



International Tribunal for the  
Prosecution of Persons  
Responsible for Serious Violations of  
International Humanitarian Law  
Committed in the Territory of  
the former Yugoslavia since 1991

Case No. IT-05-87-T  
Date: 26 February 2009  
Original: English

**IN THE TRIAL CHAMBER**

**Before:** Judge Iain Bonomy, Presiding  
Judge Ali Nawaz Chowhan  
Judge Tsvetana Kamenova  
Judge Janet Nosworthy, Reserve Judge

**Acting Registrar:** Mr. John Hocking

**Judgement of:** 26 FEBRUARY 2009

**PROSECUTOR**

v.

**MILAN MILUTINOVIĆ  
NIKOLA ŠAINOVIĆ  
DRAGOLJUB OJDANIĆ  
NEBOJŠA PAVKOVIĆ  
VLADIMIR LAZAREVIĆ  
SRETEN LUKIĆ**

**PUBLIC**

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**JUDGEMENT**

**Volume 4 of 4**

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## I. ANNEX A – VICTIMS OF CHARGED KILLINGS

### A. ĐAKOVICA/GJAKOVA

#### 1. Victims named in Schedule G of the Indictment

1. The Chamber notes that there are a number of discrepancies between the evidence and the Indictment in the spelling of the names of some of the victims listed in Schedule G. However, in most cases these discrepancies are so minor that the Chamber is nevertheless able to conclude that the relevant information relates to a certain victim.

#### (1) Dalina Caka (14, female)

2. Dren Caka testified that Dalina Caka was shot and killed while at Lulzim Vejsa's house on 2 April 1999.<sup>1</sup> Hani Hoxha and Lulzim Vejsa stated that Dalina Caka was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>2</sup>

#### (2) Delvina Caka (6, female)

3. Dren Caka testified that Delvina Caka was present at Lulzim Vejsa's house on 2 April 1999; however, he did not see her being shot because "she kind of ran away".<sup>3</sup> Hani Hoxha and Lulzim Vejsa stated that Delvina Caka was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>4</sup>

#### (3) Diona Caka (2, female)

4. Dren Caka testified that Diona Caka died at Lulzim Vejsa's house on 2 April 1999.<sup>5</sup> Hani Hoxha and Lulzim Vejsa stated that Diona Caka was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>6</sup>

#### (4) Valbona Caka (34, female)

5. Dren Caka testified that he saw Valbona Caka being shot in the back and killed while at

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<sup>1</sup> Dren Caka, T. 2631, 2644–2645, 2648, 2661 (31 August 2006); P2279 (Floor plan of 157 Miloš Gilić/Millosh Giliq Street).

<sup>2</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>3</sup> Dren Caka, T. 2631, 2644–2645, 2649, 2661 (31 August 2006).

<sup>4</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>5</sup> Dren Caka, T. 2631, 2645, 2661 (31 August 2006); P2279 (Floor plan of 157 Miloš Gilić/Millosh Giliq Street).

<sup>6</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

Lulzim Vejsa's house on 2 April 1999.<sup>7</sup> Hani Hoxha and Lulzim Vejsa stated that Valbona Caka was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>8</sup>

(5) Hysen Gashi (50, male)

6. Dren Caka testified that there was only one man staying at Lulzim Vejsa's house on 2 April 1999, although he did not provide his name.<sup>9</sup> Hani Hoxha and Lulzim Vejsa stated that Hysen Gashi was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>10</sup>

(6) Doruntina Haxhiavdija (8, female)

7. Hani Hoxha and Lulzim Vejsa stated that Doruntina Haxhiavdija was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>11</sup>

(7) Egzon Haxhiavdija (5, male)

8. Dren Caka testified that Egzon Haxhiavdija was shot dead while at Lulzim Vejsa's house on 2 April 1999.<sup>12</sup> Hani Hoxha and Lulzim Vejsa stated that Egzon Haxhiavdija was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>13</sup>

(8) Rina Haxhiavdija (4, female)

9. Hani Hoxha and Lulzim Vejsa stated that Rina Haxhiavdija was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>14</sup>

(9) Valbona Haxhiavdija (38, female)

10. Dren Caka testified that Valbona Haxhiavdija was shot dead while at Lulzim Vejsa's house

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<sup>7</sup> Dren Caka, T. 2631, 2644, 2661 (31 August 2006); P2279 (Floor plan of 157 Miloš Gilić/Millosh Giliq Street).

<sup>8</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>9</sup> Dren Caka, T. 2635 (31 August 2006).

<sup>10</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>11</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>12</sup> Dren Caka, T. 2649, 2661 (31 August 2006); P2279 (Floor plan of 157 Miloš Gilić/Millosh Giliq Street).

<sup>13</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>14</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

on 2 April 1999.<sup>15</sup> Hani Hoxha and Lulzim Vejsa stated that Valbona Haxhiavdija was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>16</sup>

(10) Flaka Hoxha (15, female)

11. Dren Caka testified that he saw Flaka Hoxha being shot dead by a police officer while at Lulzim Vejsa's house on 2 April 1999.<sup>17</sup> Hani Hoxha and Lulzim Vejsa also stated that Flaka Hoxha was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>18</sup>

(11) Shahindere Hoxha (55, female)

12. Dren Caka testified that he saw Shahindere Hoxha (Flaka's mom) being shot dead while at Lulzim Vejsa's house on 2 April 1999.<sup>19</sup> Hani Hoxha and Lulzim Vejsa stated that Shahindere Hoxha was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>20</sup>

(12) Manushe Nuci (50, female)

13. Dren Caka testified that "Dushi", a female around 47 years old at the time, was one of the persons killed at Lulzim Vejsa's house on 2 April 1999.<sup>21</sup> Hani Hoxha and Lulzim Vejsa stated that Manushe Nuçi was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>22</sup>

(13) Shirine Nuci (70, female)

14. Hani Hoxha and Lulzim Vejsa stated that Shirine Nuçi was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>23</sup>

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<sup>15</sup> Dren Caka, T. 2649, 2661 (31 August 2006); P2279 (Floor plan of 157 Miloš Gilić/Millosh Giliq Street).

<sup>16</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>17</sup> Dren Caka, T. 2644, 2646–2647, 2661 (31 August 2006).

<sup>18</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 5; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>19</sup> Dren Caka, T. 2644, 2661 (31 August 2006); P2279 (Floor plan of 157 Miloš Gilić/Millosh Giliq Street).

<sup>20</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 5; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>21</sup> Dren Caka, T. 2644, 2661 (31 August 2006).

<sup>22</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>23</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

(14) Arlind Vejsa (5, male)

15. Dren Caka testified that Arlind Vejsa was shot dead while at Lulzim Vejsa's house on 2 April 1999.<sup>24</sup> Hani Hoxha and Lulzim Vejsa stated that Arlind Vejsa was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>25</sup>

(15) Dorina Vejsa (10, female)

16. Hani Hoxha and Lulzim Vejsa stated that Dorina Vejsa was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>26</sup>

(16) Fetije Vejsa (60, female)

17. Dren Caka testified that Fetije Vejsa was shot dead while at Lulzim Vejsa's house on 2 April 1999.<sup>27</sup> Hani Hoxha and Lulzim Vejsa stated that Fetije Vejsa was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>28</sup>

(17) Marigona Vejsa (8, female)

18. Hani Hoxha and Lulzim Vejsa stated that Marigona Vejsa was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>29</sup>

(18) Rita Vejsa (2, female)

19. Dren Caka testified Rita Vejsa was killed while at Lulzim Vejsa's house on 2 April 1999.<sup>30</sup> Hani Hoxha and Lulzim Vejsa stated that Rita Vejsa was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>31</sup>

(19) Sihana Vejsa (8, female)

20. Dren Caka testified that Luli's third daughter was one of the persons killed at Lulzim Vejsa's

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<sup>24</sup> Dren Caka, T. 2644–2645, 2661 (31 August 2006); P2279 (Floor plan of 157 Miloš Gilić/Millosh Giliq Street).

<sup>25</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>26</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>27</sup> Dren Caka, T. 2649, 2661 (31 August 2006); P2279 (Floor plan of 157 Miloš Gilić/Millosh Giliq Street).

<sup>28</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>29</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>30</sup> Dren Caka, T. 2644, 2661 (31 August 2006); P2279 (Floor plan of 157 Miloš Gilić/Millosh Giliq Street).

<sup>31</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

house on 2 April 1999.<sup>32</sup> Hani Hoxha and Lulzim Vejsa stated that Sihana Vejsa was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>33</sup>

(20) Tringa Vejsa (30, female)

21. Dren Caka testified that Tringa Vejsa was shot by police while at Lulzim Vejsa's house on 2 April 1999.<sup>34</sup> Hani Hoxha and Lulzim Vejsa stated that Tringa Vejsa was one of the persons killed at Miloš Gilić/Millosh Giliq Street in Đakovica/Gjakova town on 2 April 1999.<sup>35</sup>

2. Victims named in Schedule H of the Indictment

22. The Chamber notes that there are a number of discrepancies between the evidence and the Indictment in the spelling of the names of some of the victims listed in Schedule H. However, in most cases these discrepancies are so minor that the Chamber is nevertheless able to conclude that the relevant information relates to a certain victim.

(1) Mark Abazi (37, male)

23. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>36</sup> Remains that were given the label of Ba05–031T, the first two letters of which indicate that the remains came from the Batajnica mass grave in Serbia, were identified through DNA testing as being those of Mark (Gjon) Abazi.<sup>37</sup>

24. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Mark (Gjon) Abazi is not specified and the report notes that it could not be established because “[t]he mortal remains are in a state of advanced post-mortem change”. However, the report notes that signs of fire were established on the fragments of the bones of the head, and multiple bone fractures were also established. Specifically, “[t]he fracture of the right clavicle was caused by the impact of a projectile fired from a hand-held firearm, fragments of which

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<sup>32</sup> Dren Caka, T. 2641, 2661 (31 August 2006).

<sup>33</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 6; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>34</sup> Dren Caka, T. 2644, 2661 (31 August 2006); P2279 (Floor plan of 157 Miloš Gilić/Millosh Giliq Street).

<sup>35</sup> Hani Hoxha, P2267 (witness statement dated 22 April 1999), p. 5; Lulzim Vejsa, P2350 (witness statement dated 15–16 April 1999), p. 4.

<sup>36</sup> P2798 (OMPF list of missing persons). This list is compiled by the OMPF in conjunction with the ICRC, the UNMIK Police Missing Persons List, the OSCE List, and other family association lists, which is constantly audited and updated. Jose Baraybar, P2794 (witness statement dated 1 November 2006), p. 6.

<sup>37</sup> P2559 (Addendum to Expert Report), e-court p. 15.

were found in the soft tissue around the fracture”.<sup>38</sup> The death certificate issued by the UNMIK Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Mark (Gjon) Abazi was a gunshot injury to the spine.<sup>39</sup> This is consistent with the anthropology summary report of Mark (Gjon) Abazi issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>40</sup>

(2) Pashk Abazi (40, male)

25. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>41</sup> Remains that were given the label of Ba05–156T were identified through DNA testing as being those of Pashk (Gjon) Abazi.<sup>42</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Pashk (Gjon) Abazi is not specified and the report notes that it could not be determined because “[t]he post-mortem remains were in a state of advanced post-mortem changes”. However, the report notes that the autopsy established multiple bone fractures and that the defects on the skin and soft tissue on the right hand of the parietal region and on the right side of the parietal bone represent an entry wound: “the bullet trajectory passes through the cranial cavity where a deformed metal projectile was found in the putrefied soft tissue”.<sup>43</sup>

(3) Pjeter Abazi (53, male)

26. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>44</sup> Remains that were given the label of Ba05–107T were identified through DNA testing as being those of Pjeter (Mark) Abazi.<sup>45</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ba05–107T is not specified and the report notes that it could not be determined because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that the autopsy established multiple bone fractures and that a “projectile of yellowish metal was found in the subcutaneous soft tissue of the right shoulder”.<sup>46</sup> However, the Chamber notes that this autopsy report concluded that the skeletal remains of Ba05–107T are “those of a male,

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<sup>38</sup> P2415 (Documents related to the exhumation site Batajnica 05: Autopsy reports), e-court pp. 24–29.

<sup>39</sup> P2454 (OMPF Reports), e-court pp. 241–243.

<sup>40</sup> P2454 (OMPF Reports), e-court p. 243.

<sup>41</sup> P2798 (OMPF list of missing persons).

<sup>42</sup> P2559 (Addendum to Expert Report), e-court p. 15.

<sup>43</sup> P2414 (Documents related to the exhumation site Batajnica 05: Autopsy reports), e-court pp. 54–60.

<sup>44</sup> P2798 (OMPF list of missing persons).

<sup>45</sup> P2559 (Addendum to Expert Report), e-court p. 15 (under seal).

<sup>46</sup> P2416 (Documents related to the exhumation site Batajnica 05: Autopsy reports), e-court pp. 8–17.



approximately between 25 and 30 years of age”, which is not consistent with the approximate age in the Indictment (53).<sup>47</sup>

(4) Bekim Ademaj (18, male)

27. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>48</sup> Remains that were given the label of 2Ba–80 were identified through DNA testing as being those of Bekim (Muharem) Ademaj.<sup>49</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty the cause of death of Bekim (Muharem) Ademaj is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures to the remaining parts of the skull, vertebrae, and ribs, as well as signs of blunt instrument impact and exposure to high temperature.<sup>50</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Bekim (Muharem) Ademaj is unascertained,<sup>51</sup> and this is confirmed by the anthropology summary report of Bekim (Muharem) Ademaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>52</sup>

(5) Shemsi Ademaj (38, male)

28. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>53</sup> Remains that were given the label of 2Ba–107 were identified through DNA testing as being those of Shemsi (Binak) Ademaj.<sup>54</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty the cause of death of Shemsi (Binak) Ademaj is not specified, and the report notes that this is because “[t]he body is in a state of post-mortem change”. However, the report notes that there were multiple fractures to the skull and ribs caused by a blunt instrument, a projectile was found in the right tibia, and individual bones showed signs of impact caused by fire.<sup>55</sup>

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<sup>47</sup> P2416 (Documents related to the exhumation site Batajnica 05: Autopsy reports), e-court p. 14.

<sup>48</sup> P2798 (OMPF list of missing persons).

<sup>49</sup> P2559 (Addendum to Expert Report), e-court p. 15. (under seal).

<sup>50</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 446–449.

<sup>51</sup> P944 (OMPF Reports), e-court pp. 120–122.

<sup>52</sup> P943 (OMPF Reports), e-court p. 586.

<sup>53</sup> P2798 (OMPF list of missing persons).

<sup>54</sup> P2559 (Addendum to Expert Report), e-court p. 15 (under seal).

<sup>55</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 583–585.

The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Shemsi (Binak) Ademaj was a multiple gunshot to the head.<sup>56</sup>

(6) Isuf Ademi (36, male)

29. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>57</sup> Remains that were given the label of 2Ba-90 were identified through DNA testing as being those of Isuf (Avdyl) Ademi.<sup>58</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Isuf (Avdyl) Ademi is not specified, and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple bone fractures caused by a blunt instrument, and the remains were partly charred.<sup>59</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner establishes that the cause of death of Isuf (Avdyl) Ademi is unascertained.<sup>60</sup>

(7) Mazllum Ademi (17, male)

30. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>61</sup> Remains that were given the label of 2Ba-188 were identified through DNA testing as being those of Mazllum (Bajram) Ademi.<sup>62</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Mazllum (Bajram) Ademi could not be established and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple bone fractures caused by a blunt instrument.<sup>63</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner establishes that the cause of death of Mazllum (Bajram) Ademi is unascertained.<sup>64</sup> However, according to the anthropology summary report for Mazllum (Bajram) Ademi prepared by a forensic medical doctor

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<sup>56</sup> P944 (OMPF Reports), e-court pp. 172–173.

<sup>57</sup> P2798 (OMPF list of missing persons).

<sup>58</sup> P2559 (Addendum to Expert Report), e-court p. 15 (under seal).

<sup>59</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 499–501.

<sup>60</sup> P944 (OMPF Reports), e-court pp. 141–143.

<sup>61</sup> P2798 (OMPF list of missing persons).

<sup>62</sup> P2559 (Addendum to Expert Report), e-court p. 15 (under seal).

<sup>63</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1024–1032.

<sup>64</sup> P2394 (OMPF Reports), e-court pp. 25–28.

and issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, the cause of death was due to a “[g]unshot to the trunk”.<sup>65</sup>

(8) Liridon Ahmetaj (17, male)

31. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>66</sup> Remains that were given the label of 2Ba–17 were identified through DNA testing as being those of Liridon (Caush) Ahmetaj.<sup>67</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Liridon (Caush) Ahmetaj could not be established and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were fractures to the skull, trunk, and limbs caused by a blunt instrument, and there was evidence of exposure to high temperatures.<sup>68</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Liridon (Caush) Ahmetaj was a multiple gunshot to the head.<sup>69</sup>

(9) Ahmet Ahmeti (54, male)

32. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>70</sup> Remains that were given the label of Ba05–076T were identified through DNA testing as being those of Ahmet (Mustafe) Ahmeti.<sup>71</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ahmet (Mustafe) Ahmeti is not specified and the report notes that it could not be established because “[t]he bodily remains are in a state of advanced post-mortem changes”. However, the report notes multiple bone fractures.<sup>72</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner establishes that the cause of death of Ahmet (Mustafe) Ahmeti was a gunshot injury to the head.<sup>73</sup>

(10) Ahmet Ahmeti (65, male)

33. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes

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<sup>65</sup> P2394 (OMPF Reports), e-court pp. 27–28.

<sup>66</sup> P2798 (OMPF list of missing persons).

<sup>67</sup> P2559 (Addendum to Expert Report), e-court p. 15 (under seal).

<sup>68</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 116–119.

<sup>69</sup> P944 (OMPF Reports), e-court pp. 19–21.

<sup>70</sup> P2798 (OMPF list of missing persons).

<sup>71</sup> P2559 (Addendum to Expert Report), e-court p. 15 (under seal).

<sup>72</sup> P2415 (Documents related to the exhumation site Batajnica 05: Autopsy reports), e-court pp. 67–72.

that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>74</sup> Remains that were given the label of 2Ba-148 were identified through DNA testing as being those of Ahmet (Ramadan) Ahmeti.<sup>75</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ahmet (Ramadan) Ahmeti could not be established and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were bone fractures caused by a blunt instrument, and some of the bones showed the impact of high temperature exposure.<sup>76</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ahmet (Ramadan) Ahmeti was a “[g]unshot injury to the chest, [and to] both upper arms”.<sup>77</sup> This is confirmed by the anthropology summary report for Ahmet (Ramadan) Ahmeti issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>78</sup>

(11) Blerim Ahmeti (19, male)

34. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>79</sup> Remains that were given the label of 2Ba-61 were identified through DNA testing as being those of Blerim (Hysen) Ahmeti.<sup>80</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Blerim (Hysen) Ahmeti could not be established and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were bone fractures caused by a blunt instrument, and some of the bones showed the impact of high temperature exposure.<sup>81</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner establishes that the cause of death of Blerim (Hysen) Ahmeti is unascertained,<sup>82</sup> and this is confirmed by the anthropology summary report of Blerim (Hysen) Ahmeti issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>83</sup>

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<sup>73</sup> P943 (OMPF Reports), e-court pp. 201–202.

<sup>74</sup> P2798 (OMPF list of missing persons).

<sup>75</sup> P2559 (Addendum to Expert Report), e-court p. 16 (under seal).

<sup>76</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 819–824.

<sup>77</sup> P2394 (OMPF Reports), e-court pp. 269–271.

<sup>78</sup> P2394 (OMPF Reports), e-court p. 271.

<sup>79</sup> P2798 (OMPF list of missing persons).

<sup>80</sup> P2559 (Addendum to Expert Report), e-court p. 15 (under seal).

<sup>81</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 355–357.

<sup>82</sup> P943 (OMPF Reports), e-court pp. 191–192.

<sup>83</sup> P943 (OMPF Reports), e-court pp. 504–505.

(12) Hysen Ahmeti (68, male)

35. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>84</sup> Remains that were given the label of 2Ba–176 were identified through DNA testing as being those of Hysen (Sadik) Ahmeti.<sup>85</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Hysen (Sadik) Ahmeti is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>86</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Hysen (Sadik) Ahmeti is unascertained.<sup>87</sup>

(13) Male Ahmeti (63, male)

36. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>88</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(14) Adem Aliaj (55, male)

37. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>89</sup> Remains that were given the label of 2Ba–22 were identified through DNA testing as being those of Adem (Haxhi) Aliaj.<sup>90</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Adem (Haxhi) Aliaj could not be established and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report noted a fracture of the right humerus caused by a projectile—which remained in the bone—, as well as other fractures caused by a blunt instrument. Some of the bones showed exposure to high temperatures.<sup>91</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Adem (Haxhi) Aliaj was “[m]ultiple gunshot injuries

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<sup>84</sup> P2798 (OMPF list of missing persons).

<sup>85</sup> P2559 (Addendum to Expert Report), e-court p. 15 (under seal).

<sup>86</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 955–959.

<sup>87</sup> P944 (OMPF Reports), e-court pp. 290–291.

<sup>88</sup> P2798 (OMPF list of missing persons).

<sup>89</sup> P2798 (OMPF list of missing persons).

<sup>90</sup> P2559 (Addendum to Expert Report), e-court p. 16 (under seal).

<sup>91</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 145–148.

(to the head, trunk and limbs)”.<sup>92</sup> This is confirmed by the anthropology summary report for Adem (Haxhi) Aliaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>93</sup>

(15) Agron Aliaj (17, male) and Arben Aliaj (19, male)

38. The Chamber notes that two different labels were given to victims with similar names: 2Ba–146 to Arbrn or Agron (Adem) Aliaj, and 2Ba–152 to Arben or Agron (Adem) Aliaj, and therefore it is not possible to tell which label corresponds to each victim.<sup>94</sup> Agron Aliaj is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that he was part of a group of people last seen in Meja on 27 April 1999. However, there is no mention to Arben Aliaj on the list of missing persons.<sup>95</sup>

39. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of 2Ba–146 is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures caused by a blunt instrument, and exposure to high temperature.<sup>96</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of victim 2Ba–146 is unascertained.<sup>97</sup> This is confirmed by the anthropology summary report 2Ba–146 issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>98</sup>

40. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of 2Ba–152 is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures caused by a blunt instrument, and exposure to high temperature. Additionally, “[a] deformed metal greyish projectile was found in the region directly around the juncture of the public bone and the hip bone.”<sup>99</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of victim 2Ba–152, is a result of “[m]ultiple

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<sup>92</sup> P943 (OMPF Reports), e-court pp. 189–190.

<sup>93</sup> P943 (OMPF Reports), e-court pp. 548–549.

<sup>94</sup> P2559 (Addendum to Expert Report), e-court p. 16. The Chamber notes that the Proof of Death Chart submitted by OTP identifies 2Ba–152 as Agron Aliaj, and 2Ba–146 as Arben Aliaj (under seal).

<sup>95</sup> P2798 (OMPF list of missing persons).

<sup>96</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 801–808.

<sup>97</sup> P2394 (OMPF Reports), e-court pp. 266–268.

<sup>98</sup> P2394 (OMPF Reports), e-court p. 268.

<sup>99</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 840–845.

gunshot injuries”.<sup>100</sup> This is confirmed by the anthropology summary report 2Ba–152 issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>101</sup> The Chamber considers that based on his inclusion in the list of missing persons from Meja and the DNA identification of Agron Aliaj as one of two samples, it is proven that he was killed in Meja on 27 April 1999. However, the Chamber is not satisfied that it has been proven that Arben Aliaj was killed in Meja on 27 April 1999.

(16) Ali Aliaj (50, male)

41. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>102</sup> Remains that were given the label of 2Ba–37 were identified through DNA testing as being those of Ali (Mustafe) Aliaj.<sup>103</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ali (Mustafe) Aliaj could not be established and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were bone fractures caused by the impact of a blunt instrument, and some of the bones showed the impact of high temperature exposure.<sup>104</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ali (Mustafe) Aliaj is unascertained.<sup>105</sup>

(17) Sali Aliaj (53, male)

42. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>106</sup> Remains that were given the label of 2Ba–222 were identified through DNA testing as being those of Sali (Rame) Aliaj.<sup>107</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Sali (Rame) Aliaj is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures to the head, ribs, left scapula, and right fibula, as well as signs of blunt

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<sup>100</sup> P2394 (OMPF Reports), e-court pp. 272–275.

<sup>101</sup> P2394 (OMPF Reports), e-court pp. 274–275.

<sup>102</sup> P2798 (OMPF list of missing persons).

<sup>103</sup> P2559 (Addendum to Expert Report), e-court p. 16 (under seal).

<sup>104</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 227–229.

<sup>105</sup> P944 (OMPF Reports), e-court pp. 51–54.

<sup>106</sup> P2798 (OMPF list of missing persons).

<sup>107</sup> P2559 (Addendum to Expert Report), e-court p. 16 (under seal).

instrument impact.<sup>108</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Sali Aliaj is unascertained.<sup>109</sup>

(18) Zenun Aliaj (44, male)

43. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>110</sup> Remains that were given the label of 2Ba–44 were identified through DNA testing as being those of Zenun (Rame) Aliaj.<sup>111</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty the cause of death of Zenun (Rame) Aliaj could not be established and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were bone fractures caused by a blunt instrument, a grey-metal projectile was found in the skull, and some of the bones showed the impact of high temperature exposure.<sup>112</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Zenun (Rame) Aliaj is unascertained.<sup>113</sup>

(19) Arben Aliaj (19, male)

44. See analysis number 15 above.

(20) Ymer Avdullahu (17, male)

45. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>114</sup> Remains that were given the label of 2Ba–123 were identified through DNA testing as being those of Ymer (Xhemail) Avdullahu.<sup>115</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ymer (Xhemail) Avdullahu is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a metal projectile was found “planted in the

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<sup>108</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1207–1210.

<sup>109</sup> P944 (OMPF Reports), e-court pp. 368–370.

<sup>110</sup> P2798 (OMPF list of missing persons).

<sup>111</sup> P2559 (Addendum to Expert Report), e-court p. 16 (under seal).

<sup>112</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 263–265.

<sup>113</sup> P944 (OMPF Reports), e-court pp. 64–67.

<sup>114</sup> P2798 (OMPF list of missing persons).

<sup>115</sup> P2559 (Addendum to Expert Report), e-court p. 17 (under seal).



region of the posterior side of the 2<sup>nd</sup> lumbar vertebra, at the level of the spinal canal”.<sup>116</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ymer (Xhemail) Avdullahu is a result of a “[p]ossible gunshot to the head”.<sup>117</sup> This is confirmed by the anthropology summary report for Ymer (Xhemail) Avdullahu issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>118</sup>

(21) Avdyl Avdyli (40–55, male)

46. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was last seen in Dobroš/Dobrosh on 30 April 1999.<sup>119</sup> Remains that were given the label of Ba05–141T were identified through DNA testing as being those of Avdyl (Seld) Avdyli.<sup>120</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Avdyl (Seld) Avdyli is not specified and the report notes that it could not be determined because “[t]he bodily remains are in a state of advanced post-mortem changes”. However, the report notes that the autopsy established multiple bone fractures and signs of fire on the bones and soft tissue.<sup>121</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Avdyl (Sejdë) Avdyli was a gunshot wound to the head.<sup>122</sup>

(22) Afrim Avdyli (19, male)

47. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>123</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(23) Bajrush Avdyli (16, male)

48. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>124</sup> Remains that were given the label of 2Ba–198 were identified through DNA testing as being those of Bajrush

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<sup>116</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), pp. 666–673.

<sup>117</sup> P2454 (OMPF Reports), e-court pp. 28–29.

<sup>118</sup> P2454 (OMPF Reports), e-court pp. 30.

<sup>119</sup> P2798 (OMPF list of missing persons).

<sup>120</sup> P2559 (Addendum to Expert Report), e-court p. 17 (under seal).

<sup>121</sup> P2414 (Documents related to the exhumation site Batajnica 05: Autopsy reports), e-court pp. 32–41.

<sup>122</sup> P943 (OMPF Reports), e-court pp. 193–194.

<sup>123</sup> P2798 (OMPF list of missing persons).

<sup>124</sup> P2798 (OMPF list of missing persons).

(Rizah) Avdyli.<sup>125</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Bajrush (Rizah) Avdyli is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>126</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Bajrush (Riza) Avdyli is unascertained.<sup>127</sup>

(24) Hysen Avdyli (56, male)

49. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>128</sup> Remains that were given the label of 2Ba–205 were identified through DNA testing as being those of Hysen (Uke) Avdyli.<sup>129</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Hysen (Uke) Avdyli is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures to the head, ribs, and right arm, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, there were defects to the bones of the skull and the report notes that this might have been caused by a projectile entering the head.<sup>130</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Hysen (Ukë) Avdyli is a result of a “[g]unshot injury to the head, chest, left hip”.<sup>131</sup> This is confirmed by the anthropology summary report for Hysen (Uke) Avdyli issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>132</sup>

(25) Mehmet Avdyli (42, male)

50. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>133</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

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<sup>125</sup> P2559 (Addendum to Expert Report), e-court p. 17 (under seal).

<sup>126</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1075–1078.

<sup>127</sup> P944 (OMPF Reports), e-court pp. 322–324.

<sup>128</sup> P2798 (OMPF list of missing persons).

<sup>129</sup> P2559 (Addendum to Expert Report), e-court p. 17 (under seal).

<sup>130</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1113–1120.

<sup>131</sup> P2454 (OMPF Reports), e-court pp. 61–62.

<sup>132</sup> P2454 (OMPF Reports), e-court pp. 63–64.

<sup>133</sup> P2798 (OMPF list of missing persons).

(26) Muhedin Avdyli (26, male)

51. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>134</sup> Remains that were given the label of 2Ba–45 were identified through DNA testing as being those of Muhedin (Ali) Avdyli.<sup>135</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Muhedin (Ali) Avdyli could not be established and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were fractures caused by a blunt instrument. Particularly, a fracture to the 5<sup>th</sup> lumbar vertebra was caused by a projectile, as seen by a bullet track extending from back to front, and fractures to the sacrum were also possibly caused by a projectile. The body showed signs of exposure to high temperature.<sup>136</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Muhedin (Ali) Avdyli was a “gunshot injury to the chest and pelvis”.<sup>137</sup> This is confirmed by the anthropology summary report for Muhedin (Ali) Avdyli issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>138</sup>

(27) Pajazit Avdyli (32, male)

52. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>139</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(28) Lavdim Bajraktari (22, male)

53. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>140</sup> Remains that were given the label of 2Ba–126 were identified through DNA testing as being those of Lavdim (Xhafer) Bajraktari.<sup>141</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Lavdim (Xhafer) Bajraktari is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”.

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<sup>134</sup> P2798 (OMPF list of missing persons).

<sup>135</sup> P2559 (Addendum to Expert Report), e-court p. 17 (under seal).

<sup>136</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 269–276.

<sup>137</sup> P2454 (OMPF Reports), e-court pp. 4–5.

<sup>138</sup> P2454 (OMPF Reports), e-court p. 6.

<sup>139</sup> P2798 (OMPF list of missing persons).

<sup>140</sup> P2798 (OMPF list of missing persons).

<sup>141</sup> P2559 (Addendum to Expert Report), e-court p. 17 (under seal).

However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a metal projectile was found “in the soft tissue in the lower third of the right scapular region”.<sup>142</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Lavdim (Xhafer) Bajraktari is a result of “[g]unshot injuries to the trunk”.<sup>143</sup> This is confirmed by the anthropology summary report for Lavdim (Xhafer) Bajraktari issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>144</sup>

(29) Ali Bajrami (55, male)

54. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>145</sup> Remains that were given the label of 2Ba–92 were identified through DNA testing as being those of Ali (Kadri) Bajrami.<sup>146</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of 2Ba–92 could not be established and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple bone fractures caused by a blunt instrument.<sup>147</sup> The Chamber notes that the autopsy report concluded that the skeletal remains of 2Ba–92 “belong to a male aged approximately between 25 and 35” which is not consistent with the approximate age in the Indictment (55).<sup>148</sup> The Chamber considers that this difference in age shows that the remains were not those of Ali (Kadri) Bajrami.

(30) Shaban Bajrami (27, male)

55. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>149</sup> Remains that were given the label of 2Ba–160 were identified through DNA testing as being those of Shaban (Mehmet) Bajrami.<sup>150</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Shaban (Mehmet) Bajrami is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”.

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<sup>142</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 683–692.

<sup>143</sup> P2454 (OMPF Reports), e-court pp. 34–35.

<sup>144</sup> P2454 (OMPF Reports), e-court pp. 36.

<sup>145</sup> P2798 (OMPF list of missing persons).

<sup>146</sup> P2559 (Addendum to Expert Report), e-court p. 18 (under seal).

<sup>147</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 502–506.

<sup>148</sup> P942 (Documents related to the exhumation site Batajnica 05: Autopsy reports), e-court p. 505.

<sup>149</sup> P2798 (OMPF list of missing persons).

<sup>150</sup> P2559 (Addendum to Expert Report), e-court p. 18 (under seal).

However, the report notes that there were multiple fractures to the head, face, femurs, sacrum, arms, and feet, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>151</sup>

(31) Syle Bajrami (37, male)

56. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>152</sup> Remains that were given the label of 2Ba–223 were identified through DNA testing as being those of Syle (Halil) Bajrami.<sup>153</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Syle (Halil) Bajrami is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that the left hand and right foot are missing, that there were multiple fractures to the vertebrae, and ribs, as well as signs of blunt instrument impact.<sup>154</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Sylë (Halil) Bajrami is a result of “[g]unshot injuries to the chest”.<sup>155</sup> This is consistent with the anthropology summary report Syle (Halil) Bajrami issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, which stated that gunshot wounds were present on the body.<sup>156</sup>

(32) Xhafer Bajrami (35, male)

57. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>157</sup> Remains that were given the label of 2Ba–128 were identified through DNA testing as being those of Xhafer (Hamza) Bajrami.<sup>158</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Xhafer (Hamza) Bajrami is not specified and the report notes that this is because “[t]he body was is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, the examination revealed a gunshot wound to the head.<sup>159</sup> The death

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<sup>151</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 880–886.

<sup>152</sup> P2798 (OMPF list of missing persons).

<sup>153</sup> P2559 (Addendum to Expert Report), e-court p. 17 (under seal).

<sup>154</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1211–1215.

<sup>155</sup> P2454 (OMPF Reports), e-court pp. 69–70.

<sup>156</sup> P2454 (OMPF Reports), e-court p. 71.

<sup>157</sup> P2798 (OMPF list of missing persons).

<sup>158</sup> P2559 (Addendum to Expert Report), e-court p. 17 (under seal).

<sup>159</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 704–709.

certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Xhafer (Hamza) Bajrami is a result of “multiple gunshot wounds to the head”.<sup>160</sup>

(33) Xhavit Bajrami (27, male)

58. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>161</sup> Remains that were given the label of 2Ba–91 were identified through DNA testing as being those of Xhavit (Ali) Bajrami.<sup>162</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Xhavit (Ali) Bajrami and 2Ba–103 (also belonging to Xhavit (Ali) Bajrami) could not be established and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple bone fractures caused by a blunt instrument, and there were signs that some bones had been exposed to fire.<sup>163</sup>

(34) Ali Bala (75, male)

59. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>164</sup> Remains that were given the label of Ba05–139T were identified through DNA testing as being those of Ali (Sali) Bala.<sup>165</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ali (Sali) Bala is not specified and the report notes that it could not be determined because “[t]he remains are in the advanced stages of post-mortem changes”. However, the report notes that there were multiple bone fractures, and there were signs that the bones and soft tissue had been exposed to fire.<sup>166</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ali (Sali) Bala was unascertained.<sup>167</sup>

(35) Bajram Bala (46, male)

60. The Chamber notes that two different labels were given to the victim named Bajram (Ali)

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<sup>160</sup> P944 (OMPF Reports), e-court pp. 209–212.

<sup>161</sup> P2798 (OMPF list of missing persons).

<sup>162</sup> P2559 (Addendum to Expert Report), e-court p. 17 (under seal).

<sup>163</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 558–562.

<sup>164</sup> P2798 (OMPF list of missing persons).

<sup>165</sup> P2559 (Addendum to the expert report 004/2005-ER from September 2005 prepared by the ICMP), e-court p. 18. (under seal).

<sup>166</sup> P2414 (Documents related to the exhumation site Batajnica 05: Autopsy reports), e-court pp. 25–31.

<sup>167</sup> P944 (OMPF Reports), e-court pp. 476–478.

Bala: Ba05–146T and Ba05–144DT.<sup>168</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo, last seen in Meja on 27 April 1999.<sup>169</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ba05–144DT is not specified and the report notes that the examination of the bones did not establish any fractures or other injuries.<sup>170</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ba05–146T was a gunshot to the chest and a possible gunshot to the right leg.<sup>171</sup> The Chamber does not consider that the attachment of two labels to Bajram (Ali) Bala creates any doubt that he was killed in Meja on 27 April 1999.

(36) Mehmet Bala (42, male)

61. The Chamber notes that two different labels were given to the victim named Mehmet (Ali) Bala: Ba05–116T and Ba05–209DT.<sup>172</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>173</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ba05–116T is not specified and the report notes that it could not be determined because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple bone fractures, and there were signs of fire on soft tissue and bones.<sup>174</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Mehmet (Ali) Bala (victim Ba05–116T and Ba05–209DT) was a “[g]unshot injury to the head”.<sup>175</sup> This is confirmed by the anthropology summary report in respect of Ba05–116T and Ba05–209DT issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>176</sup> The Chamber does not consider that the attachment of two labels to Mehmet (Ali) Bala creates any doubt that he was killed in Meja on 27 April 1999.

(37) Perparim Bala (28, male)

62. The Chamber notes that following DNA testing two different labels were given to the victim named Perparim (Ali) Bala: Ba05–155T and Ba05–213DT.<sup>177</sup> This victim is listed as missing in the

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<sup>168</sup> P2559 (Addendum to Expert Report), e-court p. 18 (under seal).

<sup>169</sup> P2798 (OMPF list of missing persons).

<sup>170</sup> P2414 (Documents related to the exhumation site Batajnica 05: Autopsy reports), e-court pp. 42–46.

<sup>171</sup> P2394 (OMPF Reports), e-court pp. 197–200.

<sup>172</sup> P2559 (Addendum to Expert Report), e-court p. 18 (under seal).

<sup>173</sup> P2798 (OMPF list of missing persons).

<sup>174</sup> P2414 (Documents related to the exhumation site Batajnica 05: Autopsy reports), e-court pp. 1–7.

<sup>175</sup> P2454 (OMPF Reports), e-court pp. 268–269.

<sup>176</sup> P2454 (OMPF Reports), e-court p. 270.

<sup>177</sup> P2559 (Addendum to Expert Report), e-court p. 18 (under seal).

OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>178</sup> The Chamber does not consider that the attachment of two labels to Perparim (Ali) Bala creates any doubt that he was killed in Meja on 27 April 1999.

(38) Ragip Baliu (30, male)

63. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>179</sup> Remains that were given the label of 2Ba–48 were identified through DNA testing as being those of Ragip (Zenun) Baliu.<sup>180</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ragip (Zenun) Baliu could not be established and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were fractures caused by a blunt instrument, and a fracture of a vertebra and defect in the scapula were most likely caused by a projectile. There were also signs that the bones were exposed to high temperatures.<sup>181</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner establishes that the cause of death of Ragip (Zenun) Baliu was multiple gunshots to the chest,<sup>182</sup> and this is confirmed by the anthropology summary report for Ragip (Zenun) Baliu issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>183</sup>

(39) Demush Bardheci (29, male)

64. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>184</sup> Remains that were given the label of 2Ba–36 were identified through DNA testing as being those of Demush (Selim) Bardheci.<sup>185</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of 2Ba–36 could not be established and the report notes that this is because “[t]he body is in the latter stages of post mortal changes.” However, the report notes that the bones showed signs of exposure to high temperatures, and there were fractures caused by the impact of a blunt instrument.<sup>186</sup> The death certificate issued by the Department of Justice,

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<sup>178</sup> P2798 (OMPF list of missing persons).

<sup>179</sup> P2798 (OMPF list of missing persons).

<sup>180</sup> P2559 (Addendum to Expert Report), e-court p. 18 (under seal).

<sup>181</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 286–289.

<sup>182</sup> P943 (OMPF Reports), e-court pp. 203–204.

<sup>183</sup> P943 (OMPF Reports), e-court pp. 498–499.

<sup>184</sup> P2798 (OMPF list of missing persons).

<sup>185</sup> P2559 (Addendum to Expert Report), e-court p. 18 (under seal).

<sup>186</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 223–226.



Office of the Medical Examiner, establishes that the cause of death of Demush (Selim) Bardhecaj was unascertained.<sup>187</sup>

(40) Idriz Bardheci (25, male)

65. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>188</sup> Remains that were given the label of 2Ba–40 were identified through DNA testing as being those of Idriz (Dine) Bardheci.<sup>189</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Idriz (Dine) Bardheci could not be established and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were fractures caused by a blunt instrument, and that [t]he body showed signs of high temperature impact.<sup>190</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Idriz (Din) Bardheci was unascertained.<sup>191</sup> This is confirmed by the anthropology summary report for Idriz (Dine) Bardheci issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>192</sup>

(41) Haki Batusha (29, male)

66. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>193</sup> Remains that were given the label of 2Ba–238 were identified through DNA testing as being those of Haki (Dervish) Batusha.<sup>194</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Haki (Dervish) Batusha is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>195</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Haki (Dervish) Batusha is a result of a “[g]unshot to

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<sup>187</sup> P944 (OMPF Reports), e-court pp. 48–50.

<sup>188</sup> P2798 (OMPF list of missing persons).

<sup>189</sup> P2559 (Addendum to Expert Report), e-court p. 18 (under seal).

<sup>190</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 239–245.

<sup>191</sup> P2394 (OMPF Reports), e-court pp. 249–251.

<sup>192</sup> P2394 (OMPF Reports), e-court p. 251.

<sup>193</sup> P2798 (OMPF list of missing persons).

<sup>194</sup> P2559 (Addendum to Expert Report), e-court p. 18 (under seal).

<sup>195</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1310–1318.

the chest (two shots)".<sup>196</sup> This is confirmed by the anthropology summary report for Haki (Dervish) Batusha issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>197</sup>

(42) Armend Beqaj (17, male)

67. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>198</sup> Remains that were given the label of 2Ba-125 were identified through DNA testing as being those of Armend (Muhamet) Beqaj.<sup>199</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Armend (Muhamet) Beqaj is not specified and the report notes that this is because "[t]he body is in the latter stages of post-mortem changes". However, the report notes that there were multiple fractures to the head, ribs, vertebrae, and right femur, as well as signs of blunt instrument impact. Additionally, a "metal projectile was found in the soft tissue of the right antebrachium, in the central third on the margin between its outer and posterior sides".<sup>200</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Armend (Muhamet) Beqaj is a result of a "[g]unshot injury to cervical, thoracic spina".<sup>201</sup> This is confirmed by the anthropology summary report for Armend (Muhamet) Beqaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>202</sup>

(43) Bajram Beqaj (41, male)

68. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>203</sup> Remains that were given the label of 2Ba-163 were identified through DNA testing as being those of Bajram (Brahim) Beqaj.<sup>204</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Bajram (Brahim) Beqaj is a result of a "[f]irearm injury to lower thoracic area and the pelvis".<sup>205</sup> This is confirmed by the anthropology summary report for Bajram (Brahim) Beqaj issued by the Office for Missing Persons and Forensics,

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<sup>196</sup> P2454 (OMPF Reports), e-court pp. 75–76.

<sup>197</sup> P2454 (OMPF Reports), e-court p. 77.

<sup>198</sup> P2798 (OMPF list of missing persons).

<sup>199</sup> P2559 (Addendum to Expert Report), e-court p. 19 (under seal).

<sup>200</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 678–682.

<sup>201</sup> P2454 (OMPF Reports), e-court pp. 31–32.

<sup>202</sup> P2454 (OMPF Reports), e-court p. 33.

<sup>203</sup> P2798 (OMPF list of missing persons).

<sup>204</sup> P2559 (Addendum to Expert Report), e-court p. 20 (under seal).

<sup>205</sup> P2394 (OMPF Reports), e-court pp. 180–181.

Department of Justice, UNMIK, which also states that there were multiple fractures throughout the body.<sup>206</sup>

(44) Bedri Beqaj (36, male)

69. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>207</sup> Remains that were given the label of 2Ba–34 were identified through DNA testing as being those of Bedri (Brahim) Beqaj.<sup>208</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Bedri (Brahim) Beqaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were fractures caused by a blunt instrument. Additionally, a “projectile of grey metal was found in the soft tissue directly surrounding the right half of the pelvis”.<sup>209</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Bedri (Brahim) Beqaj is the result of a “[g]unshot injury to the chest, left hip and both thigh”.<sup>210</sup> This is confirmed by the anthropology summary report for Bedri (Brahim) Beqaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>211</sup>

(45) Brahim Beqaj (28, male)

70. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>212</sup> Remains that were given the label of 2Ba–161 were identified through DNA testing as being those of Brahim (Sylejman) Beqaj.<sup>213</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Brahim (Sylejman) Beqaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the skull, pelvic bone, left humerus, right ulna, right femur, and left patella, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>214</sup> The death certificate issued by the Department of Justice, Office of the Medical

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<sup>206</sup> P2394 (OMPF Reports), e-court pp. 182–183.

<sup>207</sup> P2798 (OMPF list of missing persons).

<sup>208</sup> P2559 (Addendum to Expert Report), e-court p. 19 (under seal).

<sup>209</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 212–217.

<sup>210</sup> P2454 (OMPF Reports), e-court pp. 1–2.

<sup>211</sup> P2454 (OMPF Reports), e-court p. 3.

<sup>212</sup> P2798 (OMPF list of missing persons).

<sup>213</sup> P2559 (Addendum to Expert Report), e-court p. 19 (under seal).

<sup>214</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 887–891.

Examiner, establishes that the cause of death of Brahim (Sylejman) Beqaj is a result of “multiple gunshot wounds to the head, and through the pelvis and lower abdomen”.<sup>215</sup>

(46) Dritan Beqaj (17, male)

71. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>216</sup> Remains that were given the label of 2Ba–38 were identified through DNA testing as being those of Dritan (Ymer) Beqaj.<sup>217</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Dritan (Ymer) Beqaj is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were fractures caused by a blunt instrument, and exposure to high temperature.<sup>218</sup> This is confirmed by the anthropology summary report of Dritan (Ymer) Beqaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, which states that the cause of death is unascertained.<sup>219</sup>

(47) Emin Beqaj (34, male)

72. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>220</sup> Remains that were given the label of 2Ba–159 were identified through DNA testing as being those of Emin (Beqe) Beqaj.<sup>221</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Emin (Beqe) Beqaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>222</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Emin (Beqe) Beqaj is unascertained.<sup>223</sup> This is

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<sup>215</sup> P944 (OMPF Reports), e-court pp. 260–263.

<sup>216</sup> P2798 (OMPF list of missing persons).

<sup>217</sup> P2559 (Addendum to Expert Report), e-court p. 19 (under seal).

<sup>218</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 231–234.

<sup>219</sup> P943 (OMPF Reports), e-court pp. 207–208.

<sup>220</sup> P2798 (OMPF list of missing persons).

<sup>221</sup> P2559 (Addendum to Expert Report), e-court p. 19 (under seal).

<sup>222</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 876–879.

<sup>223</sup> P2454 (OMPF Reports), e-court pp. 46–47.

confirmed by the anthropology summary report 2Ba–159 issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>224</sup>

(48) Kujtim Beqaj (16, male)

73. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>225</sup> Remains that were given the label of 2Ba–43 were identified through DNA testing as being those of Kujtim (Tafe) Beqaj.<sup>226</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Kujtim (Tafe) Beqaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were fractures caused by a blunt instrument, and “[t]he defect on the right half of the frontal bone was caused by a projectile”. Additionally, there were signs of high impact temperature in some portions of the bone.<sup>227</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Kujtim (Tafe) Beqaj was unascertained.<sup>228</sup>

(49) Mentor Beqaj (19, male)

74. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>229</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(50) Milazim Beqaj (31, male)

75. The Chamber notes that following DNA testing two different labels were given to the victim named Milazim (Beqe) Beqaj: 2Ba–S–4 and 2Ba–S–6.<sup>230</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>231</sup> The Chamber does not consider that the attachment of two labels to Milazim (Beqe) Beqaj creates any doubt that he was killed in Meja on 27 April 1999.

(51) Ramadan Beqaj (57, male)

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<sup>224</sup> P2454 (OMPF Reports), e-court p. 48.

<sup>225</sup> P2798 (OMPF list of missing persons).

<sup>226</sup> P2559 (Addendum to Expert Report), e-court p. 19 (under seal).

<sup>227</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 258–262.

<sup>228</sup> P944 (OMPF Reports), e-court pp. 61–63.

<sup>229</sup> P2798 (OMPF list of missing persons).

<sup>230</sup> P2559 (Addendum to Expert Report), e-court p. 19 (under seal).

<sup>231</sup> P2798 (OMPF list of missing persons).

76. The Chamber notes that following DNA testing two different labels were given to the victim named Ramadan (Shaban) Beqaj: Ba08–001DT and Ba08–005DT.<sup>232</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>233</sup> The Chamber does not consider that the attachment of two labels to Ramadan (Shaban) Beqaj creates any doubt that he was killed in Meja on 27 April 1999.

(52) Rasim Beqaj (46, male)

77. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>234</sup> Remains that were given the label of 2Ba–79 were identified through DNA testing as being those of Rasim (Brahim) Beqaj.<sup>235</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Rasim (Brahim) Beqaj is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures to the head, pelvis, tibias, and left clavicle, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>236</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Rasim (Brahim) Beqaj is unascertained.<sup>237</sup>

(53) Tafe Beqaj (54, male)

78. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>238</sup> Remains that were given the label of 2Ba–42 were identified through DNA testing as being those of Tafe (Shaban) Beqaj.<sup>239</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Tafe (Shaban) Beqaj is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>240</sup> The death certificate issued by the Department of Justice, Office of

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<sup>232</sup> P2559 (Addendum to Expert Report), e-court p. 19 (under seal).

<sup>233</sup> P2798 (OMPF list of missing persons).

<sup>234</sup> P2798 (OMPF list of missing persons).

<sup>235</sup> P2559 (Addendum to Expert Report), e-court p. 19 (under seal).

<sup>236</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 442–445.

<sup>237</sup> P944 (OMPF Reports), e-court pp. 116–119.

<sup>238</sup> P2798 (OMPF list of missing persons).

<sup>239</sup> P2559 (Addendum to Expert Report), e-court p. 19 (under seal).

<sup>240</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 254–257.

the Medical Examiner, also establishes that the cause of death of Tafë (Shaban) Beqaj is unascertained.<sup>241</sup>

(54) Ymer Beqaj (50, male)

79. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>242</sup> Remains that were given the label of 2Ba-192 were identified through DNA testing as being those of Ymer (Brahim) Beqaj.<sup>243</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ymer (Brahim) Beqaj is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that the entire head is missing, there were multiple fractures to the body, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>244</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Ymer (Brahim) Beqaj is unascertained.<sup>245</sup>

(55) Albert Beqiraj (21, male)

80. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>246</sup> Remains that were given the label of 2Ba-05 were identified through DNA testing as being those of Albert (Tahir) Beqiraj.<sup>247</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Albert (Tahir) Beqiraj is not specified and the report notes that this is because “[t]he body is a state of advanced post-mortem change”. However, the report notes that the fractures of the 4<sup>th</sup> rib on the left side of the body and of the left femur were inflicted as a result of gunshot wounds caused by a projectile fired from a hand-held firearm.<sup>248</sup>

(56) Arsim Beqiraj (16, male)

81. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes

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<sup>241</sup> P944 (OMPF Reports), e-court pp. 58–60.

<sup>242</sup> P2798 (OMPF list of missing persons).

<sup>243</sup> P2559 (Addendum to Expert Report), e-court p. 19 (under seal).

<sup>244</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1052–1054.

<sup>245</sup> P944 (OMPF Reports), e-court pp. 311–313.

<sup>246</sup> P2798 (OMPF list of missing persons).

<sup>247</sup> P2559 (Addendum to Expert Report), e-court p. 20 (under seal).

<sup>248</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 49–52.

that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>249</sup> Remains that were given the label of 2Ba–118 were identified through DNA testing as being those of Arsim (Musa) Beqiraj.<sup>250</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Arsim (Musa) Beqiraj is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>251</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Arsim (Musa) Beqiraj as a result of “gunshot wounds”.<sup>252</sup> This is confirmed by the anthropology summary report 2Ba–118 issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, which states that the cause of death was due to a “gunshot to the left thigh”.<sup>253</sup>

(57) Syle Beqiraj (55, male)

82. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>254</sup> Remains that were given the label of 2Ba–120 were identified through DNA testing as being those of Syle (Haxhi) Beqiraj.<sup>255</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Syle (Haxhi) Beqiraj is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes.” However, the report notes that there were multiple fractures to the head, vertebrae, ribs, sternum, legs and arms, as well as signs of blunt instrument impact. Additionally, a metal projectile was found “in the surrounding soft tissue on the level of the 7<sup>th</sup> thoracic vertebra, to the left of the spine”.<sup>256</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Syle (Haxhi) Beqiraj is a result of “[multiple gunshot wounds]”.<sup>257</sup>

(58) Tahir Beqiraj (58, male)

83. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes

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<sup>249</sup> P2798 (OMPF list of missing persons).

<sup>250</sup> P2559 (Addendum to Expert Report), e-court p. 20 (under seal).

<sup>251</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court p. 644–647.

<sup>252</sup> P944 (OMPF Reports), e-court pp. 193–196.

<sup>253</sup> P943 (OMPF Reports), e-court p. 578.

<sup>254</sup> P2798 (OMPF list of missing persons).

<sup>255</sup> P2559 (Addendum to Expert Report), e-court p. 20 (under seal).

<sup>256</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 654–657.

