagers expressed fears that Kosovo Albanians in the neighbouring village of Suvo Grlo/Suhogerlle would not allow Kosovo Serb children from Banja/Banje to attend school.<sup>78</sup> These fears increased following the shooting incidents in Banja/Banje on 21<sup>st</sup> and 28<sup>th</sup> August. On 25<sup>th</sup> August, villagers in Gojbulja/Gojbuje and Miroce/Mirace reported concerns about the lack of school materials. On 7<sup>th</sup> September, the SNC called a rally in Kosovska Mitrovica/Mitrovice town to protest at the planned opening of ethnically mixed schools.<sup>79</sup>

### **3. Zvecan/Zvecan, Zubin Potok/Zubin Potok and Leposavic/Leposaviq**

The northern municipalities similarly reflect the predominance of one community, though the political affiliations of the representatives differ. In Zvecan/Zvecan, the former and current self-styled “mayor” was originally elected in 1996 (running on the opposition “Group of Citizens” platform) and was a former Director of the Trepca/Trepqa Combine. The current state of the Trepca/Trepqa Combine was one priority for the “mayor,” along with security and the “problem” of the Roma. The “mayor” reported that his administration runs just as it did before the conflict, except for the collection of taxes.<sup>80</sup>

Both former and current self-appointed “mayors” of Zubin Potok/Zubin Potok and Leposavic/Leposaviq ran in the 1996 elections on the SPS platform<sup>81</sup> and both were members of the Serb National Council. Generally, political activity in the two municipalities was limited and the administrative structures continued to function as

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<sup>75</sup> KFOR dated 31<sup>st</sup> August.

<sup>76</sup> Kosovska Mitrovica/Mitrovice Regional Centre, Twice Weekly Report, 12<sup>th</sup> August.

<sup>77</sup> Mitrovica Regional Centre, Daily report, 20<sup>th</sup> July.

<sup>78</sup> Kosovska Mitrovica/Mitrovice Regional Centre, Field Notes, 17<sup>th</sup> August .

<sup>79</sup> MI/0036/99 and MI/0038/99.

<sup>80</sup> OSCE/Council of Europe Expert Mission of 26<sup>th</sup> July to 6<sup>th</sup> August.

<sup>81</sup> Socialist Party of Serbia (*Socijalisticka Partija Srbije*) led by Slobodan Milosevic.

they did before the conflict, again with the professed exception of the collection of taxes.<sup>82</sup>

In Zvecan/Zvecan municipality, it was relatively quiet. The body of a 20-year-old Kosovo Serb male was found in the river north of Zvecan/Zvecan on 26<sup>th</sup> August, two days after he was last seen alive.<sup>83</sup> On 7<sup>th</sup> September, a Kosovo Albanian man was killed when his truck was hit by a Rocket Propelled Grenade (RPG) while he was travelling on the main road from Kosovska Mitrovica/Mitrovica to Leposavic/Leposaviq.<sup>84</sup> In Zubin Potok/Zubin Potok municipality, one woman was fired upon and killed in her vehicle on 20<sup>th</sup> July.<sup>85</sup> No other deaths or disappearances were reported from the municipality. In Leposavic/Leposaviq municipality, no violent incidents were reported.

In Zupce/Zupc, following reports from villagers that they were afraid to work in their fields, KFOR offered increased patrolling.<sup>86</sup> For Kosovo Serbs travelling from Zubin Potok/Zubin Potok to Kosovska Mitrovica/Mitrovica, a road that passes through Kosovo Albanian villages, a shuttle bus service was set up with a KFOR escort. Although the bus was regularly stoned, no one using it had been injured by the end of October.<sup>87</sup>

The Roma of Zvecan/Zvecan, some 250 people, were housed in a collective centre in Zvecan/Zvecan School. The former Mayor reported in August that the local population was afraid of this Roma group and requested that they be re-housed outside the municipality.<sup>88</sup> Demands were also made that the school building in which the Roma were housed should be empty and usable by the start of the school year. By September, these calls for the Roma to be removed increased. UNHCR was seeking alternative accommodation, but delays in construction meant the new shelter would not be ready in time.<sup>89</sup> At this time, the Roma reported increased hostility from the local population, although they refused to file reports on this alleged harassment.<sup>90</sup> Food supply was also problematic, the Yugoslav Red Cross was allegedly not distributing the right amount of food to the Roma. The World Food Programme (WFP) was asked to make alternative arrangements.<sup>91</sup> The pressure built and in the last week of September the Roma were moved, with their agreement, to a temporary camp two kilometres from Zvecan/Zvecan centre. Their winter shelter was still under construction and not due to open until early December.

Similar problems were reported in Leposavic/Leposaviq, where some 300 Roma were housed in a former barracks which had yet to be winterised. Two hundred Kosovo Serb IDPs were housed in the town's primary school, and a further one hundred were

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<sup>82</sup> OSCE/Council of Europe Expert Mission of 26<sup>th</sup> July to 6<sup>th</sup> August.

<sup>83</sup> Kosovska Mitrovica/Mitrovica Regional Centre, Daily Report, 27<sup>th</sup> August .

<sup>84</sup> Kosovska Mitrovica/Mitrovica Regional Centre, Twice Weekly Report, 6<sup>th</sup> September.

<sup>85</sup> MI/0089/99.

<sup>86</sup> Kosovska Mitrovica/Mitrovica Regional Centre, Twice Weekly Report, 12<sup>th</sup> August.

<sup>87</sup> OSCE Field Notes, 15<sup>th</sup> October.

<sup>88</sup> OSCE/UNHCR Minorities Assessment Report – Zvecan/Zvecan July .

<sup>89</sup> Kosovska Mitrovica/Mitrovica Regional Centre, Daily Report, 6<sup>th</sup> and 23<sup>rd</sup> September .

<sup>90</sup> Kosovska Mitrovica/Mitrovica Regional Centre, Human Rights Officers meeting notes, 2<sup>nd</sup> September.

<sup>91</sup> Kosovska Mitrovica/Mitrovica Regional Centre, OSCE meeting notes, 2<sup>nd</sup> September.

with host families.<sup>92</sup> Overwhelmingly throughout Kosovo, Roma could not be housed with hosts because of the accompanying security implications for the host family. Roma remained in collective centres with varying degrees of readiness for the coming winter.

In Lesak/Leshak and the surrounding villages live some 200 Muslim Slavs. In September, reports of harassment were received from the community, though only one case could be confirmed, that of a threat from a Kosovo Serb.<sup>93</sup>

The fact that OSCE received less reports of violent incident in Kosovska Mitrovica/Mitrovice region is attributable to the fact that the region has more mono-ethnic areas than other regions. Nevertheless, the feeling of insecurity of the local communities was significant. Aside from the intense confrontations in Kosovska Mitrovica/Mitrovice town the relatively small number of incidents outside of the town had a disproportionate impact on the affected population. In part, this may have been because the violent incidents when they did arise were such a contrast to the general trend in the area. It may also be that the north-south divide across the whole region kept Kosovo Serbs and Kosovo Albanians apart. Three of the killings reportedly took place while people were travelling. Whatever the explanation, the immediate response to violent incidents were calls for greater protection. The pattern demonstrated that in many cases, KFOR were able to respond by providing more patrols or a permanent presence. KFOR's practice, wherever possible, was to respond and protect.

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<sup>92</sup> OSCE/UNHCR Minorities Assessment – Leposavic/Leposaviq, July to August.

<sup>93</sup> MI/LE/0002/99.



Photo: Thomas Dworzak



Elderly Kosovo Serbs seek refuge in the Prizren Seminary

## “AS GOES PRIZREN, SO GOES KOSOVO?”

### A. Overview

The Prizren/Prizren Area of Responsibility (AOR)<sup>1</sup> is bounded to the south by the mountainous Albanian border and to the east by the mountainous border with the former Yugoslav Republic of Macedonia (FYROM). To the north, the area is bounded by the main road from Pristina/Prishtina to Pec/Peje.

