

WAR CRIMES IN KOSOVO

A Population-Based Assessment of Human Rights Violations Against Kosovar Albanians

A report by:

Physicians for Human Rights

Boston • Washington DC

In conjunction with:

Program on Forced Migration and Health,
Center for Population and Family Health,
The Joseph L. Mailman School of Public Health,
Columbia University

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PHYSICIANS FOR HUMAN RIGHTS

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Since 1986, PHR members have worked to stop torture, disappearances, and political killings by governments and opposition groups; to improve health and sanitary conditions in prisons and detention centers; to investigate the physical and psychological consequences of violations of humanitarian law in internal and international conflicts; to defend medical neutrality and the right of civilians and combatants to receive medical care during times of war; to protect health professionals who are victims of violations of human rights; and to prevent medical complicity in torture and other abuses.

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The Program on Forced Migration and Health is part of the Center for Population and Family Health at the Joseph L. Mailman School of Public Health of Columbia University. The program was developed in response to the need for technically sound approaches to issues faced by health professionals providing humanitarian assistance in complex emergencies.

The program has three main areas of activity:

- Providing post-graduate training in public health, in preparation for careers in international humanitarian assistance
- Offering short-term training for public health professionals currently working in the field
- Conducting research into the relationship between public health and forced migration

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GLOSSARY

Beating: Considered single episodes of limited duration (less than ten minutes) and intensity.

“Ethnic Cleansing:” A euphemism for the systematic and forced removal of members of an ethnic group from their communities to change the ethnic composition of a region.

FRY: Federal Republic of Yugoslavia

ICRC: International Committee of the Red Cross

ICTY: International Criminal Tribunal for former Yugoslavia

KDOM: Kosovo Diplomatic Observer Mission

KLA/UCK: Kosovo Liberation Army/*Ushtria Clirimtare e Kosoves*

MSF: Médecins sans Frontières

MUP: Yugoslav Ministry of Interior Special Police Unit

NATO: North Atlantic Treaty Organization

NGO: Non-governmental organization

OSCE: Organization for Security and Cooperation in Europe

PHR: Physicians for Human Rights

Serb Forces: Serb police, VJ soldiers and paramilitary forces

Torture: Torture, in this study, was defined according to the United Nations Convention Against Torture ¹

UN: United Nations

UNHCR: United Nations High Commissioner for Refugees

VJ Soldiers: Yugoslav Army (*Vojska Jugoslavia*) soldiers

¹ *Twenty-five human rights documents*. Columbia University Press: New York, NY: Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. 1994.

I. EXECUTIVE SUMMARY

Purpose of Study

The Kosovo crisis has resulted in the largest population displacement in Europe since the Second World War. Journalists and human rights researchers have investigated, documented and reported many individual accounts of human rights violations taking place in Kosovo. There has been no previous human rights-oriented, epidemiological study of Kosovar refugees in Albania and Macedonia—the two countries that hosted the most refugees.² Physicians for Human Rights (PHR) and the Program on Forced Migration and Health of Columbia University's Joseph L. Mailman School of Public Health designed this study to establish patterns of human rights violations among Kosovar refugees by Serb forces using a population-based approach.

The team deliberately did not seek out and select victims of abuses or witnesses to massacres to interview for this study. Rather, the study was designed to assess the pervasiveness of violence and abuses suffered by the refugee population from Kosovo. To this end, we randomly sampled 1,209 Kosovar refugees in 31 refugee camps and collective centers in Albania and Macedonia between April 19, 1999 and May 3, 1999. The survey assessed human rights abuses among 11,458 household members while living in Kosovo.

Survey participants were from 23 of the 29 districts within Kosovo. The average age of participants was 40. Two thirds of the respondents were men and one third were women. Nearly all participants were ethnic Albanian (99%) and Muslim (98%).

At the time of this writing, war crimes investigators have entered into Kosovo to begin the collection of physical evidence of war crimes against Kosovar Albanians. These investigators on the ground are finding evidence of the types of abuses reported to the PHR/Columbia team for this report by refugees who fled Kosovo during the war.

Also, international human rights organizations have documented in July and August, the rise of abuses against Serb and Roma (Gypsy) civilians by Albanians—including killings, intimidation, looting, and bombing of places of worship. PHR has also recently documented abuses against Serb patients in hospitals in

² Only one other study has attempted to address a few of these questions quantitatively, in a population of ethnic Albanians who had fled to Montenegro. See "A Survey of the Kosovar refugees at Rosaye [sic], Montenegro." Vincent Brown, *Médecins Sans Frontières/Epicentre*. April 27, 1999. The survey explored refugee demographics, needs, methods of flight to Montenegro, deaths and separations.

Kosovo and intimidation of Serb physicians. While not the focus of this study, PHR condemns these abuses against the Serb and Roma minorities in Kosovo and urges the International Criminal Tribunal (ICTY) to hold those responsible accountable for their crimes. PHR also urges the UN Civil Administration and the international KFOR troops to create a secure environment for all who reside in Kosovo.

Summary of Findings

The findings of this study indicate that Serb forces engaged in a systematic and brutal campaign to forcibly expel the ethnic Albanian population of Kosovo throughout the province. In the course of these mass deportations, and over the past year in Kosovo, Serb forces have committed widespread violations of human rights against ethnic Albanians including: killings, beatings, torture, sexual assault, separation and disappearances, shootings, looting and destruction of property, and violations of medical neutrality.³ These abuses were experienced on the individual level by a substantial number of refugees. A striking one in every three households (31%) reported among its members at least one of these abuses in the past year. The majority of these abuses (58%) occurred in March and April of 1999. Among the 598 incidents of human rights abuses reported among respondents and their household members, the location where these abuses occurred included 23 of the 29 municipalities of Kosovo. In general, the highest frequencies of abuses were observed in municipalities with the largest population size.

It is clear from this study that until Serb forces departed, to be an ethnic Albanian in Kosovo was to be vulnerable to theft, destruction of property, separation from family members, sexual violations, killing, beating, torture, and/or deportation for no reason other than one's ethnic identity. Such was the lot of many of those whom PHR interviewed. Such accounts of suffering, individually and collectively, are a powerful testimony to the cruelty, thoroughness, and extraordinary breadth of Milosevic's war against unarmed and helpless Kosovar Albanian men, women, and children.

Forced Expulsions

The extent and nature of forced expulsions of ethnic Albanians from Kosovo by Serb forces is abundantly clear from this study. PHR's survey findings

³ Limitations on the generalizability of our findings include the following: 1) refugees who resettled in host families or abroad were not sampled; 2) abuses that individuals have experienced (i.e. torture, killing, sexual assault, etc.) may have prevented them from fleeing Kosovo; 3) refugees arriving in camps/collective center after May 3 (the end of the study) were not sampled; 4) accounts of abuse may have been underestimated by a lack of privacy in the interview setting; and 5) refugees may exaggerate their suffering when they speak with people whom they think might be able to provide assistance.

demonstrated that virtually all (91%) participants were forced, directly or indirectly, to leave their homes simply on the grounds that they were Kosovar Albanians.

Overall, 68% of participants were forcibly expelled by Serb forces. More than one third of survey respondents experienced Serb police or soldiers coming to their homes (36%), demonstrating the pervasive manner in which terror interrupted individual and family life at home. Others were forcibly expelled due to Serb bombing (25%), Serb police or soldiers harming people (4%), and Serb police or soldiers destroying people's property (3%). Furthermore, nearly one quarter (23%) of respondents reported that they left Kosovo because they feared Serb forces.

Only 5 of the 1,180 participants (0.4%) cited the Kosovo Liberation Army (KLA) as the cause of their displacement. Contrary to Serb media reports, not one survey participant cited NATO bombings as a reason for displacement from their home.

Individual case testimonies demonstrated that the expulsions by Serb forces were done in a methodical and ruthless manner. They often included Serb forces coming to homes of Kosovar Albanians and ordering all inhabitants to leave within hours under threat of death. Such expulsions were often associated with destruction of one's home and personal property, and/or physical harm to household members. A.B., a 65-year-old farmer from Degan, reported:

I was tending my cows when the police and VJ soldiers came to my house and told us we must leave in two hours. 'This is not your place. We will burn all of your houses,' they said. They made me lie down on the ground and started to beat me. They did this for the rest of my family to see. As we left, I saw smoke coming from my village. We then went to the village of Ismig, but had to leave there because of the Serb bombings. As we passed through the town of Strelle on our way to the Albanian border, I saw mosques and schools that had been burned. Once we reached the border, the Serb soldiers destroyed all of our documents.

Killings

The PHR study also documented numerous reports of killing of Kosovar Albanian civilians by Serb police, soldiers and paramilitary forces.

Overall, over one third (35%) of survey respondents either witnessed Serb police or soldiers killing someone (14%), or saw dead bodies they believed were killed by Serb police or soldiers (21%).

While participants reported a total of 59 killings among all household members,⁴ they also reported witnessing (97), or seeing physical evidence of killings

⁴ The survey assessed experiences of human rights abuses among 11,458 household members.

(273) among 370 non-household members. Of all killings reported, there were 160 accounts of the killing of 3 or more individuals.

These killings were part of a brutal pattern by the Serbian forces of causing fear and intimidation. The case testimonies indicated that many of the killings by Serb forces were committed in public places, and that witnesses were prevented from removing the bodies for days so that other Albanians could contemplate the possibility of a similar fate. Individuals suspected of being affiliated with the KLA were also targeted and executed.

For example, S.K. a 39-year-old housewife from Medvec reported that on March 20 in the village of Pirane, she saw approximately 5 dead bodies on the side of the road.

The bodies were in a line, every 100 meters. They each wore the white Albanian caps on which crosses with blood had been made. I think this was done by the Serbs so that the blood would be seen by other people.

Beatings/Gunshot Wounds/Threats at Gunpoint

PHR found that Kosovar civilians were routinely beaten by Serb police, soldiers, and paramilitary. Among survey participants, 372 incidents of beatings were reported for the participants and all household members. An additional 28 beatings were reported among non-household members even though this information was not formally solicited. PHR's case testimonies clearly demonstrated that individuals were targeted for beatings simply on the basis of their identity as ethnic Albanians.

Also, PHR identified a number of cases in which civilians suffered from serious injuries as a result of gunshot wounds. Sixteen cases were reported among survey participants and their family members, including many women and children. In addition, respondents reported that 31 household members were threatened at gunpoint by Serb forces.

Torture/Sexual Assault

More extreme forms of cruel, inhuman and degrading treatment were documented in this study as well. PHR documented 44 cases of torture and 4 cases of sexual assault by Serb police, soldiers and paramilitary among survey participants and their household members. Individuals suspected of having arms or connections with the KLA were often targeted for torture.

As our case testimonies demonstrate, the purpose of torture and sexual assault (in the context of war) is not only to cause physical and mental suffering of individual victims, but to undermine the trust and unity of entire communities. Reports of sexual assault were likely underreported in the PHR study due to shame and embarrassment of respondents.

Separation and Disappearances

Among survey participants, 33 incidents of separation and disappearance by Serb forces were reported for the participants and all household members. An additional 13 incidents of separation and disappearance were reported among non-household members even though this information was not formally solicited. While the reports of separation and disappearance by Serb forces were limited in this study, separation from household members for other reasons were very common. On average, respondents were separated from 1.8 household members⁵ in the course of fleeing Kosovo. Such separations represent profound disruptions in the lives of many Kosovar Albanians.

Case testimonies of the participants demonstrated that Serb authorities in Kosovo forcibly separated ethnic Albanian men from women and children, and subsequently, the fate of these men was often unknown. These separations and disappearances commonly occurred at the time of forced expulsion from Kosovo as the following cases illustrates:

M.A., a 20-year-old housewife from Kllojernice, described the following chain of events in her village on April 13:

It was early in the morning at about 7:00 a.m. when our village began to be grenaded by police, paramilitary and VJ forces. At about 9:00 a.m., the police forces came into my yard and told us to go to the school yard. In the school yard, they separated the men from women. I mean all males above 15 years old. We were separated and all the females were started to Albania by force. But from that moment on, we don't know anything about our males. I mean my father, my brother, my uncles and all our cousins.

Destruction/Looting of Property

PHR documented numerous reports of destruction of property owned by Albanians and looting by Serbian police, paramilitary and VJ forces throughout Kosovo. Much of this destruction took place in the context of the forced expulsions, and appeared to represent a "scorched earth policy" so that ethnic Albanians would not return to Kosovo.

The vast majority of those interviewed (89%) witnessed the Serb police or soldiers burning of homes or saw the homes after they had been torched. Furthermore, 186 respondents (16%) saw Serb police or soldiers burn their own home, and an additional 150 participants (13%) saw the after-effect of their house being burned. Nearly half (48%) of all participants witnessed Serb police or soldiers destroying peoples' property, and Serb police or soldiers demanded money or valuables from nearly half (49%) of survey respondents.

⁵ The mean number of household members among participants was 9.7.

Destruction of Social and Cultural Identity

PHR found that Serb forces engaged in acts that represent an attempt to destroy the social and cultural identity of Kosovar Albanians. For example, nearly two thirds (60%) of survey respondents observed Serb forces removing or destroying personal identification documents. The intent of Serb forces to destroy the social identity of Kosovar Albanians is also reflected in the number of places of worship, schools and medical facilities that have been destroyed by Serb forces. Nearly half (47%) of the respondents had seen places of worship destroyed, and 456 respondents (39%) had seen schools that had been destroyed.

Landmines

In addition, refugees also reported seeing landmines being laid by Serb forces. Overall, 134 respondents (11.4%) observed landmines being laid in various regions of Kosovo. The following perpetrators were identified: VJ soldiers (76%), Serb police (31%), paramilitary forces (12%), or civilians. Survey participants reported more than 50 sites where they had observed landmines being laid by Serb forces between March 24 and May 1999. Study respondents did not report seeing landmines laid by members of the KLA.

Violations of Medical Neutrality

A second part of this study involves PHR's investigation of violations of medical neutrality,⁶ that is, the deliberate destruction of medical infrastructure and attacks on medical practitioners in Kosovo. The experiences of ordinary Kosovar Albanians again illuminates the thoroughness and pervasiveness of Serb forces' destruction and violence in Kosovo. Nearly 50% (537) of the 1180 individuals surveyed by PHR reported witnessing a distinct incident of a violation of medical neutrality by Serb authorities or health personnel. For example, 23% of the refugees interviewed saw destroyed Albanian medical facilities;⁷ 20% of survey participants observed Serb police or soldiers forcing medical workers or patients from medical facilities; and 21% observed the misuse of medical facilities by Serb military forces. From the experiences of these randomly selected survey participants, PHR learned of the destruction of at least 100 medical clinics, pharmacies, and hospitals.

⁶ International law provides that when military leaders wage war, they must consider medical personnel, their facilities and vehicles, and their patients neutral and thus immune from attack. See Common Article 3, The Geneva Conventions of 1949. Also see *Medicine Under Siege in the former Yugoslavia*, Physicians for Human Rights, Boston, 1996.

⁷ Study participants also indicated that Serb doctors are responsible for expelling Kosovar Albanian doctors and patients and preventing patients from receiving care.

Implications of the Study Findings

The findings of this population-based survey have wide-ranging implications. They established patterns of human rights violations against Kosovar refugees by Serb forces that will be important in the prosecution of those responsible for war crimes. Knowing the prevalence of such human rights violations among Kosovar refugees also is important to medical and mental health professionals providing care to the refugees now and in the future. Furthermore, the findings of the survey provide knowledge of the primary reasons for refugee flight. This is crucial information to policy-makers and humanitarian workers concerned about the conditions under which the refugees could return. Clearly, the participation of Serb forces throughout Kosovo in abuse of one form or another of the vast majority of Albanian with whom they had contact should preclude their presence within Kosovo in any numbers in the future. Additionally, the extent of destruction of health facilities and the targeted abuse of Albanian doctors offer a strong basis for adding to the indictment of President Milosevic and others the charge of violating medical neutrality, which is a war crime.

Summary of Methods ⁸

The PHR survey specifically assessed the proportion of people witnessing or experiencing: forced expulsions, killings beatings, torture, separation and disappearances, shootings, sexual violations, destruction of personal identification documents, burning of homes and other personal property, use of medical facilities for military purposes, expulsion of patients and doctors, destruction of schools, religious objects and medical facilities, and the laying of landmines by Serb forces.

Additional insight into abuses reported in the survey was provided by individual accounts of human rights violations by study participants. Qualitative, narrative information was provided by 801 (68%) of the 1,180 survey participants.⁹ Fifty additional semi-structured interviews were conducted with health professionals and other individuals regarding violations of medical neutrality by Serb forces.

Recommendations

Following Yugoslav President Slobodan Milosevic's acceptance of NATO's terms and withdrawal of Serb forces (including paramilitary, army, and police), by late July, some 32,000 KFOR international peacekeeping troops have been deployed in Kosovo, approximately one half of the total number pledged for the effort. That force and its U.N. civilian counterpart, which is headed by

⁸ For a detailed description of quantitative and qualitative methods, see the Methods sections of Chapters IV and V respectively.

⁹ This includes 562 (48%) case testimonies and additional details (i.e. name and location of schools and mosques that had been destroyed) from 239 (20%) of participants.

former French Minister of Health, Dr. Bernard Kouchner, have faced the difficult task of militarily stabilizing Kosovo as Serb forces departed. They are now engaged in locating and removing landmines, disarming the KLA of its heaviest weapons, locating and finding shelter for those who are displaced within Kosovo and the hundreds of thousands who are returning from abroad, and helping rebuild many institutions and facilities in the country.

But, despite these accomplishments, KFOR has not prevented gross abuses of human rights by some Albanians against the Serbian and Roma minorities in Kosovo to the extent that it must. Protection of all civilians from atrocities is clearly within the force's mandate and should be its most urgent priority.

Yet, notwithstanding months of advance warning that its presence would be needed, the United Nations has not gained effective control of government functions and the delivery of needed services to the people of Kosovo. Countries that have agreed to contribute KFOR peacekeeping forces or civilian police forces have not done so in sufficient numbers. This has caused a security gap that has placed Serb and other minorities at risk that should have been anticipated and planned for accordingly. Only 100 out of 3,000 international policeforces are in place as of this writing. KFOR has been unwilling to take up a policing role in the interim. Until the international civilian police force has been deployed, NATO troops must take on the role of community policing in their stead, and do so immediately.

The security gap is not the only area where the U.N. has been far too slow. There are no functioning sewage, water, judicial, health, or educational systems in place. According to the International Crisis Group, all this has enabled eager KLA leaders in many localities to create ad hoc administrative arrangements that may or may not prove to be satisfactory long-term solutions for all residents of Kosovo.¹⁰

Physicians for Human Rights calls upon the United States and its allies to take the following actions:

- Instruct the United Nations and KFOR to immediately take such measures as are needed to protect civilians, especially the Roma and Serb minorities, from abuses by Albanian civilians or the KLA. The UN and KFOR must also provide security and other measures to encourage the return of Serbs and other minorities that have departed Kosovo as well as prevent future exoduses.
- Hasten the deployment of the 3,000-member international civilian police force (of whom only 100 have been deployed as of late July) and deploy them in areas where ethnic minorities are at greatest risk.

¹⁰ Statements of Kris Janowski, spokesman, United Nations High Commissioner for Refugees, May 28, June 2, and June 8, 1999. See Report of Kosovo Action Coalition, June 8, 1999.

- Insist upon the release of all Kosovar political prisoners (those arrested last year and those arrested in the period from March-May), said to number 2,000, who are currently being held in Serbia.
- Deploy an independent and vigorous human rights monitoring team with instructions to make all reporting public. Support the formation of a Kosovar Human Rights Ombudsman's Office.
- The International Criminal Tribunal for former Yugoslavia (ICTY) should investigate war crimes committed or discovered in Kosovo since the issuance of its indictment against President Milosevic and others, whether these crimes were committed against Kosovar Albanians, Serbs, or Roma.
- Make humanitarian demining, landmine awareness campaigns, and a coordinated survey of landmine incidents, an immediate priority to prevent massive loss of life and limb to returning refugees, the internally displaced, and the peacekeeping forces.

Physicians for Human Rights calls upon the International Criminal Tribunal for the former Yugoslavia to take the following actions:

- Amend the indictment of President Milosevic and four other Yugoslav officials to include gross violations of medical neutrality.
- In all investigations, coordinate with families so that their rights to return home and have access to their family members and the remains of their family members are assured.

Physicians for Human Rights calls upon international donors, United Nations agencies and non-governmental agencies to take the following actions:

- Develop relief, housing, health care, water, and other reconstruction efforts in explicit cooperation with Kosovar organizations, including the local medical association and Mother Theresa Society.
- Support local Kosovar organizations that are reconstituting themselves and take pains that their role in service to their community not be substituted by foreign nationals.
- Develop an extensive program of mental and physical health care, in consultation and cooperation with Kosovar health professionals, to reconstitute an indigenous health system in Kosovo. Serious efforts should be made to integrate those Serb health care professionals who were not implicated in abuses against patients or others in the past, into the new system.
- PHR urges all international agencies to attend to psychological issues in all of their efforts to rebuild civil society on behalf of all of the traumatized.

Kosovar population (both Albanian and Serb). In new structures of health care in Kosovo post-crisis, PHR advises the integration of a robust mental health service to assess the needs of all Kosovar communities and provide for individual and group support and treatment.

II. POLITICAL BACKGROUND

Gross violations of internationally recognized human rights have been perpetrated routinely against Kosovar Albanians by Serb authorities since the province's autonomy was revoked in 1989. The repression and discrimination against the Albanian majority in Kosovo has been so extreme that they have had to develop their own structures and institutions. Those institutions, particularly in the areas of health and education, stood the Kosovar Albanian community in good stead for the past decade, and civil society flourished in Kosovo. Increasing repression by the Federal Republic of Yugoslavia (FRY), headed by President Slobodan Milosevic against Kosovar Albanians and the failure of peaceful resistance efforts led to the emergence of an armed insurgency, the Kosovo Liberation Army (KLA), and the beginning of armed conflict with Serb forces in 1998.

The Serb police took the lead in an incalculably brutal counterinsurgency campaign against the KLA beginning in approximately March of 1998, and were later joined by the Yugoslav army (VJ) and paramilitary terrorists, including Arkan's death squad which had been responsible for extensive atrocities against civilians during the Bosnian war. The essence of the counterinsurgency war has been a carefully planned and methodically executed campaign of terror characterized by mass deportation of over 800,000 Kosovar Albanians from their homeland, according to the United Nations High Commissioner for Refugees, and displacement of almost all those who remain in Kosovo. Thousands of noncombatants have been killed and the Albanian civil society institutions that served Kosovars so well for a decade targeted for obliteration.

Physicians for Human Rights has closely monitored one particularly egregious feature of President Milosevic's war against the people of Kosovo: the Serb authorities' systematic campaign to destroy the Kosovar Albanian medical system. For the past year, Serb forces have systematically eliminated health and medical services for Kosovar Albanians through the targeted killing of Albanian doctors, the arrest and prosecution of doctors and other medical personnel for providing health care to presumed combatants and civilians in contested areas, forced expulsions of Albanian medical personnel and Albanian patients from medical facilities and, the physical destruction of at least 100 hospitals, clinics, and pharmacies in the course of the past year.

PHR, which documents violations of medical neutrality around the world, has never before seen such an extensive, organized, comprehensive, or violent program to destroy a health system and its practitioners. It has had the calamitous consequence of depriving the civilian population of health and medical

care when they are under military attack and thus most in need of it, of forcing physicians out of their important positions as community leaders, and destroying an extraordinary parallel health system that developed as a part of Kosovar civil society when Albanians were excluded from Serb facilities in 1990.

Serb forces in Kosovo have routinely and flagrantly violated virtually every feature of international human rights and humanitarian law aimed at protecting civilians. They have engaged for years in torture, arbitrary detention, and extrajudicial killings, which violate the Federal Republic of Yugoslavia's treaty obligations under the International Covenant on Civil and Political Rights, and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

With the escalation of the conflict in Kosovo to that of internal armed conflict (which was so designated by the International Criminal Tribunal for Former Yugoslavia in July 1998), provisions of international humanitarian law also apply. Common Article 3 and Protocol II to the Geneva Conventions apply to internal armed conflicts, and Serb actions in Kosovo explicitly violate them, as they do various United Nations General Assembly resolutions. Protocol II, for example, requires that persons taking no active part in the hostilities, including soldiers placed *hors de combat*, be treated humanely. Violence, murder, mutilation, cruel treatment and torture are prohibited, as is the taking of hostages, outrages upon personal dignity, humiliating and degrading treatment, the passing of sentences and carrying out of executions are explicitly prohibited. Applicable international humanitarian law also prohibits attacks on such civilian structures as churches, houses, and schools. And, Article 14 of Protocol II prohibits the destruction of facilities indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works.

Physicians for Human Rights also considers that the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide apply to Kosovo. In our view, President Milosevic's carefully planned campaign to rid Kosovo of its Albanian majority represent, in the words of the Convention on the Prevention and Punishment of the Crime of Genocide, an intent to destroy, in whole or in part, a national, ethnic (sic), racial or religious group..." The tactics employed against Kosovar Albanians to ensure their deaths or permanent exile from their homeland are precisely those described in the Convention: "killing members of the group [and] deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part."

PHR views the physical destruction of Kosovar-Albanian homes, cultural monuments, identity documents, and the mass killing that accompanied the expulsion of half the Albanian population either from the country altogether or from their homes within Kosovo as genocide, because it has destroyed, at least in part, an ethnically-described community.

Physicians for Human Rights called upon the United States early in the conflict, in June 1998 and again in January 1999, to prevent genocide and intervene

militarily with a ground protection force to save Kosovar Albanian civilians from mass death and deportation. The organization viewed this protection to be required as means of preventing crimes against humanity, which were unfolding in Kosovo even before the upsurge of deportations and killings in March 1999, and which PHR believes escalated to genocide thereafter. The United States, as a signatory to the Genocide Convention, has a legal obligation to prevent and punish that crime, and PHR viewed ground troops as the likeliest way to accomplish that goal.

On May 24, 1999, the International Criminal Tribunal for the former Yugoslavia indicted President Milosevic and four senior members of the Serbian and Yugoslav governments for crimes against humanity and violations of the laws of war. Though the charges are limited to crimes committed after January 1, 1999, they include a significant number of massacres, including Racak, Bela Crkva, Velika Krusa and Mali Krusa, Djakovica, Crkolez, and Izbica and, significantly, attribute personal responsibility to all five, and command responsibility to four of the five indictees, including President Milosevic. The indictment is also significant in that the Tribunal issued an arrest warrant in every member country of the United Nations plus Switzerland and called upon all states, including Switzerland, to freeze assets of those indicted, wherever they might be.

President Milosevic's crimes against humanity in Kosovo have been carried over the past year in full view of the watching world, which has engaged in political, diplomatic, and military efforts to counter them. The U.N. Security Council passed Resolution 1160 in March 1998 and Resolution 1199 in September 1998, which called an arms embargo on the FRY, partial withdrawal of Serb security forces from Kosovo, unimpeded access by humanitarian groups and cooperation with the International Criminal Tribunal for the former Yugoslavia. Repeated violations of the U.N.'s terms led to U.S.-Yugoslavia negotiations, between U.S. special envoy Richard Holbrooke and Slobodan Milosevic in October 1998 that again placed limits on troop levels in Kosovo and secured the deployment of international monitors under the auspices of the Organization for Security and Cooperation in Europe.

The so-called "Holbrooke Agreement" was violated by the FRY, as Serbian forces poured into Kosovo and human rights abuse accelerated, even with international monitors present. Following the massacre of 45 civilians at Racak, negotiations led by representatives of the U.S., Russia, and the European Union convened at Rambouillet, France in February 1999 to develop a peace agreement, which, following the acceptance of its terms by Kosovar Albanians, was presented to President Milosevic as an ultimatum. The package called for withdrawal of most Serb forces for Kosovo, the deployment of NATO troops within Kosovo, full access by humanitarian groups, and the prospect of a referendum on political autonomy for Kosovars in the future.

When Milosevic refused to accept the Rambouillet package, the nineteen NATO governments responded with a campaign of targeted aerial

bombardment which began on March 24. The bombing campaign was presented to the American people by President Clinton as an intervention explicitly aimed at securing an end to human rights violations by Milosevic's forces against the people of Kosovo. The hope and expectation by the NATO powers was that pinpoint bombing would quickly persuade Milosevic to withdraw his forces from Kosovo and accept the Rambouillet terms. President Clinton and other U.S. and European officials took pains to assure their own citizens as well as President Milosevic that an interventionary ground force was not under consideration, and that peacekeepers would only enter Kosovo when President Milosevic agreed to their presence.

Notwithstanding the hopes and intentions of the NATO powers, it was clear within days, however, that the bombing campaign did not persuade Milosevic to pull back. On the contrary, President Milosevic seized the occasion of the NATO attack to accelerate his campaign to rid Kosovo of Kosovars, and he has succeeded in redrawing the demographic map of Kosovo by terrorizing or forcibly transporting nearly half of the population to other countries and by displacing from their homes most of those who remain inside the province.

Despite the failure of the bombing campaign to achieve NATO's stated goals, the U.S. Government and its allies did not change their military strategy or consider the introduction of ground forces in an "impermissible" environment. Thousands of bombing sorties, all at very high altitudes aimed at preventing NATO military losses, continued for 11 weeks without a single NATO combat casualty. While NATO certainly did not target civilians, its rules of engagement nonetheless had three troubling implications. First, the high-speed, high-altitude bombing enhanced the possibility of errors by pilots, which multiplied in recent weeks and resulted in numerous collateral civilian casualties. NATO reports that the air war caused the death of 1,500 Serb civilians and injury of 5,000, and the destruction of several hospitals and the destruction or damage of various international embassies in Belgrade, including China's. Second, military analysts have noted that bombing from very high altitudes minimized the prospect of NATO pilots engaging in close-in targeting of tanks and troops, which might have done more to protect Kosovars from abuses by those forces and force the withdrawal of Serb police, military, and paramilitaries, particularly in the early weeks of the conflict. Third, the expansion of targets to civilian or dual-use structures, such as the electrical system increasingly punished the civilian population of Serbia for the depredations of its government.

By mid-June, President Milosevic had agreed to NATO's demands that Serb forces (including paramilitary, army and police) be withdrawn from Kosovo and international forces permitted to enter, with NATO troops at the core of the force (KFOR). Refugee accounts of massacres of Albanian civilians indicate that the departing Serb forces accelerated their abuses as they left, and killed hundreds of civilians as well as burning corpses in mass graves and destroying other physical evidence of past atrocities. Forensic investigators from the

International Criminal Tribunal for the former Yugoslavia entered the country and found physical evidence of many of the abuses reported in this study—including killings and torched and looted homes, schools, places of worship, and medical facilities.

KFOR will eventually include 50,000 troops in Kosovo, of whom some 32,000 have been deployed thus far. They, and their civilian counterparts at the U.N., face a daunting array of tasks, including demining, demobilization of the KLA, and assisting in the rebuilding of Kosovo. But no task is more urgent than that of providing security to all civilians at risk in Kosovo. Indeed, the mandate of the international force is explicit: the military agreement between NATO and Yugoslavia authorizes KFOR, to take “all necessary action to maintain a secure environment for all citizens.” And United Nations Security Council Resolution 1244 similarly states that the force’s mandate “will include entrusting public safety and order until the civilian presence can take responsibility for this task.”

Notwithstanding the large number of international forces now deployed, however, KFOR command and the UN Civil Administration have not protected vulnerable Serb and Roma minorities from abuses by returning Albanian civilians or the KLA. Nor has the UN gained effective control of government functions and the delivery of needed services to the people of Kosovo. On July 23, fourteen unarmed Serb farmers were slain as they worked in their fields.¹¹

International human rights groups have reported killings of Serbs, burning of Serb homes, and bombing of Serb places of worship. Several PHR representatives witnessed beating of Serb civilians, harassment of Serb patients and intimidation of Serb physicians. Many Serb physicians have reportedly left Kosovo for fear of their safety.

KFOR representatives have repeatedly stated that it is not possible to prevent such abuses, and instead have appealed for that task to devolve to the international civilian police presence, which will eventually number 3,000 but whose force is currently only 100 within Kosovo. That stance is contradicted by the explicit protection mandate of the KFOR force.

With the departure of Serb forces in June, the bulk of the Kosovar Albanian refugee diaspora had returned home (over 700,000 of some 800,000 refugees have returned to Kosovo from Albania and Macedonia) by late July, 1999. Hundreds of international aid officials have flooded Kosovo and millions of dollars are pledged to the effort of reconstructing housing and reconstruction. Their task must be to assist indigenous efforts by local civil society leaders, not to overwhelm or supplant their efforts.

¹¹ Chris Hedges, “Slaying of Serbs Sets Back Effort for Kosovo Peace,” *New York Times*, July 25, 1999.

III. HISTORICAL BACKGROUND

Geography and Ethnic Composition

Kosovo, a diamond-shaped territory of 10,887km², sits at the center of the Balkans. Mountains and hills ring its perimeter, forming borders with Albania to the southwest, Macedonia to the Southeast, Montenegro to the west, and Serbia elsewhere. Long treasured for its rich deposits of silver, lead, zinc, nickel, bauxite, chrome, iron, coal and copper, Kosovo was one of the main mining regions of the former Yugoslavia. The area brims with other precious resources: excavated Roman settlements, frescoed Serbian Orthodox medieval monasteries, classic Ottoman-period mosques and examples of Albanian folk architecture, such as Dukadjinska towers.¹²

The 1981 census was the last in which the majority Albanian population participated. At that time, the population of nearly 1.6 million was composed of 77.4% ethnic Albanian Kosovars (1,226,736), 13.2% Serbs (220,947) and 10% other (including 58,562 Slavic Muslims, 34,126 Romany, 27,028 Montenegrins, 12,513 Turks and 8,718 Croats).¹³ Estimates are that the current population of Kosovo is between 1.8 and 2.1 million of which approximately 85-90% are ethnic Albanians and 5-10% are Serbs.¹⁴

History¹⁵

Before its contemporary inclusion in Yugoslavia, the region known as Kosovo was sequentially ruled by the Roman Empire, Byzantine Empire, Bulgarian Tsars (mid 9th to early 11th century), Byzantine Empire (early 11th to late 12th century), Serbian Empire (late 12th to mid 15th century), and Ottoman Empire (mid 15th to early 20th century).

The current-day Albanians trace their ancestry to early tribes present in the Balkans in pre-Roman and Roman times. The Serbs reached the Balkans in the early 600s, their tribes descending from central Europe north of the Danube.