<sup>257</sup> P944 (OMPF Reports), e-court pp. 197–199.



that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>258</sup> Remains that were given the label of 2Ba–154 were identified through DNA testing as being those of Tahir (Haxhi) Beqiraj.<sup>259</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Tahir (Haxhi) Beqiraj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures throughout the body, as well as “fractures to the skull, trunk and extremities caused by a blunt instrument”, and signs of exposure to high temperature. Additionally, “[a] metal projectile was found in the area of the pubic ramus, on the right”.<sup>260</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Tahir (Haxhi) Beqiraj is a result of “gunshot wounds to the lower abdomen”.<sup>261</sup>

(59) Ahmet Berisha (45, male)

84. The Chamber notes that there are two victims with the same name listed as missing in the OMPF list of missing persons in Kosovo. However, none of them went missing in the municipality of Đakovica/Gjakova.<sup>262</sup> The Chamber notes that there is no forensic evidence with respect to these listed victims.

(60) Halil Berisha (50, male)

85. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>263</sup> Remains that were given the label of 2Ba–162 were identified through DNA testing as being those of Halil (Uke) Berisha.<sup>264</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Halil (Uke) Berisha is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>265</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Halil (Uke) Berisha is a result of “[g]unshot injury to

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<sup>258</sup> P2798 (OMPF list of missing persons).

<sup>259</sup> P2559 (Addendum to Expert Report), e-court p. 20 (under seal).

<sup>260</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 852–855.

<sup>261</sup> P944 (OMPF Reports), e-court pp. 253–255.

<sup>262</sup> P2798 (OMPF list of missing persons).

<sup>263</sup> P2798 (OMPF list of missing persons).

<sup>264</sup> P2559 (Addendum to Expert Report), e-court p. 21 (under seal).

<sup>265</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 892–895.

lumbar spina”.<sup>266</sup> This is confirmed by the anthropology summary report for Halil (Uke) Berisha issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>267</sup>

(61) Avni Binaku (42, male)

86. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>268</sup> Remains that were given the label of Ba05–149T were identified through DNA testing as being those of Avni (Adem) Binaku.<sup>269</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Avni (Adem) Binaku is not specified and the report notes that this is because “[t]he remains are in the state of advanced post-mortem transformations”. However, the report notes that there were multiple bone fractures, as well as signs exposure to fire.<sup>270</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Avni (Adem) Binaku is unascertained.<sup>271</sup> This is confirmed by the anthropology summary report for Avni (Adem) Binaku issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>272</sup>

(62) Binak Binaku (34, male) and Ismail Binaku (36, male)

87. Remains that were given the label of Ba05–442T were identified through DNA testing as being those of Binak or Ismail (Ysen) Binaku.<sup>273</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>274</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ba05–442T is not specified and the report notes that this is because “[t]he remains are in the state of advanced post-mortem transformation”. However, the report notes that there were multiple bone fractures, as well as exposure to fire.<sup>275</sup> The Chamber notes that Jose Baraybar, who put together the expert report on these victims, stated that upon receiving the lists of identified bodies, OMPF consulted with members of the community from where

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<sup>266</sup> P943 (OMPF Reports), e-court pp. 205–206.

<sup>267</sup> P943 (OMPF Reports), e-court p. 526.

<sup>268</sup> P2798 (OMPF list of missing persons).

<sup>269</sup> P2559 (Addendum to Expert Report), e-court p. 22 (under seal).

<sup>270</sup> P2414 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 47–53.

<sup>271</sup> P2454 (OMPF Reports), e-court pp. 277–278.

<sup>272</sup> P2454 (OMPF Reports), e-court pp. 279–280.

<sup>273</sup> P2559 (Addendum to Expert Report), e-court p. 22 (under seal).

<sup>274</sup> P2798 (OMPF list of missing persons).

<sup>275</sup> P2417 (Documents related to the exhumation site Batajnica 05: Autopsy reports), e-court pp. 1–7.

the victims went missing.<sup>276</sup> Although the label of Ba05–442T is given to both names, the list records that the case of Binak Binaku to be closed and his remains to have been returned to his family.<sup>277</sup> Consequently, the Chamber is satisfied that these remains were those of Binak Binaku and that it is proven that he was killed on 27 April in Meja.

(63) Ismail Binaku (36, male)

88. See analysis number 62 above.

(64) Ismet Bobi (21, male)

89. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>278</sup> Remains that were given the label of 2Ba–111 were identified through DNA testing as being those of Ismet (Ali) Bobi.<sup>279</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ismet (Ali) Bobi is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>280</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ismet (Ali) Bobi is a result of “[p]ossible gunshot to the trunk blunt force trauma to the chest”.<sup>281</sup> This is confirmed by the anthropology summary report for Ismet (Ali) Bobi issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>282</sup>

(65) Fixhri Cuni (46, male)

90. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>283</sup> Remains that were given the label of 2Ba–231 were identified through DNA testing as being those of Fiqrih (Baron) Cuni.<sup>284</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Fiqrih (Baron) Cuni is not specified and the report notes that

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<sup>276</sup> Jose Baraybar, P2794 (witness statement dated 1 November 2006), pp. 5–6.

<sup>277</sup> P2798 (OMPF list of missing persons).

<sup>278</sup> P2798 (OMPF list of missing persons).

<sup>279</sup> P2559 (Addendum to Expert Report), e-court p. 23 (under seal).

<sup>280</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 601–607.

<sup>281</sup> P2394 (OMPF Reports), e-court pp. 15–16.

<sup>282</sup> P2394 (OMPF Reports), e-court p. 17–18.

<sup>283</sup> P2798 (OMPF list of missing persons).

this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>285</sup>

(66) Muharrem Cuni (67, male)

91. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>286</sup> Remains that were given the label of 2Ba–254 were identified through DNA testing as being those of Muharrem (Ali) Cuni.<sup>287</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Muharrem (Ali) Cuni is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures to the head, ribs, and right arm, as well as signs of blunt instrument impact.<sup>288</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Muharrem (Ali) Çuni is a result of a “gunshot wound to the head”.<sup>289</sup>

(67) Sutki Cuni (20, male)

92. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>290</sup> Remains that were given the label of 2Ba–233 were identified through DNA testing as being those of Sutki (Muharrem) Cuni.<sup>291</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Sutki (Muharrem) Cuni is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>292</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Sutki (Muharrem) Çuni is a result of a “gunshot wound to the chest”.<sup>293</sup>

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<sup>284</sup> P2559 (Addendum to Expert Report), e-court p. 24 (under seal).

<sup>285</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1263–1270.

<sup>286</sup> P2798 (OMPF list of missing persons).

<sup>287</sup> P2559 (Addendum to Expert Report), e-court p. 24 (under seal).

<sup>288</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1402–1405.

<sup>289</sup> P944 (OMPF Reports), e-court pp. 412–414.

<sup>290</sup> P2798 (OMPF list of missing persons).

<sup>291</sup> P2559 (Addendum to Expert Report), e-court p. 24 (under seal).

<sup>292</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1279–1282.

<sup>293</sup> P944 (OMPF Reports), e-court pp. 381–383.

(68) Istref Curri (32, male)

93. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>294</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(69) Izet Curri (26, male)

94. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>295</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(70) Linton Deda (16, male)

95. Merita Deda testified on 27 April 1999 her cousin Linton Dedaj was forced to line up in the courtyard of Prend Markaj's house, together with other male members of her family. While Dedaj was moving away from the premises she heard weapons being fired, and when she turned back, she saw the men on the ground. Linton Dedaj's body was later returned to her from mass graves in Batajnica, Serbia.<sup>296</sup>

96. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>297</sup> Remains that were given the label of Ba05-83T were identified through DNA testing as being those of Linton (Pashk) Dedaj.<sup>298</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Linton Dedaj is not specified and the report notes that this is because "[t]he mortal remains are in a state of advanced post-mortem changes". However, the report notes that there was a fracture of the left scapula, as well as signs of exposure to fire.<sup>299</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Linton (Pashk) Dedaj is unascertained.<sup>300</sup>

(71) Mark Deda (47, male)

97. Merita Deda testified on 27 April 1999 her father Mark Dedaj was forced to line up in the

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<sup>294</sup> P2798 (OMPF list of missing persons).

<sup>295</sup> P2798 (OMPF list of missing persons).

<sup>296</sup> Merita Deda, P2233 (witness statement dated 8 April 2000), p. 3. T. 1402 (10 August 2006).

<sup>297</sup> P2798 (OMPF list of missing persons).

<sup>298</sup> P2559 (Addendum to Expert Report), e-court p. 25 (under seal).

<sup>299</sup> P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1-7.

<sup>300</sup> P943 (OMPF Reports), e-court pp. 235-236.

courtyard of Prend Markaj's house, together with other male members of her family. While Dedaj was moving away from the premises she heard weapons being fired, and when she turned back, she saw the men on the ground. Mark Dedaj's body was later returned to her from mass graves in Batajnica, Serbia.<sup>301</sup>

98. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>302</sup> Remains that were given the label of Ba05-129T were identified through DNA testing as being those of Mark (Uke) Dedaj.<sup>303</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, notes that there were multiple fractures.<sup>304</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Mark (Ukë) Dedaj is unascertained.<sup>305</sup>

(72) Martin Deda (32, male)

99. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>306</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim. Consequently, the Chamber is not satisfied that it has been proven that Martin Deda was killed in Meja on 27 April 1999.

(73) Pashk Deda (42, male)

100. Merita Deda testified on 27 April 1999 her uncle Pashk Dedaj was forced to line up in the courtyard of Prend Markaj's house, together with other male members of her family. While Dedaj was moving away from the premises she heard weapons being fired, and when she turned back, she saw the men on the ground. Prend Markaj's body was later returned to her from mass graves in Batajnica, Serbia<sup>307</sup>

101. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>308</sup> Remains that

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<sup>301</sup> Merita Deda, P2233 (witness statement dated 8 April 2000), p. 3, T. 1402 (10 August 2006).

<sup>302</sup> P2798 (OMPF list of missing persons).

<sup>303</sup> P2559 (Addendum to Expert Report), e-court p. 25 (under seal).

<sup>304</sup> P2414 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 16–24.

<sup>305</sup> P944 (OMPF Reports), e-court pp. 472–475.

<sup>306</sup> P2798 (OMPF list of missing persons).

<sup>307</sup> Merita Deda, P2233 (witness statement dated 8 April 2000), p. 3, T. 1402 (10 August 2006).

<sup>308</sup> P2798 (OMPF list of missing persons).

were given the label of Ba05–267T were identified through DNA testing as being those of Pashk (Uke) Dedaj.<sup>309</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Pashk (Uke) Dedaj is not specified and the report notes that this is because “[t]he mortal remains are in a state of advanced post-mortem changes”. However, the report notes that there were multiple bone fractures, as well as signs of exposure to fire.<sup>310</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Pashk (Ukë) Dedaj is a result of a “[p]ossible gunshot wound to the right arm, lethal if untreated”.<sup>311</sup> This is confirmed by the anthropology summary report for Pashk (Uke) Dedaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>312</sup>

(74) Frrok Dedaj (34, male)

102. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>313</sup> Remains that were given the label of Ba05–328T were identified through DNA testing as being those of Frrok (Nike) Dedaj.<sup>314</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Frrok (Nikë) Dedaj is a result of a “[g]unshot to the chest and to the head”.<sup>315</sup> This is confirmed by the anthropology summary report for Frrok (Nike) Dedaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>316</sup>

(75) Gjon Dedaj (62, male)

103. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>317</sup> Remains that were given the label of Ba05–324T were identified through DNA testing as being those of Gjon (Uke) Dedaj.<sup>318</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Gjon (Uke) Dedaj is not specified and the report notes that this is because “[t]he mortal remains are in a state of advanced post-mortem change”. However, the

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<sup>309</sup> P2559 (Addendum to Expert Report), e-court p. 25 (under seal).

<sup>310</sup> P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1–7.

<sup>311</sup> P2394 (OMPF Reports), e-court pp. 207–210.

<sup>312</sup> P2394 (OMPF Reports), e-court pp. 224–227.

<sup>313</sup> P2798 (OMPF list of missing persons).

<sup>314</sup> P2559 (Addendum to Expert Report), e-court p. 25 (under seal).

<sup>315</sup> P2394 (OMPF Reports), e-court pp. 211–212.

<sup>316</sup> P2394 (OMPF Reports), e-court pp. 213–214.

<sup>317</sup> P2798 (OMPF list of missing persons).

<sup>318</sup> P2559 (Addendum to Expert Report), e-court p. 25 (under seal).

report notes that there were multiple fractures, as well as signs of fire.<sup>319</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Gjon (Ukë) Dedaj is a result of a “[g]unshot to the chest”.<sup>320</sup> This is confirmed by the anthropology summary report for Gjon (Uke) Dedaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>321</sup>

(76) Mikel Dedaj (37, male)

104. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>322</sup> Remains that were given the label of Ba05–334T were identified through DNA testing as being those of Mikel (Nike) Dedaj.<sup>323</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Mikel (Nike) Dedaj is not specified and the report notes that this is because “[t]he mortal remains ... are in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of fire.<sup>324</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Mikel (Nikë) Dedaj is a result of a “[g]unshot to the chest”.<sup>325</sup> This is confirmed by the anthropology summary report for Mikel (Nike) Dedaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>326</sup>

(77) Pjeter Dedaj (64, male)

105. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>327</sup> Remains that were given the label of Ba05–16T were identified through DNA testing as being those of Pjeter (Uke) Dedaj.<sup>328</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Pjeter (Uke) Dedaj is not specified and the report notes that this is because “[t]he mortal remains are in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures to the head, vertebrae, ribs, right clavicle, and left

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<sup>319</sup> P2602 (Documents related to the exhumation site Batajnica 05: Autopsy reports), e-court pp. 1–9.

<sup>320</sup> P943 (OMPF Reports), e-court pp. 233–234.

<sup>321</sup> P943 (OMPF Reports), e-court p. 465.

<sup>322</sup> P2798 (OMPF list of missing persons).

<sup>323</sup> P2559 (Addendum to Expert Report), e-court p. 25 (under seal).

<sup>324</sup> P2602 (Documents related to the exhumation site Batajnica 05: Autopsy reports), e-court pp. 10–14, 37–41.

<sup>325</sup> P2454 (OMPF Reports), e-court pp. 113–114.

<sup>326</sup> P2454 (OMPF Reports), e-court p. 115.

<sup>327</sup> P2798 (OMPF list of missing persons).

<sup>328</sup> P2559 (Addendum to Expert Report), e-court p. 25 (under seal).



humerus.<sup>329</sup> The anthropology summary report for Pjeter (Uke) Dedaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, establishes that the cause of death was due to “[m]ultiple gunshot wound to the head and neck”.<sup>330</sup>

(78) Deli Deliu (37, male)

106. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>331</sup> Remains that were given the label of 2Ba-06 were identified through DNA testing as being those of Deli (Miftar) Delija.<sup>332</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Deli (Miftar) Delija is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures caused by a blunt instrument, several of which (along with their associated defects in the tissue) indicate use of a firearm or other explosive.<sup>333</sup> The anthropology summary report for Deli (Miftar) Delija issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, states that the cause of death of Deli (Miftar) Delija was due to “[g]unshot to the head, chest and to the right arm.”<sup>334</sup>

(79) Ali Demaj (39, male)

107. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>335</sup> Remains that were given the label of 2Ba-31 were identified through DNA testing as being those of Ali (Isuf) Demaj.<sup>336</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ali (Isuf) Demaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a projectile was found in the soft tissue, “at the level of the left lateral side of the body of the 5<sup>th</sup> lumbar vertebra bordering on the sacrum”.<sup>337</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of

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<sup>329</sup> P2415 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 15–23.

<sup>330</sup> P943 (OMPF Reports), e-court pp. 414–415.

<sup>331</sup> P2798 (OMPF list of missing persons)

<sup>332</sup> P2559 (Addendum to Expert Report), e-court p. 25 (under seal).

<sup>333</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 53–63.

<sup>334</sup> P2394 (OMPF Reports), e-court pp. 1–4.

<sup>335</sup> P2798 (OMPF list of missing persons).

<sup>336</sup> P2559 (Addendum to Expert Report), e-court p. 26 (under seal).

<sup>337</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 193–199.

Ali (Isuf) Demaj is a result of “[g]unshot injuries to the chest and right arm”.<sup>338</sup> This is confirmed by the anthropology summary report Ali (Isuf) Demaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>339</sup>

(80) Agron Duzhmani (17, male)

108. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>340</sup> Remains that were given the label of 2Ba–62 were identified through DNA testing as being those of Agron (Tom) Duzhmani.<sup>341</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Agron (Tom) Duzhmani is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>342</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Agron (Tom) Duzhmani is a result of a “[g]unshot wound to lower abdomen”.<sup>343</sup>

(81) Frane Duzhmani (23, male), Gostin Duzhmani (35, male), and Mikel Duzhmani (32, male)

109. The Chamber notes that three different labels (2Ba–220, 2Ba–252, and 2Ba–250) were given to three victims: Frane Duzhmani, Gostin (Mark) Duzhmani, and Mikel Duzhmani.<sup>344</sup> These three victims are listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the three victims were part of a group of people last seen in Meja on 27 April 1999.<sup>345</sup> Noting Jose Baraybar’s evidence concerning the preparation of the OMPF list,<sup>346</sup> and the fact that the OMPF list identifies 2Ba–252 as Frane Duzhmani, 2Ba–220 as Gostin Duzhmani, and 2Ba–250 as Mikel Duzhmani, and records each of their cases as closed with the remains having been returned to their families,<sup>347</sup> the Chamber is satisfied that sets of remains are those of the victims for whom they are designated in the OMPF list.

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<sup>338</sup> P943 (OMPF Reports), e-court pp. 249–250.

<sup>339</sup> P943 (OMPF Reports), e-court p. 497.

<sup>340</sup> P2798 (OMPF list of missing persons).

<sup>341</sup> P2559 (Addendum to Expert Report), e-court p. 26 (under seal).

<sup>342</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 358–361.

<sup>343</sup> P944 (OMPF Reports), e-court pp. 91–93.

<sup>344</sup> P2559 (Addendum to Expert Report), e-court p. 26 (under seal).

<sup>345</sup> P2798 (OMPF list of missing persons).

<sup>346</sup> Jose Baraybar, P2794 (witness statement dated 1 November 2006), pp. 5–6.

<sup>347</sup> P2798 (OMPF list of missing persons).

110. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Gostin (Mark) Duzhmani is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, the report notes that there were “circular defects in the tissue of the left shoulder and in the region of the right breast” which could be part of a single bullet track caused by a firearm. Furthermore, the projectile found “next to the free end of the 12<sup>th</sup> right rib” and the fractures to the left ribs could have been part of a single bullet wound.<sup>348</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Gostin (Mark) Duzhmani is a result of “[g]unshot injuries to the head, neck and chest”.<sup>349</sup> This is confirmed by the anthropology summary report Gostin Duzhmani issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>350</sup>

111. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Frane (Mark) Duzhmani is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a projectile was found “[d]irectly under the skin on the front side of the right half of the trunk, directly below the right rib arch.”<sup>351</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Frane (Mark) Duzhmani is a result of “[g]unshots to the head and to the chest (multiple shots)”.<sup>352</sup> This is confirmed by the anthropology summary report Frane (Mark) Duzhmani issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>353</sup>

112. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Mikel (Mark) Duzhmani is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>354</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Mikel (Mark) Duzhmani is a result of “[m]ultiple gunshot wounds to the

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<sup>348</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1193–1201.

<sup>349</sup> P2394 (OMPF Reports), e-court pp. 279–280.

<sup>350</sup> P2394 (OMPF Reports), e-court pp. 281–282.

<sup>351</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1388–1394.

<sup>352</sup> P2394 (OMPF Reports), e-court pp. 294–295.

<sup>353</sup> P2394 (OMPF Reports), e-court pp. 296–297.

<sup>354</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1380–1383.

head”.<sup>355</sup> This is confirmed by the anthropology summary report for Mikel (Mark) Duzhmani issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>356</sup>

(82) Gezim Duzhmani (25, male) and Manuel Duzhmani (20, male)

113. The Chamber notes that two different labels (2Ba–216 and 2Ba–200) were given to two victims: Gezim (Ndue) Duzhmani and Manol Duzhmani.<sup>357</sup> These victims are listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victims were part of a group of people last seen in Meja on 27 April 1999.<sup>358</sup> Noting Jose Baraybar’s evidence concerning the preparation of the OMPF list,<sup>359</sup> and the fact that OMPF list identifies 2Ba–200 as Gezim Duzhmani, and 2Ba–216 as Manuel Duzhmani, and records each of their cases as closed with the remains having been returned to their families,<sup>360</sup> the Chamber is satisfied that sets of remains are those of the victims for whom they are designated in the OMPF list.

114. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Gezim Duzhmani is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, the report notes that the defects to the cranial bones might have been a result of a “projectile passing through the bones” and a “metal projectile was found at the level of the 8<sup>th</sup> rib on the left side”.<sup>361</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Gezim Duzhmani is a result of “gunshot wounds to the head”.<sup>362</sup> This is confirmed by the anthropology summary report for Gezim Duzhmani issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, which states that the cause of death was due to a “[g]unshot to the head”.<sup>363</sup>

115. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Manuel Duzhmani is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.

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<sup>355</sup> P2394 (OMPF Reports), e-court pp. 290–291.

<sup>356</sup> P2394 (OMPF Reports), e-court pp. 292–293

<sup>357</sup> P2559 (Addendum to Expert Report), e-court p. 26 (under seal).

<sup>358</sup> P2798 (OMPF list of missing persons).

<sup>359</sup> Jose Baraybar, P2794 (witness statement dated 1 November 2006), pp. 5–6.

<sup>360</sup> P2798 (OMPF list of missing persons).

<sup>361</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1083–1087.

<sup>362</sup> P944 (OMPF Reports), e-court pp. 325–328.

<sup>363</sup> P943 (OMPF Reports), e-court p. 574.

Additionally, a projectile was found “in the immediate vicinity of the articulation of the third rib with the left side of the sternum”. Furthermore, the skull bones had defects “which indicate a possible entry-and-exit wound through the skull”.<sup>364</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Manol Duzhmani is a result of “[g]unshot wounds to the head”.<sup>365</sup>

(83) Gostin Duzhmani (35, male)

116. See analysis number 81 above.

(84) Manuel Duzhmani (20, male)

117. See analysis number 82 above.

(85) Marjan Duzhmani (31, male) and Pashk Duzhmani (34, male)

118. The Chamber notes that two different labels (2Ba–175 and 2Ba–255) were given to the victims with the same last names: Marian Duzhmani and Pashk (Ndue) Duzhmani.<sup>366</sup> These two victims are listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victims were part of a group of people last seen in Meja on 27 April 1999.<sup>367</sup> Noting Jose Baraybar’s evidence concerning the preparation of the OMPF list,<sup>368</sup> and the fact that OMPF list identifies 2Ba–255 as Marjan Duzhmain, and 2Ba–175 as Pashk Duzhmani, and records each of their cases as closed with the remains having been returned to their families,<sup>369</sup> the Chamber is satisfied that sets of remains are those of the victims for whom they are designated in the OMPF list.

119. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Pashk Duzhmani is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, metal projectiles were found “in the soft tissue behind the fractured left ribs”, “near the 12<sup>th</sup> thoracic and 1<sup>st</sup> lumbar vertebrae”, and “in the middle section of the right coxa”.<sup>370</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of

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<sup>364</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1173–1177.

<sup>365</sup> P944 (OMPF Reports), e-court pp. 350–353.

<sup>366</sup> P2559 (Addendum to Expert Report), e-court p. 26 (under seal).

<sup>367</sup> P2798 (OMPF list of missing persons).

<sup>368</sup> Jose Baraybar, P2794 (witness statement dated 1 November 2006), pp. 5–6.

<sup>369</sup> P2798 (OMPF list of missing persons).

<sup>370</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 951–954.

Pashk Duzhmani is a result of “[m]ultiple gunshot wound”.<sup>371</sup> This is confirmed by the anthropology summary report for Pashk Duzhmani issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>372</sup>

120. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Marjan Duzhmain is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>373</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Marijan (Ndue) Duzhmani is a result of a “[f]irearm injury to the abdomen”.<sup>374</sup> This is confirmed by the anthropology summary report for Marjan Duzhmain issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>375</sup>

(86) Mikel Duzhmani (32, male)

121. See analysis number 81 above.

(87) Pal Duzhmani (33, male)

122. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>376</sup> Remains that were given the label of 2Ba–82 were identified through DNA testing as being those of Pal (Kole) Duzhmani.<sup>377</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Pal (Kole) Duzhmani is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, “[p]arts of a metal projectile were found in the scalp tissue” and a bullet wound was found in the left forearm, and the left shoulder girth and trunk.<sup>378</sup> The death certificate issued by the Department of

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<sup>371</sup> P944 (OMPF Reports), e-court pp. 286–289.

<sup>372</sup> P943 (OMPF Reports), e-court p. 567.

<sup>373</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1406–1412.

<sup>374</sup> P2394 (OMPF Reports), e-court pp. 191–192.

<sup>375</sup> P2394 (OMPF Reports), e-court p. 193.

<sup>376</sup> P2798 (OMPF list of missing persons).

<sup>377</sup> P2559 (Addendum to Expert Report), e-court p. 26 (under seal).

<sup>378</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 455–462.

Justice, Office of the Medical Examiner, establishes that the cause of death of Pal (Kole) Duzhmani is a result of “[m]ultiple [p]rojectile [w]ounds”.<sup>379</sup>

(88) Pashk Duzhmani (34, male)

123. See analysis number 85 above.

(89) Male Fazlijaj (44, male)

124. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>380</sup> Remains that were given the label of 2Ba–167 were identified through DNA testing as being those of Male (Bajram) Fazlija.<sup>381</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Male (Bajram) Fazlija is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that the entire head is missing, there were multiple fractures to the body, as well as signs of blunt instrument impact. Additionally, “a bony callus was identified in the region of the right humerus”.<sup>382</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Mal (Bajram) Fazlija is a result of “[m]ultiple gunshots to chest, spine and lower abdomen”.<sup>383</sup>

(90) Shani Fazlijaj (36, male)

125. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>384</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(91) Haxhi Fetaj (40, male)

126. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>385</sup> Remains that were given the label of 2Ba–64 were identified through DNA testing as being those of Haxhi

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<sup>379</sup> P944 (OMPF Reports), e-court pp. 126–128.

<sup>380</sup> P2798 (OMPF list of missing persons).

<sup>381</sup> P2559 (Addendum to Expert Report), e-court p. 27 (under seal).

<sup>382</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 910–912.

<sup>383</sup> P944 (OMPF Reports), e-court pp. 267–269.

<sup>384</sup> P2798 (OMPF list of missing persons).

<sup>385</sup> P2798 (OMPF list of missing persons).

(Avdulla) Fetaj.<sup>386</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Haxhi (Avdulla) Fetaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a metal projectile was found “in the region of the left half of the pelvis”.<sup>387</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Haxhi (Avdulla) Fetaj is unascertained.<sup>388</sup>

(92) Lulzim Gashi (30, male)

127. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>389</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(93) Robert Gashi (29, male)

128. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>390</sup> Remains that were given the label of 2Ba–235 were identified through DNA testing as being those of Robert/Lulzim (Zef) Gashi.<sup>391</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Robert/Lulzim (Zef) Gashi is not specified and the report notes that this is because “[t]he body is in a state of post-mortem changes”. However, the report notes that there were multiple fractures to the head, and left clavicle, as well as signs of blunt instrument impact.<sup>392</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Robert (Zef) Gashi is a result of “[g]unshot injuries to the head, neck and chest”.<sup>393</sup> This is confirmed by the anthropology summary report for Robert/Lulzim (Zef) Gashi issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>394</sup>

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<sup>386</sup> P2559 (Addendum to Expert Report), e-court p. 27 (under seal).

<sup>387</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 366–369.

<sup>388</sup> P944 (OMPF Reports), e-court pp. 94–96.

<sup>389</sup> P2798 (OMPF list of missing persons).

<sup>390</sup> P2798 (OMPF list of missing persons).

<sup>391</sup> P2559 (Addendum to Expert Report), e-court p. 28 (under seal).

<sup>392</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1290–1293.

<sup>393</sup> P2394 (OMPF Reports), e-court pp. 23–30.

<sup>394</sup> P2394 (OMPF Reports), e-court pp. 31–32.



(94) Brahim Gaxherri (38, male)

129. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>395</sup> Remains that were given the label of 2Ba–246 were identified through DNA testing as being those of Ibrahim (Muharem) Gaxherri.<sup>396</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ibrahim (Muharem) Gaxherri is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures to the face, vertebrae, ribs, and left arm, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>397</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Brahim (Muharrem) Gaxherri is a result of a “[f]irearm injury to the neck and the upper chest”.<sup>398</sup> This is confirmed by the anthropology summary report for Ibrahim (Muharem) Gaxherri issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>399</sup>

(95) Hasan Gaxheri (28, male)

130. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>400</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(96) Xhafer Gaxheri (66, male)

131. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>401</sup> Remains that were given the label of 2Ba–187 were identified through DNA testing as being those of Xhafer (Adem) Gaxherri.<sup>402</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Xhafer (Adem) Gaxherri is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures to the ribs, vertebrae, left clavicle, right

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<sup>395</sup> P2798 (OMPF list of missing persons).

<sup>396</sup> P2559 (Addendum to Expert Report), e-court p. 28 (under seal).

<sup>397</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1359–1365.

<sup>398</sup> P2394 (OMPF Reports), e-court pp. 187–188.

<sup>399</sup> P2394 (OMPF Reports), e-court pp. 189–190.

<sup>400</sup> P2798 (OMPF list of missing persons).

<sup>401</sup> P2798 (OMPF list of missing persons).

<sup>402</sup> P2559 (Addendum to Expert Report), e-court p. 28 (under seal).

ulna, pelvic bone, and legs, as well as signs of blunt instrument impact.<sup>403</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Xhafer Gaxherri is a result of “gunshot wounds to the chest”.<sup>404</sup>

(97) Deme Gjocaj (39, male)

132. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>405</sup> Remains that were given the label of 2Ba-84 were identified through DNA testing as being those of Deme (Ali) Gjocaj.<sup>406</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Deme (Ali) Gjocaj is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>407</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Deme (Ali) Gjocaj is unascertained.<sup>408</sup>

(98) Ardian Gjokaj (23, male)

133. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>409</sup> Remains that were given the label of 2Ba-100 were identified through DNA testing as being those of Ardijan (Ibrahim) Gjokaj.<sup>410</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ardijan (Ibrahim) Gjokaj is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, “[a] metal projectile was found embedded at the back of the head of the right femur”.<sup>411</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ardian (Ibrahim) Gjokaj is a result of a “[g]unshot wound to the chest”.<sup>412</sup> This is confirmed by the anthropology summary report

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<sup>403</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1020–1023.

<sup>404</sup> P944 (OMPF Reports), e-court pp. 308–310.

<sup>405</sup> P2798 (OMPF list of missing persons).

<sup>406</sup> P2559 (Addendum to Expert Report) e-court p. 29 (under seal).

<sup>407</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 467–470.

<sup>408</sup> P944 (OMPF Reports), e-court pp. 132–134.

<sup>409</sup> P2798 (OMPF list of missing persons).

<sup>410</sup> P2559 (Addendum to Expert Report) e-court p. 29 (under seal).

<sup>411</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 544–547.

<sup>412</sup> P944 (OMPF Reports), e-court pp. 162–165.

for Ardijan (Ibrahim) Gjokaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>413</sup>

(99) Asllan Golaj (41, male)

134. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>414</sup> Remains that were given the label of 2Ba–26 were identified through DNA testing as being those of Asllan (Brahim) Golaj.<sup>415</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Asllan (Brahim) Golaj is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a projectile was found in the sternum.<sup>416</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Asllan (Brahim) Golaj is a result of “possible gunshots to the head and to the chest”.<sup>417</sup> This is confirmed by the anthropology summary report for Asllan (Brahim) Golaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, which states that the cause of death was due to a “[g]unshot to the chest (and possible gunshot to the head)”.<sup>418</sup>

(100) Avdi Golaj (31, male)

135. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>419</sup> Remains that were given the label of 2Ba–208 were identified through DNA testing as being those of Avdi (Murat) Golaj.<sup>420</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Avdi (Murat) Golaj is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the neck, vertebrae, feet, and left scapula, as well as signs of blunt instrument impact.<sup>421</sup> The death certificate issued by the Department of Justice, Office of

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<sup>413</sup> P943 (OMPF Reports), e-court p. 592.

<sup>414</sup> P2798 (OMPF list of missing persons).

<sup>415</sup> P2559 (Addendum to Expert Report) e-court p. 29 (under seal).

<sup>416</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 163–167.

<sup>417</sup> P944 (OMPF Reports), e-court pp. 34–37.

<sup>418</sup> P943 (OMPF Reports), e-court p. 496.

<sup>419</sup> P2798 (OMPF list of missing persons).

<sup>420</sup> P2559 (Addendum to Expert Report), e-court p. 29 (under seal).

<sup>421</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1130–1134.

the Medical Examiner, establishes that the cause of death of Avdi (Murat) Golaj is a result of a “[g]unshot to the chest”.<sup>422</sup> This is confirmed by the anthropology summary report for Avdi (Murat) Golaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>423</sup>

(101) Idriz Golaj (56, male)

136. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>424</sup> Remains that were given the label of 2Ba-77 were identified through DNA testing as being those of Idriz (Mehmet) Golaj.<sup>425</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Idriz (Mehmet) Golaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, parts of a projectile were found “to the right of the 5<sup>th</sup> lumbar vertebra L5”.<sup>426</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Idriz (Mehmet) Golaj is a result of “[g]unshot wounds to the spine and pelvis”.<sup>427</sup> This is confirmed by the anthropology summary report for Idriz (Mehmet) Golaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, which states that the cause of death was due to a “[g]unshot wound to the spine”.<sup>428</sup>

(102) Musa Golaj (24, male)

137. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>429</sup> Remains that were given the label of 2Ba-09 were identified through DNA testing as being those of Muse (Rexhe) Gola.<sup>430</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Muse (Rexhe) Gola is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of exposure to high temperature. Additionally,

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<sup>422</sup> P943 (OMPF Reports), e-court pp. 77–78.

<sup>423</sup> P943 (OMPF Reports), e-court p. 511.

<sup>424</sup> P2798 (OMPF list of missing persons).

<sup>425</sup> P2559 (Addendum to Expert Report), e-court p. 29 (under seal).

<sup>426</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 432–436.

<sup>427</sup> P944 (OMPF Reports), e-court pp. 110–112.

<sup>428</sup> P943 (OMPF Reports), e-court p. 582.

<sup>429</sup> P2798 (OMPF list of missing persons).

<sup>430</sup> P2559 (Addendum to Expert Report), e-court p. 29 (under seal).

there is a defect of the right femur which could have been caused “by an excavator bucket”.<sup>431</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Muse (Rexhë) Golaj is a result of a “gunshot wound to the trunk”.<sup>432</sup>

(103) Rame Golaj (35, male)

138. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>433</sup> Remains that were given the label of 2Ba–56 were identified through DNA testing as being those of Rame (Mehmet) Golaj.<sup>434</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Rame (Mehmet) Golaj is not specified and the report notes that this is because “[t]he body was in an advanced state of post-mortem changes”. However, the report notes that there were multiple fractures to the head, vertebrae, ribs, pelvis, pubic bone, and right femur, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>435</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ramë (Mehmet) Golaj is a result of “[g]unshot injury to the head, neck and to the pelvis”.<sup>436</sup> This is confirmed by the anthropology summary report for Rame (Mehmet) Golaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>437</sup>

(104) Rexhe Golaj (54, male)

139. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>438</sup> Remains that were given the label of 2Ba–13 were identified through DNA testing as being those of Rexhe (Mehmet) Golaj.<sup>439</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Rexhe (Mehmet) Golaj is not specified and the report notes that this is because “[t]he body was found to be in the latter stages post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a projectile was found “along the right edge of the posterior side of

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<sup>431</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 74–78.

<sup>432</sup> P944 (OMPF Reports), e-court pp. 10–12.

<sup>433</sup> P2798 (OMPF list of missing persons).

<sup>434</sup> P2559 (Addendum to Expert Report), e-court p. 29 (under seal).

<sup>435</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 323–332.

<sup>436</sup> P2394 (OMPF Reports), e-court pp. 176–177.

<sup>437</sup> P2394 (OMPF Reports), e-court pp. 178–179.

<sup>438</sup> P2798 (OMPF list of missing persons).

<sup>439</sup> P2559 (Addendum to Expert Report), e-court p. 29 (under seal).

the 11<sup>th</sup> thoracic vertebra”.<sup>440</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Rexhë (Mehmet) Golaj is a result of “[g]unshot injuries to the head, chest and legs”.<sup>441</sup> This is confirmed by the anthropology summary report for Rexhe (Mehmet) Golaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>442</sup>

(105) Skender Hadergjonaj (18, male)

140. The Chamber notes that following DNA testing two different labels were given to the victim named Skender (Bajram) Hadergjonaj: K2BA–196–K1–2 and K2BA–191–K1–2.<sup>443</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>444</sup> The Chamber does not consider that the attachment of two labels to Skender (Bajram) Hadergjonaj creates any doubt that he was killed in Meja on 27 April 1999.

(106) Faik Hajredini (43, male)

141. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>445</sup> Remains that were given the label of 2Ba–190 were identified through DNA testing as being those of Faik (Sadik) Hajredini.<sup>446</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Faik (Sadik) Hajredini is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures to the head, ribs, vertebrae, left clavicle and right humerus, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>447</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Faik (Sadik) Hajredini is a result of “[g]unshots to the head, chest and right arm”.<sup>448</sup> This is

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<sup>440</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 94–97.

<sup>441</sup> P943 (OMPF Reports), e-court pp. 75–76.

<sup>442</sup> P943 (OMPF Reports), e-court p. 502.

<sup>443</sup> P2559 (Addendum to Expert Report), e-court p. 29 (under seal).

<sup>444</sup> P2798 (OMPF list of missing persons).

<sup>445</sup> P2798 (OMPF list of missing persons).

<sup>446</sup> P2559 (Addendum to Expert Report), e-court p. 29 (under seal).

<sup>447</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1040-1044.

<sup>448</sup> P943 (OMPF Reports), e-court pp. 95–96.

confirmed by the anthropology summary report for Faik (Sadik) Hajredini issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>449</sup>

(107) Hysni Hajredini (35, male)

142. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>450</sup> Remains that were given the label of 2Ba-114 were identified through DNA testing as being those of Isni (Ymer) Hajredini.<sup>451</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Isni (Ymer) Hajredini is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures to the head, ribs, right and left scapula, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>452</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Isni (Ymer) Hajredini is a result of “multiple gunshot wounds”.<sup>453</sup>

(108) Qamil Hajredini (34, male)

143. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>454</sup> Remains that were given the label of 2Ba-158 were identified through DNA testing as being those of Qamil (Haxir) Hajredini.<sup>455</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Qamil (Haxir) Hajredini is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>456</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Qamil (Haxir) Hajredini is a result of “[g]unshot injuries to the trunk and left thigh”.<sup>457</sup> This is confirmed by the

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<sup>449</sup> P943 (OMPF Reports), e-court pp. 540–541.

<sup>450</sup> P2798 (OMPF list of missing persons).

<sup>451</sup> P2559 (Addendum to Expert Report), e-court p. 29 (under seal).

<sup>452</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 622–626.

<sup>453</sup> P944 (OMPF Reports), e-court pp. 183–185.

<sup>454</sup> P2798 (OMPF list of missing persons).

<sup>455</sup> P2559 (Addendum to Expert Report), e-court p. 2 (under seal).

<sup>456</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 872–875.

<sup>457</sup> P943 (OMPF Reports), e-court pp. 93–94.

anthropology summary report for Qamil (Haxir) Hajredini issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>458</sup>

(109) Elson Hasanaj (28, male)

144. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>459</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(110) Gjon Hasanaj (66, male)

145. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>460</sup> Remains that were given the label of 2Ba–206 were identified through DNA testing as being those of Gjon (Palush) Hasanaj.<sup>461</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Gjon (Palush) Hasanaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the ribs, vertebrae, pelvic bone, and left femur, as well as signs of blunt instrument impact.<sup>462</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Gjon (Palush) Hasanaj is unascertained.<sup>463</sup>

(111) Luan Hasanaj (17, male)

146. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>464</sup> Remains that were given the label of 2Ba–170 were identified through DNA testing as being those of Luan (Shyt) Hasanaj.<sup>465</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Luan (Shyt) Hasanaj is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.

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<sup>458</sup> P943 (OMPF Reports), e-court p. 538–539.

<sup>459</sup> P2798 (OMPF list of missing persons).

<sup>460</sup> P2798 (OMPF list of missing persons).

<sup>461</sup> P2559 (Addendum to Expert Report), e-court p. 30 (under seal).

<sup>462</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1121–1125.

<sup>463</sup> P944 (OMPF Reports), e-court pp. 329–331.

<sup>464</sup> P2798 (OMPF list of missing persons).

<sup>465</sup> P2559 (Addendum to Expert Report), e-court p. 30 (under seal).



Additionally, “[a] projectile was found in the upper third of the right upper arm, i.e. in the area’s soft tissue”.<sup>466</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Luan Hasanaj is a result of “multiple gunshot wounds to the chest”.<sup>467</sup>

(112) Mitër Hasanaj (56, male)

147. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>468</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(113) Ndue Hasanaj (60, male)

148. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>469</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(114) Shyt Hasanaj (45, male)

149. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>470</sup> Remains that were given the label of 2Ba–221 were identified through DNA testing as being those of Shyt (Gjon) Hasanaj.<sup>471</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Shyt (Gjon) Hasanaj is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the ribs and pelvis, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, there was a defect on the hip bone in the shape of a hole, which “was caused by a projectile with a canal from back to front”.<sup>472</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Shyt (Gjon) Hasanaj is a result of a “gunshot to coxa, to abdominal cavity”.<sup>473</sup> This is confirmed by the anthropology summary report for Shyt (Gjon) Hasanaj issued by the Office for

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<sup>466</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 928–933.

<sup>467</sup> P944 (OMPF Reports), e-court pp. 274–276.

<sup>468</sup> P2798 (OMPF list of missing persons).

<sup>469</sup> P2798 (OMPF list of missing persons).

<sup>470</sup> P2798 (OMPF list of missing persons).

<sup>471</sup> P2559 (Addendum to Expert Report), e-court p. 30 (under seal).

<sup>472</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1202–1206.

<sup>473</sup> P944 (OMPF Reports), e-court pp. 365–367.

Missing Persons and Forensics, Department of Justice, UNMIK, which states that the cause of death was due to a “[g]unshot to lower abdomen”.<sup>474</sup>

(115) Mentor Haxha (25, male)

150. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>475</sup> Remains that were given the label of 2Ba–211 were identified through DNA testing as being those of Mentor (Sadri) Haxhaj.<sup>476</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Mentor (Sadri) Haxhaj is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, there was a callus, or bone scar, located on the right shoulder bone.<sup>477</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Mentor (Sadri) Haxha is a result of a “gunshot wound to the chest”.<sup>478</sup>

(116) Afrim Haxhiu (36, male)

151. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>479</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(117) Avdi Haxhiu (23, male)

152. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>480</sup> Remains that were given the label of 2Ba–196 were identified through DNA testing as being those of Avdi (Jashar) Haxhija.<sup>481</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Avdi (Jashar) Haxhija is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures to the head, vertebrae, sternum, and arms, as well as signs of blunt

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<sup>474</sup> P943 (OMPF Reports), e-court p. 575.

<sup>475</sup> P2798 (OMPF list of missing persons).

<sup>476</sup> P2559 (Addendum to Expert Report), e-court p. 30 (under seal).

<sup>477</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1147–1151.

<sup>478</sup> P944 (OMPF Reports), e-court pp. 340–343.

<sup>479</sup> P2798 (OMPF list of missing persons).

<sup>480</sup> P2798 (OMPF list of missing persons).

<sup>481</sup> P2559 (Addendum to Expert Report), e-court p. 31 (under seal).

instrument impact, and exposure to high temperature. Additionally, “[a] projectile was found positioned diagonally with the tip downwards in the soft tissue of the back of the trunk in the immediate vicinity of the body of the 3<sup>rd</sup> and 4<sup>th</sup> lumbar vertebrae.”<sup>482</sup>

(118) Florim Haxhiu (33, male)

153. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>483</sup> Remains that were given the label of 2Ba–04 were identified through DNA testing as being those of Florim (Isuf) Haxhija.<sup>484</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Florim (Isuf) Haxhija is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>485</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Florim (Isuf) Haxhija is a result of “a gunshot wound to the head”.<sup>486</sup> This is confirmed by the anthropology summary report for Florim (Isuf) Haxhija issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>487</sup>

(119) Tahir Haxhiu (49, male)

154. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>488</sup> Remains that were given the label of 2Ba–20 were identified through DNA testing as being those of Tahir (Alush) Haxhiu.<sup>489</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Tahir (Alush) Haxhiu is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, the fractures to the left humerus and the left shoulder blade, may be have been caused by a “projectile shot from handheld firearms”.<sup>490</sup> The death

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<sup>482</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1066–1069.

<sup>483</sup> P2798 (OMPF list of missing persons).

<sup>484</sup> P2559 (Addendum to the expert report 004/2005-ER from September 2005 prepared by the ICMP), e-court p. 30.

<sup>485</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 44–48.

<sup>486</sup> P944 (OMPF Reports), e-court pp. 4–6.

<sup>487</sup> P943 (OMPF Reports), e-court p. 590.

<sup>488</sup> P2798 (OMPF list of missing persons).

<sup>489</sup> P2559 (Addendum to Expert Report), e-court p. 31 (under seal).

<sup>490</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 132–137.

certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Tahir (Alush) Haxhiu is a result of a “gunshot wounds to the trunk”.<sup>491</sup>

(120) Ardian Hoxha (16, male) and Blendian Hoxha (18, male)

155. The Chamber notes that two different labels (2Ba–197 and 2Ba–149) were given to the victims with similar names: Ardian Hoxha and Blendian (Bajram) Hoxha.<sup>492</sup> Both victims are listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the two victims were part of a group of people last seen in Meja on 27 April 1999.<sup>493</sup> Noting Jose Baraybar’s evidence concerning the preparation of the OMPF list,<sup>494</sup> and the fact that OMPF list identifies 2Ba–149 as Ardian Hoxha, and 2Ba–197 as Blendian (Bajram) Hoxha, and records each of their cases as closed with the remains having been returned to their families,<sup>495</sup> the Chamber is satisfied that sets of remains are those of the victims for whom they are designated in the OMPF list.

156. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Blendian (Bajram) Hoxha is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>496</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Blendian (Bajram) Hoxha is a result of a “[g]unshot injury to the chest”.<sup>497</sup> This is confirmed by the anthropology summary report for Blendian (Bajram) Hoxha issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>498</sup>

157. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ardian Hoxha is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>499</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Ardian (Bajram) Hoxha is unascertained.<sup>500</sup>

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<sup>491</sup> P944 (OMPF Reports), e-court pp. 25–27.

<sup>492</sup> P2559 (Addendum to Expert Report), e-court p. 32 (under seal).

<sup>493</sup> P2798 (OMPF list of missing persons).

<sup>494</sup> Jose Baraybar, P2794 (witness statement dated 1 November 2006), pp. 5–6.

<sup>495</sup> P2798 (OMPF list of missing persons).

<sup>496</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1070–1074.

<sup>497</sup> P2454 (OMPF Reports), e-court pp. 58–59.

<sup>498</sup> P2454 (OMPF Reports), e-court p. 60.

<sup>499</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 825–827.

<sup>500</sup> P2454 (OMPF Reports), e-court pp. 43–44.

This is confirmed by the anthropology summary report for Ardian Hoxha issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>501</sup>

(121) Bajram Hoxha (44, male)

158. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>502</sup> Remains that were given the label of 2Ba-256 were identified through DNA testing as being those of Bajram (Zenun) Hoxha.<sup>503</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Bajram (Zenun) Hoxha is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>504</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Bajram (Zenun) Hoxha is a result of “[g]unshot injuries to the chest”.<sup>505</sup> This is confirmed by the anthropology summary report for Bajram (Zenun) Hoxha issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>506</sup>

(122) Blendian Hoxha (18, male)

159. See analysis number 120 above.

(123) Fadil Hoxha (39, male)

160. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>507</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(124) Fitim Hoxha (32, male)

161. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>508</sup> Remains that

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<sup>501</sup> P2454 (OMPF Reports), e-court p. 45.

<sup>502</sup> P2798 (OMPF list of missing persons).

<sup>503</sup> P2559 (Addendum to Expert Report), e-court p. 32 (under seal).

<sup>504</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1413–1417.

<sup>505</sup> P2454 (OMPF Reports), e-court pp. 78–79.

<sup>506</sup> P2454 (OMPF Reports), e-court p. 80.

<sup>507</sup> P2798 (OMPF list of missing persons).

<sup>508</sup> P2798 (OMPF list of missing persons).

were given the label of 2Ba–106 were identified through DNA testing as being those of Fitim (Sadik) Hoxa.<sup>509</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Fitim (Sadik) Hoxa is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>510</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Fitim (Sadik) Hoxha is a result of a “gunshot wound to the head”.<sup>511</sup> This is confirmed by the anthropology summary report for Fitim (Sadik) Hoxa issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>512</sup>

(125) Hajrullah Hoxha (27, male) and Naim Hoxha (25, male)

162. The Chamber notes that two different labels (2BA–105 and 2BA–S–5) were given to the victims with similar names: Hajrullah Hoxha and Naim (Hysni) Hoxha.<sup>513</sup> Both victims are listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victims were part of a group of people last seen in Meja on 27 April 1999.<sup>514</sup> It identifies 2BA–105 as Naim (Hysni) Hoxha; therefore, 2BA–S–5 must be Hajrullah Hoxha.<sup>515</sup> Noting Jose Baraybar’s evidence concerning the preparation of the OMPF list,<sup>516</sup> the Chamber is satisfied that the two sets of remains are those of Hajrullah Hoxha and Naim (Hysni) Hoxha.

163. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Naim (Hysni) Hoxha is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a fragment of a metal projectile “was found in the region of [t]he body of the 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> thoracic vertebrae on the left side”.<sup>517</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Naim (Hysni) Hoxha is a result of “[m]ultiple gunshot wound – to the trunk, pelvis, left thigh”.<sup>518</sup> This is

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<sup>509</sup> P2559 (Addendum to Expert Report), e-court p. 32 (under seal).

<sup>510</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 579–582.

<sup>511</sup> P944 (OMPF Reports), e-court pp. 169–171.

<sup>512</sup> P943 (OMPF Reports), e-court p. 577.

<sup>513</sup> P2559 (Addendum to Expert Report), e-court p. 32 (under seal).

<sup>514</sup> P2798 (OMPF list of missing persons).

<sup>515</sup> P2798 (OMPF list of missing persons).

<sup>516</sup> Jose Baraybar, P2794 (witness statement dated 1 November 2006), pp. 5–6.

<sup>517</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 573–578.

<sup>518</sup> P2394 (OMPF Reports), e-court pp. 11–12.

confirmed by the anthropology summary report for Naim (Hysni) Hoxha issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>519</sup>

(126) Naim Hoxha (25, male)

164. See analysis number 125 above.

(127) Ramiz Hoxha (42, male)

165. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>520</sup> Remains that were given the label of 2Ba-74 were identified through DNA testing as being those of Ramiz (Shaban) Hoxha.<sup>521</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ramiz (Shaban) Hoxha is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>522</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ramiz (Shaban) Hoxha is a result of a “[g]unshot injury to the head and chest”.<sup>523</sup> This is confirmed by the anthropology summary report for Ramiz (Shaban) Hoxha issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>524</sup>

(128) Rifat Hoxha (33, male)

166. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>525</sup> Remains that were given the label of 2Ba-98 were identified through DNA testing as being those of Rifat (Ilaz) Hoxha.<sup>526</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Rifat (Ilaz) Hoxha is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report

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<sup>519</sup> P2394 (OMPF Reports), e-court pp. 13–14.

<sup>520</sup> P2798 (OMPF list of missing persons).

<sup>521</sup> P2559 (Addendum to Expert Report), e-court p. 32 (under seal).

<sup>522</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 420–424.

<sup>523</sup> P2454 (OMPF Reports), e-court pp. 16–17.

<sup>524</sup> P2454 (OMPF Reports), e-court p. 18.

<sup>525</sup> P2798 (OMPF list of missing persons).

<sup>526</sup> P2559 (Addendum to Expert Report), e-court p. 32 (under seal).

notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>527</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Rifat (Ilaz) Hoxha is a result of a “gunshot to the head”.<sup>528</sup> This is confirmed by the anthropology summary report for Rifat (Ilaz) Hoxha issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>529</sup>

(129) Gafurr Hykosmanaj (23, male)

167. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>530</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(130) Binak Hyseni (17, male)

168. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>531</sup> Remains that were given the label of 2Ba–108 were identified through DNA testing as being those of Binak (Rame) Hyseni.<sup>532</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Binak (Rame) Hyseni is not specified and the report notes that this is because “[t]he body was found to be in the advanced stages post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, there are defects to the bones of the skull, which “could have been caused by a projectile passing through the bone with the trajectory running from right to left, from the back slightly to the front and downwards”.<sup>533</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Binak (Ramë) Hyseni is a result of a “[g]unshot injury to the head”.<sup>534</sup> This is confirmed by the anthropology summary report for Binak (Rame) Hyseni issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>535</sup>

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<sup>527</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 536–539.

<sup>528</sup> P944 (OMPF Reports), e-court pp. 156–158.

<sup>529</sup> P943 (OMPF Reports), e-court p. 580.

<sup>530</sup> P2798 (OMPF list of missing persons).

<sup>531</sup> P2798 (OMPF list of missing persons).

<sup>532</sup> P2559 (Addendum to Expert Report), e-court p. 33 (under seal).

<sup>533</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 587–591.

<sup>534</sup> P943 (OMPF Reports), e-court pp. 97–98.

<sup>535</sup> P943 (OMPF Reports), e-court p. 515.



