

Haradinaj Allegedly Witnessed Beatings

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Court hears claims that Kosovo's former prime minister was in house where Serbs were detained and abused.

Three Serb family members allege they were detained, interrogated and brutally beaten by Kosovo Liberation Army, KLA, soldiers at the home of Ramush Haradinaj's relative, Smail, in April 1998.

Dragoslav Stojanovic - a former next-door neighbour of the accused Haradinaj - claims that Kosovo's ex-prime minister was in the building during the incident, and that at one point he even kicked the witness, who was lying helplessly on the ground.

Stojanovic, his brother Mijat, and their cousin Veselin Stijovic testified this week in the trial of former KLA Haradinaj and his co-accused, Idriz Balaj, and Lahi Brahimaj.

The three accused are charged with being part of a joint criminal enterprise to gain total control of the Dukagjin area of Kosovo by "the unlawful removal and mistreatment" of Serb civilians, and others who were, or were perceived to be, collaborating with Serb forces.

The indictment alleges that other members of the joint criminal enterprise were Haradinaj's brother, Daut, his cousin, Nasim, and another KLA member, Zeqir Nimonaj.

Dragoslav told judges that he was arrested and beaten by armed Albanians wearing KLA insignia on April 18, 1998 while at his home in Dubrava, a village near the Albanian border.

He said that he, Mijat, and Stijovic were then taken to a house in nearby Glodane, referred to by the soldiers as the KLA headquarters.

There, he told judges, he was taken into an upstairs room and interrogated by a man he thought to be Besnik Haradinaj - the cousin of the accused Ramush Haradinaj - while his two relatives were held in the corridor outside.

At some point during this interrogation, he said, Ramush's brother Daut and another man - Zeqir Nimonaj - were also present.

He said he was then put outside into the corridor where he fell down, and lay for some time, drifting in and out of consciousness.

Stojanovic said that first his cousin, and then his brother was taken into the room, and while they were inside, he could hear their screams.

"I could hear Zeqir and Daut abusing them," he said.

As he lay in the corridor, the witness claims that Haradinaj walked past.

“He came by with five or six others - his soldiers. He shoved me with his leg, and said, ‘Hello, neighbour, do you recognise me?’ I said, no. And he kicked me and said I would eventually recognise him,” said the witness.

The prosecutor asked him why he had claimed not to recognise Haradinaj at the time.

“It was for fear of getting killed,” he said. “I was hoping they would just let us go.”

Stojanovic got the impression that Haradinaj “seemed to be the one in charge” because of the way that the other soldiers present “greeted him with their fists”.

Stojanovic also claimed that as he lay in the corridor, one of the KLA soldiers - a blond man known as “the Russian” - beat him with a metal pipe.

The witness said he suffered “enormous pain” as a result of the beating he took that day, and injuries have left him unable to work today.

He said that he, and his brother and cousin were eventually taken by soldiers - including Nasim Haradinaj, the cousin of the accused - to the village of Babaloc, where they were dropped off near a refugee camp.

The witness told judges that Nasim told the three men to continue forward without looking back, or he would shoot them.

On arriving near the camp, some refugees came out to help the men, before taking them to a health centre in Decani.

From there, Stojanovic said he was sent to hospital in Pec, then taken by ambulance to another hospital in Pristina, where he underwent emergency surgery and remained for 28 days.

Ben Emmerson - Haradinaj’s defence counsel - stated at the outset of his cross examination of the witness that he was not challenging that he had been badly beaten on April 18, 1998 by Albanian villagers from Glodane.

But he did suggest that the witness was “mistaken in his identification of Ramush Haradinaj” in the house where he was detained.

He asked Stojanovic when the last time he saw Haradinaj was before he apparently saw him the day he

was interrogated.

The witness replied that he hadn't seen him "for about ten years" before that.

He also asked Stojanovic if he had already been badly hurt before his encounter with the man he said was Haradinaj.

The witness wasn't sure if all his injuries had already been sustained by that point, but admitted that he had "already lost consciousness on a number of occasions" by then.

Emmerson put it to Stojanovic that "nobody mentioned the word commander or addressed [Ramush] Haradinaj as commander that afternoon".

"Not in my presence," Stojanovic admitted - although he added that the other soldiers stood and greeted Haradinaj by making a gesture with their fists.

Emmerson asked the witness to confirm that the man he claimed was Ramush Haradinaj did not go into the room where the interrogations and beatings of his relatives were taking place, but into a different room.

The lawyer then got Stojanovic to confirm that after his brief encounter with Haradinaj in the corridor, he didn't see him again.

Emmerson suggested that the witness might have been confused at the time, as a result of his injuries and the fact that he was drifting in and out of consciousness.

The lawyer also noted that according to the witness's own testimony he couldn't recognise the other soldiers who came by with Haradinaj because his injuries meant he was "hardly able to have a proper look".

Emmerson then put it to the witness that he had seen records to show that his brother Predrag was in the paramilitary police, or PJP.

Stojanovic dismissed this as "most certainly not true" - his brother was a regular police officer, he said.

Stojanovic's testimony was followed by that of his brother and cousin, who also testified to being kidnapped, beaten and interrogated by KLA members at the Glodane headquarters on April 18.

Mijat Stojanovic claimed to have seen the accused Haradinaj twice that day - once in front of the Haradinaj compound, when the men were being taken to the KLA headquarters, and again in the courtyard of the house where they were interrogated.

The trial continues next week.

Location: Kosovo

Topic: Courtside

Focus: International Criminal Tribunal for the former
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