

ANNEX 1 to

Public Redacted Version of 'Submission of corrected Indictment and request to amend pursuant to Rule 90(1)(b)', KSC-BC-2020-06/F00455, dated 3 September 2021

Public



SPECIALIST PROSECUTOR'S OFFICE
ZYRA E PROKURORIT TË SPECIALIZUAR
SPECIJALIZOVANO TUŽILAŠTVO

In: KSC-BC-2020-06
Registrar: Dr Fidelma Donlon
Filing Participant: Specialist Prosecutor
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**Public Redacted Version of 'Indictment', KSC-BC-2020-06/F00455/A01, dated 3
September 2021**

Specialist Prosecutor's Office

Jack Smith

The Specialist Prosecutor, pursuant to his authority under Articles 35(2)(i) and 38(4) of Law No.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office ('Law'), charges:

Hashim THAÇI

Kadri VESELI

Rexhep SELIMI

Jakup KRASNIQI

with, as set forth below, **Crimes Against Humanity under International Law**, punishable under Articles 13 and 16(1) of the Law, and **War Crimes under International Law**, punishable under Articles 14 and 16(1) of the Law.

THE ACCUSED

Hashim THAÇI

1. **Hashim THAÇI aka Gjarpëri /Snake/**, son of [REDACTED], was born on 24 April 1968 in Burojë/Broçna, Skënderaj/Srbica municipality, Kosovo. He has Kosovan nationality (personal number [REDACTED]).
2. **Hashim THAÇI** was a founding member of the *Ushtria Çlirimtare e Kosovës* ('UÇK'), known in English as the Kosovo Liberation Army ('KLA'), and KLA Central or General Staff ('General Staff'). He remained a member of the General Staff throughout all of 1998, and into 1999. By June 1998, **Hashim THAÇI** was head of the KLA Political and Information Directorates. By the end of March 1999, **Hashim THAÇI** was Prime Minister of the Provisional Government of Kosovo ('PGoK') and KLA Commander-in-Chief.
3. By November 1999, **Hashim THAÇI** was a founding member and the leader of the Party for the Democratic Progress of Kosovo (*Partia për Progres Demokratik e Kosovës*, 'PPDK'), which was renamed the Democratic Party of Kosovo (*Partia Demokratike e*

Kosovës, 'PDK') in 2000. In 2008, he was elected Prime Minister of Kosovo. In 2014, **Hashim THAÇI** became First Deputy Prime Minister and Minister of Foreign Affairs. In 2016, he was elected President of Kosovo.

Kadri VESELI

4. **Kadri VESELI aka Luli**, son of [REDACTED], was born on 31 May 1967 in Mitrovicë/Kosovska Mitrovica, Mitrovicë/Kosovska Mitrovica municipality, Kosovo. He has Kosovan nationality (personal number [REDACTED]).

5. **Kadri VESELI** was a founding member of the KLA and General Staff. He remained a General Staff member throughout all of 1998, and into 1999. By June 1998, **Kadri VESELI** was a member of the KLA Political Directorate and head of the KLA intelligence services. By late March 1999, following the formation of the PGoK, **Kadri VESELI** became chief of the Kosovo Intelligence Service (*Shërbimi Informativ i Kosovës*, 'SHIK') and PGoK Minister of the Intelligence Service.

6. By 2013, **Kadri VESELI** was deputy head of the PDK. In 2014, he became chairman of the Kosovo Assembly. In 2016, upon **Hashim THAÇI**'s election as President of Kosovo, **Kadri VESELI** became the leader of the PDK.

Rexhep SELIMI

7. **Rexhep SELIMI aka Dhjetëshi /Tenth or Tenner/ or Agron or Tafil or Lulzim**, son of [REDACTED], was born on 15 March 1971 in Aqarevë/Ovcarevo, Skënderaj/Srbica municipality, Kosovo. He has Kosovan nationality (personal number [REDACTED]).

8. **Rexhep SELIMI** was a founding member of the KLA General Staff. He remained a General Staff member throughout all of 1998, and into 1999. By June 1998, **Rexhep SELIMI** was Head of the KLA Operational Directorate. By at least August 1998, he was KLA Inspector General. By the end of March 1999, upon the formation of the PGoK, he became PGoK Minister of Public Order / Minister of Internal Affairs.

9. In November 1999, **Rexhep SELIMI** was a founding member of **Hashim THAÇI**'s PPDK, which was renamed the PDK in 2000. By 2000, **Rexhep SELIMI** was a high-ranking officer in the Kosovo Protection Corps. In 2010, **Rexhep SELIMI** was elected to the Kosovo Assembly.

Jakup KRASNIQI

10. **Jakup KRASNIQI**, son of [REDACTED], was born on 1 January 1951 in Fatos (Negroc)/Negrovce, Drenas (Glllogoc)/Glogovac municipality, Kosovo. He has Kosovan nationality (personal number [REDACTED]).

11. By early 1997, **Jakup KRASNIQI** was a member of the General Staff. He remained a member of the General Staff throughout all of 1998, and into 1999. By June 1998, **Jakup KRASNIQI** was a member of the KLA Political Directorate and the official KLA spokesperson. Later in 1998, **Jakup KRASNIQI** was officially appointed as a KLA Deputy Commander. With the establishment of the PGoK, **Jakup KRASNIQI** became the PGoK spokesperson.

12. **Jakup KRASNIQI** was a founding member of **Hashim THAÇI**'s PPDK, which was renamed the PDK in 2000. **Jakup KRASNIQI** became Chairman of the Kosovo Assembly in December 2007. Between September 2010 and April 2011, **Jakup KRASNIQI** was acting President of Kosovo.

STATEMENT OF FACTS

Background

13. In 1989, in the context of increasing tensions and schisms throughout the former Yugoslavia, Kosovo's status as an autonomous province was rescinded. Thereafter, Kosovo Albanians overwhelmingly supported a referendum for independence, the adoption of a constitution, and the creation of parallel state institutions, including a government led by the largest political party in Kosovo, the

Democratic League of Kosovo ('LDK'), with Ibrahim RUGOVA as President and Bujar BUKOSHI as Prime Minister. The LDK pursued a policy of non-violent resistance, denied the legitimacy of Serbian rule over Kosovo, and created parallel education, healthcare, and taxation systems.

14. Throughout the 1990s, groups within the Kosovo Albanian diaspora organised to address the situation in Kosovo in various ways. During this same period, individuals and small groups within Kosovo engaged in armed attacks against the Federal Republic of Yugoslavia ('FRY') authorities. The People's Movement for Kosovo ('LPK'), a long extant Albanian nationalist organisation, advocated that armed force was necessary to liberate Kosovo from Serbia.

15. In late 1993, the LPK established a special sector to coordinate the activities of armed units in Kosovo. By 1994, the LPK adopted the name UÇK/KLA for the organisation under which the armed groups in Kosovo were being unified. A Central or General Staff (collectively defined above as the 'General Staff') was created, which included Azem SYLA, Xhavit HALITI, **Hashim THAÇI**, **Kadri VESELI**, **Rexhep SELIMI**, Lahi BRAHIMAJ, and Sokol BASHOTA. By 1997, **Jakup KRASNIQI** had joined the General Staff. **Hashim THAÇI** and **Kadri VESELI** worked on, amongst other things, the organisation of the KLA, including liaising between General Staff members in Kosovo and those based elsewhere. **Rexhep SELIMI** was based in Kosovo and, together with others, consolidated and coordinated armed actions on the ground. As set out above, **Hashim THAÇI**, **Kadri VESELI**, **Rexhep SELIMI**, and **Jakup KRASNIQI** all continued to hold senior positions in the KLA and/or PGoK during the time period relevant to this indictment.

Contextual Elements

16. The JCE Members and Tools (defined below) carried out a widespread or systematic attack against the civilian population of Opponents (defined below) in

Kosovo and areas of northern Albania, from at least March 1998 through September 1999 (the 'Indictment Period').

17. All acts and omissions charged as crimes against humanity in this indictment were part of the widespread or systematic attack directed against Opponents. The crimes followed a consistent pattern, impacted the victims' wider families and communities, and were intended to serve as a warning and to exert pressure on the targeted population as a whole, deterring opposition to, and enforcing absolute unity behind, the KLA/PGoK. The JCE Members and Tools knew of the attack and that their conduct formed part of it.

18. In addition, throughout the Indictment Period, an armed conflict existed between the KLA and forces of the FRY and Republic of Serbia, including units of the Yugoslav Army ('VJ'), police and other units of the Ministry of Internal Affairs ('MUP'), and other groups fighting on behalf of the FRY and Serbia (collectively, 'FRY forces'). The FRY forces included the regular military of the FRY and the Republic of Serbia.

19. Although initially operating underground, throughout the Indictment Period the KLA was an organised armed group with a sufficient degree of organisation to control territory, and to plan and carry out synchronised armed attacks and other offensive and defensive military operations. The KLA had a General Staff, was organised into Operational (Sub-)Zones and issued political declarations and communiqués setting out policy. From at least April 1998, and continuing throughout the Indictment Period, members of the KLA operated sites – many of which were long-established bases and strongholds – in and around which hundreds of Opponents were detained, mistreated, and/or killed by JCE Members and Tools. From at least June 1998, the KLA had an official spokesperson, and various written rules and regulations.

20. The armed conflict between the KLA and FRY forces intensified in early 1998. In February and early March 1998, FRY forces conducted attacks in Qirez/Ćirez,

Likoshan/Likošane and Prekaz. During the 5 March 1998 attack on Prekaz, Skënderaj/Srbica, FRY forces killed more than 50 people, including Adem JASHARI, a prominent KLA commander, and most members of his family. The killing of JASHARI and his family members was widely reported, reaching members of the Kosovo Albanian diaspora throughout the world. Thereafter, thousands from the diaspora and in Kosovo volunteered for the KLA, and both LPK and KLA members previously based internationally returned to Kosovo.

21. By 31 March 1998, the conflict had escalated to a degree that the United Nations ('UN') Security Council passed Resolution 1160, prohibiting the sale or supply of weapons and related materials to the FRY, calling upon the FRY to take measures to achieve a political solution to the situation in Kosovo, and urging the KLA to condemn terrorist actions and pursue their goals by peaceful means.

22. Amidst this ongoing conflict, in mid-July 1998, KLA units attacked Rahovec/Orahovac and its surrounding villages, during which Serb civilians were abducted and later detained, mistreated, and killed. Shortly afterwards, FRY forces commenced a large-scale offensive operation throughout Kosovo that would last several weeks, and carried out further large-scale operations between August and October 1998.

23. On 23 September 1998, the UN Security Council adopted Resolution 1199, which expressed grave concern at the 'recent intense fighting in Kosovo and in particular the excessive and indiscriminate use of force by Serbian security forces and the Yugoslav Army which have resulted in numerous civilian casualties and, according to the estimate of the Secretary-General, the displacement of over 230,000 persons from their homes'. Resolution 1199 further demanded that all parties immediately cease hostilities and maintain a ceasefire in Kosovo, calling on the FRY and Kosovo Albanian leadership to immediately enter into meaningful dialogue, and urging the deployment of international monitors. In October 1998, a number of international agreements were signed, which provided for, among other things, a

ceasefire, partial withdrawal of FRY forces from Kosovo, and deployment of international monitors. Nonetheless, provocations and hostilities continued. In December 1998, the KLA announced that it would resume full armed activities in 1999.

24. In early February 1999, an international peace conference was organised in Rambouillet, France. In late February and early March 1999, FRY forces launched a series of further offensives. The peace talks collapsed in mid-March 1999.