(131) Ali Ibrahimi (37, male)

169. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>536</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(132) Hysni Ibrahimi (40, male)

170. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>537</sup> Remains that were given the label of 2Ba–117 were identified through DNA testing as being those of Isni (Qazim) Ibrahimaj.<sup>538</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Isni (Qazim) Ibrahimaj is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures to the head, ribs, sternum, vertebrae, left arm, and femurs, as well as fractures of the skull, trunk and limbs caused by a blunt instrument impact, and exposure to high temperature. Additionally, small and large fragments of a projectile were found “in the subcutaneous soft tissue, immediately to the left of the median line, on the level of the xiphoid process of the sternum”.<sup>539</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Isni (Qazim) Ibrahimaj is a result of “multiple gunshots”.<sup>540</sup>

(133) Masar Idrizi (21, male)

171. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>541</sup> Remains that were given the label of 2Ba–104 were identified through DNA testing as being those of Masar (Smajl) Idrizi.<sup>542</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Masar (Smajl) Idrizi is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high

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<sup>536</sup> P2798 (OMPF list of missing persons).

<sup>537</sup> P2798 (OMPF list of missing persons).

<sup>538</sup> P2559 (Addendum to Expert Report), e-court p. 33 (under seal).

<sup>539</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 639–643.

<sup>540</sup> P944 (OMPF Reports), e-court pp. 189–192.

<sup>541</sup> P2798 (OMPF list of missing persons).

<sup>542</sup> P2559 (Addendum to Expert Report), e-court p. 33 (under seal).

temperature.<sup>543</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Masar (Smajl) Idrizi is a result of a “[g]unshot to the left thigh”.<sup>544</sup> This is confirmed by the anthropology summary report for Masar (Smajl) Idrizi issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>545</sup>

(134) Demë Islamaj (63, male)

172. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>546</sup> Remains that were given the label of 2Ba–249 were identified through DNA testing as being those of Deme (Ali) Islamaj.<sup>547</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Deme (Ali) Islamaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the head, vertebrae, and ribs, as well as signs of impact from the blunt edge of a mechanical object.<sup>548</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Demë (Ali) Islamaj is a result of at least two gunshot wounds to the chest.<sup>549</sup>

(135) Bajram Isufi (16, male)

173. The Chamber notes that two different labels (2Ba–168 and 2Ba–226) were identified through DNA testing as being those of Lavdim, Kujtim, Isa, or Bajram (Beke) Isufi.<sup>550</sup> Bajram (Beke) Isufi is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>551</sup> It also identifies 2Ba–226 as Bajram (Beke) Isufi, and records his case as closed with the remains having been returned to their families.<sup>552</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Lavdim/Kujtim/Isa/Bajram (Beke) Isufi is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes

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<sup>543</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 563–572.

<sup>544</sup> P2454 (OMPF Reports), e-court pp. 25–26.

<sup>545</sup> P2454 (OMPF Reports), e-court p. 27.

<sup>546</sup> P2798 (OMPF list of missing persons).

<sup>547</sup> P2559 (Addendum to Expert Report), e-court p. 34 (under seal).

<sup>548</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1376–1379.

<sup>549</sup> P944 (OMPF Reports), e-court pp. 427–429.

<sup>550</sup> P2559 (Addendum to Expert Report), e-court p. 34 (under seal).

<sup>551</sup> P2798 (OMPF list of missing persons).

<sup>552</sup> P2798 (OMPF list of missing persons).

that there were multiple fractures to the ribs, right clavicle, right hip bone, left humerus, and right tibia, as well as signs of blunt instrument impact.<sup>553</sup>

(136) Isa Isufi (19, male)

174. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>554</sup> Remains that were given the label of 2Ba–168 were identified through DNA testing as being those of Lavdim, Kujtim, Isa, or Bajram (Beke) Isufi.<sup>555</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Lavdim, Kujtim, Isa, or Bajram (Beke) Isufi is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a metal projectile was found “in the soft tissue in the posterior abdominal wall, 2 cm to the left of the lateral side of the 2<sup>nd</sup> lumbar vertebra”.<sup>556</sup> The OMPF list identifies 2Ba–226, CZ01-063B, and CZ01-045B as Bajram (Beke) Isufi, Kujtim (Beke) Isufi, and Lavdim (Beke) Isufi respectively; therefore, 2Ba–168 must be Isa (Beke) Isufi.<sup>557</sup> Noting Jose Baraybar’s evidence concerning the preparation of the OMPF list,<sup>558</sup> the Chamber is satisfied that the set of remains is that of Isa (Beke) Isufi.

(137) Andrush Kabashi (18, male)

175. Lizane Malaj testified that on 27 April 1999, armed men surrounded her house and entered her courtyard. They ordered her nephew Andrush Kabashi and other men in the house onto the ground and told the women to leave. When Malaj and the other women were about 50 metres from the house, she heard multiple shots and screams, and she looked back to see her house in flames. Malaj never saw Andrush Kabashi alive again.<sup>559</sup>

176. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>560</sup> Remains that

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<sup>553</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1226–1233.

<sup>554</sup> P2798 (OMPF list of missing persons).

<sup>555</sup> P2559 (Addendum to Expert Report), e-court p. 34 (under seal).

<sup>556</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1226–1234.

<sup>557</sup> P2798 (OMPF list of missing persons).

<sup>558</sup> Jose Baraybar, P2794 (witness statement dated 1 November 2006), pp. 5–6.

<sup>559</sup> Lizane Malaj, P2232 (witness statement dated 1 September 2000), pp. 3–4. P2232 (witness statement dated 9 September 2001), p.5, T. 1311 (9 August 2006).

<sup>560</sup> P2798 (OMPF list of missing persons).

were given the label of Ba05–235T were identified through DNA testing as being those of Andrush (Nikoll) Kabashi.<sup>561</sup>

(138) Arben Kabashi (14, male)

177. Lizane Malaj testified that on 27 April 1999, armed men surrounded her house and entered her courtyard. They ordered her nephew Arben Kabashi and other men in the house onto the ground and told the women to leave. When Malaj and the other women were about 50 metres from the house, she heard multiple shots and screams, and she looked back to see her house in flames. Malaj never saw Arben Kabashi alive again, and learned of his death on 17 December 2005.<sup>562</sup>

178. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>563</sup> The Chamber notes that two different labels were given to the victim named Arben (Sokol) Kabashi: Ba05–010DT and Ba05–006T.<sup>564</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Arben (Sokol) Kabashi is unascertained.<sup>565</sup> This is confirmed by the anthropology summary report for Arben (Sokol) Kabashi issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>566</sup> The Chamber does not consider that the attachment of two labels to Arben (Sokol) Kabashi creates any doubt that he was killed in Meja on 27 April 1999.

(139) Nikoll Kabashi (32, male)

179. Lizane Malaj testified that on 27 April 1999, armed men surrounded her house and entered her courtyard. They ordered her brother Nikoll Kabashi and other men in the house onto the ground and told the women to leave. When Malaj and the other women were about 50 metres from the house, she heard multiple shots and screams, and she looked back to see her house in flames. Malaj never saw Nikoll Kabashi alive again, and received his body on 27 April 2005. She stated that she was told that the body was found “[i]n the cemetery of Batajnica.”<sup>567</sup>

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<sup>561</sup> P2559 (Addendum to Expert Report), e-court p. 35 (under seal).

<sup>562</sup> Lizane Malaj, P2232 (witness statement dated 1 September 2000), pp. 3–4. P2232 (witness statement dated 9 September 2001), p.3, T. 1310–1311, 1314–1315 (9 August 2006).

<sup>563</sup> P2798 (OMPF list of missing persons).

<sup>564</sup> P2559 (Addendum to Expert Report), e-court p. 35 (under seal).

<sup>565</sup> P2394 (OMPF Reports), e-court pp. 37–38.

<sup>566</sup> P2394 (OMPF Reports), e-court p. 39.

<sup>567</sup> Lizane Malaj, P2232 (witness statement dated 1 September 2000), pp. 3–4. P2232 (witness statement dated 9 September 2001), p.3. T. 1310–1311, 1314–1315 (9 August 2006).

180. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>568</sup> Remains that were given the label of Ba05–109T were identified through DNA testing as being those of Nikoll (Zefe) Kabashi.<sup>569</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Nikoll (Zefe) Kabashi is not specified and the report notes that this is because “[t]he mortal remains are in a state of advanced post-mortem changes”. However, the report notes that there were multiple bone fractures, as well as signs of exposure to fire.<sup>570</sup>

(140) Pjeter Kacoli (23, male)

181. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>571</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(141) Tom Kacoli (23, male)

182. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>572</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(142) Besim Kameri (29, male)

183. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>573</sup> Remains that were given the label of Ba05–277T were identified through DNA testing as being those of Besim (Bajram) Kameri.<sup>574</sup>

(143) Gëzim Kameri (29, male)

184. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>575</sup> Remains that

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<sup>568</sup> P2798 (OMPF list of missing persons).

<sup>569</sup> P2559 (Addendum to Expert Report), e-court p. 35 (under seal).

<sup>570</sup> P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 18–24.

<sup>571</sup> P2798 (OMPF list of missing persons).

<sup>572</sup> P2798 (OMPF list of missing persons).

<sup>573</sup> P2798 (OMPF list of missing persons).

<sup>574</sup> P2559 (Addendum to Expert Report), e-court p. 36 (under seal).

<sup>575</sup> P2798 (OMPF list of missing persons).

were given the label of 2Ba–195 were identified through DNA testing as being those of Gezim (Halim) Kameri.<sup>576</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Gezim (Halim) Kameri is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that the legs are missing, there were multiple fractures to the body, as well as signs of blunt instrument impact.<sup>577</sup>

(144) Muharrem Kameri (36, male)

185. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>578</sup> Remains that were given the label of 2Ba–234 were identified through DNA testing as being those of Muharrem (Male) Kamberi.<sup>579</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Muharrem (Male) Kamberi is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, the report notes that there is a channel through the skull bones and this was “probably created by the path of a projectile through the skull”.<sup>580</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Muharrem (Male) Kamberi is a result of “[g]unshot injuries to the head and chest”.<sup>581</sup> This is confirmed by the anthropology summary report for Muharrem (Male) Kamberi issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>582</sup>

(145) Rrustem Kameri (41, male)

186. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>583</sup> Remains that were given the label of 2Ba–207 were identified through DNA testing as being those of Rrustem (Sadri) Kameri.<sup>584</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Rrustem (Sadri) Kameri is not specified and the

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<sup>576</sup> P2559 (Addendum to Expert Report), e-court p. 36 (under seal).

<sup>577</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1062–1065.

<sup>578</sup> P2798 (OMPF list of missing persons).

<sup>579</sup> P2559 (Addendum to Expert Report), e-court p. 35 (under seal).

<sup>580</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1283–1285.

<sup>581</sup> P943 (OMPF Reports), e-court pp. 3–4.

<sup>582</sup> P943 (OMPF Reports), e-court pp. 522–523.

<sup>583</sup> P2798 (OMPF list of missing persons).

<sup>584</sup> P2559 (Addendum to Expert Report), e-court p. 36 (under seal).

report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the neck, vertebrae, feet, and left scapula, as well as signs of blunt instrument impact.<sup>585</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Rrustem (Sadri) Kameri is unascertained.<sup>586</sup>

(146) Shpend Kameri (49, male)

187. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>587</sup> Remains that were given the label of 2Ba-130 were identified through DNA testing as being those of Shpend (Male) Kameri.<sup>588</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Shpend (Male) Kameri is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a projectile was “present on the internal plate of the fractured skull bones” and this indicated that there was impact by a firearm in the area of the head.<sup>589</sup>

(147) Nikolle Komani (26, male)

188. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>590</sup> Remains that were given the label of 2Ba-01 were identified through DNA testing as being those of Nikolle (Gjoke) Komani.<sup>591</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Nikolle (Gjoke) Komani is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the skull, pelvic bones, and a defect to the left scapula. The fractures of the skull and pelvic bones were caused by the impact of a blunt instrument. Additionally, the defect to the left scapula was a result of “a projectile passing through the bone”.<sup>592</sup> The death certificate issued by the Department of Justice, Office of the Medical

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<sup>585</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1126–1129.

<sup>586</sup> P944 (OMPF Reports), e-court pp. 332–334.

<sup>587</sup> P2798 (OMPF list of missing persons).

<sup>588</sup> P2559 (Addendum to Expert Report), e-court p. 36 (under seal).

<sup>589</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 715–723.

<sup>590</sup> P2798 (OMPF list of missing persons).

<sup>591</sup> P2559 (Addendum to Expert Report), e-court p. 36 (under seal).

<sup>592</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 28–32.

Examiner, establishes that the cause of death of Nikollë (Gjokë) Komani is a result of a “[g]unshot injury to the head and to the chest”.<sup>593</sup> This is confirmed by the anthropology summary report for Nikolle (Gjoke) Komani issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>594</sup>

(148) Fran Komani (28, male)

189. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>595</sup> Remains that were given the label of 2Ba–134 were identified through DNA testing as being those of Fran (Prenk) Komani.<sup>596</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Fran (Prenk) Komani is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, the examination “revealed defects on the bones of the skull most probably caused by the passage of a projectile through the bone and damage to the right hand that could have been caused by the passage of a projectile through the tissue of this area”.<sup>597</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Fran (Prenk) Komani is unascertained.<sup>598</sup> This is confirmed by the anthropology summary report for Fran (Prenk) Komani issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>599</sup>

(149) Pashk Komani (33, male)

190. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>600</sup> Remains that were given the label of 2Ba–93 were identified through DNA testing as being those of Pashk (Prenk) Komani.<sup>601</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Pashk (Prenk) Komani is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to

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<sup>593</sup> P2394 (OMPF Reports), e-court pp. 241–242.

<sup>594</sup> P2394 (OMPF Reports), e-court pp. 243–244.

<sup>595</sup> P2798 (OMPF list of missing persons).

<sup>596</sup> P2559 (Addendum to Expert Report), e-court p. 36 (under seal).

<sup>597</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 742–747.

<sup>598</sup> P2454 (OMPF Reports), e-court pp. 40–41.

<sup>599</sup> P2454 (OMPF Reports), e-court p. 42.

<sup>600</sup> P2798 (OMPF list of missing persons).

<sup>601</sup> P2559 (Addendum to Expert Report), e-court p. 36 (under seal).



high temperature.<sup>602</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Pashk (Prenk) Komani is a result of a “[g]unshot to the chest”.<sup>603</sup> This is confirmed by the anthropology summary report for Pashk (Prenk) Komani issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>604</sup>

(150) Mikel Kqira (37, male)

191. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>605</sup> Remains that were given the label of Ba05–119T were identified through DNA testing as being those of Mikel (Ndue) Kqira.<sup>606</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Mikel (Ndue) Kqira is not specified and the report notes that this is because “[t]he mortal remains are in a state of advanced post-mortem change”. However, the report notes that there were multiple bone fractures, as well as exposure to fire.<sup>607</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Mikel (Ndue) Kqira is a result of “[m]ultiple gunshot injury”.<sup>608</sup> This is confirmed by the anthropology summary report for Mikel (Ndue) Kqira issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>609</sup>

(151) Pashk Kqira (40, male)

192. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>610</sup> Remains that were given the label of Ba05–09T were identified through DNA testing as being those of Pashke (Dede) Kqira.<sup>611</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Pashke (Dede) Kqira is not specified and the report notes that this is because “[t]he remains are in a state of advanced post-mortem changes.” However, the report notes that there were multiple bone fractures, as well as exposure to fire.<sup>612</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of

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<sup>602</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy: Autopsy reports), e-court pp. 507–512.

<sup>603</sup> P2394 (OMPF Reports), e-court pp. 8–9.

<sup>604</sup> P2394 (OMPF Reports), e-court p. 10.

<sup>605</sup> P2798 (OMPF list of missing persons).

<sup>606</sup> P2559 (Addendum to Expert Report), e-court p. 37 (under seal).

<sup>607</sup> P2414 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 8–15.

<sup>608</sup> P2454 (OMPF Reports), e-court pp. 271–272.

<sup>609</sup> P2454 (OMPF Reports), e-court p. 273.

<sup>610</sup> P2798 (OMPF list of missing persons).

<sup>611</sup> P2559 (Addendum to Expert Report), e-court p. 37 (under seal).

death of Pashkë (Dedë) Kqira is a result of “[g]unshot injuries to the head”.<sup>613</sup> This is confirmed by the anthropology summary report for Pashke (Dede) Kqira issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, which states that the cause of death was due to a “gunshot injury to the head”.<sup>614</sup>

(152) Luz Kqiraj (39, male)

193. The Chamber notes that two different labels were given to the victim named Luz (Mark) Kqira: Ba05–273DT and Ba05–239T.<sup>615</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>616</sup> It also identifies Ba05–239T as Luz (Mark) Kqira, and records his case as closed with the remains having been returned to his family.<sup>617</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ba05–239T is not specified and the report notes that this is because “the mortal remains are in a state of advanced post-mortem changes”. However, the report notes that there were multiple bone fractures, as well as signs of exposure to fire.<sup>618</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Luz (Mark) Kqira is a result of a “[g]unshot injury to the head”.<sup>619</sup> This is confirmed by the anthropology summary report Ba05–273DT and Ba05–239T issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>620</sup> The Chamber does not consider that the attachment of two labels to Luz (Mark) Kqira creates any doubt that he was killed in Meja on 27 April 1999.

(153) Albert Krasniqi (19, male)

194. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>621</sup> Remains that were given the label of 2Ba–129 were identified through DNA testing as being those of Albert (Ndrec) Krasniqi.<sup>622</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Albert (Ndrec) Krasniqi is not specified and the

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<sup>612</sup> P2415 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1–9.

<sup>613</sup> P2454 (OMPF Reports), e-court pp. 229–230.

<sup>614</sup> P2454 (OMPF Reports), e-court p. 231.

<sup>615</sup> P2559 (Addendum to Expert Report), e-court p. 37 (under seal).

<sup>616</sup> P2798 (OMPF list of missing persons).

<sup>617</sup> P2798 (OMPF list of missing persons).

<sup>618</sup> P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 25–33.

<sup>619</sup> P2454 (OMPF Reports), e-court pp. 306–307.

<sup>620</sup> P2454 (OMPF Reports), e-court pp. 308–309.

<sup>621</sup> P2798 (OMPF list of missing persons).

report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures to the head and arms, as well as signs of blunt instrument impact.<sup>623</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Albert (Ndrec) Krasniqi is a result of a “[p]ossible gunshot wound in the head”.<sup>624</sup>

(154) Lazer Krasniqi (39, male) and Pjeter Krasniqi (33, male)

195. Remains that were given the label of 2Ba–171 were identified through DNA testing as being those of Pjeter or Lazer (Dede) Krasniqi.<sup>625</sup> Both victims are listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victims were part of a group of people last seen in Meja on 27 April 1999. It also identifies 2Ba–171 as Pjeter (Dede) Krasniqi, and records his case as closed with the remains having been returned to his family.<sup>626</sup>

196. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Pjeter (Dede) Krasniqi is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a defect was found on the skull bone, which “is probably the place of entry of a projectile through the head”.<sup>627</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Pjeter (Dede) Krasniqi is a result of “gunshot wounds to the head”.<sup>628</sup>

197. Consequently, the Chamber considers that in relation to Lazer (Dede) Krasniqi there is no forensic evidence to indicate how and if he died.

(155) Mark Krasniqi (24, male)

198. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>629</sup> Remains that were given the label of 2Ba–224 were identified through DNA testing as being those of Marko (Hil)

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<sup>622</sup> P2559 (Addendum to Expert Report), e-court p. 37 (under seal).

<sup>623</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 710–714.

<sup>624</sup> P944 (OMPF Reports), e-court pp. 213–215.

<sup>625</sup> P2559 (Addendum to Expert Report), e-court p. 37 (under seal).

<sup>626</sup> P2798 (OMPF list of missing persons).

<sup>627</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 934–938.

<sup>628</sup> P944 (OMPF Reports), e-court pp. 277–279.

<sup>629</sup> P2798 (OMPF list of missing persons).

Krasniqi.<sup>630</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Marko (Hil) Krasniqi is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a projectile was found in the brain matter, which was “localised at the level of the junction of the right frontal and parietal bones, and the fractures of the skull bones may also have been caused by the impact of the projectile”.<sup>631</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Mark (Hil) Krasniqi is a result of a “[m]issile injury to the head”.<sup>632</sup>

(156) Ndue Krasniqi (33, male)

199. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>633</sup> Remains that were given the label of 2Ba–241 were identified through DNA testing as being those of Ndue (Bibe) Krasniqi.<sup>634</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ndue (Bibe) Krasniqi is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, the report notes that a metal projectile was found the “on the middle clavicular line on the right side, at the level of the 3<sup>rd</sup> rib”.<sup>635</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ndue (Bib) Krasniqi is a result of “multiple gunshot wounds”.<sup>636</sup>

(157) Pjeter Krasniqi (33, male)

200. See analysis number 154 above.

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<sup>630</sup> P2559 (Addendum to Expert Report), e-court p. 37 (under seal).

<sup>631</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1216-1219.

<sup>632</sup> P944 (OMPF Reports), e-court pp. 371–373.

<sup>633</sup> P2798 (OMPF list of missing persons).

<sup>634</sup> P2559 (Addendum to Expert Report), e-court p. 37 (under seal).

<sup>635</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1331–1335.

<sup>636</sup> P944 (OMPF Reports), e-court pp. 388–392.

(158) Hasan Kuqi (37, male)

201. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>637</sup> Remains that were given the label of 2Ba–110 were identified through DNA testing as being those of Hasan (Ibrahim) Kuqi.<sup>638</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Hasan (Ibrahim) Kuqi is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>639</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Hasan (Ibrahim) Kuqi is a result of “[g]unshot wounds to the pelvis”.<sup>640</sup>

(159) Shpend Kuqi (19, male)

202. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>641</sup> Remains that were given the label of 2Ba–52 were identified through DNA testing as being those of Shpend (Avdyl) Kuqi.<sup>642</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Shpend (Avdyl) Kuqi is not specified and the report notes that this is because “[t]he body is in the state of advanced post-mortem transformations”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>643</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Shpend (Avdyl) Kuqi is a result of a “[g]unshot injury to the chest”.<sup>644</sup> This is confirmed by the anthropology summary report for Shpend (Avdyl) Kuqi issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>645</sup>

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<sup>637</sup> P2798 (OMPF list of missing persons).

<sup>638</sup> P2559 (Addendum to Expert Report), e-court p. 38 (under seal).

<sup>639</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 597–600.

<sup>640</sup> P944 (OMPF Reports), e-court pp. 180–182.

<sup>641</sup> P2798 (OMPF list of missing persons).

<sup>642</sup> P2559 (Addendum to Expert Report), e-court p. 38 (under seal).

<sup>643</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 304–306.

<sup>644</sup> P2454 (OMPF Reports), e-court pp. 10–11.

<sup>645</sup> P2454 (OMPF Reports), e-court p. 12.

(160) Ilmi Kurpali (19, male)

203. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was last seen in Meja on 26 March 1999.<sup>646</sup> Remains that were given the label of 2Ba–96 were identified through DNA testing as being those of Elmi (Rexhep) Kurpali.<sup>647</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Elmi (Rexhep) Kurpali is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a projectile was found “in the soft tissue near the 10<sup>th</sup> rib on the mid-scapular line on the posterior right side of the thorax”.<sup>648</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Elmi (Rexhep) Kurpali is a result of “[m]ultiple gunshot wounds”.<sup>649</sup> This is confirmed by the anthropology summary report for Elmi (Rexhep) Kurpali issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>650</sup>

(161) Haki Kurtaj (19, male)

204. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>651</sup> Remains that were given the label of 2Ba–51 were identified through DNA testing as being those of Haki (Muhamet) Kurtaj.<sup>652</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Haki (Muhamet) Kurtaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, the fractures to the 10<sup>th</sup> and 11<sup>th</sup> thoracic vertebrae “suggest that they may have been caused by a projectile”.<sup>653</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Haki (Muhamet) Kurtaj is a result of a “[g]unshot to the chest”.<sup>654</sup> This is confirmed by the

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<sup>646</sup> P2798 (OMPF list of missing persons).

<sup>647</sup> P2559 (Addendum to Expert Report), e-court p. 38 (under seal).

<sup>648</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 527–531.

<sup>649</sup> P944 (OMPF Reports), e-court pp. 150–152.

<sup>650</sup> P943 (OMPF Reports), e-court p. 583.

<sup>651</sup> P2798 (OMPF list of missing persons).

<sup>652</sup> P2559 (Addendum to Expert Report), e-court p. 38 (under seal).

<sup>653</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 300–303.

<sup>654</sup> P2454 (OMPF Reports), e-court pp. 7–8.

anthropology summary report for Haki (Muhamet) Kurtaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>655</sup>

(162) Isa Kurtaj (30, male)

205. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>656</sup> Remains that were given the label of 2Ba-184 were identified through DNA testing as being those of Isa (Osman) Kurtaj.<sup>657</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Isa (Osman) Kurtaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a metal projectile “was found in the soft tissue of the right half of the neck, at the level of the crushed 6<sup>th</sup> cervical vertebra”.<sup>658</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Isa (Osman) Kurtaj is a result of “multiple gunshot wounds to the chest and lower abdomen”.<sup>659</sup> This is confirmed by the anthropology summary report for Isa (Osman) Kurtaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>660</sup>

(163) Muhamet Kurtaj (45, male)

206. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>661</sup> Remains that were given the label of 2Ba-S-7 were identified through DNA testing as being those of Muhamet (Osman) Kurtaj.<sup>662</sup>

(164) Sami Kurtaj (29, male)

207. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>663</sup> Remains that were given the label of 2Ba-76 were identified through DNA testing as being those of Sami (Qazim)

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<sup>655</sup> P2454 (OMPF Reports), e-court p. 9.

<sup>656</sup> P2798 (OMPF list of missing persons).

<sup>657</sup> P2559 (Addendum to Expert Report), e-court p. 38 (under seal).

<sup>658</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1005–1009.

<sup>659</sup> P944 (OMPF Reports), e-court pp. 300–303.

<sup>660</sup> P943 (OMPF Reports), e-court p. 568.

<sup>661</sup> P2798 (OMPF list of missing persons).

<sup>662</sup> P2559 (Addendum to Expert Report), e-court p. 38 (under seal).

Kurtaj.<sup>664</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Sami (Qazim) Kurtaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>665</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Sami (Qazim) Kurtaj is a result of a “[p]ossible gunshot to right arm and to right thigh”.<sup>666</sup> This is confirmed by the anthropology summary report for Sami (Qazim) Kurtaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>667</sup>

(165) Anton Lleshi (25, male)

208. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>668</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(166) Kllaudie Mala (15, female)

209. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>669</sup> Remains that were given the label of Ba05–263T were identified through DNA testing as being those of Klaudia (Kole) Mala.<sup>670</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Klaudia (Kole) Mala is not specified and the report notes that this is because “[t]he mortal remains are in a state of advanced post-mortem changes”. However, the report notes that there were multiple bone fractures, as well as exposure to fire.<sup>671</sup>

(167) Kol Mala (44, male)

210. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>672</sup> Remains that

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<sup>663</sup> P2798 (OMPF list of missing persons).

<sup>664</sup> P2559 (Addendum to Expert Report), e-court p. 38 (under seal).

<sup>665</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 428–431.

<sup>666</sup> P2394 (OMPF Reports), e-court pp. 5–6.

<sup>667</sup> P2394 (OMPF Reports), e-court p. 7.

<sup>668</sup> P2798 (OMPF list of missing persons).

<sup>669</sup> P2798 (OMPF list of missing persons).

<sup>670</sup> P2559 (Addendum to Expert Report), e-court p. 39 (under seal).

<sup>671</sup> P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 80–90.

<sup>672</sup> P2798 (OMPF list of missing persons).



were given the label of Ba05–261T were identified through DNA testing as being those of Kole (Nikole) Mala.<sup>673</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Kole (Nikole) Mala is not specified and the report notes that parts of the right lower leg are “in a state of advanced post-mortem changes”. However, the report notes that there were fractures to the bone, as well as exposure to high temperature.<sup>674</sup>

(168) Monika Mala (66, female)

211. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>675</sup> Remains that were given the label of Ba05–310T were identified through DNA testing as being those of Monika (Zef) Mala.<sup>676</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Monika (Zef) Mala is not specified and the report notes that this is because “[t]he mortal remains are in a state of advanced post-mortem change”. However, the report notes that there were multiple bone fractures, as well as signs of exposure to fire.<sup>677</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Manike (Zef) Mala is a result unascertained.<sup>678</sup>

(169) Blerim Malaj (15, male)

212. Lizane Malaj testified that on 27 April 1999, armed men surrounded her house and entered her courtyard. They ordered Malaj’s son, Blerim Malaj and other men in the house onto the ground, and told the women to leave. When she and the other women were about 50 metres from the house, she heard multiple shots coming from the direction of the house and Blerim crying, and she looked back to see her house in flames.<sup>679</sup> Malaj testified that she later received the body of Blerim Malaj on 27 April 2005, and stated that she was told that the body were found “[i]n the cemetery of Batajnica.”<sup>680</sup>

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<sup>673</sup> P2559 (Addendum to Expert Report), e-court p. 39 (under seal).

<sup>674</sup> P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 74–79.

<sup>675</sup> P2798 (OMPF list of missing persons).

<sup>676</sup> P2559 (Addendum to Expert Report), e-court p. 39 (under seal).

<sup>677</sup> P2602 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 16–23.

<sup>678</sup> P944 (OMPF Reports), e-court pp. 511–513.

<sup>679</sup> Lizane Malaj, P2232 (witness statement dated 1 September 2000), pp. 3–4. P2232 (witness statement dated 9 September 2001), p.3, T. 1310–1311 (9 August 2006)

<sup>680</sup> Lizane Malaj, T. 1314–1315 (9 August 2006).

213. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>681</sup> Remains that were given the label of Ba05–77T were identified through DNA testing as being those of Blerim (Vate) Malaj.<sup>682</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Blerim (Vate) Malaj is not specified and the report notes that this is because “[t]he mortal remains are in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as exposure to fire.<sup>683</sup> The anthropology summary report for Blerim (Vate) Malaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, establishes that the cause of death is a result of a “[g]unshot injury to the head”<sup>684</sup>

(170) Vat Malaj (37, male)

214. Lizane Malaj testified that on 27 April 1999 armed men surrounded her house and entered her courtyard. They ordered Malaj’s husband, Vat Malaj and other men in the house onto the ground, and told the women to leave. When she and the other women were about 50 metres from the house, she heard multiple shots coming from the direction of the house and she looked back to see her house in flames. Malaj testified that never saw her husband alive again, and learned that he was dead on 17 April 2004.<sup>685</sup>

215. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>686</sup> Remains that were given the label of Ba05–73T were identified through DNA testing as being those of Vate (Mark) Malaj.<sup>687</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Vate (Mark) Malaj is not specified and the report notes that this is because “[t]he mortal remains are in a state of advanced post-mortem change”. However, the report notes that there were multiple bone fractures, as well as signs of exposure to fire.<sup>688</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Vat (Mark) Malaj is a result of a “[g]unshot through the head”.<sup>689</sup> This is

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<sup>681</sup> P2798 (OMPF list of missing persons).

<sup>682</sup> P2559 (Addendum to Expert Report), e-court p. 39 (under seal).

<sup>683</sup> P2415 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 75–83.

<sup>684</sup> P943 (OMPF Reports), e-court p. 452.

<sup>685</sup> Lizane Malaj, P2232 (witness statement dated 1 September 2000), pp. 3–4. P2232 (witness statement dated 9 September 2001), p.3. T. 1310–1311, 1314 (9 August 2006).

<sup>686</sup> P2798 (OMPF list of missing persons).

<sup>687</sup> P2559 (Addendum to Expert Report), e-court p. 39 (under seal).

<sup>688</sup> P2415 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 59–66.

<sup>689</sup> P943 (OMPF Reports), e-court pp. 21–22.

confirmed by the anthropology summary report for Vat (Mark) Malaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>690</sup>

(171) Vilson Malaj (29, male)

216. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>691</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(172) Blerim Maloku (40, male)

217. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>692</sup> Remains that were given the label of 2Ba-69 were identified through DNA testing as being those of Blerim (Asllan) Maloku.<sup>693</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Blerim (Asllan) Maloku is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>694</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Blerim (Asllan) Maloku is a result of a “[g]unshot to the chest”.<sup>695</sup> This is confirmed by the anthropology summary report for Blerim (Asllan) Maloku issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>696</sup>

(173) Burim Maloku (17, male)

218. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>697</sup> Remains that were given the label of 2Ba-217 were identified through DNA testing as being those of Burim (Ibrahim) Maloku.<sup>698</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Burim (Ibrahim) Maloku is not specified and the

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<sup>690</sup> P943 (OMPF Reports), e-court p. 416.

<sup>691</sup> P2798 (OMPF list of missing persons).

<sup>692</sup> P2798 (OMPF list of missing persons).

<sup>693</sup> P2559 (Addendum to Expert Report), e-court p. 39 (under seal).

<sup>694</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 395–398.

<sup>695</sup> P943 (OMPF Reports), e-court pp. 45–46.

<sup>696</sup> P943 (OMPF Reports), e-court p. 506.

<sup>697</sup> P2798 (OMPF list of missing persons).

report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>699</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Burim (Ibrahim) Maluku is unascertained.<sup>700</sup>

(174) Petrit Maluku (22, male)

219. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>701</sup> Remains that were given the label of 2Ba–115 were identified through DNA testing as being those of Petrit (Hajdar) Maluku.<sup>702</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Petrit (Hajdar) Maluku is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>703</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Petrit (Hajdar) Maluku is unascertained.<sup>704</sup> This is confirmed by the anthropology summary report for Petrit (Hajdar) Maluku issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>705</sup>

(175) Ymer Maluku (39, male)

220. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>706</sup> Remains that were given the label of 2Ba–81 were identified through DNA testing as being those of Ymer (Hazer) Maluku.<sup>707</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ymer (Hazer) Maluku is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report

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<sup>698</sup> P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

<sup>699</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1178–1181.

<sup>700</sup> P944 (OMPF Reports), e-court pp. 354–357.

<sup>701</sup> P2798 (OMPF list of missing persons).

<sup>702</sup> P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

<sup>703</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 627–631.

<sup>704</sup> P944 (OMPF Reports), e-court pp. 186–188.

<sup>705</sup> P943 (OMPF Reports), e-court p. 584.

<sup>706</sup> P2798 (OMPF list of missing persons).

<sup>707</sup> P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>708</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Ymer (Hazer) Maloku is unascertained.<sup>709</sup>

(176) Besim Malushaj (32, male)

221. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>710</sup> Remains that were given the label of 2Ba-137 were identified through DNA testing as being those of Besim (Muhamet) Malushaj.<sup>711</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Besim (Muhamet) Malushaj is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple bone fractures from impact of blunt instrument impact, as well as exposure to high temperature.<sup>712</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Besim (Muhamet) Malushaj is unascertained.<sup>713</sup> This is confirmed by the anthropology summary report for Besim (Muhamet) Malushaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>714</sup>

(177) Esad Malushaj (29, male)

222. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>715</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(178) Shefki Malushaj (38, male)

223. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>716</sup> Remains that were given the label of 2Ba-145 were identified through DNA testing as being those of Shefki

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<sup>708</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 450–454.

<sup>709</sup> P944 (OMPF Reports), e-court pp. 123–125.

<sup>710</sup> P2798 (OMPF list of missing persons).

<sup>711</sup> P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

<sup>712</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 766–769.

<sup>713</sup> P943 (OMPF Reports), e-court pp. 43–44.

<sup>714</sup> P943 (OMPF Reports), e-court p. 513.

<sup>715</sup> P2798 (OMPF list of missing persons).

<sup>716</sup> P2798 (OMPF list of missing persons).

(Mustafe) Mulashaj.<sup>717</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Shefki (Mustafe) Mulashaj is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a metal projectile was found in the “spongy bone mass of the right semi-circumference of the body of the 4<sup>th</sup> thoracic vertebra” and a defect was found “on the right scapula that could have occurred where a projectile went through the bone”.<sup>718</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Shefki (Mustafë) Mulashaj is a result of “[g]unshot to the chest”.<sup>719</sup> This is confirmed by the anthropology summary report for Shefki (Mustafe) Mulashaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>720</sup>

(179) Bekim Markaj (23, male)

224. Merita Deda testified that on 27 April 1999 Bekim Markaj was forced to line up in the courtyard of Prend Markaj’s house, together with other male members of her family. While Deda was moving away from the house she heard weapons being fired, and when she turned back, she saw the men on the ground. She did not know whether they were dead or not, but she never saw Bekim Markaj alive again.<sup>721</sup>

225. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>722</sup> Remains that were given the label of Ba05–260T were identified through DNA testing as being those of Bekim (Mark) Markaj.<sup>723</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Bekim (Mark) Markaj is not specified and the report notes that this is because “[t]he skeletal remains are in a state of advanced post-mortem change”. However, the report notes that there were multiple bone fractures, as well as signs of exposure to fire. Additionally, “[t]he projectile of a hand-held weapon was found in the soft tissue of the right hip region.”<sup>724</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Bekim (Mark) Markaj is a result of “[g]unshot injury

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<sup>717</sup> P2559 (Addendum to Expert Report), e-court p. 44 (under seal).

<sup>718</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 801–807.

<sup>719</sup> P2394 (OMPF Reports), e-court pp. 19–20.

<sup>720</sup> P2394 (OMPF Reports), e-court p. 21.

<sup>721</sup> Merita Deda, P2233 (witness statement dated 8 April 2000), p. 3.

<sup>722</sup> P2798 (OMPF list of missing persons).

<sup>723</sup> P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

<sup>724</sup> P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 64–73.

to the chest and right thigh”.<sup>725</sup> This is confirmed by the anthropology summary report for Bekim (Mark) Markaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>726</sup>

(180) Mark Markaj (65, male)

226. Merita Deda testified on 27 April 1999 Mark Markaj was forced to line up in the courtyard of Prend Markaj’s house, together with other male members of her family. While Deda was moving away from the premises she heard weapons being fired, and when she turned back, she saw the men on the ground. She did not know whether they were dead or not, but she never saw Mark Markaj alive again.<sup>727</sup>

227. The Chamber notes that two different labels were given to the victim named Mark (Zef) Markaj: Ba05–280DT and Ba05–247T.<sup>728</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999. It identifies both labels as Mark (Zef) Markaj, and records his case as closed with the remains having been returned to his family.<sup>729</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Mark (Zef) Markaj is not specified and the report notes that this is because “[t]he mortal remains are in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>730</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Mark (Zef) Markaj is unascertained.<sup>731</sup> This is confirmed by the anthropology summary report Ba05–280DT and Ba05–247T issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>732</sup> The Chamber does not consider that the attachment of two labels to Mark (Zef) Markaj creates any doubt that he was killed in Meja on 27 April 1999.

(181) Dede Markaj (36, male)

228. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes

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<sup>725</sup> P943 (OMPF Reports), e-court pp. 37–38.

<sup>726</sup> P943 (OMPF Reports), e-court p. 413.

<sup>727</sup> Merita Deda, P2233 (witness statement dated 8 April 2000), p. 3.

<sup>728</sup> P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

<sup>729</sup> P2798 (OMPF list of missing persons).

<sup>730</sup> P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 43–49.

<sup>731</sup> P943 (OMPF Reports), e-court pp. 41–42.

<sup>732</sup> P943 (OMPF Reports), e-court p. 484.

that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>733</sup> Remains that were given the label of 2Ba–245 were identified through DNA testing as being those of Dede (Zefe) Markaj.<sup>734</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Dede (Zefe) Markaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the ribs caused by the impact of a blunt instrument. Additionally, a bullet wound was found in the area of the left shoulder, the thoracic cage and on the “left side of the back of the thoraco-lumbar region”.<sup>735</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Dede (Zef) Markaj is a result of a “gunshot wound to the chest and head”.<sup>736</sup>

(182) Gezim Markaj (21, male)

229. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>737</sup> Remains that were given the label of Ba05–35T were identified through DNA testing as being those of Gezime (Sokol) Marku.<sup>738</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Gezime (Sokol) Marku is not specified and the report notes that this is because “[t]he bodily remains are in a state of advanced post-mortem changes”. However, the report notes that there were multiple bone fractures, as well as signs of exposure to fire. Additionally, there was a bone defect in the region of the cranial vault, which represented “the entrance of a penetrating wound in the skull, caused by a projectile fired from a hand-held firearm”.<sup>739</sup>

(183) Gjovalin Markaj (36, male)

230. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>740</sup> Remains that were given the label of 2Ba–242 were identified through DNA testing as being those of Xhevalin (Dede) Markaj.<sup>741</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the

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<sup>733</sup> P2798 (OMPF list of missing persons).

<sup>734</sup> P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

<sup>735</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1353–1358.

<sup>736</sup> P944 (OMPF Reports), e-court pp. 402–404.

<sup>737</sup> P2798 (OMPF list of missing persons).

<sup>738</sup> P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

<sup>739</sup> P2415 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 34–44.

<sup>740</sup> P2798 (OMPF list of missing persons).

<sup>741</sup> P2559 (Addendum to Expert Report), e-court p. 40 (under seal).



Belgrade Medical Faculty, the cause of death of Xhevalin (Dede) Markaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a metal projectile was found “in the middle clavicular line on the right side, at the level of the 3<sup>rd</sup> rib”.<sup>742</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Xhovalin (Dede) Markaj is a result of “possible gunshot wounds to the head”.<sup>743</sup>

(184) Mark Markaj (65, male)

231. Although the Indictment lists the name Mark Markaj twice, there is only one Mark Markaj listed in the OMPF list of missing persons, and the remains found at the Batajnica mass graves were attached to one Mark Markaj, as discussed in analysis number 180 above.<sup>744</sup> Furthermore, both names in the Indictment are listed as being exactly the same age, and one is out of alphabetical order. Consequently, the Chamber considers that the double listing of Mark Markaj in the Indictment must be an error.

(185) Milan Markaj (35, male)

232. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>745</sup> Remains that were given the label of 2Ba–212 were identified through DNA testing as being those of Milan (Dede) Markaj.<sup>746</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Milan (Dede) Markaj is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the skull, vertebrae, ribs, fibula, and right arm, as well as signs of blunt instrument impact. Additionally, a metal projectile was found “in the soft tissue that would correspond to the base of the right temporal lobe of the brain”.<sup>747</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Milan (Dede) Markaj is a result of “gunshot wounds to the head and thoracic vertebra”.<sup>748</sup>

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<sup>742</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1336–1339.

<sup>743</sup> P944 (OMPF Reports), e-court pp. 393–395.

<sup>744</sup> P2798 (OMPF list of missing persons).

<sup>745</sup> P2798 (OMPF list of missing persons).

<sup>746</sup> P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

<sup>747</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1152–1156.

<sup>748</sup> P944 (OMPF Reports), e-court pp. 344–346.

(186) Pashk Markaj (38, male)

233. Merita Deda testified on 27 April 1999 Pashuk Markaj was forced to line up in the courtyard of Prend Markaj's house, together with other male members of her family. While Deda was moving away from the premises she heard weapons being fired, and when she turned back, she saw the men on the ground. She did not know whether they were dead or not, but she never saw Pashuk Markaj alive again.<sup>749</sup>

234. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>750</sup> Remains that were given the label of Ba05–200T were identified through DNA testing as being those of Pashuk (Pren) Markaj.<sup>751</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Pashuk (Pren) Markaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple bone fractures, as well as exposure to fire.<sup>752</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Pashuk (Pren) Markaj is a result of “[i]njury to right leg”.<sup>753</sup> This is confirmed by the anthropology summary report for Pashuk (Pren) Markaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, which states that the cause of death was due to a “[g]unshot to the left thigh”.<sup>754</sup>

(187) Petrit Markaj (27, male)

235. Merita Deda testified on 27 April 1999 Petrit Markaj was forced to line up in the courtyard of Prend Markaj's house, together with other male members of her family. While Deda was moving away from the premises she heard weapons being fired, and when she turned back, she saw the men on the ground. She did not know whether they were dead or not, but she never saw Petrit Markaj alive again.<sup>755</sup>

236. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>756</sup> Remains that

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<sup>749</sup> Merita Deda, P2233 (witness statement dated 8 April 2000), p. 3.

<sup>750</sup> P2798 (OMPF list of missing persons).

<sup>751</sup> P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

<sup>752</sup> P2414 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 73–79.

<sup>753</sup> P2394 (OMPF Reports), e-court pp. 201–203.

<sup>754</sup> P943 (OMPF Reports), e-court p. 578.

<sup>755</sup> Merita Deda, P2233 (witness statement dated 8 April 2000), p. 3.

<sup>756</sup> P2798 (OMPF list of missing persons).

were given the label of Ba05–326T were identified through DNA testing as being those of Petrit (Mark) Markaj.<sup>757</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Petrit (Mark) Markaj is not specified and the report notes that this is because “[t]he bodily remains are in a state of advanced post-mortem changes.” However, the report notes that there were multiple bone fractures, as well as signs of exposure to fire.<sup>758</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Petrit (Mark) Markaj is a result of a “[g]unshot to the trunk and to the right forearm”.<sup>759</sup> This is confirmed by the anthropology summary report Ba05–326T and Ba05–326T/IV issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>760</sup>

(188) Pren Markaj (60, male)

237. Merita Deda testified on 27 April 1999 Prend Markaj was forced to line up in the courtyard of his house, together with other male members of her family. While Deda was moving away from the premises she heard weapons being fired. When she turned back, she saw the men on the ground. She did not know whether they were dead or not, but she never saw Prend Markaj alive again.<sup>761</sup>

238. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>762</sup> Remains that were given the label of Ba05–255T were identified through DNA testing as being those of Pren (Zef) Markaj.<sup>763</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Pren (Zef) Markaj is not specified and the report notes that this is because “[t]he mortal remains are in a state of advanced post-mortem changes”. However, the report notes that there were multiple bone fractures, as well as signs of blunt instrument impact, and exposure to fire.<sup>764</sup>

(189) Sokol Markaj (63, male)

239. The Chamber notes that two different labels were given to the victim named Sokol (Zef)

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<sup>757</sup> P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

<sup>758</sup> P2602 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 24–36.

<sup>759</sup> P2394 (OMPF Reports), e-court pp. 68–69.

<sup>760</sup> P2394 (OMPF Reports), e-court p. 70.

<sup>761</sup> Merita Deda, P2233 (witness statement dated 8 April 2000), p. 3.

<sup>762</sup> P2798 (OMPF list of missing persons).

<sup>763</sup> P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

<sup>764</sup> P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 56–63.

Markaj: Ba05–223DT and Ba05–134T.<sup>765</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999. It also identifies Ba05–223DT as Sokol (Zef) Markaj, and records his case as closed with the remains having been returned to his family.<sup>766</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Sokol (Zef) Markaj is a result of a “[g]unshot to the head, possible gunshot to the right hip”.<sup>767</sup> This is confirmed by the anthropology summary report Ba05–134T issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>768</sup> The Chamber does not consider that the attachment of two labels to Sokol (Zef) Markaj creates any doubt that he was killed in Meja on 27 April 1999.

(190) Agron Mehmeti (21, male)

240. Remains that were given the label of 2Ba–07 were identified through DNA testing as being those of Agron or Arben (Gani) Mehmeti.<sup>769</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999. It also identifies 2Ba–07 as Agron (Gani) Mehmeti, and records his case as closed with the remains having been returned to his family.<sup>770</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Agron (Gani) Mehmeti is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as an oval defect that was caused by a single gunshot. Additionally, the reports notes that the fracture to the “9<sup>th</sup> thoracic vertebra was caused by a projectile fired from a hand-held firearm”.<sup>771</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Agron (Gani) Mehmeti is a result of a “[g]unshot to the chest and head”.<sup>772</sup> This is confirmed by the anthropology summary report for Agron (Gani) Mehmeti issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>773</sup>

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<sup>765</sup> P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

<sup>766</sup> P2798 (OMPF list of missing persons).

<sup>767</sup> P2394 (OMPF Reports), e-court pp. 194–195.

<sup>768</sup> P2394 (OMPF Reports), e-court p. 196.

<sup>769</sup> P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

<sup>770</sup> P2798 (OMPF list of missing persons).

<sup>771</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 64–68.

<sup>772</sup> P2394 (OMPF Reports), e-court pp. 168–169.

<sup>773</sup> P2394 (OMPF Reports), e-court pp. 170–171.

(191) Arben Mehmeti (19, male)

241. Remains that were given the label of 2Ba–33 were identified through DNA testing as being those of Agron or Arben (Gani) Mehmeti.<sup>774</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999. It also identifies 2Ba–33 as Arben (Gani) Mehmeti, and records his case as closed with the remains having been returned to his family.<sup>775</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Arben (Gani) Mehmeti is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a projectile was found in the left scapular region and in the left supraclavicular, and fragments of a projectile were found in the left acetabulum and the head of the left femur.<sup>776</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Arben (Gani) Mehmeti is a result of a “[g]unshot to the trunk (to the chest and lumbar spine)”.<sup>777</sup> This is confirmed by the anthropology summary report for Arben (Gani) Mehmeti issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>778</sup>

(192) Gani Mehmeti (45, male)

242. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>779</sup> Remains that were given the label of 2Ba–78 were identified through DNA testing as being those of Gani (Elez) Mehmeti.<sup>780</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Gani (Elez) Mehmeti is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, “[a] metal projectile was found in the mass of saponified tissue during the incision in the soft tissue of the gluteal area.”<sup>781</sup> The death certificate issued by the Department of Justice, Office of the

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<sup>774</sup> P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

<sup>775</sup> P2798 (OMPF list of missing persons).

<sup>776</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 204–211.

<sup>777</sup> P2394 (OMPF Reports), e-court pp. 172–173.

<sup>778</sup> P2394 (OMPF Reports), e-court pp. 174–175.

<sup>779</sup> P2798 (OMPF list of missing persons).

<sup>780</sup> P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

<sup>781</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 437–441.

Medical Examiner, establishes that the cause of death of Gani (Elez) Mehmeti is a result of a “[g]unshot to the head”.<sup>782</sup>

(193) Hysen Mehmeti (44, male)

243. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>783</sup> Remains that were given the label of 2Ba–72 were identified through DNA testing as being those of Hysen (Mehmet) Mehmeti.<sup>784</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Hysen (Mehmet) Mehmeti is not specified and the report notes that this is because “[t]he body was in an advanced state of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>785</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Hysen (Mehmet) Mehmeti is a result of a “[g]unshot to the right femur head”.<sup>786</sup> This is confirmed by the anthropology summary report for Hysen (Mehmet) Mehmeti issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>787</sup>

(194) Hysni Mehmeti (40, male)

244. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>788</sup> Remains that were given the label of 2Ba–135 were identified through DNA testing as being those of Hysni (Ali) Mehmeti.<sup>789</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Hysni (Ali) Mehmeti is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, there are defects to the skull, which “point to a projectile passing through the bones along a front to back trajectory”.<sup>790</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Hysni (Ali) Mehmeti is a result of a “[g]unshot to the

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<sup>782</sup> P944 (OMPF Reports), e-court pp. 113–115 .

<sup>783</sup> P2798 (OMPF list of missing persons).

<sup>784</sup> P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

<sup>785</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 407–410.

<sup>786</sup> P944 (OMPF Reports), e-court pp. 101–103.

<sup>787</sup> P943 (OMPF Reports), e-court p. 593.

<sup>788</sup> P2798 (OMPF list of missing persons).

<sup>789</sup> P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

<sup>790</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 748–759.

head, trunk and left arm”.<sup>791</sup> This is confirmed by the anthropology summary report for Hysni (Ali) Mehmeti issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>792</sup>

(195) Mehmet Mehmeti (18, male)

245. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>793</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(196) Muharrem Mehmeti (68, male)

246. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>794</sup> Remains that were given the label of 2Ba-116 were identified through DNA testing as being those of Muharrem (Sali) Mehmeti.<sup>795</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Muharrem (Sali) Mehmeti is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>796</sup> Additionally, a bullet wound path was found on the pelvic bone, as well as a metal projectile “in the area of the lower inner edge of the right femur, directly below the right sacroiliac joint on the border of the juncture of the femur, ischium and pubic bones”. The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Muharrem (Sali) Mehmeti is a result of “[m]ultiple gunshot injuries to the trunk and right arm”.<sup>797</sup> This is confirmed by the anthropology summary report for Muharrem (Sali) Mehmeti issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>798</sup>

(197) Quash Mehmeti (45, male)

247. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes

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<sup>791</sup> P2394 (OMPF Reports), e-court pp. 262–263.

<sup>792</sup> P2394 (OMPF Reports), e-court p. 264–265.

<sup>793</sup> P2798 (OMPF list of missing persons).

<sup>794</sup> P2798 (OMPF list of missing persons).

<sup>795</sup> P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

<sup>796</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 632–636.

<sup>797</sup> P943 (OMPF Reports), e-court pp. 53–54.

<sup>798</sup> P943 (OMPF Reports), e-court pp. 518–519.

that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>799</sup> Remains that were given the label of 2Ba-127 were identified through DNA testing as being those of Caush (Bajram) Mehmeti.<sup>800</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Caush (Bajram) Mehmeti is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a “metal projectile was found in the region of the 4<sup>th</sup> toe on the left foot and the metatarsal bones and the bones of the 4<sup>th</sup> toe on this foot were fractured”.<sup>801</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Çcaush (Bajram) Mehmeti is a result of a “[g]unshot injury to the chest”.<sup>802</sup> This is confirmed by the anthropology summary report for Caush (Bajram) Mehmeti issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>803</sup>

(198) Rame Mehmeti (43, male)

248. The Chamber notes that two different labels were given to the victim named Rame (Rame) Mehmeti: BA08-003DT and K2BA-S-15-2BA-S-16-1.<sup>804</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>805</sup> The Chamber does not consider that the attachment of two labels to Rame (Rame) Mehmeti creates any doubt that he was killed in Meja on 27 April 1999

(199) Sami Mehmeti (20, male)

249. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>806</sup> Remains that were given the label of 2Ba-102 were identified through DNA testing as being those of Sami (Muharrem) Mehmeti.<sup>807</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Sami (Muharrem) Mehmeti is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument

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<sup>799</sup> P2798 (OMPF list of missing persons).

<sup>800</sup> P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

<sup>801</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 693-703.

<sup>802</sup> P2454 (OMPF Reports), e-court pp. 37-38.

<sup>803</sup> P2454 (OMPF Reports), e-court p. 39.

<sup>804</sup> P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

<sup>805</sup> P2798 (OMPF list of missing persons).

<sup>806</sup> P2798 (OMPF list of missing persons).