¹² *Treasures of Yugoslavia, An encyclopedia touring guide*. Belgrade, 1983; Malcolm, N. *Kosovo, A Short History*. New York University Press, 1998.

¹³ Helsinki Committee for Human Rights in Serbia Bulletin: "Report on National Minorities in Kosovo." January, 1999 p. 70

¹⁴ International Criminal Tribunal for the former Yugoslavia: "The Prosecutor of the Tribunal against Slobodan Milosevic, Milan Milutinovic, Nikola Sainovic, Dragoljub Ojdanic, Vlatko Stojiljkovic." May 22, 1999.

The Serbian Orthodox Church was granted autonomous status in 1219 and was seated first in Kraljevo, part of modern day Serbia. However, after Tatar and Cuman forces burnt down the monastery buildings there, the archbishopric was relocated to Pec, in western Kosovo. Artists produced beautiful, frescoed churches in the 1200s. Later, during Ottoman times, Albanian guardians protected certain of the monasteries, warding off bandits.¹⁶

Albanians remained present in Kosovo throughout the period of Serbian rule from the beginning of the thirteenth century to the middle of the fifteenth. At the time, the Serbs also ruled other territories such as Macedonia and much of northern Greece.

Serbian epic poetry celebrates the lost 1389 Battle of Kosovo as the end of the medieval Serbian Empire. Held at Kosovo Polje, a few miles to the northwest of Pristina, the clash was actually only one of a series with the Ottomans, and the Serbian state survived for 70 more years. Albanians fought on the side of the Serbs.¹⁷

Although historians say the Battle of Kosovo may have been more of a draw than a defeat, its mythological significance blossomed during the nineteenth century, when Serbian leaders popularized poetic folk songs about it in an effort to raise national consciousness and foster rebellion against the Ottoman Turks¹⁸. The lesson, 'better to die in battle than to live in shame,' was attributed to the Serbian leader, Prince Lazar. Both Lazar and the Ottoman Sultan, Murad, were killed in the Battle.

The Ottomans took control of Kosovo in the 1450s and it was not to become part of a Serbian entity again until the twentieth century. The Ottoman times were a period of population flux. Both Serbs and Albanians, as well as others, lived in the territory that is now Kosovo, but also migrated based on invasions,

¹⁵ Recently, two thorough English-language histories of Kosovo have been written by British historians: Malcolm, Noel. *Kosovo, A Short History*; and Vickers, Miranda, *Between Serb and Albanian: A History of Kosovo*, Columbia University Press, 1998. A standard two-volume text on the history of Yugoslavia is: Jelavich, Barbara, *History of the Balkans : Twentieth Century (The Joint Committee on Eastern Europe Publication Series, No. 12)* Cambridge University Press, 1983; Jelavich, Barbara, *History of the Balkans: Eighteenth and Nineteenth Centuries (The Joint Committee on Eastern Europe Publication Series, No. 12)* Cambridge University Press, 1983. This section is culled from these sources and others mentioned in footnotes.

¹⁶ Vickers, M. *Between Serb and Albanian*, pp. 55, 92. The traditional Albanian code of laws, the Kanun of Lek Dukagjini, prescribes severe punishment for all who fail to respect churches of whatever denomination.

¹⁷ Jelavich, Barbara. 1983. *History of the Balkans : Eighteenth and Nineteenth Centuries*, page 31; Vickers, M. *Between Serb and Albanian*, p. 13. Malcolm [*Kosovo, A Short History*, p. 62] also cites evidence that certain Serbian (and possibly Albanian) contingents from previously conquered territories fought on the side of the Turks.

¹⁸ Malcolm, N. *Kosovo, A Short History*, pp. 58-80; Vickers, M. *Between Serb and Albanian*, pp. 13, 15.

revolts, violence, and economic opportunities. Many Serbs left in the seventeenth and eighteenth centuries. Detailed censuses were not carried out until the 1800s, and even these are questionable. By the 1890s, there were roughly 70% Muslims (mainly Albanians, but also some Turks, Muslim Gypsies, Circassians and Muslim Slavs) and 30% non-Muslims (mainly Serbs, but also some Catholic Albanians, Orthodox Gypsies, Vlachs and Jews).¹⁹

The first major conflict between Serbs and Albanians came in 1878, in the form of a Serb and Montenegrin incursion into Ottoman Kosovo.²⁰ After a peace accord assigned some Albanian-inhabited territory to Slavic states, Albanian leaders gathered in Prizren, a western city of Kosovo, and formed a military-defensive league to protect against foreign invasions.

Over time, this Prizren League began to demand that the Ottoman Empire allow the Albanian populations to unite in a single province, with Albanian language schools.²¹ Revolts in the early 1900s, including some in which a number of Serbs were killed, led to a granting of this request in 1912.

However, that same year, Serbian and Montenegrin forces invaded Kosovo and triumphed over the Ottomans and their Albanian defenders. Characterized by gruesome atrocities committed by all sides, the Balkan Wars seemed to set a general theme of brutality for the rest of the century.²² Foreign journalists and anthropologists, such as Edith Durham, reported large-scale atrocities by the forces against the Albanian population. These included mass killings, forced conversions to Orthodoxy and destruction of Albanian property.²³

An international commission sponsored by the Carnegie Endowment on the Balkan wars in 1914 reported: 'houses and whole villages reduced to ashes, unarmed and innocent populations massacred...such were the means which were employed and are still being employed by the Serb-Montenegrin soldiery, with a view to the entire transformation of the ethnic character of regions inhabited exclusively by Albanians.'²⁴

At the end of these Balkan Wars, an independent Albanian state was recognized in the 1913 Treaty of London. However final borders established by the

¹⁹ Ottoman and Austrian studies cited in Malcolm, N. *Kosovo, A Short History*, p. 194. Census numbers were disputed by some Serbian historians who said Albanian-speaking Slavs should be counted as Serbs. The argument that some Albanians were really Serbs was used later by Serbian nationalists to deprive Albanians of minority rights in Serbia.

²⁰ Vickers, M. *Between Serb and Albanian*, p. 43.

²¹ Malcolm, N. *Kosovo, A Short History*, pp. 221-223; Vickers, M. *Between Serb and Albanian*, p. 38. Albanian-inhabited areas were split into separate units called *vilayets* to avoid the alignment of the Albanians. Ottoman administrators usually preferred to create mixed units, to reduce any risks of national state-formation.

²² Deak, Istvan, "Out of the Past," *The New Republic*, June 8, 1998, p. 5

²³ Multiple reports are cited in Malcolm, N. *Kosovo, A Short History* 1998, p. 254; and Vickers, M. *Between Serb and Albanian*, p. 77. Many of the descriptions read as if they could have been written about current events in the region.

Powers later that year meant more than half of the total Albanian population was left outside of the new Albanian state, including those in Kosovo.²⁵

In July 1914, Austria-Hungary declared war on Serbia (accusing it of planning the killing of Archduke Francis Ferdinand) and World War I commenced. World War I brought a whole new set of atrocities to the region. After the Austrian and Bulgarian armies retreated from Kosovo in 1918, the entering Serbian army massacred Albanians in retaliation.²⁶

Following the war, the new Yugoslav State was proclaimed on December 1, 1918 as the kingdom of Serbs, Croats and Slovenes. Kosovo was included as part of Serbia.²⁷

During the inter-war period, Serbs continued to attempt colonization of Kosovo, which had an Albanian majority. Although Kosovo was already the most densely populated area in Yugoslavia, expropriated Albanian land and tax relief was offered to settlers in an effort to change Kosovo's demographics.²⁸ Rights that were granted to most minorities in Yugoslavia were denied the Albanians; they were not recognized as a national minority.²⁹

Albanian rebels, known as *kachaks*, led armed uprisings against Serbian rule. The better-armed Yugoslav army put them down, destroying many villages and carrying out thousands of reprisal killings.

In the late 1930s, more Albanian land was confiscated. However, because the colonization policies had not substantially succeeded in changing the ethnic mix, Serbian officials and intellectuals made plans to deport Kosovo's Albanian

²⁴ Carnegie Endowment for International Peace, *The Other Balkan Wars: A 1913 Carnegie Endowment Inquiry in Retrospect 151*. 1993. This book was originally published in 1914 as *Report of the International Commission to Inquire into the Causes and Conduct of the Balkan Wars*. The quote can be found in Malcolm, Noel, *Kosovo, A Short History*, chapter 13.

²⁵ Vickers, M. *Between Serb and Albanian*, p. 84.

²⁶ Vickers, M. *Between Serb and Albanian*, p. 93.

²⁷ However, Malcolm [*Kosovo, A Short History*, chapter 13] points out that Kosovo was never legally incorporated into the Serbian state.

²⁸ Vickers, M. *Between Serb and Albanian*, p. 106; Malcolm, N. *Kosovo, A Short History*, chapter 14.

²⁹ As mentioned above, this was partly due to a theory popularized by nationalist Serbs that Albanians were not a distinct ethnic groups, but were really Albanian-speaking Serbs.

³⁰ A notable example was historian and politician Vaso Cubrilovic, a member of the Serbian Academy of Arts and Sciences, who presented a memorandum entitled "The Expulsion of the Albanians" to the Royal Yugoslav government in 1937. It has been called the "blueprint for ethnic cleansing" of the Albanians and is reprinted in *That was Yugoslavia: Information and Facts*, nos. 4-5 (1993), pp. 6-28.

population to Albania and Turkey.³⁰ Thousands left, but the start of the Second World War prevented the plans from coming to full fruition.

During World War II, Albanian/Italian, Bulgarian and German forces occupied and partitioned Kosovo. The Germans took the mine-rich northern tip of Kosovo; the mine at Trepca supplied roughly 40% of Germany's consumption of lead.

The World War II period in Yugoslavia was marked by atrocities. Nationalist Serbs (Chetniks), Croats (Nazi Ustache), and a communist group led by Josef Broz Tito engaged in a gruesome civil war. The Serbs suffered astounding losses at the hands of the Croatian Ustache, while Croats, Bosnian Muslims, and Albanian Muslims were brutally attacked by the Chetniks.

Albanians drove out the Serb settlers, and new immigrants from poorer regions of northern Albania entered Kosovo. Many Montenegrins and Serbs were forced to flee to Serbia and some of their churches were looted and destroyed.³¹

In late 1944, Yugoslav Partisan, as well as Soviet and Bulgarian, forces 'liberated' the various parts of Kosovo. In 1945, with the formation of Yugoslavia under Josip Broz Tito, Kosovo was annexed to Serbia, rather than joined to Albania, which was preferred by many ethnic Albanians. Kosovo became an autonomous region with rights to direct its own economic and cultural development, prepare a plan for its own budget, protect the rights of its citizens, and more. The free use of the Albanian language grew in official life and education.

However, when relations with Albania soured at the time of Yugoslavia's break with Moscow, ethnic Albanians living in Kosovo became viewed as potential traitors. Authorities treated them with hostility, subjecting them to arms searches, arrests and beatings. Various official methods were used to pressure hundreds of thousands Kosovo's Albanians to emigrate to Turkey, in a continued effort to change the ethnic balance of Kosovo to Serb advantage.³²

Serbs held far many more public jobs and governmental positions in Kosovo than their proportion in the population, creating an ethnic imbalance. In the late 1960s, Albanians decried what they considered colonial policy. Reforms at last took place. The University of Pristina was formed in 1969, with teaching in Albanian as well as Serbo-Croat, and there was a partial correction in ethnic composition of public employees. As Albanians were given more rights, Serbs living in Kosovo began to complain of anti-Slav discrimination.

The 1974 Yugoslav constitution-which remained in force until the final break-up of Yugoslavia-gave the autonomous provinces of Kosovo and Vojvodina a status nearly equal to the six republics, with direct representation on the main federal Yugoslav bodies and right to issue their own constitutions.³³ Over

³¹ Vickers, M. *Between Serb and Albanian*, p. 140.

³² Vickers, M. *Between Serb and Albanian*, p. 149. Malcolm, N. *Kosovo: A Short History*, p. 320.

³³ The two provinces were not given the right to secede from Yugoslavia. The six republics of Yugoslavia included Serbia, Montenegro, Bosnia-Herzegovina, Croatia, Slovenia and Macedonia.

the past few decades, Serbs migrated out of Kosovo, echoing the flow from under-developed to more developed areas occurring in the rest of Yugoslavia. Living standards stood at less than one-third the level of Yugoslavia as a whole. The proportion of ethnic Albanians increased from roughly 70% in the early 1960s to 85-90% in pre-war Kosovo.³⁴

Recent Political Situation³⁵

The 1980 death of Tito, Yugoslavia's leader since World War II, heralded a decade of instability and increasing tensions in Yugoslavia and Kosovo. The following year, Albanians demonstrated for better living conditions, democratic reforms and Republic status for Kosovo. Arrests and long prison sentences followed.

For their part, Serbs began to accuse Albanians of trying to create an ethnically pure province. A wave of Serb nationalism was triggered, in part, by the notorious draft Memorandum of the Serbian Academy of Arts and Sciences which railed against the "depressing condition of the Serbian nation," blamed this condition on the other Yugoslav republics, and insisted that "in order to satisfy Serbia's legitimate interests," Kosovo and Vojvodina must become "integral parts of the Republic of Serbia." Manipulating the words 'war' and 'genocide', the Memorandum alleged that in Kosovo a special "war, prepared by administrative, political, and legal changes made at various periods, was declared against the Serbian people."

Slobodan Milosevic, deputy to the Serbian Communist Party president, capitalized on Serbian resentment. In 1987, he visited Kosovo, giving a rousing extemporaneous speech on the sacred rights of the Serbs to an angry crowd of activists. Serbian television aired the speech repeatedly.

Over the next several years, Milosevic gained leadership of the Communist party and installed his supporters in Kosovo, provoking demonstrations and strikes by Albanians. Then, in 1989, under a State of Emergency and extraordinary pressure tactics, the Kosovo Assembly accepted a new constitution handing authority to Serbia, although not by the two-thirds majority usually required for such changes. Nevertheless, Serbia confirmed the changes and gained control of Kosovo's police, courts, civil defense, education, social and economic policy, and choice of an official language.

Following this, Kosovars resigned from the government and the delegates to the Assembly proclaimed an Independent Republic of Kosovo within Yugoslavia. Kosovo's population overwhelmingly accepted the Republic in a 1991 referendum—87% of one million eligible voters participated, with

³⁴ Migration patterns and census information are discussed in Malcolm, N. *Kosovo, A Short History*, pp. 331-333.

³⁵ For more detailed information on the recent political situation, see the International Crisis Group report, "Kosovo Spring," March 20, 1998; Malcolm, N. *Kosovo, A Short History*; and Vickers, M. *Between Serb and Albanian*.

99.87% in support. The following year, the Democratic League of Kosovo (LDK) won control of the “shadow” parliament and elected a pacifist intellectual, Ibrahim Rugova, as President.

Meanwhile, the Yugoslav republics of Slovenia, Croatia and Bosnia-Herzegovina had declared their independence, and war broke out that did not end until late 1995. In 1992, a commission of international constitutional lawyers advising Western governments concluded that the entire Yugoslav State had dissolved into its constituent units.³⁶ This supported a right to self-determination of the federal units, opening the way for recognition of the newly independent republics. However, the commission did not address whether Kosovo was one of these constituent units. Serbia continued to view Kosovo as part of Serbia

The LDK now sought full sovereignty and independence for Kosovo and Rugova committed to pursuing these goals through strictly non-violent means. Throughout the 1990s, the shadow parliament, although unable to convene, organized many spheres of life, including education, finance and health through its committees.

Rugova traveled to foreign capitals, publicizing the attacks on Albanian human rights by Serbian police units operating in Kosovo. He assured the Albanian population that their independence was only a matter of time.

Cracks in Rugova’s authority began showing shortly after the failure of the 1995 Dayton Agreement, which ended the war in Bosnia, to address Kosovo’s status and problems. Albanian extremists, enraged by continuing repression, led several attacks on Serbian police officers, Serb civilians, and Albanians loyal to the Serbian State. In 1996, a formerly unknown militia calling itself the Kosovo Liberation Army (KLA) began claiming responsibility for these attacks.

Human Rights Violations before the Armed Conflict

Since Serbia usurped Kosovo’s autonomy in 1989, discriminatory laws have led to the mass firings of ethnic Albanians and confiscation of their property. Furthermore, Serbian police have perpetrated widespread human rights violations against Kosovo’s ethnic Albanian majority. Obstruction by Serbian and Yugoslav authorities has made investigation of these crimes difficult at various times. Nevertheless, a variety of independent human rights organizations, local Serbian and Kosovar human rights organizations, and United Nations and international governmental researchers have investigated and reported on human rights violations and demanded an end to them.³⁷

Yearly resolutions adopted by the United Nations General Assembly throughout the 1990s offer perhaps the best brief summary of the range of

³⁶ Known as the Badinter Commission. See Malcolm, Noel, “Kosovo and Bosnia: Three Points” Bosnia Report, March-May, 1998, published by the Bosnian Institute, London, p. 10.

violations, which have affected nearly every aspect of life in Kosovo. One listed the following abuses:³⁸

- (a) Police brutality against ethnic Albanians, the killing of ethnic Albanians resulting from such violence, arbitrary searches, seizures and arrests, forced evictions, torture and ill-treatment of detainees and discrimination in the administration of justice;
- (b) Discriminatory and arbitrary dismissals of ethnic Albanian civil servants, notably from the ranks of the police and the judiciary, mass dismissals of ethnic Albanians, confiscation and expropriation of their properties, discrimination against Albanian pupils and teachers, the closing of Albanian-language secondary schools and university, as well as the closing of all Albanian cultural and scientific institutions;
- (c) The harassment and persecution of political parties and associations of ethnic Albanians and their leaders and activities, maltreating and imprisoning them;
- (d) The intimidation and imprisonment of ethnic Albanian journalists and the systematic harassment and disruption of the news media in the Albanian language;
- (e) The dismissals from clinics and hospitals of doctors and members of other categories of the medical profession of Albanian origin;
- (f) The elimination in practice of the Albanian language, particularly in public administration and services;
- (g) The serious and massive occurrence of discriminatory and repressive practices aimed at Albanians in Kosovo, as a whole, resulting in widespread involuntary migration.

The disruption caused to the society was so profound that Kosovo Albanians organized a series of parallel civic structures, notably primary health care and education. These were funded in large part by a voluntary tax requested of diaspora Albanians.

In addition, Serbian laws of 1989 and 1990 forbade Albanians in Kosovo from buying or selling property without specific permission, and annulled sales of property to Albanians by departing Serbs.

Amnesty International researchers and others documented police violence and torture in the province beginning in 1989, substantiating charges of torture

³⁷ These include, but are not limited to: Physicians for Human Rights, Human Rights Watch, Amnesty International, the Society for Threatened Peoples, International Federation of Human Rights Leagues, Helsinki Committee for Human Rights in Serbia, Council for the Defense of Human Rights and Freedoms, Minnesota Advocates (formerly Minnesota Lawyers Committee for Human Rights) and various United Nations subcommittees.

³⁸ United Nations General Assembly resolution 49/204, December 23, 1994.

and ill-treatment.³⁹ Many extra-judicial deaths occurred in custody. Detainees were frequently kept incommunicado following arrest, inaccessible to lawyers and family.⁴⁰

The treatment of students deserves further note. In addition to being kept out of official classrooms and universities, they were sometimes arrested in their underground schools. In a case widely witnessed by international monitors, the leaders of the independent students union of ethnic Albanians from the parallel university in Pristina initiated a series of peaceful demonstrations demanding access to official university buildings. Several demonstrations in October and December, 1997 were broken up violently by police, leaving hundreds injured.⁴¹ In 1998, several students were arrested and charged with organizing a first aid course. They were imprisoned for three months.

Account of the Armed Conflict

In early 1998, with the beginning of armed conflict between the Yugoslav forces and the armed Albanian insurgency (*Ushtria Clirimtare e Kosoves*—UCK or Kosovo Liberation Army—KLA), human rights violations moved into a new phase: breaches of international humanitarian law or the rules of war. Yugoslav army and Serbian police and paramilitary forces violated a fundamental dictate of war law—the avoidance of civilian casualties—by engaging in aggressive actions aimed primarily against civilians, effecting the removal of the entire ethnic Albanian population from large swathes of Kosovo. These circumstances invoked the jurisdiction of the International Criminal Tribunal for the former Yugoslavia, which recently indicted top Serbian and Yugoslav officials for war crimes and crimes against humanity in Kosovo.⁴²

As for the ethnic Albanian liberation army, analysts monitoring the Balkans expressed surprise not at its appearance, but at the long time it took to emerge

³⁹ For a bibliography of such reports, see Amnesty International Report: EUR 70/32/98, June 1998, A Human Rights Crisis in Kosovo Province. Background: a Crisis Waiting to Happen.

⁴⁰ Amnesty International Report EUR 70/57/98, August 25, 1998, “A Human Rights Crisis in Kosovo Province. Document Series B: Tragic Events Continue. #2: “Disappeared” and “Missing” Persons”

⁴¹ Amnesty International Report EUR 70/34/98, June 1998 “A Human Rights Crisis in Kosovo Province. Document Series A: Events to June 1998. 3: Deaths in Custody, Torture and Ill-Treatment”

⁴² International Criminal Tribunal for the former Yugoslavia: “The Prosecutor of the Tribunal Against Slobodan Milosevic, Milan Milutinovic, Nikola Sainovic, Dragoljub Ojdanic, Vljako Stojiljkovic.” May 22, 1999. The indictment included four counts for crimes occurring since January 1, 1999: Deportation as a crime against humanity, murder as a crime against humanity, murder as a violation of the laws or customs of war, and persecutions on political, racial and religious grounds as a crime against humanity.

“given the events of the past decade in the former Yugoslavia and, in particular, the scale of repression in Kosovo.”⁴³ They attribute the KLA’s existence to four factors: Serbian oppression; the failure of Ibrahim Rugova’s pacifist policies to achieve results; international recognition of rump Yugoslavia in 1996 despite the lack of an agreement to accommodate Kosovo’s ethnic Albanians; and anarchy in Albania in the spring of 1997 during which the country’s military depots were looted, creating a source of weapons for the KLA.

The KLA’s initial acts of retaliation and alleged terrorism were roundly condemned by the Kosovo Albanian population through their elected shadow government. But when Serbian forces mounted an excessively brutal offensive ostensibly aimed at wiping out the rebels, many civilians took up arms to defend their families and villages. The KLA was especially active in a highland area of northern Kosovo known as Drenica.⁴⁴

Since the beginning of armed confrontation, Serbian police, military and paramilitary forces have carried out disproportionate attacks against civilians and civilian property that have contradicted Serbian media claims that their goal was to rout out the KLA. Violations of the laws of war—including massacres of civilians, disappearances, extrajudicial executions and widespread destruction of civilian property (including medical facilities and schools)—have been documented by numerous independent and local human rights organizations, the Kosovo Domestic Observer Missions, and the Organization for Security and Cooperation in Europe’s monitoring mission.

The KLA has taken hostages and was accused by Serbian police of engaging in a number of extrajudicial executions. Other human rights violations by the KLA are included in the chronology of key events below. These events are characterized by repeated violations of international law and repeated diplomatic attempts by the international community to end them before NATO resorted to military action in March 1999:

CHRONOLOGY OF KEY EVENTS

Late February and early March, 1998: Yugoslav Special Police retaliated for the killing of four Serb police by attacking three towns in Drenica (Likosane, Cirez, and Donji Prekaz) using artillery, helicopters and armored vehicles and killing at least 83, including 24 women and children. According to Human Rights Watch investigators, the actions were characterized by “indiscriminate attacks on noncombatants, systematic destruction of civilian property and summary and arbitrary executions of those in detention.”⁴⁵

⁴³ International Crisis Group report: “Kosovo’s long, hot summer: Briefing on military, humanitarian and political developments in Kosovo.” September 2, 1998.

⁴⁴ International Crisis Group report: “Intermediate sovereignty as a basis for resolving the Kosovo crisis.” November 9, 1998.

Physicians for Human Rights attempted to obtain visas for a team of forensic experts to investigate the deaths, but was repeatedly stymied by Yugoslav officials. The International Criminal Tribunal for the former Yugoslavia also requested visas for the team.⁴⁶

March 9, 1998: The Contact Group for the former Yugoslavia (United States, United Kingdom, Germany, Italy, France and Russia) met in London and called on Belgrade to begin negotiations with Kosovo's ethnic Albanians.

March 31, 1998: The United Nations Security Council adopted Resolution 1160, a comprehensive arms embargo on the Federal Republic of Yugoslavia, including Kosovo.

April 6, 1998: The KLA was suspected in the killing of six Albanian men near the Kosovo village of Orahovac, all were employees of Serbian run institutions.⁴⁷

Spring, 1998: The KLA gained support, claiming control of about 40% of Kosovo territory.

May 14, 1998: Bowing partially to U.S. demands, Yugoslav President Slobodan Milosevic met with ethnic Albanian Kosovar leader Ibrahim Rugova for the first time in almost ten years. Although the meeting took place without the requested international mediator, on May 25, the European Union rewarded Milosevic by not imposing a threatened investment ban on Serbia.

Mid-May, 1998: A few days following the Milosevic-Rugova meeting, the Yugoslav military launched a major offensive against a string of towns and villages along the border with Albania. Indiscriminate shelling and sniper attacks, along with executions, beatings in detention, and rapes, caused tens of thousands of Kosovar Albanian civilians to flee—frequently on foot—into neighboring countries and republics. Escaping villagers watched from the hills as their villages were destroyed and livestock killed.⁴⁸

⁴⁵ Human Rights Watch, October, 1998. *Humanitarian Law Violations in Kosovo*, pp 18-32. For more information on the attacks, see also Amnesty International Report EUR 70/33/98, June 1998, *A Human Rights Crisis in Kosovo Province. Document Series A: Events to June 1998. 2: Violence in Drenica*, February - April 1998."

⁴⁶ Physicians for Human Rights: "PHR denounces Milosevic stalling tactic regarding forensic investigation—demands access to Kosovo for ICTY." Press Release, October 8, 1998.

⁴⁷ International Crisis Group: "Again, the Visible Hand. Slobodan Milosevic's manipulation of the Kosovo dispute." May 6, 1998 citing VIP daily news report of April 11, 1998.

⁴⁸ These were documented by investigators from several human rights organizations and the United Nations High Commissioner for Human Rights. For more details, see Human Rights Watch report, October, 1998. *Humanitarian Law Violations in Kosovo*, pp 33-45. Amnesty International report: EUR 70/46/98 July 1998. *A Human Rights Crisis in Kosovo Province. Ljubenic and Poklek: Extrajudicial Executions, Excessive Use of Force and 'Disappearances: A Pattern Repeated.*

Mid-June, 1998: Physicians for Human Rights investigators spent one week interviewing refugees in northern Albania and received reports of “intensive, systematic destruction and ethnic cleansing of villages in the Decane and Djakovica districts of Kosovo by Serb police and military.”⁴⁹

June 15, 1998: Yugoslav President Slobodan Milosevic visited Moscow and agreed to the presence of an international “observation mission” in Kosovo. The mission, formally launched on July 6, 1998 in Pristina under the name Kosovo Diplomatic Observation Mission (KDOM), was composed of diplomats accredited in Belgrade to whom Milosevic promised unimpeded access to the zones of unrest.⁵⁰

July 19, 1998: First major KLA offensive took place in an effort to capture Ora-hovac. Serbian police recaptured the town two days later. Summary executions and the use of human shields were reported, with 42 killed. An international forensics team was denied permission to inspect a site of an alleged mass grave.

July through September, 1998: The Government intensified its offensive, retaking much of the territory held by the KLA. The Yugoslav military offensive was again characterized by attacks on civilians—forcing thousand to flee—and systematic destruction of towns, including crop burning and killing farm animals. Those ethnic Albanians that attempted to return to the area were beaten or arrested. Serbian forces attacked humanitarian aid workers and doctors. In a September 8 press release, the United Nations High Commissioner for Refugees reported that nearly 270,000 people had been displaced, hundreds were dead and nearly 100 villages had been destroyed.⁵¹ Later estimates climbed substantially higher.

September 23, 1998: The United Nations Security Council passed Resolution 1199, demanding immediate cessation of all actions by Yugoslav and Serbian security forces against civilians. It also insisted that the KLA leadership condemn all terrorist action. Serbian authorities were called upon to cooperate with the ICTY prosecutor.

End of September, 1998: Serbian special police in Gornje Obrinje killed twenty-two members of the Delijaj family, all civilians. They included women

⁴⁹ Prepared statement of Physicians for Human Rights at a hearing before the Commission on Security and Cooperation in Europe of the 105th Congress, June 25, 1998: “Medical group recounts individual testimonies of human rights abuses in Kosovo.”

⁵⁰ For a summary of diplomatic efforts, see International Crisis Group report: *Kosovo’s long, hot summer: Briefing on military, humanitarian and political developments in Kosovo*. September 2, 1998.

⁵¹ Joint UNHCR/Office for Coordination of Humanitarian Affairs press release, September 8, 1998, “UN seeks US \$54.3 million for Kosovo.”

and children as young as 18 months, many killed while hiding from government shelling in a forest.⁵²

Serbian police also rounded up a group of several thousand civilians fleeing shelling in nearby Golubovac. Fourteen men were selected out, interrogated, physically abused for several hours, and ultimately executed. One survived and gave “detailed and damning” testimony of the executions to Human Rights Watch; other witnesses corroborated his story. All victims were male civilians. The attacks occurred in an area where intense fighting had raged between government forces and KLA, leaving at least 14 policemen dead.

October 13, 1998: Under threat of NATO military action, Slobodan Milosevic announced a cease-fire agreement with U.S. envoy Richard C. Holbrooke. He also promised to decrease the numbers of Serbian troops to February 1998 levels, to release and grant amnesty to all ethnic Albanian detainees, and to allow investigators unhindered access to Kosovo.⁵³

Milosevic accepted an “intrusive verification regime” with Organization for Security and Cooperation in Europe [OSCE] monitors on the ground and unrestricted NATO surveillance in the airspace over Kosovo. He was to agree on a timetable for completing talks with the Kosovar Albanians that would give Kosovo self-government and its own local police.

December, 1998: Physicians for Human Rights documented a pattern of abuses by Serbian police against Albanian doctors and health workers in Kosovo, citing instances of murder, torture, detention, imprisonment and forced disappearances. Abuses of ethnic Albanian patients, deliberate destruction of Kosovar medical facilities and obstruction of care were also reported.⁵⁴

December, January, 1998: The UNHCR reported that renewed fighting, beginning on December 23, had forced more than 20,000 people to flee at least 23 villages in the municipalities of Decani, Podujevo, Stimlje, and Suva Reka.⁵⁵ Serbian authorities violated their cease-fire agreement with NATO by using disproportionate police force against Kosovar Albanians and by not keeping most FRY military units in garrison. The KLA conducted attacks on Serbian security forces and the FRY military in Kosovo. Neither side resolved the status of missing Serb and Albanian civilians.

⁵² Human Rights Watch report, February 1999. “A week of terror in Drenica, humanitarian law violations in Kosovo.”

⁵³ Slobodan Milosevic persisted in his failure to recognize jurisdiction of the Hague-based war crimes tribunal.

⁵⁴ Physicians for Human Rights press release December 23, 1998, “Medical group documents systematic and pervasive abuses by Serbs against Albanian Kosovar health professionals and Albanian Kosovar patients.”

⁵⁵ UNHCR press release, January 18, 1999. “Kosovo: Ogata condemns atrocities, appeals for access.”

January 15, 1999: Serbian security forces massacred 45 ethnic Albanian civilians, including one woman, two children, and dozens of old men, in the village of Racak, in apparent retaliation for the killing of three Serbian policemen in the area the week before. Two days later, Serbian forces returned to Racak and removed 40 of the bodies from the mosque where their families had planned to mourn them. The Yugoslav authorities then blocked Louise Arbour, the chief prosecutor of the International Criminal Tribunal for the former Yugoslavia, when she attempted to come to Kosovo to investigate the killings. The massacre occurred while unarmed OSCE verifiers were deployed and patrolling actively in the area.⁵⁶ According to the European Union forensic team that performed autopsies, including gunshot residue analysis: “There were no indications of the people being other than unarmed civilians.”⁵⁷

February, 1999: Although NATO had an activation order authorizing a punitive alliance response to violations of the October agreement, envoys made another effort at diplomacy at talks in Rambouillet, France. The international community’s primary objective was for a substantial NATO force in Kosovo to enforce a peace, supervise the withdrawal of all but 5,000 Serbian security forces, disarm the KLA and oversee a three-year transition to an autonomously governed province. The meetings were suspended on February 23, 1999 and resumed March 14, 1999, when the Albanian side acceded to the terms of an agreement. The Yugoslav side did not. Talks broke down March 19, 1999.

March 11, 1999: According to the United Nations, more than 60,000 people had been displaced since late December, including almost 30,000 people since the February portion of the peace talks held in Rambouillet, France. “Some have managed to return, but more than 230,000 people remain displaced within Kosovo. In all, the year-long conflict has driven 400,000 people out of their homes. Many have had to flee more than once.”⁵⁸

March 20, 1999: The approximately 1300 unarmed OSCE verifiers left Kosovo, citing the deteriorated conditions, a nearly collapsed cease-fire, refusal of access and lack of co-operation on the part of Yugoslav officials.⁵⁹

⁵⁶ For more information on the Racak massacre, see: International Crisis Group report March 12, 1999, “Kosovo, the road to peace;” Human Rights Watch Report, January 29, 1999: “Yugoslav government war crimes at Racak.”

⁵⁷ Comments of Dr. Helena Ranta, March 17, 1999, on findings of European Union Forensic Expert team investigation on Racak killings.

⁵⁸ United Nations High Commissioner for Refugees, Press release. March 11, 1999. “Ogata says situation deteriorating in Kosovo, urges action to avert disaster.”

⁵⁹ Organization for Security and Cooperation in Europe Newsletter, Volume 6 number 2/3, February/March, 1999.

March 24, 1999: In the evening, NATO launched air-strikes against Serbian military positions. In the weeks leading up to the bombing, the Yugoslav government had violated nearly every point of its October, 1998 agreement with NATO. Hundreds of Kosovo Albanians were detained by Serbian police, and tens of thousands had already fled to neighboring Macedonia, Albania and Montenegro.