The war had a significant impact on the region. In particular, villages considered to be sympathetic to the (now former) UCK cause were systematically cleared by the VJ and MUP forces during the conflict. In the case of Bela Crkva/Bellacerke, Celina/Celine, Velika Krusa/Krushe e Madh, Mala Krusa/Krushe e vogel and Suva Reka/Suhareke, mass killings were committed. In the area of Opolje the population was forced out as the VJ used the main village of Belograd/Belograd as their base for activities. In Malisevo/Malisheve itself, declared the “Capital of Free Kosovo/Kosova” in July 1998, only four of 220 homes remained undamaged.<sup>2</sup>

Damage from NATO air-strikes in Prizren/Prizren itself was localised to the VJ barracks, two sites in the industrial area, and destruction of part of the Tusus area.<sup>3</sup> Elsewhere, NATO inflicted losses on the VJ, notably in the Has and Malisevo/Malisheve areas, and in Mala Krusa/Krushe e vogel, where the chemical refinery was severely damaged. Korisa/Korishe was attacked with the loss of an estimated 78 lives.<sup>4</sup>

Former OSCE-KVM property fared differently across the Prizren/Prizren area,<sup>5</sup> as did those who had housed OSCE-KVM staff.<sup>6</sup> Two former OSCE-KVM staff were killed.

Early figures indicated that between 15,000 and 20,000 refugees returned each day after the conflict.<sup>7</sup> By 10<sup>th</sup> July the population of Prizren/Prizren had exceeded its pre-war figure, swelled by a large influx of people from the surrounding areas, many of whom had lost their homes. The problems for IDPs and returnees, and the remaining population, did not stop immediately after the conflict. A wave of looting followed in the wake of K-Day.<sup>8</sup>

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<sup>1</sup> The Area of Responsibility includes the municipalities of Prizren/Prizren, Gora/Dragash, Orahovac/Rrahovec and Suva Reka/Suhareke.

<sup>2</sup> Malisevo/Malisheve also suffered substantial damage during the 1998 conflict.

<sup>3</sup> 10 Roma houses were hit, but there were no known casualties.

<sup>4</sup> P2/0006/99.

<sup>5</sup> The former OSCE-KVM Regional Centre in Prizren/Prizren and the OSCE-KVM Offices in Orahovac/Rrahovec and Suva Reka/Suhareke were looted. The Suva Reka/Suhareke building was destroyed and the owners killed. The OSCE Office in Malisevo/Malisheve was completely destroyed.

<sup>6</sup> Anyone in Suva Reka/Suhareke who had housed OSCE-KVM members was sought out and although the majority managed to escape, some were killed. OSCE-KVM-rented houses in Orahovac/Rrahovec and Suva Reka/Suhareke were targeted for destruction.

<sup>7</sup> “Observations from the Prizren/Prizren area” OSCE Internal Report 10<sup>th</sup> July.

<sup>8</sup> At one stage it was reported by KFOR to OSCE that up to 33% of the tractor traffic in the area was involved in the transportation of stolen goods. Storage heaters, furniture, door and window frames, and consumer goods were all taken.

Since the end of the conflict, 97% of Kosovo Serbs and 60% of Roma have left Prizren/Prizren.<sup>9</sup>

The most visible feature in Prizren/Prizren town since the end of the NATO air campaign has been the extensive house burnings of largely Serb and Roma dwellings. In excess of 250 properties have been burned which effectively emptied Prizren/Prizren of these minorities. Elsewhere in the region, the arrests of alleged war criminals from Velika Hoca/Hoce e Madhe and Orahovac/Rrahovec and the disappearance of 15 Kosovo Serbs and six Roma also from Orahovac/Rrahovec have created a siege mentality throughout that municipality. The subsequent blockade which continues to surround Orahovac/Rrahovec in protest at the deployment of Russian KFOR troops has heightened ethnic tensions and strengthened the desire of minorities to leave the area. Harassment and intimidation of mostly elderly Kosovo Serbs in the Zupa region culminated in September with the disappearance of 17 elderly Serbs from an isolated hamlet. In the Gora/Dragashi municipality there is an increase of violence against Muslim Slavs. Throughout the Prizren/Prizren area, intimidation and harassment against minorities is more the norm than the exception and it continues to affect those Kosovo Albanians who speak out against the continuing violence and revenge.

## **B. Security**

KFOR deployed a reinforced German Brigade on its initial entry to the region on 15<sup>th</sup> June and this is now supplemented by Dutch, Turkish, Russian, Austrian, Swiss and Slovak contingents. KFOR's approach to security in the Prizren/Prizren region was initially based on vehicle patrols and static checkpoints.<sup>10</sup>

After K-Day, the (now former) UCK initially outnumbered KFOR on the streets of Prizren/Prizren. The UCK extended their security activities across the region. While their attempts to stop the spate of looting were ineffective they were successful in setting up checkpoints in Suva Reka/Suhareke and Velika Krusa/Krushe e Madh and maintaining an armed presence outside many public buildings. KFOR responded to the poor security situation by increasing the number of foot patrols. Their efforts yielded some results and by mid-July there was a significant reduction in the visibility of the UCK, although not necessarily in its strength.

The first international police arrived on 12<sup>th</sup> July<sup>11</sup> and numbers increased steadily until the end of September, when a total of 250 UNMIK Police were in the Prizren/Prizren region. The UNMIK Police assumed policing primacy on 27 October.

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<sup>9</sup> Historically, Prizren/Prizren had always been multi-ethnic, with a high proportion of Muslim Slavs, Turks, Roma and Kosovo Serbs. According to sources within the community, post-conflict there are now approximately 50,000 Muslim Slavs still living in the region. The Turkish community live predominately in Prizren/Prizren town and the Mamusa area where they constitute 90% of the population of approximately 5,000 people. Roma have been collectively accused of collaboration with the Serb Security Forces and their numbers have suffered as a result. There are approximately 1,500 Roma in the greater Prizren/Prizren area and 550 in the Orahovac/Rrahovec municipality. In Suva Reka/Suhareke there are less than 200 Roma left. Most Kosovo Serbs have left the region. Those remaining are in Orahovac/Rrahovec (less than 2,300), Velika Hoca/Hoce e Madhe (approximately 1,050), the villages in Zupa (less than 100) and the Bogoslovija Monastery in Prizren/Prizren (less than 100).

<sup>10</sup> Confidential Report, 10 July.

<sup>11</sup> Eight Officers and the Regional Commander arrived on 12<sup>th</sup> July, and seven more Officers had arrived by 16<sup>th</sup> July.



Although the UCK's presence had been strong from June to September they no longer appeared in Prizren/Prizren town after the 19<sup>th</sup> September deadline for UCK demobilisation. During the post-conflict period UCK activity resembled enforcement activity. It appeared that property evictions, allegedly by the UCK, were part of a policy of installing political allies of the self-styled authorities in certain areas, or providing rewards for UCK supporters and members. Storeowners in Prizren/Prizren had reported extortion by people claiming to represent the "Thaci government," but given that the self-styled authorities were quite open about their tax collection, it was entirely possible that these extortion incidents related more to organised crime.

Perpetrators who identify themselves as UCK continue to call individuals to the UCK "police" stations for what are generally termed "informative talks," but which are more accurately described as unlawful detention which often involve beatings and other forms of mistreatment.

### **C. Civil Administration**

By the end of June there were three staff in the UNMIK Regional Administration based in Prizren/Prizren. By the end of September, 31 internationals were in place supported by 189 local staff and the UNMIK Interim Civil Administration has a presence in Orahovac/Rrahovec, Gora/Dragashi and Suva Reka/Suhareke. In all instances, the self-styled authorities were entrenched before the UNMIK Interim Civil Administration arrived.

In Prizren/Prizren, although the self-styled authorities include Ibrahim Rugova's Democratic League of Kosovo (LDK) and other parties, it is the UCK appointees that wield power. The UNMIK Interim Civil Administration has brought most of the relevant parties together in the form of a Provisional Municipal Council that includes a Roma representative. The self-styled leadership took to boycotting meetings in September, preferring to work within their own municipal structure. The functions they perform are many: tax collection, issuing birth and death certificates, marriage licenses and certificates, issuing decrees and using a vigorous public information campaign to advertise their services and achievements. UNMIK continues to work with local leaders in order to empower the UN-organised Provisional Municipal Council.

