

AMENDED WITH IN-COURT STATEMENT OF 31 JANUARY 2007

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:

Name: [REDACTED]
Family First

Father's name: [REDACTED]

Home address: [REDACTED]

Date and place of Birth: [REDACTED]

Gender: Male

Religion: [REDACTED]

Former occupation: [REDACTED]

Occupation: [REDACTED]

Languages spoken and written: Serbian.

Dates of interview: Saturday 07/12/2002 & Sunday 08/12/2002. Belgrade, SERBIA.

Interviewer: Investigator John ZDRILIC

Languages used in Interview: English and Serbian

Names of all persons present during interview: Investigators John ZDRILIC, Gerard
SEXTON & Bretton RANDALL (07/12/2002 only), [REDACTED]
[REDACTED]

Signed/Initialed: _____

Statement of [REDACTED]

WITNESS STATEMENT:

1. My name is [REDACTED] and I was born on the [REDACTED] in [REDACTED] Serbia. I am married with 3 sons. My wife's name is [REDACTED]. I am currently employed as a Driver [REDACTED]. I did my national military service in [REDACTED].

2. When the war in Croatia started I went there as a volunteer from Belgrade. I went to Croatia in either [REDACTED]. All men of military age were mobilized by the time I went. [REDACTED] was the physical address of the military unit that sent people to Croatia. [REDACTED] was the address of the recruiting unit. I was not given any training at this time. We were simply given a gun and a uniform and sent to the front line in Eastern Croatia. There was never any teaching about the Geneva Convention or the Rules of War. The first area that I was sent to was Mirkovci, and later to Cerić. In November 1991, during the siege of Vukovar, I was located at the frontline between Nuštar and Cerić.
I can't remember the name of the Commander of the battalion.
In March of 1992 when things were settling down in Croatia, I returned home, resigned from my job, and [REDACTED]
[REDACTED]

3. [REDACTED]

4. [REDACTED]

5. [REDACTED]

6. [REDACTED]

Statement of [REDACTED]

[REDACTED]

7.

[REDACTED]

8.

[REDACTED]

9.

[REDACTED]

10.

[REDACTED]

11.

[REDACTED]

12.

[REDACTED]

Statement of [REDACTED]

[REDACTED]

13. [REDACTED]

14. [REDACTED]

15. [REDACTED]

16. [REDACTED]

17. [REDACTED]

18. [REDACTED]

19. [REDACTED]

Statement of [REDACTED]

[REDACTED]

20. [REDACTED]

21. [REDACTED]

22. [REDACTED]

23. [REDACTED]

KOSOVO

24. I left the Yugoslav army in 1995 and between then and 1999, I used to drive a lorry to and from Kosovo. [REDACTED]

25. [REDACTED] At the time of the NATO bombing of Kosovo, I thought that I would be drafted into the army. Our municipality falls within the area of the VJ Corps that covers Kosovo and so I knew that if I were drafted then I would definitely be sent to Kosovo. [REDACTED]

26. [REDACTED] I don't recall when he started going to Kosovo but it seemed like he was always there. He would return for 10 days and then be sent down there again.

27. [REDACTED]
[REDACTED] There were a lot men volunteering at the time.

28. I was sent to the 549th Motorised Brigade in Prizren commanded by Colonel (now General) Božidar DELIĆ. I was stationed with a Battalion in [REDACTED] which was

Statement of [REDACTED]

commanded by [REDACTED]

[REDACTED] There was at least 2,000 men stationed within this battalion in [REDACTED]. About 70% of the battalion were engaged in border duties.

29. I was attached to a unit of about [REDACTED] men and we received our orders from Security [REDACTED] was responsible for all security issues within the Brigade. He is from Belgrade but currently works in Leskovac. He had an Albanian girlfriend from Đakovica.
30. Within my unit there was at least four men from Serbia, four from the Republic Srpska and two Russians. The names I know these men by are as follows. I am not certain if all the names are correct but rather these are the names that used. [REDACTED] and I shared the role of Deputy Commander for our unit. He used to be in Frenki's Unit (Frenkijevci). Frenki's men came looking for him one day and asked for him by name, so I believe that it was his real name. [REDACTED] I believe this is his real name. [REDACTED]
- [REDACTED] He stated that he is wanted for war crimes he committed in Brčko. He was one of three men wounded in [REDACTED] although I firmly believe that the Albanians (Šiptar) did not fire a single bullet. I will mention this further later. I recall that he received 75,000 Dinars because he was wounded and was from R.S. [REDACTED] I am not certain of his family name but have been to his house. A man called [REDACTED] He was the only man in the battalion that had long hair. He was a Lieutenant (Poručnik) in the VRS (Republica Srpska Army). He was beaten by the State Security from the Republic Srpska and escaped. I believe that he now lives in Canada. [REDACTED] a "Vlah" gypsy that volunteered from Austria.
- Another Russian who we used to call "Major". He stated that he was a pilot in the Russian Airforce which [REDACTED] confirm. Both the Russian men said that they had fought in Afghanistan with the Russian military forces. There was a man we called [REDACTED] and he was definitely a criminal. From what [REDACTED] said, I believe that [REDACTED] was from Banja Luka. He just got into a car one day and never returned. I believe that he deserted. There were a couple of others but I can not recall their names just now.
31. I described [REDACTED] as a "Vlah" gypsy. People who are referred to as "Vlah" come from the area between Serbia and Romania. The Serbian "Vlah" gypsies frequent the area east of Požarevac to the Romanian border. The most famous "Vlah" is Zoran LILIĆ, the former FRY President.
32. I do not know why [REDACTED] came from Austria to volunteer for the Yugoslav Army. He left his wife and at least two children in Austria and came over to fight. I know that his parents lived in [REDACTED] and his wife was [REDACTED] I am sure he has his reasons but it was never my place to quiz him about his reasons. I have a photograph