Situation of Refugees and Displaced Persons

Kosovo had a population of approximately two million before the outbreak of armed violence in March 1998. By June 11, 1999, approximately 70% of the Kosovar Albanian population had been either displaced within Kosovo (500,000 to 600,000 people) or had fled as refugees to other countries (780,200 people), according to the United Nations High Commissioner for Refugees. The refugees included some 244,500 in the Former Yugoslav Republic of Macedonia, and 444,200 in Albania, 69,800.⁶⁰

In an unprecedented move due to pressure from the Macedonian government—which refused to admit asylum-seekers unless other countries agreed to receive them—thousands of the refugees were airlifted from Macedonia to other countries. According to the UNHCR, nearly 70,000 had left by May 29.

Albanian physicians interviewed by Physicians for Human Rights in April warned that those still within Kosovo had acute food and medical needs.⁶¹ The International Rescue Committee made plans to airdrop food.⁶²

Many of the refugees outside of Kosovo lived in camps run by various international organizations and the UNHCR. Others live with host families and have more difficulty accessing food and medical assistance. The flow of so many people has placed immense strains on neighboring countries and republics, financially and politically, leading to worries about further regional instability. Some actions have violated refugee rights and protections, including forced displacement of refugees and placement of camps near border areas.⁶³

⁶⁰ *Kosovo Crisis Update, June 11, 1999*. United Nations High Commissioner for Refugees website: www.unhcr.ch/news/media/kosovo.htm

⁶¹ Physicians for Human Rights press release April 22, 1999. “Kosovar Albanian physicians call for immediate NATO ground troops and airdrop of food and medicines to save remaining civilian population in Kosovo.”

⁶² International Rescue Committee press release: “The International Rescue Committee will airdrop food and supplies to displaced Kosovars.” May 28, 1999.

⁶³ See Physicians for Human Rights situation reports April, 1999 [www.phrusa.org] as well as Human Rights Watch Report April 15, 1999 “Human Rights Watch Position Paper II on the Kosovo refugee crisis”; Amnesty International Report EUR65/3/99, May, 1999, “Former Yugoslav Republic of Macedonia, the Protection of Kosovo Albanian refugees.”

IV. KOSOVAR REFUGEE SURVEY

A. Methods

Although discussions of the role of statistics in human rights work have been published,⁶⁴ epidemiological methods have not been used before the current crisis to establish the incidence and nature of human rights abuses within a population during a complex emergency.

Physicians for Human Rights and the Program on Forced Migration and Health of the Columbia University's Joseph L. Mailman School of Public Health conducted an epidemiological survey to assess patterns of human rights abuses by Serb forces against ethnic Albanians in Kosovo. The existence of hundreds of thousands of potential witnesses to war crimes and crimes against humanity in Macedonian and Albanian refugee camps made possible a randomized, population-based approach to gathering information. All of the methods used in this study for sampling, for subject identification, for development of a survey questionnaire, and for conducting interviews are drawn from standard epidemiological practice. Because this investigation dealt with recently uprooted refugees on topics of potentially great sensitivity, some adaptations were made to the specific needs of the situation.

Conducting population-based assessments in the midst of an emergency is fraught with both practical and technical difficulties. Although there are many potential biases that can affect investigations of this nature, we feel that the data presented in this report speak for themselves. These are not equivocal results. Even their most conservative interpretation tells a compelling story.

1. Subjects

The PHR/Columbia team interviewed one person per household in the sample. Household members who were present at the time the team visited were asked

⁶⁴ Spierer HF, Spierer L. *Data Analysis for Monitoring Human Rights*, American Association for the Advancement of Science. Washington, D.C., 1993; Jabine TB, Claude RP, eds. *Human Rights and Statistics*. University of Pennsylvania Press, Philadelphia, 1992; Ball Patrick, *Who Did What to Whom? Planning and Implementing a Large-Scale Human Rights Data Project*, American Association for the Advancement of Science, Washington, DC, 1996; Ball, Patrick, Kobrak, Paul, and Spierer, HF, *State Violence in Guatemala 1960-1996: A Quantitative Reflection*, American Association for the Advancement of Science, Washington, DC, 1999.

if they were willing to be interviewed and, if so, to nominate the household member, male or female, who could most accurately provide information about the experiences of the entire household over the past year. Knowing that in Kosovar society adult males were most likely to present themselves for interview, an assertive attempt was made to ensure that women were not excluded as respondents. In most instances, if only one adult, male or female, was present at the time a household was visited, that person was interviewed. Of the 1,209 refugee household representatives of the original sample, 1,180 participated in the study (response rate: 97.6%). Of the 29 household representatives who did not participate, 8 refused, 19 were not available after two visits, and 2 interviews could not be completed because the respondents were overcome by emotion.

2. Sampling

In both Macedonia and Albania, refugees were either settled with private families or in tented refugee camps and collective centers.⁶⁵ At the time the PHR/Columbia study began (April 19), approximately 132,000 refugees were estimated to have crossed the border from Kosovo to Macedonia.⁶⁶ In Albania as well, where there were an estimated 365,000 Kosovars, almost two-thirds had settled with local families.⁶⁷ Collective centers typically included farms, schools, factories and other large buildings. A third group was settled in tented camps.

The PHR/Columbia team sampled only individuals living in tented camps and collective centers in this study because there was not information available that would permit access to those living with host families. Consequently, it is possible that the camp population and the self-settled population differed in some important ways. Those who were able to find accommodation with host families may have come earlier, may have been more likely to have family or close acquaintances in the country of first asylum, and/or may have been more able to pay for rent, food, and other necessary commodities.

Overall, the team sampled 31 refugee camps and collective centers in Macedonia and Albania. In Macedonia, interviews were conducted in 6 camps, which were located in the north, near Skopje. In Albania, subjects were interviewed in 25 different sites—7 tented camps in Kukes, 9 camps and 7 collective centers in the Tirana/Durres/Elbasan region and, in southern Albania, 1 camp in Korce and in 1 collective center in Lozhan.⁶⁸

⁶⁵ According to UNHCR estimates, as of April 29, of an estimated 154,400 refugees in Macedonia, 90,160 (58%) were settled with local families and 64,240 (42%) in camps. As of May 3, of approximately 396,000 refugees in Albania, 257,400 (65%) were living with host families.

⁶⁶ *Kosovo Crisis Update, April 19, 1999*. United Nations High Commissioner for Refugees website: www.unhcr.ch/news/media/kosovo.htm

⁶⁷ UNHCR, *Kosovo Emergency: UNCHR Overview of Shelter Capacity in Albania, Former Yugoslav Republic of Macedonia, and Montenegro*, May 5, 1999.

A modified form of randomized, systematic sampling of households was used. Simple random sampling was not possible under the circumstances. It was difficult to ascertain the number of refugees to which the team would have access – there was no single, reliable source of information, and the numbers were increasing on an almost daily basis. In addition, travel was difficult and simple random sampling, at least in Albania, would have been quite inefficient given available resources. A cluster survey, popular among health workers in emergency settings, would have been equally problematic. Cluster surveys are most accurate when the attribute being measured is homogeneously distributed throughout the target population. In this situation, because people tended to be grouped in camps according to their village of origin, and because their experience with human rights abuses would have been similarly grouped, cluster sampling was not indicated.

In Macedonia, the number of refugee households selected in each camp was based on the proportion of the estimated number of refugees in that camp compared to the total estimated number of refugees in all refugee camps in Macedonia. In each camp, a map of tent placement was established, tents were counted, the number of households in each camp estimated, and the number of interviews to be conducted in that camp determined. A sampling interval (n) was calculated by dividing the number of households in the camp by the number of interviews to be conducted in the camp. A starting household was determined by random number generation and each n th household was interviewed until the entire camp had been surveyed.

In Albania, sampling procedures were further modified because refugees in camps and collective centers were widely dispersed geographically. Because there were more than 120 refugee camps, and collective centers in Albania,⁶⁹ and because conducting just a few interviews in a smaller site might have required a full day's travel, the team only sampled from those sites estimated to have more than 1,000 refugees. As in Macedonia, camps and collective centers were mapped to determine the layout and approximate number of refugee households per camp/center. Within each site selected, selection of households followed a process similar to that described above. However, because of the large number of potential sites, our limited time, and the difficulty of visiting more than one site per day in some parts of the country, the PHR/Columbia team interviewed a higher proportion of households in some camps than in others. For example, in smaller collective centers, which were commonly more difficult to access, and housed refugees from different regions of Kosovo, the team sampled a larger proportion of refugees than in larger refugee camps that contained 5,000 or more refugees. In Kukes, where camps were generally larger

⁶⁸ For a complete list of surveyed refugee camps and collective centers, see Appendix A.

⁶⁹ Kosovo Crisis Fact Sheet, #62, June 1, 1999. USAID: http://www.info.usaid.gov.hum_response/ofda/kosofs62.html

and travel was somewhat easier, the team interviewed every sixth household in every camp that was selected.

Each household was visited a second time if no one was present at the first attempt. If the appropriate member of the household refused to be interviewed, the reason for refusal was recorded and the team proceeded to the next consecutive household in the randomization sequence. If no one was home on the second visit, the next numbered tent was selected. In collective centers, such as warehouses, where a single room often contained up to 100 individuals, the number of households (families) living in a room was roughly assessed and a single member from each family was interviewed from every nth family.

3. Survey Questionnaire

The questionnaire contained 50 inquiry items (See Appendix B). These assessed patterns of forced migration among the individuals interviewed and their household members, as well as human rights abuses both experienced and witnessed. A preliminary questionnaire was prepared on the basis of case information reported by one of the team members (SF) and collected between April 1 and April 15, 1999. The questionnaire was written in English and then translated into Albanian. It was pilot tested among refugees in Macedonia and changes were incorporated into the field version. As the investigation proceeded, it became clear a few additional modifications would improve the information being collected. These were, to the extent possible, incorporated in both the Macedonia and Albania surveys.

At each household selected, household members were informed that the purpose of the survey was “to assess patterns of abuse by Serb police, soldiers, and civilians over the past year...”⁷⁰ As mentioned above, refusal rates were very low. Demographic characteristics including gender, age, place of origin, and occupation of the selected respondent were recorded. The original date of departure of the household from the respondent’s home in Kosovo and the date of arrival in the place where the interview was conducted were both recorded. Either the exact date, or an approximate date determined by weekly intervals, were accepted.

Respondents were asked to list all of the places where they had stayed for an amount of time they felt to be significant. Places where they spent the night while traveling were excluded. All places where they felt somewhat settled were included. For each location, starting with their home, they were asked when they left and their primary reason for leaving. The latter could include Serb forces coming to the respondent’s home, actual knowledge of police or soldiers harming people or destroying property, or a more general fear of harm to come. Other reasons included villages being bombed, either by Serb forces or by NATO. In each

⁷⁰ The survey questions referred only to abuses by Serb forces, with the exception of the “primary reason for displacement.” This study was not designed to assess patterns of abuse by the KLA.

instance, the respondent was asked to say whether the principal threat or act of violence was posed or committed by Serb police, Serb soldiers, paramilitary forces, a combination of these, or KLA forces. As mentioned above, as patterns of expulsion became increasingly clear, additional possible responses were added to the questionnaire during the course of the study. Two hundred forty-five interviewees were specifically asked whether Serb soldiers or police had come to their homes or village and forced them to leave.

Regarding their experiences, respondents were asked whether they had witnessed (or whether they had seen the results of) their house or the homes of others being burned. They were also asked if they had seen looting taking place or whether Serb police or soldiers had demanded or taken money or other valuables, including personal identification documents. Finally, they were asked if they had witnessed people being killed or if they had seen dead bodies.

Targeting of community structures was determined by asking if people had seen destroyed hospitals, clinics, schools, or mosques/churches. Finally, respondents were asked whether they or members of their household were separated or disappeared, beaten, shot, killed, tortured, sexually assaulted or raped. For each abuse, participants were asked the age of the person abused, the type and date of the abuse, where the abuse occurred and whether it occurred before or after expulsion. They were also asked about the identity of the perpetrator (police, army, paramilitary, etc.) and whether they had witnessed the actual abuse, if it occurred to a household member other than themselves.

4. Interviews

All interviews were conducted during a two-week period, from April 19 until May 3, 1999. In general, interviews with participants were conducted in or near their tents or other place of residence. Respondents could choose to remain anonymous or to provide their names. Usually, other household members, relatives, and/or friends were present. Each interview lasted approximately thirty minutes. Participants did not receive any material compensation.

At the start of the investigation, all interviews were through translators. When translators had been observed for several days, those who were deemed capable began doing interviews in Albanian with or without direct supervision. In any case, all questionnaires were reviewed for completeness and for correctness of recording on the day of the interview. As translators graduated into interviewers, new translators were recruited, both from the local and from the refugee populations. In this way, the PHR/Columbia team was able to exceed the target of 1,000 interviews.

At each survey site responsibility for health care had been assumed by a competent authority. Whenever physical or mental health needs were detected, individuals were referred to appropriate authorities when, in the opinion of the investigators, they were in need of physical health care or mental health services, or when the nature of the human rights abuses they recounted should be brought to the attention of human rights groups working in the area.

5. Analysis

All data were analyzed in the United States using standard analytic computer programs.

6. Definitions

Torture, in this study, was defined according to the United Nations Convention Against Torture⁷¹ and public beatings were considered single episodes of beating of limited duration (less than 10 minutes) and intensity.

B. Survey Participant Characteristics

Characteristics of survey respondents are presented in Table 1. Respondents' ages ranged from 14 to 85 years, with a mean and median of 40.⁷² Survey participants within a given household were self-selected on the basis of a male or female household member who could most accurately recount the experiences of each household member. Two thirds of the respondents were men and one third were women. The ethnic and religious homogeneity of the population is reflected by the fact that nearly all respondents identified themselves as Albanian (99%) and Muslim (98%). The occupational diversity of respondents is illustrated in their different backgrounds, which includes housewives (26%), farmers (17%), professionals (15%), service sector employees (12%) and factory workers (7%). Of the 1,180 refugee households surveyed, 511 (43%) were in refugee camps/centers in Macedonia, out of an estimated total refugee population in that country of 132,000, and 669 (57%) in Albania out of a total refugee population there of roughly 365,000.^{73,74}

C. Forced Expulsion of Kosovar Refugees

The extent of forced expulsion of ethnic Albanians from Kosovo is reported in Table 2. The vast majority of Kosovar refugees in the survey reported having

⁷¹ *Twenty-five human rights documents*. Columbia University Press: New York, NY: Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. 1994.

⁷² Interviews with minors were conducted only with the permission of their parents.

⁷³ United Nations High Commissioner for Refugees, Kosovo Displacement Statistics: UNHCR Estimates, April 29, 1999. <http://www.usia.gov/regional/eur/balkan/kosovo/99042923.htm>

⁷⁴ Data from questions assessing observed or experienced human rights abuses were stratified by location of interview (Macedonia or Albania) to assess possible differences. Specifically, the following questions were included in the analysis: reasons for expulsion, human rights abuses observed by Kosovar refugees (Table 3), and human rights abuses by Serb forces experienced by respondents only (Table 4). Of note, the text only describes human rights violations that were observed or experienced significantly differently between Kosovar refugees interviewed in Albania and Macedonia.

Table 1.
Characteristics of Kosovar Refugee Survey Respondents

Respondent Characteristics	Respondents (N=1180)	
Age, median, mean (SD)	40, 40 (± 14)	
Gender		
Male	776	(66%)
Female	390	(33%)
Ethnicity		
Albanian	1159	(99%)
Serbian	2	(0.2%)
Turkish	2	(0.2%)
Roma	3	(0.3%)
Religion		
Muslim	1151	(98%)
Catholic	10	(0.9%)
Orthodox	1	(0.1%)
Occupation		
Housewife	304	(26%)
Other	255	(22%)
Farmer	201	(17%)
Professional	173	(15%)
Service Sector	145	(12%)
Factory	88	(8%)
Refugee Households		
Macedonia	511	(43%)
Albania	669	(57%)

been displaced by Serb forces within the month prior to the date of interview. Of the 1,177 respondents, 937 (80%) left their home in Kosovo four or fewer than four weeks prior. While the median time of displacement from home was 4 weeks, with a range of 1 to 52 weeks,⁷⁵ 10% of all survey respondents reported having been displaced from their home in Kosovo for at least 25 weeks. Overall, the mean time spent at the current refugee camp/center was 2.1 weeks, with a range from 1 to 8 weeks. The discrepancy between mean time since displacement from home and the mean time of stay at the camp/center suggests that refugees frequently stayed in more than one camp in Albania and/or Macedonia, and experienced multiple displacements in Kosovo after

⁷⁵ The mean time of displacement from home was 7.5 weeks (± 11.8). Note: the mean is skewed toward a longer period of time because 10% of respondents were displaced for more than 25 weeks.

Table 2.
Forced Expulsion of Kosovar Refugees

	Respondents (N=1180)
Time since displacement from home	4 (1-52)
Median in weeks (range)	
Time in refugee camp/center	2.1 (±1.3)
Mean in weeks (SD)	
Number of times displaced within Kosovo	1.8 (0-5)
Mean (range)	
Primary reason for displacement from home	
Expelled by Serb forces*	806 (68%)
Fear of Serb forces	267 (23%)
NATO bombing	0 (0%)
Ordered expulsion by Serb forces[‡]	167 (68%)
Forces responsible for displacement from home	
Serb forces	1080 (92%)
Armed forces, unspecified	43 (4%)
Kosovo Liberation Army (KLA)	5 (.4%)

*Causes of expulsion offered as options in the survey included: Serb soldiers or police harming people, destroying property, coming to respondents' house and Serb bombing.

[‡] Because of missing data, percentages were calculated using a denominator of 245

leaving home. This is indicated by the fact that the mean number of times of displacement within Kosovo among respondents was 1.8, range zero to five times.

The overwhelming majority of Kosovar refugees (91%) in the survey reported that their primary reason for leaving Kosovo was direct or indirect expulsion by Serb forces. Overall, 806 (68%) participants reported that causes of expulsion included: Serb police or soldiers coming to participants' home (36%), Serb bombing (25%), Serb police or soldiers harming people (4%), and Serb police or soldiers destroying people's property (3%). Furthermore, nearly one quarter (23%) of respondents reported that they left Kosovo because they feared Serb forces. Of these, 222 refugees (19%) left their home because they feared police or soldiers harming people or destroying property, and 45 respondents (4%) reported that they left Kosovo because they feared Serb bombing. Of note, professionals were significantly more likely to have left Kosovo because Serb police or soldiers came to their homes because of their fear of Serb forces. Also, Kosovar refugees interviewed in Albania were significantly more likely to leave their homes in Kosovo because of Serb bombing. In contrast, those interviewed in Macedonia, were significantly more likely to leave Kosovo because Serb police or soldiers came to their homes. Of the 1,180 participants, 107 (9%) indicated no reason or other reasons for leaving.

None of the Kosovar refugees in the survey stated that they left their homes in Kosovo because of NATO bombing. In fact, for all internal displacements reported among 1,180 participants, NATO bombing was the primary reason for internal displacement (from locations other than one's home) in only 2 cases.

In addition, 245 participants were specifically asked whether Serb police or soldiers came to their home and told them to leave.⁷⁶ Of these, 167 (68%) respondents reported that they were ordered by Serb forces to leave, usually within a short period of time.⁷⁷

To gain further insight into patterns of human rights abuses against Kosovar refugees, participants were also asked to report who the perpetrators were who caused them to leave their homes in Kosovo. The vast majority of participants (92%) reported that Serb forces caused them to leave Kosovo. Of these, perpetrators identified included more than one Serb force (572, 49%), Serb police (202, 17%), VJ soldiers (194, 16%), and paramilitary forces (112, 10%). An additional 52 respondents (4%) reported other causes or did not specify who caused them to leave their home in Kosovo. Overall, only five participants (.4%) reported that the KLA caused their displacement from Kosovo.

D. Human Rights Abuses Observed by Kosovar Refugees

Participants were asked a series of questions to assess their actual witnessing of human rights abuses, or their witnessing of the after-effects of such abuses (Table 3). The prevalence of "identity cleansing" of Kosovar refugees by Serb forces is evidenced by the fact that nearly two thirds (60%) of survey respondents observed Serb forces removing or destroying personal identification documents. Overall, 89% of participants either-witnessed, or witnessed the after-effect⁷⁸ of Serb police or soldiers burning the houses of others. Furthermore, 186 respondents (16%) saw Serb police or soldiers burn their own home, and an additional 150 participants (13%) observed physical evidence (only burned house, but not the action of setting it on fire) of their house being burned. Nearly half (48%) of all participants witnessed Serb police or soldiers destroying peoples' property, and Serb police or soldiers demanded money or valuables from nearly half (49%) of survey respondents.

Overall, more than one third (35%) of survey respondents either witnessed Serb police or soldiers killing someone (14%), or saw dead bodies they believed were killed by Serb police or soldiers (21%).

⁷⁶ This question was added to the survey instrument during the interview process, which resulted in a smaller sample size (n=245).

⁷⁷ Study participants were asked for the primary reason for each displacement in Kosovo and allowed to select only one reason for each.

⁷⁸ "Witnessing the after-effect" means, for example, that while refugees did not see an actual act of burning houses, they observed ruins of burned houses.

Table 3.
Human Rights Abuses Observed by Kosovar Refugees

Human Rights Abuses	Respondents (N=1180) Witnessed*	Respondents (N=1180) Observed Phys. Evidence*
Serb police/soldiers removing/destroying personal identification documents	710 (60%)	71 (6%)
Serb police/soldiers burning the home of others	587 (50%)	457(39%)
Serb police/soldiers looting or destroying people's property	567 (48%)	282 (24%)
Serb police/soldiers demanding money or valuables	580 (49%)	—
Places of worship that had been destroyed	557 (47%)	—
Schools that had been destroyed	456 (39%)	—
Medical facilities that had been destroyed	269 (23%)	—
Serb police/soldiers burning your home	186 (16%)	150 (13%)
Serb police/soldiers using medical facilities for military purposes	179 (15%)	72 (6%)
Serb police/soldiers killing anyone	161 (14%)	242 (21%)
Serb police/soldiers forcing medical workers/patients from medical facilities	147 (13%)	83 (7%)

*Percent add to > 100 because respondents could choose > 1 answer category

The extent of cultural and social destruction of Kosovo is also reflected in the number of places of worship, schools and medical facilities that have been destroyed by Serb forces. (See Appendices C, D and E). Nearly half (47%) of Kosovar refugees had seen places of worship that had been or were being destroyed, and 456 respondents (39%) had seen schools that had been or were being destroyed. Of note, these numbers reflect the proportion of survey participants that personally observed the destruction of these properties, and the numbers do not reflect the actual number of different places of worship, schools and medical facilities that have been destroyed.

It is important to note that refugees interviewed in Macedonia and Albania observed different human rights abuses. For example, those surveyed in Albania reported significantly more to have seen Serb police or soldiers burning their homes than refugees interviewed in Macedonia. Also, refugees living in Macedonia saw significantly more incidents of Serb police or soldiers looting or destroying property than those in Albania. In contrast, Kosovars interviewed in Albania reported significantly more incidents of Serb police or soldiers both demanding money or valuables from them, and removing or

destroying personal identification documents, than refugees surveyed in Macedonia.

In addition, refugees also reported seeing landmines being laid by Serb forces (See Appendix F). Overall, 134 respondents (11.4%) observed landmines being laid in various regions of Kosovo. The following perpetrators were identified: VJ soldiers (76%), Serb police (31%), paramilitary forces (12%), or civilians.

Kosovar refugees in the survey also witnessed violations of medical neutrality (see Chapter VI for in-depth discussion). For example, 269 participants (23%) had seen medical facilities that had been destroyed, and 251 respondents (21%) saw or observed the after-effect of Serb police or soldiers using medical facilities for military purposes. In addition, 20% of survey participants witnessed or observed physical evidence of Serb police or soldiers forcing medical workers or patients from medical facilities; for example, an ill family member who was abruptly forced out of the hospital.

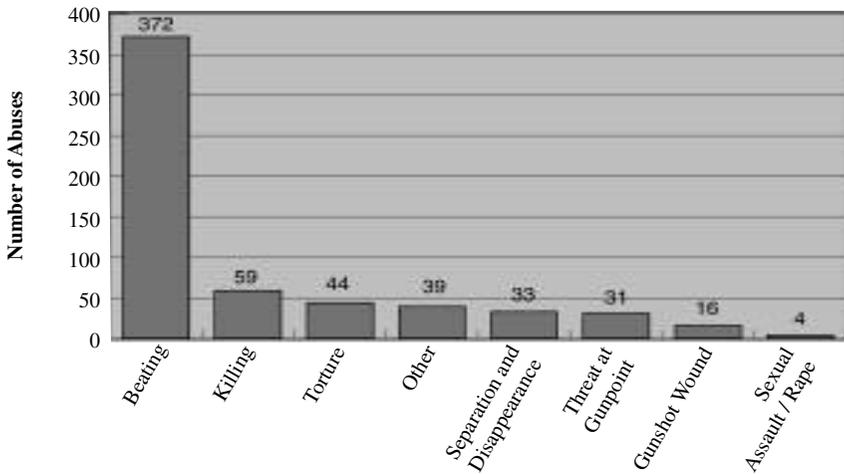
E. Human Rights Abuses by Serb Forces Experienced by Respondents and Household Members

To further assess patterns of human rights abuses, participants were asked whether they or household members experienced abuses by Serb police, soldiers or civilians during the past year. The various abuses suffered by individual survey respondents and their household members are detailed in Figure 1. The survey respondents reported on the experiences of 11,458 household members who lived with them prior to their displacement (mean household size = 9.7). Of the 9,304⁷⁹ household members for whom data was available, 2,385 (25.6%) were men, 2689 (28.9%) were women, and 4,230 (45.5%) were minors below the age of 18 years. The extent to which members of refugee households were separated is reflected in the fact that the mean household size (9.7) decreased by 1.8 in the course of displacement from the respondent's home to the refugee camp or collective center.

Overall, 362 (31%) refugee households reported at least one abuse among their household members. Among these refugee households, members had suffered a total of 598 abuses by Serb forces. While the refugees suffered a variety of abuses, the majority of respondents experienced or had a household member who experienced beating (372), killing (59), torture (44), separation and disappearance (33), threat at gunpoint (31), gunshot wound (16), or sexual assault or rape (4). Other abuses (39) included car bomb threats, forcing individuals to run and robbery, among others (See Figure 1). Furthermore, the rate of killing reported among household members in our study (0.515% between April 1, 1998 and May 3 1999) is similar to that reported by Medecins sans Frontieres (0.573% between February 28 1998 and April 27 1999) over a similar period of time.⁸⁰

⁷⁹ The question assessing the number of men, women and children in each household was added during the data collection process on April 22, 1999.

Figure 1. Respondents' Reported Physical Abuses by Serb Forces



The abuses reported among household members is remarkable considering the number of ethnic Albanian refugees and internally displaced persons who may have experienced abuses by Serb forces in Kosovo. Table 4 estimates the frequency of abuses among several different Kosovar Albanian populations ranging from the 202,840 refugees present in tented camps or collective centers in Albania and Macedonia during the PHR/Columbia study to the population of all ethnic Albanians living in Kosovo. As mentioned elsewhere in this report, the generalizability of the findings may be influenced by a number of factors.⁸¹ The estimates provided in Table 4 both may overestimate and underestimate the actual prevalence of abuses among Kosovar Albanians. For example, refugees with the least exposure to Serb forces (presumably those with the financial and material means to flee Kosovo) may have been able to minimize their risk for abuse. If so, our findings may overestimate the frequency of abuse among the 347,560 refugees who resettled with host families in Albania and Macedonia. On the other hand, our findings may underestimate the frequency of abuse among the 500,000 internally displaced Kosovar Albanians since their exposure to Serb forces is likely to have been greater than the refugees we surveyed.

⁸⁰ Perea W. *Rapid Needs Assessment among Kosovar Refugees*. Médecins sans Frontières website: <http://www.msf.org/projects/yugoslavia/kosovo/reports/1999/05/survey/>.

⁸¹ Limitations on the generalizability of our findings include the following: 1) refugees who resettled in host families or abroad were not sampled; 2) abuses that individuals have experienced (i.e. torture, killing, sexual assault, etc.) may have prevented them from fleeing Kosovo; 3) refugees arriving in camps/collective center after May 3 (the end of the study) were not sampled; 4) accounts of abuse may have been underestimated by a lack of privacy in the interview setting; and 5) refugees may exaggerate their suffering when they speak with people whom they think might be able to provide assistance.

Table 4.
Estimated Frequencies of Abuses by Serb Forces
among Kosovar Albanians

Abuse Type	Household Members N=11,458 % abused ±95% Confidence Interval*	Albanian & Macedonian Refugees in Tents & Centers (4/29/99) N=202,840 †	Albanian & Macedonian Refugees (4/29/99) N=550,400 †	All Refugees & Internally Displaced (6/11/99) N=1.28 mil ‡	All Kosovar Albanians N=1.8 mil §
Beating	3.25 ± 0.325	6,584	17,856	41,552	58,441
Killing	0.516 ± 0.131	1,044	2,832	6,590	9,269
Torture	0.385 ± 0.113	779	2,112	4,915	6,912
Other	0.341 ± 0.107	690	1,872	4,356	6,127
Separation & Disap.	0.289 ± 0.098	584	1,584	3,686	5,184
Threat at Gunpoint	0.271 ± 0.095	549	1,488	3,463	4,870
Gunshot Wound	0.140 ± 0.069	283	768	1,787	2,514
Sexual Assault	0.035 ± 0.034	71	192	447	628
TOTAL	5.23 ± 0.408	10,585	28,704	66,797	93,946

*All estimates of abuse in subsequent columns are based on the percent of abuses reported among household members (N=11,458). The 95% confidence intervals (CI) reported in this column can be used to calculate the confidence interval for any of the estimates in subsequent columns (95% CI x N value).

† *Kosovo Crisis Update, April 29, 1999.* United Nations High Commissioner for Refugees website: <http://www.unhcr.ch/news/media/kosovo.htm>. Of the 550,400 refugees in Albania and Macedonia on April 29, 202,840 were in tented camps or collective centers; the remainder (347,560) were staying with host families.

‡ *Kosovo Crisis Update, June 11, 1999.* United Nations High Commissioner for Refugees website: <http://www.unhcr.ch/news/media/kosovo.htm>.

§ UNHCR. Kosovo Village List. UNHCR; Geneva, 1999.

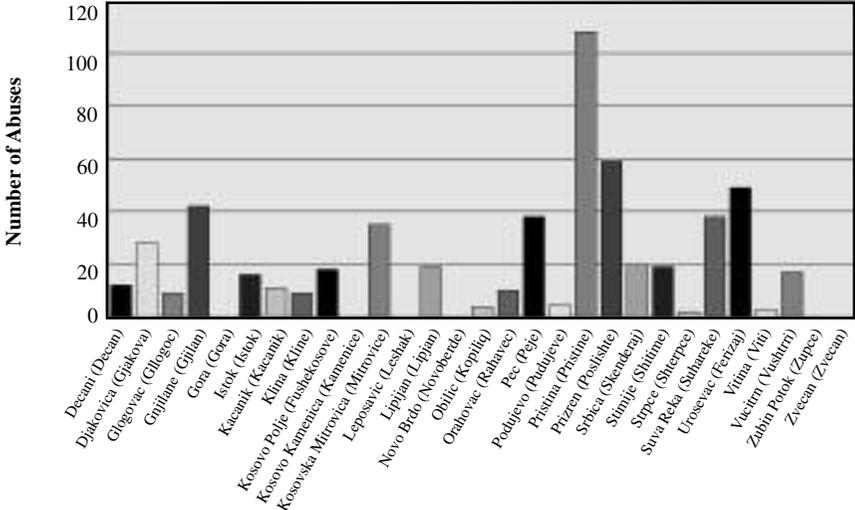
Despite these limitations, such estimates provide some insight into the possible extent of abuses suffered by Kosovar Albanians

It is worth noting that the PHR/Columbia estimate of 9,269 killed among the population of all Kosovar Albanians is similar to the figure of 10,000 estimated by war crimes investigators.⁸²

Furthermore, among the 598 incidents of human rights abuses reported among respondents and their household members, the location where these

⁸² Kifner, John. Inquiry Estimates Serb Drive Killed 10,000 in Kosovo, *New York Times*, Sunday, July 18, 1999. A1, A6.

Figure 2. Respondents' Reported Abuses by Serb Forces According to Kosovo Municipality



abuses occurred included 23 of the 29 municipalities of Kosovo (See Figure 2 and Table 5). In general, the highest frequencies of abuses were observed in municipalities with the largest population size.

In addition to assessing the type of abuses, survey respondents were also asked to recount when a specific abuse by Serb forces occurred during the past year. The number of physical abuses experienced by participants and their household members from April 1998 until early May 1999 is presented in Figure 2. Of the 598 total abuses reported, the month and year of the abuse was indicated for 457 abuses. Overall, respondents and their household members experienced the majority of abuses (319/547, 58%) in March and April of 1999.

Clearly, abuses by Serb forces were reported throughout the 11.8-month period of time preceding NATO bombing. The extent to which abuses increased after NATO bombing is demonstrated in Figure 4. The average weekly rate of abuses by Serb forces increased dramatically, 8 fold, after NATO bombing began on March 24, 1999. Similarly, once people were displaced from their homes, they were 5 times more likely to have reported abuse(s) by Serb forces.

Table 5.
Respondents' Reported Abuses by Serb Forces among 11,458
Household Members According to Municipality in Relation to
Estimated Population

Serb Name (Albanian Name)	Total Abuses Reported*	Estimated Population, 1998
1. Decani (Decan)	12	57,125
2. Djakovica (Gjakova)	28	131,747
3. Glogovac (Gllgoc)	9	68,979
4. Gnjilane (Gjilan)	42	116,392
5. Gora (Gora)	0.	17,952
6. Istok (Istok)	16	63,994
7. Kacanik (Kacanik)	11	44,365
8. Klina (Kline)	9	72,862
9. Kosovo Polje (Fushekosove)	18	39,655
10. Kosovska Kamenica (Kamenice)	0	58,366
11. Kosovska Mitrovica (Mitrovice)	35	116,500
12. Leposavic (Leshak)	0	15,365
13. Lipijan (Lipjan)	19	77,087
14. Novo Brdo (Novoberde)	0	4,924
15. Obilic (Kopiliq)	4	32,894
16. Orahovac (Rahavec)	10	89,174
17. Pec (Peje)	38	140,191
18. Podujevo (Pudujeve)	5	108,211
19. Pristina (Prishtine)	108	225,388
20. Prizren (Poslishte)	59	204,462
21. Srbica (Skenderaj)	20	64,646
22. Stimije (Shitime)	19	27,222
23. Strpce (Shterpce)	2	13,445
24. Suva Reka (Suhareke)	38	86,916
25. Urosevac (Ferizaj)	49	127,333
26. Vitina (Viti)	3	63,615
27. Vucitrn (Vushtrri)	17	89,248
28. Zubin Potok (Zupce)	0	8,378
29. Zvecan (Zvecan)	0	9,285
Border Areas of Kosovo	11	—
Not Coded	1	—
TOTAL	598	2,185,721

* Frequency of abuses reported among survey participants and their household members (N=11,458). Abuses by Serb forces include: Killings, Beatings, Torture, Sexual Assault, Separation and Disappearance, Shootings, Threats at Gunpoint, among others.