The "mayor" of the Suva Reka/Suhareke self-styled administration was put in place on 17<sup>th</sup> June by Hashim Thaci's "Provisional Government of Kosovo." The Commander of the UCK "military police division" headed the "police" for the self-styled administration.<sup>12</sup> In Gora/Dragashi, the "mayor" is another Hashim Thaci appointee and he has two "deputy mayors," a Kosovo Albanian and a Muslim Slav who belonged to the Kosovo/Kosova branch of the Bosnian party.<sup>13</sup>

In Orahovac/Rrahovec, the former UCK Commander is *de facto* in control, as he often accompanied the self-styled "mayor" to meetings. The former UCK Commander has office space in the Orahovac/Rrahovec municipal building and the self-styled administrator reported that he had received orders from the "provisional government

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<sup>12</sup> The UCK "military police division" was closed down by KFOR. It was controlled by the UCK Zone Command in Prizren/Prizren, not the local Suva Reka/Suhareke Brigade.

<sup>13</sup> Democratic Party of Action (SDA), headed by Alija Izetbegovic.

of Kosovo” to collect taxes, but that the general economic deprivation prevented him from doing so.<sup>14</sup>

## **D. Human Rights Patterns and Trends**

### **1. Orahovac/Rrahovec<sup>15</sup>**

During the conflict, Orahovac/Rrahovec town suffered little damage compared to its surrounding villages. Of 34 villages, almost all were devastated. Nearby Malisevo/Malisheve was badly affected by the fighting. Only four villages were left untouched, and in the town of Malisevo/Malisheve, only four of 220 houses did not need repairing. The region was an UCK stronghold.

Several hundred Kosovo Serbs left Orahovac/Rrahovec before KFOR entered Kosovo/Kosova. Between 16<sup>th</sup> and 20<sup>th</sup> June, more than 500 Kosovo Serbs who had stayed were expelled from their apartments in the town centre mixed area and forced to move up the hill to the Kosovo Serb quarter. An additional 200 Kosovo Serbs from the village of Zociste/Zocishte fled to the same quarter after their 55 houses were burned. The total Kosovo Serb population remaining in Orahovac/Rrahovec is now estimated at 2,300 although that number decreased as more Kosovo Serb IDPs were transferred out of Orahovac/Rrahovec in UNHCR humanitarian convoys.

There are now an estimated 550 Roma remaining in the whole municipality of Orahovac/Rrahovec. Of these, approximately 80 families are in Orahovac/Rrahovec town itself, but 40 other Roma families have been forced out. Those who remain live between the Kosovo Albanian and the Kosovo Serb quarters. Six Roma have disappeared since the beginning of June, and it was alleged that more than 26 Roma had been detained by the UCK for “informative talks.” Half of those detained claim to have suffered beatings. The Roma have been accused collectively of collaborating with the Serbian forces.

**(a) The Blockade:** On 20<sup>th</sup> August, it was announced that Russian KFOR would be deployed in Orahovac/Rrahovec. The Kosovo Albanian population opposed this alleging that Russian mercenaries had fought with the Serbian side during the conflict. Some Kosovo Albanians had reported receiving threatening telephone calls from Kosovo Serbs claiming that the arrival of the Russians would give carte blanche for the Kosovo Serbs to attack. Whatever the reasoning, Kosovo Albanians were fearful of the Russians. They erected and manned blockades 10 kilometres from Orahovac/Rrahovec that restricted access. Despite prolonged negotiations the blockade has yet to be removed.

On 24<sup>th</sup> August, Roma residents from Orahovac/Rrahovec tried to join the blockade in a show of solidarity against the deployment of Russian KFOR troops. When three Roma males were abducted the same day from the blockades tensions again rose between the communities. OSCE and KFOR quickly intervened with the local UCK Commander and the three Roma males were freed, although two were badly beaten

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<sup>14</sup> Orahovac/Rrahovec had a below-average level of income. The major sources of income were farming and wine production, but producers had suffered a great loss of income as a result of the conflict.

<sup>15</sup> The municipality of Malisevo/Malisheve was subsumed into Orahovac/Rrahovec in 1989 under order of the Serbian Government.

and required hospital treatment. The UCK denied any involvement in the abductions.<sup>16</sup>

The blockade was controlled and organised by a “committee” composed of town elders and political figures from all local Kosovo Albanian political parties. The blockade was manned 24-hours with shifts of more than 100 people.<sup>17</sup> Tents were erected and children often joined their families on the shift work. Vehicles were stopped, identification checked and then turned back. KFOR and UNMIK organisations were granted passage. The blockade eased in September when the Kosovo Albanian schools opened and children returned to classes. However, on 27<sup>th</sup> September a Russian KFOR armoured personnel carrier tried to drive from Malisevo to Orahovac/Rrahovec but at the blockade was denied access. Local residents quickly reinforced the roadblocks and a peaceful demonstration of 300 to 400 people in Orahovac/Rrahovec protested the Russian KFOR action.<sup>18</sup>

The Orahovac/Rrahovec roadblocks are still in place. The “committee” employs a type of verbal blockade. Every matter that the international community wishes to raise is linked to the “Russian issue” thus progress talks on freedom of movement, education, access to medical services and other community matters are left unresolved.

On 30<sup>th</sup> September, the German and Dutch KFOR Commanders and representatives of the Russian Battalion met the organisation “committee” for the Blockade to seek a settlement. A compromise solution envisaged the deployment of Russian KFOR troops to Gedza/Gexhe, Radoste/Malesi e Vogel, and Ratkovac/Ratkoc, villages close to Orahovac/Rrahovec. On 9<sup>th</sup> October, the proposal was rejected. On 11<sup>th</sup> October, at a meeting with KFOR, the UNMIK Interim Civil Administration and the “committee,” the self-styled “mayor” of Orahovac/Rrahovec suggested Russian KFOR deployment between Gedza/Gexhe and Kramovik/Kramovik, with Dutch KFOR liaising between the “committee” and the Russians. The former UCK Commander for Orahovac/Rrahovec, however, believed that Russian KFOR deployment should be delayed for a year and the issue remained unresolved.

**(b) The Missing - post K-Day:** Six Roma and 15 Kosovo Serbs had gone missing in Orahovac/Rrahovec since K-Day and their whereabouts remained unknown. There were rumours that some of those taken had been members of the Serbian security forces or were related to such people. Others had no demonstrable link with any security forces unit or government authority.

On 12<sup>th</sup> June, a deaf and mute Roma man was taken from his home. He was alleged to be part of a family that had co-operated with the former authorities. On 16<sup>th</sup> June, witnesses reported that a Kosovo Serb male was taken from his home by men in UCK uniform. Another Kosovo Serb was seen by eyewitnesses as he was taken from his home by four armed men in UCK uniform. Four men in black clothes with UCK insignia took a third Kosovo Serb from his house. In this case, a second witness reported that the victim was taken to the UCK-occupied fire station in Orahovac/Rrahovec, where he was beaten and died of his injuries. On 18<sup>th</sup> June, four

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<sup>16</sup> Prizren/Prizren Daily Report, 25 August 1999.

<sup>17</sup> Prizren/Prizren Sitrep, 23 August 1999.

<sup>18</sup> Prizren/Prizren Twice Weekly Report, 27-29 September 1999.

men in UCK uniform took a Kosovo Serb man who was preparing to leave Kosovo/Kosova. His father went to the “police” station to look for his son and was put in an unlocked cell. Two journalists who had seen the abduction alerted KFOR, who went to the “police” station and released the victim’s father. The victim remained missing.

On 20<sup>th</sup> June, men claiming to be from the UCK took two Roma males from their homes. On 22<sup>nd</sup> June, a Kosovo Serb man and one Kosovo Serb woman were taken from near their homes. The male victim was said to be related to a member of a Serb paramilitary unit. On 28<sup>th</sup> June, a Roma man was taken from his home by men identifying themselves as UCK. The victim’s father was a well-known member of the Serbian State Security Service. On 2<sup>nd</sup> July, men claiming to be from the UCK abducted a Roma man near his house. On 4<sup>th</sup> July, a Kosovo Serb female went missing while visiting her former home in the centre of Orahovac/Rrahovec.<sup>19</sup> Also on 4<sup>th</sup> July, a Kosovo Serb man went missing and a witness claimed to have seen the victim being taken by the UCK. On 11<sup>th</sup> July, a Roma man visiting from Djakovica/Gjakove was taken by men reported to be wearing UCK uniforms. On 9<sup>th</sup> August, men claiming to be from “Staff HQ” abducted a Kosovo Serb man. The victim’s family had since moved to Montenegro. They were the last mixed family living outside of the Roma/Kosovo Serb quarter of Orahovac/Rrahovec.<sup>20</sup>

The last abductions in Orahovac/Rrahovec took place after a relatively long period without such incidents. On 29<sup>th</sup> October, five Kosovo Serbs, in a car driven by a Roma man, were planning to drive to the boundary with Montenegro. They paid another Kosovo Serb in Orahovac/Rrahovec 1,400 German Marks each for safe passage out of Kosovo/Kosova. The driver stopped in Djakovica/Gjakove and entered a house believed to be owned by a former UCK member. While in the house, the driver reportedly heard screams and returned to his vehicle to find that the five Kosovo Serbs had disappeared.<sup>21</sup> KFOR and UNMIK Police continued their investigations but there was no sign of the five missing Kosovo Serbs.

