

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE
PROSECUTION
OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS
OF INTERNATIONAL LAW COMMITTED IN THE TERRITORY
OF THE FORMER YUGOSLAVIA SINCE 1991

WITNESS STATEMENT

WITNESS INFORMATION

Last Name: BALAJ
First Name: Shaban
Nickname /Alias: ---
Father's name: Binak Mother's name: Nif
Date of Birth: 14.10.1956 Gender: Male
Place of Birth: Strelc i Ulet, municipality of Deqan
Ethnic Origin: Kosovo Albanian Religion: Muslim
Current Occupation: Driver
Former: ---
Language(s) Spoken: Albanian, Serbian, German
Language(s) Written: Albanian
Date of Interview: 2 June 2007, 8 June 2007 (after being corrected by the witness)
Place of Interview: Pristina, Kosovo
Interviewer: Christopher Gosnell
Interpreter: Danila Nika
Language(s) Used in Interview: Albanian and English
Names of all persons present during interview: Christopher Gosnell, Rut Ley, Shahzada Sultan, Danila Nika, Shaban Balaj;

Witness Statement

1. I have been asked to give a statement to the International Criminal Tribunal for the Former Yugoslavia (ICTY). I have not been threatened or forced to come here, nor have I been offered any promises or incentives to do so.
2. I have agreed to provide a written signed statement. I have been told that should any of the persons I speak about in this statement be indicted by the ICTY, my name may become known to the defence lawyers of the accused and the general public. I am prepared to testify before the ICTY in The Hague, Netherlands and I understand that if I am required to testify, the Tribunal will take all necessary security precautions on my behalf. I consent to a copy of this

statement being supplied to UNMIK police or any other law enforcement agencies investigating allegations of war crimes committed in Kosovo during the recent conflict.

3. I was interviewed previously by the Office of the Prosecutor (OTP) in 2002 and again in 2006 about the killing of my sister Sanije BALAJ in August 1998. This statement is in addition and in clarification of those statements.
4. I joined the KLA at the end of March 1998 when the organization was first established in my village. People took the initiative to guard the village after hearing that Gillogjan (the Gillogjan of Ramush Haradinaj) had armed itself. We contacted former residents of the village who were abroad to send money to buy weapons.
5. At the end of March, about a week or ten days after the Serb offensive in Gillogjan in which three people were killed, a group of forty people from my village left for Albania to obtain weapons and supplies. About half of us, including myself, had previous military experience. My cousins Hazir and Hamdi were amongst the group. In Voksh, between Pobergjan and Junik, some 500 people from various villages gathered to begin the trip over the mountains into Albania.
6. We walked through the night and arrived in Tropojë, Albania in the morning. Prior to our departure, we had arranged to meet three former residents of the village who were coming from abroad with money to buy weapons and supplies. They were Tahir Gjukaj (who died in 2003), Bajram Gjukaj, who lives in Switzerland, and Brahim Zeqaj. They brought 100.000 Deutschmarks, of which we spent 70.000 on weapons and renting horses to transport the weapons back to Kosovo. The remaining 30.000 Deutschmarks we took back to the village for charitable support. We bought weapons in Bajram Curri in the market in Tropojë. I bought a Kalashnikov, rifles and a grenade launcher. A Kalashnikov cost 70-100 Deutschmarks, a packet of 650 Kalashnikov bullets cost 30 Deutschmarks. The group of us bought Kalashnikovs, rifles type 20, rifles type 10, 9mm submachine guns, five 15mm "Gulinovs" (machine guns with a tripod, each weighing about 100kg), six long range mortars and two sniper rifles. The ammunition was Chinese.
7. We stayed overnight in Tropoje and then headed back to Kosovo. We went in two groups, each with about twenty horses loaded with weapons. Hazir went in the first group, Hamdi and I in the second. Our route back into Kosovo took us first to upper Jasic in Kosovo, where we commandeered some abandoned tractors and loaded the weapons on to them. From there we went to Junik, where we were met by four KLA soldiers who acted as our escorts, and then on to Rracaj. In Rracaj two or three other soldiers were waiting for us, and accompanied us to Gillogjan. From there, we travelled through the villages back to Sterllc, as Serb forces were on the main road. We were not attacked during our trip back from Albania.
8. This was my only trip to Albania to obtain weapons, but I was aware of numerous other large convoys from Kosovo into Albania during this period at the end of March. Other people from my village went and we would talk about it. I know of convoys involving residents of such villages as Lutoglava, Zablac, Neberxhan, Dubrava, Botisac, and Zahac. The majority of convoys went through Gillogjan, as this was the safest route into Albania. Another route through Carabreg could be taken, and even through Strelle, but these routes were more dangerous.
9. The night of 7 or 8 of May 1998, I met about 100 people coming from Drenica on their way to Albania to obtain weapons. I escorted them from Dubovik to Gillogjan. I met them by chance in Dubovik and asked them where they were going. They wanted to buy weapons in Albania and did not know the way well. I accompanied them and showed the way to Gillogjan. I walked with them as far as Irzniq and from there pointed the way to Gillogjan and said goodbye. The convoys travelled at night because neither the Serbian army nor the police would move a night.
10. Asked how KLA groups from different villages would communicate, I can say that the leader of each village would appoint a contact person who was responsible for such communications. Each village had its own satellite phone brought from abroad, and the villages were in frequent contact with one another and with Albanians living abroad who wanted to know the situation in their villages back home. Relatives from abroad would call the village every night.