<sup>807</sup> P2559 (Addendum to Expert Report), e-court p. 41 (under seal).



impact, and exposure to high temperature.<sup>808</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Sami (Muharrem) Mehmeti is a result of a “gunshot to the chest (at least two shots)”.<sup>809</sup> This is confirmed by the anthropology summary report for Sami (Muharrem) Mehmeti issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>810</sup>

(200) Marash Merturi (29, male)

250. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>811</sup> Remains that were given the label of 2Ba–88 were identified through DNA testing as being those of Marash (Mhill) Merturi.<sup>812</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Marash (Mhill) Merturi is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>813</sup>

(201) Bajram Meta (15, male)

251. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>814</sup> Remains that were given the label of 2Ba–29 were identified through DNA testing as being those of Bajram (Rexhep) Metaj.<sup>815</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Bajram (Rexhep) Metaj is not specified and the report notes that this is because “[t]he body is in the latter stages of post mortal changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, “[a] projectile has been found in the soft tissue”.<sup>816</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also

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<sup>808</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 552–557.

<sup>809</sup> P2454 (OMPF Reports), e-court p. 23.

<sup>810</sup> P2454 (OMPF Reports), e-court p. 22–24.

<sup>811</sup> P2798 (OMPF list of missing persons).

<sup>812</sup> P2559 (Addendum to Expert Report), e-court p. 42 (under seal).

<sup>813</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 485–491.

<sup>814</sup> P2798 (OMPF list of missing persons).

<sup>815</sup> P2559 (Addendum to Expert Report), e-court p. 42 (under seal).

<sup>816</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 179–182.

establishes that the cause of death of Bajram (Rexhep) Meta is unascertained.<sup>817</sup>

(202) Ismet Miftari (22, male)

252. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>818</sup> Remains that were given the label of 2Ba–214 were identified through DNA testing as being those of Ismet (Lah) Miftari.<sup>819</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ismet (Lah) Miftari is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures to the skull, trunk and limbs, which were caused by the impact of a blunt instrument. Additionally, there is a defect “on the interior edge of the left scapula” and the report notes that this “was possibly caused by a projectile fired from a handgun”.<sup>820</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ismet (Lah) Miftari is a result of “gunshot wounds to the chest”.<sup>821</sup>

(203) Brahim Miroci (18, male)

253. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>822</sup> Remains that were given the label of 2Ba–218 were identified through DNA testing as being those of Brahim (Isuf) Miroci.<sup>823</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Brahim (Isuf) Miroci is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a projectile was found “under the T-shirt on the skin of the middle of the right rib cage”. Furthermore, there were defects located on both scapulas, which “might have been caused by a projectile passing through the bones”.<sup>824</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Brahim Miroci is a result of “gunshot

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<sup>817</sup> P944 (OMPF Reports), e-court pp. 38–41.

<sup>818</sup> P2798 (OMPF list of missing persons).

<sup>819</sup> P2559 (Addendum to Expert Report), e-court p. 42 (under seal).

<sup>820</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1162–1166.

<sup>821</sup> P944 (OMPF Reports), e-court pp. 347–349.

<sup>822</sup> P2798 (OMPF list of missing persons).

<sup>823</sup> P2559 (Addendum to Expert Report), e-court p. 43 (under seal).

<sup>824</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1182–1187.

wounds to the chest”.<sup>825</sup> This is confirmed by the anthropology summary report for Brahim (Isuf) Miroci issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>826</sup>

(204) Fahredin Miroci (24, male)

254. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>827</sup> Remains that were given the label of 2Ba-73 were identified through DNA testing as being those of Fahredin (Maxhun) Miroci.<sup>828</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Fahredin (Maxhun) Miroci is not specified and the report notes that this is because “[t]he body was in an advanced state of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>829</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Fahredin (Maxhun) Miroci is a result of a “[g]unshot to the head”.<sup>830</sup>

(205) Isuf Miroci (44, male)

255. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>831</sup> Remains that were given the label of 2Ba-68 were identified through DNA testing as being those of Isuf (Elez) Miroci.<sup>832</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Isuf (Elez) Miroci is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a metal projectile was found “buried in the soft tissue right next to [t]he body of the left pubic bone” and in “[t]he head of the right femur ... at the level of its juncture with the neck”.<sup>833</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Isuf (Elez) Miroci is a result of “gunshot to lower

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<sup>825</sup> P944 (OMPF Reports), e-court pp. 358–361.

<sup>826</sup> P943 (OMPF Reports), e-court p. 571.

<sup>827</sup> P2798 (OMPF list of missing persons).

<sup>828</sup> P2559 (Addendum to Expert Report), e-court p. 43 (under seal).

<sup>829</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 411–419.

<sup>830</sup> P944 (OMPF Reports), e-court pp. 104–106.

<sup>831</sup> P2798 (OMPF list of missing persons).

<sup>832</sup> P2559 (Addendum to Expert Report), e-court p. 43 (under seal).

<sup>833</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 389–394.

abdomen”.<sup>834</sup> The anthropology summary report for Isuf (Elez) Miroci issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, states that the cause of death was probably due to a “[m]ost probable gunshot to the legs”.<sup>835</sup>

(206) Sokol Miroci (42, male)

256. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>836</sup> Remains that were given the label of 2Ba–70 were identified through DNA testing as being those of Sokol (Rame) Miroci.<sup>837</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Sokol (Rame) Miroci is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>838</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Sokol (Ramë) Miroci is a result of a “[g]unshot to the trunk (to pelvis)”.<sup>839</sup> This is confirmed by the anthropology summary report for Sokol (Rame) Miroci issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>840</sup>

(207) Kole Ndrejaj (45, male)

257. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>841</sup> Remains that were given the label of 2Ba–S–1 were identified through DNA testing as being those of Kole (Palush) Nrejaj.<sup>842</sup>

(208) Pashk Ndrejaj (44, male)

258. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>843</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

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<sup>834</sup> P944 (OMPF Reports), e-court pp. 97–100.

<sup>835</sup> P943 (OMPF Reports), e-court p. 585.

<sup>836</sup> P2798 (OMPF list of missing persons).

<sup>837</sup> P2559 (Addendum to Expert Report), e-court p. 43 (under seal).

<sup>838</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 399–401.

<sup>839</sup> P943 (OMPF Reports), e-court pp. 39–40.

<sup>840</sup> P943 (OMPF Reports), e-court p. 503.

<sup>841</sup> P2798 (OMPF list of missing persons).

<sup>842</sup> P2559 (Addendum to Expert Report), e-court p. 44 (under seal).

<sup>843</sup> P2798 (OMPF list of missing persons).

(209) Nue Ndue (68, male)

259. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>844</sup> Remains that were given the label of 2Ba–174 were identified through DNA testing as being those of Nue (Adem) Ndue.<sup>845</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Nue (Adem) Ndue is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that the entire head is missing, there were multiple fractures, as well as signs of blunt instrument impact.<sup>846</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Nue (Adem) Ndue is a result of “[g]unshot to the chest”.<sup>847</sup> This is confirmed by the anthropology summary report for Nue (Adem) Ndue issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>848</sup>

(210) Ahmet Neziri (25, male)

260. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>849</sup> Remains that were given the label of 2Ba–183 were identified through DNA testing as being those of Ahmet (Tafe) Neziri.<sup>850</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ahmet (Tafe) Neziri is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, “[a] metal projectile was found in the soft tissue directly surrounding the distal extremity of the left femur.”<sup>851</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ahmet (Tafë) Neziri is a result of “[g]unshot injury to the head and trunk”.<sup>852</sup> The anthropology summary report for Ahmet (Tafe) Neziri issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK does not make a

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<sup>844</sup> P2798 (OMPF list of missing persons).

<sup>845</sup> P2559 (Addendum to Expert Report), e-court p. 44 (under seal).

<sup>846</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 948–950.

<sup>847</sup> P2454 (OMPF Reports), e-court pp. 49–50.

<sup>848</sup> P2454 (OMPF Reports), e-court p. 51.

<sup>849</sup> P2798 (OMPF list of missing persons).

<sup>850</sup> P2559 (Addendum to Expert Report), e-court p. 44 (under seal).

<sup>851</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 996–1004.

<sup>852</sup> P2454 (OMPF Reports), e-court pp. 55–56.

conclusive statement on the cause of death, but rather states that there were gunshots to the head and trunk.<sup>853</sup>

(211) Naim Nimanaj (22, male)

261. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>854</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(212) Nrec Nrejaj (32, male)

262. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>855</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(213) Sokol Nuo or Ndue (45, male)

263. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>856</sup> Remains that were given the label of 2Ba-144 were identified through DNA testing as being those of Sokol (Adem) Ndue.<sup>857</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Sokol (Adem) Ndue is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>858</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Sokol (Adem) Ndue is unascertained.<sup>859</sup> This is confirmed by the anthropology summary report for Sokol (Adem) Ndue issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>860</sup>

(214) Sokol Nuza (51, male)

264. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes

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<sup>853</sup> P2454 (OMPF Reports), e-court p. 57.

<sup>854</sup> P2798 (OMPF list of missing persons).

<sup>855</sup> P2798 (OMPF list of missing persons).

<sup>856</sup> P2798 (OMPF list of missing persons).

<sup>857</sup> P2559 (Addendum to Expert Report), e-court p. 44 (under seal).

<sup>858</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 797–800.

<sup>859</sup> P943 (OMPF Reports), e-court pp. 276–277.

<sup>860</sup> P943 (OMPF Reports), e-court p. 514.

that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>861</sup> Remains that were given the label of 2Ba–136 were identified through DNA testing as being those of Sokol (Male) Nuza.<sup>862</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Sokol (Male) Nuza is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the skull and ribs, as well as signs of blunt instrument impact.<sup>863</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Sokol (Male) Nuza is unascertained.<sup>864</sup>

(215) Shpend Osmani (71, male)

265. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>865</sup> Remains that were given the label of 2Ba–138 were identified through DNA testing as being those of Shpend (Sylejman) Osmani.<sup>866</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Shpend (Sylejman) Osmani is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple bone fractures as a result of impact from a blunt instrument.<sup>867</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Shpend (Sylejman) Osmani is a result of a “[g]unshot would to head”.<sup>868</sup>

(216) Avdyl Pajaziti (41, male), Idriz Pajaziti (45, male), and Smajl Pajaziti (48, male)

266. The Chamber notes that two different labels (2BA–166 and 2BA–12) were given to the victims with similar names: Avdyl, Idriz, or Smajl (Mehmet) Pajaziti.<sup>869</sup> The three victims are listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victims were part of a group of people last seen in Meja on 27 April 1999. It identifies 2BA–166 and 2BA–12 as Avdyl (Mehmet) Pajaziti and Smajl (Mehmet) Pajaziti respectively, and records each of their cases as

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<sup>861</sup> P2798 (OMPF list of missing persons).

<sup>862</sup> P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

<sup>863</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 760–765.

<sup>864</sup> P944 (OMPF Reports), e-court pp. 224–226.

<sup>865</sup> P2798 (OMPF list of missing persons).

<sup>866</sup> P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

<sup>867</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 770–773.

<sup>868</sup> P944 (OMPF Reports), e-court pp. 227–231.

<sup>869</sup> P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

closed with the remains having been returned to their families. However, it does not identify the label for Idriz (Mehmet) Pajaziti and does not record his case as closed with the remains having been returned to his family.<sup>870</sup>

267. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Avdyl (Mehmet) Pajaziti is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>871</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Avdyl (Mehmet) Pajaziti is unascertained.<sup>872</sup> This is confirmed by the anthropology summary report for Avdyl (Mehmet) Pajaziti issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>873</sup>

268. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Smajl (Mehmet) Pajaziti is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>874</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Smajl (Mehmet) Pajaziti is a result of “[g]unshot to the trunk, blunt force trauma to the head”.<sup>875</sup> This is confirmed by the anthropology summary report for Smajl (Mehmet) Pajaziti issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>876</sup>

269. However, the Chamber notes that there is no forensic evidence with respect to Idriz (Mehmet) Pajaziti.

(217) Gani Pajaziti (37, male)

270. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>877</sup> Remains that

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<sup>870</sup> P2798 (OMPF list of missing persons).

<sup>871</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 906–909.

<sup>872</sup> P2394 (OMPF Reports), pp. 22–23.

<sup>873</sup> P2394 (OMPF Reports), p. 24.

<sup>874</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 644–647.

<sup>875</sup> P2394 (OMPF Reports), e-court pp. 245–246.

<sup>876</sup> P2394 (OMPF Reports), e-court pp. 247–248.

<sup>877</sup> P2798 (OMPF list of missing persons).



were given the label of 2Ba-S-14 were identified through DNA testing as being those of Gani (Rexhep) Pajaziti.<sup>878</sup>

(218) Halil Pajaziti (24, male)

271. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>879</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(219) Haxhi Pajaziti (15, male)

272. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>880</sup> Remains that were given the label of 2Ba-53 were identified through DNA testing as being those of Haxhi (Muharem) Pajaziti.<sup>881</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Haxhi (Muharem) Pajaziti is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>882</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Haxhi (Muharem) Pajaziti is a result of a “[p]ossible gunshot to the head”.<sup>883</sup>

(220) Idriz Pajaziti (45, male)

273. See analysis number 216 above.

(221) Ismet Pajaziti (30, male)

274. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>884</sup> Remains that were given the label of 2Ba-54 were identified through DNA testing as being those of Ismet (Rexhep) Pajaziti.<sup>885</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the

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<sup>878</sup> P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

<sup>879</sup> P2798 (OMPF list of missing persons).

<sup>880</sup> P2798 (OMPF list of missing persons).

<sup>881</sup> P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

<sup>882</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 307–310.

<sup>883</sup> P944 (OMPF Reports), e-court pp. 75–79.

<sup>884</sup> P2798 (OMPF list of missing persons).

<sup>885</sup> P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

Belgrade Medical Faculty, the cause of death of Ismet (Rexhep) Pajaziti is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, the report notes a fracture to the 12<sup>th</sup> thoracic vertebra, which was caused by a “projectile found in [t]he body of the vertebra”.<sup>886</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ismet (Rexhep) Pajaziti is a result of “gunshot wounds to the pelvis and femur”.<sup>887</sup> This is confirmed by the anthropology summary report for Ismet (Rexhep) Pajaziti issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, which states that the cause of death was due to a “[g]unshot wound to the pelvis”.<sup>888</sup>

(222) Muje Pajaziti (52, male)

275. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>889</sup> Remains that were given the label of 2Ba-18 were identified through DNA testing as being those of Muje (Isuf) Pajaziti.<sup>890</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Muje (Isuf) Pajaziti is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, the damage to the chest and the right shoulder area “may have been caused by projectiles shot from firearms”.<sup>891</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Mujë (Isuf) Pajaziti is a result of a “[g]unshot wound to the abdomen”.<sup>892</sup>

(223) Qerim Pajaziti (40, male)

276. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>893</sup> Remains that were given the label of 2Ba-24 were identified through DNA testing as being those of Qerim

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<sup>886</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 311–314.

<sup>887</sup> P944 (OMPF Reports), e-court pp. 80–83.

<sup>888</sup> P943 (OMPF Reports), e-court p. 576.

<sup>889</sup> P2798 (OMPF list of missing persons).

<sup>890</sup> P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

<sup>891</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 120–124.

<sup>892</sup> P944 (OMPF Reports), e-court pp. 22–24.

<sup>893</sup> P2798 (OMPF list of missing persons).

(Pajazit) Pajaziti.<sup>894</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of 2Ba–24 is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact to the head, trunk and limbs, and exposure to high temperature. Additionally, there was a “hole-shaped defect in the area of the right scapula” that was caused by a projectile passing through.<sup>895</sup>

(224) Shkelzen Pajaziti (19, male)

277. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>896</sup> Remains that were given the label of 2Ba–11 were identified through DNA testing as being those of Shkelzen (Muje) Pajaziti.<sup>897</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Shkelzen (Muje) Pajaziti is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that the entire head is missing, there were multiple fractures to the body, and the fractures to the left femur “represent parts of a canal of a gunshot wound caused by a projectile fired from a hand-held firearm”.<sup>898</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Shkelzen (Muje) Pajaziti is unascertained.<sup>899</sup>

(225) Shpend Pajaziti (58, male)

278. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>900</sup> Remains that were given the label of 2Ba–109 were identified through DNA testing as being those of Shpend (Halid) Pajaziti.<sup>901</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Shpend (Halid) Pajaziti is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt

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<sup>894</sup> P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

<sup>895</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 154–157.

<sup>896</sup> P2798 (OMPF list of missing persons).

<sup>897</sup> P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

<sup>898</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 85–88.

<sup>899</sup> P944 (OMPF Reports), e-court pp. 16–18.

<sup>900</sup> P2798 (OMPF list of missing persons).

<sup>901</sup> P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

instrument impact, and exposure to high temperature.<sup>902</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Shpend (Halid) Pajaziti is a result of a “[g]unshot to the chest”.<sup>903</sup> This is confirmed by the anthropology summary report for Shpend (Halid) Pajaziti issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>904</sup>

(226) Smajl Pajaziti (48, male)

279. See analysis number 216 above.

(227) Zenel Pajaziti (49, male)

280. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>905</sup> Remains that were given the label of 2Ba–185 were identified through DNA testing as being those of Zenel (Mehmet) Pajaziti.<sup>906</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Zenel (Mehmet) Pajaziti is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, “[a] metal projectile was found in the soft tissue of the right supraclavicular region.”<sup>907</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Zenel (Mehmet) Pajaziti is unascertained.<sup>908</sup>

(228) Mark Palokaj (55, male)

281. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>909</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(229) Uke Pepaj (16, male)

282. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes

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<sup>902</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 592–595.

<sup>903</sup> P944 (OMPF Reports), e-court pp. 175–179.

<sup>904</sup> P943 (OMPF Reports), e-court p. 594.

<sup>905</sup> P2798 (OMPF list of missing persons).

<sup>906</sup> P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

<sup>907</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1010–1014.

<sup>908</sup> P944 (OMPF Reports), e-court pp. 304–307.

<sup>909</sup> P2798 (OMPF list of missing persons).

that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>910</sup> Remains that were given the label of K2BA-102-1 were identified through DNA testing as being those of Uke (Mark) Pepaj.<sup>911</sup>

(230) Gasper Pjetri (23, male)

283. Remains that were given the label of Ba05-327T and Ba05-342DT were identified through DNA testing as being those of Gasper (Mhill) Pjetri.<sup>912</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999. It identifies Ba05-327T as Gasper (Mhill) Pjetri.<sup>913</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Gasper (Mhill) Pjetri is not specified and the report notes that this is because “[t]he mortal remains are in a state of advanced post-mortem change”. However, the report notes that there were multiple bone fractures, as well as signs of exposure to fire.<sup>914</sup>

(231) Iilirian Pjetri (24, male)

284. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>915</sup> Remains that were given the label of Ba05-240T were identified through DNA testing as being those of Iilirjan (Pashk) Pjetri.<sup>916</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Iilirjan (Pashk) Pjetri is not specified and the report notes that this is because “the mortal remains are in a state of advanced post-mortem changes”. However, the report notes that there were multiple bone fractures, as well as signs of exposure to fire.<sup>917</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Iilirjan (Pashk) Pjetri is a result of a “[g]unshot [to] the head”.<sup>918</sup>

(232) Skender Pjetri (27, male)

285. Merita Deda testified on 27 April 1999 Skender Pjetri was forced to line up in the courtyard of Prend Markaj’s house, together with other male members of her family. While Deda was moving

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<sup>910</sup> P2798 (OMPF list of missing persons).

<sup>911</sup> P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

<sup>912</sup> P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

<sup>913</sup> P2798 (OMPF list of missing persons).

<sup>914</sup> P2602 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 43-49.

<sup>915</sup> P2798 (OMPF list of missing persons).

<sup>916</sup> P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

<sup>917</sup> P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 34-42.

away from the premises she heard weapons being fired. When she turned back, she saw the men on the ground. She did not know whether they were dead or not, but she never saw Skender (Mihill) Pjetri alive again.<sup>919</sup>

286. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>920</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(233) Ardian Prelaj (18, male)

287. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>921</sup> Remains that were given the label of 2Ba–251 were identified through DNA testing as being those of Ardian (Marash) Prela.<sup>922</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ardian (Marash) Prela is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that the right hand is missing, there were multiple fractures to the head, vertebrae, ribs, toes, and right arm, as well as signs of impact by the “blunt edge of a mechanical object”, and exposure to high temperature.<sup>923</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ardian (Marash) Prela is a result of “multiple gunshot wounds”.<sup>924</sup>

(234) Driton Prelaj (24, male)

288. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>925</sup> Remains that were given the label of 2Ba–209 were identified through DNA testing as being those of Driton (Pal) Prela.<sup>926</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Driton (Pal) Prela is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that

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<sup>918</sup> P943 (OMPF Reports), e-court pp. 183–184.

<sup>919</sup> Merita Deda, P2233 (witness statement dated 8 April 2000), p. 3.

<sup>920</sup> P2798 (OMPF list of missing persons).

<sup>921</sup> P2798 (OMPF list of missing persons).

<sup>922</sup> P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

<sup>923</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1384–1387.

<sup>924</sup> P944 (OMPF Reports), e-court pp. 408–411.

<sup>925</sup> P2798 (OMPF list of missing persons).

<sup>926</sup> P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

there were multiple fractures to the face, vertebrae, ribs, legs, and left ulna, as well as signs of blunt instrument impact.<sup>927</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Driton (Pal) Prela is a result of “[g]unshot injuries to the chest”.<sup>928</sup> This is confirmed by the anthropology summary report for Driton (Pal) Prela issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, which states that the cause of death was due to gunshot injuries to the chest, as well as the head.<sup>929</sup>

(235) Gjergj Prelaj (29, male) and Sokol Prelaj (34, male)

289. The Chamber notes that two different labels (2BA–247 and 2BA–83) were given to the victims with similar names: Sokol (Prel) Prela and Gjergj Prela.<sup>930</sup> Both victims are listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victims were part of a group of people last seen in Meja on 27 April 1999. It identifies 2BA–247 and 2BA–083 as Gjergj (Prel) Prelaj and Sokol (Prel) Prelaj respectively, and records each of their cases as closed with the remains having been returned to their families.<sup>931</sup>

290. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Gjergj (Prel) Prelaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>932</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Gjergj (Prel) Prelaj is a result of “multiple gunshot wounds to the head”.<sup>933</sup>

291. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Sokol (Prel) Prelaj is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>934</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Sokol (Prel) Prela is a result of a “[g]unshot wound

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<sup>927</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1135–1142.

<sup>928</sup> P2454 (OMPF Reports), e-court pp. 65–66.

<sup>929</sup> P2454 (OMPF Reports), e-court pp. 67–68.

<sup>930</sup> P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

<sup>931</sup> P2798 (OMPF list of missing persons).

<sup>932</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1366–1370.

<sup>933</sup> P944 (OMPF Reports), e-court pp. 405–407.

<sup>934</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 463–466.

to the head”.<sup>935</sup>

(236) Sokol Prelaj (34, male)

292. See analysis number 235 above.

(237) Tome Prelaj (37, male)

293. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>936</sup> Remains that were given the label of 2Ba–232 were identified through DNA testing as being those of Tome (Kole) Prela.<sup>937</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Tome (Kole) Prela is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>938</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Tomë (Kolë) Prela is a result of a “[g]unshot to the head and chest”.<sup>939</sup> This is confirmed by the anthropology summary report for Tome (Kole) Prela issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>940</sup>

(238) Gjergj Prendi (22, male), Mark Prendi (26, male), and Robert Prendi (24, male)

294. The Chamber notes that two different labels (2BA–180 and 2BA–189) were given to three victims: Gjergj, Robert, or Mark (Gjon) Prendi.<sup>941</sup> The three victims are listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victims were part of a group of people last seen in Meja on 27 April 1999. However, it does not identify the labels for these three victims and does not indicate that the remains were returned to their families.<sup>942</sup>

295. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of 2Ba–180 is not specified and the report notes that this is because “[t]he

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<sup>935</sup> P944 (OMPF Reports), e-court pp. 129–131.

<sup>936</sup> P2798 (OMPF list of missing persons).

<sup>937</sup> P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

<sup>938</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1271–1278.

<sup>939</sup> P2454 (OMPF Reports), e-court pp. 72–73.

<sup>940</sup> P2454 (OMPF Reports), e-court p. 74.

<sup>941</sup> P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

<sup>942</sup> P2798 (OMPF list of missing persons).



body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple bone fractures “caused by the blunt edge of a mechanical instrument”.<sup>943</sup>

296. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of 2Ba–189 is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>944</sup>

297. The Chamber is unable to determine what sets of remains are those of Gjergj, Robert, or Mark (Gjon) Prendi, and therefore finds that it has not been proven that any of these three victims were killed in Meja on 27 April 1999.

(239) Leonard Prendi (21, male)

298. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>945</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(240) Mark Prendi (26, male)

299. See analysis number 238 above.

(241) Pal Prendi (49, male)

300. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>946</sup> Remains that were given the label of Ba05–37T were identified through DNA testing as being those of Pal (Nike) Prendi.<sup>947</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Pal (Nike) Prendi is not specified and the report notes that this is because “[t]he remains are in a state of advanced post-mortem transformations”. However, the report notes that there were multiple fractures, as well as exposure to high temperature.<sup>948</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Pal (Nikë) Prendi is a result of a “[g]unshot to the head (two shots)”.<sup>949</sup> This is

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<sup>943</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 982–986.

<sup>944</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1033–1039.

<sup>945</sup> P2798 (OMPF list of missing persons).

<sup>946</sup> P2798 (OMPF list of missing persons).

<sup>947</sup> P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

<sup>948</sup> P2415 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 45–58.

<sup>949</sup> P2394 (OMPF Reports), e-court pp. 40–41.

confirmed by the anthropology summary report for Pal (Nike) Prendi issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>950</sup>

(242) Prend Prendi (55, male)

301. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>951</sup> Remains that were given the label of Ba05–248T were identified through DNA testing as being those of Prend (Mark) Prendi.<sup>952</sup>

(243) Robert Prendi (24, male)

302. See analysis number 238 above.

(244) Sokol Prendi (37, male)

303. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>953</sup> Remains that were given the label of 2Ba–199 were identified through DNA testing as being those of Sokol (Gjon) Prendi.<sup>954</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Sokol (Gjon) Prendi is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, “[a] deformed metal projectile was found in the putrefied brain matter in the posterior cranial fossa”.<sup>955</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Sokol (Gjon) Prendi is a result of a “[g]unshot to the head, chest, left arm”.<sup>956</sup> This is confirmed by the anthropology summary report for Sokol (Gjon) Prendi issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>957</sup>

(245) Viktor Prendi (28, male)

304. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes

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<sup>950</sup> P2394 (OMPF Reports), e-court p. 42–43.

<sup>951</sup> P2798 (OMPF list of missing persons).

<sup>952</sup> P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

<sup>953</sup> P2798 (OMPF list of missing persons).

<sup>954</sup> P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

<sup>955</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1079–1082.

<sup>956</sup> P943 (OMPF Reports), e-court pp. 279–280.

<sup>957</sup> P943 (OMPF Reports), e-court p. 534–535.

that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>958</sup> Remains that were given the label of 2Ba–172 were identified through DNA testing as being those of Vitor (Gjon) Prendi.<sup>959</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Vitor (Gjon) Prendi is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures to the face, ribs, left scapula, and right femur, as well as signs of blunt instrument impact.<sup>960</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Vitor (Gjon) Prendi is unascertained.<sup>961</sup>

(246) Hajdar Qestaj (61, male)

305. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>962</sup> Remains that were given the label of 2Ba–181 were identified through DNA testing as being those of Hajdar (Niman) Cestaj.<sup>963</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Hajdar (Niman) Cestaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the head, ribs, vertebra, right clavicle, right scapula, and left ulna, as well as bone fractures caused by the impact of “the blunt edge of a mechanical instrument”.<sup>964</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Hajdar (Niman) Qestaj is unascertained.<sup>965</sup>

(247) Adem Rama (22, male)

306. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>966</sup> Remains that were given the label of 2Ba–S–3 were identified through DNA testing as being those of Adem

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<sup>958</sup> P2798 (OMPF list of missing persons).

<sup>959</sup> P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

<sup>960</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 939–943.

<sup>961</sup> P944 (OMPF Reports), e-court pp. 280–282.

<sup>962</sup> P2798 (OMPF list of missing persons).

<sup>963</sup> P2559 (Addendum to Expert Report), e-court p. 24 (under seal).

<sup>964</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 987–990.

<sup>965</sup> P944 (OMPF Reports), e-court pp. 293–295.

<sup>966</sup> P2798 (OMPF list of missing persons).

(Sadri) Rama.<sup>967</sup>

(248) Bujar Rama (27, male)

307. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>968</sup> Remains that were given the label of 2Ba-75 were identified through DNA testing as being those of Bujar (Arif) Rama.<sup>969</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Bujar (Arif) Rama is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, “[t]he autopsy identified an aperture in the right parietal bone which is the entry-wound aperture caused by a projectile.”<sup>970</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Bujar (Arif) Rama is a result of a “gunshot wound to the head”.<sup>971</sup>

(249) Nijazi Rama (22, male)

308. The Chamber notes that two different labels were given to the victim named Nijazi (Xhafer) Rama: 2Ba-S-8 and K2BA-S-8.<sup>972</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999. It does not identify a label for this victim.<sup>973</sup> The Chamber does not consider that the attachment of two labels to Nijazi (Xhafer) Rama creates any doubt that he was killed in Meja on 27 April 1999.

(250) Sadri Rama (50, male)

309. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>974</sup> Remains that were given the label of 2Ba-101 were identified through DNA testing as being those of Sadri

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<sup>967</sup> P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

<sup>968</sup> P2798 (OMPF list of missing persons).

<sup>969</sup> P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

<sup>970</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 425–427.

<sup>971</sup> P944 (OMPF Reports), e-court pp. 107–109.

<sup>972</sup> P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

<sup>973</sup> P2798 (OMPF list of missing persons).

<sup>974</sup> P2798 (OMPF list of missing persons).

(Adem) Rama.<sup>975</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Sadri (Adem) Rama is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a “metal projectile was found in the preserved soft tissue of the right articular surface of the sacrum”.<sup>976</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Sadri (Adem) Rama is unascertained. However, the report does not establish that “massive destruction to the left ilium might suggest antemortem injury to the pelvis”.<sup>977</sup>

(251) Sezaj Rama (36, male)

310. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>978</sup> Remains that were given the label of 2Ba–186 were identified through DNA testing as being those of Sezaj (Hazir) Rama.<sup>979</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Sezaj (Hazir) Rama is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures to the head, ribs, vertebrae, left clavicle, and right scapula, as well as signs of blunt instrument impact.<sup>980</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Sezaj (Hazir) Rama is a result of “[g]unshot injuries to the head and trunk”.<sup>981</sup> This is confirmed by the anthropology summary report for Sezaj (Hazir) Rama issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>982</sup>

(252) Zenun Rama (33, male)

311. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>983</sup> Remains that were given the label of 2Ba–25 were identified through DNA testing as being those of Zenun (Rame)

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<sup>975</sup> P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

<sup>976</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 548–551.

<sup>977</sup> P944 (OMPF Reports), e-court pp. 166–168.

<sup>978</sup> P2798 (OMPF list of missing persons).

<sup>979</sup> P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

<sup>980</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1015–1019.

<sup>981</sup> P943 (OMPF Reports), e-court pp. 288–289.

<sup>982</sup> P943 (OMPF Reports), e-court p. 509–510.

<sup>983</sup> P2798 (OMPF list of missing persons).

Rama.<sup>984</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Zenun (Rame) Rama is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that both hands were missing, there were multiple fractures to the head, pelvic bone, ribs, and femurs, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>985</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Zenun (Ramë) Rama is a result of a “[g]unshot wound to the head”.<sup>986</sup>

(253) Zeqir Rama (80, male)

312. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>987</sup> Remains that were given the label of 2Ba–150 were identified through DNA testing as being those of Zeqir (Mete) Rama.<sup>988</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Zeqir (Mete) Rama is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>989</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Zeqir (Mete) Rama is unascertained.<sup>990</sup> This is confirmed by the anthropology summary report for Zeqir (Mete) Rama issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>991</sup>

(254) Rame Ramaj (27, male)

313. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>992</sup> Remains that were given the label of 2Ba–89 were identified through DNA testing as being those of Ram

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<sup>984</sup> P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

<sup>985</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 158–162.

<sup>986</sup> P944 (OMPF Reports), e-court pp. 31–33.

<sup>987</sup> P2798 (OMPF list of missing persons).

<sup>988</sup> P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

<sup>989</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 828–831.

<sup>990</sup> P943 (OMPF Reports), e-court pp. 285–286.

<sup>991</sup> P943 (OMPF Reports), e-court p. 552–553.

<sup>992</sup> P2798 (OMPF list of missing persons).

(Dervish) Ramaj.<sup>993</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ram (Dervish) Ramaj is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, “a metal projectile was found in the left leg, in the soft tissue surrounding the left femur”.<sup>994</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ramë (Dërvish) Ramaj is a result of “[g]unshot injury to both thigh (one shot to right, two shots to left thigh). Gunshot to the chest”.<sup>995</sup> This is confirmed by the anthropology summary report for Ram (Dervish) Ramaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>996</sup>

(255) Tahir Ramaj (70, male)

314. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>997</sup> Remains that were given the label of 2Ba–85 were identified through DNA testing as being those of Tahir (Murat) Ramaj.<sup>998</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Tahir (Murat) Ramaj is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a metal projectile was found in the “soft tissue of the exterior side of the rib cage, on the level of the 6<sup>th</sup> and 7<sup>th</sup> rib on the left side in the anterior axillary line”.<sup>999</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Tahir (Murat) Ramaj is a result of a “[g]unshot wound to the left hip”.<sup>1000</sup> The anthropology summary report for Tahir (Murat) Ramaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, states that the cause of death was due to a “[g]unshot to the pelvis”.<sup>1001</sup>

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<sup>993</sup> P2559 (Addendum to the expert report 004/2005-ER from September 2005 prepared by the ICMP), e-court p. 47 (under seal).

<sup>994</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 492–498.

<sup>995</sup> P2454 (OMPF Reports), e-court pp. 19–20.

<sup>996</sup> P2454 (OMPF Reports), e-court p. 21.

<sup>997</sup> P2798 (OMPF list of missing persons).

<sup>998</sup> P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

<sup>999</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 471–474.

<sup>1000</sup> P944 (OMPF Reports), e-court pp. 135–137.

<sup>1001</sup> P943 (OMPF Reports), e-court p. 589.

(256) Adem Rexha (44, male)

315. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1002</sup> Remains that were given the label of 2Ba-94 were identified through DNA testing as being those of Adem (Zenel) Rexha.<sup>1003</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Adem (Zenel) Rexha is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1004</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Adem (Zenel) Rexha is a result of “[g]unshots to the head and chest”.<sup>1005</sup> This is confirmed by the anthropology summary report for Adem (Zenel) Rexha issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1006</sup>

(257) Anton Rexha (20, male)

316. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1007</sup> Remains that were given the label of 2Ba-219 were identified through DNA testing as being those of Anton (Hajdar) Rexhaj.<sup>1008</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Anton (Hajdar) Rexhaj is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that the left foot was missing, there were multiple fractures to the head, vertebrae, and left clavicle, as well as signs of blunt instrument impact.<sup>1009</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Anton (Hajdar) Rexhaj is a result of a “gunshot to the head”.<sup>1010</sup> This is confirmed by the anthropology summary report for Anton (Hajdar) Rexhaj issued by the Office for Missing Persons

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<sup>1002</sup> P2798 (OMPF list of missing persons).

<sup>1003</sup> P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

<sup>1004</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 513–522.

<sup>1005</sup> P943 (OMPF Reports), e-court pp. 298–300.

<sup>1006</sup> P943 (OMPF Reports), e-court pp. 527–528.

<sup>1007</sup> P2798 (OMPF list of missing persons).

<sup>1008</sup> P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

<sup>1009</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1188–1192.

<sup>1010</sup> P944 (OMPF Reports), e-court pp. 362–364.



and Forensics, Department of Justice, UNMIK, which states that the cause of death was due to a “[g]unshot wound to the head and trunk”.<sup>1011</sup>

(258) Avni Rexha (28, male)

317. Remains that were given the label of 2Ba–16 were identified through DNA testing as being those of Avni or Ruzhdi (Idriz) Rexha.<sup>1012</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999. It identifies 2Ba–016 as Avni (Idriz) Rexha.<sup>1013</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Avni (Idriz) Rexha is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures to the skull, trunk and limbs caused by blunt instrument impact, and exposure to high temperature.<sup>1014</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Avni (Idriz) Rexha is a result of “[m]ultiple gunshot injuries (to the head, neck, chest, right arm)”.<sup>1015</sup> This is confirmed by the anthropology summary report for Avni (Idriz) Rexha issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1016</sup>

(259) Bashkim Rexha (20, male)

318. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1017</sup> Remains that were given the label of 2Ba–139 were identified through DNA testing as being those of Bashkim (Rexhe) Rexha.<sup>1018</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Bashkim (Rexhe) Rexha is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple bone fractures, caused by the impact of a blunt instrument.<sup>1019</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Bashkim (Rexhë) Rexha is a result of “[g]unshots to

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<sup>1011</sup> P943 (OMPF Reports), e-court p. 573.

<sup>1012</sup> P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

<sup>1013</sup> P2798 (OMPF list of missing persons).

<sup>1014</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 111–115.

<sup>1015</sup> P943 (OMPF Reports), e-court pp. 292–293.

<sup>1016</sup> P943 (OMPF Reports), e-court pp. 556–557.

<sup>1017</sup> P2798 (OMPF list of missing persons).

<sup>1018</sup> P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

<sup>1019</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 774–778.

the head, right leg”.<sup>1020</sup> This is confirmed by the anthropology summary report for Bashkim (Rexhe) Rexha issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1021</sup>

(260) Iber Rexha (53, male)

319. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1022</sup> Remains that were given the label of 2Ba–21 were identified through DNA testing as being those of Iber (Hasan) Rexha.<sup>1023</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Iber (Hasan) Rexha is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the body, as well as signs of blunt instrument impact.<sup>1024</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ibër (Hasan) Rexha is a result of “[g]unshots to the head and trunk”.<sup>1025</sup> This is confirmed by the anthropology summary report for Iber (Hasan) Rexha issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1026</sup>

(261) Ruzhdi Rexha (25, male)

320. Remains that were given the label of 2Ba–14 were identified through DNA testing as being those of Avni or Ruzhdi (Idriz) Rexha.<sup>1027</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999. It identifies 2Ba–014 as Ruzhdi (Idriz) Rexha.<sup>1028</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ruzhdi (Idriz) Rexha is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures to the head, vertebrae, ribs, hip bone, legs, and left scapula, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1029</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ruzhdi

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<sup>1020</sup> P943 (OMPF Reports), e-court pp. 295–296.

<sup>1021</sup> P943 (OMPF Reports), e-court p. 524–525.

<sup>1022</sup> P2798 (OMPF list of missing persons).

<sup>1023</sup> P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

<sup>1024</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 138–144.

<sup>1025</sup> P943 (OMPF Reports), e-court pp. 301–302.

<sup>1026</sup> P943 (OMPF Reports), e-court pp. 507–508.

<sup>1027</sup> P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

<sup>1028</sup> P2798 (OMPF list of missing persons).

<sup>1029</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 99–103.

(Idriz) Rexha is a result of “[g]unshot injuries – to the head, trunk, left leg”.<sup>1030</sup> This is confirmed by the anthropology summary report for Ruzhdi (Idriz) Rexha issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1031</sup>

(262) Hamza Rexhaj (62, male)

321. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1032</sup> Remains that were given the label of 2Ba–10 were identified through DNA testing as being those of Hamez (Rexhep) Rexha.<sup>1033</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty the cause of death of Hamez (Rexhep) Rexha is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a gunshot wound was found in the trunk “with a canal extending to the left and down, ending in the region of the 12<sup>th</sup> rib on the left side, where a projectile was found, and gunshot wounds to both upper arms”.<sup>1034</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Hamez (Rexhep) Rexhaj is a result of “multiple gunshot”.<sup>1035</sup> According to the anthropology summary report for Hamez (Rexhep) Rexha issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, the cause of death was due to a “[g]unshot wound to the head”.<sup>1036</sup>

(263) Isuf Rexhaj (27, male)

322. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1037</sup> Remains that were given the label of 2Ba–155 were identified through DNA testing as being those of Isuf (Adem) Rexha.<sup>1038</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Isuf (Adem) Rexhaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes

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<sup>1030</sup> P943 (OMPF Reports), e-court pp. 283–284.

<sup>1031</sup> P943 (OMPF Reports), e-court pp. 550–551.

<sup>1032</sup> P2798 (OMPF list of missing persons).

<sup>1033</sup> P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

<sup>1034</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 79–84.

<sup>1035</sup> P944 (OMPF Reports), e-court pp. 13–15.

<sup>1036</sup> P943 (OMPF Reports), e-court p. 579.

<sup>1037</sup> P2798 (OMPF list of missing persons).

<sup>1038</sup> P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

that there were multiple fractures to the ribs, vertebrae, sternum, arms, femurs, and feet, as well as signs of blunt instrument impact.<sup>1039</sup>

(264) Tahir Rexhaj (19, male)

323. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1040</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(265) Xhevdet Rexhaj (40, male)

324. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1041</sup> Remains that were given the label of 2Ba–132 were identified through DNA testing as being those of Xhevdet (Hamez) Rexha.<sup>1042</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Xhevdet (Hamez) Rexha is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, the examination also revealed multiple gun shot wounds located in the head, chest, trunk, and lower arm.<sup>1043</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Hamex (Rexhap) Rexhaj is a result of a “gunshot wound to the head”.<sup>1044</sup>

(266) Bekim Rrustemi (28, male)

325. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1045</sup> Remains that were given the label of 2Ba–49 were identified through DNA testing as being those of Bekim (Ali) Rrustemi.<sup>1046</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Bekim (Ali) Rrustemi is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However,

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<sup>1039</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 856–862

<sup>1040</sup> P2798 (OMPF list of missing persons).

<sup>1041</sup> P2798 (OMPF list of missing persons).

<sup>1042</sup> P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

<sup>1043</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 730–735.

<sup>1044</sup> P944 (OMPF Reports), e-court pp. 220–223.

<sup>1045</sup> P2798 (OMPF list of missing persons).

<sup>1046</sup> P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, there was a fracture to the 12<sup>th</sup> thoracic vertebra, which was caused by a projectile and there were three projectiles found in the “soft tissue of the pelvis, which did not damage the bones”.<sup>1047</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Bekim (Ali) Rrustemi is a result of “[g]unshot injury to the chest”.<sup>1048</sup> This is confirmed by the anthropology summary report for Bekim (Ali) Rrustemi issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1049</sup>

(267) Dan Rrustemi (35, male)

326. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1050</sup> Remains that were given the label of 2Ba–71 were identified through DNA testing as being those of Dan (Osman) Rrustemi.<sup>1051</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Dan (Osman) Rrustemi is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>1052</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Dan (Osman) Rrustemi is a result of a “[g]unshot to mandible”.<sup>1053</sup> This is confirmed by the anthropology summary report for Dan (Osman) Rrustemi issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1054</sup>

(268) Xhafer Rrustemi (27, male)

327. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1055</sup> Remains that were given the label of 2Ba–46 were identified through DNA testing as being those of Xhafer (Osman) Rrustemi.<sup>1056</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the

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<sup>1047</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 292–295.

<sup>1048</sup> P943 (OMPF Reports), e-court pp. 270–271.

<sup>1049</sup> P943 (OMPF Reports), e-court pp. 542–543.

<sup>1050</sup> P2798 (OMPF list of missing persons).

<sup>1051</sup> P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

<sup>1052</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 402–406.

<sup>1053</sup> P943 (OMPF Reports), e-court pp. 273–274.

<sup>1054</sup> P943 (OMPF Reports), e-court p. 546.

<sup>1055</sup> P2798 (OMPF list of missing persons).

<sup>1056</sup> P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

Belgrade Medical Faculty, the cause of death of Xhafer (Osman) Rrustemi is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a metal projectile was found “[i]n the soft tissue of the posterior side of the trunk, between the body of the 1<sup>st</sup> and 2<sup>nd</sup> thoracic vertebrae, and above the junction of the 2<sup>nd</sup> rib on the right side”.<sup>1057</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Xhafer (Osman) Rrustemi is a result of a “[g]unshot to the head (two shots)”.<sup>1058</sup> This is confirmed by the anthropology summary report for Xhafer (Osman) Rrustemi issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1059</sup>

(269) Iber Sadiku (40, male)

328. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1060</sup> Remains that were given the label of 2Ba-173 were identified through DNA testing as being those of Iber (Male) Sadiku.<sup>1061</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Iber (Male) Sadiku is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that the entire head was missing, there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a metal projectile was found located “in the spinal canal at the level of the third thoracic vertebra”.<sup>1062</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Iber (Mal) Sadiku is a result of “gunshot injury to right pelvis”.<sup>1063</sup>

(270) Ismet Sadiku (28, male)

329. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1064</sup> Remains that were given the label of 2Ba-S-12 were identified through DNA testing as being those of Ismet

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<sup>1057</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 277–280.

<sup>1058</sup> P943 (OMPF Reports), e-court pp. 267–268.

<sup>1059</sup> P943 (OMPF Reports), e-court pp. 544–545.

<sup>1060</sup> P2798 (OMPF list of missing persons).

<sup>1061</sup> P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

<sup>1062</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 944–947.

<sup>1063</sup> P944 (OMPF Reports), e-court pp. 283–285.

<sup>1064</sup> P2798 (OMPF list of missing persons).

(Miftar) Sadiku.<sup>1065</sup>

(271) Osman Sadiku (59, male)

330. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1066</sup> Remains that were given the label of 2Ba-165 were identified through DNA testing as being those of Osman (Beqe) Sadiku.<sup>1067</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Osman (Beqe) Sadiku is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a “bone scar was established in the region of the right humerus”.<sup>1068</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Osman (Beqe) Sadiku is unascertained.<sup>1069</sup>

(272) Ramiz Sadiku (33, male)

331. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1070</sup> Remains that were given the label of 2Ba-S-2 were identified through DNA testing as being those of Ramiz (Sadik) Sadiku.<sup>1071</sup>

(273) Sadik Sadiku (57, male)

332. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1072</sup> Remains that were given the label of 2Ba-237 were identified through DNA testing as being those of Sadik (Haxhi) Sadiku.<sup>1073</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Sadik (Haxhi) Sadiku is not specified and the report notes that this is because “[t]he body is in a stage of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the ribs, vertebrae, and right clavicle, as well as

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<sup>1065</sup> P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

<sup>1066</sup> P2798 (OMPF list of missing persons).

<sup>1067</sup> P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

<sup>1068</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 902–905.

<sup>1069</sup> P944 (OMPF Reports), e-court pp. 264–266.

<sup>1070</sup> P2798 (OMPF list of missing persons).

<sup>1071</sup> P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

<sup>1072</sup> P2798 (OMPF list of missing persons).

signs of blunt instrument impact.<sup>1074</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Sadik (Haxhi) Sadiku is a result of “[g]unshot injuries to the chest and right hand”.<sup>1075</sup> This is confirmed by the anthropology summary report for Sadik (Haxhi) Sadiku issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1076</sup>

(274) Hysni Sadriu (37, male)

333. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1077</sup> Remains that were given the label of 2Ba–143 were identified through DNA testing as being those of Isni (Hazir) Sadrija.<sup>1078</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Isni (Hazir) Sadrija is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1079</sup> Additionally, the examination revealed a gunshot wound to the chest. The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Hysni (Hazir) Sadrija is unascertained.<sup>1080</sup>

(275) Rexhep Sadriu (44, male)

334. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1081</sup> Remains that were given the label of 2Ba–169 were identified through DNA testing as being those of Rexhep (Uke) Sadria.<sup>1082</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Rexhep (Uke) Sadria is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a gunshot wound was found “[i]n the soft tissue of the head, on the posterior

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<sup>1073</sup> P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

<sup>1074</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1304–1309.

<sup>1075</sup> P943 (OMPF Reports), e-court pp. 304–305.

<sup>1076</sup> P943 (OMPF Reports), e-court pp. 529–530.

<sup>1077</sup> P2798 (OMPF list of missing persons).

<sup>1078</sup> P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

<sup>1079</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 793–796.

<sup>1080</sup> P944 (OMPF Reports), e-court pp. 242–244.

<sup>1081</sup> P2798 (OMPF list of missing persons).

<sup>1082</sup> P2559 (Addendum to Expert Report), e-court p. 49 (under seal).



fifth of the left parietal region” and “[o]n the right side of the pubic area”.<sup>1083</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Rexhep (Uke) Sadria is a result of “gunshot wounds to the head and lower abdomen”.<sup>1084</sup>

(276) Shaqir Sadriu (47, male)

335. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1085</sup> Remains that were given the label of 2Ba–229 were identified through DNA testing as being those of Shaqir (Muharem) Sadria.<sup>1086</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Shaqir (Muharem) Sadria is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures to the vertebrae, ribs, and both arms, as well as signs of blunt instrument impact.<sup>1087</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Shaqir (Muharem) Sadriu is a result of “gunshot wounds to the chest”.<sup>1088</sup> This is confirmed by the anthropology summary report for Shaqir (Muharem) Sadria issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1089</sup>

(277) Esat Sahiti (34, male)

336. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1090</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(278) Xhavit Salcaj (26, male)

337. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1091</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

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<sup>1083</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 923–927.

<sup>1084</sup> P944 (OMPF Reports), e-court pp. 270–273.

<sup>1085</sup> P2798 (OMPF list of missing persons).

<sup>1086</sup> P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

<sup>1087</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1247–1251.

<sup>1088</sup> P944 (OMPF Reports), e-court pp. 377–380.

<sup>1089</sup> P943 (OMPF Reports), e-court p. 572.

<sup>1090</sup> P2798 (OMPF list of missing persons).

<sup>1091</sup> P2798 (OMPF list of missing persons).

(279) Osman Salihaj (47, male)

338. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1092</sup> Remains that were given the label of 2Ba–63 were identified through DNA testing as being those of Osman (Jakup) Salihaj.<sup>1093</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Osman (Jakup) Salihaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1094</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Osman (Jakup) Salihaj is unascertained.<sup>1095</sup> This is confirmed by the anthropology summary report for Osman (Jakup) Salihaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1096</sup>

(280) Bajram Salihu (50, male)

339. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1097</sup> Remains that were given the label of 2Ba–164 were identified through DNA testing as being those of Bajram (Male) Salihu.<sup>1098</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Bajram (Male) Salihu is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1099</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Bajram (Malë) Salihu is a result of “[g]unshot injuries to the trunk, right arm, right leg”.<sup>1100</sup> This is confirmed by the anthropology summary report for Bajram (Male) Salihu issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1101</sup>

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<sup>1092</sup> P2798 (OMPF list of missing persons).

<sup>1093</sup> P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

<sup>1094</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 362–365.

<sup>1095</sup> P2454 (OMPF Reports), e-court pp. 13–14.

<sup>1096</sup> P2454 (OMPF Reports), e-court p. 15.

<sup>1097</sup> P2798 (OMPF list of missing persons).

<sup>1098</sup> P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

<sup>1099</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 896–901.

<sup>1100</sup> P943 (OMPF Reports), e-court pp. 325–326.

<sup>1101</sup> P943 (OMPF Reports), e-court p. 536–537.

(281) Nimon Salihu (49, male)

340. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1102</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(282) Beqir Selmanaj (40, male)

341. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1103</sup> Remains that were given the label of 2Ba–39 were identified through DNA testing as being those of Beqir (Muharrem) Selmani.<sup>1104</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Beqir (Muharrem) Selmani is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a bullet was found in the soft tissue “at the level of the clavicular line of the 5<sup>th</sup> left rib”, and a “deformed bullet jacket was found in the head bones located at the level of the left-hand side of the *sella turcica*”.<sup>1105</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Beqir (Muharrem) Selmani is a result of a “gunshot to the right pelvis”.<sup>1106</sup> This is confirmed by the anthropology summary report for Beqir (Muharrem) Selmani issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1107</sup>

(283) Nexhat Selmanaj (16, male)

342. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1108</sup> Remains that were given the label of 2Ba–67 were identified through DNA testing as being those of Nexhat (Beqir) Selmani.<sup>1109</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Nexhat (Beqir) Selmani is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”.

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<sup>1102</sup> P2798 (OMPF list of missing persons).

<sup>1103</sup> P2798 (OMPF list of missing persons).

<sup>1104</sup> P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

<sup>1105</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 235–238.

<sup>1106</sup> P944 (OMPF Reports), e-court pp. 55–57.

<sup>1107</sup> P943 (OMPF Reports), e-court p. 581.

<sup>1108</sup> P2798 (OMPF list of missing persons).

<sup>1109</sup> P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a metal projectile was found in the “soft tissue on the right side of the thoracic cage at the level of the fracture of the 6<sup>th</sup> rib”.<sup>1110</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Nexhat (Beqir) Selmani is a result of a “[g]unshot wound to the head”.<sup>1111</sup>

(284) Ali Selmani (54, male)

343. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1112</sup> Remains that were given the label of 2Ba–28 were identified through DNA testing as being those of Ali (Sahit) Selmani.<sup>1113</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ali (Sahit) Selmani is not specified and the report notes that this is because “[t]he body was found to be in the advanced stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1114</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ali (Sahit) Selmani is a result of “[m]ultiple gunshot injuries to the head, trunk and limbs”.<sup>1115</sup> This is confirmed by the anthropology summary report for Ali (Sahit) Selmani issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1116</sup>

(285) Baki Selmani (26, male)

344. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1117</sup> Remains that were given the label of 2Ba–244 were identified through DNA testing as being those of Baki (Xheme) Selmani.<sup>1118</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Baki (Xheme) Selmani is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument

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<sup>1110</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 384–388.

<sup>1111</sup> P2394 (OMPF Reports), e-court pp. 255–256.

<sup>1112</sup> P2798 (OMPF list of missing persons).

<sup>1113</sup> P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

<sup>1114</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 174–178.

<sup>1115</sup> P943 (OMPF Reports), e-court pp. 322–323.