[REDACTED] and I, taken in the village of [REDACTED] Đakovica about May 1999.

33. The photograph also depicts the normal VJ uniform. The black beret I am wearing is the normal Military Police beret. You can see on [REDACTED] right shoulder a round black shoulder patch with a white eagle. This is the standard Military Police patch. On [REDACTED] left shoulder is a square shaped maroon colored patch with a white eagle. This is the standard VJ patch. In this photograph [REDACTED] is wearing the standard VJ issue boots but I am wearing specialized anti-mine boots.
34. EXHIBIT I PRODUCE THIS PHOTOGRAPH A true copy of this photograph is attached to this statement and marked as Photograph JZ-1.
35. I recall one night, around the first or second of April, [REDACTED] and a couple others were drinking in a café in [REDACTED]. There were two SUP Inspectors from Đakovica, [REDACTED] myself and a number of others. The first three were fairly drunk when the conversation turned to the police attempts to locate an Albanian man from Čabrat. Very unprofessionally, and I think only because he was drunk, [REDACTED] suggested that we immediately attend the known addresses for this man and arrest him. I do not know the names of the two police inspectors but one was wounded that night and so it would not be too difficult to work out who they are.
36. The first house was near-by and it was searched but nothing was located there. The police said that the house should be burnt. **We used an aerosol air freshener can.** When a flame is introduced to the air freshener it makes a very effective flame-thrower and will ignite almost anything.
37. The second house we searched was in the Đakovica neighborhood called Čabrat. We did not find anything at the second house and it was also set alight. At the third house, also in Čabrat, there was an exchange of fire in the house. [REDACTED]
38. At that time NATO bombs started dropping in the area so we withdrew. I think three waves of bombs struck that area on that night. Once we were safely away and policeman was taken to hospital, [REDACTED]
39. The situation was generally calm in Đakovica. I recall there was a man in charge of the Territorial Defence Units (T.O.) for the area. I think the man was from Meja and told the people in the area around Meja and Korenica that he would ensure that they were all safe. I can not recall his name but he was referred to as "Major" because he was a retired Yugoslav military Major.
40. I recall there was a Catholic village just outside Đakovica, towards Bistražin. The inhabitants of this village were never ordered to leave and in fact we protected that village by patrolling through there at least once a day. I recall an incident in May, in which a [REDACTED] had attended the catholic village with his unit and [REDACTED] I recall the

villagers coming to the fuel station in Brekovac to identify and collect their vehicles. I know that he was charged with this matter but I do not know if he ever stood trial. Looting by the VJ was strictly forbidden with the exception of the last day before our withdrawal.