Figure 3. Respondents' Reported Physical Abuses by Serb Forces from April 1998 - May 1999

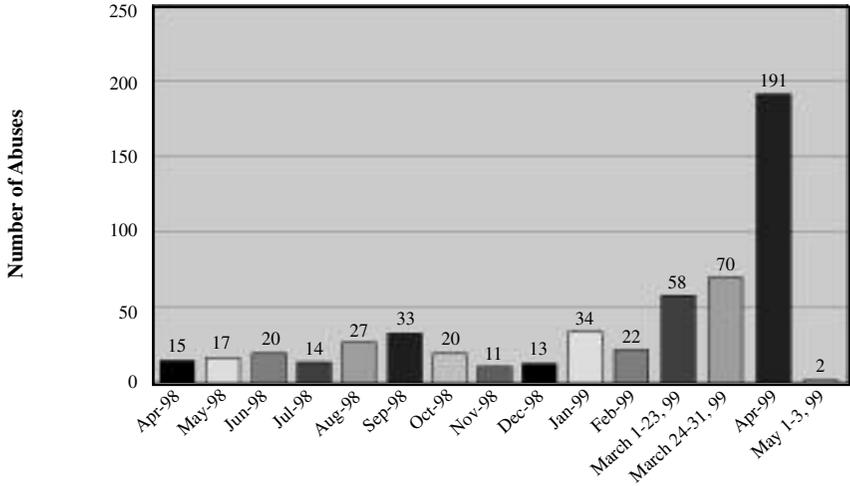
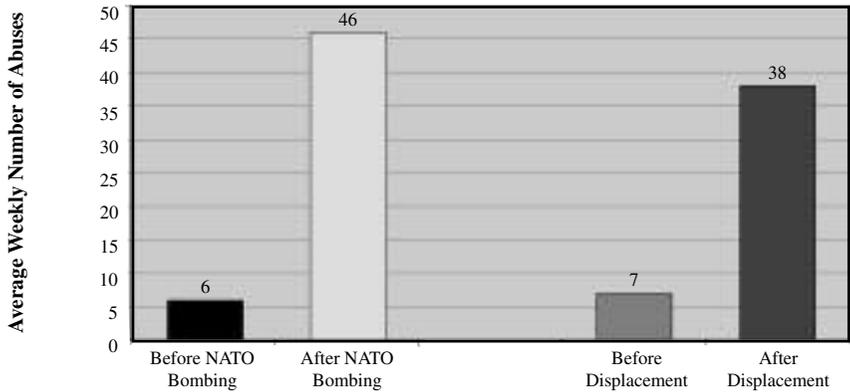


Figure 4. Average Weekly Rates of Physical Abuses by Serb Forces in Relation to NATO Bombing and Displacement



F. Comments on Survey Findings

Limitations in sampling caused by the refugee camp environment prevent the results from being generalizable to all Kosovar Albanian refugees. One limitation was the fact that refugees who resettled in host families or abroad were not sampled, yet they might have experienced or observed different human rights abuses than those refugees resettled in camps, who constituted the PHR/Columbia sample. Similarly, refugees arriving in camps and collective centers after May 3 (the end of the study) were not sampled.

Furthermore, refugees who might have experienced physical and psychological abuses that prevented them from fleeing Kosovo were not included in our survey. Also, the lack of privacy and confidentiality in the interview setting might have caused the underestimation of the extent of abuse. On the other hand, the extent of abuse might have been overestimated if refugees exaggerated their suffering in hopes to gain assistance from the interviewers. Despite these limitations and the resulting conservative estimates, however, this population of Kosovar refugees experienced an overwhelming amount of human rights abuses.

During the past year, Kosovar Albanians have suffered widespread human rights abuses carried out by Serbian forces as part of a systematic and methodically executed campaign of “ethnic cleansing.” The term “ethnic cleansing”⁸³ generally denotes the systematic and forced removal of members of an ethnic group from their communities in order to change the ethnic composition of a region.⁸⁴

The PHR/Columbia findings indicate that Kosovar refugees have suffered human rights violations on three major levels. These levels include the widespread, forced expulsion of Kosovar Albanians from Kosovo; the systematic destruction of both individual identity and the social and cultural identities of Kosovo; and the physical abuse of individuals and their household members.

1. Forced Expulsion

Kosovar Albanian refugees were forcibly expelled from their homes as part of a Serb effort to “ethnically cleanse” Kosovo. Serbian efforts to systematically remove members of this ethnic group is evidenced by the fact that nearly all survey respondents (91%) were either directly expelled by Serb forces, or left Kosovo because of a well-founded fear of Serb violence. For example, more than one third (36%) of respondents left their homes because Serb police or soldiers came to their houses, and nearly an additional third (32%) left because of Serb bombing, Serb police or soldiers harming others, or Serb police or soldiers

⁸³ It is important to note that the term “ethnic cleansing” is used as an euphemism to illustrate Serb violence and human rights abuses directed against a particular ethnic group.

⁸⁴ U.S. Department of State, *Erasing History: Ethnic Cleansing in Kosovo*. Washington D.C., May 1999.

destroying property. In addition, two thirds (167/245, 68%) of those specifically asked whether Serb police or soldiers came to their home and ordered them to leave reported that this did occur.

On average, study participants were separated from 1.8 of their household members. This reduction in household size represents profound disruptions in the lives of many of Albanian Kosovar refugees. Reasons why individuals may have been separated from other household members include: unwillingness or inability to travel; separation en route to Macedonia/Albania; died en route, either of natural causes or by violence; and separation and disappearance by Serb forces. However, the latter was reported at a frequency of only 31 of all respondents and their household members (31 of 11,458).

Further qualitative data and individual case testimonies gathered during the interviews illuminate the degree of the ordered, forced expulsion of Kosovar refugees. Although the regime of Slobodan Milosevic consistently alleged that Kosovar Albanians left because of NATO bombing, none of the refugees in our study said they left Kosovo for this reason.

The systematic, forced expulsion of Kosovar Albanians was supported and frequently executed by joint Serb forces, as Yugoslav Army (VJ) and Special Police Units (MUP) joined with paramilitary units and recently armed Serb civilians.⁸⁵ This is also supported by our findings, as nearly half (49%) of the respondents were forced from their homes and villages by more than one Serb force.

2. Destruction of Social and Cultural Identities

The PHR/Columbia study demonstrates that Serb forces engaged in acts that represent an attempt to destroy the social and cultural identity of ethnic Albanians in Kosovo. Nearly two thirds (60%) of respondents observed Serb police or soldiers removing or destroying personal identification documents. Destroying personal identification papers limits an individual's capacity to seek asylum in a third country and also may adversely affect one's sense of self, belonging and worth. In addition, nearly half (49%) indicated that Serb police or soldiers demanded money or valuables from them. Although there are preliminary indications that professionals, as an occupational category, may have been targeted more specifically, further analysis will be necessary. The data regarding members of the medical profession specifically, are presented in detail elsewhere in this report (see Chapter VI).

Serb authorities also appear to have specifically targeted Kosovar professionals and intellectuals. For example, professionals in Kosovo were significantly more likely to leave Kosovo because Serb police or soldiers came to their houses or because of their fear of Serb forces. The systematic attack of

⁸⁵ U.S. Department of State, *Erasing History: Ethnic Cleansing in Kosovo*. Washington D.C., May 1999.

Kosovar Albanian individuals by Serb forces appears to have been an essential strategy of the Milosevic regime to destroy this population.

The PHR/Columbia findings demonstrate that respondents frequently observed the destruction of property by Serb forces, including homes, places of worship, schools and medical facilities. Nearly one third (29%) of respondents lost their homes because Serb police or soldiers burned them, and more than three quarters (89%) saw homes of others that had been burned. Nearly half of the respondents also observed property that had been looted by Serb forces. The intent of ethnic persecution is evidenced by the fact that most Serb homes and stores reportedly remained intact, as Serb civilians frequently painted a Cyrillic “S” on their doors so that Serb forces would not attack their homes by mistake.⁸⁶

Cultural and religious symbols, such as mosques, were also common targets of Serb violence. Nearly half (47%) of Kosovar respondents saw places of worship that had been destroyed in their village or in other villages during their forced migration (See Appendix C). Another strategy Serbs used to destroy this group’s social and cultural identities was to attack schools, which more than one third (39%) of respondents had seen destroyed (See Appendix D). Overall, respondents reported a total of 297 mosques and other places of worship and 263 schools destroyed in Kosovo.⁸⁷ Study participants also consistently reported that they had seen medical facilities that had been destroyed (23%) (See Appendix E), the use of medical facilities for military purposes (21%), and the forced removal of medical workers and patients from medical facilities (20%). The violation of medical neutrality is evidence of the extent of an organized and violent campaign to destroy Kosovo’s health care system and eliminate its health professionals, effectively depriving Kosovar Albanians of medical and health care.

3. Physical Abuse

Kosovar refugees have provided numerous and detailed accounts of physical human rights violations they and their household members experienced during the past year. Ethnic Albanians living in Kosovo were victims of such abuses as beatings, torture, gunshot wounds, killings and sexual abuse.

One in every three households reported that their household members had suffered at least one such abuse inflicted by Serb forces. Furthermore, more than one third (37%) of these abuses occurred in the brief period of time following displacement from one’s home (median = 4 weeks). The time frame during which these abuses occurred is further reduced by the mean duration of 2 weeks that respondents’ had been in refugee camps or collective centers.

⁸⁶ U.S. Department of State, *Erasing History: Ethnic Cleansing in Kosovo*. Washington D.C., May 1999.

⁸⁷ For a list of villages where schools and mosques had been reportedly destroyed, please see Appendices C and D.

Therefore, it is likely that the rapid, massive expulsion of Kosovar Albanians may actually have limited individual contact with Serb forces and consequently exposure to additional human rights abuses.

Respondents reported most frequently that they or one of their household members (total = 11,458) had been beaten (372), killed (59) or tortured during the past year (44).⁸⁸ Several accounts of human rights abuses in Kosovo have reported rape among ethnic Albanian women by Serb forces.⁸⁹ The frequency of sexual violence and rape reported in our study (4) may underestimate the true profile of such abuses because the cultural stigma attached to these offenses prevents many women and men from reporting them. The fact that interviews were commonly conducted in settings where family members and neighbors were present, likely also prevented the accurate reporting of sexual violence and rape.

The majority of Kosovar respondents did not experience a household member being killed by Serb forces. Nevertheless, one in every third household (35%) included a member who saw either someone killed by Serb forces, or a dead body they believed was killed by Serb forces. The extent of witnessed killings is striking, and is further corroborated in case testimonies, including testimonies of massacres carried out by Serb forces in Kosovo.

Kosovar Albanians have suffered human rights violations by Serb forces on multiple levels. This population has been physically and psychologically abused on a grand scale to achieve a political goal. Regardless of the prevalence of physical abuse, it is essential to recognize the extent of suffering caused by the Serbs' tactics in carrying out their goals of forced expulsion and destruction of Kosovar Albanians' social and cultural identities.

⁸⁸ Note, these are based on a total of 11,458 household members.

⁸⁹ See U.S. Department of State, *Erasing History: Ethnic Cleansing in Kosovo*. Washington D.C., May 1999; and Fitamant D. S. "Assessment Report on Sexual Violence in Kosovo." UNFPA, April 27-May 8, 1999.

V. CASE TESTIMONIES ON WAR CRIMES IN KOSOVO

A. Methods

To gain further insight into the abuses experienced by individual survey participants, narrative information was solicited on forced expulsions, observations of human rights abuses and experiences of abuse by respondents' and their household members. The information included: who was abused, date(s) and location(s) of the abuse, description of event(s), identity of the perpetrator(s), and whether the respondent witnessed the abuse directly or the after-effects only. Qualitative, narrative information was provided by 801 (68%) of the 1,180 survey participants.⁹⁰ The data was entered into an Excel spreadsheet and sorted by abuse category. Multiple readings of case narratives were performed to identify central themes and issues conveyed by the interviewee. These issues were categorized according to the topic areas and subcategorized according to the key words, phrases, and concepts within each topic area. Quotations were selected to represent important themes and issues, particularly those that contributed insight into the quantitative survey data. In addition, because the survey only systematically assessed physical abuse among household members, qualitative information on physical abuse (e.g., torture, beatings, killings, etc.) experienced by non-household members were also quantified.

With regard to violations of medical neutrality, 50 additional semi-structured interviews were conducted by several of the authors (SF, JL and RB). Between April 18 and April 30, 1999, authors JL and RB conducted 35 semi-structured interviews with Kosovar refugee physicians. The vast majority of these physicians (30/35, 86%) were known to PHR from prior collaborative work and were actively sought out. An additional 15 individuals (9 of whom were physicians) were interviewed by author SF between April 2 and April 15, 1999 on the Kosovo-Macedonian border. These 15 individuals were selected in the course of providing humanitarian assistance to refugees. The researcher sought out interviews with Kosovar health professionals and other individuals who had observed violations of medical neutrality in Kosovo. In addition to soliciting information on forced expulsions, observations of human rights abuses and experiences of abuse by respondents' and their household members, these subjects were asked to discuss the following issues: Expulsion and/or abuse of med-

⁹⁰ This includes 562 (48%) case testimonies and additional details (i.e. name and location of schools and mosques that had been destroyed) from 239 (20%) participants.

ical personnel and patients, attacks on medical facilities, and the use of medical facilities for Serb military purposes. Each interview lasted between 30 minutes and 2 hours. Albanian interviews were conducted with the assistance of a bilingual Albanian/English translator. Verbal informed consent was obtained, and participants did not receive any material compensation.

To protect the anonymity of all participants of this study, this report does not include any of the respondents' (or alleged perpetrators') names or identifying characteristics. All individuals who participated in the survey and the 50 additional interviews on the issue of violations of medical neutrality are referred to by non-identifying initials. As documented in the press and other organizations' reports, names of districts are rendered in the Serbian language spelling. Village names are spelled in the manner they were reported by respondents to the PHR team.

This section includes testimonies selected from 801 individuals who provided narrative responses in the course of the Kosovo Refugee Survey. In the chapter on Violation of Medical Neutrality, case testimonies are drawn from the 537 survey respondents who reported violations of medical neutrality and the 50 additional semi-structured interviews.

B. Forced Expulsions

PHR's survey findings demonstrated that 91% of participants left their homes in Kosovo due to direct and indirect expulsion by Serb forces. Overall, 68% of participants were forcibly expelled by Serb forces. This included Serb police or soldiers coming to participants' home (36%), Serb bombing (25%), Serb police or soldiers harming people (4%), and Serb police or soldiers destroying people's property (3%). Furthermore, nearly one quarter (23%) of respondents reported that they left Kosovo because they feared Serb forces.

Only 5 of the 1,180 participants (0.4%) cited the KLA as the cause of their displacement, and contrary to Serb media reports. No one cited NATO bombings as a reason for displacement from their home.

These expulsions by Serb forces were done in a methodical and ruthless manner. They often included Serb forces coming to homes and ordering inhabitants to leave, threats, actual harm, and destruction of one's home and personal property. Participants' individual case testimonies provided insight into these widespread and devastating abuses. A 42-year-old farmer from Vragoli described the chain of events in his expulsion:

First, the Serb VJ soldiers surrounded our village. They first said that we were not guaranteed to stay here. Then a week later, they told us we must go. They started shooting in the air and then made an announcement over a microphone that everyone must get to the center of the village. We were told that everyone must bring their documents. After that, they separated men from women. The VJ soldiers took our documents and threw them in the river. We were told get out of here. 'This

is Serbian land and you must get off it,' the Serbian soldiers said. 'You asked for NATO and so now you must go to NATO.'

We were not allowed to go back to our homes, even to get our belongings. As soon as we left our homes, the VJ soldiers entered them. I saw 4 or 5 of my neighbors' houses set on fire by the Serbs. Outside of town, we reunited with our families and left. As we walked along, one of the soldiers said to my neighbor, 'Give me 1,000 marks or I will kill your son.' The soldier held a gun to my neighbor's son's head. The son was 21. My neighbor gave him the money.

SE, a 22-year-old businessman from Pristina, described the following events, when Serb police came to his home.

They knocked on our door and my mother answered. Then the police said 'Come out as quick as possible or we will kill you.'

SE said that when he and his brother-in-law exited the house they were pushed up against the wall by the police. *They looked at us close*, he said. *I had the feeling I was done for.* He reports the police left for their neighbors house where they took their money. *We took our chance to escape.*

SE reported that he saw stores and bars where the windows were broken by police and VJ soldiers. *The day we left home, we witnessed these things.* They yelled, *'We're going to destroy all this so you don't have to come back. You wanted NATO, now you're going to leave.'*

SE stated that he is concerned about several family members who have been displaced within Kosovo and about whom they don't know anything of their fate.

VL, a 27-year-old housewife from Pritrenit, reported that on April 29;

Serb police came to our house looking for adult males. When they didn't find any, they told us to leave.

Frequently, the ethnic Albanians were forced to leave with little notice. HK, a 76-year-old male farmer from Agarevc, described the events in his village:

The police made an announcement that we should leave our village immediately. They told us, 'Albania is your country, and you have to go there.' The bombing continued for three days. The police and soldiers came to the house where we were staying and told us we had to leave in five minutes. They cursed at us. They said, 'Fuck your Albanian mother.'

Not surprisingly, individuals often had to leave with few or none of their belongings. HT, a 51-year-old English professor from Kosovska Mitrovica, said that Serb police, paramilitary and soldiers came to his village, forced the residents to leave their homes, and then looted and burned the houses. *I escaped only with the clothes I am wearing*, HT said. RX, a 13-year-old boy, began to

cry as he talked about his books, which he could not take with him, and his older sister, whose whereabouts are unknown. *I left everything behind*, he said.

In addition to directly coming to houses or making announcements over a loudspeaker that individuals had to leave, the Serbs also used the local Kosovar administration to inform the people in the village. For example, SK, a 39-year-old housewife from Medvec, gave the following accounting of the events of March 20:

The spokesman of our village KK was summoned by the Serb police and told we must go now out of the village and must never come back because Kosovo is not our place. The spokesman then told a group of us about this, and we left maybe a half hour later. A half hour later, the Serb infantry came into the village. We didn't even have time to untie our cows from our stables. Armed masked Serb men passed through the village and set buildings on fire. I saw the building with our cows on fire. After two days, some of our men went back into the village and saw that everything was in ashes.

Individuals would often be herded to a central location such as a school or bus/train station. They would then be forced to leave for Albania or Macedonia, either by foot or on a tractor, bus or train. As ethnic Albanians were being forced out, they were subjected to taunts from the Serb officials. BJ, a 56-year-old housewife from Ferizaj said, *At the train station, the Serb military looked at us with anger and said, 'Go and never come back and remember Kosovo is ours.'* In the crowd at the train station, BJ was separated from the rest of her family. She doesn't know what happened to them.

Individuals were being forced out of their homes by Serbian authorities long before the NATO bombings began. PHR found that 52% of the population were forced out of their homes before the NATO the bombings began in March. RE, a 62-year-old farmer from Mellevice, reported that he was first forced out of his home on September 17, 1998:

Our village was grenaded by VJ forces. The time was about 8:00 a.m. We had to leave our village and went to Mitrovica. In Mitrovica, we stayed till April 17, when the police, VJ soldiers and paramilitary forces, some of them masked, ordered us to leave our houses and told us to go straight to Albania, because this is Serbian land.

Individuals, fearing for their safety, often had to move multiple times. BC is a 51-year-old driver from Prizren who stated that he and his family were first forced from their home on July 14, 1998:

Our town began to be grenaded by Serb forces, so we left home and went to Leskovic. On September 3, Serb forces started to grenade there and so we went to Petrovo, where we stayed for 4 months. Then we

came back to Prizren, but the grenading started again so we had to leave for Albania.

DL, a 41-year-old farmer from Paterc, reported that on March 28,

My house began to be grenaded by Serb paramilitary, VJ soldiers and police forces so we had to leave my village. We moved to a village called Gllaxlan. There we stayed for six days. The paramilitary forces came to this village and told us to leave. 'You asked for NATO, and so you can go in Albania and there meet NATO.' On our way to Albania, a grenade killed two of the passengers in a tractor next to my tractor.

Near the Albanian border, DL became separated from his family

My wife with two children and my sister-in-law with a child are blocked on the border so we don't know nothing for them.

These expulsions were terrifying. Individuals were subjected to threats, and many to actual physical harm.

PH, a 57-year-old mechanic from Kosovska Mitrovica reported that on March 28, at approximately 9:00 a.m., Serbian police and paramilitary came to his village and ordered them to leave "in a minute." He described the expulsion:

We heard the announcement over the loudspeaker and looked out our and window and saw them. We left very quickly. When we went to the road, we were surrounded by police. I thought we would be killed. A soldier yelled at us 'Leave them go to Clinton and Mother Teresa.' As we walked up a hill, the Serbs threw grenades at us. We had to duck. My son who is 13 was very frightened.

AC, a 65-year-old farmer from Degan, reported:

I was tending my cows when the police and VJ soldiers came to my house and told us we must leave in 2 hours. 'This is not your place. We will burn all of your houses,' they said. They made me lie down on the ground and started to beat me. They did this for the rest of my family to see. As we left, I saw smoke coming from my village. We then went to the village of Ismig, but had to leave there because of the Serb bombings. As we passed through the town of Strelle on our way to the Albanian border, I saw mosques and schools that had been burned. Once we reached the border, the Serb soldiers destroyed all of our documents.

EN, a 31-year-old teacher from Srbica, described the terrifying events of his family's expulsion:

In the morning, between 6 and 7 a.m. Serb paramilitary forces came into Srbica. They started shooting anywhere into all of the houses. Everyone was afraid. We went to the bus station in the center of the

city to leave, and along the way, saw many dead bodies and a lot of blood. It was terrible. When we were near the bus station, we were stopped at a police checkpoint, but fortunately they let us continue. Near the end of our travels in Lojane, Serb police destroyed our identification documents.

JS, a 52-year-old male driver from Xhinovc, reported that on April 2,

The police came to our village in three buses and started shooting and firing at the houses, and then bombing us. As we were leaving, the Serb police made a blockade and took our money. They took my wife's jewelry. And they said, "This is the road – Get to Albania." We didn't want to go to Albania, we wanted to go to another village, but they wouldn't let us. A few kilometers later we were stopped by Serb soldiers demanding money. They pulled my brother out of the truck by his legs. He was hurt, his legs were bleeding. I helped my brother back into the truck.

These expulsions were accompanied by the destruction and looting of property. VT, a 49-year-old economist, from Zhabar reported that on April 11, paramilitary masked forces began to congregate in his village.

After two days, the paramilitary forces came to my house and ordered me to leave my house and that all of my property now belonged to them. They told me 'You must go to Albania, because this is Serbian land. You asked for NATO; now go to NATO in Albania.' They didn't allow me to take any of my belongings. During our journey, we were beaten and all of our money was stolen by the paramilitary forces.

BI, a 17-year-old man from Malishevo, reported that on April 2:

A group of Serb paramilitary came to my house and told us you have to leave to Albania, or we will kill every one of you. They said, 'This is not your place. You belong to Albania.' The school of my village was burned and destroyed. They started bombing our village. Then paramilitary forces, in groups of three, were looting and destroying. After they looted, they burned the houses, I saw this with my own eyes.

AN, a 49-year-old driver from Prizren, reports:

On April 8, Serb police and soldiers came to my house and started shooting at the door to our house in the afternoon. They told us we must leave within two hours. They said ' You are not for living here any more. You must go to Albania.' On the road outside our village, a soldier stopped me and demanded 1,000 marks. When I said I don't have 1,000 marks he put a gun and automatic rifle to my head, and prepared to kill me. So I reached into my pocket and gave him my money. I was with my family and they saw this. I was very frightened

for my family. Further down the road, in the village of Vermitz, 2 Serb soldiers held guns to both sides of my head and told me if I didn't give them 500 marks immediately, they would kill me and that my family would stay here. At that moment, I was very scared and would do anything to save my family. At the border, the Serb soldiers demanded my documents and then destroyed them.

C. Killings

PHR found numerous reports of killings by Serb police, soldiers and paramilitary forces among Kosovar refugees interviewed. This included frequent first-hand accounts of witnessing killings of ethnic Albanians by Serbian authorities, as well as widespread reports of seeing dead bodies. Overall, more than one third (35%) of survey respondents either witnessed Serb police or soldiers killing someone (14%), or saw dead bodies they believed were killed by Serb police or soldiers (21%). While participants reported a total of 59 killings among all household members, they also reported witnessing (97), or seeing physical evidence of killings (273) among 370 non-household members.

Of all killings reported, there were 160 accounts of the killing of 3 or more individuals.

These killings were part of a brutal pattern by the Serbian forces of causing fear and intimidation. Individuals suspected of being affiliated with the KLA were killed. Random acts of killing also were common as were those occurring in the context of forced expulsion, robbery, or Serb bombing as the following case testimonies illustrate:

MM, a 68-year-old man from Bellanc, reported that on April 1, he witnessed the following:

I was in my house standing in my yard. I saw that four of my neighbors were trying to get away from men in masks. One was killed as he was trying to climb the wall into my yard. The other three were killed in the yard. The men who did this spoke Serbian and wore masks.

SC, a 58-year-old housewife from Resnik, reported witnessing on March 28, Serb paramilitary kill her husband and brother-in-law:

My husband and brother-in-law were separated from us. First, they beat them in front of all of our family. After they stole from us gold and money, we were told to leave. We heard shots and when we turned back they were dead.

The killings were often used as a method of intimidation and apparently to serve as a warning to others. For example, SM, a 39-year-old housewife from Medvec reported that on March 20 in the village of Pirane, she saw approximately five dead bodies in blankets on the side of the road.

The bodies were in a line, every 100 meters. They each wore the white Albanian on which crosses with blood had been made. I think this was done by the Serbs so that the blood would be seen by other people.

NB, a doctor from Pec, reported that on the morning of March 28, which was the 10th anniversary of the Serbian revocation of Kosovo's status as an autonomous region, a 28-year-old Kosovar male, XC, was killed by Serbian police and his body left to lie on a prominent street corner. NB knew him and had spoken to eyewitnesses who reported the circumstances:

The police stopped the man, asked him why the date was important. They shot him at point blank when he said he did not know and then they slashed his throat, leaving him to bleed in the street for two days. This was along the route that thousands of people were using to flee out of town. This helped sow terror among all the people.

Many of these reported killings occurred a significant amount of time before the NATO bombings.

RB, a 60-year-old farmer, from Bilimic stated,

On June 15, 1998 in the village Bilimic, the Serb forces started bombing. My son and his family were among the first families who tried to leave. At the moment the bombing and shootings started, my son along with the others was hiding under the village's bridge, where they were found by the Serb forces and killed first. They killed only the men. After some hours when the Serb bombing stopped, I went to see him. He was lying under the bridge with four other dead bodies. I couldn't bury him because we had to leave the village quickly, so that the rest of the family could be saved.

Paramilitary forces were frequently implicated in the killings. For example OA, a 29-year-old farmer from Stublin, reported that on approximately April 10, Serb paramilitary forces killed seven people in Renatovc village. At the time of the killings, OA was in his village, which is nearby, and arrived at the scene of the murder at 4:00 p.m., he believes approximately two hours after it happened, with several other men from his village. Upon arrival, they saw six bodies piled one on top of the other. Nearby, he also saw the body of a man who had been burned.

We heard that something terrible had happened and so we went to see. We saw the blood on the ground. I saw that one had a bullet in his head. One man was alive and is now in Macedonia having medical treatment. He had seven bullets in him. I also saw another man that they had burned. That man who was burned was a teacher.

OA reported that before the killing, the paramilitary rode into the village on a tractor using two Albanian men for cover.

The people in the village didn't see the paramilitary forces. They thought that they were Albanians, so, they didn't run away when they saw a tractor.

OA believes that none of the individuals killed were either armed or involved in any military activities.

They were just passing by. They had nothing with which to defend themselves. The paramilitary killed them without any reason. And after this happened, the police tried to defend the actions of the paramilitary forces.

OA reported that he believes the paramilitary forces were from a nearby village Pisjan. The two Albanians who were in the tractor survived and provided information.

Following these events, OA reported many people left the village.

They were afraid to go back to the village. We left our house from the fear that this could happen to us. The police were coming every day. They told us that 'we can't guarantee your safety.' They said this to get us out.

OA and his family finally left for Macedonia on April 18.

BC, a 29-year-old man from Haty I Flezit, witnessed the following killing of his aunt, her husband, and her husband's brother.

On April 2, I was with my aunt's husband in the neighbor's house. About 6:00 p.m. we felt it necessary to go back to our house and feed the animals. On our way, two soldiers started following us. They were on the road looting villagers' property. When we arrived in the house, we met my aunt and her husband's brother. Very soon police arrived. They asked us why are we running? One of them who was wearing a camouflage uniform said that he had killed a lot of Croats and now he is here to kill Albanians.

They asked my aunt's husband if he had money or a cell phone. When he responded that he has no money, they killed him without warning. I was very upset and I started running. Probably disturbed by the act of killing, they started shooting only after I had found cover. I heard more shooting, then after a few minutes, they left.

When I returned I saw two bodies on the ground covered by white sheets: My aunt was inside crying. In that moment, I noticed that the soldiers are coming back. I found cover again. They started knocking on the door making a lot of noise, yelling at my aunt to open the door. She did that after 5 minutes. They started beating her and after a while I heard two shouts. The next morning, her body was on the mattress with a wound caused by a knife on her back. She also had a lot of

bruises and two gun shot wounds: One on her abdomen, and a second on her right temporal area. The Serb neighbors alerted the police about the incident and their crime team arrived. I was present during the investigation. Between themselves they said that those boys are out of their responsibility.

After we returned from the funeral, we decided to leave the village.

SC, a 58-year-old housewife from Resnik reported witnessing on March 28, Serb paramilitary kill her husband and brother-in-law.

My husband and brother-in-law were separated from us. First, they beat them in front of the entire family. After they stole from us gold and money, we were told to leave. We heard shots and when we turned back they were dead.

Several individuals killed by Serb paramilitary were subjected to brutal beatings. OT, a 52-year-old man from Gnjilane, reported that on April 10,

In the road to Preservo we found a woman (45-50-years-old) who had been beaten and tortured by paramilitary after they found her alone in her house. She had been trying to get out of her house. Her whole body was blue from beatings. We wrapped her in a blanket and took her with us, but during the journey she died.

SB, a 38-year-old farmer from Zhecer, who was stopped by paramilitary forces on April 4, 1999 recounted:

They had guns and knives. Their mission was to catch KLA soldiers and to maltreat civilians. They took me to a garden of a friend of mine and after five minutes they told me to go on the street again. I saw a young man (22 years old) coming on his way, and the paramilitary said to him loudly 'Stop, Stop.' He didn't stop from fear, and he continued to walk. After two meters he was shot. Sixty bullets he had in his body. I was the witness because this happened five meters away. Paramilitaries just put the old jacket on him in the street. They didn't remove the body."

Beyond simply doing nothing to protect civilians from paramilitary forces, Serb police were frequently witnessed to have committed murders as well. VG, a 20-year-old student from Bore (Kosovska Mitrovika), reported that he saw two people being beaten, then heard gunshots, and then saw two dead bodies in Kosovska Mitrovika.

On March 26 we were staying in a building in Mitrovica. In front of the building I saw the Serb police beating two Albanians. The Serb policeman's names were R and B. They were beating the Albanians for more than ten minutes. When Boban saw me, I ran up to the

apartment, and then I heard the gunshots. After an hour I saw the dead bodies of R. and T.” (the two Albanians).

The reports of murders by Serb police were often in the context of robbery or extorting money. SH, a 42-year-old farmer from Vragoli witnessed the following event in November of 1998:

I saw a Serb police demanding money from a man. The man didn't have money, so the policeman shot him in the chest.

KL, a 63-year-old farmer from Radbrave, reported that on April 26 in Pisdak,

The police separated the men from the group and then forced us to walk 10 kilometers. Later, a man was separated from the group, and killed. At the second attempt, policemen were offered money so they wouldn't kill anybody else from the group. The policeman collected around 150.000 DM and they started to torture us again.

AQ, a 53-year-old telephone service worker, reported:

On April 1, when we were going to Macedonia by train, somewhere near the border in the town of Kaconik, the Serb police started taking money from people. They said 'Whoever has money, give it to us, because if you don't do it, we will kill you.' I had to give 4600DM. The wife of RC was killed in the train in front of me and everybody, because she didn't give her money to the police. First they took from her 40000DM, and then the dead body was taken from the train. The woman was 40 years old.

In Vershevc, at the end of March, a 45-year-old housewife, witnessed Serbian police and VJ soldiers stop cars and demand that the occupants get out of the car.

Every passenger that went through was beaten. One was killed and thrown into the trash. I saw from my balcony. It was a boy in a car. First they beat him. I don't know how old he was. Police and VJ soldiers were positioned in front of Pristina's Court, with a tank. They were wearing masks. It was about mid-day. First they took him out of the car and beat him good. He tried to get back into the car and they shot him with machine guns.

PHR found frequent reports of killings by Serbian VJ soldiers. Upon arrival in a village, VJ soldiers demonstrated tremendous brutality. IN, a 35-year-old male from Pojata reported that at 1:15 p.m. on April 6;

Two tanks and many artillery forces were stationed in the groves of the village. After ten minutes, two tanks began to drive in the middle of the village. They stopped in the center of the village, and VJ soldiers came

out of them. They started shooting. Half of those in the village (6 persons) ran from the village in the direction of Mresal village. Half of them (6 persons) were hiding in the village. After the VJ soldiers checked the village, they found these 6 people. One of the 6 was my father. They were taken to the periphery of the village and they were executed. Two of the 6 were wounded, and one of them is still alive. The one who is still alive, the bullet went through his jacket on the side and he pretended like he was dead. My father was wounded and we took him one and a half hours later to another village for medical care. At 1 a.m. he died.

