



KOSOVO SPECIALIST CHAMBERS
DHOMAT E SPECIALIZUARA TË KOSOVËS
SPECIJALIZOVANA VEĆA KOSOVA

ANNEX 1 to

Decision on Defence Motion for Judicial Notice of Adjudicated Facts

Public

List of adjudicated facts proposed by the Defence of which judicial notice is taken by the Trial Panel pursuant to Rule 157(2) of the Rules of Procedure and Evidence

No.	Proposed Fact	No. in F01331/A01
735.	Under the Constitution of the Socialist Federal Republic of Yugoslavia ("SFRY") of 1974, Kosovo was an autonomous province within the Republic of Serbia and one of the constituent entities of the SFRY, thus enjoying a certain degree of self-management and autonomy.	1
736.	On 28 March 1989, the Serbian Assembly amended the Constitution of Serbia and thus effectively revoked Kosovo's autonomous status.	2
737.	On 2 July 1990 the Kosovo Albanian delegates of the Assembly of Kosovo gathered outside the parliament building and declared that the revocation of Kosovo's autonomy was unlawful and that the province would participate in the Federation only if it was granted the same status as the other republics. The statement was declared illegal by the Serbian authorities but it provoked a feeling of euphoria among Kosovo Albanians.	3
738.	In 1990, the Assembly of Kosovo and provincial government were abolished.	4
739.	From March 1990, education in the Albanian language was curtailed, as an increasing number of Albanian language schools were closed, and Albanian students and professors were denied access to universities.	5
740.	Between 1990 and 1997, laws, policies and practices were instituted that discriminated against the Albanians. Kosovo Albanians were dismissed from industries, business enterprises, and public institutions, including political, economic and educational institutions.	8
741.	In the early 1990s, Kosovo Albanian newspapers, radio and television stations were closed down, and radio and television broadcasting in the Albanian language was discontinued.	9
742.	In 1993 Kosovo Albanians who had previously worked in the police force in Kosovo purported to set up a ministry of de-	11

	fence as a mechanism to defend against the possibility of attacks by Serbian police or army forces, however, a number of the people involved were immediately arrested and by 1995, most of its members were in detention or had fled the country.	
743.	On 1 October 1997 the police intervened at a rally in Pristina/Prishtinë using tear gas and beating a large number of Kosovo Albanian students.	12
744.	The Serbian authorities continued to encourage immigration or return to Kosovo by Serbs and Montenegrins, including by means of housing benefits, while Kosovo Albanians began to leave the province in large numbers.	13
745.	Starting in 1998 and continuing throughout the war, a leadership reaching across the political, military and police arms of governments of the FRY and Serbia directed and coordinated a campaign of terror and extreme violence implemented in Kosovo by Serbian forces and directed against the Kosovo Albanian population of Kosovo.	14
746.	There was a campaign of violence directed against the Kosovo Albanian civilian population, during which there were incidents of killing, sexual assault, and the intentional destruction of mosques. It was the deliberate actions of these [Serbian] forces during this campaign that caused the departure of at least 700,000 Kosovo Albanians from Kosovo in the short period of time between the end of March and beginning of June 1999.	19
747.	In October 1998, there were also around 14,000 personnel from the Ministry of Internal Affairs of Serbia ("MUP") in Kosovo, which increased to 15,779 in April 1999.	23
748.	In addition to these regular forces, various paramilitary groups under the control of Serbia and acting in concert with the Serbian MUP were also present in Kosovo.	24
749.	The paramilitary groups operating in Kosovo during 1998-1999 included the Scorpions, Arkan's Tigers, the White Eagles (aka Šešelj's men), and the Pauk Spiders.	25
750.	Around 5 March 1998 a police action was carried out in the area of Kline/Klina-Laushe/Lausa, located southwest of	38