25. On 24 March 1999, North Atlantic Treaty Organization ('NATO') forces began air strikes against targets in Kosovo and Serbia. As a result, and due to large-scale operations by FRY forces, KLA soldiers and large numbers of Kosovo Albanian civilians moved from Kosovo to Albania, where the KLA already had established facilities and personnel.

26. On 2 April 1999, the composition of the PGoK, which had been initiated in discussions at Rambouillet, was publicly announced. As set out above, **Hashim THAÇI, Kadri VESELI, Rexhep SELIMI, Jakup KRASNIQI**, and other senior KLA officials assumed prominent positions in the PGoK.

27. On 9 June 1999, the FRY and Serbian authorities signed the Military Technical Agreement with NATO. This agreement provided for an immediate ceasefire and complete withdrawal of FRY forces from Kosovo by 20 June 1999. On 10 June 1999, NATO suspended its air-strike campaign. The same day, the UN Security Council issued Resolution 1244, demanding a ceasefire and deciding on the deployment, under UN auspices, of international civil and security presences in Kosovo to deter renewed hostilities, enforce a ceasefire, and ensure withdrawal of the FRY forces and demilitarisation of the KLA. The NATO-led Kosovo Force ('KFOR') began to deploy in Kosovo from 12 June 1999.

28. As the FRY forces withdrew from Kosovo, large numbers of KLA soldiers and Kosovo Albanian refugees returned from Albania and moved into areas previously controlled by FRY forces. Members of the KLA and PGoK immediately began to take-

over state institutions, buildings, such as municipality buildings and former MUP stations, and companies, and to seize control of territory.

29. On 20 June 1999, KFOR announced the complete withdrawal of FRY forces from Kosovo. By 21 June 1999, the KLA signed an agreement with KFOR to, among other things, cease all hostile or provocative acts and within 90 days, complete a phased demilitarisation process. FRY and KLA forces violated the terms of international resolutions and agreements through the summer of 1999, continuing hostile and provocative acts, and resulting in the ongoing real risk of resumption of armed hostilities.

30. On 20 September 1999, the KLA demilitarised.

31. All acts and omissions charged as war crimes in this indictment took place in the context of and were associated with the armed conflict between the KLA and FRY forces. The crimes were committed at or in connection with KLA bases and headquarters, and/or during KLA activities. The victims were persons taking no active part in hostilities. The JCE Members and Tools were aware of the factual circumstances establishing the existence of the armed conflict and the status of the victims.

Modes of Liability

Joint Criminal Enterprise and Aiding and Abetting

32. Between at least March 1998 through September 1999, **Hashim THAÇI, Kadri VESELI, Rexhep SELIMI, Jakup KRASNIQI**, and other members of the joint criminal enterprise shared the common purpose to gain and exercise control over all of Kosovo by means including unlawfully intimidating, mistreating, committing violence against, and removing those deemed to be opponents. Such opponents included persons who were or were perceived to have been: (a) collaborating or associating with FRY forces or officials or state institutions or (b) otherwise not supporting the

aims or means of the KLA and later the PGoK, including persons associated with the LDK and persons of Serb, Roma, and other ethnicities (collectively, 'Opponents'). This common purpose encompassed the crimes of persecution, imprisonment, illegal or arbitrary arrest and detention, other inhumane acts, cruel treatment, torture, murder, and enforced disappearance of persons.

33. **Hashim THAÇI, Kadri VESELI Rexhep SELIMI, and Jakup KRASNIQI** shared the intent for the commission of each of the crimes charged in this indictment with other members of the joint criminal enterprise.

34. Alternatively, to the extent that some of these crimes did not fall within the joint criminal enterprise, it was foreseeable that they might be perpetrated by one or more members of the joint criminal enterprise, or by persons used by any member of the joint criminal enterprise to carry out the crimes within the common purpose. With the awareness that such crimes were a possible consequence of the implementation of the common purpose of the joint criminal enterprise, **Hashim THAÇI, Kadri VESELI, Rexhep SELIMI, and Jakup KRASNIQI** participated in that enterprise and thus, willingly took that risk.

35. Other members of the joint criminal enterprise comprised Azem SYLA, Lahi BRAHIMAJ, Fatmir LIMAJ, Sylejman SELIMI, Rrustem MUSTAFA, Shukri BUJA, Latif GASHI and Sabit GEÇI, as well as certain other KLA and PGoK political and military leaders, including other General Staff members; PGoK ministers and deputy ministers; KLA zone commanders, deputy zone commanders, and other members of zone command staffs; brigade and unit commanders; commanders and members of the KLA and PGoK police and intelligence services; and other KLA soldiers and PGoK officials (together with **Hashim THAÇI, Kadri VESELI, Rexhep SELIMI, and Jakup KRASNIQI**, collectively, 'JCE Members'). Each of these individuals, by his or her acts or omissions, contributed to achieving the common purpose. Alternatively, some or all of these individuals were not members of the joint criminal enterprise, but were used by members of the joint criminal enterprise to carry out crimes committed in

furtherance of the common purpose (together with the JCE Members, collectively 'JCE Members and Tools').

36. From 1994 onwards, and throughout the Indictment Period, various public statements of the General Staff claimed responsibility for, endorsed, legitimised, and encouraged attacks against and killings of Opponents and explicitly threatened other Opponents with the same fate. Opponents were declared as 'traitors' and 'collaborators' to be 'punished' and treated 'mercilessly'. Simultaneously, through public statements and actions on the ground, including the intimidation, vilification, and removal, including through murder, of Opponents, the members of the General Staff sought to position themselves as the only legitimate voice and representatives of the Kosovo Albanian people.

37. JCE Members and Tools, including those closely aligned with **Hashim THAÇI**, **Kadri VESELI**, **Rexhep SELIMI**, and **Jakup KRASNIQI**, held key roles in the KLA, and subsequently PGoK, structures. JCE Members and Tools, including those in military police and intelligence structures, actively identified and targeted Opponents, abducting, interrogating, and mistreating them. From at least April 1998, and continuing throughout the Indictment Period, members of the KLA operated sites in and around which hundreds of Opponents were detained, mistreated, and/or killed by JCE Members and Tools.

38. The abductions, detentions, mistreatment, and killings committed by the JCE Members and Tools were widely known and reported, on multiple occasions resulting in intervention from family members, international actors and organisations, or other persons seeking to locate the victims and/or secure their release.

39. JCE Members and Tools, including **Hashim THAÇI**, **Kadri VESELI**, **Rexhep SELIMI**, and **Jakup KRASNIQI**, as members of the General Staff, issued directions, instructions, and orders regarding Opponents. The focus on Opponents was similarly reflected in certain internal rules and regulations, trainings, policy documents, and

information booklets adopted or issued by the General Staff, and other levels of the KLA/PGoK command.

40. **Hashim THAÇI, Kadri VESELI, Rexhep SELIMI, and Jakup KRASNIQI** personally participated in the treatment of Opponents on the ground by participating in the intimidation, interrogation, mistreatment, and detention of Opponents, as discussed below.

41. [REDACTED]. [REDACTED].

42. In July 1998, in the immediate aftermath of the attack by KLA units on Rahovec/Orahovac and its surrounding villages, during which Serb civilians were taken prisoner, multiple General Staff members, including **Hashim THAÇI, Kadri VESELI, and Rexhep SELIMI**, were present in the vicinity, participating in and coordinating operations. After certain detainees abducted in and around Rahovec/Orahovac and other locations were transferred to the former police station in Malishevë/Mališevo in late July 1998, **Jakup KRASNIQI** was identified as being present on site and, on one occasion, visiting the room where detainees were held.

43. [REDACTED]. In early September 1998 in the Dukagjini Operational Zone, **Hashim THAÇI and Rexhep SELIMI** took steps to intimidate and assert dominance over units affiliated with the LDK, including the government-in-exile affiliated Armed Forces of the Republic of Kosovo ('FARK').

44. On or around [REDACTED] 1998, [REDACTED]. [REDACTED] were present both at the place of arrest in [REDACTED] and at [REDACTED] where the detainees were subsequently transferred to, beaten and interrogated. As part of this event, after [REDACTED] members had been badly beaten, and had visible injuries, [REDACTED] and [REDACTED] questioned [REDACTED] members, including asking them to [REDACTED]. Prior to the detainees' release, [REDACTED] returned their identification cards. [REDACTED]. [REDACTED].

45. In October 1998, in Jabllanicë/Jablanica, **Rexhep SELIMI** threatened [REDACTED], accusing him of having criticised the KLA.

46. [REDACTED].

47. Between about January and May 1999, **Kadri VESELI**, **Rexhep SELIMI** and **Jakup KRASNIQI** were involved in various aspects of the transfer, detention, and/or release of detainees held at a detention site near Kleçkë/Klečka. [REDACTED]. [REDACTED]. [REDACTED].

48. In addition, **Hashim THAÇI**, acting through the positions described in paragraph 2 above, significantly contributed to achieving the common purpose, which involved the commission of the charged crimes, in the following ways:

- a. Formulating and/or participating in the development, approval, promotion, dissemination, and implementation of plans, policies, and practices in furtherance of the common purpose, including in the form of communiques, public statements, internal rules and regulations, structures, and information-gathering and reporting mechanisms;
- b. Participating in, facilitating, condoning, encouraging, and/or otherwise aiding in the crimes in furtherance of the common purpose;
- c. Failing to take adequate steps to prevent and investigate crimes, and/or punish or discipline the perpetrators;
- d. Disseminating and/or facilitating the dissemination of information intended to promote the common purpose and engender fear, distrust, and hatred of Opponents, including through communiques, public statements, and other media;
- e. Coordinating, engaging in, and/or facilitating efforts to deny or to provide false, incomplete, or misleading information to the international community, monitors, and the public, including relating to the criminal

activities of the JCE Members and Tools and the KLA/PGoK's purported adherence to international humanitarian law;

- f. Appointing, promoting, and/or approving the appointment and promotion of JCE Members and Tools, including persons with a history of alleged involvement in serious crimes;
- g. Providing, arranging, and/or facilitating political, logistical, military, and/or financial support, including to JCE Members and Tools committing crimes in furtherance of the common purpose; and
- h. Coordinating and liaising between JCE Members and Tools in furtherance of the common purpose.

49. In addition, **Kadri VESELI**, acting through the positions described in paragraph 5 above, significantly contributed to achieving the common purpose, which involved the commission of the charged crimes, in the following ways:

- a. Formulating and/or participating in the development, approval, promotion, dissemination, and implementation of plans, policies, and practices in furtherance of the common purpose, including in the form of communiques, public statements, internal rules and regulations, structures, and information-gathering and reporting mechanisms;
- b. Participating in, facilitating, condoning, encouraging and/or otherwise aiding in the crimes in furtherance of the common purpose;
- c. Failing to take adequate steps to prevent and investigate crimes, and/or punish or discipline the perpetrators;
- d. Disseminating and/or facilitating the dissemination of information intended to promote the common purpose and engender fear, distrust, and hatred of Opponents, including through communiques, public statements, and other media;

- e. Appointing, promoting, and/or approving the appointment and promotion of JCE Members and Tools, including persons with a history of alleged involvement in serious crimes;
- f. Providing, arranging, and/or facilitating political, logistical, military, and/or financial support, including to JCE Members and Tools committing crimes in furtherance of the common purpose; and
- g. Coordinating and liaising between JCE Members and Tools in furtherance of the common purpose.