41. My unit was involved in the ordering of Albanian villagers to leave their homes. **It was not my unit's primary task.** This was ordered by [REDACTED] and usually came to us via [REDACTED]. **My major never ordered the expulsion of villagers, that is to say, to have them expelled to Albania.** I do recall on a couple occasions receiving the order directly from [REDACTED]. The orders only ever related to Albanian villages. I am certain that there were never any written orders for these types of taskings. We (the Serbians) had learnt from the mistakes made during the wars in Croatia and Bosnia and so that a commander would not order the expulsion of innocent Albanian civilians in a written order but rather pass the order down verbally. I have no doubt that this was ordered though. This could not be ordered by a local commander like [REDACTED]. Not even a Brigade commander like DELIĆ could take it upon himself to order the expulsion of civilians from a village because there is absolutely no operational purpose for it. An order of that magnitude would have to be approved at the highest levels.
42. There is only one exception to this. Regional commanders were allowed to relocate people of their own initiative if it was required for the protection of the civilians. In this situation the army would have written orders and they would also make arrangements for these people and they would be relocated rather than expelled. This exception was not the case in Kosovo. There was no legitimate reason to expel the civilians yet we were ordered to undertake this task. For us it did not make military sense to expel the civilians. While the civilians were in their homes we were not bombed by NATO, within days of them leaving we were bombed.
43. I was involved with my unit in the **relocation** of civilians from **some** of the villages and hamlets around Đakovica. The first occasion my unit was positioned in the village of Žub, south of Đakovica and very close to the Albanian border. It was before mid April when we received the order to **relocate** all the inhabitants of that village and have them out within two hours. We went through the entire village, door to door telling people they had two hours to get out. This was done by my unit only. We did not have to go to every house because once people started to leave the others realized what was going on and they would.
44. My unit was involved in the **relocation** about 9 - 10 villages but I can not recall all the names. Each time we undertook this tasking ourselves. I would certainly be able to take someone to the locations.
45. After we had ordered a village to leave within an hour it was like an atom bomb had hit the village. Individual soldiers were coming through the village and looting anything that was not nailed down. They were taking things that they could not imagine they were going to be able to take home to Serbia. **It was not all the troops that were doing that, it was just individuals.** There is a lot more that I could say about the looting that went on.

46. There were two occasions when NATO bombs were dropped on civilians. Once in Đakovica and the other north of Prizren near the village of Koriša. I am certain that the Koriša incident was setup rather than a NATO error. When the unmanned drone flew over the area there was a large number of police and armored vehicles positioned near Koriša. As soon as the drone flew over the police undertook to place a large number of Albanian civilians into that area. I personally know people who were involved in the operation including my brother Zoran. Once a large number of civilians were relocated to the former police position, the police withdrew from the civilians and NATO then bombed the location. NATO would have been aiming to hit a police location but killed civilians instead. **What I state in this particular paragraph is not my direct knowledge but knowledge I obtained from other people.**
47. During April, it was alleged that five (5) policemen were ambushed and killed. It was said that this incident occurred on the road between Đakovica and Junik. I never saw the bodies of these police but I saw some boots in an ambulance in Đakovica with blood on them. This incident was the catalyst for a mass deployment of police in the area. Within days after this incident about 400 additional police arrived in the Đakovica area in about 10 buses and a number of civilian vehicles. They included PJP units and **two "Frenki's" (Frenkijevci) in a car.** I recognized the Frenki's by their uniform and I even swapped a cigar for some water and cigarettes. They wore the familiar Frenki hats.
48. The VJ, including my unit received the order to surround and secure the area around the villages of Korenica, Meja. Once secured, a large number of police were deployed into area. They entered into villages and randomly fired into homes. This type of behavior caused most of the Albanian population to leave the villages and large columns of displaced Albanian civilians formed along the roads towards Đakovica. No sooner than these people left their homes then house would be set alight.
49. At this time, I was positioned in the VJ Command post in a disused house just before the village Korenica. I have drawn a diagram of the area to shown the locations that I am referring to. An original diagram is attached to this statement and marked as Annexure JZ-1.
50. EXHIBIT I PRODUCE THIS DIAGRAM
51. The VJ Command post that I was positioned in is marked on the map as "VJ". I was at this location with [REDACTED] a few other soldiers and an ambulance. The command was about 80 – 100 meters from a crossroad. I think that the joining road comes from a hamlet of Korenica. This crossroad is depicted on the diagram with a "A". I was walking back and forth between the crossroad ("A") and the Command Post ("VJ").
52. Scores of displaced Albanian civilians, **around 500**, were walking along the road past our command post. This column of people is depicted on the diagram with an arrow marked "B". There was large numbers of people similarly coming along the road leading from the hamlet. This column of people is depicted on the diagram with an arrow marked "C". The rest of my unit were positioned up this road at the position marked on the diagram at "P". There is a small creek there and they were to ensure

that KLA did not escape through there into Đakovica but rather stayed on the road. There were also a large number of people similarly coming along the road leading from the villages of Meja and Deva. This column of people is depicted on the diagram with an arrow marked "D" and we could see them from our location.