**(c) Past Violations - KFOR Arrests of Alleged War Criminals:** Eleven Kosovo Serbs from Orahovac/Rrahovec have been detained on war crimes-related charges. Two major concerns have emerged, the first relating to the timing of the arrests, the second to doubts about the likely fairness of the trials.

A total of five suspects were arrested while trying to leave Orahovac/Rrahovec with humanitarian convoys.<sup>22</sup> This practice intensified the likelihood of spontaneous demonstrations and increased the security risk for UNHCR staff members. As a result, UNHCR sought KFOR assurances that this practise would cease. An agreement was reached whereby KFOR would be able to screen the prospective transfer list but would not make arrests from the convoys.

OSCE teams in Prizren/Prizren have long expressed concern about the possibility of alleged war criminals receiving a fair trial. The intention is that the accused will be tried in a local tribunal in Prizren/Prizren, with members of the local court presiding

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<sup>19</sup> The woman was mentally retarded and had, on occasion, gone missing for short periods.

<sup>20</sup> OSCE Confidential Report, 1 September 1999.

<sup>21</sup> Prizren/Prizren Regional Centre Twice-weekly Report, 3<sup>rd</sup> November, Spot Report, 9 November.

<sup>22</sup> One was arrested on 8<sup>th</sup> September, and four were arrested on 24<sup>th</sup> September.

and prosecuting. With the exception of the defendants, as of 31<sup>st</sup> October, all those involved in trials were Kosovo Albanian.

On 30<sup>th</sup> September, OSCE reported that local Kosovo Albanian defence lawyers had been assigned to the defendants. Relatives of the defendants were unhappy with the allocation of Court-nominated lawyers, and on 26<sup>th</sup> October approached the OSCE and asked for assistance in finding alternative representation.<sup>23</sup> This does not imply that the Court-appointed lawyers are not themselves impartial, rather that in the circumstances, their impartiality might well be called into question and put under pressure. The question of equality of legal aid also arises. It was reported that the Prosecution has some degree of support from the ICTY, while the Defence is acting entirely alone.

The atmosphere in which the trials will be conducted, and its implications for real and perceived impartiality, are also of concern. The OSCE field personnel reported their concerns that all those involved in trying the case will be subject at the very least to indirect pressure. The general atmosphere of ethnic division in itself might exert pressure on judges and lawyers alike. For the defence lawyers, the possibility of revenge being taken against them if a defendant is acquitted might affect the quality of their defence. The judges may feel the same pressure in reaching a verdict.<sup>24</sup> The language used during the trial proceedings might also become an issue, as may the impartiality of any translators that are employed.<sup>25</sup> Reporting of the trial might also influence the proceedings.<sup>26</sup>

The question of the ability of the Court to reach a fair ruling in each case has also been called into question by the OSCE. Generally, the judges in the court have practised law, but have not practised as judges for over a decade. Specifically, their knowledge and understanding of the laws of armed conflict and their application may not be sufficient for them to reach a sound verdict.

Finally, even if all the above points could be settled, the question is not only whether justice could be done within the current climate and system, but also whether it can be seen to be done.

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<sup>23</sup> See ECHR Article 6 (3) (c): “[everyone charged with a criminal offence has the following minimum rights]”: “to defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require.” The appointment of lawyers by the court does not of itself violate Article 6 (3) (c) and indeed it is a requirement that legal representation be provided where the defendant cannot provide his or her own. That is not to say, however, that the Court is permitted to appoint incompetent or biased legal representatives.

<sup>24</sup> Article 6, ECHR “In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law”.

<sup>25</sup> Article 6 (3)(e) setting out the minimum standard that the defendant should have “the free assistance of an interpreter if he cannot understand the language used in court”.

<sup>26</sup> Article 6 (1) Both Press and public may be excluded from all or part of a trial in the interests of “morals, public order or national security in a democratic society....to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.” Reporting restrictions prior to the trial would not of themselves violate Article 10, provided the reasons and manner of applying them were consistent with the international standards.

## 2. Gora/Dragash and Suva Reka/Suhareke

Many of the Muslim Slav population in Gora/Dragash municipality were mobilised into the VJ during the conflict, mainly conducting border duties. Many Muslim Slavs claimed that they actually protected Kosovo Albanian houses. Certainly, the Gora/Dragash villages suffered little damage. In contrast, approximately 90% of the houses in the 42 villages in the municipality of Suva Reka/Suhareke were burned or destroyed. The reported human rights violations in Suva Reka/Suhareke during this reporting period were not as acute as in Prizren/Prizren and Orahovac/Rrahovec, although the effects of the recent conflict should not be doubted. Accordingly this section focuses on Gora/Dragash.

**(a) Personal Integrity:** From June to September, the town of Dragas/Dragash in Gora/Dragash was relatively calm, certainly in contrast to the situation in Prizren/Prizren. Violent incidents did occur although sporadically. The primary targets were the Muslim Slav community with the intention being to force them to leave the area. On 9<sup>th</sup> July a Muslim Slav man, his 70-year-old mother and his teenage son reported that they were set upon by a group of 30 Kosovo Albanians who first threw stones and then beat the three victims. Two days later, two civilians came to the victims' house with a paper signed by a (now former) UCK Commander, from the "ministry of public order," ordering the man to hand over his weapon or a "penalty" would follow.<sup>27</sup> On 15<sup>th</sup> July, it was reported that a Muslim Slav male had been unlawfully detained and beaten after visiting a hospital for a medical test. He was questioned about his activities during the conflict but released the following day.<sup>28</sup>

The general harassment and intimidation led many Muslim Slavs to feel that they were being pushed out of Dragas/Dragash. Muslim Slavs remained restricted in their freedom of movement, particularly those wishing to travel from outlying villages into Dragas/Dragash. However, the relatively small number of violent acts created waves of fear and sent a clear message in this small, close-knit and relatively isolated community.

In October, the fears became suddenly real. Muslim Slavs came under direct attack. Those Muslim Slavs living in the only remaining mixed area in the centre of Dragas/Dragash town, inhabited by Muslim Slavs and Kosovo Albanians, were the targets. On 20<sup>th</sup> October, a grenade was thrown in the yard of a Muslim Slav home in Dragas/Dragash. No casualties were reported, though the house was badly damaged. A grenade attack against the same property had taken place three weeks before. It was also reported that the victims had received threatening phone calls from mid-September onwards telling them to leave for Russia or Turkey.<sup>29</sup> That same day, in the centre of Dragas/Dragash, another grenade was thrown into the yard of a Muslim Slav house: there were no casualties, but five windows and a wall were damaged.<sup>30</sup> On 21<sup>st</sup> October, unknown perpetrators threw a hand grenade into the backyard of a Muslim Slav house in Dragas/Dragash: another grenade was thrown at the same house the following day. The victim declared his intention to take his family to Belgrade.<sup>31</sup>

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<sup>27</sup> Prizren/Prizren Regional Centre Twice-Weekly Report, 11<sup>th</sup> July.

<sup>28</sup> Prizren/Prizren Regional Centre Twice-Weekly Report, 16<sup>th</sup> July.

<sup>29</sup> PR/DR/0012/99.

<sup>30</sup> PR/DR/0011/99.

<sup>31</sup> PZ/DR/0013/99.