MF, a 53-year-old farmer from Brestovc, reported:

In Krusha e Vogel village, the men were separated from their families. VJ soldiers started to beat the younger men. They started looting us. Three of them didn't have money and so they were shot in that place. The 3 boys who were shot were around 30 years old and were from Celinje.

PHR found frequent reports of deaths as a result of Serb bombings. MB, a 20-year-old housewife from Klodernice, reported:

In Turicevc, I saw with my eyes a mother with her three children who have been killed by a grenade.

AC, a 24-year-old farmer, reported that on March 25,

At about 6:00 a.m. when Serbian police began to grenade our village, we were forced to leave our home to go somewhere else. We went to a nearby forest, but on our way there in Izbishta village, a grenade hit the tractor next to me and 8 people were killed. On our way to Albania, the police forces burned my tractor too.

Individuals suspected of being associated with the KLA risked death. For example, LL, a 34-year-old housewife from Reti, witnessed the following on March 26 in Nagave village;

I saw 40 men put in a row behind a wall and they were threatened with killing. A young boy named YE, 17 years old, was killed because a symbol of KLA was found under his clothes.

The elderly and other vulnerable individuals, were targets of Serb aggression as well. LL, a 34-year-old housewife from Reti reported that on March 31,

I saw a sick old woman named Naxhie Gashi burned inside her tractor by Serb Police at Hoc i Vogel village.

MU, a 54-year-old male from Piran reported:

My brother, IU, 63 years old, and his wife, FU, 60 years old, were burned inside their house. My brother was a paralytic and couldn't get out of his home. Serb army and police and tanks did this massacre in Piran village on March 25, 1999 at 1p.m.

FB, a 33-year-old male trade worker, reports, that on March 26 in Urosevac he witnessed the following:

There was shooting all around, I saw people running to the yard to help this old man, but he was dead. I saw his body. He died of gunshot wounds. Police with masks were there.

NW, a 52-year-old housewife, reported that on approximately April 1, 1999, near Grema:

An old man, 101 years old, was burned. From the forest, we saw them burn the house. When we went down and saw him he was burned, dead. They burned the house and he couldn't get out.

IB, a 38-year-old male textile worker from Crnice, witnessed a man shot and killed on April 5, 1999 by a VJ soldier.

On April 5, the day when we had to leave our homes, there was a tractor that was loaded with about 25 people. One of them was a 68-year-old man wearing a white hat. (The traditional Albanian hat is white.) He was forced at gunpoint to step out of the wagon. At about 10 meters, the VJ soldier pulled the trigger and shot down the man.

Among survey participants, PHR found 3 reports of incidents where young children were witnessed to have been intentionally run over by cars driven by Serbian police or forces. BY, a 60-year-old male farmer from Crmjan, reported,

In Vevmiza on April 6, a child about 4 years old was standing in the middle of the road. I'm sure the Serb police saw, but they kept going. They hit and killed the child. All the other children saw this. The mother was in shock.

Children all too often witnessed killings as, well. Sometimes, tragically, of their own parents; SA, a 57-year-old housewife from Lladrov, saw a young Albanian man, who was driving an Opel-Ascona killed by Serbian police.

He was asked to hand the police all his money and when he didn't have any, they killed him in front of his three children and then threw him out in the street.

Reports of killings by snipers were common. RU, a 59-year-old pensioner from Lismire, reported that on June 29, 1998:

Paramilitary forces on the hill were shooting with snipers and machine guns. An 8-year-old boy was wounded in front of his home by

a sniper. My neighbors were trying to get permission from the Serb police to take him to the hospital, but they couldn't get that. The boy died after 12 hours from bleeding, and he was not buried for two days. Two days later his parents got the permission from the police to bury him in the yard of their house.

NC, a 38-year-old woman from Pristina reported that on April 1:

I saw a 16-year-old girl dead in front of our building. She was killed by the Serb police snipers. We couldn't go out and bury her because of the snipers.

RU, a 59-year-old pensioner from Lismire, reported that on June 29, 1998:

Paramilitary forces on the hill were shooting with snipers and machine guns. An 8 year old boy was wounded in front of his home by a sniper. My neighbors were trying to get permission from the Serb police to take him to the hospital, but they couldn't get that. The boy died after 12 hours from bleeding, and he was not buried for two days. Two days later his parents got the permission from the police to bury him in the yard of their house.

HC, a 57-year-old retired man from Pristina, stated that on March 29, Serb forces came to his home and told them that they had to leave. While evacuating, he witnessed a young girl and an elderly man shot and killed by Serb snipers.

We were walking all the people in a group to the train station at 8:00a.m. We could hear the Serb bombing. In a moment while walking to the train station, I saw one girl killed by Serb snipers on Bled Street. She was 13 years old. I saw her fall down, and when I passed near to her, I saw the blood and she was dead. Nearby, after 200 meters, again in that line of our group of people, again by some Serb snipers, one old man fell down and we saw that he has been shot and was dead.

PHR found that reports of witnessing killings and seeing dead bodies during the forced expulsions were common.

HE, a 51-year-old English teacher, reported witnessing the following events on March 27:

The police came to my neighborhood and began to forcibly evacuate all the inhabitants. Two old people refuse to leave their home. I saw with my own eyes, about 300 meters away, the police shot the old man. I saw it with my own eyes, how he was shot down.

HE reported that after being forced out of his home, he stayed in a nearby town of Jebel. Two days later, he tried, along with several other Albanians to return to Kosovska Mitrovica.

We arrived in Kosovska Mitrovica about half past eight o'clock in the morning. But after a kilometer, as we turned left to enter the town, there on the crossroad were police forces and paramilitary forces. Some of them wore masks, some had painted faces, and they were wearing black gloves. We were forced to turn right, and I saw a corpse in a garbage can at the entrance of the town. It was obvious now that we would not be allowed to go into the village. We sensed that something was about to happen here.

We were forced to turn right. As we turned right, I saw that we were on the main road to Pec. After another few meters, I saw another corpse on the right side of the road. He was a young guy who had been shot. He was lying on the right side near the main road with two of his suitcases.

I was walking between my two sisters, because I had been a member of the OSCE when I worked in Kosovska Mitrovica. Some members of the police force had killed two members of the OSCE. Once, I had been chased three and a half miles by the police, and I had heard from my friends, 'They are looking for you.' I was very afraid, so my two sisters surrounded me. The police forces shot two times over my head as we walked, just to intimidate us.

About thirty meters away from the corpse on the side of the road, I saw police forces burning houses. The police forces were frightening. They were entering the houses. I saw their faces. There was also a huge number of paramilitary forces moving around, on the main street. And I saw, after another thirty meters, a young guy, dead. He had two knives in his back.

We walked about a kilometer, and we were forced to enter the district's school yard in Kosovska Mitrovica. After a half an hour, the police ordered us to leave the village as soon as possible. 'Go straight to Albania. Otherwise we are going to kill you. You asked for NATO, now you have NATO in Albania and you must go there.'

SC, a male 41-year-old security services worker, saw three men shot and killed in Vranjhevs by "mixed forces," on April 1, 1999. He recalled:

The day we were forced from our home in Vranjhevs, there was a lot of shooting. I saw only one man killed (my cousin was wounded). I heard he was burned in my yard at 9 or 10 in the morning. My neighbor was killed. He was moving along in the crowd. Lots of others were injured. During the movement when people were leaving, that same day, police took one 20-year-old man out of the columns and demanded money from him. This guy's family went to save him: 'Don't kill him, we'll give you money.' At that moment they killed him with an automatic.

It was about 4-5 p.m. From far away, I saw other killings. Similar scenarios, though I don't know the reasons they were killed. Machine guns were used.

FE, a 27-year-old male from Zofz reported that:

Along the way to the Albanian border, a Serb police named TS took away four young men from the refugees and killed them in front of their mothers' eyes. It happened at the Albanian border on the 11th of April.

During the expulsions, individuals who did not strictly obey Serb forces were killed. IH, a 49-year-old male farmer from Studemcan, reported witnessing the following event in March:

Going out of Prizren I was in the line with tractors. A man wanted to escape from the line and the police shot him and killed him in front of my eyes. The victim, a civilian, was from Samadrags, municipality Suhareka. This happened with no warning from the police.

MJ, a 42-year-old service sector worker from Celine, reported witnessing the following killing on March 28 in the village of Krusha-Vogel:

While a group of us refugees were in the Pisjak mountain, the police came and separated the men from the women and children. We were forced to walk until the village "Krusha Vogel" and had to sing Serbian nationalist songs. There were two men who were not singing. They were separated from the group and taken to the train tracks, which were 10 meters away from the line and then killed.

Frequently, there was a terrifying randomness to the killings. AN, a 49-year-old driver from Prizren, reported that in the village of Bellobrad on approximately April 5, he saw a 20-year-old man, who was sitting in a tractor heading toward the Albanian border shot and killed by a Serb soldier.

The young man dropped an open umbrella. When he got out to get the umbrella a Serb soldier shot him in the head. All of my family who were in the truck with me saw this, including my children.

This event was corroborated by another independent account from MB, a 42-year-old man, who also told PHR that on March 29 in Belabrad, he saw a young man get off of a tractor to pick something up and the police shot him.

AQ, a 52-year-service sector worker from Shipolp reported the following:

There was a woman called ZB who was about 70 years old. She was driving with us in a van. Serb police stopped the van and shot the woman without any reason. She died instantly. The body stayed with us for 12 hours until we had the permission to stop and bury the body. The police said 'You have 15 minutes to bury her and then go to Albania.'

AI, a 47-year-old teacher from Podujevo, reported witnessing 6 people shot and killed by Serb police.

On March 26 at 9:30 in the morning, I went to the bread shop to buy some bread for my family. At a check point near Motel "Besiana" The Serb police started shooting with no reason in all directions in the street without control. One man HS, who could not hide himself somewhere, was shot dead in that place. Near to this place was the bread shop. The owner, HD, was killed as well as four people waiting to buy bread. A couple of meters before Café Rinia, another person just walking was shot at the same time as this happened. I was hiding nearby (about 30 meters away). Everybody was afraid and hurried back to their houses. I went back to my home and that night because of fear, all of my family went to our cousins in a nearby village.

It is not known if this baker was singled out for murder. But, ironically, a 37-year old woman from Prizren told PHR:

In the city of Prizren, the Serb police ordered bakers 'Do not sell bread for Albanians or otherwise you will be killed.'

Among survey participants, PHR found that reports of witnessing dead bodies were common.

AJ, a 19-year-old man from Logkobace, Urosevac reported seeing on the road outside the village, dogs eating the body of a man who was killed.

AU, a 20-year-old student from Pristina, reported that on March 28 on the way to the train station, he saw two dead bodies near the telecommunications center in Pristina. They had been shot. MT, a 43-year-old woman from Pristina, reported that on April 1, she saw a dead body lying on the road in front of the post office. TN, a 35-year-old woman from Kosovska Mitrovica, reported that on March 24, 1999, near the center of Mitrovica, she saw the dead body lying in the middle of the road. She was with her two young sons.

As the refugees rode on trains out of Kosovo, they frequently saw dead bodies. For example, AU, an engineer from Alismir reported on April 3 seeing a dead body near the railroad track between Fuskosova and Urosevac.

PHR investigators frequently heard accounts of bodies witnessed to have been mutilated. SH, a 26-year-old housewife, reported that in July of 1998 Serb police mutilated and killed MF, 62 years old; AF, 27 years old; and SH in a field in Piran Village. They were found on the railway without eyes, ears, brains, and genitals. In September of 1998, she reported that Serbs killed and mutilated BK, age 29, whose body was found in Mushtisht without eyes, teeth, or nose.

BF, a 28-year-old man from Klina, reported that on March 4,

My three uncles named CE, FE and GE were killed near to Tropohovc village's mosque. They were taken out from their car by some masked

person, then killed and their bodies mutilated. We were able to identify them mainly based on their dress.”

On April 28, 1999, he reported:

I have seen 15 males massacred on the side of the road, three of those bodies were without heads. The event place was near Prizren, maybe Krushe village.”

Reports of killings frequently came from those who buried the bodies. Often, the bodies they buried were of people they knew. SE, a 22-year-old businessman from Pristina reported that his first cousin, AC, was shot on March 30, he thinks by Serb snipers. His uncle took him out and buried him.

SL, a 45-year-old farmer from Hoqa Evogel, reported that on March 24, 1999, the VJ soldiers started bombing the village and many of the people from the village hid in the mountains. After the bombing stopped and the Serbian soldiers left the village, they returned to find 13 dead bodies, including 6 people that they knew. He and two friends buried the six bodies.

Sometimes, however, individuals were not permitted to bury the bodies of the slain. SC, a 61-year-old farmer from Samadexhe, reported that on approximately March 27, he witnessed the following:

While we were staying in the village Millosheve I saw my neighbor’s son killed in front of his house. We were not allowed by the Serb police to bury his body.

Among survey participants PHR found several reports of multiple killings. A 50-year-old service sector worker from Dobrave whom PHR interviewed, described a massacre that took place in the village of Cakaj on April 13,

Fourteen people were massacred in the village of Cakaj. Most of them were refugees from the village Duraj and the village Dedaj (Kacanik municipality). The soldiers were trying to find information about the KLA, and after they found one of them who was in the KLA, they started with the massacre. We found parts of their bodies, eyes, legs, hands, fingers, noses.

LT, a housewife from Doganaj, reported that on April 12, 15 people were massacred in Doganaj, and their bodies were found the next day. Several of the bodies were mutilated, with hands, eyes, and legs strewn about.

They were massacred only because they tried to run away and find the safe way for their families to go in other side of the village.

Several survey participants provided PHR with information about killings in Izbice.

FH , a 28-year-old man from Vojnikë reported that:

In Izbice village, the men were separated from their families. The families were sent to Albania, while the men were killed by Serb police and army. When the Serbs released my village, after 3 days, some men and I who went to Izbice buried about 150 people. We buried them on March 31.

FI recognized 17 of the dead bodies as being from Vojnikë. He was able to provide the names of 21 of those killed.

BU, a 20-year-old farmer, from Shtupel reported:

On March 28, I have buried 150 men massacred by Serb army and police in Izbice village. We were about 200 men getting down the mountain that did that work. That massacre was taken by camera and video by KLA soldiers.

BU recognized 9 of the dead bodies, including one who was his uncle. The dead were from villages including Izbice, Turjan, Turiceve Shtupel, Droje, Terone, Vojnikë, Broje, Lecina, Ozdrime, and Tadahshta.

In the town of Piran, MU, a 54-year-old male from Piran, reported that 20 people including men, women and children were killed in Piran village on March 25, 1999. They were executed by the Serb army.

I have seen two massive graves in Piran on March 27, 1999. Serb army and police pushed and dragged about 100 dead bodies by bulldozer and threw them in the big graves.

FS, a 32-year-old tractor driver from Petrova, reported that when on January 16, he heard of the "Racak" massacre from TV-Tirana, he went to see if it was true because he had a friend and a nephew in Racak. When he arrived there, this is what he saw:

I saw 18 dead bodies, from age 12-60 years old: all men. Some of them had had their throats cut, and some of them were killed with bullets in the head from a close distance, short range. I also saw a 60-year-old man in a backyard whose head was decapitated.

Another man interviewed, FM, a 64-year-old man from Racak, reported that 3 of his household members were killed in Racak at that time in January.

AE, a 51-year-old male from Romaje, witnessed the following events on March 27:

We were up on Romaje mountain. From there we could see Krusha e Madhe village that is placed down the mountain. Serb police and soldiers went into the village's houses, took out all the people from their houses, separated men above 15 years old from women and children.

After that they put all the men inside a big house and put that house in flame. All the people were burned up. One Serb of that village helped Serb police and soldiers complete that massacre.

D. Beatings

PHR found that Kosovar civilians were routinely and brutally beaten by Serb police, soldiers, and paramilitary. Among survey participants, 372 incidents of beatings were reported for the participants and all household members. An additional 28 beatings were reported to have occurred among non-household members even though this information was not formally solicited.

PHR documented that individuals were targeted for beatings because of their identity as ethnic Albanians. IE, a 50-year-old man from Fushe, recounted that on March 25, when his brother was returning from Dobreva e Nlet, he was stopped at a checkpoint by a masked soldier who asked if he was an Albanian. When he said yes, he was forced from the car and was beaten for several minutes.

VN, a 33-year-old man from Kosac, reported that in January of 1999, he and his 32-year-old brother were beaten by police in Gnjilane:

We were beaten by the police because they asked us something in Serbian, and we didn't know how to explain. First they started to beat us with police sticks in the street, and then they continued beating us in the police station in Gnjilane for four hours. They beat us to get information about who had guns and where these persons were.

PHR documented that beatings frequently occurred in the context of looting and robbery by Serb forces, particularly at the times of the expulsions. PB, a 20-year-old student who was studying in Pristina recounted an incident in which Serb police came into his dormitory and told him and his friends to leave.

At the train station, police hit my friends and I with the butt of the gun on our heads, shoulders and backs. They took 300 marks from us and tore up our identity cards and told us to go.

Vulnerable individuals were often targeted for robberies and beatings. MA, a retired 68-year-old man from Bellanc, reported that on April 1, Serb police came to his home and demanded 100 marks from him.

Two police came and stuck a machine gun in my neck and told me to give them money. I took out my pension check and said here is the money. They said "You are kidding with us" and then they hit me with the butt of the machine gun. My daughter-in-law, who was there tried to help me. She told them not to hit me because I am ill. I said 'There is a God'. Then they hit me again with the gun on my back and shoulders and said 'That is your God.'

During these robberies, entire families were often terrorized. ST, a factory worker from Mushtish, reported that as he was preparing to leave for the Albanian border in a truck on April 3, 1999, his family was taken to a nearby house by Serb police and men with masks. He gave the following account of the events, which followed:

One of the men with masks put a gun to my throat and said, 'give me your money.' They started shooting the gun next to my face. Then they said turn your back and run. I didn't want to do that because I was afraid they would kill me, so I walked away. When I went back to the truck, one of the men wearing masks hit my wife on her back with the butt of the his gun. Then they beat the others in the truck and demanded money from them. The children saw this and were very frightened. My son, who is 9 years old, was so scared that he didn't sleep for three days. The police who did this were from our own village.

SL, a 27-year-old man from Suva Reka, reported that on April 3, 1999 in Giinoc, six Serb paramilitary demanded money from him. They beat him on the head with a machine gun and pointed it at him. At one point, they threatened to kill his 3-year-old daughter and placed the gun in her mouth.

Individuals who resisted expulsion often became the victims of beatings by those who attempted to force them to leave. One woman from Urosevac reported that on April 10, her 85-year-old father was beaten for his refusal to evacuate.

They beat him because he didn't want to leave his home, but they forced him out. Now he is somewhere in Kosovo, but I don't know where.

While the beating of civilians apparently increased after the NATO bombing campaign began, PHR documented that such beatings were a common practice in Kosovo even before that, as part of a brutal pattern of intimidation and repression. AN, a 30-year-old man, said that at 4:30 p.m. on May 22, 1998, while walking on a road near Pristina, the following events occurred:

I was walking along when suddenly I was stopped by two military trucks and I was beaten by 15 Serb police. I was laying in the middle of the street for several hours because I lost consciousness. I don't know how I got to Pristina, or who brought me to a private clinic there. For good luck, I didn't have serious injuries to my head.

EN, a 31-year-old teacher from Srbica, recounted that on June 1, 1998 he was traveling on a bus to Pristina when the following events occurred:

At a Serb checkpoint one of the police told a woman on the bus to throw out a bottle of milk that she had for her baby. I was angry when

they said this and told her not to do it, and I said to them it's not good to do to this poor woman, and they told me to get off the bus. They took me behind the bus and asked me if I was a KLA soldier. They said that they were going to kill me and told me that I could choose a gun or a knife to be killed with. After 15-20 minutes they started beating me, and in the end they put me back on the bus.

Beatings were often severe and, in many cases, resulted in serious injury to the victims. CJ, a 42-year-old butcher from Djakovica, described the following events in January 1999.

I had gone to the village of Dujana with a friend to visit relatives. On the way back home, we passed through the village of Oseka when five police officers captured my friend and I. The next day we were taken to the police station in Djakovica. The police started saying to me that I collaborate with the KLA and that I know where the KLA is. At the same time, I was beaten with fists and gun handles. They said to me that if I wanted to get free, I have to tell them where the KLA is. I didn't know anything about where the KLA is, so they proceeded the abuse until I was unconscious. When I came to, I was lying next to the door, covered in blood. I had injuries on my head and bruises all over my body.

SG, a 43-year-old graphics technician from Pristina, reported that on April 1, he was stopped by the paramilitary as he was driving to his brother's house:

They asked me for money, and when I said I had no money, the paramilitary started hitting me with the handles of their guns and kicked me on my back. Because of that, for one week, my urine was mixed with blood.

RT, a 46-year-old man from Loxhe, suffered multiple injuries including a broken saw when he was beaten while traveling to Loxha village:

I saw from a distance on the road, three Serb police talking with my mother and sister. When I was near them, (30 meters) one of the police stopped me in front of my house. The police told me 'You are a terrorist. Where is your gun? I know you have one.' I thought they were going to kill me. The police took 120 DM from my wallet. I was beaten and have some scars. My jaw was broken. They took me to the police station for five hours. Again they asked me for a gun. I was told to come to the police station tomorrow for further questioning. The next morning, I walked for two days through the mountains to Pristina.

PHR documented several instances in which men were separated from women and children and then beaten: AE, a 51-year old male from Romaje, reported that in the beginning of September,

About 100 men of Romaje village were separated from women and children by Serb police and army. The women and children were locked in the school while the men were beaten in the school's yard. One man died from the beating by Serb police and army.

This method of separating out the men in a group for beating also occurred while the Albanians were fleeing out of Kosovo. One man interviewed reported that in Pec on April 11, on the way to Kukes, Serb police stopped a group of refugees and separated out 10 men.

The police beat the group of men for thirty minutes and then told them to remove all of their clothes. The clothes were burned and the men were told to live without any clothes.

PHR heard numerous reports of beatings in connection to attendance at political demonstrations. HC, a 40-year-old factory worker from Pristina, described the following event on March 2:

When there was a peace demonstration of Albanians, the Serb police started beating everyone. The same day I closed the door of my house and then the police came and said that we were in those demonstrations. I gave them my ID, and all my family did the same, but the police said 'Your ID is not valid today.' They started beating us. First they beat the men with sticks, and started shooting their guns, and then they beat the women in the house. They beat us for three hours. When the police left, our neighbors came into my house and said 'We thought that they killed you all.' My brother, my nephew, and I were beaten so badly we had to stay at the Mother Theresa hospital. The children were very frightened. The Serb police slapped them too.

Individuals were often beaten because they were accused by Serb authorities of being a traitor, a terrorist, or a member of the Kosovo Liberation Army.

MK, a 28-year-old housewife from Pristina, reported that in May of 1998, a male household member was taken to the police station because they had information that he was a KLA soldier.

Serb police beat him from morning until evening. His father went to the police station and asked for his son. They told him that he could find the dead body of his son in front of the "Grand" Hotel. This was not true. They were making a joke.

SN, a 50-year-old businessman, witnessed his son beaten by police, in August of 1998.

My son was beaten by police because he did not have his identification papers. They hit him in the arms and legs. They beat him in the middle

of town. I saw him, I was with him. They said to him, 'Why don't you have identification? Are you a KLA soldier?'

Individuals suspected of possessing a weapon or withholding information about the whereabouts of weapons were often subject to beatings. A 50-year-old man from Kacanik said the following about his beating by the Serb police in September 1998:

I was beaten along with my brothers in Kacanik in our home by Serb police. They came to find any kind of arms, and then we were forced to go to the police station in Kacanik where we were beaten with a police stick. After four days, when they didn't get any information about arms, they let us go.

Men were not the only victims of beatings by Serb forces, however. PHR heard numerous reports from women who were beaten as well, including several women who were pregnant at the time of their beatings. MI, a 33-year-old farmer from Lebrabisuta, reported that on March 26, 1999, Serb soldiers came to her house and beat her and her husband and forced them both to lay on the ground even though they knew that she was pregnant.

SE, a 49-year-old factory worker from Suhogerll, said that on April 5, shortly after his wife had given birth, she was beaten by Serb police while still in the maternity hospital at Mitrovica. He reports that they threatened to kill her and stole 3,000 dinars from her.

D. Beatings in Macedonia

Cases of beatings reported to PHR were not limited to inside Kosovo. PHR also heard many unsolicited reports of Kosovar civilians beaten by Macedonian police once they had crossed the border on their exodus out of Kosovo. XT, a 42-year-old economist from Qeakov, stated that:

From April 1 to April 4 we were waiting in Blace where the world was watching on TV. It was miserable. The Macedonian police were beating us for no reason.

Another respondent, IL, a 38-year-old from Urosevac, reported that she and her child were beaten in Blace by the Macedonian police for wanting to go to the toilet. They were kept there for 24 hours. The perpetrators asked them, "Where is now your Ibrahim Rugova?"

One man from Pristina who was interviewed reported that Macedonian police demanded 100 DM from him in order to be allowed to cross the border.

We didn't expect that the Macedonian police were going to do this. They said that if you have 100 DM, than it's OK. If not, just stay away from here. We were scared that they would take us back, so we gave them 100 DM inside a passport.

Several refugees interviewed who stayed in “no-man’s land” for several days waiting to cross the Macedonian border at Blace voiced outrage at their treatment by the Macedonian authorities. GO, a 43-year-old man from Kosovska Mitrovica commented:

We Albanians in Kosovo thought that only Serbs were looking to kill or execute us. We didn't expect that the Macedonian police were just as bad or worse than the Serbs. That week in Blace, we are going to remember for the rest of our lives.

BC, a doctor from Pristina, reported:

In Blace camp, it was five days of terror, cold, and hunger. On many occasions, I saw Macedonian police beating people. On one occasion, when I tried to intervene as a doctor, they said to me, 'Pristina needs doctors. Why are you here?' They ignored her pleas to stop beating and harassing people.

BC's father was beaten by the Macedonian police while in Blace, the night of April 4-5. He reported being beaten with gun butts on his buttocks and back of both legs.

TH, a doctor from Pristina, reported:

In Blace, the Macedonian police were brutal. They beat my 12-year-old son. They also beat a man with a beard who they thought was a Muslim militant. The police would arbitrarily pull someone out of line after he and his family had been waiting for 24 hours and forced them to go to the end of the line all over again. A number of physicians and professors in Blace tried to organize a delegation to go to the OSCE and report how bad the conditions were but the Macedonian police told us to go back.

E. Torture

Torture has devastating health consequences for individuals and societies. It not only causes physical and mental suffering for individuals, but also undermines the trust and unity of all members of society. PHR documented 44 cases of torture by Serb police, soldiers and paramilitary among survey participants and their household members. Individuals suspected of having arms or connections with the KLA were often targeted for torture.

VT, a 49-year-old economist from Zhabar, described the following events on August 13, 1998:

I was taken to the police station in Mitrovica where I was beaten. Each day for five days I was told to go to the police station from 7:00 a.m. to 3:00 p.m. During that time I was questioned about whether I had arms. When I told them I didn't have any they beat me on the soles of

my feet, and on my hands and shoulders. My brother, who was imprisoned for two months, was beaten by the police even worse than me. When he got out of prison, he couldn't walk.

AU, a 20-year-old student who was studying in Pristina, reported the following:

I was returning from my exercises, when I was stopped by the police and taken in a car to a police station. I was handcuffed. They showed me pictures from the KLA and asked if I recognized anyone. With every question they beat me. They hit me on my face and on my legs. I was handcuffed at the time. They undressed me and stole my money, and then they released me.

Two weeks later, he was stopped again on the street by Serb police who asked him for identification, and if he had any ammunition. He was pushed up against a wall and hit twice. Then they stole his money. AU reported being beaten again by police at the time of his expulsion.

PHR found cases where torture occurred during lootings and was used as a ruthless means of intimidation. BG described the following mistreatment his family endured:

Three men came in, two with machine guns, one with a large knife. They had beards and long hair. They were not wearing masks. It was 10:30 a.m. I was drinking tea. First they demanded money. They took money, a watch and a ring. The one with the knife hit me here (points to his cheek) with the handle of the knife. Then he hit me in the nose. Then he put his knife to my throat and cut me a bit. It was bleeding. My eye closed. They said, 'I'm going to take your stomach and intestines out. We came here to cut Albanians. Not to kill, but to cut.'

BG also reported that his wife was held at knife point and his two daughters were pushed around and sexually molested:

They were touched and grabbed in private places. Maybe they let us go because we gave them money and gold. And I gave him my keys. I said, 'Here, take my house.'

IH, a 17-year-old female from Doganaj, reported that in Stimlje village on April 5,

150 people were put in a bus to bring them to the Albanian border. Serb soldiers and police demanded money from them. Because they didn't have enough money Serbs turned on the heater to the maximum

and the temperature increased by 50 -60 degrees Celsius. The bus door was locked and the people inside were almost suffocated.

PHR documented that at the time of the forced expulsions, men were separated from women and children and then tortured. AK, a 31-year-old unemployed man from Bernice e Eperme, described the following events in his village:

On April 18, VJ soldiers and police arrived in Bernice e Eperme village and gathered all of the villagers in a square in the center of the village. They separated the men from the women and children. The women and children were put on a truck and taken away, and the men were ordered to lay on the ground for about 10 hours and were then interrogated and beaten. Then they ordered us to stand with our faces to the wall and our hands up for the next hour. After that they tied our hands with strong cords, my hands still hurt. They put us in trucks and sent us to prison, escorted by VJ, but there was no room for us there, so they returned us to the village and we spent the night in a shop. The next day, they told us that we had to be interrogated by security inspectors. We were sent to them with closed eyes. I was badly beaten during this interrogation, as were others. We were returned back to the shop where we were previously. We did not know the whereabouts of the others. Our eyes were closed and we were beaten every day for three days. On the fourth day they took us and put us on trucks and we were transported to Lipjan where we met the villagers of the village Gllqoc. They told us about 14 others that are in the same village. After two nights together we all went to the village Blace.

Several individuals whom PHR interviewed had family members who were tortured:

SL, a 20-year-old housewife from Billusha (municipality of Prizren), reported that her cousin was tortured by Serb police in Fushanova village at the end of January 1999.

Police arrested him at his home, took him away and put him in prison. There he was beaten and tortured many times. After two days he came back home unable to stand on his feet. He stayed at least two weeks in bed not able to walk.

AQ, a 35-year-old factory worker from Pristina, reported that in August of 1998,

My brother was put in jail for a month. For three days, we didn't know where he was. He had been accused of working for the KLA. When I went to see him after two weeks, he was all black in the face. He had been hanged with his hands up, feet in the air for 2-3 days. He had had

no food, his clothes had been taken off and he had been in water up to his belly.

JN, a 51-year-old merchant from Gergice Drenica, reported that on September 27, 1998, his 25-year-old son was taken by police officers to the police station in Glogovac:

Because my son is young, the police thought he may be in the KLA. He was beaten for six days and had lots of injuries including a broken left leg (Tibia and Fibula), two broken ribs and marks from the torture all over his body. I took my son and brought him to the Mother Theresa Hospital in Pristina and an Albanian doctor took care of him.

QI, a 21-year old woman, stated that soldiers came into her house and beat her father and submerged his head in water for several minutes. He was then imprisoned for 3 days.

F. Sexual Assault

First-hand accounts of having experienced sexual assault were not common among survey participants. This may, in part, be as a result of the tremendous shame surrounding this issue, and the fact that several of the interviewers and interpreters were men. Furthermore, interviews were often conducted in the tents of survey participants, surrounded by other individuals, including family members and friends, and thus it was very difficult to have privacy. Only 4 cases of sexual assault were reported among participants and their household members.

One woman interviewed by PHR who reported being sexually assaulted was TI, an 18-year-old woman from Kosovksa Mitrovica. She reported that during the NATO bombings on April 13, she was hiding in a basement with approximately 30 people including several Serbian neighbors.

Four masked men and one masked woman arrived. They asked a man who is Muslim and married to a Serbian woman what is his nationality and then they beat him and then his wife severely. Then the other Muslim men in the basement were beaten as well. They were all bloody and were forced to lay down on the ground.

The Muslim women were forced to undress. Our money and jewelry were stolen. We were pulled by our hair naked into the hallway. The masked woman said to the masked men 'These women are like fish, you can do with them as you like.' I was not raped, but was beaten. I was kicked and threatened with a machine gun and knife. They touched me on my genitals and breasts with a gun and knife. I saw them cross all the women on their breasts with a knife. One of the masked men grabbed me by the neck and told me 'I am going to cut your grandmother and grandfather.' I believe he was one of my neighbors. Our Serb neighbors who were there with us did nothing to help

us. I had always had a good relationship with my neighbors and do not know why they did this.

*We then got dressed and were told to go to Albania 'Go to your NATO, the masked Serbian men told us. Now I am very upset and while I am sleeping, I can I imagine this happening.'*⁹¹

A 38-year-old housewife reported witnessing the following events on March 25 in Krusha e Madhe:

A 16-year and a 19-year old girl were asked for money. The girls didn't have any, so the police took them into the next room. The girls were beaten up at the beginning and then have been raped. I heard them screaming and saying to the police 'please don't touch me.' After 15 minutes the girls came back to the room with the other Albanians.

MZ, a 32-year-old woman from Smire, reported that on April 8,

Serb paramilitary came to our house and separated the women from the men. They forced the men to lie on the ground and beat them. They beat the women too. They forced me into another room and started to loot and destroy the room. One of the men removed all of my clothes and stayed in the room alone with me for twenty minutes. He started to touch my body to take gold from me. MZ denied having been raped.

Several individuals interviewed by PHR had information about friends or family members who were sexually assaulted.

SA, an 18-year-old student from Pristina reports:

My mother was going to visit her uncle, when she was stopped by a Serb police car. They wanted to take her by touching her everywhere in the body, but she refused by crying, and with the help of some neighbors, she just lost her personal belongings.

MF, a 25-year-old housewife from Prizren, reported:

My cousin , MD, was sexually assaulted by Serb military. They cut her two breasts. This happened in July of 1998.

XU, a 27-year-old housewife. reported:

In Obrije e Esperme village, which is in Dremica, two of my nieces, age 14 and 16 years old were raped by Serb police and killed in November of 1998. Their father, was killed at the same date and place by the same Serb police.

⁹¹ PHR arranged for follow-up counseling to be provided to this young woman by a psychologist working with Médecins sans Frontières in Kukes, Albania.