<sup>1116</sup> P943 (OMPF Reports), e-court pp. 516–517.

<sup>1117</sup> P2798 (OMPF list of missing persons).

<sup>1118</sup> P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

impact.<sup>1119</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Baki (Xheme) Selmani is a result of three gunshot wounds to the chest.<sup>1120</sup> This is confirmed by the anthropology summary report for Baki (Xheme) Selmani issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1121</sup>

(286) Burim Selmani (19, male)

345. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1122</sup> Remains that were given the label of 2Ba-S-10 were identified through DNA testing as being those of Burim (Xheme) Selmani.<sup>1123</sup>

(287) Jonuz Selmani (30, male)

346. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was last seen in Meja on 29 April 1999.<sup>1124</sup> Remains that were given the label of 2Ba-121 were identified through DNA testing as being those of Jonuz (Bajram) Selmani.<sup>1125</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Jonuz (Bajram) Selmani is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1126</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Jonuz (Bajram) Selmani is a result of a “[g]unshot to the chest”.<sup>1127</sup> This is confirmed by the anthropology summary report for Jonuz (Bajram) Selmani issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1128</sup>

(288) Sherif Selmani (66, male)

347. This victim is not listed on the OMPF list of missing persons in Kosovo. Furthermore, the Chamber notes that there is no forensic evidence with respect to this listed victim.

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<sup>1119</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy: Autopsy reports), e-court pp. 1345–1352.

<sup>1120</sup> P2394 (OMPF Reports), e-court pp. 184–185.

<sup>1121</sup> P2394 (OMPF Reports), e-court p. 186.

<sup>1122</sup> P2798 (OMPF list of missing persons).

<sup>1123</sup> P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

<sup>1124</sup> P2798 (OMPF list of missing persons).

<sup>1125</sup> P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

<sup>1126</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 658–661.

<sup>1127</sup> P944 (OMPF Reports), e-court pp. 200–202.

<sup>1128</sup> P943 (OMPF Reports), e-court p. 591.

(289) Shpend Selmani (20, male)

348. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1129</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(290) Ujkan Selmani (18, male)

349. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1130</sup> Remains that were given the label of 2Ba–32 were identified through DNA testing as being those of Ujkan (Ali) Selmani.<sup>1131</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ujkan (Ali) Selmani is not specified and the report notes that this is because “[t]he body is in the latter stages of post mortal changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1132</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Ujkan (Ali) Selmani is unascertained.<sup>1133</sup>

(291) Xheme Selmani (65, male)

350. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1134</sup> Remains that were given the label of 2Ba–243 were identified through DNA testing as being those of Xheme (Isuf) Selmani.<sup>1135</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Xheme (Isuf) Selmani is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a “metal projectile was found in the subcutaneous tissue of the right pectoral region, at the level of the second intercostals space and the middle clavicular line”.<sup>1136</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Xhemë

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<sup>1129</sup> P2798 (OMPF list of missing persons).

<sup>1130</sup> P2798 (OMPF list of missing persons).

<sup>1131</sup> P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

<sup>1132</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 200–203.

<sup>1133</sup> P944 (OMPF Reports), e-court pp. 42–44.

<sup>1134</sup> P2798 (OMPF list of missing persons).

<sup>1135</sup> P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

<sup>1136</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1340–1344.

(Isuf) Selmani is a result of “[m]ultiple gunshot wounds to the chest”.<sup>1137</sup>

(292) Zenun Selmani (45, male)

351. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1138</sup> Remains that were given the label of 2Ba–215 were identified through DNA testing as being those of Zenun (Isuf) Selmani.<sup>1139</sup>

(293) Deme Shala (29, male)

352. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1140</sup> Remains that were given the label of 2Ba–122 were identified through DNA testing as being those of Deme (Salih) Shala.<sup>1141</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Deme (Salih) Shala is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1142</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Demë (Salih) Shala is unascertained.<sup>1143</sup>

(294) Agim Shehu (34, male) and Ismet Shehu (30, male)

353. The Chamber notes that two different labels (2BA–157 and 2BA–86) were given to the victims with similar names: Ismet (Hasan) Shehu and Agim (Hasan) Shehu.<sup>1144</sup> Both victims are listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victims were part of a group of people last seen in Meja on 27 April 1999. It identifies 2BA–086 and 2BA–157 as Agim (Hasan) Shehu and Ismet (Hasan) Shehu respectively.<sup>1145</sup>

354. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ismet (Hasan) Shehu is not specified and the report notes that this is

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<sup>1137</sup> P944 (OMPF Reports), e-court pp. 396–401.

<sup>1138</sup> P2798 (OMPF list of missing persons).

<sup>1139</sup> P2558 (Notice of DNA Reports, December 2005), e-court p. 66 (under seal).

<sup>1140</sup> P2798 (OMPF list of missing persons).

<sup>1141</sup> P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

<sup>1142</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 662–665.

<sup>1143</sup> P944 (OMPF Reports), e-court pp. 203–205.

<sup>1144</sup> P2559 (Addendum to Expert Report), e-court p. 52 (under seal).

<sup>1145</sup> P2798 (OMPF list of missing persons).

because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1146</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ismet (Hasan) Shehu is a result of a “[g]unshot injury to the chest”.<sup>1147</sup> This is confirmed by the anthropology summary report for Ismet (Hasan) Shehu issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1148</sup>

355. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Agim (Hasan) Shehu is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1149</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Agim (Hasan) Shehu is a result of a “[p]ossible gunshot to the chest”.<sup>1150</sup> This is confirmed by the anthropology summary report for Agim (Hasan) Shehu issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1151</sup>

(295) Ahmet Shehu (53, male)

356. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1152</sup> Remains that were given the label of 2Ba–239 were identified through DNA testing as being those of Ahmet (Deli) Shehu.<sup>1153</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ahmet (Deli) Shehu is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the head, ribs, vertebrae, and right clavicle, as well as signs of blunt instrument impact.<sup>1154</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ahmet (Deli) Shehu is a result of

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<sup>1146</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 868–871.

<sup>1147</sup> P2394 (OMPF Reports), e-court pp. 276–277.

<sup>1148</sup> P2394 (OMPF Reports), e-court p. 278.

<sup>1149</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 475–480.

<sup>1150</sup> P2394 (OMPF Reports), e-court pp. 259–260.

<sup>1151</sup> P2394 (OMPF Reports), e-court p. 261.

<sup>1152</sup> P2798 (OMPF list of missing persons).

<sup>1153</sup> P2559 (Addendum to Expert Report), e-court p. 52 (under seal).

<sup>1154</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1319–1323.



“multiple gunshot wounds”.<sup>1155</sup> This is confirmed by the anthropology summary report for Ahmet (Deli) Shehu issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, which states that the cause of death was due to a “[g]unshot injury to the head and chest”.<sup>1156</sup>

(296) Bujar Shehu (18, male)

357. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1157</sup> Remains that were given the label of 2Ba–156 were identified through DNA testing as being those of Bujar (Beqe) Shehu.<sup>1158</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Bujar (Beqe) Shehu is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1159</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Bujar (Beqe) Shehu is a result of “gunshot injury to lower abdomen”.<sup>1160</sup>

(297) Ismet Shehu (30, male)

358. See analysis number 294 above.

(298) Mehmet Shehu (25, male)

359. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1161</sup> Remains that were given the label of 2Ba–201 were identified through DNA testing as being those of Mehmet (Rame) Shehu.<sup>1162</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Mehmet (Rame) Shehu is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the head, and vertebrae, as well as

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<sup>1155</sup> P944 (OMPF Reports), e-court pp. 384–387.

<sup>1156</sup> P943 (OMPF Reports), e-court p. 570.

<sup>1157</sup> P2798 (OMPF list of missing persons).

<sup>1158</sup> P2559 (Addendum to Expert Report), e-court p. 52 (under seal).

<sup>1159</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 863–867.

<sup>1160</sup> P944 (OMPF Reports), e-court pp. 256–259.

<sup>1161</sup> P2798 (OMPF list of missing persons).

<sup>1162</sup> P2559 (Addendum to Expert Report), e-court p. 52 (under seal).

signs of blunt instrument impact. Additionally, “[a] metal projectile was found in the soft tissue on the left side in front of the 1<sup>st</sup> cervical vertebra.”<sup>1163</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Mehmet (Ramë) Shehu is a result of “multiple gunshot injuries – to the head, chest, left arm”.<sup>1164</sup> This is confirmed by the anthropology summary report for Mehmet (Rame) Shehu issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1165</sup>

(299) Rame Shehu (44, male)

360. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1166</sup> Remains that were given the label of 2Ba–02 were identified through DNA testing as being those of Rame (Hasan) Shehu.<sup>1167</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Rame (Hasan) Shehu is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1168</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ramë (Hasan) Shehu is a result of a “[g]unshot wound to the head”.<sup>1169</sup> This is confirmed by the anthropology summary report for Rame (Hasan) Shehu issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1170</sup>

(300) Elvis Shoshi (19, male)

361. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1171</sup> Remains that were given the label of 2Ba–35 were identified through DNA testing as being those of Elvis (Miftar) Shoshi.<sup>1172</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Elvis (Miftar) Shoshi is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes.” However, the report notes

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<sup>1163</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1088–1091.

<sup>1164</sup> P943 (OMPF Reports), e-court pp. 310–311.

<sup>1165</sup> P943 (OMPF Reports), e-court pp. 531–532.

<sup>1166</sup> P2798 (OMPF list of missing persons).

<sup>1167</sup> P2559 (Addendum to Expert Report), e-court p. 52 (under seal).

<sup>1168</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 33–37.

<sup>1169</sup> P944 (OMPF Reports), e-court pp. 1–3.

<sup>1170</sup> P943 (OMPF Reports), e-court p. 588.

<sup>1171</sup> P2798 (OMPF list of missing persons).

<sup>1172</sup> P2559 (Addendum to Expert Report), e-court p. 52 (under seal).

that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a projectile was found “in the subcutaneous tissue of the left lateral side of the rib cage, on the level of the 5<sup>th</sup> rib and the anterior axillary line”.<sup>1173</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Elvis (Miftar) Shoshi is a result of “multiple gunshot wounds”.<sup>1174</sup>

(301) Naser Shoshi (25, male) and Perparim Shoshi (21, male)

362. The Chamber notes that two different labels (2Ba-S-15 and K2BA-S-15-2BA-S-16-2) were given to the victims with similar names: Perparim (Shaban) Shoshi and Naser (Shaban) Shoshi.<sup>1175</sup> These two victims are listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victims were part of a group of people last seen in Meja on 27 April 1999. It does not identify the labels for these victims, and does not record each of their cases as closed with the remains having been returned to their families.<sup>1176</sup> Consequently, the Chamber is unable to determine which sets of remains are those of Perparim and Naser (Shaban) Shoshi, and so it has not been proven that either of these two victims was killed in Meja on 27 April 1999.

(302) Perparim Shoshi (21, male)

363. See analysis number 301 above.

(303) Gani Smajli (41, male)

364. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1177</sup> Remains that were given the label of 2Ba-240 were identified through DNA testing as being those of Gani (Ymer) Smajli.<sup>1178</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Gani (Ymer) Smajli is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>1179</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Gani (Imer) Smajli is a result of “[g]unshot injuries to the head, trunk (left pelvis)

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<sup>1173</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 218–222.

<sup>1174</sup> P944 (OMPF Reports), e-court pp. 45–47.

<sup>1175</sup> P2559 (Addendum to Expert Report), e-court p. 52 (under seal).

<sup>1176</sup> P2798 (OMPF list of missing persons).

<sup>1177</sup> P2798 (OMPF list of missing persons).

<sup>1178</sup> P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

<sup>1179</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1324–1330.

and left arm”.<sup>1180</sup> This is confirmed by the anthropology summary report for Gani (Ymer) Smajli issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1181</sup>

(304) Filip Sokoli (45, male)

365. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1182</sup> Remains that were given the label of 2Ba–203 were identified through DNA testing as being those of Filip (Ibrahim) Sokoli.<sup>1183</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Filip (Ibrahim) Sokoli is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes.” However, the report notes that there were multiple fractures to the head, ribs, pelvis, legs, and arms, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally “[a] deformed bullet was found in the soft tissue in front of the first lumbar vertebra.”<sup>1184</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Filip (Ibrahim) Sokoli is a result of “[m]ultiple gunshot injuries (to the head, trunk, limbs)”.<sup>1185</sup> This is confirmed by the anthropology summary report for Filip (Ibrahim) Sokoli issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1186</sup>

(305) Gjergj Sokoli (38, male)

366. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1187</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(306) Kastriot Sokoli (18, male)

367. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1188</sup> Remains that were given the label of 2Ba–147 were identified through DNA testing as being those of Kastriot

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<sup>1180</sup> P2394 (OMPF Reports), e-court pp. 287–288.

<sup>1181</sup> P2394 (OMPF Reports), e-court p. 289.

<sup>1182</sup> P2798 (OMPF list of missing persons).

<sup>1183</sup> P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

<sup>1184</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1096–1102.

<sup>1185</sup> P943 (OMPF Reports), e-court pp. 316–317.

<sup>1186</sup> P943 (OMPF Reports), e-court pp. 520–521.

<sup>1187</sup> P2798 (OMPF list of missing persons).

<sup>1188</sup> P2798 (OMPF list of missing persons).

(Pashk) Sokoli.<sup>1189</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Kastriot (Pashk) Sokoli is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures to the head, face, vertebrae, ribs, left scapula, and left hand, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a metal projectile “was found in the body of the 4<sup>th</sup> lumbar vertebra”.<sup>1190</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Kastriot (Pashk) Sokoli is a result of “[g]unshot wounds to the head and right arm”.<sup>1191</sup>

(307) Kriste Sokoli (30, male)

368. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1192</sup> Remains that were given the label of 2Ba–225 were identified through DNA testing as being those of Krist (Ibrahim) Sokoli.<sup>1193</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Krist (Ibrahim) Sokoli is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures to the head, vertebrae, ribs, and left hand, as well as signs of blunt instrument impact. Additionally, the report notes that a projectile was found “along the left side of the cervical part of the spinal column at a height between the 6<sup>th</sup> and 7<sup>th</sup> vertebrae”.<sup>1194</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Kristë (Ibrahim) Sokoli is a result of a “[g]unshot to the chest”.<sup>1195</sup> This is confirmed by the anthropology summary report for Krist (Ibrahim) Sokoli issued by the Office for Missing Persons and Forensics, Department of Justice.<sup>1196</sup>

(308) Simon Sokoli (37, male)

369. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1197</sup> Remains that

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<sup>1189</sup> P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

<sup>1190</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 814–818.

<sup>1191</sup> P944 (OMPF Reports), e-court pp. 245–248.

<sup>1192</sup> P2798 (OMPF list of missing persons).

<sup>1193</sup> P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

<sup>1194</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy: Autopsy reports), e-court pp. 1220–1225.

<sup>1195</sup> P943 (OMPF Reports), e-court pp. 313–314.

<sup>1196</sup> P943 (OMPF Reports), e-court p. 533.

<sup>1197</sup> P2798 (OMPF list of missing persons).

were given the label of 2Ba-177 were identified through DNA testing as being those of Simon (Ibrahim) Sokoli.<sup>1198</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Simon (Ibrahim) Sokoli is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the ribs, right foot, and left leg, and fractures in the head, trunk and extremities which were caused by the impact of a blunt instrument.<sup>1199</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Simon (Ibrahim) Sokoli is a result of “[g]unshot to the chest”.<sup>1200</sup> This is confirmed by the anthropology summary report Simon (Ibrahim) Sokoli issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1201</sup>

(309) Ismet Sylja (48, male)

370. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1202</sup> Remains that were given the label of 2Ba-213 were identified through DNA testing as being those of Ismet (Zenun) Sylja.<sup>1203</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ismet (Zenun) Sylja is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes.” However, the report notes that there were multiple fractures to the head, vertebrae, ribs, legs, and arms, as well as signs of blunt instrument impact.<sup>1204</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ismet (Zenun) Sylja is a result of “[m]ultiple gunshot injuries to the trunk, left arm, both legs”.<sup>1205</sup> This is confirmed by the anthropology summary report for Ismet (Zenun) Sylja issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1206</sup>

(310) Rexhep Sylja (77, male)

371. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes

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<sup>1198</sup> P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

<sup>1199</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 960-964.

<sup>1200</sup> P943 (OMPF Reports), e-court pp. 313-314.

<sup>1201</sup> P943 (OMPF Reports), e-court p. 547.

<sup>1202</sup> P2798 (OMPF list of missing persons).

<sup>1203</sup> P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

<sup>1204</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1157-1161.

<sup>1205</sup> P943 (OMPF Reports), e-court pp. 307-308.

<sup>1206</sup> P943 (OMPF Reports), e-court pp. 554-555.

that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1207</sup> Remains that were given the label of 2Ba–23 were identified through DNA testing as being those of Rexhep (Avdi) Sylja.<sup>1208</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Rexhep (Avdi) Sylja is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes.” However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact to the head, trunk and limbs, and exposure to high temperature.<sup>1209</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Rexhep (Avdi) Sylja is unascertained.<sup>1210</sup>

(311) Bajram Sylaj (51, male)

372. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1211</sup> Remains that were given the label of 2Ba–66 were identified through DNA testing as being those of Bajram (Sali) Sylja.<sup>1212</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Bajram (Sali) Sylja is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that most of the head and face are missing, there were multiple fractures to the vertebrae, ribs, and sternum, as well as signs of blunt instrument impact.<sup>1213</sup>

(312) Bajram Tahiraj (55, male)

373. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1214</sup> Remains that were given the label of 2Ba–142 were identified through DNA testing as being those of Bajram (Male) Tahiraj.<sup>1215</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Bajram (Male) Tahiraj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple bone fractures, caused from the impact of a blunt instrument.

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<sup>1207</sup> P2798 (OMPF list of missing persons).

<sup>1208</sup> P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

<sup>1209</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 150–153.

<sup>1210</sup> P944 (OMPF Reports), e-court pp. 28–30.

<sup>1211</sup> P2798 (OMPF list of missing persons).

<sup>1212</sup> P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

<sup>1213</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 377–383.

<sup>1214</sup> P2798 (OMPF list of missing persons).

<sup>1215</sup> P2559 (Addendum to Expert Report), e-court p. 54 (under seal).

Additionally, there was a projectile found in the “soft tissue of the 5<sup>th</sup> intercostals space on the right side, at the level of the scapular line...whose tip is pointing to upper edge of the 6<sup>th</sup> rib”.<sup>1216</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Bajram (Male) Tahiraj is unascertained.<sup>1217</sup>

(313) Halil Tahiraj (34, male)

374. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1218</sup> Remains that were given the label of 2Ba–50 were identified through DNA testing as being those of Halil (Myftar) Tahiraj.<sup>1219</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Halil (Myftar) Tahiraj is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes.” However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1220</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Halil (Myftar) Tahiraj is a result of a “[g]unshot injury”.<sup>1221</sup>

(314) Isuf Tahiraj (63, male)

375. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1222</sup> Remains that were given the label of 2Ba–97 were identified through DNA testing as being those of Isuf (Tahir) Tahiraj.<sup>1223</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Isuf (Tahir) Tahiraj is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1224</sup> The death certificate issued by the Department of Justice, Office of the

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<sup>1216</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 789–792.

<sup>1217</sup> P944 (OMPF Reports), e-court pp. 239–241.

<sup>1218</sup> P2798 (OMPF list of missing persons).

<sup>1219</sup> P2559 (Addendum to Expert Report), e-court p. 54 (under seal).

<sup>1220</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 296–299.

<sup>1221</sup> P944 (OMPF Reports), e-court pp. 72–74.

<sup>1222</sup> P2798 (OMPF list of missing persons).

<sup>1223</sup> P2559 (Addendum to Expert Report), e-court p. 54 (under seal).

<sup>1224</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 532–535.



Medical Examiner, also establishes that the cause of death of Isuf (Tahir) Tahiraj is unascertained.<sup>1225</sup>

(315) Osman Tahiraj (47, male)

376. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1226</sup> Remains that were given the label of 2Ba-141 were identified through DNA testing as being those of Osman (Tahir) Tahiraj.<sup>1227</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Osman (Tahir) Tahiraj is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple bone fractures, caused by the impact of a blunt instrument impact.<sup>1228</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Osman (Tahir) Tahiraj is a result of “[g]unshot injuries”.<sup>1229</sup>

(316) Ramadan Tahiraj (37, male)

377. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1230</sup> Remains that were given the label of 2Ba-182 were identified through DNA testing as being those of Ramadan (Tahir) Tahiraj.<sup>1231</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ramadan (Tahir) Tahiraj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the head, ribs, vertebrae, arms, and left leg, as well as “multiple bone fractures caused by the blunt edge of a mechanical instrument”, and exposure to high temperature.<sup>1232</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ramadan (Tahir) Tahiraj is a result of a “gunshot injury”.<sup>1233</sup>

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<sup>1225</sup> P944 (OMPF Reports), e-court pp. 153–155.

<sup>1226</sup> P2798 (OMPF list of missing persons).

<sup>1227</sup> P2559 (Addendum to Expert Report), e-court p. 54 (under seal).

<sup>1228</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 785-788.

<sup>1229</sup> P944 (OMPF Reports), e-court pp. 236–238.

<sup>1230</sup> P2798 (OMPF list of missing persons).

<sup>1231</sup> P2559 (Addendum to Expert Report), e-court p. 54 (under seal).

<sup>1232</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 991–995.

<sup>1233</sup> P944 (OMPF Reports), e-court pp. 296–299.

(317) Rrustem Tahiraj (22, male)

378. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1234</sup> Remains that were given the label of 2Ba–228 were identified through DNA testing as being those of Rrustem (Sadri) Tahiraj.<sup>1235</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Rrustem (Sadri) Tahiraj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures to the head, vertebrae, and ribs, as well as signs of blunt instrument impact.<sup>1236</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Rrustem (Sadri) Tahiraj is a result of a “[g]unshot to the head and to the chest”.<sup>1237</sup> This is confirmed by the anthropology summary report for Rrustem (Sadri) Tahiraj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, which states that the cause of death was due to two gunshots to the head and to the chest.<sup>1238</sup>

(318) Selman Tahiraj (47, male)

379. The Chamber notes that two different labels were given to the victim named Selman (Tafe) Tahiraj (K–2BA196–K2 and K2BA–196–K1–1).<sup>1239</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1240</sup> The Chamber does not consider that the attachment of two labels to Selman (Tafe) Tahiraj creates any doubt that he was killed in Meja on 27 April 1999.

(319) Xhevdet Tahiraj (24, male)

380. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1241</sup> Remains that were given the label of 2Ba–179 were identified through DNA testing as being those of Xhevdet (Selman) Tahiraj.<sup>1242</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the

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<sup>1234</sup> P2798 (OMPF list of missing persons).

<sup>1235</sup> P2559 (Addendum to Expert Report), e-court p. 54 (under seal).

<sup>1236</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1240–1246.

<sup>1237</sup> P2394 (OMPF Reports), e-court pp. 283–284.

<sup>1238</sup> P2394 (OMPF Reports), e-court pp. 285–286.

<sup>1239</sup> P2559 (Addendum to Expert Report), e-court p. 54 (under seal).

<sup>1240</sup> P2798 (OMPF list of missing persons).

<sup>1241</sup> P2798 (OMPF list of missing persons).

<sup>1242</sup> P2559 (Addendum to Expert Report), e-court p. 54 (under seal).

Belgrade Medical Faculty, the cause of death of Xhevdet (Selman) Tahiraj is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the ribs, vertebrae, right clavicle, right scapula, and right humerus, as well as signs of blunt instrument impact. Additionally, “[a] metal projectile was found near the first cervical vertebra.”<sup>1243</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Xhevdet (Selman) Tahiraj is a result of a “[g]unshot injury to the chest”.<sup>1244</sup> This is confirmed by the anthropology summary report for Xhevdet (Selman) Tahiraj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK<sup>1245</sup>

(320) Uke Xhemajli (30, male) and Shpend Xhemajli (21, male)

381. The Chamber notes that the same label 2Ba–140 was given to two victims: Uke or Shpend (Osman) Xhemajli.<sup>1246</sup> Both victims are listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victims were part of a group of people last seen in Meja on 27 April 1999. It identifies 2Ba–140 as Uke (Osmon) Xhemajli.<sup>1247</sup>

382. In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Uke (Osmon) Xhemajli is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, “[t]he right 8<sup>th</sup> rib had multiple fractures at its attachment to spine, while the surrounding soft tissue was tinted green and there was a green projectile in it.”<sup>1248</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Uke (Osmon) Xhemajli is the result of “multiple gunshot wounds to pelvic – abdominal region and right femur”.<sup>1249</sup>

383. However, the Chamber notes that there is no forensic evidence with respect to Shpend (Osman) Xhemajli, and so is not satisfied that it has been proven that he was killed in Meja on 27 April 1999.

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<sup>1243</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 973–981.

<sup>1244</sup> P2454 (OMPF Reports), e-court pp. 52–53.

<sup>1245</sup> P2454 (OMPF Reports), e-court p. 54.

<sup>1246</sup> P2559 (Addendum to the expert report 004/2005-ER from September 2005 prepared by the ICMP), e-court p. 55 (under seal). The Chamber notes that P2559 lists two first names for 2Ba–140.

<sup>1247</sup> P2798 (OMPF list of missing persons).

<sup>1248</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 779–784.

<sup>1249</sup> P944 (OMPF Reports), e-court pp. 232–235.

(321) Alban Xhemajli (19, male)

384. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1250</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(322) Hasan Xhemajli (64, male)

385. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1251</sup> Remains that were given the label of 2Ba-47 were identified through DNA testing as being those of Hasan (Rame) Xhemajlaj.<sup>1252</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Hasan (Rame) Xhemajlaj is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, the report notes that the fractures to the sternum were possibly caused by a projectile, and a projectile was found in the “soft tissue on the left lateral side of the neck”.<sup>1253</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Hasan (Ramë) Xhemajlaj is a result of “several defects to pelvis and sacrum consistent with projectile impacts”.<sup>1254</sup>

(323) Ilija Xhemajli (23, male)

386. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1255</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(324) Isa Xhemajli (55, male)

387. The Chamber notes that two different labels were given to the victim named Isa (Raman) Xhemajlaj: 2Ba-S-16 and K2BA-S-15-2Ba-S-16-3.<sup>1256</sup> This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people

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<sup>1250</sup> P2798 (OMPF list of missing persons).

<sup>1251</sup> P2798 (OMPF list of missing persons).

<sup>1252</sup> P2559 (Addendum to Expert Report), e-court p. 55 (under seal).

<sup>1253</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 281–285.

<sup>1254</sup> P944 (OMPF Reports), e-court pp. 68–71.

<sup>1255</sup> P2798 (OMPF list of missing persons).

<sup>1256</sup> P2559 (Addendum to Expert Report), e-court p. 55 (under seal).

last seen in Meja on 27 April 1999.<sup>1257</sup> The Chamber does not consider that the attachment of two labels to Isa (Raman) Xhemajlaj creates any doubt that he was killed in Meja on 27 April 1999.

(325) Miftar Xhemajli (34, male)

388. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1258</sup> Remains that were given the label of 2Ba–57 were identified through DNA testing as being those of Miftar (Hasan) Xhemajlaj.<sup>1259</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Miftar (Hasan) Xhemajlaj is not specified and the report notes that this is because “[t]he body was in an advanced state of post-mortem changes.” However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1260</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Miftar (Hasan) Xhemajlaj is unascertained.<sup>1261</sup>

(326) Muharrem Xhemajli (26, male)

389. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1262</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(327) Rifat Xhemajli (19, male)

390. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1263</sup> Remains that were given the label of 2Ba–133 were identified through DNA testing as being those of Rifat (Isa) Xhemajlaj.<sup>1264</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Rifat (Isa) Xhemajlaj is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the vertebrae, ribs, right leg, and right arm, as well as signs

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<sup>1257</sup> P2798 (OMPF list of missing persons).

<sup>1258</sup> P2798 (OMPF list of missing persons).

<sup>1259</sup> P2559 (Addendum to Expert Report), e-court p. 55 (under seal).

<sup>1260</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 333–337.

<sup>1261</sup> P944 (OMPF Reports), e-court pp. 84–87.

<sup>1262</sup> P2798 (OMPF list of missing persons).

<sup>1263</sup> P2798 (OMPF list of missing persons).

<sup>1264</sup> P2559 (Addendum to Expert Report), e-court p. 55 (under seal).

of blunt instrument impact. Additionally, the examination revealed that there are two gunshot wounds on the right shoulder and a possible wound to the chest.<sup>1265</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Rifat (Isa) Xhemajlaj is a result of a “[g]unshot injuries to the chest, left arm”.<sup>1266</sup> This is confirmed by the anthropology summary report for Rifat (Isa) Xhemajlaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1267</sup>

(328) Shkelzen Xhemajli (20, male)

391. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1268</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(329) Shpend Xhemajli (21, male)

392. See analysis number 320 above.

(330) Xhemajl Xhemajli (46, male)

393. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1269</sup> Remains that were given the label of 2Ba–248 were identified through DNA testing as being those of Xhemajli (Rame) Xhemajli.<sup>1270</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Xhemajli (Rame) Xhemajli is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, the report notes that a metal projectile was found “in the soft tissue directly below the skin, in the area of the inner third of the right clavicle”.<sup>1271</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Xhemajlaj (Ramë) Xhemajl is a result of “multiple gunshot wounds to upper body”.<sup>1272</sup>

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<sup>1265</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 736–741.

<sup>1266</sup> P943 (OMPF Reports), e-court pp. 328–329.

<sup>1267</sup> P943 (OMPF Reports), e-court p. 500–501.

<sup>1268</sup> P2798 (OMPF list of missing persons).

<sup>1269</sup> P2798 (OMPF list of missing persons).

<sup>1270</sup> P2559 (Addendum to Expert Report), e-court p. 55 (under seal).

<sup>1271</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1371–1375.

<sup>1272</sup> P944 (OMPF Reports), e-court pp. 430–433.

(331) Elez Ymeri (59, male)

394. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1273</sup> Remains that were given the label of 2Ba-95 were identified through DNA testing as being those of Elez (Tafe) Imeri.<sup>1274</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Elez (Tafe) Imeri is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature. Additionally, a “bone scar was found on the right humerus”.<sup>1275</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Elez (Tafë) Imeri is a result of a “gunshot to the head”.<sup>1276</sup>

(332) Gani Ymeri (41, male)

395. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1277</sup> However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

(333) Halit Ymeri (57, male)

396. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1278</sup> Remains that were given the label of 2Ba-99 were identified through DNA testing as being those of Halit (Mustafe) Imeri.<sup>1279</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Halit (Mustafe) Imeri is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1280</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Halit (Mustafe) Ymeri is

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<sup>1273</sup> P2798 (OMPF list of missing persons).

<sup>1274</sup> P2559 (Addendum to Expert Report), e-court p. 34 (under seal).

<sup>1275</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 523–526.

<sup>1276</sup> P944 (OMPF Reports), e-court pp. 147–149.

<sup>1277</sup> P2798 (OMPF list of missing persons).

<sup>1278</sup> P2798 (OMPF list of missing persons).

<sup>1279</sup> P2559 (Addendum to Expert Report), e-court p. 34 (under seal).

<sup>1280</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 540–543.

unascertained.<sup>1281</sup>

(334) Hasan Ymeri (24, male)

397. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1282</sup> Remains that were given the label of 2Ba–60 were identified through DNA testing as being those of Hasan (Halit) Imeri.<sup>1283</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Hasan (Halit) Imeri is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1284</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Hasan (Halit) Imeri is a result of a “[g]unshot wound to abdomen”.<sup>1285</sup> This is confirmed by the anthropology summary report for Hasan (Halit) Imeri issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK, which states that the cause of death was due to a “[g]unshot wound to the trunk”.<sup>1286</sup>

(335) Hysen Ymeri (male, 18)

398. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1287</sup> Remains that were given the label of 2Ba–194 were identified through DNA testing as being those of Hysen (Halit) Imeri.<sup>1288</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Hysen (Halit) Imeri is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>1289</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Hysen Imeri is a result of “multiple gunshot wounds to the chest”.<sup>1290</sup> This is confirmed by the anthropology summary report for Hysen (Halit) Imeri issued by the Office for

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<sup>1281</sup> P944 (OMPF Reports), e-court pp. 159–161.

<sup>1282</sup> P2798 (OMPF list of missing persons).

<sup>1283</sup> P2559 (Addendum to Expert Report), e-court p. 33 (under seal).

<sup>1284</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 349–354.

<sup>1285</sup> P944 (OMPF Reports), e-court pp. 88–90.

<sup>1286</sup> P943 (OMPF Reports), e-court p. 587.

<sup>1287</sup> P2798 (OMPF list of missing persons).

<sup>1288</sup> P2559 (Addendum to Expert Report), e-court p. 33 (under seal).

<sup>1289</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1058–1061.

<sup>1290</sup> P944 (OMPF Reports), e-court pp. 317–321.



(336) Musa Ymeri (36, male)

399. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1292</sup> Remains that were given the label of 2Ba–193 were identified through DNA testing as being those of Musa (Xhafer) Imeri.<sup>1293</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Musa (Xhafer) Imeri is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that the entire head is missing, there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1294</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Musa (Xhafer) Imeri is unascertained.<sup>1295</sup>

(337) Xhafer Ymeri (68, male)

400. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1296</sup> Remains that were given the label of 2Ba–153 were identified through DNA testing as being those of Xhafer (Muse) Imeri.<sup>1297</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of 2Ba–153 is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1298</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Xhafer (Muse) Imeri is a result of “gunshot wound to the lower abdomen”.<sup>1299</sup>

(338) Zenel Ymeri (41, male)

401. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes

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<sup>1291</sup> P943 (OMPF Reports), e-court p. 569.

<sup>1292</sup> P2798 (OMPF list of missing persons).

<sup>1293</sup> P2559 (Addendum to Expert Report), e-court p. 34 (under seal).

<sup>1294</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1055–1057.

<sup>1295</sup> P944 (OMPF Reports), e-court pp. 314–316.

<sup>1296</sup> P2798 (OMPF list of missing persons).

<sup>1297</sup> P2559 (Addendum to Expert Report), e-court p. 33 (under seal).

<sup>1298</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 848–851.

that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1300</sup> Remains that were given the label of 2Ba–87 were identified through DNA testing as being those of Zenel (Xhafer) Imeri.<sup>1301</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Zenel (Xhafer) Imeri is not specified and the report notes that this is because “[t]he body was found to be in the latter stages of post-mortem changes.” However, the report notes that the left hand is missing, there were multiple fractures to the thyroid cartilage, left tibia, leg bones, and right clavicle, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1302</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Zenel (Xhafer) Imeri is unascertained.<sup>1303</sup>

(339) Bajram Zenuni (36, male)

402. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1304</sup> Remains that were given the label of 2Ba–131 were identified through DNA testing as being those of Bajram (Lahe) Zenuni.<sup>1305</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Bajram (Lahe) Zenuni is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the chest and vertebrae, as well as signs of blunt instrument impact.<sup>1306</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Bajram (Lahe) Zenuni is a result of a “[g]unshot to the chest”.<sup>1307</sup>

(340) Xhevat Zenuni (43, male)

403. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1308</sup> Remains that were given the label of 2Ba–08 were identified through DNA testing as being those of Xhevat

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<sup>1299</sup> P944 (OMPF Reports), e-court pp. 249–252.

<sup>1300</sup> P2798 (OMPF list of missing persons).

<sup>1301</sup> P2559 (Addendum to Expert Report), e-court p. 34 (under seal).

<sup>1302</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 481–484.

<sup>1303</sup> P944 (OMPF Reports), e-court pp. 138–140.

<sup>1304</sup> P2798 (OMPF list of missing persons).

<sup>1305</sup> P2559 (Addendum to Expert Report), e-court p. 56 (under seal).

<sup>1306</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 724–729.

<sup>1307</sup> P944 (OMPF Reports), e-court pp. 216–219.

<sup>1308</sup> P2798 (OMPF list of missing persons).

(Hazir) Zenuni.<sup>1309</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Xhevat (Hazir) Zenuni is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that the left hand is missing, there were multiple fractures to the head, vertebrae, right fibula femurs, left humerus, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1310</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Xhevat (Hazir) Zenuni is a result of a “gunshot wound to the head”.<sup>1311</sup>

(341) Zenel Zenuni (42, male)

404. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1312</sup> Remains that were given the label of 2Ba-41 were identified through DNA testing as being those of Zenel (Zeqe) Zenuni.<sup>1313</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Zenel (Zeqe) Zenuni is not specified and the report notes that this is because “[t]he body is in a state of advanced post-mortem change”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high temperature.<sup>1314</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Zenel (Zeqe) Zenuni is unascertained.<sup>1315</sup> This is confirmed by the anthropology summary report for Zenel (Zeqe) Zenuni issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1316</sup>

(342) Hasan Zeqiri (56, male)

405. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1317</sup> Remains that were given the label of 2Ba-210 were identified through DNA testing as being those of Hasan (Rame) Zeqiri.<sup>1318</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the

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<sup>1309</sup> P2559 (Addendum to Expert Report), e-court p. 56 (under seal).

<sup>1310</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 69–73.

<sup>1311</sup> P944 (OMPF Reports), e-court pp. 7–9.

<sup>1312</sup> P2798 (OMPF list of missing persons).

<sup>1313</sup> P2559 (Addendum to Expert Report), e-court p. 56 (under seal).

<sup>1314</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 246–253.

<sup>1315</sup> P2394 (OMPF Reports), e-court pp. 252–253.

<sup>1316</sup> P2394 (OMPF Reports), e-court p. 254.

<sup>1317</sup> P2798 (OMPF list of missing persons).

<sup>1318</sup> P2559 (Addendum to Expert Report), e-court p. 56 (under seal).

Belgrade Medical Faculty, the cause of death of Hasan (Rame) Zeqiri is not specified and the report notes that this is because “[t]he body was in a state of advanced post-mortem changes”. However, the report notes that there were multiple fractures to the head, pelvis, ribs, vertebrae, manubrium and both scapulas, as well as signs of blunt instrument impact.<sup>1319</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Hasan (Ramë) Zeqiri is a result of a “gunshot wound through the neck”.<sup>1320</sup>

(343) Arber Zyberi (17, male)

406. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1321</sup> Remains that were given the label of 2Ba–227 were identified through DNA testing as being those of Arber (Selim) Zyberi.<sup>1322</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Arber (Selim) Zyberi is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact. Additionally, a projectile and gunshot wound were found in “in the region of the 12<sup>th</sup> rib on the left side”.<sup>1323</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Arber (Selim) Zyberi is a result of “gunshot wounds to the head”.<sup>1324</sup>

(344) Gani Zyberi (30, male)

407. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1325</sup> Remains that were given the label of 2Ba–124 were identified through DNA testing as being those of Gani (Sadri) Zyberi.<sup>1326</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Gani (Sadri) Zyberi is not specified and the report notes that this is because “[t]he body is in the latter stages of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact, and exposure to high

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<sup>1319</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1143–1146.

<sup>1320</sup> P944 (OMPF Reports), e-court pp. 335–339.

<sup>1321</sup> P2798 (OMPF list of missing persons).

<sup>1322</sup> P2559 (Addendum to Expert Report), e-court p. 56 (under seal).

<sup>1323</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1235–1239.

<sup>1324</sup> P944 (OMPF Reports), e-court pp. 374–376.

<sup>1325</sup> P2798 (OMPF list of missing persons).

<sup>1326</sup> P2559 (Addendum to Expert Report), e-court p. 56 (under seal).

temperature.<sup>1327</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Gani (Sadri) Zyberi is a result of “[g]unshot injury to the chest”.<sup>1328</sup>

(345) Skender Zyberi (30, male)

408. This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.<sup>1329</sup> Remains that were given the label of 2Ba-59 were identified through DNA testing as being those of Skender (Beqir) Zyberi.<sup>1330</sup> In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Skender (Beqir) Zyberi is not specified and the report notes that this is because “[t]he body was in an advanced state of post-mortem changes”. However, the report notes that there were multiple fractures, as well as signs of blunt instrument impact.<sup>1331</sup> The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Skender (Beqir) Zyberi is a result of a “[g]unshot to right shoulder and right forearm”.<sup>1332</sup> This is confirmed by the anthropology summary report for Skender (Beqir) Zyberi issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.<sup>1333</sup>

B. ORAHOVAC/RAHOVEC

409. Isuf Zhuniqi testified that he went through the names listed in the report of the British Forensic Team (Exhumation report issued by Metropolitan Police, SO 13, Anti-Terrorist Branch, regarding Forensic Examination at Bela Crvka-Site BC001, Kosovo)<sup>1334</sup> as being killed in Bela Crkva/Bellacërka and recognised them all as having been killed on 26 March 1999 in Belaja stream.<sup>1335</sup>

410. During the examination of Sabri Popaj, the Prosecution pointed out that he is mentioned in the report of the British Forensic Team as a person identifying 15 of the deceased listed in the report

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<sup>1327</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 674–677.

<sup>1328</sup> P944 (OMPF Reports), e-court pp. 206–208.

<sup>1329</sup> P2798 (OMPF list of missing persons).

<sup>1330</sup> P2559 (Addendum to Expert Report), e-court p. 56 (under seal).

<sup>1331</sup> P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 346–348.

<sup>1332</sup> P943 (OMPF Reports), e-court pp. 331–332.

<sup>1333</sup> P943 (OMPF Reports), e-court p. 512.

<sup>1334</sup> P97 (Exhumation report re Bela Crkva/Bellacërka). This document was admitted through witness Sabri Popaj.

<sup>1335</sup> Isuf Zhuniqi, T. 410–4105 (27 September 2006).

as being killed at Bela Crkva/Bellacërka.<sup>1336</sup>

1. Victims named in Schedule B of the Indictment (Bela Crkva/Bellacërka)

411. The Chamber notes that there are a number of discrepancies between the evidence and the Indictment in the spelling of the names of some of the victims listed in Schedule B. However, in most cases these discrepancies are so minor that the Chamber is nevertheless able to conclude that the relevant information relates to a certain victim.

(1) Abdullah Begaj (25, male)

412. Isuf Zhuniqi identified Abdullah Begaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1337</sup> However, there have been no remains identified as belonging to him; his name does not appear in the British Forensic Team's report.<sup>1338</sup>

(2) Murat Berisha (60, male)

413. Isuf Zhuniqi and Sabri Popaj identified Murat Berisha as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1339</sup> Dervish Berisha identified the corpse labelled JB-G/29/SR (Zone 1) by the clothing and the face as his father, Murat Berisha. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1340</sup>

(3) Fadil Gashi (46, male)

414. Isuf Zhuniqi and Sabri Popaj identified Fadil Gashi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1341</sup> Qamile Gashi identified the corpse labelled JB-G/32/SR (Zone 1) by the clothing as her husband, Fadil Gashi. The British Forensic Team identified the body as that of an adult male. External examination revealed a gunshot wound to the neck, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1342</sup>

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<sup>1336</sup> Sabri Popaj, T. 5677 (1 November 2006); P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 3–5.

<sup>1337</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5.

<sup>1338</sup> P97 (Exhumation report re Bela Crkva/Bellacërka).

<sup>1339</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1340</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 63.

<sup>1341</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1342</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 65–66.

(4) Musa Morina (65, male)

415. Isuf Zhuniqi identified Musa Morina as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1343</sup> However, there have been no remains identified as belonging to him; his name does not appear in the British Forensic Team's report.<sup>1344</sup>

(5) Abdullah Popaj (18, male)

416. Isuf Zhuniqi and Sabri Popaj identified Abdullah Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1345</sup> The corpse labelled CAD/5/SR (Zone 1) was identified by the clothing and the face as Abdullah Popaj by his cousin. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1346</sup>

(6) Agon Popaj (14, male)

417. Isuf Zhuniqi and Sabri Popaj identified Agon Popaj, Sabri Popaj's son, as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1347</sup> Sabri Popaj identified the corpse labelled CAD/8/SR (Zone 1) by the clothing and the face as his son, Agon Popaj. There was also a bottle with the body indicating his identity. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1348</sup>

(7) Alban Popaj (21, male)

418. Isuf Zhuniqi and Sabri Popaj identified Alban Popaj, Sabri Popaj's nephew, as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1349</sup> However, there have been no remains identified as belonging to him; his name does not appear in the British Forensic Team's report.<sup>1350</sup>

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<sup>1343</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5.

<sup>1344</sup> See P97 (Exhumation report re Bela Crkva/Bellacërka).

<sup>1345</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 6; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 3; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1346</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 85–86.

<sup>1347</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 1; Sabri Popaj, P2446 (witness statement dated 14 June 1999), pp. 5, 7. See also Sabri Popaj, T. 5739 (2 November 2006).

<sup>1348</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 89–90.

<sup>1349</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 2; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 5.

<sup>1350</sup> P97 (Exhumation report re Bela Crkva/Bellacërka).

(8) Bedrush Popaj (47, male)

419. Isuf Zhuniqi and Sabri Popaj identified Bedrush Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1351</sup> The corpse labelled CAD/6/SR (Zone 1) by the clothing and the face as Bedrush Popaj by his cousin. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1352</sup>

(9) Belul Popaj (14, male)

420. Isuf Zhuniqi and Sabri Popaj identified Belul Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1353</sup> The corpse labelled CAD/3/SR (Zone 1) was identified by the clothing as Belul Popaj by his cousin. There was also a bottle with the body indicating his identity. The British Forensic Team identified the body as that of an adult male. According to the report of the British Forensic Team, the victim's death was caused by a gunshot wound to head.<sup>1354</sup>

(10) Ethem Popaj (46, male)

421. Isuf Zhuniqi and Sabri Popaj identified Ethem Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1355</sup> The corpse labelled CAD/8/SR (Zone 1) was identified by the clothing and the watch as Ethem Popaj by his cousin. There was also a bottle with the body indicating his identity. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1356</sup>

(11) Hazer Popaj (77, male)

422. Isuf Zhuniqi and Sabri Popaj identified Hazer Popaj as one of the persons killed at the Belaja

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<sup>1351</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 6; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 4; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1352</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 86–87.

<sup>1353</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1354</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 84–85.

<sup>1355</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 6.

<sup>1356</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 88–89.



stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1357</sup> Sabri Popaj and Zenel Popaj buried the body.<sup>1358</sup> Zenel Popaj identified the corpse labelled JB-G/61/SR (Zone 7) as Hazer M. Popaj. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1359</sup>

(12) Hysni Popaj (37, male)

423. Isuf Zhuniqi and Sabri Popaj identified Hysni Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1360</sup> However, there have been no remains identified as belonging to him; his name does not appear in the British Forensic Team's report.<sup>1361</sup>

(13) Irfan Popaj (41, male)

424. Isuf Zhuniqi and Sabri Popaj identified Irfan Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1362</sup> Sabri Popaj testified that he found his body and assumed that he was one of the people killed by the MUP at the time he heard the shooting at the Belaja stream, about five minutes after he had witnessed the killing of the larger group of people.<sup>1363</sup> Sabri Popaj and Enver Popaj, Irfan Popaj's brother, buried his body.<sup>1364</sup> Enver Popaj identified the corpse labelled JB-G/56/SR (Zone 5) as his brother, Irfan Popaj. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1365</sup>

(14) Isuf Popaj (76, male)

425. Isuf Zhuniqi and Sabri Popaj identified Isuf Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1366</sup> Sabri Popaj buried his body.<sup>1367</sup> The corpse

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<sup>1357</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 6 and P2446 (addendum to the witness statement dated 5 June 2002); P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 6.

<sup>1358</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 6 and P2446 (addendum to the witness statement dated 5 June 2002); P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 45.

<sup>1359</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 81–82.

<sup>1360</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 6; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 5.

<sup>1361</sup> See P97 (Exhumation report re Bela Crkva/Bellacërka).

<sup>1362</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 7; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1363</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 8, T. 5661–5662, 5674 (1 November 2006).

<sup>1364</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), pp. 7–8.

<sup>1365</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 75–76.

<sup>1366</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 6; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

labelled CAD/13/SR (Zone 2) was identified by the clothing as Isuf Popaj by his cousin. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1368</sup>

(15) Kreshnik Popaj (18, male)

426. Isuf Zhuniqi and Sabri Popaj identified Kreshnik Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1369</sup> The corpse labelled CAD/7/SR (Zone 1) was identified by the clothing and the shoes as Kreshnik Popaj by his cousin. There was also a bottle with the body indicating his identity. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1370</sup>

(16) Lindrit Popaj (18, male)

427. Isuf Zhuniqi identified Lindrit Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1371</sup> However, there have been no remains identified as belonging to him; his name does not appear in the British Forensic Team's report.<sup>1372</sup>

(17) Mehmet Popaj (46, male)

428. Isuf Zhuniqi and Sabri Popaj identified Mehmet Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1373</sup> Sabri Popaj buried the body.<sup>1374</sup> The corpse labelled CAD/7/SR (Zone 1) was identified by the clothing as Mehmet Popaj by his cousin. There was also a bottle with the body indicating his identity. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1375</sup>

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<sup>1367</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 6. *See* Sabri Popaj, T. 5673–5674 (1 November 2006); IC94 (marked photograph of Belaja Bridge).

<sup>1368</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 93–94.

<sup>1369</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 8; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1370</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 87–88.

<sup>1371</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 6.

<sup>1372</sup> P97 (Exhumation report re Bela Crkva/Bellacërka).

<sup>1373</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 6; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1374</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 6. *See* Sabri Popaj, T. 5673–5674 (1 November 2006); IC94 (marked photograph of Belaja Bridge).

<sup>1375</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 94–95.

(18) Mersel Popaj (53, male)

429. Isuf Zhuniqi and Sabri Popaj identified Mersel Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1376</sup> The corpse labelled CAD/2/SR (Zone 1) was identified by the clothing as Mersel Popaj by his cousin. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1377</sup>

(19) Nazmi Popaj (45, male)

430. Isuf Zhuniqi and Sabri Popaj identified Nazmi Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1378</sup> The corpse labelled CAD/12/SR (Zone 1) was identified by the clothing and the face as Nazmi Popaj by his brother. There was also a bottle with the body indicating his identity. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1379</sup>

(20) Nisim Popaj (35, male)

431. Isuf Zhuniqi and Sabri Popaj identified Nisim Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1380</sup> The corpse labelled CAD/11/SR (Zone 1) was identified by the clothing and the face as Nesim Popaj by his brother. There was also a bottle with the body indicating his identity. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1381</sup>

(21) Rrustem Popaj (61, male)

432. Isuf Zhuniqi and Sabri Popaj identified Rrustem Popaj as one of the persons killed at the

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<sup>1376</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1377</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 83–84.

<sup>1378</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 9; Sabri Popaj, P2446 (witness statement dated 14 June 1999), pp. 5, 7, T. 5739 (2 November 2006).

<sup>1379</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 92–93.

<sup>1380</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 4; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 10; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7, T. 5739 (2 November 2006).

<sup>1381</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 91–92.

Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1382</sup> Although the name “Popaj Rustem” does not appear in Isuf Zhuniqi’s written statement where he listed the names of the persons that he saw being killed in Bela Crkva/Bellacërka village, a photograph of a person called “Rustem Halit Popaj” (61) is among the photographs of the villagers from Bela Crkva/Bellacërka contained in P94 and Isuf Zhuniqi testified that he reviewed these photographs and all of the persons appearing on the photographs were killed.<sup>1383</sup> Elmi Popaj identified the corpse labelled JB-G/33/SR (Zone 1) by the clothing and the watch as his uncle, “Rusten” Popaj. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim’s death.<sup>1384</sup>

(22) Sahid Popaj (40, male)

433. Isuf Zhuniqi and Sabri Popaj identified Sahid Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1385</sup> The corpse labelled CAD/4/SR (Zone 1) was identified by the clothing and the documents as Sahit Popaj by his cousin. There was also a bottle with the body indicating his identity. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim’s death.<sup>1386</sup>

(23) Sedat Popaj (47, male)

434. Isuf Zhuniqi and Sabri Popaj identified Sedat Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1387</sup> Sabri Popaj testified that he found his body and assumed that he was one of the people killed by the MUP at the time he heard the shooting at the Belaja stream, about five minutes after he had witnessed the killing of the larger group of people. Sabri Popaj and Enver Popaj had buried the body.<sup>1388</sup> Enver Popaj identified the corpse labelled JB-G/55/SR (Zone 5) as his brother, Sedat Popaj. The British Forensic Team identified the body as that

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<sup>1382</sup> Isuf Zhuniqi, T. 4104 (27 September 2006); P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 11; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1383</sup> Isuf Zhuniqi, T. 4104 (27 September 2006); P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 11.

<sup>1384</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 66–67.

<sup>1385</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1386</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 84–85.

<sup>1387</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 12; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1388</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), pp. 7–8, T. 5661–5662, 5674 (1 November 2006), T. 5750–5752 (2 November 2006).

of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1389</sup>

(24) Shendet Popaj (17, male)

435. Isuf Zhuniqi and Sabri Popaj identified Shendet Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1390</sup> Sabri Popaj identified the corpse labelled CAD/10/SR (Zone 1) by the clothing and the face as his son, Shendet Popaj. There was also a bottle with the body indicating his identity. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds. According to the report of the British Forensic Team, the victim's death was caused by a gunshot wound to the head.<sup>1391</sup>

(25) Vehap Popaj (58, male)

436. Isuf Zhuniqi and Sabri Popaj identified Vehap Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1392</sup> The corpse labelled CAD/15/SR (Zone 2) by the clothing as Vehap Popaj by his cousin. There was also a bottle with the body indicating his identity. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1393</sup>

(26) Xhavit Popaj (32, male)

437. Isuf Zhuniqi and Sabri Popaj identified Xhavit Popaj as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1394</sup> Shyrete Popaj identified the corpse labelled JB-G/39/SR (Zone 1) by the clothing as her son, Xhavit Popaj. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1395</sup>

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<sup>1389</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 74–75.

<sup>1390</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 4; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 13; Sabri Popaj, P2446 (witness statement dated 14 June 1999), pp. 4–5, 7, T. 5663 (1 November 2006).

<sup>1391</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 90–91.

<sup>1392</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 6; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1393</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 95–96.

<sup>1394</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 6; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1395</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 72–73.