11. From the end of March until mid-August 1998, Serb positions were located along the Peje-Gjakova Road. In upper Strelle, there were two Serb checkpoints near the main road: one at the gas station, the other at an agricultural farm. Soldiers at these positions joined forces to attack us at the end of June for about one hour, including shooting from an armoured car. No one was injured. Another major Serb position along the main road was located at the junction with the road to Prilep. The Serb position there was manned by about one or two hundred Serb paramilitary and police. Other Serb positions along the Peje-Gjakova Road were to be found during this period in Skiviane and Piskota. Serb forces were also present in Decane, Ljubusa, Isniq, Ljubenic (near the cemetery), in Rausiç (near the bus station, about 50 metres from the main road) and Brezanik.
12. Sometimes Serb forces would enter the villages on the east side of the main road for two or three hours, and then go back to their bases. For instance, they entered Ljubusa, Prilep, Carabreg. In May, Serb forces from a position in Celopek attacked Baran and Vranoc, and held the town for two or three hours. Five people were killed. At the beginning of June, the Serb police station between Celopek and Rosulje in Sedove was burned down by the KLA and the Serb forces abandoned this position. Another example of this attack occurred at Upper Strelle.
13. Between the end of March and mid-August 1998, with exception of the attacks mentioned above, Serb forces were generally restricted to locations along the Peje-Gjakova Road. However, I know of Serb positions at the following locations: the co-operative farm in Junik; the textile factory at the entrance of Junik; at Suka Herec (Erečka Suka); Suka Radonicka, Suka Babaloq and Suka Biteš. I learned about the Serb positions from the direction of artillery fire from these positions, and from reports from other people. The Serbs excavated trenches on Suka Biteš and they would shoot from that height.
14. Between the end of March and 16 August 1998, no Serb infantry was stationed in Irznic, Gorni Ratiš or Donji Ratiš. Serb forces were in the refugee camp in Babaloq along the main road, and also on the hill, Suka Babaloq, but they were not in the village of Babaloq.
15. I first received a KLA uniform in Albania during my trip there at the end of March. KLA uniforms were camouflage, often from the German, American or Albanian military. The uniforms had a KLA emblem sewed on the arm, the chest, and on the hat, which was a square-shaped peak-cap, similar to those worn by the KPS today.
16. In my first statement, I mentioned letters approving freedom to travel. These letters were authorization cards issued by KLA village commanders to authorize specific journeys within the KLA area. The first KLA checkpoint I ever saw was in Rasic right after my return from Albania at the end of March. Travel authorization cards were required in order to pass through these checkpoints; if you did not have an authorization card, you would be turned back. These cards stated the person's name, destination, name of the village in which they were resident, the name of the KLA commander, date of birth, and bore a KLA stamp. Almost every village within the area North and West of Lake Radoniq had a KLA checkpoint up until September 1998. I had a travel card issued by Gani GJUKAJ. Every time you wanted to travel in the area, you needed a new card authorizing the travel.
17. Gani GJUKAJ was the village commander in Strelle. I took orders from him until I resigned in August 1998. There were around 200 KLA soldiers there under his command. No one ever disobeyed his orders. He was an honest and well-educated man, and was the one who set up the KLA in the village. Then Tahir ZEMAJ arrived and Gani GJUKAJ worked under him. Tahir ZEMAJ entered Kosovo on the orders of Ahmet KRASNIQI.