G. Separation and Disappearance

Among survey participants, 33 incidents of separation and disappearance were reported for the participants and all household members. An additional 13 incidents of separation and disappearance were reported among non-household members even though this information was not formally solicited.

Case testimonies of the participants demonstrated that frequently Serb authorities in Kosovo forcibly separated ethnic Albanian men from women and children, and subsequently, the fate of these men was often unknown. These separations and disappearances commonly occurred at the time of forced expulsion from Kosovo. MA , a 20-year-old housewife from Kllodernice, described the following chain of events in her village on April 13:

It was early in the morning at about 7:00 a.m. when our village began to be grenaded by police, paramilitary and VJ forces. At about 9:00 a.m., the police forces came into my yard and told us to go to the school yard. In the school yard, they separated the men from women. I mean all males above 15 years old. We were separated and all the females were started to Albania by force. But from that moment on, we don't know anything for our males. I mean my father, my brother, my uncles and all our cousins.

IS, a 48-year-old male factory worker from Kaconik, recounted that in Koxhaj in early April, he witnessed men between the ages of 18 and 50 being separated from women and children. IS does not know where those men are now. The remaining people in the group were pushed into a bus. Seventeen men from IS's family, including his brother and first cousin, were taken away.

ZA, a 28-year-old housewife, reported that in her village, Krishe e Vogel, on March 28, her father and brother-in-law were taken away by the Serb police. She doesn't know what happened to them.

A 57-year-old farmer from Korenice reported that on April 27, five masked soldiers came to his home and abducted 3 men, including his brother. He does not know what happened to them. When he and his family fled, they had to leave his 90 year old mother because she was unable to move. While traveling to the Albanian border, in Bishtaxhia, he reported that Serb forces removed 15 men from a column of refugees. He does not know what happened to them.

A 47-year-old woman from Lubeqeve, stated that after her village was bombed on April 14, Serb police came and separated the men in the village from the women. She recounted that the police took all of their goods. They then took the young men away. Their fate is unknown.

OT , a 52-year-old male from Gnjilane, said that he and his family left their village on April 2 because they feared harm from Serb forces there. They initially went to Ranatovc, but were forced to move again by Serb police shortly thereafter. OT and his family went to Preservo where the following occurred:

On April 14, two days after we went in Preservo, 4 Serb police and 2 VJ soldiers came to the house in which we were located, and they forced us to leave the house. Other people, most of whom were refugees, also were forced out. After that, they separated out on one side, 150 men, including my son. We didn't know where they were being forced to go. After three days, we learned that they were forced to go in Vranje (a city in Serbia.)

SR , a 44-year-old man from Bresan reported witnessing the following events on April 3:

Serb police came to our village, broke into the shop and told us that we have to go either to Macedonia or Albania. I saw how my nephew and other young men from the village were forced to walk up to the mountains with Serb forces.

NC, a 43-year-old housewife from Prizren, described that on April 24:

VJ soldiers gathered all the men from 15 years old to 60 years old. The women stayed in their homes. My son was taken by Serb police forces but not my husband, who is still in Prizren trying to find our son.

Frequently, Serb forces targeted men for separation because they were suspected of being members of the KLA. KH , a 37-year-old housewife from Prizren, recounted an incident on April 21 in which Serb soldiers came to her home explicitly looking for KLA soldiers. They asked for her brother-in-law, hand cuffed him and took him away. She has not heard from him since.

In addition to the separation of men, PHR found reports of children who were forcibly separated from their families by Serb forces. IH, a 17-year-old female student from Doganaj, described an incident on April 5 in her village in which Serb police and soldiers separated three children, RH (1 ½ years old), UH (3 years old), and LH (4 years old), from their mother, KH.

At that moment, the children were jumping in the truck, The children were left in the village and there is no news from them until now.

IH also reported another incident involving the separation of a minor. On April 5, on the way to the Albanian border,

Thirty eight men were separated from the refugees by Serb army and police. After several hours all were released except a young boy of 17 years named NG. He was disappeared.

MU, a 40-year-old housewife from Grekac, recounted witnessing a 19-year-old girl separated from her family when she was forced out of a line of refugees as they were walking toward the border.

Brutal violence often accompanied forced separation. XL, a 35-year-old

farmer described an incident in which all of the families were forcibly expelled from their homes in his village of Nevoljan in late March,

A group of eight armed masked people entered our house in Nevoljan. They ordered us to leave within three minutes and to 'Go to Albania where Clinton will take care of you.' They gathered us in the center of the village. There were about 300 of us, and they divided us up into groups: men, women, young girls. Those who refused were beaten. I was lucky because I have a disabled son and he was on my back. They took all of our money and valuables from us. I saw about 50 armed Serbs with old fashioned uniforms of VJ, some of them with beards. About 100 young people (men and women) were separated, and others, including me, were ordered to walk in a column to a destination we did not know. After a few minutes we heard shooting, but they wouldn't allow us to turn around and look. Four hours later we arrived in the center of Vushtrri. They ordered us to board buses and we arrived in Blace. They took all of our documentation there.

My neighbor was in the group of people who were separated. He told me that my father, who was also in that group, was killed. They didn't allow him to be buried.

Describing another case of forced separation and disappearance, IA, a 34-year-old farmer from Moistir, reported the following incident occurred in his village on April 3:

I have seen Serb police beating people. Serb police have assaulted some of the women and disappeared the following families:

XB, (25 family members)

BB, (20 family members)

IA, (9 family members)

IP, (10 family members)

SB, (18 family members)

MB (7 family members)

AB, (7 family members)

In addition to cases in which families were forcibly separated by Serb forces, PHR also heard many reports of family members being separated during the chaos of fleeing from Kosovo. IV, a 42-year-old factory worker from Urosevac, said that his elderly mother, who suffers from serious asthma, became separated from the rest of his family in the mob-scene at the train station. They have not seen her since.

HC, a 51-year-old English teacher from Kosovska Mitrovica, became separated from his wife and daughter when police came to his house and told him to leave immediately.

I was at home. My wife had gone out with her cousin and our daughter. Meanwhile, during this period, the police came to our neighborhood and began knocking on every door telling people to leave. When someone refused to go away immediately, as I heard happened two or three times, the police would shoot to frighten the people into leaving. The police knocked on our door. There were five policemen. Three came into the house and two waited at the front door. They ordered us to leave immediately, without even taking our clothes, or our luggage. So we were forced to leave town.

The rest of my family was together, except for my wife and my daughter. Since losing my wife and daughter in Kosovska Mitrovica, I don't have any idea what happened to them. I don't know whether they are still in Kosovska Mitrovica, or whether they are dead or alive. I don't know.

H. Shootings (Munitions Injuries)

The PHR/Columbia team identified 16 cases of civilians injured, but not killed, by gunshot wounds inflicted by Serb forces. Additionally, most of the reported deaths were as a result of gunshot wounds. PHR also identified a number of cases of civilians who suffered from serious injuries or death as a result of explosives.

Many of those killed were women and children. For example, AK, a 23-year-old farmer from Babush, told the PHR/Columbia team that as he was escaping from his village on March 29, he saw the body of AS, a 16-year-old boy. AS was killed because of his proximity to a detonated bomb.

ID, a 17-year-old boy, was wounded by bomb fragments on approximately March 27 in the mountains near Gnjilane.

TB, a 69-year-old farmer from Malisheve reported that he saw three women who had been killed by Serb bombing on March 28.

SP, a 28-year-old man said that his uncle, age 57, was killed in his home by a hand grenade on March 27.

HB, a 76-year-old farmer from Agareve, reported that on April 10, in Agareve, he saw 7 dead bodies in his cousin's yard. They were killed by Serb grenades. He reported that seven other people were wounded.

Many of these explosive injuries/deaths occurred months before the NATO bombings began. For example, AK, a 23-year-old student from Srbica, reported that in August of 1998, 6 people were killed in Sktutic by Serb bombing, and in September of 1998 in the village of Kohic, 2 people were killed by Serb bombing.

IC, a 42-year-old professor from Komoran, stated that 20 people were killed in Komoran in May 1998 by Serb bombing.

PHR also received many reports of civilian gun shot injuries/deaths from Serb forces. An attempt to protect property from being destroyed by Serb forces often left civilians vulnerable to being attacked themselves. IT, a 42-year-old

professor from Komoran, reported that his father was shot by Serb police when he stayed behind in the village to protect his farm:

My father was shot. He was in the village and he wanted to take care of our property. The Serb police started to burn our corn fields. After they shot him, he came in the mountain with us.

I. Looting and Destruction of Property

PHR documented numerous reports of destruction of property owned by Albanians and looting by Serbian police, paramilitary and VJ forces throughout Kosovo. Much of this destruction took place in the context of the forced expulsions, and appeared to represent a “scorched earth policy” so that ethnic Albanians would not return to Kosovo.

Serb forces destroyed or removed personal identification documents from nearly two thirds (60%) of survey respondents. Overall, 89% of participants either witnessed, or witnessed the after-effect of Serb police or soldiers burning the houses of others. Furthermore, 186 respondents (16%) saw Serb police or soldiers burn their own home, and an additional 150 participants (13%) saw the after-effect of their house being burned. Nearly half (48%) of all participants witnessed Serb police or soldiers destroying peoples’ property, and Serb police or soldiers demanded money or valuables from nearly half (49%) of survey respondents.

The extent of cultural and social destruction of Kosovo is also reflected in the number of places of worship, schools and medical facilities that have been destroyed by Serb forces. Nearly half (47%) of Kosovar refugees had seen places of worship destroyed, and 456 respondents (39%) had seen schools that had been destroyed.

SE, a 22-year-old businessman from Pristina, witnessed police and VJ soldiers breaking windows and destroying shops and restaurants.

The day we left home we witnessed those things. ‘We’re going to destroy all this so that you don’t have to come back,’ they said. ‘You wanted NATO, now you’re going to leave.’

SL, a 21-year-old garment worker from Lap, saw cars and tractors being burned. ‘Anything they couldn’t take they burned,’ he said.

BI, a 17-year-old man from Malishevo, reported that on April 2,

A group of Serb paramilitary came to my house and told us you have to leave to Albania, or we will kill everyone of you, ‘This is not your place. You belong to Albania.’ The school of my village was burned and destroyed. They started bombing our village, then paramilitary forces, in groups of three, were looting and destroying. After they looted, they burned the houses, I saw this with my own eyes.

Many individuals commented that anything owned by Albanians, including animals, was destroyed by Serb authorities. SB, a 41-year-old security services worker from Pristina, described,

They'd loot and then set all of the houses on fire. Every village I visited had been touched by war. Schools, restaurants, shops, any place that was Albanian was looted and demolished.

FL, a 52-year-old teacher from Nerodmjevet (Ferizaj), described the following events on April 13 at 9:00 p.m.

We heard a gun noise, and I saw my neighbors leaving their house and going to another house near theirs. Paramilitaries were looting his house, and after one hour they killed his dog. I saw that from my window. They set his house on fire. When they left, I went outside and tried to do something about the fire, but there was no chance. The house is now burned and I don't know anything about the family.

At 11:30 p.m. on April 19, he witnessed the following:

The house of another one of my neighbors was also robbed. Another neighbor, VK, went outside and yelled 'What are you doing?' At that moment, paramilitary shot this man in his two legs. From 11:45 at night until 5 or 6 in the morning, no one could go out to help him. It was too risky. In the morning, village people took him through the mountains for 3 hours until they reached a KLA hospital where they took care of him.

PHR interviewed a 17-year-old male of Roma ethnicity from Fushe Kosovo who reported that he was forced by Serb police to participate in lootings.

After the March bombing, Serb police from Kosovo Polje forced me to work for them, looting and destroying people's property. In Dragoban we went inside the houses and stole their TV's, computers, video, gold, etc. After that we burned some of the houses where OSCE or NGO people lived. On April 5, 1999, in the village of Dobeetup when we didn't find any humans, we killed dogs with gas and guns. On April 4, 1999, in Pristina, we looted Albanians, and others who weren't Serbs, then we burned some of their houses. In the neighborhood of Vranjevci, we looted pharmacies and then we took property. After that I decided to run away.

The police forced me. They saw me in the middle of the road. They saw that I am black, a Gypsy, and forced me to steal those things for them. I took nothing for myself. I just had to do it.

SB, a 38-year-old farmer from Zegra, Gnjilane, reported that on April 4, he was taken hostage by Serb paramilitary who then robbed 14 houses.

They shot in front of my legs for 2 minutes just to scare me. I was beaten on my legs several times by them. After several hours, the Major Serb released me and told me to go around the villages to spread the message that for tomorrow 'I don't want to see nobody in the village, and even horses or sheep or cows because this was Serbia, now is Serbia and Serbia it will stay.'

The lootings and destruction of property were intended to send a clear message to Albanians not to return. LF, a 44-year-old teacher from Bardh Imadh reported that on April 16,

The Serb police and paramilitary came to our village. The VJ soldiers told us we must leave in half an hour. The KLA soldiers prepared to respond. The police and VJ soldiers took our vehicles. It was a big village – as we were running we could see smoke and fire. I saw them burn our national flag. They said, 'You wanted NATO, now where is your NATO? Go on to NATO.'

BT, a 36-year-old shop worker from Pristina, reported that several homes belonging to Albanians were destroyed by car bombs.

Police and paramilitary forces came with two cars. One was left in front of a private house and with the second, they left the scene. After a little while, the car exploded and destroyed four houses.

These lootings were terrifying experiences for the victims. MB, a 19-year-old housewife from Mushtisht, reported,

I was out with my uncle. The Serb police held a gun to my uncle's head and said, 'Give me your money, 200 DM.'

MT, a 46-year-old housewife, described the following events occurring at 3:00 p.m. on April 1.

Paramilitaries came to our house. We were eating. They were asking for money and threatened to kill us. They forced my daughter, who is 15 years old, to take her shirt off because they said she had money. She started to cry until a friend of hers who was visiting her took from her pocket 400 DM and gave it to them. They also took my car. Then they forced us to go to the train station.

PHR found that houses belonging to staff of OSCE or non-governmental organizations were often the first to be targeted for destruction. NI, a 27-year-old man from Kosovka Mitrovica, reported that in Kosovska Mitrovica, houses and shops were destroyed. He reported that houses belonging to OSCE staff and other NGO houses in Kosovksa Mitrovica were burned.

FC, a male, 51-year-old farmer from Gjimoc, reported,

The houses of the people who worked for OSCE were the first to be destroyed. We had to leave because of the fire and bombing. The

thatch of our stable was set on fire by the paramilitary and police – I saw it with my own eyes. The Serb police and soldiers and paramilitary surrounded our village and started grenading, and then set everything on fire. You have to go to my village and smell the smell of a village burning to know what that's like.

Many individuals were forced out of their homes and witnessed looting and destruction of property months before the NATO bombings began. SL, a 45-year-old factory worker from Suhogro, reported:

On June 7, when the Serb forces began to force people in my village out of their homes, VJ soldiers came to my house. Three of them were carrying flame throwers. One of them broke the window of my kitchen and burned the kitchen. Three other VJ soldiers carried cans with gasoline and started pouring the gasoline inside my house. After they got out of the house one of them lit a match and threw it inside and the house was on fire. I also saw them set my neighbor's house on fire with a flame thrower. I was hiding inside the water pipes in my backyard.

IC, a 35-year-old farmer from Vacileve, reported that on July 26, 1998, he and his family had to leave their home because of fighting between the VJ soldiers and the KLA.

After the VJ soldiers bombed, the paramilitary forces started looting and destroying people's property. They destroyed everything that human life needs to survive like water and sanitation. Then after midnight, they started burning my home and other homes. We saw this from the mountains. After they burned our homes, we didn't know where to go.

IC and his family went to Dobreve where they stayed until April 10, 1999, and then were forced to leave because of escalating violence." We had to leave because the police and paramilitary were hurting people," he said.

IC reported that as his family was driving in a truck near Malishevo en route to the Albanian border, there were paramilitary forces along the side of the road.

One of them tried to cut my son with a knife as the truck passed. Other Serb paramilitary threw rocks at us. They yelled 'You will never return here. This is Serb land. If you want help go ask NATO or America.'

NA, a 25-year-old housewife from Romaj, described the following events on September 4, 1998,

Thirty-two men were separated by Serb forces from the rest of the village. All the women from the village, including myself, were forced into a schoolhouse. The 32 men were kept outside and taken to Prizren. The women stayed 22 hours in the school house without food,

water, or anything. Meanwhile, Serb forces went to people's houses and looted them. Eleven houses were burned. All of the 32 men were tortured in Prizren. The women and children who were in the school were not physically abused, however, we were psychologically tortured by being kept inside.

The forced expulsions and journeys out of Kosovo were terrifying experiences. JS, a 52-year-old man from Xhinovc, reported that on April 2,

The police came to our village in three buses and started shooting and firing at the houses, and then bombing us. As we were leaving, the Serb police made a blockade and took our money. They took my wife's jewelry. And they said, 'This is the road – Get to Albania.' We didn't want to go to Albania, we wanted to go to another village, but they wouldn't let us. A few kilometers later we were stopped by Serb soldiers demanding money. They pulled my brother out of the truck by his legs. He was hurt, his legs were bleeding. I helped my brother back into the truck.

On the way out of Kosovo, many individuals reported being robbed multiple times. SH, a 40-year-old male driver in Isnig, Degan, recounted:

On the road from Gjdeovo, the police stopped my car and asked for documents. I had to pay them 120 mm. After 3km, at another check point, I was stopped and had to pay VJ soldiers 500 mm. The people in the car behind me did not have any money so they slashed the tires of their car and hit them. Twenty minutes later, police came out again and said, 'You have to pay a tax.'

J. Landmines

The Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on Their Destruction was signed as international law in Ottawa on December 3, 1997. It was ratified in October 1998 and entered into force on March 1, 1999. Yugoslavia is one of the largest manufacturers of anti-personnel landmines now banned under the Ottawa agreement. Yugoslavia has not signed the Ottawa agreement.

Thousands of landmines have been placed along Kosovo's borders with Albania and Macedonia. The main route connecting Kosovo to Macedonia is particularly heavily mined, making the refugees journey out of Kosovo, and their eventual return, extremely treacherous.

PHR received several reports of civilians, including children, injured by landmines. LC, a 31-year-old service sector worker from Leskovec, reported that in his village in September 1998, three children were killed and one child's legs were blown off from landmines. FC, a retired 59-year-old man from

Bardhi Madh, reported witnessing a landmine kill a mother and her 3 children on April 18.

Survey participants reported seeing landmines being laid by Serb forces in 100 separate locations (See Appendix F). Overall, 134 respondents (11.4%) observed landmines being laid in various regions of Kosovo. The following perpetrators were identified: VJ soldiers (76%), Serb police (31%), paramilitary forces (12%), or civilians.

ZI, a 39-year-old housewife from Uklar (in the municipality of Giljan) observed Serb soldiers laying mines in the entry and exit of her village, approximately 200 meters from her house.

AI, a 31-year-old male student from Bilinicia (in the municipality of Gnjilane), observed Serb soldiers and paramilitary forces laying mines in the middle of the villages of Pograxh and Uglar. The road was mined in the beginning of the NATO bombing.

Approximately 80% of the landmine casualties are civilian and among these 40-50% are women and children.⁹² In spite of this imminent danger and the relatively high rates of loss and injury to landmines, the study participants reported inadequate awareness education. In addition to posing a grave threat to refugees, landmines will also pose a grave threat to entering international peacekeeping forces upon resolution of the conflict. It seems that some of the landmines laid by Serb forces were done so with the express purpose of thwarting an international presence in Kosovo.

MA, a 20-year-old female from Urosevac, observed mines being laid by Serb police and paramilitary forces in the locales where the OSCE were staying in Ferizaj on April 10, 1999.

K. Other Human Rights Violations

Human Shields

Two survey participants interviewed by PHR reported incidents of civilians being used as human shields. BI, a 17-year-old boy from Malishevo, described the following events on approximately April 26;

While on my way to the Albanian border, near the village of Kralen, I was stopped at a checkpoint. The Serb soldiers wanted money. I had 20 marks and so they knocked me to the floor after they took my money. A short way down the road, was another checkpoint. It was 8 p.m. The VJ soldiers forced my nephew and I to into a nearby field. There were approximately 500 people there—all men. They forced us to take off our shirts, It was raining that night. Some of the approximately 50 VJ soldiers there started to beat some of us. We were forced to sit down with our hands on our heads. All 500 of us were sitting in

⁹² Country Report on Human Rights, *Supra*, 120.

this position. The line of humans was approximately 30-40 meters and a tank began to move toward us. The soldiers said they would kill everyone with the tank, but then the tank stopped. VJ soldiers started shooting at KLA positions with a big gun and heavy artillery, that was right near us. The KLA did not shoot back, I think, because they knew we were there. We saw soldiers go into the village and start to burn cars, tractors, then all around us was smoke, and fire.

Then 3 VJ soldiers with automatic rifles approached us and started to scream that they would kill us. Eventually, they let us put shirts on and they told us to sleep here in the field. They said 'Let us see all the money you have' We had 8000 marks in the group of 500, which we gave them. We didn't eat anything for almost 2 days.

The soldiers told us to wait for trucks which would take us to Albania, but after 16 hours, no trucks came and so the VJ soldiers said we should walk to Albania. They started to beat us while we were walking. I was not hit personally but others were. They separated approximately 70 young boys including 2 of my school friends—a total of 6 from my village—they were stopped and we were forced to leave without them. We heard the soldiers say to them 'Now you must dress in Serb uniforms. We saw trucks with uniforms pull out, but we had to walk away. No one knows what happened to them. I didn't look back. We had to walk over 2 days and then on the border they destroyed our documents. During this experience, I was separated from my family. They thought I was dead.

SU, a 43-year-old service sector worker from Prizren, reported that he witnessed approximately 1,300 men between the ages of 18 and 60 taken from the village (Tussasmahalla street) to the mountains, close to the Albanian border, and that subsequently, they were used as a human shield against NATO.

Forced Labor

JB, a 23-year-old male student from Ishati I Vjeter (Ferizaj municipality), reported that he was forced to do hard labor by the Serbs at the beginning of April.

When the Serb forces came to my house and village, they forced us to work for them. We were making shallow graves so the soldiers could put and hide their tanks and trucks and their forces. My friends and I from the village worked for them for 10 days, until I managed to run away with my family.

VI. VIOLATIONS OF MEDICAL NEUTRALITY⁹³

Introduction

Nearly 50% (537) of the 1180 individuals surveyed by PHR reported witnessing some violation of medical neutrality by Serb authorities or health personnel.⁹⁴ International law provides that when military leaders wage war, they must treat as neutral medical personnel, their facilities and vehicles, and their patients, and, thus, rendering them immune from attack.⁹⁵

Serb forces have blatantly disregarded basic safeguards intended to protect civilians and medical facilities. These violations include: expelling Albanian Kosovar doctors and patients from hospitals and clinics, targeting and murdering physicians because of their status as community leaders and healers, preventing Albanian patients from receiving care, harassing Albanian Kosovar physicians at roadblocks and threatening to hold them hostage in hospital wards, and using rooftops and yards of medical facilities to position anti-aircraft artillery. Also, Serb doctors stand accused of expelling Kosovar Albanian doctors and patients and preventing patients from receiving care.

In its survey, PHR received 794 reports (from the 537 respondents who reported at least one violation) of violations such as those listed in Table 1.⁹⁶ Pristina alone accounted for 164 reports of violations; see Table 2 .

The Serb forces' persecution of Kosovar Albanians has brought the health care system to the point where medical care for Kosovar Albanians has virtually collapsed.

⁹³ Since its founding in 1986, Physicians for Human Rights has sought to promote the principle of medical neutrality and the rights of civilians and combatants to receive medical care, whether the conflict was international, as in the former Yugoslavia, or non-international, as in El Salvador, or Mexico. As an organization of health professionals, scientists, and concerned citizens, PHR has been concerned not only for the safety of its medical colleagues but for the thousands of actual or potential patients who could suffer because they are denied medical services.

⁹⁴ For a detailed explanation of the methods used for documenting violations of medical neutrality, see Methods sections of Chapters IV and V.

⁹⁵ Common Article 3, The Geneva Conventions of 1949

⁹⁶ This means many of the 537 respondents reporting violations of medical neutrality witnessed more than one violation.

Table 1
Reported Violations of Medical Neutrality in Medical Facilities
in Kosovo

<i>Location</i>	<i>Military Use of Facilities</i>	<i>Expulsion of Patients</i>	<i>Expulsion of Medical Workers</i>	<i>Expulsion of Either Patients or Medical Workers</i>	<i>Destruction of Facilities</i>	<i>TOTAL</i>
Djakovica (Gjakova)	4	1	2	1	4	12
Urosevac (Ferizaj)	28	1	6	0	48	83
Gnjilane (Gjilan)	18	5	2	0	15	40
Kosovska Mitrovica (Mitrovica)	14	1	0	0	8	23
Pec (Peje)	8	0	3	0	0	11
Pristina (Pristine)	54	27	12	0	58	151
Prizren (Perzeren)	32	5	7	0	3	47
Place not specified	28	6	19	0	34	87
Other places	76	5	25	83	151	340
TOTAL	262	51	76	84	321	794

NATO forces have also infringed upon medical neutrality by targeting of installations near medical institutions resulting in the destruction of several hospitals and clinics, civilian deaths, and severe disruption of medical care in Yugoslavia.

PHR's findings indicate a rise in violations of medical neutrality by Serb authorities early this year and a dramatic increase after NATO began bombing on March 24. Dates of incidents range from April 1998 to May 1999, but the majority of occurred after late March 1999. At least 312 violations of medical neutrality of the 416 violations (reported with dates) occurred after March 23, 1999. The remainder of the 794 total reports did not specify a date.

During much of 1998 when Serb attacks displaced hundreds of thousands of Kosovar Albanians, there had been reports of violations of medical neutrality against Kosovar Albanian physicians and other health care workers. Many of these were investigated and documented by representatives of Physicians for Human Rights in an investigation that began in October and continues as this report is published. Fears that the medical community had been targeted by the Serb leadership and that attempts were being made to disrupt delivery of health services have been confirmed. In earlier investigations, PHR interviewed dozens of physicians and other medical workers, before the intensified Serb persecution led to the massive exodus of Kosovar Albanians and the subsequent NATO bombardment.

As the persecution intensified, the ability to provide medical services eroded further, leaving the system in turmoil and creating fear among both patients and

Table 2
Number of Reports of Violations of Medical Neutrality
in the Capital of Pristina

Location	Military Use of Facilities	Expulsion of Patients	Expulsion of Medical Workers	Expulsion of Either Patients or Medical Workers	Destruction of Facilities	TOTAL
Clinics	14	11	1	6	34	66
Hospitals	38	15	11	6	4	74
Pharmacies	0	0	0	0	19	19
Other/not specified	2	1	1	0	1	5
TOTAL	54	27	13	12	58	164

Please note: “Clinics” includes ambulantas, Mother Theresa Clinics, and private clinics; “hospitals” includes dental clinics, all hospitals, and medical facilities.

health workers. The 794 reported violations cover at least 209 separate incidents, see Table 3. As the statistics indicate, many respondents witnessed the same violations, enhancing the verification or corroboration of the incidents.

PHR received reports of destruction at a minimum of 100 medical facilities. Respondents observed at least 58 medical facilities being used by Serb forces for military purposes and at least 51 incidents of Kosovar Albanian patients or doctors being expelled from medical facilities (see Table 3).

The majority of the interviews represent a random survey of recently arrived refugees living in camps in Macedonia and Albania, with 50 more in-depth interviews conducted with medical professionals.

Definition

Medical neutrality is a principle enshrined in medical ethics and international humanitarian and human rights law⁹⁷ that seeks to limit injury and death to civilians and combatants who are *hors de combat* (including prisoners of war) during times of war or other strife. Under legally recognized codes of medical ethics, medical personnel must uphold professional duties such as respect patient confidentiality, and treat all sick and wounded without regard to their belligerent status, ethnicity, or religious and political views.

⁹⁷ It is important to emphasize that “medical neutrality” is not a field of international law; it is a normative construct which draws on international humanitarian and human rights law, in combination with medical ethics, to provide standards for health professionals with respect to their rights and duties under various circumstances of war and peace. However, abuses which fall under the rubric of violations of medical neutrality can violate human rights law and constitute grave breaches of international humanitarian law.

International humanitarian law extends a special “protected” status to physicians and other health professionals so long as they actively perform medical functions and do not participate as combatants in the conflict.

International humanitarian law seeks to protect health professionals, not as doctors, nurses, or medics but as medical practitioners. As such, they are protected not because of their credentials but because of the professional services they render to civilians and to the sick and wounded.

If physicians and health professionals are extended special protection to attend to the sick and wounded during wartime, they are also expected to treat all patients, including prisoners of war, in accordance with internationally recognized tenets of medical ethics.

Disclosures of medical atrocities during the Nuremberg trials following World War II prompted the creation of the World Medical Association (WMA) in 1947. Among the first institutional acts of the WMA was the revision of the Hippocratic Oath in 1948 to preclude a repetition of Auschwitz and Buchenwald. “I will not permit consideration of race, religion, nationality, party politics, or social standing to intervene between my duty and my patient.”

The following year, the WMA adopted the International Code of Medical Ethics which contains the precept, “Under no circumstances is a doctor permitted to do anything that would weaken the physical or mental resistance of a human being except from strictly therapeutic or prophylactic indications imposed in the interests of his patients.”

International humanitarian law, like codes of medical ethics, maintains that medical care must be provided in a nondiscriminatory manner. Protocol II to the Geneva Conventions states, “In the performance of their duties, medical personnel may not be required to give priority to any person except on medical grounds.”

‘Medical personnel’ includes those formally trained as physicians, other health professionals such as nurses, technicians, health promoters, community first aid workers, relief volunteers engaged in the delivery of medical services, medical personnel of national Red Cross and Red Crescent societies and other national voluntary aid societies

Some of the classifications of violations of medical neutrality are⁹⁸:

Infringements against the sick and wounded, civilians, and medical personnel: includes killings, disappearances, torture, serious harassment impeding medical functions, and punishment for treating the sick and wounded, including punishment for upholding medical confidentiality;

Infringements against medical facilities and services: includes bombing and shelling of hospitals and clinics, incursions into hospitals, preventing the function of medical services in conflict areas or occupied territories; use of medical facilities such as hospital, clinics, ambulances for military purposes and misuse of medical emblem (red cross, red crescent);

⁹⁸ See Physicians for Human Rights, *Medicine Under Siege*, pp. 66-67.

The PHR survey asked three questions pertaining to specific violations of medical neutrality:

1. If the interviewee had witnessed the expulsion of patients or medical workers from medical facilities;
2. If the interviewee had witnessed any medical facility being used for military purposes and
3. If the interviewee had witnessed the destruction of any medical facilities.

The additional interviews conducted with health professionals and patients examined freedom of movement, access to health care, physicians' ability to work, harassment, and severe abuses such as targeted killings of health workers and beatings of patients.

The accompanying tables represent the data collected in the 1,180 standardized survey interviews. The data are based on first hand accounts where the respondent saw the abuse or the immediate result of the abuse (i.e. viewing a burned out or looted pharmacy or clinic). The personal descriptions included in this report reflect findings from the standardized as well as the more in-depth interviews conducted with physicians and others.

Abuses of Albanian Kosovar Health Professionals

We can say what the desire of every physician can be: to be a physician, and to be of help to people who need it, not only to your people. And to have dignity—to live as human beings and not as animals—as we are living here. Send a message to the world—there are only a few Albanian doctors, the world must do more to protect.” –S.L., ethnic Albanian Kosovar radiologist, April 1999

The systematic Serbian oppression of Albanian Kosovar physicians has escalated drastically since the conflict began in February 1998. Physicians for Human Rights has documented a pattern of Serbian intimidation of Albanian Kosovar doctors and health workers since the fall of 1998⁹⁹. The intimidation is marked by instances of murder, torture, interrogation, harassment, detention, imprisonment, and forced disappearances of ethnic Albanian physicians.

During April 1999, PHR investigators continued to interview health workers about their experiences in March and April in Kosovo. Physicians and health workers reported killings of their colleagues, restrictions in movement hindering them from treating their patients, death threats, and in some instances, being held hostage.

Of the 1,180 respondents participating in the survey, one in five witnessed physicians or patients being forcibly expelled from hospitals and clinics.

⁹⁹ See PHR press release “Medical Group Documents Systematic and Pervasive Abuses by Serbs Against Albanian Kosovar Health Professionals and Albanian Kosovar Patients”, December 23, 1998 or www.phrusa.org.

Table 3
Incidents* of Violations of Medical Neutrality in Kosovo Among
the Seven Most Populous Municipalities

<i>Location</i>	<i>Medical Facility</i>	<i>Military Use of Facilities</i>	<i>Expulsion of Patients</i>	<i>Expulsion of Medical Workers</i>	<i>Expulsion of Either Patients or Medical Workers</i>	<i>Destruction of Facilities</i>
Djakovica (Gjakova)	Clinic	0	0	0	0	1
	Hospital	1	0	0	0	1
	Pharmacy	0	0	0	0	0
Gnjilane (Gjilan)	Clinic	2	2	1	1	3
	Hospital	1	0	1	1	0
	Pharmacy	0	0	0	0	2
Kosovska Mitrovica (Mitrovica)	Clinic	1	0	1	0	2
	Hospital	1	1	0	1	1
	Pharmacy	0	0	0	0	1
Pec (Peje)	Clinic	0	1	0	1	1
	Hospital	1	0	0	0	0
	Pharmacy	0	0	0	0	0
Pristina (Prishtine)	Clinic	3	2	1	2	6
	Hospital	1	1	1	1	1
	Pharmacy	0	0	0	0	3
Prizren Perzeren	Clinic	1	1	1	0	0
	Hospital	1	1	0	1	1
	Pharmacy	1	0	0	0	1
Urosevac (Ferizaj)	Clinic	6	1	3	1	6
	Hospital	1	0	1	0	0
	Pharmacy	0	0	0	0	2
Other place	Clinic	26	2	5	10	59
	Hospital	11	1	3	1	6
	Pharmacy	0	0	0	0	3
SUBTOTAL	Clinic	39	9	12	15	78
	Hospital	18	4	6	5	10
	Pharmacy	1	0	0	0	12
TOTAL		58	13	18	20	100

Total number of incidents = 209

*"Incidents" is defined as the total number of discreet events reported by those interviewed (many witnessed the same incident or event).

Respondents offered at least 76 reports of expulsion of medical workers representing at least 13 separate incidents, see Tables 1 and 3.¹⁰⁰ In Pristina alone, 13 incidents of expulsion of medical workers were documented, see Table 2.