On 24<sup>th</sup> October, another grenade attack was reported, against the same house.<sup>32</sup> The family was uninjured. Also on 24<sup>th</sup> October, a Muslim Slav reported receiving threatening phone calls in the period from 14<sup>th</sup> to 24<sup>th</sup> October: the caller told the victim to leave.<sup>33</sup> On 26<sup>th</sup> October, a Muslim Slav, who demanded anonymity, was threatened with death if he did not leave his apartment in the centre of Dragas/Dragash.<sup>34</sup> He left. The locks on the apartment have since been changed. On 27<sup>th</sup> October, another grenade attack took place in Dragas/Dragash. Again, the Muslim Slav victim was too afraid to give full details: during the interview, men claiming to be provisional TMK members appeared and shadowed the victim and the OSCE team.

On 30<sup>th</sup> October, Muslim Slavs reported that they had been evicted from their apartments in Dragas/Dragash. Kosovo Albanians reoccupied the apartments. The victims claimed that the new occupants already had houses and apartments to live in.<sup>35</sup>

In the village Globocica/Glloboqica on 28<sup>th</sup> October, a grenade was thrown on the roof of a Muslim Slav house. This was the first reported explosion in the Muslim Slav villages of Gora/Dragash.<sup>36</sup> While it was too early to confirm, it is possible to speculate that the violence of Dragas/Dragash would spread outwards to affect Muslim Slavs throughout the municipality. There was some indication that the violence against Muslim Slavs may have been increasing elsewhere in the Prizren/Prizren region. A 60-year-old Muslim Slav couple and his wife were killed in Kijevo/Kijeve, Orahovac/Rrahovec, on 17<sup>th</sup> October.<sup>37</sup>

**(b) Access to Education:** Several Muslim Slavs left the Dragas/Dragash area in late September. Their reason given was that the effects of discrimination in education meant that their children would suffer. The school year was scheduled to start on 1<sup>st</sup> November. Muslim Slav and Turkish families were told that since their children had received certificates for having completed the last school year in Kosovo/Kosova, there was no need for them to attend the September and October catch-up classes. Yet many Muslim Slav and Turkish children who had received certificates had not completed the school year. Their parents therefore wanted them to attend the catch-up sessions. The two communities responded differently. The Muslim Slavs either missed out on the provision of education altogether or they left the region, while the Turkish minority set up its own schools to start at the same time as the Kosovo Albanian catch-up classes.

The schooling question exposed divisions both between Muslim Slavs and other communities, and within the Muslim Slav community itself. In a meeting with Muslim Slav representatives, OSCE and UNICEF, the following concerns were predominant. First, the Muslim Slavs had no access to school facilities. They were offered use of school buildings for a third shift in the late afternoon, but security fears

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<sup>32</sup> PZ/DR/0013/99.

<sup>33</sup> PZ/DR/0014/99.

<sup>34</sup> Prizren/Prizren Regional Centre Twice-Weekly Report 30<sup>th</sup> October.

<sup>35</sup> PZ/DR/0015/99 and PZ/DR/0016/99.

<sup>36</sup> PZ/DR/0017/99. Previously, on 15<sup>th</sup> July, a Muslim Slav male escaped from his apartment after his neighbours had been threatened and beaten. This incident was reported only on 18<sup>th</sup> October.

<sup>37</sup> PZ/0114/99. The evidence suggested that the killing was ethnically motivated and intended to discourage Muslim Slavs from returning to the village. Kijevo/Kijeve was, before the conflict, the only mixed village in the "municipality" of Malisevo/Malisheve.

meant they were unwilling to allow their children to come home from school after dark. Second, the Kosovo Albanian school management had claimed that they would only accept classes with more than 30 children: in some cases, for the Muslim Slavs, this would have been impossible. Third, some Kosovo Albanian teachers reportedly refused to accept that any education in the Serbian language could take place. Fourth, there were complaints of harassment both by Kosovo Albanian children and by Kosovo Albanian teachers. Parents who insisted on educating their children in the Serbian language were threatened that their houses would be burned and that they would be killed. In another village of Gornje Selo, several male members of a Muslim Slav family that has close ties to the Kosovo Albanian community entered a school and demanded that the teachers stop using Serbian and switch to the Albanian language, the “language of the future.” They threatened to bring the (now former) UCK to punish those who did not obey.<sup>38</sup> Fifth, some Muslim Slavs had identified themselves as Albanian and participated in schooling on this basis but those maintaining their Muslim Slav identity did not see how their children could (or should) adapt to teaching in the Albanian language.

Instructions about the languages to be used in schools continued. On 27<sup>th</sup> October, a Muslim Slav teacher from Globocica/Glloboqica received threats from the self-styled “director of education” from Dragas/Dragash. The victim was told either to teach in the Serbian language or face dismissal. The teacher asked parents in the village in which language they wanted their children taught: 95% wanted teaching in Serbian. The self-styled director of education delivered the same message to teachers from Krusevo/Kryyshefc and Zli Potok/Prroni i keq. By 30<sup>th</sup> October, it was reported that children from the Muslim Slav villages of Radesa/Radesh and Lestane/Leshtan were not attending school. Many pupils did not register for secondary school because classes were not taught in Serbian.

**(c) The Right to Work:** Patterns of discrimination in access to work in Gora/Dragash have not only affected education, but also health and private enterprise. On 5<sup>th</sup> July, the Director and five medical assistants at the hospital in Dragas/Dragash were dismissed on the grounds that they did not treat Kosovo Albanians properly. No evidence was produced to support these charges. The staff were replaced with Kosovo Albanians.<sup>39</sup>

At the Textile Factory, the Muslim Slav Director and all Muslim Slav workers were replaced with Kosovo Albanians who had worked in the factory prior to 1991.<sup>40</sup> The factory was not actually in production. Kosovo Albanians in two trading companies in Dragas/Dragash effectively replaced Muslim Slav workers who were told that it was best if they did not show up for work.<sup>41</sup>

The pattern of these violations represented a replay of the situation from 1989 to 1991 when certain ethnic groups were dismissed, demoted or told not to go to work. The instruction might have been accompanied by overt harassment. No procedures for dismissal were in place, nor was there any proof of behaviour that would justify the

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<sup>38</sup> PZ/0064/99.

<sup>39</sup> Prizren/Prizren Daily Report, 5 July 1999.

<sup>40</sup> *ibid.*

<sup>41</sup> Prizren/Prizren Regional Centre Twice-Weekly Report, 31 October 1999.



dismissal. Kosovo Albanians benefited directly from the “new” job opportunities, and this was the case even where the factory in question was not operational.<sup>42</sup>

In October, reports of dismissals continued. The Muslim Slav community alleged that unqualified Kosovo Albanians had taken over many jobs, including crucial positions in the hospital. Fifteen Muslim Slav shop owners had also allegedly been forced to leave their businesses and sell to Kosovo Albanians. In some cases, the Kosovo Albanians had bought the businesses, in others, protection money had been demanded. Several Muslim Slavs were reported to have left Kosovo/Kosova as a result of the loss of either their job or their business.

### **3. Prizren/Prizren**

Prizren/Prizren found itself subjected to the same patterns as many other towns in Kosovo/Kosova. Daily house burnings; reports of people being kidnapped and/or murdered; reports of ethnic minority groups and individuals being targeted and forced out of homes and businesses; individuals being dismissed from employment based on their ethnicity; and petty crimes.

No part of Prizren/Prizren, municipality or town, has escaped either the violent or the chronic violations since K-Day. However, the villages of the Zupa Valley, east of Prizren/Prizren, where many of the remaining Kosovo Serbs live or sought protection, have been especially badly hit. In addition to the killing, kidnapping and burning, there has been extensive looting, stealing and a general lawlessness that could only add to the fear and insecurity of the villagers. The elderly have been a particular target and there is some evidence that children have been used to set houses on fire and have been involved in acts of intimidation.

**(a) The Right to Work:** The non-Albanian Deputy Director of the Centre for Social Work, remained at work on the day most of the Kosovo Serbs left Prizren/Prizren. His colleagues asked, “why are you still here? Why did you not go? You are supposed to be gone in half an hour!” On the same day, an employee of the Centre occupied the Deputy Director’s apartment. The new “director” of the Centre took away the Deputy’s telephone, computer and copy machine, and the keys to the building. He announced compulsory leave for everyone from 12<sup>th</sup> July until 9<sup>th</sup> August. During that period, the Deputy Director realised that all the Kosovo Albanian employees were still working. He approached the new “director” and was told not to come to work any more and that if he did, the “police” would deal with it. An added threat was allegedly made that if he complained to KFOR, there would be organised action to boycott him.<sup>43</sup>

On 1<sup>st</sup> September, 15 of the 68 teachers at the School for the Deaf and Mute in Prizren/Prizren were informed that they had been dismissed. At the same time, 33 Kosovo Albanian teachers who had been dismissed in 1989 were reinstated. On 7<sup>th</sup> September, a further 17 employees were dismissed. The list of those sacked included Kosovo Albanians, Turks, Roma and Muslim Slavs. Under pressure from the UNMIK Regional Administrator, nine of the 32 employees sacked will be reinstated.<sup>44</sup>

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<sup>42</sup> See the case of the Textile Factory, below.