53. From the command post we were able to see the large number of police in the area. It was a very confusing time. There was the sound of shooting all around us and there were large numbers of displaced Albanian people and seemed like they were coming from everywhere. Houses were also burning all around. It was about 8am and [REDACTED] said to me, "Go and see what is happening down there, I think they are killing them." As he said this he was pointing towards the crossroad ("A").
54. I could see that there were about 30 police positioned at the crossroad at "A" were stopping the columns coming towards them ("B" and "C"). It was not a constant flow of people but rather they seemed to arriving in village or family groups. The police were dividing the men from the women and children and seemed to checking paperwork and stealing money from the people. The women and children were allowed to continue along the road towards Đakovica.
55. As the men were separated they were taken under gunpoint to the compound marked on the diagram at point "E". The police, **they only forced the last group to sing, not all of them** to sing Serbian nationalist songs as they walked to the compound. The area between the compound ("E") and our Command Post ("VJ") is quite flat and the area around there is easily seen.
56. I have drawn a diagram of the compound I am referring to. An original of the diagram is attached to this statement and marked as Annexure JZ-2.
57. EXHIBIT I PRODUCE THIS DIAGRAM
58. As you can see from the diagram, this compound contained a large house and two (2) other smaller buildings. The compound was not your typical Albanian or Muslim style compound in that the wall surrounding the compound was not tall. It was a shorter wall, less than the height of a man so I guess that it may have been a Catholic house as they tended to have these shorter walls.
59. Once in the compound the separated men were herded into one of the smaller houses in the compound, marked on the diagram a "F". Once in the house we could no longer see the separated Albanian men. Police followed the Albanians into the house and then the prolonged sound of automatic fire was heard. This firing continued for along time, after which the police left the building. I could understand why they fired for so long. It was very clear to me what was going on, the Albanian men had just been murdered.
60. I walked up to the compound and there I could see into one of the small houses. I could see that it contained the bodies of men. I do not know how many were in there but I could not see the floor. I spoke to a policeman and told him that my [REDACTED] had sent me down to find out what was happening. The policeman was very dismissive and told me that they were "**slaughtering** šiptars". He made it very clear that it was none of our business what they were doing.

61. I returned to [REDACTED] and reported what I had seen. He started to swear and was clearly angry that this was happening. I personally saw at least 4 groups of men being taken to the compound. **Only the last group had eight to ten men.**
62. About this time we received word that one of our men, [REDACTED] was wounded (location "P"). We knew that there was no KLA in the area even though the police were making out like there was. Because of this [REDACTED] was angry about [REDACTED] being wounded because it could only have been our own police that shot him. [REDACTED] was collected by the ambulance. No sooner than the ambulance returned from the hospital then we received word that two soldiers had just been wounded between Korenica and Meja. The location is depicted on the diagram at "Q".
63. [REDACTED] ordered me to travel with the ambulance to establish what had happened. On the way I recall seeing some bodies on the side of the road near the entrance of Korenica. I think it there was at least four and at least one was a woman. When we arrived, I spoke to other members of the unit that the shot men belonged to and asked them what had happened. He said that the police were mad and were shooting in all directions. These soldiers were certainly correct. The entire area was surrounded and secure by the VJ and so there was no way that any KLA fighters could be in the area or in a position to shot at any of our people.
64. I reported back to [REDACTED] and as a result he instructed me to go down to Meja and escort the civilians through to Đakovica so that the police don't kill them all. I went to Meja with a regular soldier from Sombor and we escorted over 100 people to the bridge just before Đakovica. The people did not want to go at first because they were scared and did not trust us but after a while they realized that we did not mean them any harm. There was a checkpoint at the bridge and the civilians were only allowed through because I told the police and soldiers there that it was a direct order from [REDACTED]. If we had not done this they would never have got past the checkpoint and the men would certainly not be alive. I can guarantee that not a single hair on their heads was touched.
65. I was driven back to the crossroad ("A") and there I saw a group of about 10 men walking towards the crossroad from the direction ("B") of the VJ Command post. As soon as the men approached the crossroad they diverted them up to the compound. These men, like the others before were made to sing a Serbian nationalistic song. They were taken to a compound and then I heard the sound of shooting.
66. I returned to the VJ Command post and [REDACTED] told me that we were pulling back to barracks. The police withdrew an hour before us and before they left they set fire to the smaller houses in the compound they were used to kill the Albanians. None of my unit or any of the soldiers that I knew were satisfied with what had happened that day and we were annoyed that we were made a part of what these police had decided to do.
67. There are a number of incidents that occurred in Kosovo while I was there. Some of them I saw and others I heard about. If asked I would be willing to discuss these matters in further details.

68. I have been advised that my statement may be sought by other Law Enforcement Agencies and/or judicial authorities for the purpose of prosecution. I hereby **do not** agree to the release of any part of my statement to such authorities at the discretion of the International Criminal Tribunal for the former Yugoslavia.

Initials: _____

WITNESS ACKNOWLEDGEMENT

This 12-page statement 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: _____

INTERPRETER CERTIFICATION

I, [REDACTED] 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 Serbian language into the English language and from the English language into the Serbian language.
2. I have been informed by [REDACTED] that he speaks and understands the Serbian language.
3. I have orally translated the above statement from the English language to the Serbian language in the presence of [REDACTED] who appeared to have heard and understood my translation of this statement.
4. [REDACTED] has acknowledged that the facts and matters set out in this statement, as translated by me, are true to the best of his knowledge and recollection and has accordingly signed where indicated and initialed every page, including attachments.

Dated: _____

Signed: _____

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