

Arbour: 'Kosovo Investigations Are Progressing'

Author: [IWPR](#)

By Mirko Klarin

The withdrawal of the Kosovo Verification Mission (KVM) and international humanitarian organisations, followed by the expulsion of foreign journalists from the province has left Kosovo without independent witnesses of the events.

Nevertheless the Tribunal will soon have the evidence its needs to start work on the reconstruction of events in Kosovo and to deliver the first indictments.

Kosovo's borders and skies are presently the site of what could be the biggest criminal investigation ever held. The Tribunal has its own people on the ground, but the eventual indictments will draw on evidence garnered ALSO by members of the KVM, numerous human rights organisations and journalists, present on the FRY-Albania-Macedonia border.

Most of all, western intelligence services are collecting data from spy satellites and spy planes, electronic communication monitoring equipment and a host of other classified kit. The reconstruction of the March and April 1999 events in Kosovo may well turn out to be far swifter and more successful than past investigations - such as the reconstruction of the July 1995 crimes in Srebrenica in Eastern Bosnia.

"Our investigations into the most recent allegations of crimes within the jurisdiction of the Tribunal are progressing, through means that I am not prepared to make public," Tribunal Chief Prosecutor Louise Arbour said last week Wednesday. "We must of course develop a proper evidentiary basis to confirm not only the commission of crimes but the identity of the perpetrators, as well as the basis for culpability of military and political commanders who have a duty to prevent and punish the commission of war crimes."

The United States, Britain and NATO have indicated publicly that they have evidence of crimes in Kosovo that come within the Tribunal's jurisdiction, including information about the perpetrators, and that they will share this information with the Office of the Prosecutor. Arbour said she would "welcome these statements and take these assurances seriously," and that she expects "to be provided with this information on a continuous basis, not only from these sources but from all governments, international organisations, NGOs and private individuals".

At the same time Arbour revealed that she had been urged by some groups to indict the officials and officers behind the NATO air strikes. "There is no doubt in my mind," Arbour noted, "that the jurisdiction of the Tribunal over Kosovo is well known to all, and indeed has never been contested by anyone except the FRY.

"The Tribunal has jurisdiction over genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949 and violations of the laws and customs of war, which have been committed since 1991, or continue to be committed anywhere in the former Yugoslavia, by anyone."

She concluded that she would "review all information provided... which may suggest the commission of crimes within the jurisdiction of (the Tribunal). I will only disregard unsubstantiated conclusions and political diatribe".

Location: Balkans
Macedonia
Albania
Kosovo

Focus: International Criminal Tribunal for the former
Yugoslavia

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