<sup>43</sup> PZ/ 0089/99.

<sup>44</sup> PZ /0090/99.

The reasons given for the dismissal were clear, according to the new “director.” He had “no obligations towards staff that worked in the school from 1989 to 1999,” since they had “collaborated with the Serbs to expel Kosovo Albanians.” He stated that the dismissed staff had been, “members of a special task force of the Serbian regime,” and that he had strong reasons to believe they had, “co-operated with the Serbs.” The “director” referred also to Decision Number 01.011.50 of 18<sup>th</sup> August, issued by the self-styled “interim government of the Kosova municipal council of Prizren/Prizren,” signed by the “president.” The Decision “revokes all juridical acts in all working enterprises, meaning all state-owned and private enterprises in the municipality of Prizren/Prizren and a return to the situation as it was on 23<sup>rd</sup> March 1989.”

At the Prizren/Prizren Hospital, one nurse with 26 years work experience had been demoted: no reasons were given. Another nurse reported receiving threats and was afraid to return to work.<sup>45</sup> A Russian therapist at the hospital, where she had worked for 15 years, had been told that she was no longer welcome at the hospital.<sup>46</sup>

Throughout October, further reports of summary dismissals in Prizren/Prizren were received, especially in the public sector, primarily hospitals and schools. Those dismissed included Kosovo Albanians.<sup>47</sup> In some cases, the dismissals were related to accusations of co-operation with Kosovo Serbs and other minority groups; in most cases, no paperwork or justification for the dismissal was given.

Schoolteachers in Muslim Slav villages in the Prizren/Prizren area had also allegedly been harassed by the (now former) UCK and told to stop working. For example, one teacher was not at home when the UCK reportedly called and was notified to report to the UCK Headquarter in Prizren/Prizren at 08:00 hours the following day. There, she was told that the villagers did not want her to teach and that it was not safe for her to return to the school because the villagers might kill her.<sup>48</sup>

**(b) Destruction of Property and Forced Evictions:** According to the KFOR Military Police, there were 36 reported incidents throughout August and September in which the UCK or the provisional TMK was said to be directly or indirectly involved in the illegal occupation of houses.<sup>49</sup> During the same period, KFOR recorded 154 incidents of threats and harassment in connection with civilian property.

However, the keynote feature in Prizren/Prizren since the end of the conflict has been the house burnings. In the town they have nearly exclusively been Kosovo Serbian properties burned with the obvious intention of preventing any returns, but they have also been used to signal to the international community and the moderate part of the Kosovo Albanian population who is in control. The overall result is that far more damage has been caused in Prizren/Prizren town after the war than during it.

Daily OSCE reports from Prizren/Prizren teams revealed the scale of effort to force people out. From 7<sup>th</sup> July there had been reports of house fires nearly every day,

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<sup>45</sup> PZ /0044/99.

<sup>46</sup> PZ /0041/99.

<sup>47</sup> See, for example, PZ/0089/99; PZ/0090/99 and PZ/0091/99.

<sup>48</sup> PZ/0064/99.

<sup>49</sup> See, for example, PZ/0007/99, 0012, 0016, 0022, 0023, 0025, 0026, 0030, 0031, 0038, 0040, 0043, 0047, 0060, 0063, 0066, 0068, 0080, and 0082.

starting with a Kosovo Serb house in the old part of Prizren/Prizren being set alight at midnight on 7<sup>th</sup> July<sup>50</sup> followed by three house fires on the 8<sup>th</sup> July. On 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 15<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup> July multiple house fires were reported in Prizren/Prizren and nearby villages.<sup>51</sup> In the week from 20<sup>th</sup> to 27<sup>th</sup> July, nine arson attacks and three reburnings were reported.<sup>52</sup> The total for July overall was 156 fires: 10-15% of those were repeat attacks on the same properties.

In August, an initial decrease in the number of fires, and a perceived breakthrough when KFOR for the first time managed to prevent a house fire, came to nothing. On 3<sup>rd</sup> August nine houses were burned in Prizren/Prizren, on 11<sup>th</sup> August the rate was reported to have decreased, and it was on this day that KFOR caught perpetrators in the act of setting a house alight, and detained them. Yet on 17<sup>th</sup> August, eight more houses were burned during the day and another three burned in the night, one the main target and two neighbouring Kosovo Albanian-owned houses that caught fire. On 18<sup>th</sup> to 21<sup>st</sup> August house fires averaged two or three per day, and on 19<sup>th</sup> August, a fireman was attacked by three men in UCK uniform as he was putting out a fire.<sup>53</sup> The average number of burnings in the period to 30<sup>th</sup> August was still two to three per day, and while the burning slowed in September, it never stopped.<sup>54</sup> Indeed, in October, the number of house fires increased again.

In the 72-hours prior to 7<sup>th</sup> October, eight house fires were reported in Prizren/Prizren. On 10<sup>th</sup> October, two Roma houses were set on fire in the Tusus area of Prizren/Prizren. On 11<sup>th</sup> October, five house burnings were reported in the previous 48-hour period. On 13<sup>th</sup> October, five empty Kosovo Serb houses in Musnikovo/Mushnikove in the Zupa Valley were burned.<sup>55</sup> Villagers were concerned that such fires could spread quickly through the close-built houses and destroy most of the village: they set up a night watch system. In the Kosovo Serb village of Zivinjane/Vermice, a house and two barns were set on fire on 18<sup>th</sup> October. The house belonged to a former MUP officer who had left Kosovo. One of the barns belonged to an elderly Kosovo Serb family.<sup>56</sup> All the villagers of Zivinjane/Vermice abandoned their homes in late October, seeking shelter in the Orthodox Seminary in Prizren/Prizren. Back in Prizren/Prizren town on 21<sup>st</sup> October, three house burnings were reported to have taken place over the preceding 48 hours: one of the houses belonged to an elderly Kosovo Serb woman who was rescued by KFOR.<sup>57</sup>

By the end of October, nearly 300 houses have been burned in Prizren/Prizren and the surrounding villages.<sup>58</sup> The result of this pressure on the Kosovo Serbs is clear: 97% of the pre-war population have left.<sup>59</sup>

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<sup>50</sup> Prizren/Prizren Region Daily Report, 7 July 1999

<sup>51</sup> On 16<sup>th</sup> July, Seven Roma houses were burned in Landovica, a village close to Prizren/Prizren.

<sup>52</sup> Prizren/Prizren Region Daily Reports, 20<sup>th</sup>, 21<sup>st</sup> and 27<sup>th</sup> July 1999.

<sup>53</sup> Prizren/Prizren Regional Centre Twice-Weekly Report, 18<sup>th</sup>-21<sup>st</sup> August 1999.

<sup>54</sup> Fires were reported on 16<sup>th</sup> September in Bogosevac, a Kosovo Serb village close to Prizren/Prizren: the same village was hit by two house fires on 19<sup>th</sup> September. On 23<sup>rd</sup> September, two fires were reported, and another two on 26<sup>th</sup> September.

<sup>55</sup> Prizren/Prizren Regional Centre Twice-Weekly Reports, 30<sup>th</sup> September-7<sup>th</sup> October, 11<sup>th</sup>-13<sup>th</sup> October 1999.

<sup>56</sup> Prizren/Prizren Regional Centre Twice-Weekly Report, 18<sup>th</sup>-20<sup>th</sup> October 1999.

<sup>57</sup> Prizren/Prizren Regional Centre Twice-Weekly Report, 24<sup>th</sup> October.

<sup>58</sup> The total number of fires on record at the Prizren/Prizren Regional Centre was 276.

<sup>59</sup> The pre-war population estimate for Kosovo Serbs was 7-8,000. The current population is between 200 and 250. Of those, 150 are sheltering in the Bogoslovija Monastery.

