

Kosovar on Contempt Charge

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Prosecutor claims that witnesses were pressured to withdraw statements against KLA commander.

A Kosovar Albanian man has been arrested and transferred to the Hague court after allegedly trying to pressure witnesses to refuse to testify in a relative's war crimes trial.

Beqe Beqaj is said to be related to Isak Musliu, a former KLA commander, who is due to appear before the United Nations court in just over a week, in connection with the mistreatment and murder of Serbs and perceived Albanian collaborators at the Lapusnik prison camp in Kosovo in 1998.

The Office of the Prosecutor alleges that Beqaj passed messages from the accused - who is awaiting trial in the tribunal's detention centre - to two potential witnesses in the case, demanding that they withdraw their testimony against him.

The arrest is the first ever to be requested by the tribunal for such charges, and follows remarks by Chief Prosecutor Carla Del Ponte that witness intimidation is proving to be a real issue in close-knit Kosovo society.

"Witness intimidation is a serious problem throughout the former Yugoslavia, but in Kosovo it is widespread, systematic and potentially deadly," she said in a speech to the North Atlantic Council in Brussels on November 3.

The indictment, which was made public this week, alleges that on or around June 11 this year, Beqaj told potential witness Rexhe Rexhaj that Musliu had been in contact with him from the tribunal detention centre - and had asked Beqaj to demand that Rexhaj withdraw his statement.

On the same day, the accused's son allegedly accosted Rexhaj and blamed him for Musliu's detention in The Hague.

Prosecutors also claim that in September, using an intermediary, Beqaj contacted a second potential witness, Rizah Rexhaj, who was living outside Kosovo. Rizah Rexhaj was allegedly told that Musliu "might give him some land" if he withdrew his statement.

Beqaj allegedly contacted the intermediary again later that month. This time he apparently claimed to be speaking not just for Musliu but also for his co-defendant, Fatmir Limaj, and said Rizah Rexhaj must return to Kosovo to meet with defence lawyers and withdraw his testimony.

Prosecutors say Beqaj then spoke directly with Rizah Rexhaj by telephone twice in October to ask him to meet with Limaj's brother and a lawyer, in order to retract his statement and say he had nothing to do either with Limaj or with Musliu.

Beqaj is charged with a series of contempt offences, which carry a maximum penalty of seven years in prison, a fine of 100,000 euro, or both.

The indictment against Beqaj was originally issued on October 21 and confirmed by Judge Carmel Agius a week later, but it was kept secret until this week.

Diplomatic sources say Beqaj was actually arrested by UNMIK forces two weeks ago, before the indictment was confirmed. Such provisional detention is allowed for by the tribunal's Rules and Procedures of Evidence.

Beqaj is now in custody in The Hague and is due to appear in court early next week, when he will be asked to enter a plea.

The trial of Musliu, Limaj and Haradin Bala, a third defendant in the case, is scheduled to begin on November 15. IWPR will publish an overview of the case next week.

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