50. In addition, **Rexhep SELIMI**, acting through the positions described in paragraph 8 above, significantly contributed to achieving the common purpose, which involved the commission of the charged crimes, in the following ways:

- a. Formulating and/or participating in the development, approval, promotion, dissemination, and implementation of plans, policies, and practices in furtherance of the common purpose, including in the form of communiques, public statements, internal rules and regulations, structures, and information-gathering and reporting mechanisms;
- b. Participating in, facilitating, condoning, encouraging, and/or otherwise aiding in the crimes in furtherance of the common purpose;
- c. Failing to take adequate steps to prevent and investigate crimes, and/or punish or discipline the perpetrators;
- d. Disseminating and/or facilitating the dissemination of information intended to promote the common purpose and engender fear, distrust, and hatred of Opponents, including through communiques, public statements, and other media;
- e. Appointing, promoting, and/or approving the appointment and promotion of JCE Members and Tools, including persons with a history of alleged involvement in serious crimes;

- f. Providing, arranging, and/or facilitating political, logistical, military, and/or financial support, including to JCE Members and Tools committing crimes in furtherance of the common purpose; and
- g. Coordinating and liaising between JCE Members and Tools in furtherance of the common purpose.

51. In addition, **Jakup KRASNIQI**, acting through the positions described in paragraph 11 above, significantly contributed to achieving the common purpose, which involved the commission of the charged crimes, in the following ways:

- a. Formulating and/or participating in the development, approval, promotion, dissemination, and implementation of plans, policies, and practices in furtherance of the common purpose, including in the form of communiques, public statements, internal rules and regulations, structures, and information-gathering and reporting mechanisms;
- b. Participating in, facilitating, condoning, encouraging, and/or otherwise aiding in the crimes in furtherance of the common purpose;
- c. Failing to take adequate steps to prevent and investigate crimes, and/or punish or discipline the perpetrators;
- d. Disseminating and/or facilitating the dissemination of information intended to promote the common purpose and engender fear, distrust, and hatred of Opponents, including through communiques, public statements, and other media;
- e. Coordinating, engaging in, and/or facilitating efforts to deny or to provide false, incomplete, or misleading information to the international community, monitors, and the public, including relating to the criminal activities of the JCE Members and Tools and the KLA/PGoK's purported adherence to international humanitarian law;

- f. Appointing, promoting, and/or approving the appointment and promotion of JCE Members and Tools, including persons with a history of alleged involvement in serious crimes;
- g. Providing, arranging, and/or facilitating political, logistical, military, and/or financial support, including to JCE Members and Tools committing crimes in furtherance of the common purpose; and
- h. Coordinating and liaising between JCE Members and Tools in furtherance of the common purpose.

52. Through these same acts and omissions, **Hashim THAÇI**, **Kadri VESELI**, **Rexhep SELIMI**, and **Jakup KRASNIQI** provided practical assistance, encouragement, and/or moral support, which had a substantial effect on the perpetration of the crimes charged in this indictment. They were aware of the probability that these crimes would be committed and that their acts or omissions would contribute to their commission.

Superior responsibility

53. As set out above, from at least March 1998, **Hashim THAÇI**, **Kadri VESELI**, **Rexhep SELIMI**, and **Jakup KRASNIQI** were members of the General Staff and among the highest-ranking officials in the KLA and/or PGoK. In these capacities and pursuant to their *de facto* authority as senior leadership figures in the KLA and PGoK, **Hashim THAÇI**, **Kadri VESELI**, **Rexhep SELIMI**, and **Jakup KRASNIQI** each had effective control over the JCE Members and Tools who committed the crimes charged in this indictment. The term 'committed', as used in the context of superior responsibility, includes all modes of liability covered by Article 16(1) of the Law.

54. **Hashim THAÇI**, **Kadri VESELI**, **Rexhep SELIMI**, and **Jakup KRASNIQI** knew or had reason to know that crimes were about to be committed or had been

committed by persons under their effective control through numerous sources, including:

- a. their involvement in the preparation, design, and/or execution of such crimes;
- b. their presence at locations where crimes were committed;
- c. their receipt of information about the commission of such crimes; and/or
- d. their personal observation of evidence of the commission of such crimes.

55. **Hashim THAÇI, Kadri VESELI, Rexhep SELIMI, and Jakup KRASNIQI** failed to take the necessary and reasonable measures to prevent the commission of the crimes charged in this indictment by JCE Members and Tools under their effective control and/or to punish the perpetrators thereof. The following acts and omissions of **Hashim THAÇI, Kadri VESELI, Rexhep SELIMI, and Jakup KRASNIQI** demonstrate their failure to take such necessary and reasonable measures:

- a. their failure to order or initiate genuine or adequate investigations into, or take other genuine and adequate measures to address, allegations of the commission of crimes by JCE Members and Tools;
- b. their failure to report information about the commission or possible commission of crimes by JCE Members and Tools to appropriate authorities;
- c. their failure to discipline, dismiss, or demote JCE Members and Tools who were involved in the commission of crimes and/or who failed to prevent or punish the commission of crimes by their subordinates;
- d. their failure to issue the orders that were necessary and reasonable in the circumstances to prohibit or put a stop to the commission of crimes by JCE Members and Tools; and/or

- e. their failure to take other adequate measures, including ensuring adequate training and establishing necessary regulations and procedures, to ensure that JCE Members and Tools would not commit crimes.

Crimes

56. As set out in paragraphs 17, 31, 33-34, 52, and 54 above, **Hashim THAÇI, Kadri VESELI, Rexhep SELIMI, and Jakup KRASNIQI** had the requisite intent and knowledge for each of the crimes set forth below.

Persecution

57. During the Indictment Period, the JCE Members and Tools conducted a campaign of persecution against Opponents in multiple municipalities in Kosovo and the districts of Kukës and Has in northern Albania. The persecutory acts described below are demonstrative of a wider campaign of persecution against Opponents implemented throughout Kosovo, before, during, and after the Indictment Period.

58. The persecution was carried out on political and/or ethnic grounds through:
- a. Illegal or arbitrary arrests and detentions, as alleged in paragraphs 59 to 93;
 - b. Inhumane conditions at detention sites, as alleged in paragraphs 94 to 134;
 - c. Enforced disappearance of persons, as alleged in paragraph 171;
 - d. Physical and psychological abuse and assault, as alleged in paragraphs 94 to 134;
 - e. Torture, as alleged in paragraph 135;
 - f. Killings, as alleged in paragraphs 136 to 170;
 - g. Unlawful passing of sentences against persons at or in connection with detention sites identified in Schedule A;

- h. Misappropriation of personal property of persons at or in connection with detention sites identified in Schedule A; and/or
- i. Imposition and maintenance of other restrictive and discriminatory measures, comprising arbitrary searches, coerced or forced statements and confessions, intimidation, and harassment.

Imprisonment/ Illegal or Arbitrary Arrest and Detention

59. During the Indictment Period, JCE Members and Tools deprived persons of their liberty without due process of law at both short-term and long-term detention sites in Kosovo and northern Albania identified in Schedule A and further described in the following paragraphs. Some persons were transferred to and from one or more detention sites within Kosovo or between Albania and Kosovo. Detainees were restrained, held under guard, in locked quarters, and in coercive circumstances and subjected to inhumane acts, cruel treatment, and torture, as described below. These persons were arrested and detained without legal basis, were not informed of the reason for their arrest or detention, and/or had no opportunity to challenge the basis for their detention.

Likoc/Likovac

60. Between at least April 1998 and January 1999, Drenicë Operational Zone Commander Sylejman SELIMI, Sabit GECI, and multiple other KLA members detained at least 25 persons, for varying periods of times and without due process of law, at the former police station and certain other locations in Likoc/Likovac, Skënderaj/Srbica. Detainees were tied and held under guard in dark, locked cells with barred windows. Some detainees at Likoc/Likovac were also detained at other detention sites.

Jabllanicë/Jablanica

61. Between at least April 1998 and late July 1998, a KLA headquarters existed in Jabllanicë/Jablanica, Gjakovë/Đakovica under the command of Lahi BRAHIMAJ. Lahi BRAHIMAJ and multiple other KLA members detained at least 13 persons for varying periods of time and without due process of law at a compound in Jabllanicë/Jablanica, which also served as a barracks. Detainees' documents and belongings were confiscated. They were tied with rope and wire and guarded.

Llapushnik/Lapušnik

62. Between about late April 1998 and 25 or 26 July 1998, certain KLA members operated a detention site in a fenced compound in Llapushnik/Lapušnik, Drenas (Glllogoc)/Glogovac. At any given time, as many as 30 persons were detained at Llapushnik/Lapušnik without due process of law. Detainees, who were held for varying periods of time, were chained and guarded. Some detainees at Llapushnik/Lapušnik were transferred from other detention sites. Multiple KLA members, including Fatmir LIMAJ and Shukri BUJA, participated in the arrest and detention of persons held at Llapushnik/Lapušnik.

Drenoc/Drenovac

63. Between approximately May and July 1998, at least 38 persons were detained under armed guard for varying periods of time and without due process of law at a KLA headquarters in Drenoc/Drenovac, Rahovec/Orahovac, including in a former school building and a former registration office. Some detainees at Drenoc/Drenovac were transferred from or to other sites, including Malishevë/Mališevo.

64. [REDACTED].

Malishevë/Mališevo

65. Beginning on or about 17 July 1998 and over the following days, certain KLA members transported persons arrested and detained in other locations, including Rahovec/Orahovac, the surrounding areas, and Drenoc/Drenovac, to the former police station in Malishevë/Mališevo. Certain KLA members detained at least 48 persons for varying periods of time and without due process of law at the former police station until on or about 26 or 27 July 1998. Detainees were held in locked cells and under guard.

[REDACTED]

66. In or around [REDACTED] 1998, certain KLA members detained at least five persons without due process of law in the basement of a KLA headquarters in [REDACTED], Prizren. The detainees were held in locked rooms with barred windows.

Bare and Bajgorë/Bajgora

67. In August 1998, certain KLA members detained at least eight persons in Bare, Podujevë/Podujevo without due process of law and for varying periods of time. [REDACTED]. Between August 1998 and mid-September 1998, certain KLA members detained at least 16 persons in Bajgorë/Bajgora, Podujevë/Podujevo without due process of law and for varying periods of time. Some detainees at Bajgorë/Bajgora were transferred from or to other sites, including Bare. Bare and Bajgorë/Bajgora were located in the Llap Operational Zone, which was under the command of Rustem MUSTAFA.

Llapashticë/Lapaštica and Related Sites

68. Between at least November 1998 and March 1999, the headquarters of the Llap Operational Zone was in Llapashticë/Lapaštica, Podujevë/Podujevo. Llap Operational

Zone Commander Rrustem MUSTAFA, Latif GASHI and certain other KLA members detained at least 52 persons without due process of law at a location in Llapashticë/Lapaštica near the military police and zone headquarters. Detainees were restrained and held under guard in locked quarters with barred windows.

69. Some detainees at Llapashticë/Lapaštica were previously held in other locations. From on or about [REDACTED] 1999 to on or about [REDACTED] 1999, at least one person was detained without due process of law at a KLA headquarters in [REDACTED]. He was thereafter transferred to Llapashticë/Lapaštica.

70. From Llapashticë/Lapaštica, some detainees were transferred to other locations. On or about 25 March 1999, [REDACTED] detainees were transferred from Llapashticë/Lapaštica to Majac/Majance, Podujevë/Podujevo, and [REDACTED] were transferred from Llapashticë/Lapaštica to Potok, Podujevë/Podujevo. They were detained without due process of law in these locations until on or about 7 April 1999.

[REDACTED]

71. Around late March 1999, certain KLA members of the Llap Operational Zone arrested a Roma civilian in or around [REDACTED], Podujevë/Podujevo after the man arrived from Serb controlled territory. He was tied up and detained without due process of law for at least two days in the middle of the village, where he was exposed to beatings and violence.