**(c) The Missing:** More than 70 cases of missing people have been recorded the majority of whom were taken by force, many of them by men in uniform.<sup>60</sup> Generally, individuals were abducted, but in one case 88% of the remaining population of a village went missing in one incident. Kosovo Serbs, Kosovo Albanians and Roma have all been victims.

The trend emerged as early as 16<sup>th</sup> June, with the kidnapping of a Kosovo Serb priest.<sup>61</sup> On 29<sup>th</sup> June, a Kosovo Albanian went to visit a friend's farm and has not been seen since.<sup>62</sup> On 16<sup>th</sup> July, five men purporting to be from the UCK abducted two males from a Kosovo Serb family, accusing them of bringing weapons from Serbia.<sup>63</sup> On the same day, a former OSCE-KVM employee disappeared in Prizren/Prizren town and an elderly Kosovo Serb male who was going to meet a friend also went missing,<sup>64</sup> A male from Dragas/Dragashhini also disappeared in Prizren/Prizren. On 22<sup>nd</sup> July, two Roma were reportedly abducted and the next day an elderly Kosovo Serb female disappeared.<sup>65</sup> On 28<sup>th</sup> July, a Kosovo Serb man went missing after leaving the Cemetery.<sup>66</sup> On 18<sup>th</sup> August, an old lady, deaf and almost blind, smelled smoke and discovered that her home was burning. Her son's shoes were on the doorstep but no body was found in the remains of the house. The woman's son had not been seen since.<sup>67</sup>

The outstanding incident, particularly when offset against the pattern of targeting the elderly, is the story of Dojnice/Dojnice. Prior to the conflict, Dojnice/Dojnice was 100% Kosovo Serb. Eighteen elderly people stayed in the village after K-Day. Two of them left the village on 27<sup>th</sup> June, returning a few hours later to find the village absolutely empty and completely destroyed by fire. No bodies were ever found.<sup>68</sup>

**(d) Religious Sites:** The Bogoslovija Monastery has become a place of sanctuary for many Kosovo Serbs. At the end of October between 150 and 200 Kosovo Serbs were sheltering there having been forced out of their homes by fire, fear and harassment. But even religious sites are not always safe: in the Prizren/Prizren region, 11 have been damaged or destroyed since the end of the conflict.

St Cosma and Damian Monastery in Zociste/Zocishte (14<sup>th</sup> Century) was looted and vandalized. St Nicholas Church in Ljubizda/Lubizhde (16<sup>th</sup> Century) was looted and vandalized. St Elias Church in Smac was damaged by explosives and burned. St Basic the Great Church in Gornja Srbica was completely destroyed. The Church of St Parasceva, Conjica village (1940) was vandalised and set on fire. Zociste/Zocishte Parish Church near Orahovac/Rrahovec (14<sup>th</sup> Century) was destroyed by fire. Lohvica Parish Church was burned. The Holy Trinity Monastery (14<sup>th</sup> Century) in Suva Reka/Suhareke was looted, set on fire and then destroyed by explosives. The Dormitory of the Mother of God Parish Church in Musutiste/Mushtishte (1315) was burned then destroyed by explosives. St Marks Monastery in Korisa/Korishe (1467)

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<sup>60</sup> See "Missing Persons" below.

<sup>61</sup> PZ/0048/99.

<sup>62</sup> PZ/0035/99.

<sup>63</sup> PZ/0021/99.

<sup>64</sup> PZ/0016/99.

<sup>65</sup> PZ/0020/99.

<sup>66</sup> PZ/0049/99.

<sup>67</sup> PZ/0043/99.

<sup>68</sup> PZ/0028/99. The two remaining villagers fled to the Monastery at Bogoslovija.

was set on fire, vandalised and then destroyed by explosives. The Apostles Peter and Paul Parish Church (1938) in Suva Reka/Suhareke was vandalised and then destroyed by explosives.

**(e) Zupa Valley:** For the Kosovo Serbs of the Zupa Valley there was little peace. The Valley had been subject to a persistent pattern of looting that had on occasion been witnessed, and stopped, by OSCE Officers. The situation in the villages of Bogosevac/Bogosevac and Zivinjane/Vermice was of particular concern following a spate of incidents from late August to mid-September. In a Spot Report of 17<sup>th</sup> September, OSCE reported that only nine Kosovo Serbs remained in Bogasevce, seven elderly and two young women, while only 10 elderly people remained in Zivinjane/Vermice.<sup>69</sup> The Kosovo Serb resident of Zivinjane/Vermice moved to the seminary in Prizren/Prizren on 24 October 1999.<sup>70</sup>

On 28<sup>th</sup> August, for example, two women in Bogasevce were assaulted, one was taken to hospital with both her arms broken.<sup>71</sup> The perpetrators were arrested but released by 1<sup>st</sup> September, after which they were seen again in the village. Their return caused eight villagers to leave, seeking refuge in the Seminary in Prizren/Prizren.<sup>72</sup> In the days that followed, looters returned to the village every second day: on 12<sup>th</sup> September, the perpetrators brought five vehicles to transport stolen goods. On 16<sup>th</sup> September, two houses were set on fire.

In Zivinjane/Vermice, similar problems were evident. Looters visited the village regularly and threatened to kill all the Kosovo Serbs. On 15<sup>th</sup> September, a 96-year-old Kosovo Serb man was found beaten to death in his house in the village, his hands tied behind his back, a strap across his mouth. His house had been looted.

The OSCE Spot Report concluded by saying that, “If nothing is done in the near future, I am sure the people from these villages will either be killed or driven out of their houses and we will have two more ‘ghost villages’.”

On 21<sup>st</sup> October, a Senior Adviser to the SRSB visited the villages of Zupa Valley.<sup>73</sup> The Senior Adviser’s report detailed the beatings, killings, looting, problems in the distribution of humanitarian aid, and threats by former UCK members that were then endemic in the Zupa Valley.<sup>74</sup> His recommendation, like that of OSCE and UNHCR, was that a checkpoint should be set up to guard the valley. KFOR have now established a checkpoint at the entrance to the Zupa Valley and that permanent presence has had a significant impact on real and perceived security in Zupa: residents now report that their situation has improved greatly.

**(f) The Elderly:** Even as Prizren/Prizren burned and people disappeared, some individual members of minority communities remained. They were not to escape the pressure. Following the pattern of burnings in Prizren/Prizren, incidents of

<sup>69</sup> Prizren/Prizren Regional Centre Spot Report 17<sup>th</sup> September.

<sup>70</sup> Prizren/Prizren Regional Centre Twice-Weekly Report, 21<sup>st</sup>-24<sup>th</sup> October 1999.

<sup>71</sup> *Ibid.*

<sup>72</sup> *ibid.*

<sup>73</sup> During that visit, the Senior Adviser witnessed the looting of beehives from one village: honey production was one of the few income-generating activities in the area. KFOR was called, and questioned the perpetrators.

<sup>74</sup> Memorandum of the Senior Adviser to the SRSB dated 23<sup>rd</sup> October and shared with OSCE.

harassment and intimidation aimed at individuals were prevalent in June, July and August, tailing off but not stopping in September. In some of those incidents, the UCK or the provisional TMK were reported to be involved. In others, organised involvement is not so clear. What is clear is that the atmosphere in Prizren/Prizren provided the space and freedom for a consistent campaign of harassment aimed at driving out the remaining minorities and purported leaders of the community did nothing to stop or even condemn this campaign. OSCE could find no evidence that UCK “police” or UCK representatives tasked by the self-styled authorities with protecting streets and buildings made any attempt to stop the harassment. Again, elderly people suffered most, particularly elderly women, were overwhelmingly Kosovo Serbs. Not all of the victims left Kosovo/Kosova; some received protection from KFOR, others have sought safety in the Bogoslovija Monastery. That was the only protection they had: age was no defence:

