

Kosovo Six Prosecutors Demand Severe Sentences

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They say if the accused are convicted, they should receive long prison terms.

Prosecutors called for sentences of between 20 years and life imprisonment for six former Serb officials on trial for the murder, persecution and deportation of ethnic Albanians from Kosovo in 1999.

In its closing address this week, the prosecution in the trial of former Serbian president Milan Milutinovic and his five co-defendants said that all six men should be convicted.

It argued that it had proven their involvement in a joint criminal enterprise aimed at changing the ethnic balance of what was the Serbian province to maintain Serb control.

According to the indictment, forces of the Federal Republic of Yugoslavia, FRY, and Serbia forcibly expelled and displaced hundreds of thousands of Kosovo Albanians. Civilians were “frequently intimidated, assaulted or killed in public view to enforce the departure of their families and neighbours”, it said.

The ex-president is on trial with former Yugoslav deputy prime minister Nikola Sainovic, ex-chief of staff of the Yugoslav army, VJ, Dragoljub Ojdanic, former Yugoslav military commanders Nebojsa Pavkovic and Vladimir Lazarevic, and police chief Sreten Lukic.

According to prosecutor Thomas Hannis, the expulsions and killings of ethnic Albanians can be traced to ex-Serbian president Slobodan Milosevic, who told Klaus Naumann, then president of the NATO Military Committee, and NATO commander Wesley Clarke in October 1998 that “a final solution to the Kosovo problem would be found in the spring”.

Asked to clarify, Milosevic said that he would repeat what happened in Drenica in 1946 when Albanians were gathered together and shot, Hannis told the court.

Prosecutors told judges that although there were no documents detailing any common Serb official objective, evidence of coordinated action between the army and the Ministry of the Interior, MUP, together with the testimony of villagers who survived the massacres, pointed to a shared criminal purpose.

“[The office of the prosecutor’s] position is that the departure of over 800,000 Kosovo Albanians from Kosovo was mainly due to the actions of the forces of the FRY and Serbia and to the actions of the VJ and the police acting in a coordinated manner under the command of the accused,” prosecutor Daniela Kravetz told the court.

The prosecution sought this week to undermine the arguments of the defence teams as to why this mass exodus occurred, including the suggestion that Serb forces were escorting Kosovo Albanians to the border with Macedonia to protect them.

According to the prosecution, those who fled had their identity cards confiscated at the border and the license plates taken off their cars.

“This practice...of identity cleansing was aimed at forcing people out and preventing them from returning. This was not a humanitarian evacuation,” Kravetz told the court.

During the trial, defence lawyers have also argued that civilians were fleeing a NATO bombing campaign – not Serb atrocities. Kravetz cast doubt on this, using the testimony of one witness who said the border area between Albania and Macedonia was hit by 80 per cent of the NATO bombing.

“Why would civilians...flee precisely to the areas where the bombs were falling?” asked Kravetz.

“The evidence clearly shows that [the NATO bombing] was not the reason for the departure of the population.”

Prosecutors also dismissed defence arguments that civilians died because they were caught in the cross-fire or as a result of a legitimate anti-terrorism campaign against the Kosovo Liberation Army, KLA.

Kravetz highlighted two atrocities carried out in April 1999 against civilian targets where there was no KLA presence.

At one house, policemen forced women and children out of a basement and then shot them dead. In another incident, 40 Kosovo Albanians were shot at a pizzeria, she said. Their bodies were then transported over 280 kilometres to Belgrade and hidden in mass graves, continued Kravetz.

“Clearly, these were not legitimate killings. These were civilians who were specifically targeted because they were Kosovo Albanians,” she added.

Prosecutor Chester Stamp dismissed claims made on behalf of the defendants – particularly Ojdanic – that the attacks in Kosovo were random violence. Supporting his argument with a map showing where people were killed before being transported to Serbia to be buried, Stamp said that the conflict was not a matter of a few victims, but a “massive organised criminal enterprise”.

Addressing Milutinovic’s responsibility, Stamp rejected the defence argument that the former president had not contributed to the crimes and had done nothing about them because he lacked authority to act.

“The reports that he received [from] the media is sufficient evidence of notice that imposed on him a duty to do...everything...within his power to stop and to prevent these massive crimes,” said Stamp.

Stamp also countered defence efforts to “marginalise” Milutinovic and cast him as a peripheral figure in government.

The prosecutor questioned the evidence of defence witness Ratko Markovic, who said that under Serbian law Milutinovic did not have a significant role in foreign affairs.

Stamp said that as a member of the government ruling party, Markovic lacked impartiality, and therefore his testimony should be treated with “extreme suspicion and caution”.

The closing arguments are scheduled to be completed by August 27.

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