There has been a long history of oppression of ethnic Albanian physicians in the Serb-run state health care system in Kosovo—mass firing from employment in 1990, elimination of training opportunities in state medical schools and hospitals, and the requirement to use the Serbian language rather than Albanian in all interactions with patients, including in the writings of prescriptions and instructional materials. During the same time, ethnic Albanians have been regularly impeded access to the state-financed health care system.

A. Killing of Physicians

The murders of ethnic Albanian Kosovar physicians are far from being random, isolated incidents. PHR has documented the targeting and murder of at least three physicians in the fall of 1998 and targeted murders of at least nine others in the past several months.

In February 1999 in Prizren two survey respondents saw the dead body of a 62-year-old physician, Dr. H.F. from Suharelia Hospital. He was killed at a field in Piran village. They also reported that Dr. H.F.'s 27-year-old son and a friend were also killed.

I have seen Dr. H.F. from Suharelia Hospital massacred at the end of February 1999. His dead body was dragged in the streets of town. The crime was done by a Serb named B. who worked at the hospital.

According to the other respondent, *Their dead bodies were found without ears, eyes, and genitals.*

In Pec in February 1999, respondents told PHR that Dr. X.G. was killed. Two doctors were also killed in Klinja Town—the date is unknown. Another physician was killed in Krusha *because he cured the KLA*, according to a PHR survey respondent.

In Slatina, Dr. S.F. described how he and his family, which included a physiotherapist, were surrounded at 6 a.m. in early April. and one of them was shot dead at close range:

I don't know how many, but there were lots of tanks and armored vehicles. I saw more than 150 paramilitary wearing different uniforms. I saw some police and paramilitary with masks. I went at 6 a.m. to alert the doctor that we all had to leave the house because we were surrounded. When they tried to go in one valley, used as a cover from shelling, the police started shooting. I heard more than 50 shots. My

¹⁰⁰ Some respondents reported an expulsion from medical facilities, but did not specify whether medical workers, patients or both were expelled.

brother in law (brother of the doctor) left the house and went to the valley. But the doctor stayed in the house. He said, 'I am a doctor. I'm a health worker.' I was 50 m from him. They told him, 'you are exactly the person we are looking for' and shot him. We buried the body—it had a lot of bullet wounds.

On the first day of NATO bombing (March 24, 1999), Dr. S.C. witnessed (from 100 meters from where he was hiding) the killing of his good friend, Dr. I.I., the 60-year-old chief of surgery of Djakovica Hospital, by Serb police. According to Dr. I.I.'s wife, the Serbs banged on the door at night and asked for Dr. I.I. by name. When they found him, they first slit his throat and then shot him and burned his home. They also shot and killed four male neighbors nearby. On around April 15, Dr. M.S. was killed. Also, at the same time, a gynecologist, Dr. H.T. was killed, as was his son and brother, a few days earlier.

Also on that day, Dr. S.N. was killed by Serb police in Prizren. On March 25, 1999, at least two PHR survey respondents reported that Dr. F.I. and his son were killed in Khrushe e Madhe.

In Kacanik, doctors reported to PHR the death of a pharmacist in March 1999—killed via gunshot in his house that was near the pharmacy. The pharmacy was burned. The doctors who reported the incident to PHR came down from their hiding places in the mountains to observe the funeral and bury the body.

A dentist, MS, was beaten to death on April 16 in the old city of Djakovica.

In Tavnik, a respondent said, *I only heard the shooting and then I saw the body of a dead doctor.*

B. Threats and Hunting of Medical Workers

Many Albanian Kosovar physicians' lives are threatened merely because of their roles as health practitioners. Serb police have branded medical practices as acts of terrorism and abused and arrested physicians and brought formal criminal charges against them. Some physicians were threatened to be held hostage by Serb authorities. Others were harassed if they attempted to provide assistance to people living in areas of conflict currently or previously controlled by the KLA, or if they worked with international medical organizations. For example, a private ambulanta in Gjonaj, according to Dr. D.H. was closed because "[it was] *providing help to terrorists, [it was] curing terrorists,*". All instances disregard norms of medical neutrality that are protected under international human rights and humanitarian law.

On March 23, 1999, Dr. N.B., a general practice physician in Pec, was stopped by Serbian police in his car that was well known to Serb authorities in town. The police said,

You are the doctor who works with the OSCE [Organization for Security and Cooperation in Europe]. Because you are with your family, we will spare you. If we find you alone in your car, you will have to pay.

He stopped driving his car after that. On his flight from Pec on March 28, to Montenegro, he was stopped several times. At one of these roadblocks, the Serbian police demanded his documents. One of the group of policemen recognized him and said, *Aren't you the doctor who organized MSF [Médecins sans Frontières] and OSCE in Pec? We saw them all of the time parked in front of your clinic.*

Dr. N.B. said that he only took care of them when they were sick and that the director of the hospital, Dr. Jasovic, told them to come to his clinic for care. The police then let him pass, first making him pay 200 DM.

Dr. F.K., a surgeon and her husband, Dr. T.H., also a surgeon, from Pristina had worked as physicians in areas controlled by the KLA and had heard many times from friends that they were being sought by the Serbs, who had a list of physicians they considered collaborators with the KLA. So in the last week of March, they changed apartments frequently.

They received information that Albanian physicians might be taken hostage by the Serbs after March 24, so they did not go to the hospital. One week before the bombing started, they noted that the Serb chiefs of service began to have daily meetings with the chief of the hospital and the medical center, Dr. R.G., also a Serb and an orthopedic surgeon. These were called "new updates" and occurred every morning.

Dr. OT, a surgeon from Pristina, was targeted by Serbs because he had worked in the KLA hospital in the past year, so he stayed away from the hospital during the week of NATO bombing. For the last week and a half, until April 2, he moved from place to place in Pristina, in hiding from the police.

Dr. S.L., a vascular surgeon on the staff of the Pristina State Hospital, was told via phone on March 22 that he should not go to the hospital because he might be taken hostage by Serbs authorities. He heard that on the morning of March 23, all of the ethnic Albanian staff of the infectious disease clinic had been locked in the basement of the hospital by the police and told that if NATO bombed that night they would all be killed. He is not sure if these were rumors or fact but these reasons kept him from going to the hospital after March 23.

Dr. S.C. an orthopedic surgeon from Djakovica, did not feel safe staying in the hospital where many of the doctors were living with their families. On March 28 or 29, according to some Albanian nurse friends of his, an old Serb cleaning woman in the general surgical wing of the hospital in Djakovica had gone to the orthopedic department and asked the Albanians nurses there *Where is your chief?* They asked why she wanted to know, and she said, *"Please tell me, because we are going to kill him."* He arrived in Tetovo, Macedonia from

Kosovo on April 16, 1999. He moved from house to house five times over three and half weeks. Serb forces hunted him because he had worked with the KLA field hospital throughout the last year.

They chased doctors from our village about three weeks ago. I heard them say 'Go out or we will kill you', said G.M.

According to the children of Dr. A, a physician slain in December 1998, Dr. S., a friend of Dr. A and a well-known internist, was hunted by Serbs. They mistook his son for him, however, and shot and wounded the son.

C. Forced Expulsion/Lack of Freedom of Movement

Of the 1,180 respondents participating in the PHR/Columbia survey, 19.6% reported witnessing physicians or patients being expelled from hospitals and clinics. Physicians were either told to no longer report to work or were too intimidated to enter their clinics or hospitals. Some were stopped by police on their way to work. These incidents coincide with a pattern detected by PHR in December 1998.

The lack of freedom of movement usually involved being stopped at roadblocks. During the summer '98 Serbian offensive, Dr. J.U., a neuropsychiatrist from Pristina, worked in the Malisevo area but found the roads blocked by Serbian troops so it was very difficult to reach communities in that area. He was volunteering with the Mother Theresa Society at the time, but often the Serbian troops would not let Kosovar Albanian physicians pass the roadblocks. In PHR's December 1998 study, 54 physicians interviewed cited frequent police harassment and abuse. Over 25% of them had been brought into police offices for "informative talks," a procedure where a person is held for an indefinite period of time and subjected to threatening questions related to political affiliation. Physicians traveling on roads were vulnerable to such police action. Some were arrested:

In February 1999, I went to the clinic and saw policemen holding Dr. H. W. and Nurse R.V. They handcuffed them and took them out in a police vehicle. I don't know their whereabouts. Another survey respondent said that his cousin, Dr. N.W., was chased from the hospital in Urosevac.

On March 25, physicians on staff at the Pristina Hospital and elsewhere in Kosovo were given passes to allow them to go back and forth to work. These were to be shown to the police and military in order to permit them to cross roadblocks and were also given to ethnic Albanians who held jobs of all kinds in the state system.

Dr. S.S. tried to go to work at his ambulanta near Vranjevac in early April but was stopped by police. He was carrying the document issued at most hospitals that was supposed to give him passage, however, he was denied entry.

When he explained he was a health worker they said, *Your are for me just Albanian...you understand me, you are just Albanian for me and nothing more.*

Dr. S.L., a radiologist from Pristina who worked in the government health center, said that three days before NATO air strikes started, changes were made in the structure of the health center. First they displaced him and his colleagues—four technicians and two nurses— and locked them into an office by someone called their ‘guardian’.

They brought some beds into the office and some equipment but we didn't know what they were doing. Two days before I left they delivered us our ‘ausweis’—certificates for freedom of movement (using the German word for the certificate that allowed people into and out of concentration camps) The certificate said that they were employed with the health care center and it could be used as permission for free movement.

On March 25 or 26, Dr. X.E., a pediatrician from Prizren, was called at home by the Serbian director and said that if he did not show up for work at Prizren Hospital, he would be dismissed. He arrived at work at 10 a.m. and left work after 3 hours because the atmosphere was too intimidating. Armed Serb soldiers were stationed throughout the hospital and hospital grounds. A Serb nurse asked him, laughing in front of Serb soldiers, whether he had heard that several of the villages nearby had been destroyed. He said ‘No, why are you telling me this?’ The nurse replied, ‘Because the same fate awaits you.’

At 11a.m. there was a meeting called for all of the pediatric staff at the Prizren Hospital. The Serbian director told the ethnic Albanian doctors that they had to leave but they would be issued certificates to allow them to travel back and forth through police checkpoints. He left and went home, but was stopped by a police checkpoint and saw the roads filled with paramilitary forces. Later that day, a Serb specialist friend of his called to say that the VJ forces had taken command of the hospital. Dr. S.C., a vascular surgeon from Pristina, heard from a colleague that ethnic Albanian physicians had also been dismissed from the hospital in late March.

In the last week of March, throughout Kosovo, the expulsion of physicians occurred on a regular basis. In Vucitern, on March 22, Drs. P.Q., S.N., E.G., and B.G. were “all chased from the House of Health and they were all Albanian.” On March 24, in Ljipjan, Serb police forced medical workers from the Mother Theresa Clinic. On March 26, Serb police forced all hospital workers out of Kiruggja in Pristina “some doctors were beaten.” The next day in Urosevac, doctors were chased from the ambulanta Uroplastica Medicus and at some time in March, at least two private doctors were forced out of their offices by Serb military and police. A PHR survey respondent’s granddaughter went to get stitches removed at the clinic but was told that the doctors had to leave. On March 29, nurses were thrown out of the Mother Theresa clinic Vellazerum at 8:30 p.m.

In the Neuropsychiatric Hospital in Pristina, all Albanian Kosovar personnel were reportedly told to resign according to the husband of one of the medical workers there:

My wife called me from work to pick me up because she said that the chief of the clinic said all personnel had to resign—all Albanians. The director of the clinic is a Serb. That day was Wednesday, right before the bombing.

In Kacanik, doctors reported that many health workers were expelled from their jobs at the health care clinic beginning on April 1. The expelled doctors included Dr. M.L., Dr. N. M., Dr. N. B., Dr. T. T., and Dr. L. I. Serb physicians were also expelled from the clinic and told that security couldn't be provided for them.

When Dr. Y.Y., a radiologist, arrived at work in the health care center in Vucitern in early April, a police patrol stood in front of the building. The chief, X.V., ordered him to turn back.

On April 2, in the Pristina Hospital Pediatric Department, a nurse, N.I., was told by her director, Dr. Zoric, to leave because there was no longer a place for her. On April 4 in Gnjilane at the Tower Hospital, a health worker witnessed the expulsion of medical workers from the hospital.

A 30-year-old Albanian Kosovar nurse described her experience at Kosovska Mitrovica Hospital on April 4:

On April 5, I went to report to work. I used to work in the internal diseases department in Kosovska Mitrovica. At about 11:00 a.m., armed soldiers with masks and guns came in and ordered us to separate into groups of Albanian and Serbs. No one from our Serb colleagues tried to help us. We had only five minutes to leave the hospital. They didn't allow us to even undress so I left in my white uniform. I saw a lot of patients running out also as they had been dressed as patients. In our department, we had some disabled persons and I don't know what happened to them. I am especially concerned about my patients from the surgery department.

D. Torture and Beatings

In December 1998, PHR documented many instances of torture and/or physical abuse by Serbian authorities while in police custody. In the cases PHR documented, four Albanian Kosovar physicians were beaten by hand or stick applied to torso or hand, one physician had a plastic bag wrapped around his head, resulting in near suffocation, and another was threatened with electric shock.

In this latest study, a PHR survey respondent recounted the following incident of a physician's torture:

In August 1998, Dr. N.G. of Suharelia Hospital in Prizren was imprisoned because he treated wounded Albanian people. He was tortured by electric shock and kept in Prizren prison for five months and then released.

From March 23 to March 31, 1999, Dr S.L. made three attempts to go to the KLA field hospital northwest of Pristina to help but was beaten by the police on March 23 in Lluzhan. In April 1999 in Orize Village, Dr. K. N. was beaten by masked persons.

Abuses against Kosovar Albanian Patients

The PHR survey asked if patients or medical workers had been forced from medical facilities. 20% of those surveyed said they had witnessed such abuse. The expulsions were documented in among others, Djakovica, Pec, Bujanovic, Gnjilane, and Pristina. Limitations on access to health care by those in need and abuse of patients clearly were numerous as cited in narratives collected from respondents, even though the survey did not specifically compile this data.

In Pristina in the Interno Clinic, according to a respondent to the study, a patient who had been on dialysis was forced to leave the clinic after the March bombing began. Two days later she died.

Another dialysis patient was forced to leave at the same time by Serb police and told to "Go to NATO now." She left the clinic and was found at the train station. She is now in Strupa. A third dialysis patient was turned back three times by Serb police on his way to Pristina hospital for treatment.

Several other respondents to PHR's survey told of expulsions of patients from the hospital in Pristina, including one respondent who said that on April 1, his two nephews (who were recovering from injuries) were forced by Serbian police to go into the basement as lots of police entered the hospital.

One female Albanian Kosovar patient in Pristina hospital on the day that NATO bombing began told PHR:

The doctor told me, 'you can go.' The doctor who asked me to go was Serb. Probably the doctors thought that the hospital should be empty to make room for the Serbian people in case they get injured...The doctors didn't care if I could walk or if I needed other medicine or anything to be done for me. They said to me 'You must call somebody to take you. You must leave the hospital'... I'm the one who said to the doctor, 'I can't walk. Don't make me leave, I can't go back in Podujevo, because in Podujevo it's even more difficult to go because they (already) grenaded, and it (the grenading) is starting from Podujevo.' They (the doctors) said 'You can ask somebody from Pristina to take you.'

She had been wounded in a bomb attack in Podujevo on March 13, 1999, which she said was the day the KLA delegation left for the second round of Rambouillet peace talks in France. She and the other Albanian patient in her

room were told that on March 24 (the day NATO started bombing) they must leave. But the other two Serbian patients in her room did not have to leave. Other Kosovar Albanians injured in the Podujevo attack, whom she recognized, were also forced to leave that day.

Dr. S.L. said patients were expelled from the hospital, although he did not know if there was any Serb preference. In general, he said, *access to the hospital was very difficult, because in all entrances, you had police in uniform. They didn't allow people to go in. Even if you are in a white coat or you say that you are their colleague.* Others witnessed the police deployed at the entrances to the Pristina hospital.

During the last week in March even the critically ill were expelled, about 40 patients according to Dr. B.C. an Albanian Kosovar physician who worked at Pristina Hospital. Before the expulsion, Dr. B.B. said the Serb police and/or guards took to beating Albanian patients. At the Pristina Clinic for Internal Diseases, one of the PHR respondents saw a patient that was beaten by police officers while inside the hospital in April 1999.

In PHR's earlier research released in December, numerous reports from many parts of Kosovo described a general pattern of abuse of dozens of ethnic Albanian patients in state-controlled, Serbian-run hospitals. The nature of these abuses included: interrogating seriously ill patients in the hospital, despite efforts by their Albanian Kosovar doctors to prevent this practice; chaining patients who are considered "terrorists" to their beds or radiators on a 24-hour basis with armed Serbian police guards in or just outside their rooms; and extinguishing their cigarettes on the backs of the hands of patients returning to the recovery room from the operating room, still coming out of anesthesia. In another case, Serbian police were reported to agitate their batons in the wounds of patients, risking infection and the delay of healing. Some patients' families were extorted significant amounts of money by Serb police and Serb physicians in order to secure adequate food, medical care, and necessary pharmaceuticals.

In 1999, Dr. S.L. reported that Serb officials beat a patient (allegedly affiliated with the KLA) so severely on the night after receiving a colostomy operation, that they broke his ribs. Another doctor was concerned about an Albanian patient who left the medical facility about the time of NATO bombing with his mouth wired shut after having a metal splint inserted in his jaw. He would have difficulty eating and communicating.

The ethnic cleansing prevented women from obtaining proper medical treatment in one of life's fundamental passages: childbirth.

An obstetrician/gynecologist working for the Mother Theresa maternity service in Kodra e Trimove, Pristina was prevented from leaving her home to go to work—the maternity service has delivered 1,200 babies and conducted about 120 surgeries since March 28. In 1998, 6,401 babies were delivered, compared to 3,000 deliveries in the state-run obstetrical clinic in Pristina. According to Dr. S.D.:

Everybody was closed in their homes. We had no freedom of movement. If a doctor was on duty from that part of the city, he had no chance for movement. I was the last one who worked because my house is close to the hospital. But we realized it was impossible to work and we closed the maternity service...At that time four women were there to deliver. There were no doctors or midwives with them. They left because they were also unsafe, they have no security to stay.

Not only could doctors and nurses not reach the clinic to work, but one nurse spent four days in the clinic before it closed because she could not return home out of fear of the Serb forces roaming the streets.

On that day (March 28), when this part of the city was ordered to leave, a lot went on foot near the railway station. They spent one night waiting in that railway station; five deliveries happened, said Dr. S.E. Apparently a similar scene happened a couple of days later on March 31 when Dr. O.W. witnessed ten deliveries of babies that night at the train station.

Where the Serb forces' persecution effectively eliminated freedom of movement and/or Serb forces had taken over or cordoned off a hospital or medical facility, Albanian Kosovars were cut off from health care. *There were no patients, no one could go to the ambulanta,* according to a doctor from a clinic in Mitrovica.

At Bujanovic Hospital, a man took his son there who was being treated for bronchitis. On the front door of the hospital was written, *We don't work, not for Albanians.*

The health house in downtown Pristina had no patients at the end of March according to a doctor who worked there, *They (the patients) were afraid to come... Because we had a lot of patients, we used to have a list of those that have to be examined, especially invasive examinations, like gastrography and pyelography, but they didn't report.* In Pec at the hospital on March 28, 1999, Albanian patients and doctors were told they had three minutes to leave and go to the center of town and catch buses to take them away, according to one doctor who worked there. For example, one person who had abdominal surgery two days before had to leave ICU (intensive care unit) when the others were expelled, the doctor said.

Some patients were expelled so that wounded soldiers could be treated. For example, in March 1999 in the Central Hospital in Pristina, the police forced patients to leave the hospital and started to put injured police officers in the hospital, according to a survey respondent. Another respondent reported a similar incident at the Hospital for Lung Diseases in Pristina. In Gnjilane, at the Gynecology Center on April 3, VJ soldiers forced out all patients and put their wounded soldiers in. Similar occurrences happened in Urosevac at the main hospital, according to other respondents.

Military Use of Hospitals

More than 21% (255) of the respondents of the PHR survey saw Serb police or military use medical facilities for military purposes, see Table 1. In Pristina alone, 54 incidents of military use of ambulancias, Mother Theresa Clinics, hospitals, and pharmacies were documented by PHR, see Table 2. The Serb military misused hospitals in all seven of the largest cities of Kosovo according to respondents; see Table 3. In total, the reported violations indicate military use in at least 58 different facilities across Kosovo; see Table 3.

Serb police, military and paramilitary forces have entered medical facilities—sometimes wearing white coats to pretend they are health workers—creating fear and intimidation for ethnic Albanian physicians and patients. Anti-aircraft artillery were installed in yards or on the roofs of medical facilities, moving the battlefield to places usually deemed neutral in times of war. Serb physicians were observed carrying heavy weaponry, including AK 47s, Uzis, and Kaleshnikovs instead of stethoscopes and X-rays. A worker at the Neuropsychiatric Hospital said the basement of the facility was “full of arms”.

In Kacanik, the health care center was transformed to a paramilitary base, according to a group of physicians interviewed in early April by PHR:

All Albanians were expelled from their jobs. They told them they can't provide security for them. They were replaced by policeman and military, some wearing white coats...to leave the impression that they were physicians... While we were in the mountains we saw, with binoculars, their anti-aircraft automatic weapon on the roof of the clinic... It was shooting without any control in all directions. The soldiers wearing white coats were seen on the flat roof of the health care center.

In the yard of the radiology clinic in Pristina, Dr. S.L. saw anti-aircraft artillery in the yard. He also heard that the area behind the obstetrics and gynecology clinics and the space behind the orthopedic surgery clinic were being used as a base for anti-aircraft weapons.

Dr. BD, an anesthesiologist from Pristina, reported that on March 22-23, Serbian soldiers were milling about the parking area of the state hospital of Pristina and in the corridors of the hospital. Everyone was armed suddenly. For months the soldiers had been present as well as armed security guards, but now everyone on staff who was Serbian was armed (cleaners, custodians, etc.). She was on duty that night and the next day in the ICU as an anesthesiologist. She was afraid to go out on the wards or anywhere else in the hospital because the mood of the Serbian staff—who were now armed—seemed so belligerent. The hospital received lots of wounded and some dead that night—mostly Albanian—none of the Serbian physicians or nurses was helping treat the newly arrived patients. The usual number of Serbian staff were on duty but they were simply not working. Families of the injured could not get into the hospital area to donate blood because of the intimidating effect of the throngs of armed

soldiers outside. Serbian security guards in the hospitals were armed with AK 47s and were responsible for most of the beatings of Albanian patients that ensued.

In the last week of March, Dr. F.I., a surgeon from Pristina, said that she could see from her apartment nearby that the Pristina hospital was populated by many armed Serbian police and soldiers outside the hospital: in the parking area and entry area. In the days leading up to March 24, many armed Serbian police and soldiers were outside of the hospital and inside, the Serbian staff (custodians, personnel, guards) were given AK 47s and Kaleshnikovs. Dr. OU, a surgeon in Pristina, said it was “shameful to see Serbian physicians wearing sidearms and carrying Uzis”. He named three that he saw in the hospital entryway with these arms and wearing military uniforms: Dr. A., director of the Ob/Gyn clinic; Dr. P, director of the neuropsychiatry clinic, and Dr. B., a pediatric surgeon. He said the hospital was full of armed soldiers and many dead soldiers were brought to the morgue each night.

Another respondent who lived near the hospital likened the complex on the days after NATO bombing started to a “barracks”.

According to Dr. S.F., an infectious disease consultant at Pristina Hospital, armed military and paramilitary forces had been stationed on the ground floor of the infectious disease hospital since April 1. The two upper floors of the hospital were empty and all of the patients had been moved to the ground floor. The majority were his patients. He also reported from a friend that as of April 13, the major state mental hospital outside of Prizren had been emptied of patients and only military were bunkered there.

Dr. X.E., a pediatrician in Prizren, said that armed Serbian soldiers were stationed throughout the hospital and hospital grounds and left work because the atmosphere was too intimidating. Later that day the VJ had taken command of the Prizren hospital, according to a colleague.

In Djakovica, Dr. S.C., an orthopedic surgeon, reported that Serbian police were all over the hospital during the day but didn't stay overnight in the hospital. In the Vranjevs Mother Theresa Clinic, access was blocked by police, VJ and other forces. No one could get in or out. *If you come for help, go to NATO*, one person said.

Dr. V.J., a pediatrician from Pristina, said she passed by armed soldiers and policemen, many armed personnel carriers and tanks outside of the hospital.

L, a 33-year-old nurse from Pristina Hospital, reported that in her department she saw the army.

Patients left over the weekend. On Sunday, they told Albanian doctors to go home because the police came to the hospital. I saw just police when I came [to work]. He said 'go in house, just Albanians go in house'. The patients had gone over the weekend. Only heavily wounded were there. There were few Albanian patients.

In Kosovska Mitrovica hospital and the health care center in Vucitern, a radiologist told PHR that *Only two or three physicians were still left to work there and the hospital is now like a storage for munitions. They are in the basement of the health care center in Vuciton.*

He and a technician went to work and realized that the “environment is very unfriendly to us: Serbs were divided in one place. Some of the Serbs who had very normal behavior a few days before refuse to speak with us.”

Access to the hospital in Pristina was very difficult after March 23 since, in all entrances you had police in uniform who didn't allow people to go in. Even if you are in white coat or you say that you are their colleague. As far as I know Serb doctors were allowed to continue to work.

Some facilities were possibly mined. In Pristina, police came and blocked the hospital clinic and the alarm sounded notifying possible mining, according to PHR survey respondents.

Health Facilities Destruction and Looting

About 23%, or 321, of those surveyed, witnessed destruction at medical facilities. These reports indicate at least 100 separate facilities suffered some destruction, see Table 3.

All sorts of facilities suffered destruction: pharmacies, clinics and even hospitals, which are controlled by Serb authorities but in some places serve almost exclusively a Kosovar Albanian patient population. The descriptions given by those surveyed demonstrate that the private clinics of Kosovar Albanians, Mother Theresa ambulancias and local government clinics, often those in areas serving Albanians, all suffered destruction.

While Table 3 gives a breakdown of destruction at medical facilities in seven municipalities, the smaller villages were not spared. The seven towns represent several geographic areas of Kosovo and in general the pattern of destruction is reported across most of Kosovo.

Since Serb forces targeted all types of facilities, the implication is that the Serb forces sought to cripple if not eliminate the established system of health care delivery to Kosovar Albanians. It also implies that the destruction is part of the pattern of intimidation of the medical community and persecution of civilians typical of this conflict.

Although many did not see the act of destruction itself, they witnessed the aftermath of the explosion, fire, grenading or other abuse at the facility. Those that saw the actual abuse saw Serb forces blowing up, burning or otherwise damaging facilities. Respondents did not describe medical facilities being

destroyed by NATO bombs or the KLA, although PHR is aware of reliable reports of NATO bombs destroying medical facilities in Yugoslavia, primarily outside of Kosovo.

In Pristina several of the better known non-governmental clinics were destroyed. Dr. S.L. described the blowing up of the Rezonanca clinic, witnessed by a couple of doctors:

I worked there until the first day of air-strikes (March 24,1999) when the clinic was blown up by Serbs and looted... I contacted also the owner of the clinic and I went the next day to see the clinic, and I felt very bad... Dentistry and ultrasound equipment were missing, removed before they blew it up. The CT scan and X-ray machines were blown up probably because they were not transportable.

The private diagnostic clinic known as “Echo” in the Qafa section of town, was blown up soon after, according to Dr. D. D. A week or so later the Galaxy clinic was blown up and a relatively new ICRC clinic in the Dardania section of the city was burned, according to Dr. D.

Even some state facilities that served Albanians were closed and looted. In the Kodra e Trimave section of Pristina, one of the poorest parts of Pristina, the government health center was closed and all medicines taken, according to a colleague of Dr. D. L. The likely reason given was that the health center was located in a section of town largely populated by Albanians.

Looting of pharmacies and private clinics was common. On March 26, two pharmacies on Gilani Street in Urosevac were looted and burned. The pharmacy Gentiana was destroyed in Pristina along with two other pharmacies on the same street.

According to Dr. I.E., an epidemiologist, Serbian soldiers began to loot all of the Kosovar shops on March 28, 1999 and stole all of the drugs from a private pharmacy company in the area.

In Gniljane, on Pahr Sadiku Street, private pharmacies were looted and burned after NATO bombing, reported a respondent. Perpetrators were named as V. from Ponesh Village and A. from Livoc village.

According to YZQ, her sister-in-law’s house was burned in March because they said that her brother used to work for the Mother Theresa Society.

The dental school of the main hospital in Pristina was closed—police came in and collected the computer and list of students, said a respondent.

After being driven from his home in Pristina only to be returned from the border, Dr. S.E. returned to his office at the infectious disease hospital in Pristina to find three Serb military men inside. They had broken in and all his books, drugs and equipment were gone. The men said they were looking for a radiolocator, implying that Dr. S.E. had been directing bombs for NATO.

Some clinics were destroyed by use of landmines. The Drekkovic Ambulanta was reportedly destroyed by mines and the Urosevac private ambulanta on Neratrima Street was totally destroyed, possibly by landmines.

Everything, everything in Lashtica is destroyed—including the ambulanta.”, according to a PHR survey respondent.

VII. APPLICATION OF RELEVANT INTERNATIONAL LAW

Introduction

In their assault on ethnic Albanian civilians and combatants, Serb forces have flouted international law in many respects since hostilities intensified in February 1998. Key provisions in many elements of human rights law as well as in international humanitarian law apply in Kosovo in the period 1998-1999.

Human Rights Law

Human rights law recognizes rights that must be respected at all times, including in times of crises such as war. The International Covenant on Civil and Political Rights ensures protection from torture, ethnic or religious persecution, arbitrary deprivation of life; freedom of religion and thought, and recognition as a person before the law.¹⁰¹ Although some rights, such as freedom of movement, expression, association and assembly and right to privacy, are subject to limitations by governments in times of public emergency; freedom from persecution, from arbitrary deprivation of life and other rights listed in the preceding paragraph are not subject to such limitations.¹⁰²

International Humanitarian Law

International humanitarian law (also known as the laws of war) build a protective framework for the special circumstances of war and overlap with the protections of human rights law. In 1998, the level of fighting in Kosovo rose to the level of “armed conflict” and triggered application of international humanitarian law.¹⁰³

¹⁰¹ International Covenant on Civil and Political Rights, done at New York , December 16, 1966, arts. 6,7,8,16,18.

¹⁰² ICCPR, articles. 4,12,17,19,21,22. Article 4(1), says states may derogate obligations with regard to some rights, “in time of public emergency which threatens the life of the nation...”

¹⁰³ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), art.2, done at Geneva 8 June 1977. Justice Louise Arbour, Chief Prosecutor of the International Criminal Tribunal for the former Yugoslavia (ICTY) declared in July 1998, “The nature and scale of the fighting indicate that an ‘armed conflict,’ within the meaning of international law, exists in Kosovo.”

Even under the less explicit humanitarian law standards applicable to internal conflict, acts discussed in this report – such as, forced expulsion, extrajudicial killing, burning of villages, destruction of cultural monuments and using medical facilities for military purposes – violate international humanitarian law.¹⁰⁴ These standards originate in Article 3 common to all four Geneva Conventions and are expanded upon in the later Protocol II to the four Geneva Conventions. They forbid murder, torture, hostage-taking, looting, cruel and degrading treatment and the “passing of sentences” by anything but a regularly constituted court that affords procedural guarantees recognized in international law.¹⁰⁵ These laws protect those “not taking an active part in hostilities,” including civilians, medical personnel, wounded and sick (including combatants) and combatants otherwise *hors de combat*, such as those who surrender.¹⁰⁶

An armed conflict does not need to be a declared war to be covered by international humanitarian law. Both NATO and Yugoslavia should be held to the standards of international humanitarian law.¹⁰⁷

Discrimination between civilian and combatant and proportionality are principles of humanitarian law that seek to limit harm to civilians.¹⁰⁸ Essentially, the principles call 1) for military forces to discriminate between military and civilian targets and attack only legitimate military targets, and 2) for them to minimize civilian casualties and other collateral damage.¹⁰⁹ If the expected

¹⁰⁴ Common Article 3 to the Four Geneva Conventions, adopted 12 August 1949, Geneva; Protocol II.

¹⁰⁵ Common Article 3, Protocol II, arts.4,6.

¹⁰⁶ Common Article 3; Protocol II, art.4(1).

¹⁰⁷ Yugoslavia ratified the four Geneva conventions and the two additional Protocols (I and II) which came later. The United States appears to have accepted that NATO's conduct is subject to the laws of war. David Scheffer, U.S. Ambassador-at-large for War Crimes Issues, at a NATO press conference on 18 May, 1999, said “Customary international law requires that combatants at all times distinguish between the civilian population and combatants and shall direct their operations only against military objectives. There is absolutely no question that that is exactly what NATO is doing...” Later he added, “that there is no need at all for a declaration of war for the laws of war to apply, the Geneva Conventions do not require it nor does customary international law...”

¹⁰⁸ Human Rights Watch, “Federal Republic of Yugoslavia: Humanitarian Law Violations in Kosovo,” 57-58, Vol.10, No. 9(D), October 1998 (hereafter HRW Report).

¹⁰⁹ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), adopted on 8 June 1977. Article 48 – Basic rule states: “In order to ensure respect for and protection of the civilian population and civilian objects, the Parties to the conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly shall direct their operations only against military objectives.”

civilian damage outweighs the damage to the military target, the forces must suspend or refrain from attacking that target.¹¹⁰

The governing statute of the International Criminal Tribunal for the former Yugoslavia (ICTY), established by the United Nations Security Council, incorporates these principles of international humanitarian law. The ICTY statute states the tribunal has the power to prosecute “serious violations of international humanitarian law,” and lists them under four categories: 1) Grave breaches of the Geneva Conventions of 1949, 2) Violations of the laws or customs of war, 3) Genocide, 4) Crimes against Humanity.¹¹¹ Offenses over which the Tribunal has jurisdiction include: murder, wanton destruction of cities, towns or villages, willful damage of religious, educational, scientific or historical institutions, plunder of property, deportation, rape, and persecutions on political, racial and religious grounds.¹¹² The recent ICTY indictment against Slobodan Milosevic and four other Yugoslav officials charges them with Crimes against Humanity for murder, deportation and political, racial and religious persecution and with a violation of the laws or customs of war for murder.¹¹³

The provisions of Common Article 3 and Protocol II and the governing statute of the ICTY govern the analysis of the acts committed by Serb forces against the civilian population in Kosovo. These same standards apply to the KLA and are the basis for analysis of abuses committed by the KLA. One party’s lack of compliance does not excuse others from their absolute obligation to apply Common Article 3.¹¹⁴ In fact, the KLA has agreed to abide by applicable provisions of international law, and U.S. officials have indicated NATO will also.¹¹⁵

¹¹⁰ An attack is prohibited as indiscriminate when it “may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.” Protocol I, art.51(5)(b).