	Prekazi/Prekaze. Reports indicated that buildings were attacked with heavy weapons and mortars. Serbian forces from the MUP and forces associated with Serbian special units equipped with armoured personnel carriers and other heavy vehicles were involved in the operation.	
751.	On 28 February and 1 March 1998 Serbian police forces launched an attack on the villages of Qirez/Cirez and Likoshan/Likosane, located two km apart, in the Drenica area. Helicopters, armoured military vehicles, mortars and machine guns were used in the attack. In both cases the Serbian special police forces attacked without a warning and fired indiscriminately at civilians. On or about 5 March 1998 Serbian security forces attacked the family compound of the leader of the KLA, Adem Jashari, in Prekazi-i-Poshtëm/Donje Prekaze, a village located not far from Likoshan/Likosane and Qirez/Cirez, also in the area of Drenica. The fighting, in which armoured vehicles were used, continued for about 36 hours. During the February/March 1998 attacks in the area of Drenica 83 Kosovo Albanians were killed. Among the dead victims were elderly people as well as at least 24 women and children. During the attack on Qirez/Cirez a pregnant woman was shot in the face and a baby was killed in Prekazi-i-Poshtëm/Donje Prekaze. [...]. During the attack on Prekazi-i-Poshtëm/Donje Prekaze the entire Jashari family, except for an 11-year-old girl, was killed.	39-40
752.	Around 6-8 July 1998, Loxhë, Peja Municipality, was attacked by Serbian forces from the direction of Peja. FARK forces participated in the retaking of the town.	42
753.	On 25 and 26 July 1998, the KLA lost control of Llapushnik/Lapušnik in a battle with Serbian forces, which were comprised of Special MUP units, two detachments of 200 men each, and an anti-terrorist unit.	45
754.	Sometime between 8 and 13 August 1998, the Serbian forces conducted operations in the villages including Prilep, Isnîq, Baballoq, Rastavicë, Carrabreg, Kodralija, Dubravë, Irznîq, Shaptej, Gramaqel, and Glllogjan, in Dečan/Dečani municipality, among others.	50

755.	Sometime between 10 and 12 August 1998, the Serbian forces conducted a successful attack on the KLA headquarters in Gllogjan in Decan municipality.	51
756.	From 10-15 September 1998, MUP forces carried out an operation in the area of Bajgora/Bajgore and Stari Trg/Stanterg, Mitrovica municipality.	52
757.	In late September 1998, Serbian security forces surrounded villages in Vushtrri/Vucitrn municipality including Kollë/Kolo, Dubovac/Duboc, Galica/Galice, Becic/Beciq, Oslanje/Oshlan and Zilivoda/Zhilivode and in Skënderaj/Srbica municipality the villages of Ljubovac/Lubavec and Mikusnica/Mikushnice.	55
758.	In late February to mid-March 1999, large operations occurred in Kacanik/ Kacanik and Vushtrri/Vucitrn municipalities. The VJ and MUP carried out an offensive and sealed off the areas where they were conducting operations denying entry to KVM.	62
759.	In March and April 1999, VJ and MUP forces in Turicevac/Turiquec, Tusilje/Tushile and Kline/Klina took part in joint operations in which Kosovo Albanians were expelled from Kosovo.	74
760.	In early April 1999, MUP and VJ forces expelled Kosovo Albanians from the village of Klladërnice/Kladernica out of Kosovo.	75
761.	By 1 April 1999, there were at least 30,000 displaced persons in Bellanice/ Belanica village which had a peacetime population of 3,500.	78
762.	On 1-2 April 1999, there was a planned and deliberate offensive operation in Cerim/Qerim neighbourhood of Gjakovë/Đakovica by Serbian police, including local and reserve policemen.	81
763.	On 26 March 1999, Serbian police and military forces arrived in Drenovac/Drenoc in Dečan/Dečani municipality. On 26 and 27 March 1999 some of the residents fled to Beleg. Displaced persons from Carrabeg/ Crnobreg, Slup/Sllup and other neighbouring villages also gathered in Beleg.	86

764.	In the afternoon and evening of 9 May 1998, the KLA soldiers started to dig trenches and make other fortifications in Llapushnik/Lapušnik village. The trenches were built at night with the help of some young people from the village.	106
765.	In the Dukagjin zone in 1998, the Serbian forces dominated the big roads, while the KLA by and large held the villages and local roads in the interior of the zone.	107
766.	In addition to many hundreds if not thousands of full-fledged KLA soldiers in early 1998, the months of March and April [1998] saw a surge in the number of KLA volunteers, as it gained support among Kosovo Albanian communities abroad. This contributed to the development of a mainly spontaneous and rudimentary military organization at the village level.	108
767.	Small groups of men began to organise themselves in their own villages after the area of the Dukagjin zone began to be shelled and after the Haradinaj family compound was attacked on 24 March 1998. These gatherings of small groups of men in the villages, the village defence organisations, or village guard organisations, were not centrally organised, but were done at the initiative of the villages. This became known as the village defence organisation or the village guard organisation.	110
768.	[In the first half of 1998] There were approximately 17 villages in Baran/ Barane Valley in Pejë/Peć municipality which organised themselves independently; more than half of the villages did not have weapons.	111
769.	By the end of April/beginning of May 1998 most villages in the Dukagjin Zone were surrounded by Serbian armed forces.	112
770.	From March to September 1998, the Dukagjin Operational Zone was an organisation in the process of development.	113
771.	FARK forces were deployed to Kosovo sometime before 25 June 1998.	126
772.	On 20 July 1998, there was a swearing-in or oath-taking ceremony in Baranë for new KLA soldiers, in which both KLA and FARK commanders participated, including Tahir Zemaj and Ramush Haradinaj.	128