(27) Xhemal Spahiu's family

438. Isuf Zhuniqi and Sabri Popaj testified that they saw the killings of Xhemal Spahiu's family by the MUP at the Belaje river/stream on 26 March 1999.<sup>1396</sup> However, there are some discrepancies in their evidence: Isuf Zhuniqi testified that he saw "all the members" of Xhemal Spahiu's family being killed: Xhemal Spahiu, his wife, another woman, and four young children;<sup>1397</sup> Sabri Popaj testified that he eye-witnessed the killings of "eight" members of the Spahiu family whose names he did not know.<sup>1398</sup> The Trial Chamber will only deal with the members of the Spahiu family that are listed in Schedule B here.

439. In its Proof of Death Chart, annexed to its Final Trial Brief, the Prosecution linked the names of Marigona Spahiu, Iliriana Spahiu, Lirim Spahiu, Qamile Spahiu, and Xhemal Spahiu with the testimony of Isuf Zhuniqi, which is summarised in the paragraph above.<sup>1399</sup> However, it should be pointed out that there is no direct evidence suggesting that these persons were the ones that Isuf Zhuniqi and Sabri Popaj saw being killed at the Belaja stream. As noted above, neither of the witnesses provided the names of the killed members of the Spahiu's family. The only exception is Xhemal Spahiu.

440. The report of the British Forensic Team reports that there were 12 persons buried at Zone 6 of the burial site BC001 near the village of Bela Crkva/Bellacërka. The examination of these bodies was carried out on 3 July 1999. The British Forensic Team report states that all 12 of them died from gunshot wounds from high velocity firearms. The most common sites of injury in these 12 cases were head and/or back with three to the chest.<sup>1400</sup> The exhumed bodies were later identified by Sahit Zhuniqi, who had buried them, as belonging to: Shlirim/Clirim Zhuniqi, "Lumnig Zhuniqi", Dardan Zhuniqi, Dhurata Zhuniqi, Dardane Zhuniqi, Xhemal/Gjemal Spahiu, Qamile Spahiu, Fiqriq Spahiu, Iliriana Spahiu, Labinot Spahiu, Marigioni Spahiu, Lirim Spahiu.<sup>1401</sup>

441. The evidence contained in the exhumation report supports the testimonies of Isuf Zhuniqi and Sabri Popaj, namely that the persons named in the exhumation report belonging to the Zhuniqi and Spahiu families were the ones they saw killed on 26 March 1999 at the Belaja stream. The report identifies the victims and provides their names and other relevant information. The Trial Chamber

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<sup>1396</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 3; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 3, T. 5655–5656 (1 November 2006).

<sup>1397</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 3.

<sup>1398</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 4, T. 5655–5656 (1 November 2006).

<sup>1399</sup> Prosecution Final Trial Brief, 29 July 2008 (public version), Annex C (Bela Crkva), p. 5; Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 3.

<sup>1400</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 107.

finds that it can be concluded on the basis of the evidence provided by Isuf Zhuniqi and Sabri Popaj and the exhumation report, namely the number of the victims, their age, gender, and the site where they were buried and later exhumed, that Marigona, Ilirana, Lirim, and Labinot were the four children of the Spahiu family that Isuf Zhuniqi (and Sabri Popaj) saw being killed at the relevant time. The Trial Chamber notes that the names “Fiqriq Spahiu” and “Labinot Spahiu” do not appear on Schedule B; they are therefore discussed below in paragraphs 478–479.

(a) Marigona Spahiu (10, female)

442. Sahit Zhuniqi identified the corpse labelled JB-G/72/SR (Zone 6) as Marigona Spahiu. He had buried her body.<sup>1402</sup> The British Forensic Team identified the body as that of a female child, approximately ten years old. External examination revealed a gunshot wound to her chest, which, according to the report of the British Forensic Team, caused the victim’s death.<sup>1403</sup>

(b) Iliriana Spahiu (12, female)

443. Sahit Zhuniqi identified the corpse labelled JB-G/70/SR (Zone 6) as Ilirana Spahiu. He had buried her body.<sup>1404</sup> The British Forensic Team identified the body as that of a female child, 12 years of age. External examination revealed multiple gunshot wounds. According to the report of the British Forensic Team, the gunshot wound to her chest caused the victim’s death.<sup>1405</sup>

(c) Lirim Spahiu (7, male)

444. Sahit Zhuniqi identified the corpse labelled JB-G/73/SR (Zone 6) as Lirim Spahiu. He had buried his body.<sup>1406</sup> The British Forensic Team identified the body as that of a male child, approximately seven years old. External examination revealed multiple gunshot wounds. According to the report of the British Forensic Team, the gunshot wound to his chest caused the victim’s death.<sup>1407</sup>

(d) Qamile Spahiu (69, female)

445. Sahit Zhuniqi identified the corpse labelled JB-G/68/SR (Zone 6) as Qamile Spahiu. He had

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<sup>1401</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 46–47.

<sup>1402</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

<sup>1403</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 105.

<sup>1404</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

<sup>1405</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 104.

<sup>1406</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

<sup>1407</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 105–106.

buried her body.<sup>1408</sup> The British Forensic Team identified the body as that of an elderly adult female. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1409</sup>

(c) Xhemal Spahiu (70, male)

446. Sahit Zhuniqi identified the corpse labelled JB-G/66/SR (Zone 6) by the face as Xhemal Spahiu. He had buried his body.<sup>1410</sup> Isuf Zhuniqi also testified that Xhemal Spahiu was killed.<sup>1411</sup> The British Forensic Team identified the body as that of an elderly adult male. External examination revealed multiple gunshot wounds. According to the report of the British Forensic Team, the gunshot wound to his neck was the cause the victim's death.<sup>1412</sup>

(28) Clirim Zhuniqi's family

447. Isuf Zhuniqi stated that he saw he saw 13 people belonging to the families of Clirim Zhuniqi and Xhemal Spahiu being killed by the MUP at Belaja stream on 26 March 1999: eight members of Clirim Zhuniqi's family and five members of Xhemal Spahiu' family. From the Zhuniqi family he saw the following persons being killed: Clirim, his wife, his daughter Dardane (8 years), his son Dardan (6 years), and "another son" (4 years), whose name he did not know.<sup>1413</sup> He stated that he discovered later that Clirim's 2-year old son had survived the execution.<sup>1414</sup>

448. Sabri Popaj testified that he saw altogether 14 people belonging to the Zhuniqi family and the Spahiu family at the stream at the relevant time: six belonged to Clirim Zhuniqi's family and eight persons belonged to the Spahiu Family. From Zhuniqi's family he saw the following persons being killed: father Clirim, mother Lumturie, two daughters, and two sons.<sup>1415</sup> Sabri Popaj also heard that a small 2-year old boy was found alive at the scene of the killing that he had witnessed.<sup>1416</sup> In his testimony, he stated that his name was "Skodran" and he belonged to the family of "Arsim Zhuniqi".<sup>1417</sup>

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<sup>1408</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

<sup>1409</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 102–103.

<sup>1410</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

<sup>1411</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 3, P2332 (transcript from *Prosecutor v. Milošević*, Case No. IT-02-54-T), T. 6455.

<sup>1412</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 101.

<sup>1413</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 3.

<sup>1414</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 3, P2332 (transcript from *Prosecutor v. Milošević*, Case No IT-02-54-T), T. 6455.

<sup>1415</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 3.

<sup>1416</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 5.

<sup>1417</sup> Sabri Popaj, T. 5650 (1 November 2006).



449. As mentioned above, the exhumation report identifies five members of Clirim Zhuniqui's family whose bodies were exhumed at Zone 6 of the site BC001 and identified by Sahit Zhuniqui: Shlirim/Clirim Zhuniqui, Lumnig Zhuniqui, Dardan Zhuniqui, Dhurata Zhuniqui, Dardane Zhuniqui.<sup>1418</sup> In addition to Clirim Zhuniqui and his wife, Isuf Zhuniqui saw Clirim's son, Dardan, his daughter, Dardane, and "another son" being killed.<sup>1419</sup> Sabri Popaj, on the other hand, saw two daughters and two sons killed.<sup>1420</sup> On the basis of the testimonies of Isuf Zhuniqui and Sabri Popaj and the evidence provided in the exhumation report and photographic evidence, the Trial Chamber finds that it can be concluded that Clirim Zhuniqui, Lumnie Zhuniqui, Dardan Zhuniqui, Dhurata Zhuniqui and Dardane Zhuniqui were killed on 26 March 1999, as discussed below.

(a) Clirim Zhuniqui (40, male)

450. Isuf Zhuniqui and Sabri Popaj identified Clirim Zhuniqui as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1421</sup> Sahit Zhuniqui identified the corpse labelled JB-G/62/SR as his brother, Shlirim Zhuniqui. He had buried his body.<sup>1422</sup> The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds. According to the report of the British Forensic Team, the victim's death was caused by multiple gunshot wounds to his back.<sup>1423</sup>

(b) Lumnig Zhuniqui (39, female)

451. Isuf Zhuniqui and Sabri Popaj identified Lumnie Zhuniqui as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1424</sup> Sahit Zhuniqui identified the corpse labelled JB-G/63/SR (Zone 6) as "his sister", Lumnig Zhuniqui. He had buried her body.<sup>1425</sup> The British Forensic Team identified the body as that of an adult female. External examination revealed multiple gunshot wounds. According to the report of the British Forensic Team, the victim's death was caused by multiple gunshot wounds to her head and back.<sup>1426</sup>

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<sup>1418</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 46–47.

<sup>1419</sup> Isuf Zhuniqui, P2331 (witness statement dated 4 May 1999), p. 3.

<sup>1420</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 3.

<sup>1421</sup> Isuf Zhuniqui, P2331 (witness statement dated 4 May 1999), p. 3, P2332 (transcript from *Prosecutor v. Milošević*, Case No. IT-02-54-T), T. 6455; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 18; Sabri Popaj, P2446 (witness statement dated 14 June 1999), pp. 3–4.

<sup>1422</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

<sup>1423</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 98–99.

<sup>1424</sup> Isuf Zhuniqui, P2331 (witness statement dated 4 May 1999), p. 3, P2332 (transcript from *Prosecutor v. Milošević*, Case No. IT-02-54-T), T. 6455; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 18; Sabri Popaj, P2446 (witness statement dated 14 June 1999), pp. 3–4.

<sup>1425</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

<sup>1426</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 99.

(c) Dardan Zhuniqi (6, male)

452. Isuf Zhuniqi identified Dardan Zhuniqi as one of the persons being killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1427</sup> Sabri Popaj also testified that among other members of Clirim Zhuniqi's family, he saw his two sons being killed.<sup>1428</sup> Sahit Zhuniqi identified the corpse labelled JB-G/64/SR (Zone 6) as his nephew, Dardan Zhuniqi. He had buried his body.<sup>1429</sup> British Forensic Team identified the body as that of a male child aged six years. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1430</sup>

(d) Dardane Zhuniqi (8, female)

453. Isuf Zhuniqi identified Dardane Zhuniqi as one of the persons being killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1431</sup> Sabri Popaj also testified that among other members of Clirim Zhuniqi's family, he saw his two daughters being killed.<sup>1432</sup> Sahit Zhuniqi identified the corpse labelled JB-G/67/SR (Zone 6) as his niece, Dardane Zhuniqi. He had buried her body.<sup>1433</sup> British Forensic Team identified the body as that of a female child aged approximately 6 or 7 years. External examination revealed a gunshot wound to her head, which, according to the report of the British Forensic Team, cause the victim's death.<sup>1434</sup>

(e) Dhurata Zhuniqi (9, female)

454. Isuf Zhuniqi identified Dhurata Qlirim Zhuniqi as one of the persons being killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1435</sup> However, her name does not appear in Isuf Zhuniqi's witness statement where he identified the people he saw being killed in Bela Crkva/Bellacërka.<sup>1436</sup> Sabri Popaj also testified that among other members of Clirim Zhuniqi's family, he saw his two daughters being killed.<sup>1437</sup> Sahit Zhuniqi identified the corpse labelled JB-

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<sup>1427</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 3, P2332 (transcript from *Prosecutor v. Milošević*, Case No IT-02-54-T), T. 6455; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 20.

<sup>1428</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), pp. 3–4.

<sup>1429</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

<sup>1430</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 100.

<sup>1431</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 3; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 20.

<sup>1432</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), pp. 3–4.

<sup>1433</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

<sup>1434</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 101–102.

<sup>1435</sup> Isuf Zhuniqi, T. 4104 (27 September 2006); P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 19.

<sup>1436</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 3.

<sup>1437</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), pp. 3–4.

G/65/SR (Zone 6) as his niece, Dhurata Zhuniqi. He had buried her body.<sup>1438</sup> British Forensic Team identified the body as that of a female child aged approximately 9 or 10 years. External examination revealed a gunshot wound to the back of her head, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1439</sup> The Trial Chamber however notes, and finds significant that Dhurata Zhuniqi was listed as a four-year-old male in the Indictment Schedule B, but finds that this does not affect the finding that Dhurata Zhuniqi, a nine-year-old female was killed during this incident.

(f) Abein Zhuniqi (37, male)

455. Isuf Zhuniqi and Sabri Popaj identified Abein Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1440</sup> Sari Zhuniqi identified the corpse labelled JB-G/28/SR (Zone 1) by the shoes and the clothing as his brother, Abedin Zhuniqi. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1441</sup>

(g) Agim Zhuniqi (51, male)

456. Isuf Zhuniqi and Sabri Popaj identified Agim Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1442</sup> Sabri Popaj testified that he found his body and assumed that he was one of the people killed by the MUP at the time he heard the shooting at the Belaja stream, about five minutes after he had witnessed the killing of the larger group of people.<sup>1443</sup> Naim Zhuniqi identified the corpse labelled JB-G/58/SR (Zone 5) by the face as his father, Agim Zhuniqi. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1444</sup>

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<sup>1438</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

<sup>1439</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 100–101.

<sup>1440</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 14; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1441</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 41, 61–62.

<sup>1442</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 15; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 8.

<sup>1443</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 8. *See also* Sabri Popaj. T. 5661–5662, 5674 (1 November 2006).

<sup>1444</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 45, 78–79.

(h) Bajram Zhuniqi (51, male)

457. Isuf Zhuniqi and Sabri Popaj identified Bajram Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1445</sup> Bashkim Zhuniqi identified the corpse labelled JBG/34/SR by the clothing as his cousin, Bajram Zhuniqi. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1446</sup>

(i) Bilall Zhuniqi (67, male)

458. Isuf Zhuniqi and Sabri Popaj identified Bilall Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1447</sup> The corpse labelled JBG/36/SR was identified by the documents found in his pocket. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1448</sup>

(j) Destan Zhuniqi (68, male)

459. Isuf Zhuniqi and Sabri Popaj identified Destan Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1449</sup> Hashim Zhuniqi identified the corpse labelled JB-G/30/SR (Zone 1) by the clothing, the face, and the body as his father, Zhuniqi Destan. The British Forensic Team identified the body as that of an adult male. External examination revealed a gunshot wound, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1450</sup>

(k) Eshref Zhuniqi (55, male)

460. Isuf Zhuniqi and Sabri Popaj identified Eshref Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1451</sup> Sabri Popaj identified the corpse labelled CAD/1/SR (Zone 1) by the clothing and the gold tooth as his cousin, Eshref Zhuniqi. The

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<sup>1445</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 16; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1446</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 42, 67–68.

<sup>1447</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 17; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1448</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 42, 69–70.

<sup>1449</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1450</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 42, 63–64.

<sup>1451</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 21; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1452</sup>

(l) Fatos Zhuniqi (42, male)

461. Isuf Zhuniqi and Sabri Popaj identified Fatos Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1453</sup> Rexhep Zhuniqi identified the corpse labelled JB-G/41/SR (Zone 1) by the teeth and the clothing as his cousin, Fatos Zhuniqi. The British Forensic Team identified the body as that of an adult male. External examination revealed a gunshot wound to chest, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1454</sup>

(m) Labinot Zhuniqi (16, male)

462. Sabri Popaj identified Labinot Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1455</sup> Isuf Zhuniqi also identified him on one of the photographs contained in P94 as one of the persons being killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1456</sup> However, his name does not appear in Isuf Zhuniqi's witness statement where he identified the people he saw being killed in Bela Crkve/Bellacërkë.<sup>1457</sup> Rexhep Zhuniqi identified the corpse labelled JB-G/40SR (Zone 1) by the teeth and the shoes as his cousin, Labinot Zhuniqi. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1458</sup>

(n) Hysni Zhuniqi (70, male)

463. Isuf Zhuniqi and Sabri Popaj identified Hysni Zhuniqi as one of the persons being killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1459</sup> Sabri Popaj testified that he found his body and assumed that he was one of the people killed by the MUP at the time he heard the

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<sup>1452</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 49, 82.

<sup>1453</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 22; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1454</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 42–43, 74.

<sup>1455</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1456</sup> Isuf Zhuniqi, T. 4104 (27 September 2006); P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 23.

<sup>1457</sup> See Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5.

<sup>1458</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 42, 73–74.

shooting at the Belaja stream, about five minutes after he had witnessed the killing of the larger group of people.<sup>1460</sup> Naser Zhuniqi identified the corpse labelled JB-G/60SR by the face as his father, Hysni Sylgmon Zhuniki. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1461</sup>

(o) Ibrahim Zhuniqi (68, male)

464. Isuf Zhuniqi and Sabri Popaj identified Ibrahim Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1462</sup> Shaip Zhuniqi identified the corpse labelled JB-G/31/SR (Zone 1) by the clothing and the face as his father, Ibrahim Zhuniqi. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1463</sup>

(p) Kasim Zhuniqi (33, male)

465. Isuf Zhuniqi and Sabri Popaj identified Kasim Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1464</sup> Rexhep Zhuniqi identified the corpse labelled JB-G/22/SR (Zone 1) by the face and the clothing as his uncle, Kasim Zhuniqi. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds. According to the report of the British Forensic Team, the cause of the victim's death was gunshot wounds to chest.<sup>1465</sup>

(q) Medi Zhuniqi (55, male)

466. Isuf Zhuniqi and Sabri Popaj identified Medi Zhuniqi as one of the persons being killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1466</sup> Sabri Popaj testified that he found his body and assumed that he was one of the people killed by the MUP at the time he heard the shooting

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<sup>1459</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 24; Sabri Popaj, P2446 (witness statement dated 14 June 1999), pp. 7–8.

<sup>1460</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 8, T. 5661–5662, 5674 (1 November 2006).

<sup>1461</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 45, 80–81.

<sup>1462</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1463</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 42, 64–65.

<sup>1464</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1465</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 41, 58.

<sup>1466</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 8.

at the Belaja stream, about five minutes after he had witnessed the killing of the larger group of people.<sup>1467</sup> Iljaz Zhuniqi identified the corpse labelled JB-G/57/SR (Zone 5) as his brother, Mehdi Zhuniqi. Iljaz Zhuniqi had buried the body. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1468</sup>

(r) Muhammet Zhuniqi (70, male)

467. Isuf Zhuniqi identified Muhammet Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1469</sup> However, there have been no remains identified as belonging to him; his name does not appear in the British Forensic Team's report.<sup>1470</sup>

(s) Muharrem Zhuniqi (30, male)

468. Isuf Zhuniqi and Sabri Popaj identified Muharrem Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1471</sup> Halit Zhuniqi identified the corpse labelled JB-G/21/SR (Zone 1) by the face and the clothing as his first cousin, Muharem Zhuniqi. The British Forensic Team identified the body as that belonging to an adult male. External examination revealed multiple gunshot wounds. According to the report of the British Forensic Team, the cause of the victim's death was gunshot wound to chest.<sup>1472</sup>

(t) Qamil Zhuniqi (77, male)

469. Isuf Zhuniqi and Sabri Popaj identified Qamil Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1473</sup> Gani Fetoshi identified the corpse labelled JB-G/23/SR (Zone 1) by the head and the clothing as his father-in-law, Qamil Zhuniqi. The British Forensic Team identified the body as that of an adult male. External examination revealed a gunshot wound. According to the report of the British Forensic Team, the cause of the victim's death was gunshot wound to chest.<sup>1474</sup>

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<sup>1467</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 8, T. 5661–5662, 5674 (1 November 2006).

<sup>1468</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 45, 77–78.

<sup>1469</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5.

<sup>1470</sup> See P97 (Exhumation report re Bela Crkva/Bellacërka).

<sup>1471</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 25; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1472</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 41, 57.

<sup>1473</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 26; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1474</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 41, 58–59.

(u) Qemal Zhuniqi (59, male)

470. Isuf Zhuniqi and Sabri Popaj identified Qemal Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1475</sup> Bashkim Zhuniqi identified the corpse labelled JB-G/37/SR (Zone 1) by the clothing as his cousin, Qemal Zhuniqi. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1476</sup>

(v) Reshit Zhuniqi (32, male)

471. Isuf Zhuniqi and Sabri Popaj identified Reshit Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1477</sup> Ilmije Zhuniqi identified the corpse labelled JB-G/38/SR (Zone 1) by the clothing as her son, Rehit Zhuniqi. The British Forensic Team identified the body as that of an adult male. External examination revealed a gunshot wound to chest, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1478</sup>

(w) Shemsi Zhuniqi (52, male)

472. Isuf Zhuniqi and Sabri Popaj identified Shemsi Zhuniqi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1479</sup> Servete Zhuniqi identified the corpse labelled JB-G/35/SR (Zone 1) by the clothing and the moustache as her brother-in-law, Shemsi Zhuniqi. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1480</sup>

2. Victims not named in Schedule B of the Indictment (Bela Crkva/Bellacërka)

(1) Hajrulla Begu ([no age recorded], male)

473. Sabri Popaj testified that he found the body of Hajrulla Begu and assumed that he was one of the people killed by the MUP at the time he heard the shooting at the Belaja stream, about five

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<sup>1475</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 27; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1476</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 42, 70–71.

<sup>1477</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1478</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 42, 71–72.

<sup>1479</sup> Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 28; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.



minutes after he had witnessed the killing of the larger group of people.<sup>1481</sup> Met Begaj identified the corpse labelled JB-G/59/SR (Zone 5) as his brother, Hajrullah Haliti Begaj. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1482</sup>

(2) Ardian Fetoshi ([no age recorded], male)

474. Sabri Popaj identified Ardian Fetoshi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1483</sup> Baki Fetoshi identified the corpse labelled JB-G/24/SR (Zone 1) by the clothing as his cousin, Ardian Fetoshi. The British Forensic Team identified the body as that of an adult male. External examination revealed a gunshot wound. According to the report of the British Forensic Team, the cause of the victim's death could not be determined with any degree of certainty.<sup>1484</sup>

(3) Fatmir Fetoshi (male)

475. Sabri Popaj identified Fatimir Fetoshi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1485</sup> Hamzi Fetoshi identified the corpse labelled JB-G/27/SR (Zone 1) by the clothing and the wrist watch as his son, Fatimir Fetoshi. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1486</sup>

(4) Hysni Fetoshi ([no age recorded], male)

476. Sabri Popaj identified Hysni Fetoshi as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1487</sup> Baki Fetoshi identified the corpse labelled JB-G/25/SR (Zone 1) by the clothing as his cousin, Hysni Fetoshi. The British Forensic Team identified the body as that of an adult male. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1488</sup>

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<sup>1480</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 68–69.

<sup>1481</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 8, T. 5661–5662, 5674 (1 November 2006).

<sup>1482</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 79–80.

<sup>1483</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1484</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 41, 59–60.

<sup>1485</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1486</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 41, 60–61.

<sup>1487</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

<sup>1488</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 41, 60.

(5) Halim Fetoshi (66, male)

477. Sabri Popaj identified Fetoshi Halim as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.<sup>1489</sup> However, there have been no remains identified as belonging to him; his name does not appear in the British Forensic Team's report.<sup>1490</sup>

(6) Fiqriq Spahiu ([no age recorded], female)

478. In its Proof of Death Chart, annexed to its Final Trial Brief, the Prosecution linked the name of Fiqriq Spahiu to the testimonies of Isuf Zhuniqi and Sabri Popaj in which they described how they saw the killing of Spahiu family.<sup>1491</sup> However, it should be pointed out that there is no direct evidence suggesting that Spahiu Fiqriq was among the members of Spahiu family who Isuf Zhuniqi and Sabri Popaj saw being killed at the Belaja river/stream. Sahit Zhuniqi identified the corpse labelled JB-G/69/SR (Zone 6) as Fiqriq Spahiu. He had buried her body. The British Forensic Team identified the body as that of an adult female. External examination revealed multiple gunshot wounds, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1492</sup>

(7) Labinot Spahiu (4, male)

479. In its Proof of Death Chart, annexed to its Final Trial Brief, the Prosecution linked the name of Labinot Spahiu to the testimonies of Isuf Zhuniqi and Sabri Popaj in which they described how they saw the killing of Spahiu family.<sup>1493</sup> However, it should be pointed out that there is no direct evidence suggesting that Labinot Spahiu was among the members of Spahiu family who Isuf Zhuniqi and Sabri Popaj saw being killed at the Belaja river/stream. Sahit Zhuniqi identified the corpse labelled JB-G/71/SR (Zone 1) as Labinot Spahiu. He had buried his body. The British Forensic Team identified the body as that of a male child approximately 4 years old. External examination revealed a gunshot wound to his chest, which, according to the report of the British Forensic Team, caused the victim's death.<sup>1494</sup>

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<sup>1489</sup> Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 4, T. 5656 (1 November 2006).

<sup>1490</sup> See P97 (Exhumation report re Bela Crkva/Bellacërka).

<sup>1491</sup> Prosecution Final Trial Brief, 29 July 2008 (public version), Annex C (Bela Crkva), p. 9; Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 3; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 3.

<sup>1492</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 47, 103–104.

<sup>1493</sup> Prosecution Final Trial Brief, 29 July 2008 (public version), Annex C (Bela Crkva), p. 9; Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 3; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 3.

<sup>1494</sup> P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 47, 105.

3. Victims named on Schedule C of the Indictment (Mala Kruša/Krusha e Vogël)

480. The Chamber notes that there are a number of discrepancies between the evidence and the Indictment in the spelling of the names of some of the victims listed in Schedule C. However, in most cases these discrepancies are so minor that the Chamber is nevertheless able to conclude that the relevant information relates to a certain victim.

(1) Adem Asllani (68–70, male)

481. Lutfi Ramadani and Mehmet Krasniqi identified Adem Asllani as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1495</sup>

(2) Asim Asllani (34, male)

482. Lutfi Ramadani and Mehmet Krasniqi identified Asim Asllani as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1496</sup>

(3) Feim Asllani (30–31, male)

483. Lutfi Ramadani and Mehmet Krasniqi identified Feim Asllani as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1497</sup>

(4) Muharrem Asllani (60–66, male)

484. Lutfi Ramadani and Mehmet Krasniqi identified Muharrem Asllani as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1498</sup>

(5) Nexhat Asllani (27–31, male)

485. Lutfi Ramadani and Mehmet Krasniqi identified Nexhat Asllani as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1499</sup>

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<sup>1495</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1496</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1497</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1498</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4, T. 4374 (29 September 2006).

<sup>1499</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

(6) Nisret Asllani (33, male)

486. Lutfi Ramadani and Mehmet Krasniqi identified Nisret Asllani as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1500</sup>

(7) Perparim Asllani (26, male)

487. Lutfi Ramadani and Mehmet Krasniqi identified Perparim Asllani as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1501</sup>

(8) Bali Avdyli (70–72, male)

488. Lutfi Ramadani and Mehmet Krasniqi identified Bali Avdyli as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1502</sup>

(9) Enver Avdyli (28, male)

489. Lutfi Ramadani and Mehmet Krasniqi identified Enver Avdyli as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1503</sup>

(10) Ahmet Batusha (38–40, male)

490. Lutfi Ramadani and Mehmet Krasniqi identified Ahmet Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1504</sup>

(11) Amrush Batusha (32–35, male)

491. Lutfi Ramadani and Mehmet Krasniqi identified Amrush Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1505</sup>

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<sup>1500</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1501</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1502</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1503</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1504</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1505</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

(12) Asllan Batusha (46–47, male)

492. Lutfi Ramadani and Mehmet Krasniqi identified Asllan Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1506</sup>

(13) Avdi Batusha (45, male)

493. Lutfi Ramadani and Mehmet Krasniqi identified Avdi Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1507</sup>

(14) Bekim Batusha (16–22, male)

494. Lutfi Ramadani and Mehmet Krasniqi identified Bekim Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1508</sup>

(15) Beqir Batusha (68, male)

495. Lutfi Ramadani and Mehmet Krasniqi identified Beqir Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1509</sup>

(16) Burim Batusha (18, male)

496. Lutfi Ramadani and Mehmet Krasniqi identified Burim Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1510</sup>

(17) Enver Batusha (19–22, male)

497. Lutfi Ramadani and Mehmet Krasniqi identified Enver Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1511</sup>

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<sup>1506</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1507</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1508</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1509</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1510</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1511</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

(18) Feim/Fehim Batusha (23, male)

498. Lutfi Ramadani and Mehmet Krasniqi identified Feim Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1512</sup>

(19) Mergim Batusha (16, male)

499. Lutfi Ramadani identified Mergim Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1513</sup>

(20) Haxhi Batusha (28–29, male)

500. Lutfi Ramadani and Mehmet Krasniqi identified Haxhi Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1514</sup>

(21) Lirim Batusha (14–16, male)

501. Lutfi Ramadani and Mehmet Krasniqi identified Lirim Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1515</sup>

(22) Milaim Batusha (32, male)

502. Lutfi Ramadani and Mehmet Krasniqi identified Milaim Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1516</sup>

(23) Muharrem Batusha (69–71, male)

503. Lutfi Ramadani and Mehmet Krasniqi identified Muharremi Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1517</sup>

(24) Njazi Batusha (35–39, male)

504. Lutfi Ramadani and Mehmet Krasniqi identified Njazi Batusha as one of the people killed in

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<sup>1512</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1513</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2.

<sup>1514</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1515</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1516</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1517</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1518</sup>

(25) Osman Batusha (60–65, male)

505. Lutfi Ramadani and Mehmet Krasniqi identified Osman Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1519</sup>

(26) Sefer Batusha ([no age recorded], male)

506. The Trial Chamber notes that the Prosecution has withdrawn the charges with respect of Sefer Batusha whose name appears in Schedule C of the Indictment.<sup>1520</sup>

(27) Sejdi Batusha (68–70, male)

507. Lutfi Ramadani and Mehmet Krasniqi identified Sejdi Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1521</sup>

(28) Skifer Batusha (20–22, male)

508. Lutfi Ramadani and Mehmet Krasniqi identified Skifer Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1522</sup>

(29) Sulejman Batusha (46, male)

509. Mehmet Krasniqi identified Sulejman Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1523</sup>

(30) Zaim Batusha (45–50, male)

510. Lutfi Ramadani and Mehmet Krasniqi identified Zaim Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1524</sup>

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<sup>1518</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1519</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1520</sup> Mehmet Krasniqi, T. 4377 (29 September 2006), P2341 (witness statement dated 7 March 2002), p. 2; Prosecution Final Trial Brief, 29 July 2008 (public version), Annex C (Mala Kruša/Velika Kruša), p. 5.

<sup>1521</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1522</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1523</sup> Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

<sup>1524</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

(31) Abaz Hajdari (40–45, male)

511. Lutfi Ramadani and Mehmet Krasniqi identified Abaz Hajdari as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1525</sup>

(32) Abedin Hajdari (15–17, male)

512. Lutfi Ramadani and Mehmet Krasniqi identified Abedin Hajdari as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1526</sup>

(33) Halil Hajdari (42–50, male)

513. Lutfi Ramadani and Mehmet Krasniqi identified Halil Hajdari as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1527</sup>

(34) Halim Hajdari (68–70, male)

514. Lutfi Ramadani and Mehmet Krasniqi identified Halim Hajdari as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1528</sup>

(35) Hysni Hajdari (20, male)

515. Mehmet Krasniqi identified Hysni Hajdari as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999; he was shot in the forest after escaping.<sup>1529</sup>

(36) Marsel Hajdari (14–17, male)

516. Lutfi Ramadani and Mehmet Krasniqi identified Marsel Hajdari as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1530</sup>

(37) Nazim Hajdari (29–33, male)

517. Lutfi Ramadani and Mehmet Krasniqi identified Nazim Hajdari as one of the people killed in

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<sup>1525</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1526</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1527</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1528</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1529</sup> Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1530</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.



Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1531</sup>

(38) Qamil Hajdari (46–54, male)

518. Lutfi Ramadani and Mehmet Krasniqi identified Qamil Hajdari as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1532</sup>

(39) Rasim Hajdari (25–26, male)

519. Lutfi Ramadani and Mehmet Krasniqi identified Rasim Hajdari as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1533</sup>

(40) Sahit Hajdari (35–36, male)

520. Lutfi Ramadani and Mehmet Krasniqi identified Sahit Hajdari as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1534</sup>

(41) Selajdin Hajdari (35–38, male)

521. Lutfi Ramadani and Mehmet Krasniqi identified Selajdin Hajdari as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1535</sup>

(42) Shani Hajdari (36–40, male)

522. Lutfi Ramadani and Mehmet Krasniqi identified Shani Hajdari as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1536</sup>

(43) Vesel Hajdari (19–22, male)

523. Lutfi Ramadani and Mehmet Krasniqi identified Vesel Hajdari as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1537</sup>

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<sup>1531</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1532</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1533</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1534</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), pp. 3, 5; Lutfi Ramadani, T. 4296, 4299–4300, 4311–4312 (28 September 2006); P101 (Photo of a wheelchair), p. 1.

<sup>1535</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1536</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

(44) Zenun Hajdari (27–28, male)

524. Lutfi Ramadani and Mehmet Krasniqi identified Zenun Hajdari as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1538</sup>

(45) Avdyl Limoni (35–45, male)

525. Lutfi Ramadani and Mehmet Krasniqi identified Avdyl Limoni as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1539</sup>

(46) Limon Limoni (69–70, male)

526. Lutfi Ramadani and Mehmet Krasniqi identified Limon Limoni as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1540</sup>

(47) Luan Limoni (22, male)

527. Lutfi Ramadani and Mehmet Krasniqi identified Luan Limoni as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1541</sup>

(48) Nehbi Limoni (59–60, male)

528. Lutfi Ramadani and Mehmet Krasniqi identified Nehbi Limoni as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1542</sup>

(49) Afrim Ramadani (27–28, male)

529. Lutfi Ramadani and Mehmet Krasniqi identified Afrim Ramadani as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1543</sup>

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<sup>1537</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1538</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1539</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Lutfi Ramadani, T. 4299 (28 September 2006); Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1540</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1541</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1542</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1543</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4, Lutfi Ramadani, T. 4302 (28 September 2006).

(50) Asllan Ramadani (33–34, male)

530. Lutfi Ramadani and Mehmet Krasniqi identified Asllan Ramadani as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1544</sup>

(51) Bajram Ramadani (15, male)

531. Lutfi Ramadani and Mehmet Krasniqi identified Bajram Ramadani as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1545</sup>

(52) Sabit Ramadani (23, male)

532. Lutfi Ramadani identified Sabit Ramadani as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1546</sup>

(53) Hysen Ramadani (62–72, male)

533. Lutfi Ramadani and Mehmet Krasniqi identified Hysen Ramadani as one of the persons killed in Mala Kruša/Krusha e Vogël on 26 March 1999. Although Lutfi Ramadani testified that the “Serbs” shot Hysen Ramadani, he conceded that he did not see the perpetrator.<sup>1547</sup>

(54) Murat Ramadani (57–60, male)

534. Lutfi Ramadani and Mehmet Krasniqi identified Murat Ramadani as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1548</sup>

(55) Ramadan Ramadani (59–69, male)

535. Lutfi Ramadani and Mehmet Krasniqi identified Ramadan Ramadani as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1549</sup>

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<sup>1544</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1545</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4; Lutfi Ramadani, T. 4302 (28 September 2006).

<sup>1546</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3.

<sup>1547</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Lutfi Ramadani, T. 4290–4292, T. 4316 (28 September 2006). Lutfi Ramadani stated that Hysen Ramadani was also known as Hysen Kanjusha. *See also* Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5. IC67 (Marking of the aerial photo of Mala Kruša/Krusha e Vogël).

<sup>1548</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4; Lutfi Ramadani, T. 4302 (28 September 2006).

<sup>1549</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

(56) Selajdin Ramadani (27–31, male)

536. Lutfi Ramadani and Mehmet Krasniqi identified Selajdin Ramadani as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1550</sup>

(57) Kadri Rashkaj (18, male)

537. Lutfi Ramadani identified Kadri Rashka as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1551</sup> Mehmet Krasniqi testified that in addition to Refki Rashkaj, two others, aged 16 and 18, were also killed on this day. It is possible that one of these people identified by Mehmet Krasniqi was Kadri Rashkaj, age 18.<sup>1552</sup>

(58) Demir Rashkaj (18, male)

538. Lutfi Ramadani identified Demir Nazmi Rashkaj as one of the people killed in the streets or in his house in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1553</sup> Mehmet Krasniqi testified that in addition to Refki Rashkaj, two others, aged 16 and 18, were also killed on this day. It is possible that one of these people identified by Mehmet Krasniqi was Demir Rashkaj, age 18.<sup>1554</sup>

(59) Refki Rashkaj (17, male)

539. Lutfi Ramadani and Mehmet Krasniqi identified Refki Rashkaj as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1555</sup>

(60) Adnan Shehu (19–20)

540. Lutfi Ramadani and Mehmet Krasniqi identified Adnan Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1556</sup>

(61) Arben Shehu (20, male)

541. Lutfi Ramadani and Mehmet Krasniqi identified Arben Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1557</sup>

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<sup>1550</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4; Lutfi Ramadani, T. 4302 (28 September 2006).

<sup>1551</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3.

<sup>1552</sup> Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1553</sup> P2357 (List of names provided by Lutfi Ramadani), p. 4; Lutfi Ramadani, T. 4308–4310 (28 September 2008).

<sup>1554</sup> Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1555</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

(62) Arif Shehu (35–36, male)

542. Lutfi Ramadani and Mehmet Krasniqi identified Arif Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1558</sup>

(63) Bekim Shehu (22–26, male)

543. Lutfi Ramadani and Mehmet Krasniqi identified Bekim Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1559</sup>

(64) Burim Shehu (19–23, male)

544. Lutfi Ramadani and Mehmet Krasniqi identified Burim Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1560</sup>

(65) Destan Shehu (68, male)

545. Mehmet Krasniqi identified Destan Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1561</sup>

(66) Din Shehu (68, male)

546. Mehmet Krasniqi identified Din Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1562</sup>

(67) Dritan Shehu (18–20, male)

547. Lutfi Ramadani and Mehmet Krasniqi identified Dritan Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1563</sup>

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<sup>1556</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1557</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1558</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1559</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1560</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1561</sup> Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1562</sup> Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1563</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

(68) Fadil Shehu (42–45, male)

548. Lutfi Ramadani and Mehmet Krasniqi identified Fadil Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1564</sup>

(69) Flamur Shehu (15–19, male)

549. Lutfi Ramadani and Mehmet Krasniqi identified Flamur Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1565</sup>

(70) FNU Shehu (son of Haziz) (20, male)

550. Mehmet Krasniqi identified FNU Shehu, the son of Haziz, as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1566</sup>

(71) FNU Shehu (son of Sinan) (18, male)

551. Mehmet Krasniqi identified FNU Shehu, the son of Sinan, as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1567</sup>

(72) Haxhi Shehu (25–27, male)

552. Lutfi Ramadani and Mehmet Krasniqi identified Haxhi Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1568</sup>

(73) Haziz Shehu (42–48, male)

553. Lutfi Ramadani and Mehmet Krasniqi identified Haziz Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1569</sup>

(74) Ismail Shehu (68, male)

554. Lutfi Ramadani and Mehmet Krasniqi identified Ismail Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1570</sup>

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<sup>1564</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1565</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1566</sup> Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1567</sup> Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1568</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

(75) Ismet Shehu (40–55, male)

555. Lutfi Ramadani and Mehmet Krasniqi identified Ismet Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1571</sup>

(76) Mehmet Shehu (13–15, male)

556. Lutfi Ramadani and Mehmet Krasniqi identified Mehmet Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1572</sup>

(77) Mentor Shehu (16–18, male)

557. Lutfi Ramadani and Mehmet Krasniqi identified Mentor Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1573</sup>

(78) Myftar Shehu (42–44, male)

558. Lutfi Ramadani and Mehmet Krasniqi identified Myftar Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1574</sup>

(79) Nahit Shehu (15–18, male)

559. Lutfi Ramadani and Mehmet Krasniqi identified Nahit Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1575</sup>

(80) Nehat Shehu (20–22, male)

560. Lutfi Ramadani and Mehmet Krasniqi identified Nehat Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1576</sup>

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<sup>1569</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1570</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1571</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1572</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1573</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1574</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1575</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

(81) Nexhat Shehu (37–38, male)

561. Lutfi Ramadani and Mehmet Krasniqi identified Nexhat Shyqri Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1577</sup> Mehmet Krasniqi lists Nexhat Shehu as one of the people killed in the barn, while Lutfi Ramadani states that he was killed in his house.

(82) Sahit Shehu (23–29, male)

562. Lutfi Ramadani and Mehmet Krasniqi identified Sahit Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1578</sup>

(83) Sali Shehu (44–55, male)

563. Lutfi Ramadani and Mehmet Krasniqi identified Sali Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1579</sup> Mehmet Krasniqi lists Sali Shehu as one of the people killed in the barn, while Lutfi Ramadani states that he was killed in his house.

(84) Sami Shehu (24, male)

564. Lutfi Ramadani and Mehmet Krasniqi identified Sami Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1580</sup>

(85) Sefer Shehu (44–47, male)

565. Lutfi Ramadani and Mehmet Krasniqi identified Sefer Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1581</sup>

(86) Shani Shehu (33–34, male)

566. Lutfi Ramadani and Mehmet Krasniqi identified Shani Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1582</sup>

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<sup>1576</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1577</sup> P2357 (List of names provided by Lutfi Ramadani), p. 4; Lutfi Ramadani, T. 4308–4310 (28 September 2008); Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1578</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1579</sup> P2357 (List of names provided by Lutfi Ramadani), p. 4; Lutfi Ramadani, T. 4308–4310 (28 September 2008); Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1580</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1581</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.



(87) Shefqet Shehu (37–38, male)

567. Lutfi Ramadani and Mehmet Krasniqi identified Shefqet Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1583</sup>

(88) Sinan Shehu (50–60, male)

568. Lutfi Ramadani and Mehmet Krasniqi identified Sinan Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1584</sup>

(89) Veli Shehu (28–29, male)

569. Lutfi Ramadani and Mehmet Krasniqi identified Veli Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1585</sup>

(90) Vesel Shehu (19–22, male)

570. Lutfi Ramadani and Mehmet Krasniqi identified Vesel Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1586</sup>

(91) Xhafer Shehu (35–38, male)

571. Lutfi Ramadani and Mehmet Krasniqi identified Xhafer Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1587</sup>

(92) Xhavit Shehu (20–24, male)

572. Lutfi Ramadani and Mehmet Krasniqi identified Xhavit Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1588</sup>

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<sup>1582</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1583</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5, T. 4373–4374, 4396 (29 September 2006).

<sup>1584</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1585</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1586</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1587</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1588</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

(93) Xhelal Shehu (13, male)

573. Lutfi Ramadani and Mehmet Krasniqi identified Xhelal Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1589</sup>

(94) Afrim Zylfiu (22–23, male)

574. Lutfi Ramadani and Mehmet Krasniqi identified Afrim Zylfiu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1590</sup>

(95) Xhelal Zylfiu ([no age recorded], male)

575. The Trial Chamber heard no evidence in relation to Xhelal Zylfiu and notes that the Prosecution has not referred to any specific evidence in its Proof of Death Chart, annexed to its Final Trial Brief.<sup>1591</sup>

(96) Halim Zylfiu (60, male)

576. Mehmet Krasniqi identified Halim Zylfiu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1592</sup>

(97) Hamdi Zylfiu (62, male)

577. Mehmet Krasniqi identified Hamdi Zylfiu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1593</sup>

(98) Hamit Zylfiu (22, male)

578. Mehmet Krasniqi identified Hamit Zylfiu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1594</sup>

(99) Hysen Zylfiu (50, male)

579. Mehmet Krasniqi identified Hysen Zylfiu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1595</sup>

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<sup>1589</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

<sup>1590</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1591</sup> Prosecution Final Trial Brief, 29 July 2008 (public version), Annex C (Mala Kruša/Velika Kruša), p. 18.

<sup>1592</sup> Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1593</sup> Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

(100) Njazim Zylfiu (24–30, male)

580. Lutfi Ramadani and Mehmet Krasniqi identified Njazim Zylfiu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1596</sup>

4. Victims not named in Schedule C of the Indictment (Mala Kruša/Krusha e Vogël)

(1) Islam Batusha (40, male)

581. Lutfi Ramadani identified Islam Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1597</sup>

(2) Syle Batusha (43, male)

582. Lutfi Ramadani identified Syle Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1598</sup>

(3) Visar Batusha (15, male)

583. Lutfi Ramadani identified Visar Batusha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1599</sup>

(4) Mehmet Berisha (70, male)

584. Lutfi Ramadani identified Mehmet Berisha as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1600</sup>

(5) Isni Hajdari ([no age recorded], male)

585. Lutfi Ramadani identified Isni Hajdari as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1601</sup>

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<sup>1594</sup> Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1595</sup> Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1596</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

<sup>1597</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2.

<sup>1598</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2.

<sup>1599</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2.

<sup>1600</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3.

<sup>1601</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3.

(6) Anton Prenkaj (43, male)

586. Lutfi Ramadani identified Anton Prenkaj as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1602</sup>

(7) Nikolle Prenkaj (46, male)

587. Lutfi Ramadani identified Nikolle Prenkaj as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1603</sup>

(8) Halim Qollaku (57, male)

588. Lutfi Ramadani identified Halim Qollaku as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1604</sup>

(9) Hamdi Qollaku (67, male)

589. Lutfi Ramadani identified Hamdi Qollaku as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1605</sup>

(10) Hamit Qollaku (20, male)

590. Lutfi Ramadani identified Hamit Qollaku as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1606</sup>

(11) Xhelal Qollaku (16, male)

591. Lutfi Ramadani identified Xhelal Qollaku as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1607</sup>

(12) Ajvaz Shehu (15, male)

592. Lutfi Ramadani identified Ajvaz Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1608</sup>

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<sup>1602</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3.

<sup>1603</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3.

<sup>1604</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3.

<sup>1605</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3.

<sup>1606</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3.

<sup>1607</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3.

<sup>1608</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1.

(13) Kujtim Shehu (15, male)

593. Lutfi Ramadani identified Kujtim Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1609</sup>

(14) Nuredin Shehu (70, male)

594. Lutfi Ramadani identified Nuredin Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1610</sup>

(15) Selami Shehu (23, male)

595. Lutfi Ramadani identified Selami Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1611</sup>

(16) Shefqet Shehu (65, male)

596. Lutfi Ramadani identified Shefqet Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1612</sup>

(17) Visar Shehu (19, male)

597. Lutfi Ramadani identified Visar Shehu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1613</sup>

(18) Cene Zylfiu (67, male)

598. Lutfi Ramadani identified Cene Zylfiu as one of the people killed in Mala Kruša/Krusha e Vogël on 26 March 1999.<sup>1614</sup>

(19) Liman Hajdari ([no age recorded], male)

599. Lutfi Ramadani testified that Liman Hajdari was one of the paralyzed men who were taken to the barn in Mala Kruša/Krusha e Vogël.<sup>1615</sup> However, there is no other evidence supporting this assertion.

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<sup>1609</sup> P2357 (List of names provided by Lutfi Ramadani), p. 2.

<sup>1610</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1.

<sup>1611</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1.

<sup>1612</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1.

<sup>1613</sup> P2357 (List of names provided by Lutfi Ramadani), p. 1.

<sup>1614</sup> P2357 (List of names provided by Lutfi Ramadani), p. 3.

## C. SUVA REKA/SUHAREKA

### 1. Victims named in Schedule D of the Indictment (Suva Reka/Suhareka)

600. Having analysed the various forensic reports, as well as the testimony of the witnesses referred to above, the Trial Chamber lists separately the evidence available to it in relation to each individually named victim in Schedule D of the Indictment, as well as in relation to two unscheduled victims. The Chamber further notes that there are a number of discrepancies between the evidence and the Indictment in the spelling of the names of some of these victims. However, in most cases these discrepancies are so minor that the Chamber is nevertheless able to conclude that the relevant information relates to a certain victim.

#### (1) Afrim Berisha (24, male)

601. Through DNA analysis Antonio Alonso identified remains labelled Ba-09 as those of Afrim Berisha.<sup>1616</sup> Dušan Dunjić and his team performed a post mortem examination on remains labelled Ba-09. Due to the advanced state of putrefaction, the team was unable to establish the cause of death but noted that some parts of the body had been exposed to high temperature.<sup>1617</sup> Some personal items were found with the remains.<sup>1618</sup> Afrim Berisha is listed as one of the persons missing or killed in Suva Reka/Suhareka on 26 March 1999 by Hysni Berisha<sup>1619</sup> and is also listed on the OMPF list of missing persons.<sup>1620</sup>

#### (2) Altin Berisha (11, male)

602. Shyrete Berisha named her son Altin Berisha as one of the persons killed in the pizzeria in Suva Reka/Suhareka on 26 March 1999.<sup>1621</sup> In addition, the list of missing persons from Suva Reka/Suhareka prepared by Hysni Berisha contains Altin's name<sup>1622</sup> as does the OMPF list of missing persons.<sup>1623</sup>

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<sup>1615</sup> Lutfi Ramadani, T. 4296, 4299 (28 September 2006).

<sup>1616</sup> P2486 (Report of the Biology Service), pp. 7–8.

<sup>1617</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 11–14.

<sup>1618</sup> P139 (Photographs of identification items relating to Afrim Berisha); P140 (Index of photographs of identification items relating to Afrim Berisha).

<sup>1619</sup> Hysni Berisha, T. 4010–4015 (26 September 2006); P2282 (witness statement dated 20 August 2001), pp. 8–9; P133 (Various photographs of items found in the mass grave site at the firing range), p. 2 (KRA/1056 shows a boot belonging to Afrim Berisha); P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1620</sup> P2798 (OMPF list of missing persons).

<sup>1621</sup> Shyrete Berisha, T. 3869–3871 (25 September 2006); P2346 (Berisha family tree).

<sup>1622</sup> Hysni Berisha, T. 4021–4023 (26 September 2006); P2282 (witness statement dated 20 August 2001), p. 8; P2351 (List of killed/missing persons in 1998 and 1999).

<sup>1623</sup> P2798 (OMPF list of missing persons).

(3) Arta Berisha (18, female), Hanumusha Berisha (9, female), Merita Berisha (10, female), and Zana Berisha (13, female), daughters of Hamdi Berisha

603. Through DNA analysis, Alonso identified remains labelled Ba-13, Ba-23, and Ba-54 as each being remains of Hamdi Berisha's biological daughter.<sup>1624</sup> Hamdi Berisha had four daughters, namely, Arta, Zana, Merita, and Hanumsha, all of which are listed in the Schedule.<sup>1625</sup> The ICMP report identifies remains labelled Ba-13 and Ba-23 as possibly belonging to any one of the four girls, but makes no mention of remains labelled Ba-54.<sup>1626</sup> Remains labelled Ba-54 had been forensically examined earlier by Dunjić and his team but the cause of death could not be established due to the advanced state of putrefaction.<sup>1627</sup> The same was the case with remains labelled Ba-13, remains belonging to a female of approximately 13 to 14 years of age, although there was indication that some of the bone fractures were caused by a firearm or an explosion.<sup>1628</sup> As for remains labelled Ba-23, Dunjić's team found that they belonged to a female child of 13 to 15 years of age but was unable to establish the cause of death.<sup>1629</sup>

604. All four girls are also listed on the OMPF list of missing persons.<sup>1630</sup> In addition, Shyrete Berisha gave evidence placing two of Hamdi Berisha's daughters in the pizzeria on 26 March 1999, but could not specify the names of the two.<sup>1631</sup>

605. The Chamber notes that it is unable to explain why the ICMP makes no mention of the set of remains labelled Ba-54. However, since all four girls have been missing from Suva Reka/Suhareka since 26 March and since Shyrete Berisha remembered seeing two of the four of Hamdi's daughters in the pizzeria on that day, the Chamber considers that the discrepancy does not affect its final conclusion that all four daughters were killed in Suva Reka/Suhareka.

(4) Avdi Berisha (43, male)

606. Shyrete Berisha identified Avdi Berisha as one of the men present in the pizzeria on 26 March 1999.<sup>1632</sup> Hysni Berisha's list of missing persons lists the name of Avdi Berisha<sup>1633</sup> as does the OMPF list of missing persons.<sup>1634</sup>

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<sup>1624</sup> P2486 (Report of the Biology Service), p. 8.

<sup>1625</sup> P2346 (Berisha family tree).

<sup>1626</sup> P2559 (Addendum to Expert Report) (under seal), p. 20.

<sup>1627</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 58–60.

<sup>1628</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 110–113.

<sup>1629</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 149–151.

<sup>1630</sup> P2798 (OMPF list of missing persons).

<sup>1631</sup> Shyrete Berisha, T. 3869–3873, 3904–3906 (25 September 2006); P2344 (Photographs of some of the victims present in the pizzeria); P125 (Photographs of Suva Reka/Suhareka victims), p. 17; P2346 (Berisha family tree).

(5) Besim Berisha (26, male)

607. Shyrete Berisha gave evidence to the effect that Besim Berisha was present in the pizzeria on 26 March 1999.<sup>1635</sup> Through DNA analysis, Alonso identified remains labelled as Ba-21a and Ba-28b as belonging to Besim Berisha.<sup>1636</sup> The ICMP report identifies remains labelled Ba-21a and Ba-28b as belonging to either Besim Berisha or his brother Hajdin Berisha.<sup>1637</sup> The Chamber is unable to explain this discrepancy between two expert reports. However, since Shyrete Berisha identified both Hajdin and Besim Berisha as present in the pizzeria on 26 March, the Chamber considers that the discrepancy does not affect its final conclusion that both brothers were killed in Suva Reka/Suhareka.