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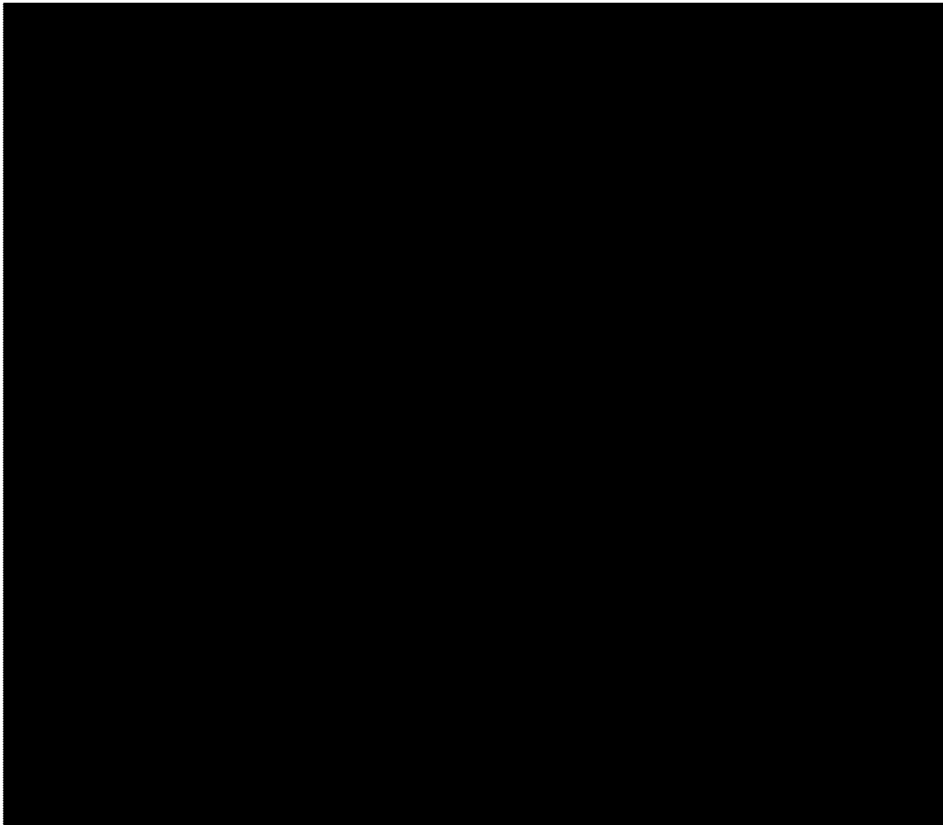
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WITNESS ACKNOWLEDGEMENT

This statement has been read over to me in the Albanian language and is true to the best of my knowledge and recollection. I have given this Statement voluntarily and am aware that it may be used in legal proceedings before the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Law Committed in the Territory of the Former Yugoslavia since 1991, and that I may be called to give evidence in public before the Tribunal.

Signed:

Dated: 02/06/2007

INTERPRETER CERTIFICATION

I, Danila NIKA, Interpreter, certify that:

1. I am duly qualified and approved by The Registry of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Law

Committed in the Territory of the Former Yugoslavia since 1991 to interpret from the Albanian language into the English language and from the English language into the Albanian language.

2. I have been informed by Shaban BALAJ that he speaks and understands the Albanian language.
3. I have orally translated the above statement from the English language to the Albanian language in the presence of Shaban BALAJ who appeared to have heard and understood my translation of this statement.
4. Shaban BALAJ has acknowledged that the facts and matters set out in his statement, as translated by me, are true to the best of his knowledge and recollection and has accordingly signed his signature where indicated.

Dated: 02/06/2007

Signed:

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