Zllash/Zlaš

72. In September 1998, certain KLA members detained [REDACTED] without due process of law at a location used by KLA members in Zllash/Zlaš, Prishtinë/Priština. Between approximately 1 and 19 April 1999, at least seven persons were detained without due process of law in a compound in Zllash/Zlaš used by members of the BIA Guerilla unit within the Llap Operational Zone as a safe house and interrogation and

detention site. Detainees were held under guard and physically restrained, including in a locked stable.

[REDACTED]

73. On or about [REDACTED] 1998, [REDACTED], Skënderaj/Srbica. The detainees were held under armed guard in [REDACTED] and then, from about [REDACTED] 1998 to about [REDACTED] 1998, in [REDACTED]. Detainees were then driven to another location, where they were released. [REDACTED] collected their identification cards while they were detained in [REDACTED], and returned their cards before they were released.

[REDACTED]

74. Between [REDACTED] 1998 and [REDACTED] 1998, certain KLA members detained at least four persons without due process of law and under guard in [REDACTED], Lipjan/Lipljan, including at [REDACTED]. [REDACTED]. During transfer to and from [REDACTED], the detainees were blindfolded and their hands were tied.

Kleçkë/Klečka and Related Locations

75. Between at least November 1998 and June 1999, certain KLA members detained at least 20 persons for varying periods of time and without due process of law at a house and surrounding buildings near Kleçkë/Klečka, Lipjan/Lipljan. Detainees were tied, blindfolded, and held under armed guard. Between about January and May 1999, multiple KLA members, including **Kadri VESELI**, **Rexhep SELIMI**, **Jakup KRASNIQI**, and **Fatmir LIMAJ**, were involved in various aspects of the transfer, detention, and/or release of detainees held at the detention site near Kleçkë/Klečka.

76. Some detainees at Kleçkë/Klečka were transferred from or to other detention sites. Around [REDACTED] 1999, certain KLA members detained at least one person without due process of law at [REDACTED] before transferring him to Kleçkë/Klečka.

[REDACTED]

77. Between about [REDACTED] 1999 and [REDACTED] 1999, certain KLA members detained at least 13 persons without due process of law in [REDACTED], Kaçanik/Kaçanik, [REDACTED]. On or about [REDACTED] 1999, five detainees [REDACTED] to [REDACTED], Kaçanik/Kaçanik, where they were detained without due process of law. On or about [REDACTED] 1999, [REDACTED] five detainees [REDACTED] to [REDACTED], where they were detained until on or about [REDACTED] 1999 without due process of law. Detainees at these sites were physically restrained and held in locked rooms and/or under armed guard. Multiple KLA members were involved in these detentions, including members of [REDACTED] within the Nerodime Operational Zone. Shukri BUJA was the Nerodime Operational Zone Commander.

Cahan

78. Between April and June 1999, certain KLA members, including Sabit GEÇI, detained at least 17 persons for varying periods in a room at the KLA military barracks located in Cahan, Has District, Albania. The detainees were physically restrained in a locked cell and under armed guard. Some detainees at Cahan were transferred from or to other KLA detention sites, [REDACTED].

Kukës

79. Between May and June 1999, certain KLA members, including Sabit GEÇI, detained at least 20 persons for varying periods of time and without due process of law at the site of a former metal factory in Kukës, Kukës District, Albania. Detainees' travel documents and belongings were confiscated. They were handcuffed, tied, and

held under armed guard in locked rooms with barred windows. Some detainees at Kukës were transferred from or to other detention sites, [REDACTED].

[REDACTED]

80. From on or about [REDACTED] 1999, certain KLA members detained at least three persons without due process of law at a KLA headquarters in [REDACTED], Malishevë/Mališevo. On or about [REDACTED] 1999, certain KLA members [REDACTED] detainees [REDACTED] in [REDACTED], close to the [REDACTED]. At least seven persons were detained in [REDACTED] without due process of law until on about [REDACTED] 1999.

[REDACTED]

81. On or about [REDACTED] 1999, certain KLA members detained at least [REDACTED] without due process of law at a house in [REDACTED], Drenas (Glllogoc)/Glogovac. [REDACTED] to a KLA headquarters in a house in [REDACTED], Drenas (Glllogoc)/Glogovac and a location in [REDACTED], Drenas (Glllogoc)/Glogovac, where [REDACTED] detained without due process of law until about [REDACTED] 1999. [REDACTED] tied and guarded.

[REDACTED]

82. Between about [REDACTED] 1999, certain KLA members detained at least three persons without due process of law at locations in or around [REDACTED], Prishtinë/Priština. At least two of these detainees were also detained at other locations. The detainees were held under armed guard and tied.

[REDACTED]

83. Between about [REDACTED] 1999 and [REDACTED] 1999, certain KLA members detained at least nine persons for varying periods of time and without due

process of law at a house in [REDACTED], Viti/Vitina. The detainees, some with their heads covered, were guarded and tied.

Prizren

84. Between about 15 June 1999 and 23 June 1999, certain KLA members detained at least eight persons without due process of law in [REDACTED] Prizren. The [REDACTED] detainees were under guard. Some detainees [REDACTED] were previously detained at other locations, including [REDACTED].

85. Between about 16 June 1999 and 18 June 1999, certain KLA members detained at least 15 persons without due process of law at the former MUP building in Prizren. Detainees were guarded, handcuffed, and tied. Some detainees were transferred to or from other locations, [REDACTED].

86. Between about 16 June 1999 and 19 June 1999, certain KLA members detained at least two persons at [REDACTED] in Prizren. Detainees were held in a cellar and locked room and handcuffed.

87. On or about 26 June 1999, certain KLA members detained at least three persons without due process of law at [REDACTED] in Prizren.

Ferizaj/Uroševac

88. Between about [REDACTED] and [REDACTED] 1999, certain KLA members detained at least one person without due process of law at house in or around Ferizaj/Uroševac. He was tied, guarded, and held in a locked room.

[REDACTED]

89. On or about [REDACTED], certain KLA members detained at least [REDACTED] persons without due process of law at a house in [REDACTED], Ferizaj/Uroševac. Detainees were tied and guarded.

Dormitory, Gjilan/Gnjilane

90. In late June 1999, certain KLA members detained at least three persons without due process of law at a KLA headquarters located in a former boarding school and dormitory in Gjilan/Gnjilane.

Former police station in Suharekë/Suva Reka

91. In late June 1999, certain KLA members detained at least one person without due process of law in the former police station in Suharekë/Suva Reka, before transferring him to other locations, [REDACTED]. The detainee's documents and belongings, [REDACTED], were confiscated. While detained in the house near [REDACTED].

Novobërdë/Novo Brdo

92. In late June 1999, certain KLA members arrested at least four persons without due process of law at [REDACTED], Novobërdë/Novo Brdo and transferred them to a KLA headquarters located [REDACTED] in Novobërdë/Novo Brdo.

[REDACTED]

93. For about two or three days in July or August 1999, an elderly Serb man was detained without due process of law by certain KLA members of the Llap Operational Zone at a KLA base in [REDACTED], Prishtinë/Priština.

Other Inhumane Acts and Cruel Treatment

94. During the Indictment Period, JCE Members and Tools established and maintained inhumane conditions at detention sites identified in Schedule A. These conditions were characterised by deprivation of liberty without due process of law, as set out above, and inadequate provisions of food, water, sanitation and hygiene, bedding and other accommodation, and medical care.

95. In addition, during the Indictment Period, JCE Members and Tools routinely assaulted persons both physically, including through beatings and inflicting serious bodily injury using various instruments, and psychologically, including through threat of death and serious bodily injury, fear, humiliation, discrimination on political and ethnic grounds, intimidation, harassment, interrogation, and forced or coerced statements and confessions. JCE Members and Tools assaulted persons in front of other persons, including other detainees. Acts of physical and psychological assault were a regular occurrence at and around, or in connection with, detention sites identified in Schedule A and further described in the following paragraphs, including in the course of arrests or abductions, and transfers to and from the sites.

96. When family members and others sought information concerning persons arrested, abducted, or detained, JCE Members and Tools frequently refused to respond, or provided false or misleading information. They also frequently refused requests to access detention sites or visit detainees, threatened or assaulted those who sought information, and failed to inquire about or investigate the fate or whereabouts of missing persons.

Likoc/Likovac

97. Between about April 1998 and January 1999, detainees at Likoc/Likovac, Skënderaj/Srbica were provided inadequate food, water, sanitation and hygiene facilities, medical care, and/or bedding. Multiple KLA members, including Sylejman SELIMI and Sabit GEÇI, routinely subjected detainees to severe beatings and psychological abuse. Detainees were hit all over their bodies with rifles, baseball bats, metal tools, and wooden sticks, and punched, kicked, and/or otherwise threatened with bodily injury and death. They could hear and see the severe abuse of other detainees, including family members, and were forced to beat one another. Detainees were interrogated about and accused of being traitors for supporting the LDK,

associating with Serbs or police, being spies and collaborators with the Serbian authorities, and not supporting the KLA. [REDACTED].

Jabllanicë/Jablanica

98. Between at least April 1998 and late July 1998, detainees at Jabllanicë/Jablanica, Gjakovë/Đakovica were provided inadequate food, water, sanitation and hygiene facilities, medical care, and/or bedding. Personal property of detainees was seized and never returned. Multiple KLA members, including Lahi BRAHIMAJ, routinely subjected detainees to severe beatings and psychological abuse. Detainees were hit all over their bodies with baseball bats, punched, kicked, [REDACTED], and/or threatened with death. They could hear and see the severe abuse of other detainees and, on at least one occasion, were ordered to kill one another. Detainees were interrogated about and accused of associating with Serbs or policemen, and of being spies and collaborators with the Serbian authorities. Detainees included persons of Roma, Serb, [REDACTED] ethnicities.

Llapushnik/Lapušnik

99. Between about late April and 25 or 26 July 1998, detainees at Llapushnik/Lapušnik, Drenas (Glllogoc)/Glogovac were primarily held in a cowshed with manure on the floor and strong odours. Detainees slept on the floor and were provided inadequate sanitation and hygiene facilities, medical care, and/or bedding. Personal property of detainees was seized and not returned. Multiple KLA members routinely subjected detainees to severe beatings and psychological abuse. Detainees were injured with sticks, weapon butts and other instruments, punched, and/or kicked. Detainees could hear and see the severe abuse of other detainees. They were interrogated about and accused of associating with Serbs or Romas, being spies and collaborators with the Serbian authorities, and not supporting the KLA. Detainees included LDK supporters and persons of Roma and Serb ethnicities.

Drenoc/Drenovac

100. Between May and July 1998, detainees at Drenoc/Drenovac, Rahovec/Orahovac were held in makeshift cells and provided inadequate medical care. Personal property of detainees was seized and never returned. Multiple KLA members routinely subjected detainees to severe beatings and psychological abuse. Detainees were hit with batons, punched, kicked, electrocuted, and/or threatened with death. They could see and hear the severe abuse of other detainees. Detainees were interrogated about and accused of associating with Serbs, being spies and collaborators with the Serbian authorities, and not supporting the KLA. Detainees included LDK supporters and persons of Serb and Roma ethnicities.

Malishevë/Mališevo

101. Between about 17 July 1998 and 26 or 27 July 1998, detainees at the former police station in Malishevë/Mališevo were held in overcrowded rooms, with little ventilation, and were provided inadequate food, water, medical care, and/or bedding. **Jakup KRASNIQI** was identified as being present at the former police station and, on one occasion, visiting the room where detainees were held. Multiple KLA members routinely subjected detainees to severe beatings and psychological abuse. Detainees were hit with rifle butts and other tools, kicked, and/or otherwise threatened with death and physical violence. They could see and hear the severe abuse of other detainees. Detainees included LDK supporters and persons of Serb and Roma ethnicities.