- In mid-June, an elderly Kosovo Serb woman was thrown down the stairs of her apartment while attempting to stop looters.<sup>75</sup>
- At 12:30 hours on 27<sup>th</sup> June, two men in UCK uniform allegedly visited an elderly Kosovo Serb couple and told them to leave by 15:00 hours. The couple stayed but had been harassed constantly since.<sup>76</sup>
- On 9<sup>th</sup> July, an elderly Kosovo Serb woman was harassed and abused, and had food stolen from her house: she left Kosovo/Kosova.
- On 10<sup>th</sup> July, a Muslim Slav male was detained and beaten, allegedly by the UCK. The same day, a Kosovo Albanian neighbour drove a Kosovo Serb woman to the Bogoslovija Seminary from the village of Lubista: she was escaping constant harassment. The victim was the last Kosovo Serb living in her village.
- On 13<sup>th</sup> July, a hand grenade was thrown into the house of an elderly Kosovo Serb woman.<sup>77</sup>
- On 15<sup>th</sup> and 16<sup>th</sup> July, the house of an elderly disabled Kosovo Serb male was shot at.<sup>78</sup>
- On 16<sup>th</sup> July, an elderly Kosovo Serb male, a patient of the hospital left after he was told he had no place there. He returned home to find his house destroyed by fire, and fled to the Bogoslovija Monastery.<sup>79</sup>
- On 19<sup>th</sup> July a 71-year-old Kosovo Serb woman was shot and injured in the yard of her house: she had previously been threatened by men claiming to be from the UCK police looking for weapons.<sup>80</sup>
- On 24<sup>th</sup> July, a group of 10 people started knocking on the door of the house of a 79- year-old Kosovo Serb woman. They made verbal threats and one pulled a knife. The victim had previously been thrown down her stairs.<sup>81</sup>
- On 27<sup>th</sup> July, four elderly Kosovo Serb women reported four incidents of harassment, two of these reportedly involving the UCK.
- On 4<sup>th</sup> August, three men dressed in black entered the flat of an elderly Kosovo Serb female. The woman had her throat badly cut by a ripped telephone cord and

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<sup>75</sup> PZ/0023/99.

<sup>76</sup> PZ/0030/99.

<sup>77</sup> PZ/0026/99.

<sup>78</sup> PZ/0026/99.

<sup>79</sup> PZ/0011/99.

<sup>80</sup> PZ/0024/99.

<sup>81</sup> PZ/0023/99.

she lost a lot of blood. She recovered, but has not returned to her home, seeking refuge instead in the Prizren/Prizren Seminary.<sup>82</sup>

- On 13<sup>th</sup> August, a 73-year-old Kosovo Serb woman reported constant harassment and poor health. She wanted to leave Kosovo/Kosova.<sup>83</sup>
- On 18<sup>th</sup> August, the son of a deaf and almost blind elderly Kosovo Serb woman was abducted and her house burned. The woman left for the Bogoslovija Monastery.<sup>84</sup>
- On 29<sup>th</sup> August, a group of Kosovo Albanian males attacked the village of Bogosevac/Bogosevac, inhabited by 17 elderly Kosovo Serbs and one 12-year-old boy. They looted the houses, and severely wounded an elderly Kosovo Serb woman.
- On 31<sup>st</sup> August, five people visited a 68-year-old Kosovo Serb woman asking for weapons. She said she had no weapons, and was beaten.<sup>85</sup>
- On 3<sup>rd</sup> September, an elderly Kosovo Serb couple were severely beaten and threatened with death in the village of Planjane. The perpetrators looted the house. For some time afterwards, the couple lived in nearby woods at night.<sup>86</sup>
- On 4<sup>th</sup> September, three young men searching for weapons came to the house of a 76-year-old Kosovo Serb woman, striking her on the back with a metal object.
- On 5<sup>th</sup> September two Kosovo Albanian men beat an 80-year-old Kosovo Serb man about the face.<sup>87</sup>
- At 23:00 hours on 21<sup>st</sup> September, a 79-year-old Kosovo Serb's house was stoned. The man hid in a friend's house. He wanted to leave Kosovo/Kosova.<sup>88</sup>
- On 24<sup>th</sup> September, the house of a 86-year-old and a 77-year-old Kosovo Serb couple was stoned. They wanted to leave Kosovo/Kosova.<sup>89</sup>
- On 6<sup>th</sup> October, a 70-year-old Kosovo Serb female was beaten by unknown perpetrators in the village of Planjane/Planjan. Stolen from her were funds she had collected for church repairs. Only nine elderly Kosovo Serbs remained in the village.<sup>90</sup>
- In Zupa on 12<sup>th</sup> October, an 84-year-old Kosovo Serb woman was badly beaten by four unknown perpetrators looking for money.<sup>91</sup>
- Four perpetrators beat an elderly Kosovo Serb female in Musnikovo/Mushnikove, in the Zupa area, on 12<sup>th</sup> October, and attempted to abduct a 78-year-old Kosovo Serb male in the same village. Neighbours intervened and were threatened with a gun but managed to prevent the abduction.<sup>92</sup>
- Three houses were burned on 22<sup>nd</sup> October in Prizren/Prizren, including a house belonging to an elderly Kosovo Serb woman who was rescued by KFOR.<sup>93</sup>
- On 28<sup>th</sup> October, two elderly Kosovo Serb women reported constant harassment by neighbours: both women's apartments had been broken into and burgled since

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<sup>82</sup> PZ/0042/99.

<sup>83</sup> PZ/0047/99.

<sup>84</sup> PZ/0043/99.

<sup>85</sup> PZ/0087/99.

<sup>86</sup> PZ/0063/99.

<sup>87</sup> PZ/0066/99.

<sup>88</sup> PZ/0080/99.

<sup>89</sup> PZ/0082/99.

<sup>90</sup> PZ/0126/99.

<sup>91</sup> PZ/0123/99.

<sup>92</sup> PZ/0125/99.

<sup>93</sup> Prizren/Prizren Regional Centre Daily Report, 22<sup>nd</sup> October 1999.

14<sup>th</sup> October. One of the victims has had her phone stolen, the other still has her telephone but receives threatening calls telling her to leave.<sup>94</sup>

- An elderly Kosovo Serb couple in Prizren/Prizren had received protection from KFOR following an attack in mid-October. For operational reasons, this protection was removed. The couple wished to leave Kosovo/Kosova.<sup>95</sup>
- On 31<sup>st</sup> October, a 79-year-old Kosovo Serb male living next door to the UN building in Prizren/Prizren town was attacked and badly beaten in front of his house. On his request, KFOR escorted the victim to the Prizren/Prizren Seminary.<sup>96</sup>

On two occasions, the aim and intent of this harassment was made completely clear. From 10<sup>th</sup> to 15<sup>th</sup> August, the Muslim Slav father of an abduction victim received constant threats, culminating in the leaving of a note: “You are next.”<sup>97</sup> On 18<sup>th</sup> June, a Kosovo Serb was handcuffed and thrown into a grey van by five men reportedly in UCK uniform. He was taken to three locations for questioning and the question was always the same: “Why haven’t you left?”<sup>98</sup> For those few Kosovo Serbs who remained, that question resonated strongly. Many elderly Kosovo Serbs give the same answer: they were born in Kosovo/Kosova, they had always lived in Kosovo/Kosova, and they wanted to stay in Kosovo/Kosova.

**(g) The Right to Life:** The OSCE has recorded in excess of 40 apparently ethnically motivated killings in the period to the end of October.<sup>99</sup> Of these cases, 26 victims were Kosovo Serbs; 13 were Kosovo Albanians; three were Muslim Slavs; one was a Roma; and four remain unidentified. No community has escaped these killings, but one specific group has suffered more than others, namely elderly Kosovo Serbs. The OSCE has recorded 19 cases where the victims were over the age of 65. It is emphasised that these 19 are cases where the bodies have been found. In the case of 17 Kosovo Serbs missing from Dojnice/Dojnice<sup>100</sup> no trace has been found. All were elderly.

There is a local saying: “As goes Prizren, so goes Kosovo.” If that saying is true, the pattern of violence since K-Day, and its effects on some of the minority populations, paint a picture of a much more homogenous Prizren/Prizren, and a much less diverse Kosovo/Kosova.

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<sup>94</sup> PZ/0109/99 and PZ/0110/99.

<sup>95</sup> PZ/0098/99. KFOR had stayed in the couple’s apartment for a period of a few days, but had to be re-deployed to the Roma quarter.

<sup>96</sup> PZ/0127/99.

<sup>97</sup> PZ/0040/99.

<sup>98</sup> PZ/0031/99.

<sup>99</sup> See ‘Right to life’, above.

<sup>100</sup> PZ/0028/99.