¹¹¹ ICTY, Statute of the International Tribunal (hereafter ICTY statute), arts.2,3,4,5, adopted 25 May 1993.

¹¹² ICTY statute, arts 2,3,4,5.

¹¹³ ICTY, Indictment of Slobodan Milosevic, Milan Milutinovic, Nikola Sainovic, Dragoljub Ojdanic, Vljako Stojiljkovic, 22 May 1999.

¹¹⁴ Protocol II says, “This protocol ...shall apply to all armed conflicts...between its (government) armed forces and dissident armed forces or other organized groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol.” See, HRW Kosovo Report, p.50-61.

¹¹⁵ See, HRW Kosovo Report, p. 55; see footnote 9.

Specific Violations of International Humanitarian Law

The following acts described in this report constitute war crimes or crimes against humanity under the applicable law discussed above. PHR uses the applicable legal term (when it differs from the description of acts described in this report): forced expulsion (deportation), extrajudicial killing (murder), beatings (great suffering or serious injury), torture, sexual assault (rape), looting and destruction of property (wanton destruction and appropriation of property).¹¹⁶

The conduct of the Serb forces also violated the principle of medical neutrality. The principle of medical neutrality is rooted in tenets of medical ethics and has become codified in international law and humanitarian law. An entire section of Protocol II is dedicated to protections for medical personnel, patients and their facilities. No matter whether combatant or civilian, patients, “shall receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition.” Under no circumstances shall any person be punished for carrying out medical activities compatible with medical ethics, regardless of the person benefiting therefrom. Medical units and transports shall be respected and protected at all times and shall not be the object of attack.¹¹⁷ The findings here include numerous attacks on patients, doctors and facilities that violate these provisions. Further discussion of this principle can be found in Chapter VI on cases of violations of medical neutrality.

Landmines

Yugoslavia is one of the ever-smaller number of nations that has resisted the Mine Ban Treaty.¹¹⁸ Customary international humanitarian law and the Geneva Conventions regulate the use of landmines, forbidding means of warfare that cause indiscriminate and/or excessive harm to civilians.¹¹⁹ PHR contends that the Mine Ban Treaty should be understood as a movement toward a new norm under international humanitarian law such that the use of landmines is unacceptable.

¹¹⁶ ICTY statute; Protocol II.

¹¹⁷ Protocol II, Part III, arts.10(1),11(1).

¹¹⁸ The Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and Their Destruction, (hereafter the Mine Ban Treaty), entered into force March 1, 1999. As of May 24, 1999, this treaty has 135 signatories, and 81 ratifications, accessions, or approvals.

¹¹⁹ The Arms Project of Human Rights Watch and Physicians for Human Rights, *Landmines: A Deadly Legacy*, Chapter 8, 1993.

VIII. PSYCHOLOGICAL TRAUMA AND RECOVERY

In developing strategies for the repatriation of refugees into Kosovo and the reconstruction of ordinary life in that setting, the importance of understanding issues related to psychological trauma cannot be overemphasized. Large numbers of Kosovars, both those who fled and those who remained within the province, will have experienced a range of trauma during the crisis. Re-entry into a devastated landscape with vast destruction of infrastructure, a dispossessed population, and additional loss of loved ones yet to be discovered — will surely bring about further traumatization and suffering.

Making available traditional Western-style counseling services will have its place within the measures taken for assuring adequate health care services post-war, but the astuteness of planning for other aspects of the re-establishment of civil society with a deliberate eye toward the psychological healing of the community will be key. Since core issues of traumatization involve disempowerment and disconnection, community recovery will require empowerment and connectedness. If civil leaders understand that psychological recovery occurs progressively in stages and if they are sensitive to the needs of the community at any given point, they can have a tremendous healing impact. Conversely, leaders who are unaware or out of touch with the impact their decisions and statements can have on the psychological recovery of the population, may seriously worsen or retard community recovery.

A brief outline of three main stages¹²⁰ may help to elucidate this point. Stage One involves ensuring the safety of the traumatized community. The healing process cannot begin without this cardinal element. The establishment of trust in the new bureaucracies will be critical. This will be favored by their transparency to ordinary Kosovars as well as their honesty regarding the limits of what can be done. The methods by which Kosovars will be able to re-establish their identities and prove their ownership of land and businesses will influence their personal and community sense of empowerment. The prompt establishment of a Kosovar free press that serves to fully inform the community about matters and events will assist in creating safety in offering transparency and a range of opinion. Kosovar leadership will need to be integrated into the strategic planning of all international groups. In each case, the international organi-

¹²⁰ JL Herman, *Trauma and Recovery*. New York: Basic Books, 1992: 155-156

zations who are part of the rebuilding will need to understand that allowing the Kosovars autonomy, with the support and guidance of outsiders will do more for them as a community than rebuilding for them or taking charge of them. It will be critical for those from the international community who assist in rebuilding Kosovo to understand that Kosovars are creative, skilled and accomplished. Helpers are not entering a backward, uninformed society where they must re-invent the wheel. The manner in which Kosovars are treated, the degree of respect communicated by outsiders, the language that is used — will have a significant effect on vulnerable individuals and communities reestablishing their sense of self and their ability to be effective in restoring their world.

In Stage Two of healing from psychological trauma, the population will need to process their memories and mourn their losses. Strong community leadership can assist these processes in a number of ways. It can model and support the sharing of individual and community experiences during the crisis. It can emphasize the commonality of particular traumas, so that individuals need not be isolated in their struggle. It can communalize the suffering of survivors who feel guilty that loved ones perished and they survived. It can educate the population about typical reactions they might have and predict for them that difficult feelings are likely to arise in the wake of all they have been through including numbness, anger, and violent fantasies, that they must expect them, be prepared to cope with them and keep themselves and those around them safe. It can organize rituals and observances to bring people together when they might naturally withdraw from community. It can acknowledge sacrifice and inject purpose and hope for the future, channeling negative emotions into energy for adaptive coping.

In Stage Three of healing, the community is reconnected with ordinary life. It will be critical to assure that all parts of the community are afforded this reconnection. Civil mechanisms for identifying those who may have been left out of aspects of the healing process must be in place. Community ceremonies to put closure on the period of crisis will be necessary as will anniversary ceremonies for remembrance and continued grief work.

Much of the work of rebuilding the identity and reestablishing the resilience of the Kosovar community will be accomplished in the day to day work of rebuilding the civic infrastructure of Kosovo — in the methods of collaboration, attention to symbol and language, and sensitivity to the psychological needs of the community — by those in leadership positions. An understanding of key needs of traumatized individuals and communities by policymakers and the ways in which they can influence psychological healing in their work, will be decisive in truly supporting the health of the community.

IX. APPENDICES

APPENDIX A

List of Surveyed Refugee Camps and Collective Centers in Albania April 19-May 3, 1999

Name/Location

Divjake (also known as Inshnje or Hotel Beach)
Dures Technical School
Golem (also known as Italian camp)
Ibe Sperme
Kavajae
Korce
Lake Buildings (also known as Tirana Pools or Lake Tents)
Lezhe
Librazhd (also known as Warehouses, Dorez, Topez)
Lochan
Mullet
Peqin
Rrushbull
Sengjin
Shijak (also known as Italian camp)
Shkoder (also known as Austrian Tent Camp)
Shushice (also known as Elbasan)
Spitalle (also known as German Tent Camp)

Kukes

Italian Camp I (also known as Kukes Airport or Care Camp I)
Italian Camp II (also known as Care Camp II)
MSF/UNHCR
Greece Camp
German Camp
Arabian Camp
Besim

List of Surveyed Refugee Camps and Collective Centers in Macedonia April 19-May 3, 1999

Name

Bojane
Neprosteno
Radusa
Senekos
Stenkovic I (Brazda)
Stenkovic II (Stenkovic)

APPENDIX B

Kosovo Refugee Survey (PHR/Columbia)

My name is I am working with a non-governmental organization called Physicians for Human Rights that is based in the United States. We are conducting a brief survey of as many Kosovar refugees as possible to assess patterns of abuse by Serb police, soldiers and civilians over the past year. We realize that many people have suffered greatly during this time and may have much to tell. But this survey requires only BRIEF responses to a limited number of questions, and from ONLY ONE family member. We would like to speak to a member of your family, either man or woman, who can give the most accurate account of what happened to the members of your household. At the end of the interview, we many ask more detailed questions about what happened to you and your family over the past year in Kosovo.

The findings of this study will be used to try to improve the situation for Kosovar refugees. You do not need to give us your name at all. If you do wish to provide your name, we will ask your permission to make this interview available to individuals responsible for prosecuting those who have committed crimes. Can I ask you some questions about what has happened?

1. CASE ID: _____(M:1-999, A:1,000-)
2. Do you want to give your name? Yes.....(ASK Q2 A&B).....1
No.....(SKIP to Q3).....2
 - A. What is your name? _____
 - B. Third party contact info: Tel: _____
Address _____
3. Date of Interview: _____
4. Location of Interview: _____ (M:1, 2, 3, 4, 5, 6, 7, 8, 9, 10 A:11,12,13,14,15,16,17,18,19, 20)
5. Researcher ID Code: _____ (M:1, 2, 3, 4, 5 A: 6, 7, 8, 9, 10)
6. Translator ID Code: _____ (M:1, 2, 3, 4, 5 A: 6, 7, 8, 9, 10)

7. INTERVIEWER: CODE GENDER

- Male.....1
- Female.....2

8. Where did you live in Kosovo?

- A. City or Village _____
- B. Neighborhood _____
- C. Municipality _____
- D. District _____

9. What was your main occupation in Kosovo? [Circle ONE]

- A. Farmer1
- B. Housewife2
- C. Service Sector3
- D. Clerical4
- E. Factory5
- F. Professiona6
- G. Other (Specify)7

10. How old are you? _____

11. First, how long have you been away from your home in Kosovo? Date: _____
- | | | | |
|--------------------|--------------------|-------------------|---------------------|
| 6 "A week or less" | 45 "About 1.5 mo." | 120 "About 4 mo." | 255 "8 to 9 mo." |
| 14 "About 2 weeks" | 60 "About 2 mo." | 150 "About 5 mo." | 300 "10 to 11 mo." |
| 21 "About 3 weeks" | 75 "About 2.5 mo." | 180 "About 6 mo." | 365 "One year plus" |
| 30 "About a month" | 90 "About 3 mo." | 210 "About 7 mo." | |
12. How long have you been here, at this location? Date: _____
- | | | | |
|--------------------|--------------------|-------------------|--------------------|
| 6 "A week or less" | 30 "About a month" | 90 "About 3 mo." | 210 "About 7 mo." |
| 14 "About 2 weeks" | 60 "About 2 mo." | 120 "About 4 mo." | 255 "8 to 9 mo." |
| 21 "About 3 weeks" | 75 "About 2.5 mo." | 180 "About 6 mo." | 300 "10 to 11 mo." |

13. When you first left your home where did you go, when did you leave, why did you leave and who caused you to leave?

Location	Date	Primary Reason	Who Caused (list all that apply)
A. _____	_____	_____	_____
B. _____	_____	_____	_____
C. _____	_____	_____	_____
D. _____	_____	_____	_____
E: _____	_____	_____	_____

Write in _____

Write in _____

1=P/S harming people
 2=P/S destroying prop.
 3= fear of 1 or 2
 4= Serb bombing
 5=fear of Serb bombing
 6=NATO bombing
 7=Other
 8=P/S came to my house

1=Serb Police
 2=VJ soldiers
 3=Paramilitary forces
 4=Other
 5=More than one Serb force
 6=Armed Unspecified
 7=KLA

14. In the past year, while you were in Kosovo, did you see...[Ask A-J]

	YES	Conseq	NO	DK	NR
A. Serb police/soldiers burning your home	1	2	0	98	99
B. Serb police/soldiers burning the homes of others?...	1	2	0	98	99
C. Serb police/soldiers looting or destroying peoples property?	1	2	0	98	99
D. Serb police/soldiers demanding money or valuables from you?	1	2	0	98	99
E. Serb police/soldiers killing anyone?	1	2	0	98	99
Detail info					
F. Serb police/soldiers using medical facilities for military purposes?	1	2	0	98	99
Detail info					
G. Serb police/soldiers forcing med wrkers or pts from med facilities?	1	2	0	98	99
Detail info					
H. Medical facilities that had been destroyed?	1	2	0	98	99
Detail info					
I. Serb police/soldiers removing/destroying personal ID documents?	1	2	0	98	99
J. Places of worship that had been destroyed?	1	2	0	98	99
Detail info					
K. Schools that had been destroyed? _____	1	2	0	98	99
L. Destroying any other property? _____	1	2	0	98	99

15. How many people were living with you in your house, including yourself, before you left your home in Kosovo?

_____ Children (<18) _____ Adult Women _____ Adult Men _____
 # IN HOUSE

16. How many of those people are still living with you now?

_____ Children (<18) _____ Adult Women _____ Adult Men _____
 # IN HOUSE

17. We would like to know whether you or any of those living with you in your house experienced any abuse by Serb police or soldiers, or civilians, in the past year. By abuse we mean: Separated and disappeared, beaten, shot, killed, tortured, sexually assaulted, including rape, and possibly other abuses. Let's discuss one person at a time, starting with you. Did you experience any of these?

IF NO HOUSEHOLD MEMBER ABUSED CODE HERE AND SKIP TO Q18.....99

Person	Age (Write-In)	What Abuse Occurred	Where (Write-In)	When did this Happen (Date/code)	By Serb/Police or Civilians	Did you witness the abuse or after-effects-?
1. _____	_____	_____	_____	____/____	_____	_____
2. _____	_____	_____	_____	____/____	_____	_____
3. _____	_____	_____	_____	____/____	_____	_____
4. _____	_____	_____	_____	____/____	_____	_____
5. _____	_____	_____	_____	____/____	_____	_____
6. _____	_____	_____	_____	____/____	_____	_____
7. _____	_____	_____	_____	____/____	_____	_____
1=Self		1=Sep & Disap.		1=Before Expulsion	1=Serb Police	1=Yes abuse
2=Husb		2=Beating		From My Home	2=Serb Soldiers	2=Yes after-effects
3=Wife		3=Gunshot Wound		2=After Expulsio	3=Serb Paramilitary	0=No
4=Mother		4=Killing		From My Home	4=Civilian	99=NR
5=Father		5=Torture			5=Other	
6=Son(6a, 6b..)		6=Sexual Assault, No Rape			6=DN	
7=Dgthr(7a, 7b..)		7=Rape			7=NR	
8=Other Rel(8a..)		8=Other: (Write in Above)				
9=Other (Non-rel)		9=NR				

* We are aware of reports of sexual assault, including rape of Kosovar women by Serb forces. We know just how devastating this can be for a woman and her family. Is this something that may have happened to (you or) one of your family members?

NOTES: _____

18. What is your family's ethnicity? [Circle ALL that Apply]

	MENTIONED	NOT MENTIONED	NR
A. Albanian.....	1	0	9
B. Serbian.....	1	0	9
C. Turkish.....	1	0	9
D. Roma.....	1	0	9
E. Other (Specify): _____	1	0	9

19. What is your family's religion? [Circle ALL that Apply]

	MENTIONED	NOT MENTIONED	NR
A. Muslim.....	1	0	9
B. Catholic.....	1	0	9
C. Orthodox.....	1	0	9
D. Other (Specify): _____	1	0	9

20. Have you observed landmines being laid by anyone since the bombing began in March, 1999?

Yes.....(ASK A).....	1
No.....(GO TO Q. 21).....	0
NR.....	9

21. Who laid the landmines?

	Mentioned	Not Mentioned	DK	NR
A. Serb Police	.1	.0	.98	.99
B. Serb/VJ soldiers?	.1	.0	.98	.99
C. Paramilitary force ?	.1	.0	.98	.99
D. Civilians	.1	.0	.98	.99
E. Others	.1	.0	.98	.99

Any Additional Comments:

INTERVIEWER: UNDER CIRCUMSTANCES WHERE YOU HAVE IDENTIFIED A PERSON WHO COULD PROVIDE INSIGHT INTO PATTERNS OF ABUSE, PLEASE CONTINUE BELOW.

22. Is there anything else that you would like to add to what we have already discussed? [For each event/abuse discussed, record WHO is involved, WHEN it happened, WHERE it happened, a detailed account of WHAT happened. Be sure to include the names of any PERPETRATORS and their stated REASONS for the events/abuse.]:

INTERVIEWER: RECORD NARRATIVE

APPENDIX C

Reports of Mosques Destroyed by Serb Forces*

(PHR has not been able to confirm the extent of destruction of the mosques at these sites, as reported by respondents to the PHR/Columbia survey).

Amoguer
Opterusa
Ostrozub
Atmagje
Baballoq
Baje
Balince
Bankovica
Barane
Bata
Bellanice
Bela Crkva
Belo Jezero district
(Ostrozub mosque)
Bilushe
Blac
Bilace
Bresalei
Brestofe
Brocna
Bubajec
Budakove
Cerrabreg
Caraleve
Celina
Ceranje
Cermjan
Cernice
Cernille
Cirez
Davidovce
Decani
Djakovica
Dobrushe
Doganovic
Doreva
Drenica

Duhe
Dusanovac
Firaje
Kosovo Polje
Glogovac
Gjinofc
Gllanaselle
Glogi
Glogjan
Gnjilane
Goinvinci
Gorna Bitinja
Grejkoc
Grahovo
Greme
Hadum mosque (Djakovica)
Hamidija mosque (Kosovska
Mitrovica)
Hoce e Vogel
Isniq
Istok
Jablanica
Jezerce
Kadrije mosque (Pristina)
Kosovska Mitrovica mosque at
Ibar bridge
Kalisi
Karao
Kasanice
Klina
Kllodemice
Komorane
Koracica
Korenice
Korishe
Krushe
Komoran
Kusnin
Lanovic
Landovica
Lap mosque (Pristina)
Lashte
Laushe
Lebrabista
Les
Lipljan
Livoc
Ljubenic

Llashtice
Luzane
Logje (near Pec)
Magura
Mala Hoca
Malisevo
Malopoc
Medrese mosque (Prizren)
Medvedce
Mikaliq
Mojstir
Mushitishte
Nagafc
Neprebiste
Orlash
Pec
Pecane
Perlepnice
Petrove
Pirane
Pllushine
Podujevo
Pograde
Pollat
Preles
Prishtina
Prizren
Prugovne
Raushiq
Rastane
Retimlje
Riban
Rogovo
Romaja
Sedlar
Semetishe
Sekirac
Shale
Shushice
Sibovac

Skivjane
Slatina
Smolvce
Srbica
Strelle
Stanofc
Stimlje
Strelle
Studencan
Suva Reka
Trn
Uce
Ugar
Uglare
Urosevac
Vranic
Velekince
Vermice
Vlashnje
Vragol
Vranovac
Vrela
Vrrethi
Vucitern
Xerxe
Zajevice
Zall-Rec
Zegra
Zhilivode
Zhitkofc
Zur
Zlatare
Zojiq

*Andras Riedlemayer of Harvard University assisted with the compilation of this list.

APPENDIX D:

Reports of Schools Destroyed by Serb Forces

(PHR has not been able to confirm the extent of destruction to these schools as reported by PHR/Columbia survey respondents).

Abdulah Shabani
Ali Kelmendi
Aptorush village school
Arlat
Badhi'l Nadine
Baje village school
Bajice; "Arberi school," 9/98
Banja village school
Bardhi Middle School
Belacac; "Zejnel Primary School"
Bellanice primary school;
"Emin Duraku"
Besi
Billush, 3/26/99
Bivolak
Bllace
Bobrusht, 3/28/99
Bojraktari, after 3/27/99
Boris Kidric
Brod village school "Pazim Corli"
Candovice, 3/20/99
Cerrabreg
Caraleumiddle school ;
"Aboula Shabani"
Caraleve destroyed 1/99
Carralauk
Carrateve since September 1998
Cefrallok
Celina primary, 3/28/99
Cerez primary school, 7/98
Couraleu village school
Cubrel, after 11/98
Damjian village
Dardanie village school; no date
Debce (muni Preshevo) gymnasium,
4/16/99; by Vshtra
Decani

Djakovica; "Ganimete Terbeshi
Primary school," 4/99
Dobreeve Ulet, 4/5/99
Dobrushe village school, August 1998
Dragacin primary school
Dragobil
Drenica - all schools
Duhle
Dushanovac, 3/29/99
Dyrez
Eest Metah elementary school
Firaj village school; "Osman Mani"
Freliaz
Gadime village school; "Zenel
Haddini," April 18
Galice
Gergoc secondary school
Gajova; "Mustafa Bokuija," 3/25/99
Gjinofc village school; "Drita"
Glogjan village school
Godezhniak
Grakov primary and middle school
Greme, (near Urosevac) primary school,
April 2, 1999
Grikoc village school
Gurakoc
Gurbardh primary school; "Eqrem
Qabeji"
Hade primary school; destroyed before
March bombing
Hasim Vokshi
Haush
"Hizri Varoshi" private school
Hoqe, 3/24/99
Istok
"It Nendori," April 30
Jabllanica
Jeronim Degrada
Jezerce village grammar school,
Summer/September 1998.
Kievo
Kline
Komorane secondary school; "Leonik
Tomeo"
Komorane village school; "Jeta e Re,"
March 1998
Korisht, 4/13/99

Korloran, 3/27/99
 Kosovo Polje
 Kosovska Mitrovica village high school
 Kozanike
 Kpuz; "Azem Bejta"
 Krelan primary school, 2/04/99
 Krusha e Madhe, 4/20/99
 Krushe e Vogel
 Krushevac
 Kuke village school
 L'opuslurile, 2 primary schools
 destroyed, summer of 1998.
 Landovica primary school, May 1
 "Lasgush Poradeci Primary school,"
 August 1998
 Lebrabista elementary school, April 2
 Lepribisht village school
 Libecheva elementary school;
 August 1998
 Liceve village school
 Likoc; "Obri" school, 8/20/98
 Likovc primary school, 8/5/98
 Lipjan village school; "V. Frasheri"
 Liqej, after 4/99
 Liria, 9/24/98
 Lismir primary and high school
 Livoq village school, March 19
 Llashtice; "Esat Berisha"
 Llaushe primary school, 12/98
 Llapushnik
 Llazica, 4/13/99
 Llohane
 Llukeehlt
 Lozica
 Lubiceva elementary school, 2/99
 Lubiniq
 Lubizhde
 Magure village school "Jeronim de
 Rada"
 Mahermal
 Malisheve, April 1999
 Monastir village school
 Mazrec
 Medvec
 Melemic
 Migjeji primary school, June 29, 1998
 Mihaliq primary school
 Mohlan village school
 Muharem Shersedhim
 Neprebishte village school
 Negafc
 Negroc primary school; "Isuf Grvala"
 Neperlusht village school
 Neredime village school; "Skender Beg"
 Nexhmudin Mustafa
 Novolan
 Obelic (near Pristina)
 Orllat primary school; "Emin Duraku"
 Orllat
 Oshlan Skenderas
 Ostrazub village school
 Ostrozove, 4/04/99
 Ostrozule village school
 Pagosusha (two children killed;
 Xhemajle Bytyci, Mehmet Krosniqi)
 Pantine Primary
 Pasom
 Pecan
 Peilep
 Pelac
 Peqan
 Pevpasivi
 Piran village
 Pjetershtica village school, July 1998
 Plimitin primary school
 Polac village school
 Pontina village
 Pragovalje village school
 Prapachan village school
 Pristina, Technical University, 4/98
 Pristina; "Asim Vokshi," 3/25/99
 Pristina primary school; "Zejnel
 Haidini"
 Pristina Economy School; "Hoxh Kadri
 Pristina," March 30
 Pristina high school; "Hasim
 Vokshi," April 1
 Pristina; "Josip Broz Tito"
 Pristina; "Sami Frasheri," March 30
 Pristina high school (neighborhood of
 Ulqan), August 1999
 Pristina; "Lismir Primary School," April
 4th
 Pristina; "Sami Frash" gymnasium
 Prizren high school; "Xhonbuzuku,"
 4/16/99
 Prizren high school and
 kindergarten, April 24
 Prizren school; "17 Nentorj"
 Prlepnica

Qirez primary school
 Qubrez
 Raje village school "Osman Mani"
 Rakosh village school, 4/10/99
 Ranovec
 Ratishe
 Razhaj
 Reshtane, 3/27/99
 Reti village
 Rizniq
 Rudnik
 Ruhin primary school, 4/15/99
 Sallagrazhd, April 3
 Sami Frasherri secondary school in
 Pristina
 Sarabreq
 Sedlare village school; "Idriz Ajeti"
 Selami Hallaci secondary school in
 Gnjlilane
 Sellman Riza
 Semetisht
 Senik village school
 Sferke village
 Shalja e Bajgores
 Shkolla Ellore
 Shkoza
 Shllapuzhan
 Shushice school 4/05/99
 Sibovac
 Srbica
 Skenderbeu (in Jezerce)
 Slapozhai, 9/98
 Slatine primary school; "Ali Aslani"
 Slivovc; "Perpamimi"
 Sllatima (near Pristina)
 Slottina village school; no name;
 no date
 Smitisht village school; no name;
 no date
 Sstreijs village school; no date
 Stimlje village school; "Emin Duraku"
 Strelce primary school
 Streoce Leperm
 Strove primary schools
 Suva Reka, 3/99
 Sveshies
 Synes
 Tiks primary school, 3/5/99
 Trnave
 Tstog

Tuchilla School
 Turicevc elementary school, April 15
 Uenc village school
 Uranig village, 3/27/99
 Urosevac high school; "Izuri Varoshi"
 Urosevac middle school; "Faik
 Konica"
 Urosevac middle school; "Jeronim
 Derada"
 Urosevac primary school "Zenel
 Haddinp"
 Urosevac primary schools; "Ganimete
 Terbeshi"
 Urosevac village schools; "M.
 Shemsedim" and "Fshati I Vjeter"
 Vaganice
 Vidishiq
 Vitak village school; no name;
 no date
 Vlajsh village school; no date
 Vladimir Nazon; date NR
 Vllzrit Crmjan School
 Vragdi primary and middle schools,
 3/24/99
 Vragoli
 Vraniq
 Vranjevac primary school; "Emin
 Duraku"
 Vranjevac high school (Pristina);
 "Asim Voushi"
 Vrela village
 Vrogdii primary school, 4/7/99
 Vucitern middle school; "Emin
 Duragcu," March 28
 Xhemzi Ibism village school;
 "Nazim Gafuri"
 Xhinovc, early April
 Zabrxh
 Zejhel Haidini Primary school in Lupe
 was burned 2/99
 "Zewel Ajdimi" primary school
 Zhebel
 Zhejier primary school "Bashkim"
 Zhilivode
 Zhlikod
 Zhuri
 Zin village school

APPENDIX E

Reports of Health Facilities Destroyed by Serb Forces

(PHR has not yet confirmed the extent of destruction in these facilities as reported by respondents to the PHR/Columbia survey)

Municipality listed first where given, village or town listed next, and facility listed last. All of the 29 main municipality names were changed to Serbian name for consistency.

Arbi; Hospital
Astrazub; Ambulanta
Bajr; Mother Theresa Clinic
Bardhi I Madhe; Clinic/Health Center
Bresje; Main Health Hospital
Budimir Milenkovic; Clinic
Budrike; Private Clinic
Crmjan; Clinic
Decani, Ratishe; Ambulanta
Decani; Mother Theresa Clinic
Djakovica; Ambulanta
Djakovica; General Hospital
Dragobil; Ambulanta
Dragash; Clinic
Dragesh; Hospital
Drekovc Village; Ambulanta Drekovc
Dushanovc; Mother Theresa Clinic
Gadine; Ambulanta
Galalesija; Ambulanta
Gergoc, Cermjen; Health Station
Gjonaj; Private Ambulanta
Glogovac, Gllanasel/Dre; Ambulanta
Glogovac; Hospital
Gnjilane, Bodrika; Ambulanta
Gnjilane, Zhejer Village; Mother
Theresa Clinic
Gnjilane; Main Clinic
Gnjilane; Private Pharmacies
Gnjilane; Private Preventive Clinic
Graberic; Clinic
Greme; Mother Theresa Clinic
Grikol; Ambulanta

Gurbordl; Ambulanta
Isagresde; General Hospital
Istok; Ambulanta of Dr. T
Istok; Hospital
Istok; Pharmacy
Kacanik; Clinic
Komogllavc; Private Clinic
Komoran; Main Clinic
Komoran; Mother Theresa Clinic
Kosovo Polje; Private Dentist Clinic
Kosovska Mitrovica; Mother Theresa
Clinic
Kosovska Mitrovica; all Private
Albanian Pharmacies
Kosovska Mitrovica; Main Hospital
Kunik, Loxha Village; Health Center
Kurriz; Ambulanta
Lamadrhx; Hopital
Lashtica; Ambulanta
Laslitica Village; Ambulanta
Likoc; Ambulanta
Likoc; Hospital
Lipljan; Mother Theresa Clinic
Lipljan; Private Clinic of Dr. N.G.
Llazica; Ambulanta
Lubisheve; Ambulanta
Lugaxhi; Ambulanta
Majura; Mother Theresa Clinic
Malishevo; Ambulanta
Malishevo; Hospital
Mapure; Mother Theresa Clinic
Nayalan; Government Clinic
Negrov; Ambulanta
Obiha; Mother Theresa Clinic
Obilic; Clinic
Orlat; Ambulanta
Pec; Private Ambulanta
Pecane; Ambulanta
Petrovic Stanko; Clinic
Pjetershitica; Clinic
Podujevo; Ambulanta
Pograc Village
Pograc Village; Ambulanta Qendra E
Gilante
Prapachan; Ambulanta
Pristina, Vranjevc; Mother Theresa
Clinic

Pristina, Xhemaj Ibish; Mother Theresa
 Clinic
 Pristina; Clinic of Dr. Y. B.
 Pristina; Main Hospital
 Pristina; Mother Theresa Clinic
 Pristina; Pharmacy on Dardania Street
 Pristina; Private Clinic Jeta
 Pristina; Private Pharmacy Gentiana
 Pristina; Rezonanca Private Clinic
 Prizren; Main Hospital
 Prizren; Pharmacy
 Qerim Shehn; Main Clinic
 Reti; Ambulanta
 Runik; Ambulanta
 Sala Village; Ambulanta NeneTereza
 Shipol neighborhood; Mother Theresa
 Clinic
 Shtinje; Mother Theresa Clinic
 Stimlje; Private Clinic of Dr. I
 Sukareke; Maternal Child Clinic
 Tammit; Mother Theresa Clinic
 Tasilde; Mother Theresa Clinic
 Turicevc; Ambulanta
 Turicevc; Hopital
 Turqver; Clinic
 Urosevac; Pharmacy Adonis
 Urosevac, Bohini Street; Mother
 Theresa Clinic
 Urosevac, Plishilia Street; Mother
 Theresa Clinic
 Urosevac; Ambulanta Pleura
 Urosevac; Gynecology Clinic
 Urosevac; Pharmacies near the
 train station
 Urosevac; Pharmacy Lekamco
 Urosevac; Policlinic Medicos
 Urosevac; Private Ambulanta
 Urosevac; Private Clinic Podrun
 Velickovic Stavra; Clinic
 Vitia; Private Clinic Gjinerologjia
 Vitina; Private Clinic Gjinerologjia
 Vranig; Private Clinic
 Zacisit; Ambulanta
 Zacislit; Ambulanta
 Zhur; Mother Theresa Clinic
 Zhur; Private Pharmacy Pharmaco

APPENDIX F:

Reports of Landmines Placed by Serb Forces

(PHR has not been able to confirm all of these sites as reported by respondents to the PHR/Columbia survey)

Municipality	Village	Date
Agareve		
Bujonovc	Koncul	
Djakovica		
Dobeegan		3/25/99
Duhel (near Suva Reka)		
Gadime		
Gjulanit	Pograxh	after 3/24/99
Gjulanit	Uglar	after 3/24/99
Glogovac		3/24/99
Gnjilane	Bilinicia	
Gnjilane-Bodanvc Road		4/6/99
Gnjilane-Bujanovc Road		3/25-26/99
Gnjilane	Jezhnice	4/10/99
Gnjilane	Koncul (near Bugonovc)	
Gnjilane	Uklar	
Gnjilane-Varos		
Gnjilane-Preshevo Road		
Gnjilane	Pidig	4/13/99
Gnjilane	Resul	4/13/99
Jashianic	Broj	
Kacanik	Kashan Bridge	4/14/99
Komuna e Suharekes	Shiroke	
	Kumetovc	3/25/99
	Lafe Prush (near Krume at Albanian border)	
Kosovo Polje-near military facilities and police stations		
Kosovo Polje-from Djakovica to Albanian border		
Kosovska Mitrovica	Brobonic	
Lashtice		
Malisevo		
Malisevo-Uglarjes Road (on to Pogradje as well)		
Malisevo (bridge)		
Mucibabe		
Pristina		
Preshevo	Debce	
Prizren	Vernice-Albanian border	
	Pogragje	after 3/24/99
Sllatina Airport		
Srbica		3/5/99
	Sitnica	

Municipality	Village	Date
Mountains near Urosevac Road		
Urosevac-Brezovica Road		
Urosevac-Hanii Eizit Road		4/11/99
Urosevac	Ishati I Vjeter	
Urosevac-OSCE locales		4/10/99
Urosevac-Gnjilane and Varos Roads		
	Uglace	
	Ugalve	after 3/24/99
Uglarjes-Pogradje Road		
Vermice		4/4/99
Venic		
Zabeli I Hysenit		
	Zhablar & Cpraleva	
Zhilivode		9/23/98
Zhur		3/99
OUTSIDE OF KOSOVO		
Blace, Macedonia		4/5-6/99
Jazince, Macedonia		4/01/99
Pograçe, Macedonia		4/21/99
Kukes, Albania		4/21/99