[REDACTED]

102. In or around [REDACTED] 1998, certain KLA members subjected detainees in [REDACTED], Prizren, to severe beatings, including with a rifle butt, and psychological abuse. The detainees were provided inadequate accommodation and witnessed the state of other detainees after the other detainees had been beaten.

Detainees included persons considered suspicious, including due to their association with Serbs and Serbian authorities. At least one detainee was interrogated about being a spy, and told that he had to support the KLA.

Bare and Bajgorë/Bajgora

103. Between August 1998 and mid-September 1998, detainees at Bare and Bajgorë/Bajgora, Podujevë/Podujevo were held in overcrowded rooms, and provided inadequate food and/or medical care. Multiple KLA members routinely subjected detainees to severe beatings and psychological abuse. Detainees were hit with rifles, batons, and sticks, and kicked, punched, and/or threatened with death. Detainees could see and hear the severe abuse of other detainees. [REDACTED]. Detainees were interrogated about and accused of associating and collaborating with Serbian authorities. Detainees included at least one person of Serb ethnicity.

Llapashticë/Lapaštica and Related Locations

104. Between at least November 1998 and March 1999, detainees at Llapashticë/Lapaštica, Podujevë/Podujevo were primarily held in a one-room, overcrowded stable with poor lighting and no heating. They were provided inadequate food, water, sanitation and hygiene facilities, medical care, and/or bedding. Multiple KLA members routinely subjected detainees to severe beatings and psychological abuse. Detainees were hit all over their bodies with sticks, chains, ropes, and rifles butts, punched, kicked, electrocuted, and/or threatened with death. They could hear and see the severe abuse of other detainees and were forced to beat one another. Some detainees were forced to perform manual labour. Detainees were interrogated about and accused of associating with Serbs, being spies and collaborators with the Serbian authorities, or not supporting the KLA. Detainees included LDK members and supporters and persons of Serb ethnicity.

105. At least one detainee suffered mistreatment at another location before arriving at Llapashticë/Lapaštica. From on or about [REDACTED] 1999 to on or about [REDACTED] 1999, at least one detainee, who was later transferred to Llapashticë/Lapaštica, was held at [REDACTED] and provided inadequate water, food, sanitation and hygiene facilities, and/or bedding. Certain KLA members subjected the detainee to severe beatings and psychological abuse. [REDACTED]. The detainee, [REDACTED], was questioned about and accused of being a [REDACTED], collaborating with Serbs, and not cooperating with or supporting the KLA.

Zllash/Zlaš

106. In September 1998 and between about 1 April 1999 and 19 April 1999, detainees at Zllash/Zlaš, Prishtinë/Priština were provided inadequate food, water, sanitation and hygiene facilities, bedding and/or medical care. Multiple KLA members routinely subjected detainees to severe beatings and psychological abuse. Detainees were hit all over their bodies with baseball bats, sticks and other instruments, punched, kicked, burned [REDACTED], electrocuted, urinated upon, [REDACTED], and/or threatened with death. They could hear and see the severe abuse of other detainees. Detainees were interrogated about and accused of being LDK members, traitors, spies, and collaborators with the Serbian authorities, and otherwise not supporting the KLA. [REDACTED].

[REDACTED]

107. On or about [REDACTED]1998, [REDACTED] were transferred from [REDACTED], Skënderaj/Srbica to [REDACTED]. Between about [REDACTED] 1998 and [REDACTED] 1998, multiple KLA members subjected the detainees at [REDACTED] to severe beatings and psychological abuse. At least six of the detainees were beaten all over their bodies with sticks, kicked, stamped upon, punched, and/or threatened with death. The detainees could hear and see the severe abuse of other detainees.

108. After [REDACTED] had been badly beaten, and had visible injuries, [REDACTED] questioned [REDACTED]. [REDACTED]. [REDACTED].

[REDACTED]

109. Between [REDACTED] 1998 and [REDACTED] 1998, multiple KLA members subjected at least four detainees at [REDACTED], Lipjan/Lipljan to beatings and psychological abuse.

110. [REDACTED]. [REDACTED]. [REDACTED]. [REDACTED]. [REDACTED].

111. [REDACTED]. [REDACTED]. [REDACTED]. In the course of their detention, a KLA member told one of the detainees that he was to be punished with death.

Kleçkë/Klečka

112. Between at least November 1998 and June 1999, detainees at Kleçkë/Klečka, Lipjan/Lipljan were kept in, *inter alia*, basement rooms with dirt floors, blood-stained walls, poor hygiene and sanitation facilities, and were provided inadequate medical care. Certain KLA members routinely subjected detainees to severe beatings and psychological abuse. Detainees, who were sometimes blindfolded, were hit with batons, pipes, and pieces of wire, and were kicked, punched, and/or threatened with death. They could hear and see the severe abuse of other detainees, [REDACTED]. [REDACTED]. Detainees were interrogated about and accused of being Serbian police and collaborators with the Serbian authorities, and of not supporting the KLA. Detainees included persons of Serb ethnicity. [REDACTED], multiple other KLA members, including Fatmir LIMAJ, were involved in the mistreatment of detainees at Kleçkë/Klečka.

113. Some detainees suffered abuse at other locations before arriving at or after leaving Kleçkë/Klečka. In [REDACTED] 1999, certain KLA members interrogated and subjected at least one detainee at [REDACTED], to severe beatings with sticks and psychological abuse.

[REDACTED]

114. Between about [REDACTED] 1999 and [REDACTED] 1999, detainees at [REDACTED], Kaçanik/Kaçanik and [REDACTED] were held in makeshift detention cells, exposed to the elements, and provided inadequate food, water, heat, and/or bedding. Multiple KLA members routinely subjected detainees to severe beatings and psychological abuse. Detainees were hit all over their bodies with automatic weapons, [REDACTED]. They could hear and see the severe abuse of other detainees. Detainees, [REDACTED], were interrogated about and accused of associating, collaborating, or assisting Serbs and Serbian authorities.

Cahan

115. Between April and June 1999, detainees at Cahan, Has District, Albania were held in a cramped, makeshift cell exposed to the elements, including rainwater, cold temperatures, and the stench of a nearby toilet. They were provided inadequate food, water, medical care, sanitation and hygiene facilities, heat, and/or bedding. Multiple KLA members, including Sabit GEÇI, routinely subjected detainees to severe beatings and psychological abuse. Detainees were hit with batons, sticks, an iron bar, a whip, a crutch, rifle butts, and shoes, [REDACTED], and/or otherwise threatened with death and violence. Detainees were interrogated about and accused of being LDK supporters and spies, associating and collaborating with Serbs and Serbian authorities, and not supporting the KLA. [REDACTED].

Kukës

116. Between May and June 1999, detainees at Kukës, Kukës District, Albania were held in rooms that were hot and stifling, and had dirty, concrete floors. They were provided inadequate food, water, medical care, sanitation and hygiene facilities, and/or bedding. Multiple KLA members, including Sabit GEÇI, routinely subjected detainees to severe beatings and psychological abuse. Detainees were hit all over their

bodies with batons, metal bars, guns, and a baseball bat, cut with knives, punched, kicked, burned, [REDACTED], shot with guns, subjected to acts of simulated drowning, and/or otherwise threatened with bodily injury and death. Certain KLA members forced two detainees to [REDACTED] and shot at them with automatic weapons, wounding them. One detainee was informed that he had been sentenced to prison and execution, even though no trial had taken place. Detainees could hear and see the severe abuse of other detainees, including family members, and were ordered to beat one another. Certain KLA members forced detainees to perform manual labour.

117. Detainees were interrogated about and accused of associating with Serbs or police, and being traitors, spies, and collaborators with the Serbian authorities. [REDACTED]. [REDACTED].

[REDACTED]

118. Between about [REDACTED] 1999, detainees at [REDACTED] Malishevë/Mališevo and [REDACTED] were held in overcrowded, makeshift cells, [REDACTED], and provided inadequate food, water, medical care, and/or sanitation and hygiene facilities. Multiple KLA members routinely subjected detainees to severe beatings and psychological abuse. Detainees were hit with iron bars and sticks, punched, kicked, and/or threatened with death. They could hear and see the severe abuse of other detainees and were forced to perform manual labour. At least two detainees [REDACTED]. Detainees were interrogated about and accused of being LDK members and supporters, spies, and collaborators with the Serbian authorities, and not supporting the KLA.

[REDACTED]

119. Between about [REDACTED] 1999, multiple KLA members routinely subjected [REDACTED] at [REDACTED], Drenas (Gllogoc)/Glogovac to severe beatings and

psychological abuse. [REDACTED] hit with rifle butts, staffs, kicked, and threatened with death. [REDACTED] insulted, questioned about weapons and Serbian military commanders and police, and interrogated about and accused of committing crimes against Kosovo Albanians.

[REDACTED]

120. Between about [REDACTED] 1999, detainees at locations near [REDACTED], Prishtinë/Priština were held in makeshift cells, [REDACTED], and provided inadequate water, food, sanitation and hygiene facilities, and/or bedding. Multiple KLA members routinely subjected the detainees to severe beatings and psychological abuse. Detainees were hit with a shovel, rifles, hoses, and pipes, punched, kicked, and/or threatened with death. They could hear and see the severe abuse of other detainees, [REDACTED]. The detainees, [REDACTED], were insulted and interrogated about and accused of associating with Serbian authorities, police, and collaborators.

[REDACTED]

121. Between about [REDACTED] 1999, detainees at [REDACTED], Viti/Vitina were provided inadequate food, water, medical care, and/or sanitation and hygiene facilities. Multiple KLA members routinely subjected detainees to severe beatings and psychological abuse. Detainees were hit all over their bodies with chains, sticks, rifle butts, and boards, kicked, subjected to simulated executions, and/or otherwise threatened with violence and death. [REDACTED]. Detainees could hear the severe abuse of other detainees, [REDACTED]. Detainees, [REDACTED], were insulted and interrogated about and accused of committing crimes against Kosovo Albanians and associating and collaborating with Serbian authorities.

Prizren

122. Between about 15 June 1999 and 23 June 1999, detainees were held in [REDACTED] without any light in [REDACTED] Prizren. Some detainees were held [REDACTED]. Detainees were provided inadequate food, and/or bedding. Multiple KLA members routinely subjected detainees to severe beatings and psychological abuse. Detainees were hit all over their bodies with bats, pipes, sticks, hoses, rifle butts, and knives, punched, kicked, and/or otherwise threatened with violence and death. Detainees could hear and see the severe abuse of other detainees. The detainees were insulted and interrogated about and accused of being LDK members, committing crimes against Kosovo Albanians, or collaborating with Serbian authorities. Detainees included persons of Serb ethnicity.

123. Between about 16 June 1999 and 18 June 1999, detainees at the former MUP building in Prizren were provided inadequate food, water, medical care, and accommodation. Multiple KLA members routinely subjected detainees to severe beatings and psychological abuse. Detainees were hit all over their bodies with a water bottle, sticks, batons, belts, and an automatic gun, punched, kicked, and/or otherwise threatened with violence and death. One detainee had his teeth pulled out with pliers. Detainees could hear and see the severe abuse of other detainees, [REDACTED]. The detainees were insulted and interrogated about and accused of committing crimes against Kosovo Albanians, being spies or collaborators with Serbian authorities, and otherwise not supporting the KLA. [REDACTED].

124. Between about 16 June 1999 and 19 June 1999, detainees at [REDACTED] Prizren were provided inadequate food, water, and/or medical care. Multiple KLA members routinely subjected detainees to severe beatings and psychological abuse. Detainees were hit with sticks and chains, punched, kicked, and/or otherwise threatened with violence and death. Two detainees, [REDACTED], were interrogated about and accused of committing crimes against Kosovo Albanians, being spies or collaborators with Serbian authorities, and failing to join the KLA.