608. Dunjić and his team performed an autopsy on remains labelled Ba-21a<sup>1638</sup> and Ba-28b<sup>1639</sup> but could not establish the cause of death. The OMPF report contains the post-mortem analysis of remains labelled Ba-28, which includes sample B1-28b, and also shows that cause of death could not be established.<sup>1640</sup> Besim Berisha is listed on Hysni Berisha's list and the OMPF list as one of the persons who went missing on 26 March 1999.<sup>1641</sup>

(6) Bujar Berisha (40, male)

609. Shyrete Berisha gave extensive evidence about the way in which Bujar Berisha was killed on 26 March 1999.<sup>1642</sup> Hysni Berisha identified Bujar Berisha's grave in the Suva Reka/Suhareka cemetery.<sup>1643</sup> Finally, Halit Berisha gave evidence of a phone conversation he had with his brother, Jashar Berisha, on 26 March 1999 and the fact that the latter told him that Bujar Berisha had been killed.<sup>1644</sup>

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<sup>1632</sup> Shyrete Berisha, T. 3869–3871, 3899–3900 (25 September 2006); P2346 (Berisha family tree).

<sup>1633</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1634</sup> P2798 (OMPF list of missing persons).

<sup>1635</sup> Shyrete Berisha, T. 3869–3871 (25 September 2006); P2346 (Berisha family tree).

<sup>1636</sup> P2486 (Report of the Biology Service), pp. 6–7.

<sup>1637</sup> P2559 (Addendum to Expert Report) (under seal), p. 21; P2558 (Notice of DNA Reports, December 2005) (under seal), e-court p. 35.

<sup>1638</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 139–142; P181 (Autopsy report for Ba-21a and Ba-28b).

<sup>1639</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 161–163; P181 (Autopsy report for Ba-21a and Ba-28b).

<sup>1640</sup> P943 (OMPF Reports), e-court p. 387.

<sup>1641</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 2; P2798 (OMPF list of missing persons).

<sup>1642</sup> Shyrete Berisha, T. 3869–3871, 3891–3894 (25 September 2006); P2346 (Berisha family tree).

<sup>1643</sup> P2282 (witness statement dated 20 August 2001), p. 14; P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1644</sup> P2326 (witness statement dated 17 August 2001), p. 3.



(7) Dafina Berisha (15, female)

610. Shyrete Berisha gave evidence to the effect that Dafina Berisha was present in the pizzeria on 26 March 1999.<sup>1645</sup> Dafina Berisha is also listed in Hysni Berisha's list of missing persons,<sup>1646</sup> as well as on the OMPF's list of missing persons.<sup>1647</sup>

(8) Dorentina Berisha (4, female)

611. Shyrete Berisha gave evidence to the effect that Dorentina Berisha was present in Vesel Berisha's house on 26 March 1999.<sup>1648</sup> Dorentina Berisha is also listed in Hysni Berisha's list of missing persons,<sup>1649</sup> as well as on the OMPF's list of missing persons.<sup>1650</sup>

(9) Drilon Berisha (13, male)

612. Shyrete Berisha gave evidence to the effect that Drilon Berisha was present in the pizzeria on 26 March 1999.<sup>1651</sup> Through DNA analysis, Alonso identified remains labelled as Ba-40 as belonging to Drilon Berisha.<sup>1652</sup> The ICMP report identifies remains labelled Ba-40 as belonging to Drilon Berisha.<sup>1653</sup> Dunjić and his team performed an autopsy on remains labelled Ba-40 and found that they belonged to a male child approximately between 12 and 14 years of age. They could not, however, establish the cause of death.<sup>1654</sup> The OMPF report contains the post-mortem analysis of remains labelled Ba-40 and shows that cause of death was an injury to the trunk.<sup>1655</sup> Drilon Berisha is also listed in Hysni Berisha's list of missing persons,<sup>1656</sup> as well as on the OMPF's list of missing persons.<sup>1657</sup>

(10) Edon Berisha (12, male)

613. Shyrete Berisha gave evidence to the effect that Edon Berisha was present in the pizzeria on

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<sup>1645</sup> Shyrete Berisha, T. 3869–3871, 3898–3899 (25 September 2006); P2346 (Berisha family tree).

<sup>1646</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1647</sup> P2798 (OMPF list of missing persons).

<sup>1648</sup> Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

<sup>1649</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

<sup>1650</sup> P2798 (OMPF list of missing persons).

<sup>1651</sup> Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

<sup>1652</sup> P2486 (Report of the Biology Service), p. 5.

<sup>1653</sup> P2559 (Addendum to Expert Report) (under seal), p. 21; P2558 (Notice of DNA Reports) (under seal), e-court p. 35.

<sup>1654</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 194–198; P185 (atopsy report for Ba-40).

<sup>1655</sup> P2394 (OMPF Reports), e-court pp. 165–167.

<sup>1656</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1657</sup> P2798 (OMPF list of missing persons).

26 March 1999.<sup>1658</sup> Edon Berisha is also listed on Hysni Berisha's list of missing persons,<sup>1659</sup> as well as on the OMPF's list of missing persons.<sup>1660</sup>

(11) Eron Berisha (1, male)

614. Shyrete Berisha gave evidence to the effect that Eron Berisha was present in Vesel Berisha's house on 26 March 1999.<sup>1661</sup> Eron Berisha is also listed on Hysni Berisha's list of missing persons,<sup>1662</sup> as well as on the OMPF's list of missing persons.<sup>1663</sup>

(12) Fatime Berisha (37, female)

615. Shyrete Berisha gave evidence to the effect that Fatime Berisha was present in the pizzeria on 26 March 1999.<sup>1664</sup> Fatime Berisha is also listed on Hysni Berisha's list of missing persons,<sup>1665</sup> as well as on the OMPF's list of missing persons.<sup>1666</sup>

(13) Fatime Berisha (48, female)

616. Shyrete Berisha gave evidence to the effect that Fatime Berisha was present in Vesel Berisha's house on 26 March 1999.<sup>1667</sup> Baccard's overview report, as well as the underlying reports of Black and Milewski, identify through DNA analysis remains labelled as SCG/28/SR, found at the local cemetery in Suva Reka/Suhareka, as those belonging to a Fatime Berisha, whose age is in excess of 40 years.<sup>1668</sup> The cause of death was found to be a gunshot wound to the head.<sup>1669</sup> Fatime Berisha is also listed on Hysni Berisha's list of missing persons and he has identified her grave.<sup>1670</sup>

(14) Fatmire Berisha (22, female)

617. Shyrete Berisha gave evidence to the effect that Fatmire Berisha was present in Vesel

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<sup>1658</sup> Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

<sup>1659</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

<sup>1660</sup> P2798 (OMPF list of missing persons).

<sup>1661</sup> Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

<sup>1662</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

<sup>1663</sup> P2798 (OMPF list of missing persons).

<sup>1664</sup> Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

<sup>1665</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1666</sup> P2798 (OMPF list of missing persons).

<sup>1667</sup> Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

<sup>1668</sup> P1809 (Eric Baccard's overview report), pp. 76–78; P130 (Autopsy Report: SCG/28/SR); P2682 (Anthropological Summary: SCG/27/SR and SCG/28/SR), p. 3; P136 (British Forensic Team Anthropological Report).

<sup>1669</sup> P130 (Autopsy Report: SCG/28/SR).

<sup>1670</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1; P2282 (witness statement dated 20 August 2001), e-court pp. 8, 14.

Berisha's house on 26 March 1999.<sup>1671</sup> Through DNA analysis, Alonso identified remains labelled as Ba-29 and Ba-37 as those belonging to Fatmire Berisha.<sup>1672</sup> The ICMP report identifies remains labelled Ba-29 and Ba-37 as belonging to Fatmire Berisha.<sup>1673</sup> These remains were also identified by virtue of loose objects found on or near them.<sup>1674</sup> Dunjić's team performed a forensic examination of the remains and found that they belonged to a female of between 25 and 35 years of age but failed to establish cause of death.<sup>1675</sup> The OMPF report, however, also contains the post-mortem analysis of remains labelled Ba-29 and Ba-37, and shows that cause of death was a gunshot to the head, two gunshots to the chest, and a gunshot to the left leg.<sup>1676</sup> Fatmire Berisha is also listed on Hysni Berisha's list of missing persons,<sup>1677</sup> as well as on the OMPF's list of missing persons.<sup>1678</sup>

(15) Faton Berisha (27, male)

618. Shyrete Berisha gave evidence to the effect that Faton Berisha was present in Vesel Berisha's house on 26 March 1999.<sup>1679</sup> She also testified that Faton was taken by a member of the Serb forces once the family was forced to leave the house.<sup>1680</sup> Baccard's overview report, as well as the underlying reports of Black and Milewski, identify through DNA analysis remains labelled as SCG/27/SR, found at the local cemetery in Suva Reka/Suhareka, as those belonging to a Faton Berisha and the cause of death is the gunshot wound to the chest.<sup>1681</sup> Faton Berisha is also listed on Hysni Berisha's list of missing persons.<sup>1682</sup>

(16) Flora Berisha (38, female)

619. Shyrete Berisha gave evidence to the effect that Flora Berisha was present in the pizzeria on 26 March 1999.<sup>1683</sup> Flora Berisha is also listed on Hysni Berisha's list of missing persons,<sup>1684</sup> as well

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<sup>1671</sup> Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

<sup>1672</sup> P2486 (Report of the Biology Service), p. 6.

<sup>1673</sup> P2559 (Addendum to Expert Report) (under seal), p. 21; P2558 (Notice of DNA Reports) (under seal), e-court p. 35.

<sup>1674</sup> P147 (Index of photographs of identification items relating to Fatmire Berisha); P148 (Photographs of identification items relating to Fatmire Berisha).

<sup>1675</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 164–166, 184–186; P183 (Autopsy report for Ba-29 and Ba-37).

<sup>1676</sup> P2394 (OMPF Reports), e-court pp. 165–167.

<sup>1677</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1678</sup> P2798 (OMPF list of missing persons).

<sup>1679</sup> Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

<sup>1680</sup> Shyrete Berisha, T. 3895–3896 (25 September 2006).

<sup>1681</sup> P1809 (Eric Baccard's overview report), pp. 76–78; P129 (Autopsy Report: SCG/27/SR); P2682 (Anthropological Summary: SCG/27/SR and SCG/28/SR); P136 (British Forensic Team Anthropological Report).

<sup>1682</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1; P2282 (witness statement dated 20 August 2001), p. 14.

<sup>1683</sup> Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

<sup>1684</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

as on the OMPF's list of missing persons.<sup>1685</sup>

(17) Hajbin or Hajdin Berisha (37, male)

620. Shyrete Berisha gave evidence to the effect that Hajdin Berisha was present in the pizzeria on 26 March 1999.<sup>1686</sup> Through DNA analysis, Alonso identified remains labelled as Ba-21a and Ba-28b as belonging to Besim Berisha, whereas the ICMP report identifies remains labelled Ba-21a and Ba-28b as belonging to either Besim Berisha or his brother Hajdin Berisha.<sup>1687</sup> The Chamber is unable to explain this discrepancy between two expert reports. However, since Shyrete Berisha identified both Hajdin and Besim Berisha as present in the pizzeria on 26 March, the Chamber considers that the discrepancy does not affect its final conclusion that both brothers were killed in Suva Reka/Suhareka.

621. Dunjić and his team performed an autopsy on remains labelled Ba-21a<sup>1688</sup> and Ba-28b<sup>1689</sup> but could not establish the cause of death. The OMPF report contains the post-mortem analysis of remains labelled Ba-28, which includes sample B1-28b, and also shows that cause of death could not be established.<sup>1690</sup> Hysni Berisha, through his list of missing persons, identified Hajdin Berisha as one of the persons who went missing on 26 March 1999.<sup>1691</sup>

(18) Hamdi Berisha (54, male)

622. Through DNA analysis, Alonso identified remains labelled as Ba-16 as those belonging to Hamdi Berisha.<sup>1692</sup> Dunjić and his team performed a forensic examination of remains labelled Ba-16 and Ba-27, and concluded that they belonged to the same person, a male of approximately 30 to 40 years of age. The team was unable to establish the cause of death.<sup>1693</sup> The remains were also identified by virtue of the loose personal items found with them in the mass grave.<sup>1694</sup> Hysni Berisha

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<sup>1685</sup> P2798 (OMPF list of missing persons).

<sup>1686</sup> Shyrete Berisha, T. 3869–3871 (25 September 2006); P2346 (Berisha family tree).

<sup>1687</sup> P2486 (Report of the Biology Service), pp. 6–7; P2559 (Addendum to Expert Report) (under seal), p. 21; P2558 (Notice of DNA Reports) (under seal), e-court p. 35.

<sup>1688</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 139–142; P181 (Autopsy report for Ba-21a and Ba-28b).

<sup>1689</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 161–163; P181 (Autopsy report for Ba-21a and Ba-28b).

<sup>1690</sup> P943 (OMPF Reports), e-court p. 387.

<sup>1691</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

<sup>1692</sup> P2486 (Report of the Biology Service), p. 9.

<sup>1693</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 124–128.

<sup>1694</sup> P145 (Photographs of identification items relating to Hamdi Berisha); P146 (Index of photographs of identification items relating to Hamdi Berisha); P149 (Photographs of identification items relating to Hamdi Berisha); P150 (Index of photographs of identification items relating to Hamdi Berisha).

listed Hamdi Berisha as one of the persons who went missing on 26 March 1999<sup>1695</sup> and identified one of the photographs found in Batajnica as depicting Hamdi Berisha's wife and their son Mirat.<sup>1696</sup> Hamdi Berisha is also on the OMPF's list of missing persons.<sup>1697</sup>

(19) Hanumusha Berisha (81, female)

623. Shyrete Berisha placed Hanumusha Berisha, aged 81, in the pizzeria on 26 March 1999.<sup>1698</sup> Hysni Berisha identified the victim's walking stick he found in Suva Reka/Suhareka.<sup>1699</sup> Hanumusha Berisha is listed on the OMPF's list of missing persons.<sup>1700</sup>

(20) Hava Berisha (63, female)

624. Shyrete Berisha gave evidence about Hava Berisha being present in Vesel Berisha's house on 26 March, as well as how she was killed.<sup>1701</sup> Through DNA analysis, Alonso identified remains labelled as Ba-02 as those belonging to Hava Berisha.<sup>1702</sup> Dunjić's report provides that remains labelled Ba-02 and Ba-K-57 belong to the same person, a female of an approximate age between 35 and 45 years. The cause of death was not established.<sup>1703</sup> Hysni Berisha's list contains the name of Hava Berisha<sup>1704</sup> and she is also listed on the OMPF's list of missing persons.<sup>1705</sup>

(21) Herolinda Berisha (13, female) and Majlinda Berisha (15, female), daughters of Shyrete Berisha

625. Shyrete Berisha identified her daughters, Herolinda and Majlinda, as having been killed in the pizzeria on 26 March 1999.<sup>1706</sup> Through DNA analysis, Alonso identified remains labelled as Ba-20 and Ba-48 as those belonging to either Herolinda Berisha or Ms. Berisha's other daughter, Majlinda.<sup>1707</sup> Dunjić's report shows that remains labelled Ba-48 belonged to a female of

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<sup>1695</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1696</sup> P122 (Various photographs of items found in the mass grave site near Prizren).

<sup>1697</sup> P2798 (OMPF list of missing persons).

<sup>1698</sup> Shyrete Berisha, T. 3869–3872, 3904–3906 (25 September 2006); P2344 (Photographs of some of the victims present in the pizzeria), p. 2; P2346 (Berisha family tree).

<sup>1699</sup> Hysni Berisha, T. 4014–4015 (26 September 2006), P2282 (witness statement dated 20 August 2001), p. 9; P2344 (Photographs of some of the victims present in the pizzeria), p. 2; P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1700</sup> P2798 (OMPF list of missing persons).

<sup>1701</sup> Shyrete Berisha, T. 3869–3872, 3891–3893 (25 September 2006); P2346 (Berisha family tree).

<sup>1702</sup> P2486 (Report of the Biology Service), p. 5.

<sup>1703</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 83–87; P178 (Autopsy report for Ba-02).

<sup>1704</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1705</sup> P2798 (OMPF list of missing persons).

<sup>1706</sup> Shyrete Berisha, T. 3869–3872, 3898–3899 (25 September 2006); P2346 (Berisha family tree).

<sup>1707</sup> P2486 (Report of the Biology Service), pp. 5–6.

approximately 15 to 16 years of age. The cause of death has not been determined.<sup>1708</sup> The same report indicates that remains Ba-20 belonged to a 16 to 19 year old female. The cause of death was not established.<sup>1709</sup> Both girls are also listed as missing on both Hysni Berisha's list<sup>1710</sup> and the OMPF list of missing persons.<sup>1711</sup>

(22) Ismet Berisha (2, male)

626. Shyrete Berisha gave evidence to the effect that Ismet Berisha was present in the pizzeria on 26 March 1999.<sup>1712</sup> Ismet Berisha is also listed on Hysni Berisha's list of missing persons,<sup>1713</sup> as well as on the OMPF's list of missing persons.<sup>1714</sup>

(23) Kushtrin Berisha (11, male)

627. Shyrete Berisha gave evidence to the effect that Kushtrin Berisha was present in the pizzeria on 26 March 1999.<sup>1715</sup> Kushtrin Berisha is also listed on Hysni Berisha's list of missing persons,<sup>1716</sup> as well as on the OMPF's list of missing persons.<sup>1717</sup>

(24) Lirije Berisha (24, female)

628. Shyrete Berisha identified Lirije Berisha as one of the persons killed in Suva Reka/Suhareka on 26 March 1999.<sup>1718</sup> Through DNA analysis, Alonso identified remains labelled Ba-12 as those belonging to Lirije Berisha and showing compatibility with sample Ba-15 belonging to a male foetus.<sup>1719</sup> The ICMP report also identifies remains Ba-12 as belonging to Lirije Berisha.<sup>1720</sup> Dunjić and his team examined these remains and found that Ba-12 and Ba-05 belonged to the same person, a female aged between 22 and 28 years of age. The cause of death was not established.<sup>1721</sup> The OMPF report contains the post-mortem analysis of remains labelled Ba-12 and shows that cause of

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<sup>1708</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 41–44; P180 (Autopsy results for Ba-20 and Ba-48).

<sup>1709</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 134–138; P180 (Autopsy results for Ba-20 and Ba-48).

<sup>1710</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1711</sup> P2798 (OMPF list of missing persons).

<sup>1712</sup> Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

<sup>1713</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1714</sup> P2798 (OMPF list of missing persons).

<sup>1715</sup> Shyrete Berisha, T. 3869–3871, 3990 (25 September 2006); P2346 (Berisha family tree).

<sup>1716</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

<sup>1717</sup> P2798 (OMPF list of missing persons).

<sup>1718</sup> Shyrete Berisha, T. 3869–3871, 3896–3900 (25 September 2006); P2346 (Berisha family tree).

<sup>1719</sup> P2486 (Report of the Biology Service), p. 7; P187 (Autopsy report for Ba-15).

<sup>1720</sup> P2559 (Addendum to Expert Report) (under seal), p. 20; P2558 (Notice of DNA Reports) (under seal), e-court p. 35.

<sup>1721</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 97–102; P179 (Autopsy report for Ba-05 and Ba-12).

death was a gunshot to the head.<sup>1722</sup> Lirije Berisha is also listed on both Hysni Berisha's list<sup>1723</sup> and the OMPF list of missing persons.<sup>1724</sup>

(25) Mevlude Berisha (26, female)

629. Shyrete Berisha gave evidence to the effect that Mevlude Berisha was present in the pizzeria on 26 March 1999.<sup>1725</sup> Mevlude Berisha is also listed on Hysni Berisha's list of missing persons,<sup>1726</sup> as well as on the OMPF's list of missing persons.<sup>1727</sup>

(26) Mihrije Berisha (26, female)

630. Shyrete Berisha gave evidence placing Mihrije Berisha in the pizzeria on 26 March 1999.<sup>1728</sup> The ICMP identifies remains labelled Ba-30 as those belonging to Mihrije Berisha.<sup>1729</sup> According to Dunjić's report, these remains belonged to a female of approximate age between 22 and 28 years and the cause of death could not be established.<sup>1730</sup> However, the OMPF also analysed the remains and found that the cause of death was a gunshot wound to the head and neck.<sup>1731</sup> Mihrije's name is also recorded on Hysni Berisha's list of missing persons,<sup>1732</sup> as well as on the OMPF list of missing persons.<sup>1733</sup>

(27) Mirat Berisha (7, male)

631. Hysni Berisha identified, through certain items found in the mass grave near Prizren, Mirat Berisha as one of the persons killed in Suva Reka/Suhareka on 26 March 1999.<sup>1734</sup> Mirat Berisha is also listed on the OMPF's list of missing persons.<sup>1735</sup>

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<sup>1722</sup> P2394 (OMPF Reports), e-court pp. 148–150.

<sup>1723</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

<sup>1724</sup> P2798 (OMPF list of missing persons).

<sup>1725</sup> Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

<sup>1726</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

<sup>1727</sup> P2798 (OMPF list of missing persons).

<sup>1728</sup> Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

<sup>1729</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 35.

<sup>1730</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 167–171; P188 (Autopsy report for Ba-30).

<sup>1731</sup> P943 (OMPF Reports), e-court p. 388.

<sup>1732</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

<sup>1733</sup> P2798 (OMPF list of missing persons).

<sup>1734</sup> Hysni Berisha, T. 4012 (26 September 2006), P2282 (witness statement dated 20 August 2001), p. 9; P122 (Various photographs of items found in the mass grave site at the firing range), KO 01/13; P123 (Various photographs of items found in the mass grave site at the firing range), KRA/1029; P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1735</sup> P2798 (OMPF list of missing persons).

(28) Musli Berisha (63, male)

632. Shyrete Berisha testified that Musli Berisha was present in the pizzeria on 26 March 1999.<sup>1736</sup> Hysni Berisha had identified some of Musli Berisha's belongings found near the firing range in Prizren and in Suva Reka/Suhareka, including his walking stick, and placed him on his list of missing persons.<sup>1737</sup> Through DNA analysis, Alonso identified remains labelled Ba-25 as those belonging to Musli Berisha.<sup>1738</sup> The ICMP report also identifies those remains as Musli Berisha.<sup>1739</sup> According to Dunjić's report, remains Ba-25 belong to a male of an approximate age between 45 and 55 years who probably limped on the left leg over a long period. The cause of death could not be established.<sup>1740</sup> The remains in Batajnica were found with identification documents in Musli Berisha's name.<sup>1741</sup> Musli Berisha is also listed on the missing persons list prepared by OMPF.<sup>1742</sup>

(29) Nefije Berisha (54, female)

633. Nefije Berisha is listed on Hysni Berisha's list of missing persons,<sup>1743</sup> and on the OMPF's list of missing persons.<sup>1744</sup>

(30) Nexhat Berisha (43, male)

634. Shyrete Berisha saw her husband, Nexhat Berisha, being shot dead on 26 March 1999.<sup>1745</sup> Hysni Berisha identified Nexhat Berisha's grave,<sup>1746</sup> and Halit Berisha gave evidence of the phone call he received from his brother Jashar on 26 March 1999 informing him that Nexhat had been killed.<sup>1747</sup>

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<sup>1736</sup> Shyrete Berisha, T. 3906 (25 September 2006); P2344 (Photographs of some of the victims present in the pizzeria), p. 4; P2346 (Berisha family tree).

<sup>1737</sup> Hysni Berisha, T. 4015 (26 September 2006); P125 (Photographs of members of Berisha family), picture 28; P2282 (witness statement dated 20 August 2001), pp. 8–9; P123 (Various photographs of items found in the mass grave site at the firing range), KRA/1036; P124 (Various photographs of items found in the mass grave site at the firing range), KRA/1002; P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1738</sup> P2486 (Report of the Biology Service), p. 6.

<sup>1739</sup> P2559 (Addendum to Expert Report) (under seal), pp. 20–21; P2885 (Notice of DNA Reports) (under seal), e-court p. 35.

<sup>1740</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 156–160.

<sup>1741</sup> P155 (Index of photographs of identification items relating to Musli Berisha); P156 (Photographs of identification items relating to Musli Berisha).

<sup>1742</sup> P2798 (OMPF list of missing persons).

<sup>1743</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1744</sup> P2798 (OMPF list of missing persons).

<sup>1745</sup> Shyrete Berisha, T. 3869–3871, 3895–3896 (25 September 2006); P2346 (Berisha family tree).

<sup>1746</sup> P2282 (witness statement dated 20 August 2001), p. 14; P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1747</sup> Halit Berisha, P2326 (witness statement dated 17 August 2001), p. 3.



(31) Nexhmedin Berisha (37, male)

635. Shyrete Berisha described how Nexhmedin Berisha was killed on 26 March 1999.<sup>1748</sup> Through DNA analysis, Alonso identified remains labelled Ba-19 as those belonging to Nexhmedin Berisha.<sup>1749</sup> According to Dunjić's report, these skeletal remains belong to a male person aged approximately between 25 and 30 years. The cause of death could not be established.<sup>1750</sup> Hysni Berisha included Nexhmedin Berisha's name on the list of killed or missing persons.<sup>1751</sup>

(32) Redon Berisha (1, male)

636. Shyrete Berisha testified that her son Redon was in the pizzeria on 26 March 1999.<sup>1752</sup> Through DNA analysis, Alonso identified remains labelled Ba-46 as those belonging to Redon Berisha.<sup>1753</sup> According to Dunjić's report, samples Ba-46 and Ba-46a belong to a one-and-a-half to two year old child. The cause of death could not be established.<sup>1754</sup> Redon is also named on Hysni Berisha's list of those missing and/or killed in Suva Reka/Suhareka<sup>1755</sup> and is listed on the OMPF list of missing persons.<sup>1756</sup>

(33) Sait Berisha (83, male)

637. The Chamber notes that, other than Shyrete Berisha mentioning in court that parts of Sait Berisha's family were in the pizzeria,<sup>1757</sup> the Prosecution has brought no evidence with respect to the individual named in Schedule D as Sait Berisha.

(34) Sebahate Berisha (25, female)

638. Shyrete Berisha gave evidence to the effect that Sebahate Berisha was present in the pizzeria on 26 March 1999.<sup>1758</sup> Sebahate Berisha is also listed on Hysni Berisha's list of missing persons,<sup>1759</sup> as well as on the OMPF's list of missing persons.<sup>1760</sup>

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<sup>1748</sup> Shyrete Berisha, T. 3869–3871, 3895–3897 (25 September 2006); P2346 (Berisha family tree).

<sup>1749</sup> P2486 (Report of the Biology Service), p. 7.

<sup>1750</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 15–19; P169 (Autopsy report for Ba-19); P141 (Index of photographs of identification items relating to Nexhmedin Berisha); P142 (Photographs of identification items relating to Nexhmedin Berisha).

<sup>1751</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

<sup>1752</sup> Shyrete Berisha, T. 3869–3871, 3899–3900 (25 September 2006); P2346 (Berisha family tree).

<sup>1753</sup> P2486 (Report of the Biology Service), p. 5.

<sup>1754</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 214–216; P186 (Autopsy report for Ba-46 and Ba-46a).

<sup>1755</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1756</sup> P2798 (OMPF list of missing persons).

<sup>1757</sup> Shyrete Berisha, T. 3905 (25 September 2006).

(35) Sedat Berisha (45, male)

639. Shyrete Berisha gave evidence of Sedat Berisha being caught by the policemen on 26 March 1999.<sup>1761</sup> Hysni Berisha identified Sedat Berisha's grave, and placed him on his list of those missing and/or killed in Suva Reka/Suhareka.<sup>1762</sup> Halit Berisha gave evidence of the phone call he received from his brother Jashar on 26 March 1999 informing him that Sedat had been killed.<sup>1763</sup>

640. According to the reports prepared by Black from the British Forensic Examination Team, the remains labelled SCG/33c/SR have been identified as belonging to Sedat Berisha.<sup>1764</sup> However, as explained earlier,<sup>1765</sup> Baccard in his overview report did not confirm this identification as there appeared to have been an inconsistency in labels of these remains between the reports prepared by Black and the report prepared by Roberts. Nevertheless, given that Sedat's remains were also identified by his shoe, the Chamber is of the view that Baccard was overly cautious in this matter and is, thus, satisfied that the remains in question belong to Sedat. The cause of death could not be established.<sup>1766</sup>

(36) Sherine Berisha (17, female)

641. Shyrete Berisha gave evidence to the effect that Sherine Berisha was present in the pizzeria on 26 March 1999.<sup>1767</sup> Sherine Berisha is also listed on Hysni Berisha's list of missing persons,<sup>1768</sup> as well as on the OMPF's list of missing persons.<sup>1769</sup>

(37) Sofia Berisha (58, female)

642. Shyrete Berisha gave evidence that Sofije Berisha was present in the pizzeria on 26 March 1999.<sup>1770</sup> Hysni Berisha has identified some of Sofije Berisha's belongings among the items found in a mass grave and lists Sofije Berisha as one of those missing and/or killed in Suva

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<sup>1758</sup> Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

<sup>1759</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1760</sup> P2798 (OMPF list of missing persons).

<sup>1761</sup> Shyrete Berisha, T. 3869–3871, 3895–3896 (25 September 2006); P2346 (Berisha family tree).

<sup>1762</sup> P2282 (witness statement dated 20 August 2001), e-court p. 14; P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1763</sup> Halit Berisha, P2326 (witness statement dated 17 August 2001), p. 3.

<sup>1764</sup> P136 (British Forensic Team Anthropological Report); P137 (Anthropological Summary: SCG/33/SR).

<sup>1765</sup> See Volume 2, note 1372.

<sup>1766</sup> P1809 (Eric Baccard's overview report), pp. 74–78; P2683 (Anthropology Reports: analysis of SCG/33/SR); P136 (British Forensic Team Anthropological Report); P137 (Anthropological Summary: SCG/33/SR).

<sup>1767</sup> Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

<sup>1768</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1769</sup> P2798 (OMPF list of missing persons).

<sup>1770</sup> Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

Reka/Suhareka.<sup>1771</sup> Through DNA analysis, Alonso identified remains labelled Ba-32 as those belonging to Sofije Berisha.<sup>1772</sup> These remains are also identified as belonging to Sofije Berisha in the ICMP report.<sup>1773</sup> According to Dunjić's report, samples Ba-31 and Ba-32 belong to the same female person, of approximate age between 40 and 56 years. The cause of death could not be established.<sup>1774</sup> Sofije Berisha is also listed on the OMPF list of missing persons.<sup>1775</sup>

(38) Vesel Berisha (61, male)

643. Shyrete Berisha testified that Vesel Berisha was present in the pizzeria on 26 March 1999.<sup>1776</sup> One of the items found in a mass grave near the firing range in Prizren was identified as belonging to Vesel Berisha.<sup>1777</sup> Through DNA analysis, Alonso, as well as the ICMP, identified remains labelled Ba-22 and Ba-59 as those belonging to Vesel Berisha.<sup>1778</sup> According to Dunjić's report, the skeletal remains Ba-22 belong to a male, whose approximate age is between 40 and 50 years and the cause of death could not be established.<sup>1779</sup> With respect to skeletal remains Ba-59, the team was unable to establish the gender and could not determine the cause of death.<sup>1780</sup> However, the OMPF team was able to establish the cause of death, it being a gunshot wound to the spine.<sup>1781</sup> Items leading to the identification of Vesel Berisha were found with his remains in Batajnica.<sup>1782</sup> Hysni Berisha lists Vesel Berisha as one of those missing and/or killed in Suva Reka/Suhareka, as does the OMPF's list of missing persons.<sup>1783</sup>

(39) Vlorjan Berisha (17, male)

644. Shyrete Berisha gave evidence to the effect that Vlorjan Berisha was present in the pizzeria

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<sup>1771</sup> P133 (Various photographs of items found in the mass grave site at the firing range), KRA/1081 (photograph of a slipper belonging to Sofije Berisha); P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

<sup>1772</sup> P2486 (Report of the Biology Service), pp. 4–5.

<sup>1773</sup> P2559 (Addendum to Expert Report) (under seal), p. 21.

<sup>1774</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 172–175; P184 (Autopsy report for Ba-31 and Ba-32); P2394 (OMPF Reports), e-court pp. 158–161.

<sup>1775</sup> P2798 (OMPF list of missing persons).

<sup>1776</sup> Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

<sup>1777</sup> P133 (Various photographs of items found in the mass grave site at the firing range), KRA/1050 (photograph of a boot belonging to Vesel Berisha); Hysni Berisha, P2282 (witness statement dated 20 August 2001), p. 9.

<sup>1778</sup> P2486 (Report of the Biology Service), p. 5; P2559 (Addendum to Expert Report) (under seal), p. 20; P2558 (Notice of DNA Reports) (under seal), e-court p. 35.

<sup>1779</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 143–148; P182 (Autopsy report for Ba-22 and Ba-59).

<sup>1780</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 73–75; P182 (Autopsy report for Ba-22 and Ba-59).

<sup>1781</sup> P943 (OMPF Reports), e-court p. 390.

<sup>1782</sup> P151 (Index of photographs of identification items relating to Vesel Berisha); P152 (Photographs of identification items relating to Vesel Berisha).

<sup>1783</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 2; P2798 (OMPF list of missing persons).

on 26 March 1999.<sup>1784</sup> Vlorjan Berisha is also listed on Hysni Berisha's list of missing persons,<sup>1785</sup> as well as on the OMPF's list of missing persons.<sup>1786</sup>

(40) Zelihe Berisha (50, female)

645. Hysni Berisha testified that Zelihe Berisha was killed in Suva Reka/Suhareka.<sup>1787</sup> Zelihe Berisha is also listed on the OMPF list of missing persons.<sup>1788</sup>

2. Victims not named in Schedule D of the Indictment (Suva Reka/Suhareka)

(1) Genc Berisha (4, male) and Graniti Berisha (2, male)

646. Shyrete Berisha testified that Genc and Graniti Berisha were in the pizzeria on 26 March 1999.<sup>1789</sup> Through DNA analysis, Alonso identified remains labelled Ba-34 and Ba-52a as belonging to a son of Besim Berisha, that is either Genc or Graniti Berisha.<sup>1790</sup> According to Dunjić's report, the skeletal remains labelled Ba-52 belong to a child of approximately four to four and a half years of age. The team could not establish the cause of death.<sup>1791</sup> As for Ba-34, Dunjić's team established that they belonged to a male child, approximately two or three years old. Some of the injuries on the remains were caused by a projectile from a sidearm or an explosive weapon, but the cause of death could not be established.<sup>1792</sup> However, the OMPF report identifies the cause of death as a possible gunshot wound.<sup>1793</sup> Hysni Berisha lists both as among those missing and/or killed in Suva Reka/Suhareka,<sup>1794</sup> and they are also listed on the OMPF list of missing persons.<sup>1795</sup>

(2) Jashar Berisha (56, male)

647. K83 personally witnessed the murder of Jashar Berisha.<sup>1796</sup> Shyrete Berisha gave evidence about speaking to Jashar Berisha on 26 March 1999, just before the incident in the pizzeria.<sup>1797</sup>

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<sup>1784</sup> Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

<sup>1785</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

<sup>1786</sup> P2798 (OMPF list of missing persons).

<sup>1787</sup> Hysni Berisha, T. 4012 (26 September 2006); P122 (Various photographs of items found in the mass grave site near Prizren), pp. 5, 6; P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

<sup>1788</sup> P2798 (OMPF list of missing persons).

<sup>1789</sup> Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

<sup>1790</sup> P2486 (Report of the Biology Service), p. 7.

<sup>1791</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 37–40; P173 (Autopsy report for Ba-52a); P944 (OMPF reports), e-court pp. 443–444.

<sup>1792</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 33–36; P172 (Autopsy report for Ba-34).

<sup>1793</sup> P934 (OMPF reports), e-court p. 386.

<sup>1794</sup> P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

<sup>1795</sup> P2798 (OMPF list of missing persons).

<sup>1796</sup> K83, T. 3959–3961 (26 September 2006).

Hysni Berisha was able to identify some items found in a mass grave as belonging to Jashar Berisha and thus placed him on his list of missing and/or killed persons.<sup>1798</sup> Jashar's brother, Halit Berisha, gave extensive evidence about his brother's whereabouts and disappearance on 26 March 1999, and the clothing belonging to Jashar that he later recognised.<sup>1799</sup> Through DNA analysis, Alonso, as well as the ICMP, identified remains labelled Ba-11, Ba-50, and Ba-55 as belonging to Jashar Berisha.<sup>1800</sup> According to Dunjić's report, skeletal remains labelled Ba-50 belonged to a male and show an injury from a hand firearm or an explosive device but the cause of death could not be established.<sup>1801</sup> As for Ba-55, the team was unable to establish the cause of death.<sup>1802</sup> No further detail is provided in relation to the remains labelled Ba-11, as the relevant page of the report appears to be missing.

#### D. SRBICA/SKENDERAJ

##### 1. Victims named in Schedule F of the Indictment (Izbica)

648. Having analysed the various forensic reports, as well as the testimony of a number of witnesses referred to above, the Trial Chamber lists separately the evidence available to it in relation to each individually named victim in Schedule F of the Indictment, as well as in relation to one unscheduled victim. The Chamber notes that there are a number of discrepancies between the evidence and the Indictment in the spelling of the names of some of these victims, as well as the middle initial of some of the victims. However, in most cases these discrepancies are so minor that the Chamber is nevertheless able to conclude that the relevant information relates to a certain victim. The Chamber also notes that often there was a discrepancy between the ages of the alleged victims provided in Schedule F of the Indictment and the ages of the same victims recorded in other evidence, such as the OMPF list of missing persons. Having heard how this list was compiled, the Chamber will regard the ages provided in OMPF list as determinative.

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<sup>1797</sup> Shyrete Berisha, T. 3898 (25 September 2006).

<sup>1798</sup> P2282 (witness statement dated 20 August 2001), p. 9; P133 (Various photographs of items found in the mass grave site at the firing range), KRA/1072 (photograph of a tracksuit belonging to Jashar Berisha); P2351 (List of killed/missing persons in 1998 and 1999), p. 2. Jashar Berisha is also listed on the OMPF list. *See* P2798 (OMPF list of missing persons).

<sup>1799</sup> Halit Berisha, T. 3611–3614 (20 September 2006); P2326 (witness statement dated 17 August 2001), p. 3; P133 (Various photographs of items found in the mass grave site at the firing range), KRA/1072 (photograph of a tracksuit belonging to Jashar Berisha).

<sup>1800</sup> P2486 (Report of the Biology Service), p. 9; P2559 (Addendum to Expert Report) (under seal), p. 20; P2558 (Notice of DNA Reports) (under seal), e-court p. 35.

<sup>1801</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 48–51.

<sup>1802</sup> P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 61–62.

(1) Jetullah Alushi (93, male)

649. Jetullah Alushi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1803</sup> Jetulla Alushi, age 90, is listed on the OMPF list of missing persons as having gone missing on 28 March 1999 in Izbica.<sup>1804</sup>

(2) Asllan Amrushu ([no age recorded], male)

650. Aslan Amrushu is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1805</sup>

(3) Asslan Bajra (60, male)

651. Asslan Bajra was identified using the procedure described in Section VII.G above, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>1806</sup> He is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1807</sup> His remains have been identified, through DNA analysis, by the ICMP expert team.<sup>1808</sup> Asslan Bajra, age 61, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>1809</sup>

(4) Bajram (H) Bajra (62, male)

652. Bajram (H) Bajra was identified using the procedure described in Section VII.G above, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>1810</sup> Bajram Bajraj is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1811</sup> Bajram (H) Bajra, age 63, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.<sup>1812</sup>

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<sup>1803</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1804</sup> P2798 (OMPF list of missing persons).

<sup>1805</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1806</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 30; P231 (Still photographs of bodies found in Izbica), pp. 135–136.

<sup>1807</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1808</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 32.

<sup>1809</sup> P2798 (OMPF list of missing persons).

<sup>1810</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 30; P231 (Still photographs of bodies found in Izbica), pp. 137–138.

<sup>1811</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1812</sup> P2798 (OMPF list of missing persons).

(5) Bajram (C) Bajra (60, male)

653. Bajram (C) Bajra is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1813</sup>

(6) Bajram (S) Bajra (68, male)

654. Bajram (S) Bajra was identified using the procedure described in Section VII.G above, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>1814</sup> He is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1815</sup> His remains have subsequently been identified, through DNA analysis, by the ICMP.<sup>1816</sup> Bajram (S) Bajra, age 68, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>1817</sup>

(7) Brahim Bajra (81, male)

655. Brahim Bajra was identified using the procedure described in Section VII.G above, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>1818</sup> Brahim Bajra, age 80, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.<sup>1819</sup>

(8) Fazli Bajra (60, male)

656. Fazli Bajra was identified using the procedure described in Section VII.G above, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>1820</sup> He is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1821</sup> Fazli Bajra's remains have been identified, through DNA analysis, by the ICMP.<sup>1822</sup> Fazli Bajra, age

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<sup>1813</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1814</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 29; P231 (Still photographs of bodies found in Izbica), pp. 131–132.

<sup>1815</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1816</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 32.

<sup>1817</sup> P2798 (OMPF list of missing persons).

<sup>1818</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court pp. 18, 29; P231 (Still photographs of bodies found in Izbica), pp. 127–128.

<sup>1819</sup> P2798 (OMPF list of missing persons).

<sup>1820</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 30; P231 (Still photographs of bodies found in Izbica), pp. 133–134.

<sup>1821</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1822</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 32.

62, was also recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>1823</sup>

(9) Ilaz Bajra (70, male)

657. Ilaz Bajra was identified using the procedure described in Section VII.G above, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>1824</sup> He is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1825</sup> In addition, Loshi testified about having personally seen Ilaz Bajra's body.<sup>1826</sup> Ilaz Bajra's remains have subsequently been identified, through DNA analysis, by the ICMP.<sup>1827</sup> Iljaz Bajra, age 69, was also recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>1828</sup>

(10) Sami Bajra (19, male)

658. Sami Bajra was identified using the procedure described in Section VII.G above, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>1829</sup> Sami Bajra is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1830</sup> Sami Bajra, age 19, is also recorded as missing on the OMPF list of missing persons.<sup>1831</sup> However, Loshi made a note on his statement that this man was not killed during the Izbica incident on 28 March 1999.<sup>1832</sup>

(11) Bislim Bajraktari (58, male)

659. Bislim Bajraktari is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1833</sup> Bislim Bajraktari, age 62, is recorded as missing on the OMPF list of missing persons which provides that he went missing in Izbica on 31 March.<sup>1834</sup>

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<sup>1823</sup> P2798 (OMPF list of missing persons).

<sup>1824</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 29; P231 (Still photographs of bodies found in Izbica), pp. 129–130.

<sup>1825</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1826</sup> Liri Loshi, T. 5362 (26 October 2006).

<sup>1827</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 32.

<sup>1828</sup> P2798 (OMPF list of missing persons).

<sup>1829</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 32; P231 (Still photographs of bodies found in Izbica), pp. 163–164.

<sup>1830</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1831</sup> P2798 (OMPF list of missing persons).

<sup>1832</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 32.

<sup>1833</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1834</sup> P2798 (OMPF list of missing persons).



(12) Hajdar Bajraktari (53, male)

660. Hajdar Bajraktari is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1835</sup> The OMPF list of missing persons records Hajdar Bajraktari, age 53, as having gone missing in Izbica on 31 March 1999.<sup>1836</sup> His remains have now been identified by the ICMP and returned to his family.<sup>1837</sup> Finally, the grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of Hajdar Bajraktari.<sup>1838</sup>

(13) Demush Behrami (63, male)

661. Demujh Behrami is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1839</sup> According to the OMPF list of missing persons, Demush Behrami, age 66, went missing in Izbica on 31 March 1999.<sup>1840</sup>

(14) Muhamet Behrami (61, male)

662. Muhamet Behrami is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1841</sup> According to one of the ICMP reports, the body remains found in Petrovo Selo and labelled PSII-27 were identified through DNA analysis as belonging to Muhamet Behrami.<sup>1842</sup> An autopsy was performed on these remains by forensic experts from the Niš forensic institute. The report indicates that the body belonged to a 50 to 55 year old man whose death was caused by a projectile fired from a hand-held firearm.<sup>1843</sup> The OMPF report confirms the finding that the cause of death was a gunshot wound to the chest.<sup>1844</sup> Muhamet Behrami, age 61, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>1845</sup>

(15) Nuredin Behrami (76, male)

663. Nuradin Behrami is listed as one of those killed in Izbica in a list prepared by Liri Loshi and

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<sup>1835</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1836</sup> P2798 (OMPF list of missing persons).

<sup>1837</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 32.

<sup>1838</sup> 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 6.

<sup>1839</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1840</sup> P2798 (OMPF list of missing persons).

<sup>1841</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1842</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 33. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 6.

<sup>1843</sup> P2606 (Autopsy report for PS/II-27), pp. 4–5.

<sup>1844</sup> P943 (OMPF Reports), e-court p. 361.

<sup>1845</sup> P2798 (OMPF list of missing persons).

Afrim Xhemajli.<sup>1846</sup> According to the OMPF list of missing persons, Nuredin Behrami, age 80, went missing in Izbica on 28 March 1999.<sup>1847</sup>

(16) Asllan Dajaku (63, male)

664. Asllan Dajaku is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1848</sup>

(17) Dibran (A) Dani (67, male)

665. Dibran (H) Dani is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1849</sup> According to one of the ICMP reports, it was established through DNA analysis that the body remains found in Petrovo Selo and labelled PS/II-20 belong to Dibran (Haxhi) Dani.<sup>1850</sup> These remains were also analysed by the members of the Niš forensic team and were found to belong to a man who was 55 to 60 years of age and who died a violent death, suffering a head injury caused by the effect of a projectile fired from a hand-held firearm.<sup>1851</sup> Following the identification of these remains, a certificate of death was then issued by the Serb authorities, in the name of “Dibran (Haxhi) Pani”.<sup>1852</sup> Dibran (Haxhi) Dani, age 67, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>1853</sup>

(18) Sali Dervishi (61, male)

666. Sali Dervishi was identified using the procedure described in Section VII.G above, namely through a still photograph captured on Liri Loshi’s video and the name tag on the corpse.<sup>1854</sup> Salih Dervishi is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1855</sup> Sali Dervishi, age 59, is recorded by OMPF as having gone missing in Izbica on 31

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<sup>1846</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1847</sup> P2798 (OMPF list of missing persons).

<sup>1848</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1849</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1850</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 38. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 6.

<sup>1851</sup> P224 (Autopsy report for PS/II-20).

<sup>1852</sup> P223 (Death certificate for Dibran Pani).

<sup>1853</sup> P2798 (OMPF list of missing persons).

<sup>1854</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 32; P231 (Still photographs of bodies found in Izbica), pp. 159–160.

<sup>1855</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

March 1999. The OMPF list of missing persons notes that his remains have now been returned to his family.<sup>1856</sup>

(19) Bajram Dervishi (73, male)

667. Bajram Dervishi was identified using the procedure described in Section VII.G above, namely through Liri Loshi's video.<sup>1857</sup> He is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1858</sup> According to one of the ICMP reports, the DNA analysis has shown that the remains found in Petrovo Selo and labelled PSII-30 were identified, through DNA analysis, as those of Bajram Dervishi.<sup>1859</sup> These remains were also analysed by the members of the Niš forensic team and were found to belong to a man who was 50 to 55 years of age and who died a violent death, suffering a head injury caused by the effect of missiles fired from a hand-held firearm.<sup>1860</sup> This cause of death was confirmed by the OMPF forensic team.<sup>1861</sup> Bajram Dervishi, age 73, was recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned.<sup>1862</sup>

(20) Ilaz Dervishi (73, male)

668. Ilaz Dervishi was identified using the procedure described in Section VII.G above, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>1863</sup> He is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1864</sup> Ilaz Dervishi, age 72, is listed on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.<sup>1865</sup>

(21) Musli Doçi (63, male)

669. Musli Doçi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1866</sup> According to one of the ICMP reports, the body remains labelled FHG-05-006B were

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<sup>1856</sup> P2798 (OMPF list of missing persons).

<sup>1857</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 18.

<sup>1858</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1859</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 38.

<sup>1860</sup> P2431 (Autopsy report for PS/II-30).

<sup>1861</sup> P943 (OMPF reports), e-court p. 362.

<sup>1862</sup> P2798 (OMPF list of missing persons).

<sup>1863</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 32; P231 (Still photographs of bodies found in Izbica), pp. 165–166.

<sup>1864</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1865</sup> P2798 (OMPF list of missing persons).

<sup>1866</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

found, through DNA analysis, to belong to “Musli (Sejdi) Doqi”.<sup>1867</sup> Musli Doqi, age 62) is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>1868</sup>

(22) Hamdi Doqi (42, male)

670. Hamdi Doqi was identified using the procedure described in Section VII.G above, namely through Liri Loshi’s video.<sup>1869</sup> Hamdi Doqi is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1870</sup> Hamdi Doqi, age 43, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>1871</sup>

(23) Ali Draga (65, male)

671. Mustafa Draga identified Ali Draga as one of the men in his group who were taken away and executed on 28 March 1999.<sup>1872</sup> Ali Draga is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1873</sup> In addition, he was identified using the procedure described in Section VII.G above, namely through a still photograph captured on Liri Loshi’s video.<sup>1874</sup> According to the Kosovska Mitrovica District Court autopsy reports prepared by Dr. Gordana Tomšević, one of the autopsied bodies had documents on it identifying him as “Alija Dragaj”, and also wore clothes that can be seen on Liri Loshi’s video.<sup>1875</sup> Indeed, the grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of “Alija Dragaj”, aged 57.<sup>1876</sup> According to one of the ICMP reports, the body remains labelled FHG-051-006B were found through DNA analysis to belong to Ali (Zymer) Draga.<sup>1877</sup> Finally, Ali Draga, age 57, is listed on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>1878</sup>

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<sup>1867</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 39.

<sup>1868</sup> P2798 (OMPF list of missing persons).

<sup>1869</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 24.

<sup>1870</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1871</sup> P2798 (OMPF list of missing persons).

<sup>1872</sup> Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

<sup>1873</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1874</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 30; P231 (Still photographs of bodies found in Izbica), pp. 143–144.

<sup>1875</sup> P248 (Gordana Tomašević’s autopsy reports), e-court pp. 306–309.

<sup>1876</sup> 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 6.

<sup>1877</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 39.

<sup>1878</sup> P2798 (OMPF list of missing persons).

(24) Cen Draga (68, male)

672. Mustafa Draga identified Cen Draga as one of the men in his group who were taken away and executed on 28 March 1999.<sup>1879</sup> Cen Draga is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1880</sup> In addition, Cen Draga was identified using the procedure described in Section VII.G, namely through a still photograph captured on Liri Loshi's video and a name tag on the corpse.<sup>1881</sup> Finally, Cene Draga, age 69, is listed on the OMPF list of missing persons as having gone missing on 31 March 1999 in Izbica.<sup>1882</sup>

(25) Hajriz Draga (43, male)

673. Mustafa Draga testified about the way in which Hajriz Draga died on 28 March 1999.<sup>1883</sup> Hajriz Draga is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1884</sup> In addition, he was identified using the procedure described in Section VII.G, namely through a still photograph captured on Liri Loshi's video.<sup>1885</sup> According to one of the ICMP reports, the body remains labelled FHH 14/001B, having been analysed for DNA, were found to belong to Hajriz Draga.<sup>1886</sup> Finally, Hajriz Dragaj, age 44, is listed by OMPF as having gone missing on 31 March 1999 in Izbica. His remains have now been returned to his family.<sup>1887</sup>

(26) Ismet Draga (31, male)

674. Mustafa Draga identified Ismet Draga as one of the men in his group who were taken away on 28 March 1999 and executed in Izbica.<sup>1888</sup> Ismet Draga is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1889</sup> Finally, Ismet Draga, age 31, is listed on the OMPF list of missing persons as having gone missing on 31 March 1999 in Izbica.<sup>1890</sup>

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<sup>1879</sup> Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

<sup>1880</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1881</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 30; P231 (Still photographs of bodies found in Izbica), pp. 141–142.

<sup>1882</sup> P2798 (OMPF list of missing persons).

<sup>1883</sup> Mustafa Draga, T. 2356–2357 (25 August 2006); P2244 (witness statement dated 13 November 1999), p. 4.

<sup>1884</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1885</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 31; P231 (Still photographs of bodies found in Izbica), pp. 148–49.

<sup>1886</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 39.

<sup>1887</sup> P2798 (OMPF list of missing persons).

<sup>1888</sup> Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

<sup>1889</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1890</sup> P2798 (OMPF list of missing persons).

(27) Murat Draga (68, male)

675. Mustafa Draga also identified Murat Draga as one of the men in his group who were executed on 28 March 1999 in Izbica.<sup>1891</sup> Murat Draga is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1892</sup> In addition, he was identified using the procedure described in Section VII.G above, namely through a still photograph captured on Liri Loshi's video.<sup>1893</sup> According to one of the ICMP reports, the body remains labelled FHG-38-001B were found, through DNA analysis, to belong to Murat Draga.<sup>1894</sup> Finally, Murat Dragaj, age 64, is listed by the OMPF as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>1895</sup>

(28) Rahim Draga (70, male)

676. The Chamber has received no evidence in relation to this alleged victim.

(29) Rrustem Draga (81, male)

677. Mustafa Draga identified Rrustem Draga as one of the men in his group who were executed on 28 March 1999.<sup>1896</sup> Rrustem Draga is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1897</sup> In addition, he was identified using the procedure described in Section VII.G, namely through a still photograph captured on Liri Loshi's video.<sup>1898</sup> Finally, Rrustem Draga, age 80, is listed on the OMPF list of missing persons as having gone missing on 31 March 1999 in Izbica.<sup>1899</sup>

(30) Zade Dragaj (71, male)

678. Mustafa Draga referred testified to seeing a body of a woman by the name of Zade Dragaj who was "killed enroute".<sup>1900</sup> Zade Dragaj is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1901</sup> According to one of the ICMP reports, the body remains

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<sup>1891</sup> Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

<sup>1892</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1893</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 30; P231 (Still photographs of bodies found in Izbica), p. 145.

<sup>1894</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 39.

<sup>1895</sup> P2798 (OMPF list of missing persons).

<sup>1896</sup> Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

<sup>1897</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1898</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 30; P231 (Still photographs of bodies found in Izbica), pp. 139–140.

<sup>1899</sup> P2798 (OMPF list of missing persons).

<sup>1900</sup> Mustafa Draga, T. 2360 (25 August 2006).

<sup>1901</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

found in Petrovo Selo and labelled PS/II-29 were identified through DNA testing as being those of Zade Dragaj.<sup>1902</sup> An autopsy was performed on these remains by forensic experts from the Niš forensic institute. The report indicates that the body belonged to a 55 to 60 year old female whose death was caused by a projectile fired from a hand-held firearm.<sup>1903</sup> Finally, Zade Draga is listed by the OMPF as having gone missing in Izbica on 31 March 1999. Her remains have now been returned to her family.<sup>1904</sup> Given that all evidence points to the fact that Zade Dragaj was a female, it would appear that the Indictment mistakenly referred to this person as a male.