125. On or about 26 June 1999, detainees at [REDACTED] Prizren were detained in makeshift cells, [REDACTED], and rooms with blood-spattered walls. Multiple KLA members subjected detainees to severe beatings and psychological abuse. Detainees were hit all over their bodies with sticks, hoses, hammers, truncheons, and a chain, burned with cigarettes, punched, kicked, and/or threatened with death. When one detainee asked for water, he was forced to drink paint thinner. One KLA member ordered two detainees to undress and have sex. Detainees could hear and see the severe abuse of other detainees. The detainees, [REDACTED], were questioned about their ethnicity, weapons, and association with Serbs.

Rahovec/Orahovac

126. On or about [REDACTED] 1999, multiple KLA members subjected [REDACTED] and his wife, who were of Serb ethnicity, to physical and psychological abuse at their house in Rahovec/Orahovac. One KLA member beat [REDACTED] in front of his wife, while others seized their personal property. After taking [REDACTED] away, certain KLA members set his house on fire.

127. On or about [REDACTED] 1999, multiple KLA members subjected [REDACTED], to physical and psychological abuse at [REDACTED] in [REDACTED], Rahovec/Orahovac. Certain KLA members beat [REDACTED] and asked him for weapons. [REDACTED] could hear and see the beating. After seizing several weapons, certain KLA members forcefully took [REDACTED] away.

128. Between about [REDACTED] 1999, multiple KLA members subjected [REDACTED], who were of Serb ethnicity, to physical and psychological abuse at [REDACTED] in Rahovec/Orahovac. After arresting [REDACTED], certain KLA members severely beat [REDACTED], and destroyed and seized personal property. The harassment and abuse continued until [REDACTED] left Kosovo on or about [REDACTED] 1999.

Ferizaj/Uroševac

129. Between about [REDACTED] and [REDACTED] 1999, multiple KLA members subjected a detainee at a house in or around Ferizaj/Uroševac to severe beatings and psychological abuse. The detainee was beaten all over his body, punched, and kicked. He [REDACTED] was questioned about and accused of committing crimes. [REDACTED].

[REDACTED]

130. On or about [REDACTED] 1999, multiple KLA members subjected detainees at [REDACTED], Ferizaj/Uroševac to beatings and psychological abuse. [REDACTED] hit with rifle butts, kicked, punched, and threatened with death. [REDACTED] hear other persons being beaten. The detainees [REDACTED] were interrogated about weapons held by the detainees, their relatives, and others.

Dormitory, Gjilan/Gnjilane

131. In late June 1999, multiple KLA members subjected detainees at the former boarding school and dormitory in Gjilan/Gnjilane to severe beatings and psychological abuse. Detainees were hit all over their bodies with sticks and batons, kicked, punched, and/or otherwise threatened with violence and death. Detainees could hear and see the severe abuse of other detainees. [REDACTED]. The detainees, who were of Serb ethnicity, were insulted and questioned about and accused of committing crimes against Kosovo Albanians.

Former police station in Suharekë/Suva Reka

132. In late June 1999, multiple KLA members subjected a detainee at the former police station in Suharekë/Suva Reka to severe beatings and psychological abuse. The detainee was hit with rifle butts, batons, and boots. Certain KLA members questioned him about a Serbian commander and accused him of committing crimes against

Kosovo Albanians. After [REDACTED], certain KLA members tied the detainee, covered his head, and transferred him to [REDACTED]. He [REDACTED] was not given any food or water. The interrogations continued and he was threatened with death if he did not confess.

Novobërdë/Novo Brdo

133. On or about [REDACTED] 1999, during the arrest of a Serb person [REDACTED] in [REDACTED], Novobërdë/Novo Brdo, certain KLA members put a pistol in his mouth, kicked and hit him, and forced him into a vehicle. He was thereafter taken to a nearby KLA headquarters [REDACTED] in Novobërdë/Novo Brdo where he was abused and severely beaten. The detainee [REDACTED] were ordered to hand over their weapons. [REDACTED], certain KLA members threatened the detainee and his family members and told them that Serbs should be destroyed, leave, and/or be removed.

134. The acts and omissions described in paragraphs 59 to 133 above, considered alone or together, caused serious mental and/or physical suffering or injury to the victims, and/or constituted a serious attack on human dignity. These acts and omissions violated the fundamental rights of the victims to liberty and security of person, freedom of movement, due process of law, and freedom from discrimination on political and ethnic grounds. JCE Members and Tools tried to force victims to act against their will and conscience. As a result of their treatment, victims lost consciousness, sustained broken bones and other serious wounds, were humiliated, disfigured, covered in blood, and developed lasting psychological and physical conditions that continued after the acts and omissions described above.

Torture

135. Through the acts and omissions described in paragraphs 59-134 above, JCE Members and Tools inflicted severe pain or suffering with the aim of obtaining

information or confessions, punishing, intimidating, or coercing the victim or third person, and/or discriminating, including on political and ethnic grounds, against the victim or third person. During and in conjunction with the acts and omissions described above, JCE Members and Tools questioned the victims, coerced and forced them to sign confessions and provide information, and accused them of being Opponents, punishing, assaulting, and treating them inhumanely on this basis.

Murder

136. During the Indictment Period, JCE Members and Tools, through their acts and omissions, caused the death of persons in Kosovo and northern Albania, including following arrests or abductions, and at or in connection with detention sites. This includes killings committed during, and deaths resulting from, cruel and inhumane treatment at detention sites identified in Schedule A. JCE Members and Tools committed a further pattern of killings in connection with KLA withdrawals from sites in the face of offensives by FRY forces. At or around the time of such withdrawals, detainees were killed, sometimes after first being transferred on to one or more other detention locations. Incidents of murder comprise those identified in Schedule B, and further described in the following paragraphs.

Likoc/Likovac

137. In [REDACTED] 1998, [REDACTED] were abducted by certain KLA members and brought [REDACTED] to an area in front of the KLA headquarters in Likoc/Likovac. While being himself released from KLA custody, [REDACTED] was informed by a KLA soldier that [REDACTED] would join him later. The [REDACTED] men were last seen alive in KLA custody. KLA members told those who subsequently asked about the missing men that they were being questioned. [REDACTED], the bodies of the [REDACTED] men were found [REDACTED]. The corpses showed signs of beating and gunshot wounds.

138. [REDACTED] was abducted by uniformed KLA members in [REDACTED] in [REDACTED] 1998 and brought to Likoc/Likovac. His body was found in [REDACTED], with multiple gunshot wounds.

139. [REDACTED] was arrested in January 1999 and brought to KLA detention facilities in Likoc/Likovac. Family members made repeated attempts to obtain information about [REDACTED] status. [REDACTED], they were [REDACTED] denied information about his fate, [REDACTED]. [REDACTED] was last seen in KLA custody and his remains were never found.

Jabllanicë/Jablanica

140. [REDACTED] was arrested by certain KLA members on or around [REDACTED] 1998 and detained in the KLA barracks in Jabllanicë/Jablanica. He was severely beaten by KLA members while in detention and, as a result, died [REDACTED] around mid-July 1998.

141. [REDACTED] was detained at the KLA barracks in Jabllanicë/Jablanica from around [REDACTED] 1998. He was severely beaten by certain KLA members while in detention and last seen in KLA custody. His remains were never found.

142. [REDACTED] was detained at the KLA barracks in Jabllanicë/Jablanica from around [REDACTED] 1998. He was severely beaten while in detention and last seen in KLA custody in a debilitated state at the end of July 1998. Family members made repeated enquiries regarding [REDACTED] whereabouts, but were provided contradictory and misleading information. [REDACTED] body was found with multiple gunshot wounds [REDACTED].

Llapushnik/Lapušnik

143. [REDACTED] was detained in Llapushnik/Lapušnik in early June 1998. He was repeatedly beaten and interrogated every night, accused of being a collaborator. After approximately ten days, on or about [REDACTED] 1998, [REDACTED] was taken out

and killed [REDACTED]. His body was taken away by certain KLA members and subsequently found near [REDACTED].

144. On or about 26 July 1998, as Serb forces launched an offensive, certain KLA members took approximately 30 detainees from Llapushnik/Lapušnik into the nearby Berishë/Beriša mountains and divided them into two groups. One group was untied and released, the detainees in the other group were shot and killed. The bodies of detainees [REDACTED] were subsequently exhumed and recovered from [REDACTED].

Drenoc/Drenovac

145. [REDACTED] was arrested on or about [REDACTED] 1998 and brought to a former school building occupied by the KLA in Drenoc/Drenovac. He was beaten and killed in detention by certain KLA members. His remains have never been recovered.

146. [REDACTED] was arrested in [REDACTED] 1998 and brought to Drenoc/Drenovac. He was beaten and, after approximately 45 days in detention, killed by certain KLA members. His remains have never been recovered.

147. [REDACTED] was detained in Drenoc/Drenovac from on or about [REDACTED] 1998. He was accused of being a collaborator, and severely beaten. On or about [REDACTED] 1998, [REDACTED], was also detained at Drenoc/Drenovac. On approximately [REDACTED] 1998, [REDACTED] were taken from Drenoc/Drenovac [REDACTED]. The two men were never seen or heard from again. [REDACTED].

148. In [REDACTED] 1998, [REDACTED] was brought to Drenoc/Drenovac, having been arrested by certain KLA members in [REDACTED]. He was accused of being a spy, and last seen in KLA custody in Drenoc/Drenovac. His partial remains were identified in [REDACTED].

149. [REDACTED] was arrested at his house by certain armed KLA members on or about [REDACTED] 1998, and detained in Drenoc/Drenovac. He was severely beaten and killed by certain KLA members. [REDACTED] remains were never found, and his family was denied information regarding his fate.

150. On or about [REDACTED] 1998, [REDACTED] was arrested by certain KLA members [REDACTED] and brought to Drenoc/Drenovac. He was severely beaten, and last seen alive in KLA custody in Drenoc/Drenovac on [REDACTED] 1998. Despite repeated enquiries, his family was not informed of his fate. [REDACTED] partial remains were identified in [REDACTED].

Malishevë/Mališevo

151. On or about 17 July 1998, a group of 11 Serb detainees were transferred to a room in the basement of a building in Malishevë/Mališevo, where two other Serb detainees were already held. KLA members entering the room beat and kicked the detainees. On approximately 19 July 1998, the [REDACTED] detainees were taken out in groups. The detainees were placed in a van and driven to a nearby location where they were shot and killed by certain KLA members. [REDACTED]. The bodies of [REDACTED] men were recovered [REDACTED]. The identities of the victims are listed in Schedule B.

152. On or about 20 July 1998, a group of Serb detainees was transferred from detention in Drenoc/Drenovac to Malishevë/Mališevo. The group included persons who had surrendered to the KLA in Opertusë/Opertuša and Reti/Retimlje. The group transferred also included [REDACTED]. On or about 26 or 27 July 1998, the Malishevë/Mališevo detention site was emptied and certain detainees were thereafter killed by KLA members, including at a location near Volljakë/Volujak. Despite extensive publicity and repeated requests, family members were denied information regarding the fate of those who had been detained in Malishevë/Mališevo. The identities of known victims are listed in Schedule B.

Bajgorë/Bajgora

153. [REDACTED] was detained by KLA members in Bajgorë/Bajgora, Podujevë/Podujevo. On or about 30 August 1998, [REDACTED] was taken [REDACTED] by certain KLA members where he was [REDACTED] interrogated. He was told that if he did not confess, he would be killed. [REDACTED]. He was last seen in KLA custody. [REDACTED] remains were subsequently found, showing blunt force trauma, [REDACTED].

Majac/Majance

154. [REDACTED] were detained for varying periods of time and mistreated by certain KLA members in Llapashticë/Lapaštica, before being held in KLA detention in Majac/Majance from on or about 25 March 1999. They were [REDACTED]. Detainees at Majac/Majance were ordered [REDACTED]. The bodies of [REDACTED] were discovered [REDACTED].

Potok

155. [REDACTED] were detained for varying periods of time and mistreated by certain KLA members in Llapashticë/Lapaštica, before being held in KLA detention in Potok from on or about 25 March 1999. They were [REDACTED]. [REDACTED] remains were discovered together in [REDACTED].

[REDACTED]

156. At around the end of March 1999, a Roma man who had arrived from Serb controlled territory was detained by certain KLA members and held tied in the middle of the village of [REDACTED], Podujevë/Podujevo, where he was subjected to beatings. After approximately two days, the man was brought to a checkpoint just outside the village where he was shot and killed upon the orders of Latif GASHI.

Zllash/Zlaš

157. From approximately the beginning of April 1999, [REDACTED] was detained and severely mistreated at a KLA base in Zllash/Zlaš, Prishtinë/Prishtina. [REDACTED] family members were denied information or provided false information regarding his whereabouts. [REDACTED] was last seen alive, [REDACTED] on or about 19 April 1999. [REDACTED]. [REDACTED] remains were found [REDACTED].

Kleçkë/Klečka

158. [REDACTED] was arrested by certain KLA members together with [REDACTED] on or around [REDACTED] 1999 near [REDACTED]. They were brought to the Kleçkë/Klečka detention site where they were beaten by KLA members. [REDACTED] died as a result of the injuries inflicted during the beatings. [REDACTED].

159. [REDACTED] was arrested by certain KLA members on or around 9 March 1999 [REDACTED]. [REDACTED] disappeared on or around 15 March 1999 in [REDACTED] and was taken into custody by KLA members. Both men were transferred to the Kleçkë/Klečka detention site where they were beaten and mistreated. [REDACTED] were taken from the detention site and killed by certain KLA members on or around 5 April 1999. Their remains have never been found.

160. [REDACTED] was arrested by certain KLA members in [REDACTED] on or around 10 February 1999. He was detained by the KLA in Likoc/Likovac and transferred to the Kleçkë/Klečka detention site on or around 21 March 1999. He was released from detention on or around 2 April 1999; one day after his release he was arrested again by certain KLA members in Kleçkë/Klečka and killed by gunfire. His remains have never been found.

161. [REDACTED] disappeared on or around 9 February 1999. They were brought to the Kleçkë/Klečka detention site and were held in and around that location. On or

around 5 April 1999 they were taken by certain KLA soldiers and killed nearby by gunfire upon the order of Fatmir LIMAJ. Their remains were subsequently recovered near that location.

162. [REDACTED] were detained by certain KLA members on or around 11 April 1999 [REDACTED]. They were brought to the Kleçkë/Klečka detention site and were held in and around that location. On or around 18 April 1999 they were taken by certain KLA members and killed nearby by gunfire or by bladed weapons. Their remains were subsequently recovered [REDACTED].

[REDACTED]

163. On or about [REDACTED] 1999, [REDACTED] was beaten and detained [REDACTED]. [REDACTED]. On or about [REDACTED] 1999, the four men were among those [REDACTED] detained [REDACTED]. On or about [REDACTED] 1999, they were transferred to [REDACTED] where they were all beaten. On or about [REDACTED] 1999, the four men were taken one by one out of the room in which they were detained by KLA members in [REDACTED]. None of them has been seen since. Family members were denied information regarding their fate.

Kukës, Albania

164. On or about 17 May 1999, [REDACTED] was arrested and detained by certain KLA members at the site of a former metal factory in Kukës, Albania. [REDACTED] and other detainees were severely beaten by certain KLA members, including Sabit GEÇI, on an almost daily basis. On or around 4 June 1999, during the course of such mistreatment, [REDACTED] was shot [REDACTED]. The following day, [REDACTED] died as a result of the mistreatment.

Former MUP building, Prizren

165. On 17 June 1999, certain KLA members arrested [REDACTED] from his home in [REDACTED], Prizren, and detained him at the former MUP building in Prizren. He was beaten and, as a result, died while in detention several hours after his arrest. On 18 June 1999, [REDACTED] body was found [REDACTED].

Rahovec/Orahovac

166. On or about [REDACTED], [REDACTED] were taken from their homes in Rahovec/Orahovac by certain KLA members. They were mistreated before being taken away. At least three other people were abducted by certain KLA members on the same day. [REDACTED] remains were later recovered. [REDACTED] body has never been found.

167. Near the end of June 1999, [REDACTED] was taken away in a car by certain KLA members from [REDACTED] in Rahovec/Orahovac. He was last seen in the custody of certain KLA members, and his remains have never been found.

168. On or about [REDACTED] 1999, [REDACTED] was taken from his home in Rahovec/Orahovac by certain KLA members. [REDACTED] family members continued to be harassed and mistreated in the days following the abduction. [REDACTED] was last seen in the custody of certain KLA members, and his remains have never been found.

[REDACTED]

169. On or about [REDACTED] 1999, [REDACTED] was taken by certain KLA members from [REDACTED] in [REDACTED] to the village of [REDACTED], where he was interrogated and beaten [REDACTED]. [REDACTED]. He has never been seen since.

[REDACTED]

170. On a date between July and August 1999, an elderly civilian of Serb ethnicity was mistreated and detained by certain KLA members at a KLA base at [REDACTED], Prishtinë/Prishtina. After two or three days the man was killed by certain KLA members, and buried in a grave outside the KLA base.

Enforced Disappearance of Persons

171. During the Indictment Period, JCE Members and Tools arrested, abducted, or detained persons by or with the authorisation, support or acquiescence of the KLA/PGoK in Kosovo and northern Albania in areas under KLA/PGoK control and at or in connection with detention sites identified in Schedule A. When family members and others sought information concerning the missing persons, JCE Members and Tools frequently refused to respond, or provided false or misleading information. They also frequently refused requests to access detention sites or visit detainees, threatened or assaulted those who sought information, and failed to inquire about or investigate the fate or whereabouts of missing persons. Incidents of enforced disappearance of persons comprise those identified in Schedule C, and described in paragraphs 137, 139, 142, 147, 149, 150, 152, 157 and 163 above.

STATEMENT OF CRIMES

172. Through the acts and omissions described above, **Hashim THAÇI, Kadri VESELI, Rexhep SELIMI, and Jakup KRASNIQI** committed through their participation in a joint criminal enterprise and/or aided and abetted the crimes charged in this indictment. In addition or in the alternative, **Hashim THAÇI, Kadri VESELI, Rexhep SELIMI, and Jakup KRASNIQI** are responsible as superiors for crimes committed by their subordinates. **Hashim THAÇI, Kadri VESELI, Rexhep SELIMI, and Jakup KRASNIQI** knew or had reason to know that the crimes charged in this indictment were about to be committed or had been committed by their

subordinates, and failed to take necessary and reasonable measures to prevent such crimes or to punish the perpetrators thereof.

173. **Hashim THAÇI, Kadri VESELI, Rexhep SELIMI and Jakup KRASNIQI** are individually criminally responsible for:

Count 1: PERSECUTION on political and/or ethnic grounds, a CRIME AGAINST HUMANITY, punishable under Articles 13(1)(h), 16(1)(a), and 16(1)(c) of the Law;

Count 2: IMPRISONMENT, a CRIME AGAINST HUMANITY, punishable under Articles 13(1)(e), 16(1)(a), and 16(1)(c) of the Law;

Count 3: ILLEGAL OR ARBITRARY ARREST AND DETENTION, a WAR CRIME, punishable under Articles 14(1)(c), 16(1)(a), and 16(1)(c) of the Law;

Count 4: OTHER INHUMANE ACTS, a CRIME AGAINST HUMANITY, punishable under Articles 13(1)(j), 16(1)(a), and 16(1)(c) of the Law;

Count 5: CRUEL TREATMENT, a WAR CRIME, punishable under Articles 14(1)(c)(i), 16(1)(a), and 16(1)(c) of the Law;

Count 6: TORTURE, a CRIME AGAINST HUMANITY, punishable under Articles 13(1)(f), 16(1)(a), and 16(1)(c) of the Law;

Count 7: TORTURE, a WAR CRIME, punishable under Articles 14(1)(c)(i), 16(1)(a), and 16(1)(c) of the Law;

Count 8: MURDER, a CRIME AGAINST HUMANITY, punishable under Articles 13(1)(a), 16(1)(a), and 16(1)(c) of the Law;

Count 9: MURDER, a WAR CRIME, punishable under Articles 14(1)(c)(i), 16(1)(a), and 16(1)(c) of the Law; and

Count 10: ENFORCED DISAPPEARANCE OF PERSONS, a CRIME AGAINST HUMANITY, punishable under Articles 13(1)(i), 16(1)(a), and 16(1)(c) of the Law.

All sections of this indictment, including its Schedules, should be read in conjunction with one other.



Jack Smith

Specialist Prosecutor

Wednesday, 8 September 2021

At The Hague, the Netherlands.

SCHEDULE A
DETENTION SITES

	MUNICIPALITY	LOCATION	APPROXIMATE DATE	APPROXIMATE MINIMUM NUMBER OF KNOWN VICTIMS
KOSOVO				
1.	Drenas (Glllogoc)/Glogovac	1.1 Llapushnik/Lapušnik	Late April to 25 or 26 July 1998	30
		1.2 [REDACTED]	[REDACTED] 1998	13
		1.3 [REDACTED]	[REDACTED] 1999	[REDACTED]
		1.4 [REDACTED]	[REDACTED] 1999	[REDACTED]
		1.5 [REDACTED]	[REDACTED] 1999	[REDACTED]
2.	Ferizaj/Uroševac	2.1 [REDACTED]	[REDACTED] 1999	[REDACTED]
		2.2 House in or around Ferizaj/Uroševac	[REDACTED] 1999	[REDACTED]
		2.3 [REDACTED]	[REDACTED] 1999	5

	MUNICIPALITY	LOCATION	APPROXIMATE DATE	APPROXIMATE MINIMUM NUMBER OF KNOWN VICTIMS
3.	Gjakovë/Đakovica	3.1 Jabllanicë/Jablanica	April 1998 to late July 1998	13
4.	Gjilan/Gnjilane	4.1 Former boarding school/dormitory in Gjilan/Gnjilane	Late June 1999	3
5.	Kaçanik/Kaçanik	5.1 [REDACTED]	[REDACTED] 1999	13
		5.2 [REDACTED]	[REDACTED] 1999	4
		5.3 [REDACTED]	[REDACTED] 1999	5
6.	Lipjan/Lipljan	6.1 [REDACTED]	[REDACTED] 1998	4
		6.2 House and surrounding buildings near Kleçkë/Klečka	November 1998 to June 1999	20
7.	Malishevë/Mališevo	7.1 Former police station in Malishevë/Mališevo	16 to 26 or 27 July 1998	48
		7.2 [REDACTED]	[REDACTED] 1999	3
8.	Novobërdë/Novo Brdo	8.1 Novobërdë/Novo Brdo	Late June 1999	4

	MUNICIPALITY	LOCATION	APPROXIMATE DATE	APPROXIMATE MINIMUM NUMBER OF KNOWN VICTIMS
9.	Podujevë/Podujevo	9.1 Bare	August 1998	8
		9.2 Bajgorë/Bajgora	August 1998 to mid-September 1998	16
		9.3 Llapashticë/Lapaštica	November 1998 to March 1999	52
		9.4 Majac/Majance	25 March 1999 to 7 April 1999	[REDACTED]
		9.5 Potok	25 March 1999 to 7 April 1999	[REDACTED]
		9.6 [REDACTED]	Late March 1999	1
10.	Prishtinë/Priština	10.1 [REDACTED], Prishtinë/Priština	[REDACTED] 1999	3
		10.2 [REDACTED], Prishtinë/Priština	July or August 1999	1
		10.3 [REDACTED]	[REDACTED] 1999	[REDACTED]
		10.4 Zllash/Zlaš	September 1998	[REDACTED]
			1 to 19 April 1999	7

	MUNICIPALITY	LOCATION	APPROXIMATE DATE	APPROXIMATE MINIMUM NUMBER OF KNOWN VICTIMS
11.	Prizren	11.1 [REDACTED]	[REDACTED] 1998	5
		11.2 Former MUP building in Prizren	16 to 18 June 1999	15
		11.3 [REDACTED], Prizren	15 to 23 June 1999	8
		11.4 [REDACTED], Prizren	16 to 19 June 1999	2
		11.5 [REDACTED] Prizren	26 June 1999	3
12.	Rahovec/Orahovac	12.1 Drenoc/Drenovac	May 1998 to July 1998	38
		12.2 [REDACTED]	[REDACTED] 1999	[REDACTED]
13.	Skënderaj/Srbica	13.1 Former police station and other locations in Likoc/Likovac	April 1998 to January 1999	25
		13.2 [REDACTED]	[REDACTED] 1998	13
	Suharekë/Suva Reka	14.1 [REDACTED]	[REDACTED] 1999	7

	MUNICIPALITY	LOCATION	APPROXIMATE DATE	APPROXIMATE MINIMUM NUMBER OF KNOWN VICTIMS
14.		14.2 Former police station in Suharekë/Suva Reka	Late June 1999	1
15.	Viti/Vitina	15.1 [REDACTED]	[REDACTED] 1999	9
ALBANIA				
16.	Kukës District	16.1 Metal factory in Kukës	May to June 1999	20
17.	Has District	17.1 Cahan	April to June 1999	17

SCHEDULE B
MURDER OR KILLING

	MUNICIPALITY	RELATED LOCATION	APPROXIMATE DATE	KNOWN VICTIMS
KOSOVO				
1.	Drenas (Glogoc)/Glogovac	Berishë/Beriša mountains near Llapushnik/Lapušnik	25 or 26 July 1998	1.1 [REDACTED] 1.2 [REDACTED] 1.3 [REDACTED] 1.4 [REDACTED] 1.5 [REDACTED] 1.6 [REDACTED] 1.7 [REDACTED] 1.8 [REDACTED] 1.9 [REDACTED]
2.	Drenas (Glogoc)/Glogovac	Llapushnik/Lapušnik	[REDACTED] 1998	2.1 [REDACTED]
3.	Ferizaj/Uroševac	[REDACTED]	Around or after [REDACTED] 1999	3.1 [REDACTED]

	MUNICIPALITY	RELATED LOCATION	APPROXIMATE DATE	KNOWN VICTIMS
4.	Ferizaj/Uroševac	[REDACTED]	[REDACTED] 1999	4.1 [REDACTED] 4.2 [REDACTED] 4.3 [REDACTED] 4.4 [REDACTED]
5.	Gjakovë/Đakovica	Jabllanicë/Jablanica	Around or after mid-June 1998	5.1 [REDACTED]
6.	Gjakovë/Đakovica	Jabllanicë/Jablanica	Mid-July 1998	6.1 [REDACTED]
7.	Gjakovë/Đakovica	Jabllanicë/Jablanica	[REDACTED] 1998	7.1 [REDACTED]
8.	Klinë/Klina	Volljakë/Volujak Cave (and Malishevë/Mališevo, Malishevë/Mališevo)	26 or 27 July 1998	8.1 [REDACTED] 8.2 [REDACTED] 8.3 [REDACTED] 8.4 [REDACTED] 8.5 [REDACTED] 8.6 [REDACTED] 8.7 [REDACTED] 8.8 [REDACTED]

	MUNICIPALITY	RELATED LOCATION	APPROXIMATE DATE	KNOWN VICTIMS
				8.9 [REDACTED]
9.	Klinë/Klina	Volljakë/Volujak Cave (and Malishevë/Mališevo, Malishevë/Mališevo)	26 or 27 July 1998	9.1 [REDACTED] 9.2 [REDACTED] 9.3 [REDACTED] 9.4 [REDACTED] 9.5 [REDACTED] 9.6 [REDACTED] 9.7 [REDACTED] 9.8 [REDACTED] 9.9 [REDACTED] 9.10 [REDACTED] 9.11 [REDACTED] 9.12 [REDACTED] 9.13 [REDACTED] 9.14 [REDACTED] 9.15 [REDACTED]

	MUNICIPALITY	RELATED LOCATION	APPROXIMATE DATE	KNOWN VICTIMS
10.	Klinë/Klina	Volljakë/Volujak Cave (and Malishevë/Mališevo, Malishevë/Mališevo)	26 or 27 July 1998	10.1 [REDACTED]
11.	Lipjan/Lipljan	Kleçkë/Klečka	3 April 1999	11.1 [REDACTED]
12.	Lipjan/Lipljan	Kleçkë/Klečka	[REDACTED] 1999	12.1 [REDACTED]
13.	Lipjan/Lipljan	Kleçkë/Klečka	5 April 1999	13.1 [REDACTED]
14.	Lipjan/Lipljan	Kleçkë/Klečka	5 April 1999	14.1 [REDACTED]
15.	Lipjan/Lipljan	Kleçkë/Klečka	5 April 1999	15.1 [REDACTED] 15.2 [REDACTED]
16.	Lipjan/Lipljan	Kleçkë/Klečka	18 April 1999	16.1 [REDACTED] 16.2 [REDACTED] 16.3 [REDACTED] 16.4 [REDACTED] 16.5 [REDACTED]

	MUNICIPALITY	RELATED LOCATION	APPROXIMATE DATE	KNOWN VICTIMS
17.	Malishevë/Mališevo	Malishevë/Mališevo	On or around 18 or 19 July 1998	17.1 [REDACTED] 17.2 [REDACTED] 17.3 [REDACTED] 17.4 [REDACTED] 17.5 [REDACTED] 17.6 [REDACTED] 17.7 [REDACTED] 17.8 [REDACTED] 17.9 [REDACTED] 17.10 [REDACTED] 17.11 [REDACTED] 17.12 [REDACTED]
18.	Malishevë/Mališevo	Malishevë/Mališevo	Around or after 26 or 27 July 1998	18.1 [REDACTED] 18.2 [REDACTED]
19.	Podujevë/Podujevo	Bajgorë/Bajgora	Around or after 30 August 1998	19.1 [REDACTED]
20.	Podujevë/Podujevo	[REDACTED]	Late March 1999	20.1 Unidentified Roma man

	MUNICIPALITY	RELATED LOCATION	APPROXIMATE DATE	KNOWN VICTIMS
21.	Podujevë/Podujevo	Majac/Majance	Early April 1999	21.1 [REDACTED] 21.2 [REDACTED] 21.3 [REDACTED]
22.	Podujevë/Podujevo	Potok	Early April 1999	22.1 [REDACTED] 22.2 [REDACTED]
23.	Prishtinë/Priština	[REDACTED], Prishtinë/Priština	July or August 1999	23.1 Unidentified Serb man
24.	Prishtinë/Priština	Zllash/Zlaš	Between approximately 19 April 1999 and around the end of April 1999	24.1 [REDACTED]
25.	Prizren	Former MUP building in Prizren	17 or 18 June 1999	25.1 [REDACTED]
26.	Rahovec/Orahovac	[REDACTED]	Around or after [REDACTED] 1999	26.1 [REDACTED]
27.	Rahovec/Orahovac	Drenoc/Drenovac	Around or after [REDACTED] 1998	27.1 [REDACTED]
28.	Rahovec/Orahovac	Drenoc/Drenovac	Around or after [REDACTED] 1998	28.1 [REDACTED]

	MUNICIPALITY	RELATED LOCATION	APPROXIMATE DATE	KNOWN VICTIMS
29.	Rahovec/Orahovac	Drenoc/Drenovac	Around or after [REDACTED] 1998	29.1 [REDACTED] 29.2 [REDACTED]
30.	Rahovec/Orahovac	Drenoc/Drenovac	Around or after [REDACTED] 1998	30.1 [REDACTED]
31.	Rahovec/Orahovac	Drenoc/Drenovac	Around or after [REDACTED] 1998	31.1 [REDACTED]
32.	Rahovec/Orahovac	Drenoc/Drenovac	Around or after [REDACTED] 1998	32.1 [REDACTED]
33.	Rahovec/Orahovac	Rahovec/Orahovac	Around or after [REDACTED] 1999	33.1 [REDACTED]
34.	Rahovec/Orahovac	Rahovec/Orahovac	Around or after [REDACTED] 1999	34.1 [REDACTED]
35.	Rahovec/Orahovac	Rahovec/Orahovac	Around or after [REDACTED] June 1999	35.1 [REDACTED]

	MUNICIPALITY	RELATED LOCATION	APPROXIMATE DATE	KNOWN VICTIMS
36.	Skënderaj/Srbica	Likoc/Likovac	Between [REDACTED] 1998	36.1 [REDACTED] 36.2 [REDACTED] 36.3 [REDACTED] 36.4 [REDACTED] 36.5 [REDACTED] 36.6 [REDACTED]
37.	Skënderaj/Srbica	Likoc/Likovac	[REDACTED] 1998	37.1 [REDACTED]
38.	Skënderaj/Srbica	Likoc/Likovac	Around or after January 1999	38.1 [REDACTED]
ALBANIA				
39.	Kukës District	Former metal factory in Kukës	5 June 1999	39.1 [REDACTED]

SCHEDULE C

ENFORCED DISAPPEARANCE OF PERSONS

	MUNICIPALITY	RELATED LOCATION	APPROXIMATE DATE OF DISAPPEARANCE	KNOWN VICTIMS
1.	Ferizaj/Uroševac	[REDACTED]	[REDACTED] 1999	1.1 [REDACTED] 1.2 [REDACTED] 1.3 [REDACTED] 1.4 [REDACTED]
2.	Prishtinë/Priština	Zllash/Zlaš	19 April 1999	2.1 [REDACTED]
3.	Gjakovë/Đakovica	Jabllanicë/Jablanica	[REDACTED] 1998	3.1 [REDACTED]
4.	Malishevë/Mališevo	Malishevë/Mališevo	Around or after 26 or 27 July 1998	4.1 [REDACTED]
5.	Rahovec/Orahovac	Drenoc/Drenovac	[REDACTED] 1998	5.1 [REDACTED] 5.2 [REDACTED]
6.	Rahovec/Orahovac	Drenoc/Drenovac	[REDACTED] 1998	6.1 [REDACTED]

	MUNICIPALITY	RELATED LOCATION	APPROXIMATE DATE OF DISAPPEARANCE	KNOWN VICTIMS
7.	Rahovec/Orahovac	Drenoc/Drenovac	[REDACTED] 1998	7.1 [REDACTED]
8.	Skënderaj/Srbica	Likoc/Likovac	[REDACTED] 1998	8.1 [REDACTED] 8.2 [REDACTED] 8.3 [REDACTED] 8.4 [REDACTED] 8.5 [REDACTED] 8.6 [REDACTED]
9.	Skënderaj/Srbica	Likoc/Likovac	January 1999	9.1 [REDACTED]