(31) Avdullah Duraku (55, male)

679. Avdullah Duraku is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1905</sup> According to one of the ICMP reports, the body remains labelled FLP10/001B were identified through DNA testing as being those of Avdullah Duraku, age 55.<sup>1906</sup> In addition, Avdullah Duraku, age 45, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have been returned to his family.<sup>1907</sup>

(32) Bel (A) Duraku (81, male)

680. Bel (A) Duraku is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1908</sup> Bel (A) Duraku, age 71, is also recorded as missing on the OMPF list of missing persons, but he is said to have gone missing from Broćna/Buroje.<sup>1909</sup> The Chamber notes here the discrepancy in ages between the victim alleged in the Indictment and the victim named in the OMPF list, as well as the fact that the latter is not recorded as having gone missing in Izbica. In addition, the OMPF list records that the case of this person was closed as no sufficient information was available.

(33) Dibran Duraku (65, male)

681. Dibran Duraku, age 67, is recorded as missing on the OMPF list of missing persons, as having gone missing from Broćna/Buroje. The OMPF list also records that the case of this person

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<sup>1902</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 39. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 6.

<sup>1903</sup> P2607 (Autopsy report for PS/II-29), p. 6. *See also* P943 (OMPF Reports) e-court p. 441, which is an autopsy report for remains labeled PS/II-29 and which lists the cause of death as a gunshot wound to the head and trunk.

<sup>1904</sup> P2798 (OMPF list of missing persons).

<sup>1905</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1906</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 39.

<sup>1907</sup> P2798 (OMPF list of missing persons).

<sup>1908</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1909</sup> P2798 (OMPF list of missing persons).

was closed as no sufficient information was available.<sup>1910</sup>

(34) Rexhep Duraku (87, male)

682. Rexhep Duraku is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1911</sup> According to the OMPF list of missing persons, the remains labelled PSII-2 and PSII-6 were identified through DNA testing as belonging to Rexhep Duraku who went missing in Izbica on 31 March 1999. The list also records that these remains have now been returned to his family.<sup>1912</sup> Forensic reports relating to those remains conclude that they belonged to a man, some 178 to 183 centimetres tall, and that the multiple bone fractures, in particular to the skull bones, were caused by a blunt instrument, indicating a violent death.<sup>1913</sup>

(35) Muhamet Emra or Muhamet Kadriu (56, male)

683. Muhamet (K) Emra is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1914</sup> According to the Prosecution, the remains labelled PSII-46 belong to Muhamet Emra/Muhamet Kadriu.<sup>1915</sup> The forensic report relating to these remains records that they belonged to a male aged 40 to 50, and that his death was probably caused by a projectile or scattering parts of an explosive device.<sup>1916</sup> Muhamet (Kadri) Emra, age 60, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.<sup>1917</sup> However, the information in the list does not connect this name to remains PSII-46, nor is the Chamber able to discern from the forensic report that these remains were connected to Muhamet (K) Emra. The report simply refers to the fact that the DNA analysis is yet to be performed. Accordingly, the Chamber is left in state of uncertainty as to how the Prosecution was able to connect these remains to this scheduled victim.

(36) Lah Fetahu (67, male)

684. Lah Fetahu is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1918</sup> A person by that name is also recorded on the OMPF list of missing persons, as having

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<sup>1910</sup> P2798 (OMPF list of missing persons).

<sup>1911</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1912</sup> P2798 (OMPF list of missing persons).

<sup>1913</sup> P2419 (Autopsy report for PS/II-2), pp. 7–10; P2604 (Autopsy report for PS/II-6).

<sup>1914</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1915</sup> Prosecution Final Trial Brief, 29 July 2008 (public version), Annex C (Izbica), p. 3.

<sup>1916</sup> P2611 (Autopsy report for PS/II-46).

<sup>1917</sup> P2798 (OMPF list of missing persons).

<sup>1918</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.



gone missing in Turićevac/Turićec. His case appears to have been closed for lack of information.<sup>1919</sup> According to the Prosecution, the remains labelled PSII-33 belong to Hajrullah Fetahu.<sup>1920</sup> The forensic report relating to these remains records that they belonged to a male aged 50 to 55, and that his death was probably a violent death caused by a projectile fired from a hand-held fire-arm.<sup>1921</sup> However, the information in the OMPF list does not connect this name to remains PSII-33 but rather provides that the case is closed for lack of information. In addition, the Chamber is unable to discern from the forensic report that these remains PS/II-33 are indeed those of Lah Fetahu. The report simply refers to the fact that the DNA analysis is yet to be performed. Accordingly, the Chamber is left in state of uncertainty as to how the Prosecution was able to connect these remains to this scheduled victim.

(37) Ibrahim Gashi (70, male)

685. The Chamber has received no evidence in relation to this alleged victim.

(38) Ram Gashi ([no age recorded], male)

686. According to one of the ICMP reports, the body remains labelled PS/II-12 were identified through DNA testing as being those of Rame Gashi, age 54.<sup>1922</sup> Ram Gashi, age 54, is recorded by the OMPF as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>1923</sup> However, the Chamber has not received the autopsy report in relation to this person and does not have any information relating to his age. In addition, there is no eyewitness evidence before the Chamber tying him to the killing site in Izbica at the relevant time.

(39) Halil Hajdari (50, male)

687. Halil Hajdari is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1924</sup> Halil (Q) Hajdari, age 63, is also recorded as on the OMPF list of missing persons as having gone missing on 28 March 1999 in Izbica.<sup>1925</sup>

(40) Mehmet Hajra (65, male)

688. Mehmet Hajra is listed as one of those killed in Izbica in a list prepared by Liri Loshi and

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<sup>1919</sup> P2798 (OMPF list of missing persons).

<sup>1920</sup> Prosecution Final Trial Brief, 29 July 2008 (public version), Annex C (Izbica), p. 3.

<sup>1921</sup> P2608 (Autopsy report for PS/II-33).

<sup>1922</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 42.

<sup>1923</sup> P2798 (OMPF list of missing persons).

<sup>1924</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1925</sup> P2798 (OMPF list of missing persons).

Afrim Xhemajli.<sup>1926</sup> According to the ICMP reports, the body remains labelled PS/II-1 and PS/II-4 were identified through DNA testing as being those of Mehmet Hajra, age 64.<sup>1927</sup> An autopsy was performed on these remains by forensic experts from the Niš forensic institute. The report indicates that the remains belonged to a male who was over 30 years of age and whose death was probably violent.<sup>1928</sup> Having also performed an autopsy on these remains and established the cause of death as a gunshot wound to the neck,<sup>1929</sup> the OMPF issued a death certificate in the name of Mehmet Hajra.<sup>1930</sup> Mehmet Hajra, age 63, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March. His remains have now been returned to his family.<sup>1931</sup>

(41) Haliti Haliti (60, male)

689. Halit Haliti is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1932</sup> According to one of the ICMP reports, the body remains labelled PS/II-41 were identified through DNA testing as being those of Halit Haliti, age 61.<sup>1933</sup> The OMPF analysed these remains and concluded that the cause of death was a gunshot wound to the head.<sup>1934</sup> The experts from Niš forensic institute also identified remains PS/II-41 as belonging to Halit Haliti, noting that the cause of death was the destruction of the brain caused by the hand-held firearm.<sup>1935</sup> Finally, Halit (Miftar) Haliti, age 61, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have now been returned to his family.<sup>1936</sup>

(42) Fejz Haxha (75, male)

690. Fejz Haxha is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1937</sup>

(43) Hazir Hoti (67, male)

691. Hazir Hoti is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim

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<sup>1926</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1927</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 44; P2559 (Addendum to Expert Report) (under seal), e-court p. 7.

<sup>1928</sup> P2419 (Autopsy report for PS/II-1), e-court pp. 1–4.

<sup>1929</sup> P943 (OMPF Reports) e-court p. 368.

<sup>1930</sup> P2454 (OMPF Reports), e-court pp. 203–204.

<sup>1931</sup> P2798 (OMPF list of missing persons).

<sup>1932</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1933</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 44.

<sup>1934</sup> P943 (OMPF Reports), e-court pp. 99–100, 443.

<sup>1935</sup> P225 (Death certificate for Halit Haliti); P226 (Autopsy report for PS/II-41), pp. 4–10. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 7.

<sup>1936</sup> P2798 (OMPF list of missing persons).

Xhemajli.<sup>1938</sup> According to one of the ICMP reports, the body remains labelled FHE-03-001B were identified through DNA analysis as being those of Hazir Hoti, age 67.<sup>1939</sup> Hazir Hoti, age 67, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>1940</sup>

(44) Qerim Hoti (42, male)

692. Qerim Hoti is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1941</sup> According to one of the ICMP reports, the body remains labelled PS/II-9 were identified through DNA analysis as being those of Qerim Hoti, age 48.<sup>1942</sup> These remains were analysed by the experts from Niš forensic institute, who established cause of death to be massive injuries to the head and thoracic organs caused by missiles fired from a hand-held fire-arm.<sup>1943</sup> Qerim Hoti, age 47, is also listed on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>1944</sup>

(45) Rifat Hoti (54, male)

693. Rifat Hoti is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1945</sup> Rifat Hoti, age 64, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.<sup>1946</sup>

(46) Rrustem Hoti (70, male)

694. Rrustem Hoti is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1947</sup> The grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of Rrustem Hoti.<sup>1948</sup> Rrustem Hoti, age 68, is recorded on the OMPF list of missing persons as having gone missing on 28 March 1999 in Izbica.<sup>1949</sup>

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<sup>1937</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1938</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1939</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 46.

<sup>1940</sup> P2798 (OMPF list of missing persons).

<sup>1941</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1942</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 45. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 8.

<sup>1943</sup> P2428 (Autopsy report for PS/II-9). *See also* P943 (OMPF Reports), e-court p. 369.

<sup>1944</sup> P2798 (OMPF list of missing persons).

<sup>1945</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1946</sup> P2798 (OMPF list of missing persons).

<sup>1947</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1948</sup> 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 4.

<sup>1949</sup> P2798 (OMPF list of missing persons).

(47) Tahir Hoti (55, male)

695. Tahir Hoti is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1950</sup> According to one of the ICMP reports, the body remains labelled FLP 01/001B were identified through DNA analysis as being those of Tahir Hoti, age 55.<sup>1951</sup> Tahir Hoti, age 55, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have now been returned to his family.<sup>1952</sup>

(48) Muhamet Hoti (52, male)

696. Muhamet Hoti is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1953</sup> Muhamet Hoti has been identified using the procedure described in Section VII.G above, namely through Liri Loshi's video.<sup>1954</sup> Muhamet Hoti, age 63, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His case appears to be closed.<sup>1955</sup>

(49) Sadik Hoti (66, male)

697. Sadik Hoti has been identified using the procedure described in Section VII.G above, namely through Liri Loshi's video.<sup>1956</sup> According to one of the ICMP reports, the body remains labelled FLP 02-001B were identified through DNA analysis as being those of Sadik Hoti, age 65.<sup>1957</sup> Sadik Hoti, age 64, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>1958</sup>

(50) Shefqet (A) Hoti ([no age recorded], male)

698. Shefqet (A) Hoti is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1959</sup> Shefqet (A) Hoti, age 52, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.<sup>1960</sup>

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<sup>1950</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1951</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 45.

<sup>1952</sup> P2798 (OMPF list of missing persons).

<sup>1953</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1954</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 28.

<sup>1955</sup> P2798 (OMPF list of missing persons).

<sup>1956</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 25.

<sup>1957</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 46.

<sup>1958</sup> P2798 (OMPF list of missing persons).

<sup>1959</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1960</sup> P2798 (OMPF list of missing persons).

(51) Vehbi Hoti ([no age recorded], male)

699. Vehbi Hoti is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1961</sup> According to one of the ICMP reports, the body remains labelled FHE-02-001B were identified through DNA testing as being those of Vehbi Hoti, age 26.<sup>1962</sup> Vehbi Hoti, age 26, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>1963</sup>

(52) Zenel Isufi (72, male)

700. Zenel Isufi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1964</sup> The grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of Zenel Isufi.<sup>1965</sup> Zenel Isufi, age 71, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.<sup>1966</sup>

(53) Beqir Jetullahu (27, male)

701. Beqir Jetullahu is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1967</sup> According to one of the ICMP reports, the body remains labelled FLR 17/001B were identified through DNA analysis as being those of Jetullahu Beqir, age 41.<sup>1968</sup> The Chamber also notes, however, that Beqir Jetullahu, age 40, is recorded by the OMPF as having gone missing in Izbica on 4 March. His remains have been returned to his family.<sup>1969</sup>

(54) Kajtaz (Z) Kajtazdi (68, male)

702. Kajtaz (Z) Kajtazi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1970</sup> According to one of the ICMP reports, the body remains labelled FHE-14-002B were identified through DNA analysis as being those of Kajtaz (Z) Kajtazi, age 63.<sup>1971</sup> The grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the

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<sup>1961</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1962</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 45.

<sup>1963</sup> P2798 (OMPF list of missing persons).

<sup>1964</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1965</sup> 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 4.

<sup>1966</sup> P2798 (OMPF list of missing persons).

<sup>1967</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1968</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 50.

<sup>1969</sup> P2798 (OMPF list of missing persons).

<sup>1970</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1971</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 50.

name of Kajtaz Kajtazi.<sup>1972</sup> Kajtaz (Z) Kajtazi, age 63, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.<sup>1973</sup>

(55) Bajram Kelmendi (66, male)

703. Bajram Kelmendi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1974</sup> According to one of the ICMP reports, the body remains labelled FLR03-001B were identified through DNA analysis as being those of Bajram Kelmendi, age 83.<sup>1975</sup> Bajram Kelmendi, age 83, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have now been returned to his family.<sup>1976</sup>

(56) Jetullah Kelmendi (56, male)

704. Jetullah Kelmendi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1977</sup> Jetullah Kelmendi, age 61, is recorded by OMPF as having gone missing in Izbica on 28 March 1999.<sup>1978</sup>

(57) Ram Kotoori/Kotorri ([no age recorded], male)

705. Ram Kotorri is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1979</sup> Rame Kotori, born on 1 January 1945, is recorded as missing on the OMPF list of missing persons, but no location of disappearance is provided. In addition, his case appears to have been closed due to lack of information.<sup>1980</sup>

(58) Brahim Kotoori/Kotorri ([no age recorded], male)

706. Brahim Kotorri is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1981</sup> Brahim Kotorri, age 68, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.<sup>1982</sup>

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<sup>1972</sup> 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 6.

<sup>1973</sup> P2798 (OMPF list of missing persons).

<sup>1974</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1975</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 51.

<sup>1976</sup> P2798 (OMPF list of missing persons).

<sup>1977</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1978</sup> P2798 (OMPF list of missing persons).

<sup>1979</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1980</sup> P2798 (OMPF list of missing persons).

<sup>1981</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1982</sup> P2798 (OMPF list of missing persons).

(59) Hajzer Kotoori/Kotorri ([no age recorded], male)

707. Hajzer Kotorri is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1983</sup> According to one of the ICMP reports, the body remains labelled PS/II-22 were identified through DNA analysis as being those of Hajzer (Ymer) Kotorri, age 54.<sup>1984</sup> These remains have been analysed by the experts from Niš forensic institute and cause of death established as destruction of the brain caused by a projectile fired from a hand-held fire-arm.<sup>1985</sup> Hajzer Kotorri, age 56, was recorded as on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have now been returned to his family.<sup>1986</sup>

(60) Deli Krasniqi (77, male)

708. Deli Krasniqi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1987</sup> Deli Krasniqi, age 76, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have been returned to his family.<sup>1988</sup>

(61) Mustaf Krasniqi (63, male)

709. Mustaf Krasniqi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1989</sup> According to one of the ICMP reports, the body remains labelled FLP05-001B were identified through DNA analysis as being those of Mustaf Krasniqi, age 66.<sup>1990</sup> Mustaf Krasniqi, age 65, is recorded on the OMPF list of missing persons as having gone missing on 28 March 1999 in Izbica. His remains have now been returned to his family.<sup>1991</sup>

(62) Rrahim Krasiniqi (69, male)

710. Rrahim Krasniqi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1992</sup> Rrahim Krasniqi, age 69, is recorded on the OMPF list of missing persons as

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<sup>1983</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1984</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 52. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 8.

<sup>1985</sup> P2605 (Autopsy report for PS/II-22).

<sup>1986</sup> P2798 (OMPF list of missing persons).

<sup>1987</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1988</sup> P2798 (OMPF list of missing persons).

<sup>1989</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>1990</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 53.

<sup>1991</sup> P2798 (OMPF list of missing persons).

<sup>1992</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

having gone missing on 28 March 1998 in Izbica. His remains have now been returned to his family.<sup>1993</sup>

(63) Azem Kuqica (88, male)

711. Azem Kuqica is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1994</sup> According to one of the ICMP reports, the body remains labelled FHG-04-009B were identified through DNA testing as being those of Azem (Ajet) Kuqica, age 67.<sup>1995</sup> Azem Kucica, age 67, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have been returned to his family.<sup>1996</sup>

(64) Sami Loshi (25, male)

712. Sami Loshi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>1997</sup> In addition, Sami Loshi's corpse was seen by a member of his family, Liri Loshi, at the scene of the killings.<sup>1998</sup> According to one of the ICMP reports, the body remains found in Petrovo Selo and labelled PS/II-34 were identified through DNA analysis as being those of Sami Loshi, age 25.<sup>1999</sup> These remains have been analysed by the experts from Niš forensic institute and the cause of death established as violent death due to a gunshot wound to the head.<sup>2000</sup> Sami Loshi, age 24, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have been returned to his family.<sup>2001</sup>

(65) Jashar Loshi (48, male)

713. Jashar Loshi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2002</sup> In addition, Jahar Loshi's body was seen by Liri Loshi at the scene of the killings.<sup>2003</sup> According to one of the ICMP reports, the body remains labelled PS/II-25 were identified through

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<sup>1993</sup> P2798 (OMPF list of missing persons).

<sup>1994</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1995</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 54.

<sup>1996</sup> P2798 (OMPF list of missing persons).

<sup>1997</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>1998</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 36.

<sup>1999</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 55. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 8.

<sup>2000</sup> P221 (Death certificate for Sami Ijashaj); P222 (Autopsy report for Sami Ijashaj).

<sup>2001</sup> P2798 (OMPF list of missing persons).

<sup>2002</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2003</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 36.



DNA analysis as being those of Jashar Loshi, age 50.<sup>2004</sup> These remains have been analysed by the experts from Niš forensic institute and the cause of death established as violent death due to a gunshot wound to the head.<sup>2005</sup> Jashar Loshi, age 50, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have now been returned to his family.<sup>2006</sup>

(66) Selman Loshi (78, male)

714. Selman Loshi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2007</sup> In addition, Selman Loshi's body was seen by Liri Loshi at the scene of the killings.<sup>2008</sup> According to one of the ICMP reports, the body remains found in Petrovo Selo and labelled PS/II-39 were identified through DNA analysis as being those of Sami Loshi, age 78.<sup>2009</sup> These remains have been analysed by the experts from Niš forensic institute and the cause of death established as violent death due to brain injuries caused by a projectile fired from a hand-held firearm.<sup>2010</sup> Selman Loshi, age 70, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 21 March 1999. His remains have been returned to his family.<sup>2011</sup>

(67) Halil Morina (38, male)

715. Halil Morina is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2012</sup> The grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of Halil Morina.<sup>2013</sup> Halil Morina, age 56, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.<sup>2014</sup>

(68) Sokol (H) Murseli (63, male)

716. Sokol Murseli is listed as one of those killed in Izbica in a list prepared by Liri Loshi and

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<sup>2004</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 55; P2559 (Addendum to Expert Report) (under seal), e-court p. 8.

<sup>2005</sup> P217 (Death certificate for Jashar Loshaj); P218 (Autopsy report for PS/II-25).

<sup>2006</sup> P2798 (OMPF list of missing persons).

<sup>2007</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2008</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court pp. 19, 36.

<sup>2009</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 55; P2559 (Addendum to Expert Report) (under seal), e-court p. 8.

<sup>2010</sup> P2609 (Autopsy report for PS/II-39). *See also* P2454 (OMPF Reports), e-court pp. 220–223.

<sup>2011</sup> P2798 (OMPF list of missing persons).

<sup>2012</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2013</sup> 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 4.

<sup>2014</sup> P2798 (OMPF list of missing persons).

Afrim Xhemajli.<sup>2015</sup> According to one of the ICMP reports, the body remains labelled FLP 06/001B were identified as being those of Sokol (H) Murseli, age 37.<sup>2016</sup> Sokol (H) Murseli, age 37, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have been returned to his family.<sup>2017</sup> The Chamber notes here the discrepancy between the age of the victim as alleged in the Indictment and the age of the victim whose remains were analysed by the ICMP and recorded on the OMPF list of missing persons.

(69) Beqir Musliu (45, male)

717. Beqir Musliu is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2018</sup> Bećir Muslija, aged 43, was identified as one of the corpses examined by Tomašević's team through a name marker found next to his body.<sup>2019</sup> In addition, the grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of Beqir Muslija, aged 43.<sup>2020</sup> According to one of the ICMP reports, the body remains labelled FLR 10-001B were identified through DNA as being those of Beqir Musliu, age 43.<sup>2021</sup> Beqir Musliu, age 42, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have been returned to his family.<sup>2022</sup>

(70) Ilaz Musliu (73, male)

718. Ilaz Musliu is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2023</sup> According to one of the ICMP reports, the body remains labelled PS/II-42 were identified through DNA analysis as being those of Iljaz Musliu, age 51.<sup>2024</sup> These remains have been analysed by the experts from Niš forensic institute and the cause of death established as violent death due to brain injuries caused by a projectile fired from a hand-held firearm.<sup>2025</sup> Ilaz Musliu, age 51, is

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<sup>2015</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>2016</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 59.

<sup>2017</sup> P2798 (OMPF list of missing persons).

<sup>2018</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2019</sup> P248 (Gordana Tomašević's autopsy reports), e-court pp. 199–202.

<sup>2020</sup> 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 5.

<sup>2021</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 59.

<sup>2022</sup> P2798 (OMPF list of missing persons).

<sup>2023</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2024</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 59. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 9.

<sup>2025</sup> P2610 (Autopsy report for PS/II-42).

recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have been returned to his family.<sup>2026</sup>

(71) Shaban Musliu (87, male)

719. Mustafa Draga gave evidence of seeing Shaban Musliu's body on the Izbica field.<sup>2027</sup> Shaban Musliu is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2028</sup>

(72) Halit Musliu (62, male)

720. Halit Musliu is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2029</sup> According to one of the ICMP reports, the body remains labelled FHE-05-001B were identified through DNA analysis as being those of Halit Musliu, age 62.<sup>2030</sup> Halit Musliu, age 62, is also recorded on OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>2031</sup>

(73) Naim Musliu (23, male)

721. Naim Musliu is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2032</sup> The grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of "Naim Musljija", aged 23.<sup>2033</sup> Naim Musliu, age 23, is also recorded on OMPF list of missing persons as having gone missing on 28 March 1999 in Izbica.<sup>2034</sup>

(74) Mehmet Musliu (46, male)

722. Mehmet Musliu is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2035</sup> According to one of the ICMP reports, the body remains labelled FLR-07-001B were identified through DNA analysis as being those of Muhamet Musliu, age 46.<sup>2036</sup> Muhamet

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<sup>2026</sup> P2798 (OMPF list of missing persons).

<sup>2027</sup> Mustafa Draga, T. 2361 (25 August 2006).

<sup>2028</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2029</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2030</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 59.

<sup>2031</sup> P2798 (OMPF list of missing persons).

<sup>2032</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2033</sup> 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 5.

<sup>2034</sup> P2798 (OMPF list of missing persons).

<sup>2035</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2036</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 59.

Musliu, age 46, is also recorded on OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have been returned to his family.<sup>2037</sup>

(75) Hasan Mustafa (70, male)

723. Hasan Mustafa is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2038</sup> Hasan Mustafaj, age 67, is also recorded on OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.<sup>2039</sup>

(76) Azem Osmani (75, male)

724. Azem Osmani is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2040</sup> Azem Osman was identified, through a wooden grave marker found next to the body, as one of the corpses examined by Tomašević's team.<sup>2041</sup> According to one of the ICMP reports, the body remains labelled FHG-01-001B were identified through DNA analysis as being those of Azem Osmani, age 69.<sup>2042</sup> Azem Osmani, age 69, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have been returned to his family.<sup>2043</sup>

(77) Fatmir Osmani (24, male)

725. Fatmir Osmani is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2044</sup> According to one of the ICMP reports, the body remains labelled PS/II-18 were identified through DNA analysis as being those of Fatmir Osmani, age 24.<sup>2045</sup> These remains have been analysed by the experts from Niš forensic institute and the cause of death established as a gunshot wound to the chest.<sup>2046</sup> Fatmir Osmani, age 24, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have been returned to his family.<sup>2047</sup>

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<sup>2037</sup> P2798 (OMPF list of missing persons).

<sup>2038</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2039</sup> P2798 (OMPF list of missing persons).

<sup>2040</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2041</sup> P248 (Gordana Tomašević's autopsy reports), e-court pp. 310–313.

<sup>2042</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 60.

<sup>2043</sup> P2798 (OMPF list of missing persons).

<sup>2044</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2045</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 60; P2559 (Addendum to Expert Report) (under seal), e-court p. 9.

<sup>2046</sup> P213 (Death certificate for Fatmir Osmanaj); P214 (Autopsy report for PS/II-18).

<sup>2047</sup> P2798 (OMPF list of missing persons).

(78) Hetem Osmani (70, male)

726. Hetem Osmani is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2048</sup> According to one of the ICMP reports, the body remains labelled FHG-02-012B were identified through DNA analysis as being those of Hetem Osmani, age 63.<sup>2049</sup> Etem Osmani, age 66, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have been returned to his family.<sup>2050</sup>

(79) Muharrem Osmani (90, male)

727. Muharrem Osmani is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2051</sup> According to one of the ICMP reports, the body remains labelled FHG-01/015B were identified through DNA analysis as being those of Muharrem Osmani, age 76.<sup>2052</sup> Muharrem Osmani, age 76, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>2053</sup>

(80) Pajazit (D) Qaka (70, male)

728. The Chamber received no evidence in relation to this alleged victim.

(81) Sabit Qallapeku (55, male)

729. Sabit Qallapeku is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2054</sup> According to one of the ICMP reports, the body remains labelled FHG-02-004B were identified as being those of Sabit Qallapeku, age 60.<sup>2055</sup> Sabit Qallapeku, age 59, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have now been returned to his family.<sup>2056</sup>

(82) Ismajl Qelaj (61, male)

730. Mustafa Draga identified Smajc Çela as one of the men executed in Izbica on 28 March

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<sup>2048</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2049</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 60.

<sup>2050</sup> P2798 (OMPF list of missing persons).

<sup>2051</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2052</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 60.

<sup>2053</sup> P2798 (OMPF list of missing persons).

<sup>2054</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2055</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 62.

<sup>2056</sup> P2798 (OMPF list of missing persons).

1999.<sup>2057</sup> Ismail Qelaj is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2058</sup> Ismajl Celaj, age 60, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.<sup>2059</sup>

(83) Rexhep Qelaj (72, male)

731. Mustafa Draga identified Rexh Çela as one of the men whose execution he witnessed on 28 March 1999.<sup>2060</sup> Rexhep Qelaj is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2061</sup> He was also identified using the procedure described in Section VII.G, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>2062</sup> According to one of the ICMP reports, the body remains labelled FHE-11-001B were identified through DNA analysis as being those of Rexhep Qelaj, age 72.<sup>2063</sup> Finally, Rexhep Celaj, age 73, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>2064</sup>

(84) Metush Qelaj (68, male)

732. Mustafa Draga identified Metush Çela as one of the men whose execution he witnessed.<sup>2065</sup> Metush Qelaj is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2066</sup> Metush Qelaj was also identified using the procedure described in Section VII.G, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>2067</sup> According to the ICMP reports, the body remains labelled PS/II-27 and PS/II-45 were identified through DNA analysis as being those of Metush Qelaj, age 70.<sup>2068</sup> These remains were analysed by the experts from Niš forensic institute and the cause of death established as destruction of the brain caused by a projectile from a hand-held firearm.<sup>2069</sup> Finally, Metush Celaj, age 70, is also recorded

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<sup>2057</sup> Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4. *See also* Volume 2, note 1489.

<sup>2058</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2059</sup> P2798 (OMPF list of missing persons).

<sup>2060</sup> Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

<sup>2061</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2062</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court pp. 23, 32; P231 (Still photographs of bodies found in Izbica), pp. 167–168.

<sup>2063</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 62.

<sup>2064</sup> P2798 (OMPF list of missing persons).

<sup>2065</sup> Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

<sup>2066</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2067</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court pp. 22, 32; P231 (Still photographs of bodies found in Izbica), pp. 169–170.

<sup>2068</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 62; P2559 (Addendum to Expert Report) (under seal), e-court p. 9.

<sup>2069</sup> P2433 (Autopsy report for PS/II-45). *See also* P943 (OMPF Reports), e-court p. 370.

on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>2070</sup>

(85) Hamz Qupeva (49, male)

733. Hamz Qupeva is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2071</sup> Hamz Qupeva was also identified using the procedure described in Section VII.G, namely through Liri Loshi's video.<sup>2072</sup> According to one of the ICMP reports, the body remains labelled FLP 08/001B were identified through DNA analysis as being those of Hamz Qupeva, age 49.<sup>2073</sup> Hamz Qupeva, age 48, is also recorded as on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have now been returned to his family.<sup>2074</sup>

(86) Ramadan Raci (56, male)

734. Ramadan Raci is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2075</sup> According to one of the ICMP reports, the body remains labelled FLR 08-001B were identified through DNA analysis as being those of Ramadan Racaj, age 69.<sup>2076</sup> Ramadan Raci, age 68, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 29 March 1999. His remains have now been returned to his family.<sup>2077</sup>

(87) Halit Ramaj (60, male)

735. Halit Ramaj is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2078</sup> According to one of the ICMP reports, the body remains labelled FHG-01/013B were identified through DNA analysis as being those of Halit Rama, age 52.<sup>2079</sup> Halit Ramaj, age 52, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have been returned to his family.<sup>2080</sup>

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<sup>2070</sup> P2798 (OMPF list of missing persons).

<sup>2071</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>2072</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 27.

<sup>2073</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 62.

<sup>2074</sup> P2798 (OMPF list of missing persons).

<sup>2075</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2076</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 62.

<sup>2077</sup> P2798 (OMPF list of missing persons).

<sup>2078</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2079</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 63.

<sup>2080</sup> P2798 (OMPF list of missing persons).

(88) Muj Rexhepi (49, male)

736. Muj Rexhepi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2081</sup> According to one of the ICMP reports, the body remains labelled FHH-28/001B were identified through DNA analysis as being those of Muje Rexhepi, age 50.<sup>2082</sup> Muje Rexhepi, age 50, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have been returned to his family.<sup>2083</sup>

(89) Mustaf Sejdiu (46, male)

737. Mustaf Sejdiu is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2084</sup> Mustafa Sejdiu, age 46, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.<sup>2085</sup>

(90) Azem Shabani ([no age recorded], male)

738. Azem Shabani is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2086</sup>

(91) Hysen (A) Shala (65, male)

739. Hysen (A) Shala is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2087</sup> He was also identified using Liri Loshi's video.<sup>2088</sup> Hysen (A) Shala, age 64, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>2089</sup>

(92) Idriz Shala (69, male)

740. Mustafa Draga identified Idriz Shala as one of the men whose execution he witnessed.<sup>2090</sup> Idriz Shala is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim

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<sup>2081</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2082</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 64.

<sup>2083</sup> P2798 (OMPF list of missing persons).

<sup>2084</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>2085</sup> P2798 (OMPF list of missing persons).

<sup>2086</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>2087</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2088</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 26.

<sup>2089</sup> P2798 (OMPF list of missing persons).

<sup>2090</sup> Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.



Xhemajli.<sup>2091</sup> Idriz Shala, age 69, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.<sup>2092</sup>

(93) Isuf Shala (64, male)

741. Milazim Thaqi gave evidence that he witnessed the killing of Isuf Shala, aged 63.<sup>2093</sup> Isuf Shala is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2094</sup> He was also identified using the procedure described in Section VII.G, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>2095</sup> Isuf Shala, age 62, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.<sup>2096</sup>

(94) Muj Shala (62, male)

742. Muj Shala is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2097</sup> Muj Shala was also identified using the procedure described in Section VII.G, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>2098</sup> Muje Shala, age 62, is recorded on the OMPF list of missing persons as having gone missing on 31 March 1999.<sup>2099</sup>

(95) Sali Shala (38, male)

743. Mustafa Draga identified Sali Shala as one of the men whose execution he witnessed.<sup>2100</sup> Salih Shala is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2101</sup> He was also identified using the procedure described in Section VII.G, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>2102</sup> According to

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<sup>2091</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2092</sup> P2798 (OMPF list of missing persons).

<sup>2093</sup> Milazim Thaqi, P2246 (witness statement dated 12 November 1999), p. 5, P2446 (witness statement dated 17 and 20 October 2001), pp. 2–3.

<sup>2094</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2095</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 22; P231 (Still photographs of bodies found in Izbica), e-court p. 153.

<sup>2096</sup> P2798 (OMPF list of missing persons).

<sup>2097</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2098</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 32; P231 (Still photographs of bodies found in Izbica), e-court pp. 157–158.

<sup>2099</sup> P2798 (OMPF list of missing persons).

<sup>2100</sup> Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

<sup>2101</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2102</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 31; P231 (Still photographs of bodies found in Izbica), e-court p. 156.

one of the ICMP reports, the body remains labelled FHG-04-001B were identified through DNA analysis as being those of Sali Shala, age 34.<sup>2103</sup> Salih Shala, age 34, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have now been returned to his family.<sup>2104</sup>

(96) Zymer Shala (63, male)

744. Mustafa Draga identified Zymer Shala as one of the men whose execution he witnessed.<sup>2105</sup> Zymer Shala is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2106</sup> He was also identified using the procedure described in Section VII.G above, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>2107</sup> One of Tomašević's autopsy reports identifies Zymer Shala through a grave-marker found on his body, bearing the name "Zimber (Šalja) Talir" and the year of birth, namely 1936.<sup>2108</sup> Indeed, the grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of "Zumber Šalja".<sup>2109</sup> According to one of the ICMP reports, the body remains labelled FHE-08-001B were identified through DNA analysis as being those of Zymer Shala, age 63.<sup>2110</sup> Zymer Shala, age 63, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have now been returned to his family.<sup>2111</sup>

(97) Halim Shala (63, male)

745. Mustafa Draga identified Halim Shala as one of the men whose execution he witnessed.<sup>2112</sup> Halim Shala is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2113</sup> He was also identified using the procedure described in Section VII.G, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>2114</sup> According to one of the ICMP reports, the body remains labelled FHH-12-001 were identified through DNA

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<sup>2103</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 66.

<sup>2104</sup> P2798 (OMPF list of missing persons).

<sup>2105</sup> Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

<sup>2106</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2107</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 31; P231 (Still photographs of bodies found in Izbica), e-court pp. 154–155.

<sup>2108</sup> Gordana Tomašević, T. 7036–7037 (21 November 2006); P248 (Gordana Tomašević's autopsy reports), e-court pp. 345–348.

<sup>2109</sup> 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 7.

<sup>2110</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 67.

<sup>2111</sup> P2798 (OMPF list of missing persons).

<sup>2112</sup> Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

<sup>2113</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2114</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 31; P231 (Still photographs of bodies found in Izbica), e-court p. 152.

analysis as being those of belong to Halim Shala, age 64.<sup>2115</sup> Halim Shala, age 63, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have now been returned to his family.<sup>2116</sup>

(98) Hijraz Shala (70, male)

746. Hajriz Shala is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2117</sup> According to one of the ICMP reports, the body remains labelled FLR-06-001B were identified through DNA analysis as being those Hajriz Shala, age 76.<sup>2118</sup> Hajriz Shala, age 76, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>2119</sup>

(99) Sadik Sherifi ([no age recorded], male)

747. Sadik Sherifi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2120</sup>

(100) Zeqir Shpati (60, male)

748. Zeqir Zhpati is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2121</sup> Zeqir Shpati, age 61, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.<sup>2122</sup>

(101) Rizah Spahiu (70, male)

749. The Chamber has received no evidence in relation to this alleged victim.

(102) Ram Syla (63, male)

750. Ram Syla is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2123</sup> According to one of the ICMP reports, the body remains labelled FHG-03-001B were

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<sup>2115</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 66.

<sup>2116</sup> P2798 (OMPF list of missing persons).

<sup>2117</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2118</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 66.

<sup>2119</sup> P2798 (OMPF list of missing persons).

<sup>2120</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>2121</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2122</sup> P2798 (OMPF list of missing persons).

<sup>2123</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

identified through DNA analysis as being those of Rame Sylja, age 60.<sup>2124</sup> Rame Sylja, age 59, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have now been returned to his family.<sup>2125</sup>

(103) Brahim Tahiri (83, male)

751. Brahim Tahiri is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2126</sup> According to one of the ICMP reports, the body remains labelled FLR-04-001B were identified through DNA analysis as being those of Brahim Tahiri, age 79.<sup>2127</sup> However, Brahim Tahiri, age 79, is recorded by the OMPF as having gone missing on 4 January 1999. His remains have now been returned to his family.<sup>2128</sup>

(104) Gani Temaj (41, male)

752. Gani Temaj is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2129</sup> According to one of the ICMP reports, the body remains labelled FHE-04-002B were identified through DNA analysis as being those of Gani Temaj, age 49.<sup>2130</sup> Gani Temaj, age 49, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>2131</sup>

(105) Hamdi Temaj (49, male)

753. Hamdi Temaj is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2132</sup> Remains found in Petrovo Selo and labelled PS/II-32 were identified through DNA analysis as being those of Hamdi Temaj.<sup>2133</sup> These remains have been analysed by the experts from Niš forensic institute and the cause of death established as gunshot wound to the head.<sup>2134</sup> Hamdi Temaj, age 41, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. His remains have now been returned to his family.<sup>2135</sup>

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<sup>2124</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 70.

<sup>2125</sup> P2798 (OMPF list of missing persons).

<sup>2126</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>2127</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 70.

<sup>2128</sup> P2798 (OMPF list of missing persons).

<sup>2129</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>2130</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 71.

<sup>2131</sup> P2798 (OMPF list of missing persons).

<sup>2132</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>2133</sup> P2559 (Addendum to Expert Report) (under seal), e-court p. 10.

<sup>2134</sup> P219 (Death certificate for Hamdi Temaj); P220 (Autopsy report for Hamdi Temaj).

<sup>2135</sup> P2798 (OMPF list of missing persons).

(106) Hamit (B) Thaqi (70, male)

754. Hamit (B) Thaqi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2136</sup> According to one of the ICMP reports, the body remains labelled PSII/015(2) were identified through DNA analysis as being those of Hamit (Ibrahim) Thaqi, age 70.<sup>2137</sup> Hamit (Ibrahim) Thaqi, age 70, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have now been returned to his family.<sup>2138</sup>

(107) Ram (H) Thaqi ([no age recorded], male)

755. Ram (H) Thaqi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2139</sup> According to one of the ICMP reports, the body remains labelled FLR 12-001B were identified through DNA analysis as being those of Rame Thaqi, age 66.<sup>2140</sup> Rame Thaqi, age 67, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have now been returned to his family.<sup>2141</sup>

(108) Ajet (D) Thaqi (71, male)

756. Ajet (D) Thaqi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2142</sup> The grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of Ajet Thaqi.<sup>2143</sup> Ajet (D) Thaqi, age 70, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.<sup>2144</sup>

(109) Sheremet Thaqi (49, male)

757. Sheremet Thaqi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2145</sup> Sheremet Thaqi, age 46, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.<sup>2146</sup>

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<sup>2136</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2137</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 71.

<sup>2138</sup> P2798 (OMPF list of missing persons).

<sup>2139</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2140</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 71.

<sup>2141</sup> P2798 (OMPF list of missing persons).

<sup>2142</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>2143</sup> 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 5.

<sup>2144</sup> P2798 (OMPF list of missing persons).

<sup>2145</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>2146</sup> P2798 (OMPF list of missing persons).

(110) Uke Uka (80, male)

758. Milazim Thaqi gave evidence that he witnessed the killing of his cousin Uke Uka, aged 74.<sup>2147</sup> Uke Uka is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2148</sup> Uke (Uke) Thaqi, age 74, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.<sup>2149</sup>

(111) Zenel Veliqi (75, male)

759. Zenel Veliqi is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2150</sup> According to the OMPF list of missing persons, Zenel Veliqi was 20 years of age and went missing in May 1999. According to the list, the remains found in Petrovo Selo and labelled PSI-5 were identified through DNA analysis as being those of Zenel Veliqi.<sup>2151</sup> The Chamber notes the great age discrepancy between the man described in the OMPF list of missing persons whose remains were found in Petrovo Selo and labelled PSI-5 and the victim alleged in Schedule F of the Indictment. It is also notable that the former is said to have gone missing in May 1999.

(112) Idriz Xhemajli (73, male)

760. Idriz Xhemajli is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2152</sup> One of Tomašević's autopsy reports identifies Idriz Xhemajli through an identity card and a health insurance card in the name of "Idriz Hnemajli" and the year of birth, namely 1928.<sup>2153</sup> Indeed, the grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of Idriz Xhemajli.<sup>2154</sup> Idriz Xhemajli, age 71, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.<sup>2155</sup>

(113) Qazim Xhemajli (57, male)

761. Qazim Xhemajli is listed as one of those killed in Izbica in a list prepared by Liri Loshi and

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<sup>2147</sup> Milazim Thaqi, P2246 (witness statement dated 12 November 1999), p. 5, P2446 (witness statement dated 17 and 20 October 2001), pp. 2–3.

<sup>2148</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2149</sup> P2798 (OMPF list of missing persons).

<sup>2150</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2151</sup> P2798 (OMPF list of missing persons).

<sup>2152</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2153</sup> Gordana Tomašević, T. 7036–7037 (21 November 2006); P248 (Gordana Tomašević's autopsy reports), e-court pp. 325–328.

<sup>2154</sup> 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 6.

<sup>2155</sup> P2798 (OMPF list of missing persons).

Afrim Xhemajli.<sup>2156</sup>

(114) Jahir Zeka (60, male)

762. Jahir Zeka is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2157</sup> The grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of Jahir Zeka.<sup>2158</sup> According to one of the ICMP reports, the body remains labelled FLP07/001B were identified through DNA analysis as being those of Jahir Zeka, age 49.<sup>2159</sup> Jahir Zeka, age 49, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have now been returned to his family.<sup>2160</sup>

(115) Milazim Zeka (52, male)

763. Milazim Zeka is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2161</sup> According to one of the ICMP reports, the body remains labelled FLP07/001B were identified through DNA analysis as being those of Milazim Zeka, age 53.<sup>2162</sup> Milazim Zeka, age 53, was recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. His remains have now been returned to his family.<sup>2163</sup>

(116) Unidentified person ([no age recorded], male)

764. An unidentified male is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2164</sup>

(117) Zyre Fejza (65, female)

765. Zyhra Fejza is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2165</sup> Zyhre Fejza, age 61, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.<sup>2166</sup>

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<sup>2156</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>2157</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>2158</sup> 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 5.

<sup>2159</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 73.

<sup>2160</sup> P2798 (OMPF list of missing persons).

<sup>2161</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>2162</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 73.

<sup>2163</sup> P2798 (OMPF list of missing persons).

<sup>2164</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>2165</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

<sup>2166</sup> P2798 (OMPF list of missing persons).

(118) Zoje Osmani (67, female)

766. Mustafa Draga testified about seeing the corpse of Zoje Osmana on 28 March 1999.<sup>2167</sup> Zoje Osmani is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2168</sup> According to one of the ICMP reports, the body remains found in Petrovo Selo and labelled PS/II-13 were identified through DNA analysis as being those of Zoje Osmani, age 70.<sup>2169</sup> These remains have been analysed by the experts from Niš forensic institute, but the cause of death could not be established.<sup>2170</sup> Zoje Osmani, age 70, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999. Her remains have been returned to her family.<sup>2171</sup>

2. Victims not named in Schedule F of the Indictment (Izbica)

(1) Sofije Dragaj (66, female)

767. Sofije Draga is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.<sup>2172</sup> Sofije Dragaj was also identified using the procedure described in Section VII.G, namely through a still photograph captured on Liri Loshi's video and the name tag on the corpse.<sup>2173</sup> According to one of the ICMP reports, the body remains labelled PSII-8A belong to Sofije Dragaj, age 66.<sup>2174</sup> These remains have been analysed by the experts from Niš forensic institute, but the cause of death could not be established.<sup>2175</sup> Sofije Dragaj, age 66, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999. Her remains have been returned to her family.<sup>2176</sup>

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<sup>2167</sup> Mustafa Draga, T. 2360 (25 August 2006); P2244 (witness statement dated 13 November 1999), p. 5.

<sup>2168</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2169</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 60.

<sup>2170</sup> P2429 (Autopsy report for PS/II-13). *See also* P943 (OMPF Reports), e-court p. 366.

<sup>2171</sup> P2798 (OMPF list of missing persons).

<sup>2172</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

<sup>2173</sup> Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 31; P231 (Still photographs of bodies found in Izbica), e-court pp. 150–151.

<sup>2174</sup> P2558 (Notice of DNA Reports) (under seal), e-court p. 39. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 6.

<sup>2175</sup> P215 (Death certificate for Sofija Dragoj); P216 (Autopsy report for PS/II-8A).

<sup>2176</sup> P2798 (OMPF list of missing persons).



E. VUČITRN/VUSHTRRIA

1. Victims named in Schedule I of the Indictment (Gornja Sudimlja/Studime e Epërme)

768. The Chamber notes that there are a number of discrepancies between the evidence and the Indictment in the spelling of the names of some of the victims listed in Schedule I. However, in most cases these discrepancies are so minor that the Chamber is nevertheless able to conclude that the relevant information relates to a certain victim.

(1) Musa Abazi (55, male)

769. Sabit Kadriu collected information about this individual in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2177</sup> In addition, the forensic report concluded that Musa Abazi died as a result of trans-thoracic gunshot wound, caused by a weapon fired at close range.<sup>2178</sup>

(2) Rrahman Ademi (26, male)

770. Sabit Kadriu collected information about this individual in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2179</sup> In addition, the French forensic mission concluded that Rrahman Ademi died as a result of a cervico-facial gunshot wound, caused by a weapon fired at close range.<sup>2180</sup>

(3) Ramadan Aliu (38, male)

771. Sabit Kadriu collected information about this individual in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2181</sup> In addition, the French forensic report concluded that Ramadan Aliu died as a result of a trans-cervical gunshot wound, caused by a weapon most likely fired at close range.<sup>2182</sup>

(4) Remzi Aliu (55, male)

772. Sabit Kadriu collected information about this individual in the course of an investigation he

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<sup>2177</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2178</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7–8; 139–141; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 163–165.

<sup>2179</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2180</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7–8; 102–104; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 112–115.

<sup>2181</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2182</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7–8; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 142–145; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 87–89.

conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2183</sup> In addition, the French forensic report concluded that Remzi Aliu died as a result of trans-thoracic gunshot wound, caused by a weapon fired at close range.<sup>2184</sup>

(5) Afrim Bekteshi (23, male)

773. Sabit Kadriu collected information about this individual in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2185</sup> In addition, the French forensic mission established that Afrim Bekteshi died as a result of three gunshot wounds, two of which were in the right lateral cervical region, and one is in the upper right lateral thoracic region. The report also states that one shot appears to have been fired at close range.<sup>2186</sup>

(6) Nezir Beqiri (54, male)

774. Sabit Kadriu collected information about this individual in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2187</sup> In addition, the French forensic mission concluded that Nezir Beqiri died as a result of a cranial traumatic injury caused by a blunt object.<sup>2188</sup>

(7) Hysni Bunjaku (21, male)

775. Sabit Kadriu collected information about this individual in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2189</sup> No forensic evidence was adduced by the Prosecution relating to Hysni Bunjaku.

(8) Qamile Fejzullahu (84, female)

776. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2190</sup> Sabit Kadriu reported that Qamile

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<sup>2183</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2184</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7–8; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 184–187; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 114–116.

<sup>2185</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2186</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7–8; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 60–63; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court p. 43.

<sup>2187</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2188</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7–8; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 149–151; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 91–92.

<sup>2189</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2190</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), p. 22.

Fejzullahu was 84 years old at the time of his death. In addition, the French forensic mission established that Qamile Fejzullahu died as a result of natural causes, from a heart failure.<sup>2191</sup>

(9) Istref Ferati (27, male)

777. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2192</sup> In addition, the French forensic mission established that Istref Ferati died as a result of a trans-cranial gunshot wound, caused by a weapon fired at close range.<sup>2193</sup>

(10) Milazim Ferati (20, male)

778. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2194</sup> In addition, the French forensic mission established that Milazim Ferati died as a result of four gunshot wounds, caused by a weapon fired in a burst, one in the intra-cranial region, and three in the thoracic region.<sup>2195</sup>

(11) Rifat Ferati (36, male)

779. Sabit Kadriu collected information about this individual in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2196</sup> The French forensic mission concluded that Rifat Ferati died as a result of cranial trauma caused by a blunt instrument.<sup>2197</sup>

(12) Bislim Ferizi (63, male)

780. Sabit Kadriu collected information about this individual in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2198</sup> No forensic evidence was submitted by the Prosecution relating to Bislim Ferizi.

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<sup>2191</sup> P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 59–60; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 51–52; P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7–8.

<sup>2192</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), p. 22.

<sup>2193</sup> P331 (Original report in French. French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 112–114; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 180–183; P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8. The Prosecution clarified that the surname was incorrectly spelled “Feram” in the forensic report. See Prosecution Final Trial Brief, 29 July 2008 (public version), Annex C (Vučitrn), p. 2.

<sup>2194</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2195</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 8, 142–145; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 166–170.

<sup>2196</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2197</sup> P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 57–58; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 91–93; P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7.

(13) Mihrije Ferizi (63, male)

781. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2199</sup> No forensic evidence was adduced by the Prosecution relating to Mihrije Ferizi.

(14) Ruzhdi Ferizi (35, male)

782. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2200</sup> No forensic evidence was submitted by the Prosecution relating to Ruzhdi Ferizi.

(15) Agim Gerguri (38, male)

783. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2201</sup> No forensic evidence was adduced by the Prosecution relating to Agim Gerguri.

(16) Enver Gerguri (50, male)

784. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2202</sup> The French forensic mission concluded that Enver Gerguri died as a result of craniofacial gunshot wound shot from very close range.<sup>2203</sup>

(17) Musli Gerguri (45, male)

785. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2204</sup> In addition, the French forensic mission concluded that Musli Gerguri died as a result of intra-cranial gunshot wound, caused by a weapon fired at point blank range.<sup>2205</sup>

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<sup>2198</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2199</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2200</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2201</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2202</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2203</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 22–25.

<sup>2204</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2205</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7, 68–71; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 69–72.

(18) Fahri Gërxhaliu ([no age recorded], male)

786. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2206</sup> In addition, the French forensic mission concluded that Fahri Gërxhaliu died as a result of two intra-cranial gunshot wounds.<sup>2207</sup>

(19) Haki Gërxhaliu (39, male)

787. Witness Shukri Gërxhaliu testified that Haki Gërxhaliu, who was his cousin, was killed on 2 May 1999, next to the tractor in which the witness was hiding himself.<sup>2208</sup> In addition, Sabit Kadriu collected information about Haki Gërxhaliu in the course of an investigation conducted by him at the Gornja Sudimlja/Studime e Epërme site.<sup>2209</sup> Also, the French forensic mission concluded that Haki Gërxhaliu died as a result of a trans-cranial gunshot wound, caused by a weapon fired at close range.<sup>2210</sup>

(20) Kadri Gërxhaliu (42, male)

788. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2211</sup> In addition, the French forensic mission concluded that Kadri Gërxhaliu died as a result of a trans-cranial gunshot wound, caused by a weapon fired at contact range.<sup>2212</sup>

(21) Shaban Gërxhaliu (49, male)

789. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2213</sup> In addition, the French forensic mission concluded that Shaban Gërxhaliu died as a result of three gunshot wounds: one intracranio-

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<sup>2206</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2207</sup> P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 17–20; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 26–30; P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7.

<sup>2208</sup> Shukri Gërxhaliu, P2275 (witness statement dated 4 February 2002), para. 21.

<sup>2209</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2210</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 136–138; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 159–162.

<sup>2211</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2212</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 69–70; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 114–116.

<sup>2213</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

facial caused by a weapon fired at close range, second in the thoracic abdominal region, and a third to the arm also inflicted at close range.<sup>2214</sup>

(22) Skender Gërxhaliu (43, male)

790. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2215</sup> In addition, the French forensic mission established that Skender Gërxhaliu's death was caused by cranio-facial gunshot wound, caused by a weapon fired at contact range. A second gunshot wound was located in the abdominal region and was fired at short range.<sup>2216</sup>

(23) Zejnullah Gërxhaliu (42, male)

791. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2217</sup> The French forensic mission concluded that Zejnullah Gërxhaliu died as a result of trans-cervical gunshot wound, caused by a weapon fired at close range.<sup>2218</sup>

(24) Shukri Gerguri (44, male)

792. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2219</sup> No forensic evidence was presented with regard to Shukri Gerguri.

(25) Skender Gerguri (26, male)

793. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2220</sup> In addition, the French forensic mission concluded that Skender Gerguri died as a result of intra-thoracic gunshot wound, caused by a

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<sup>2214</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 38–42; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 27–30.

<sup>2215</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2216</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7, 99–102; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 108–111.

<sup>2217</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2218</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 82–83; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 84–86.

<sup>2219</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2220</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

weapon fired at long range. The team also reported that Skender Gerguri sustained intra-cranial wound, caused by a weapon fired at very close range.<sup>2221</sup>

(26) Naman Gerguri (39, male)

794. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2222</sup> In addition, the French forensic mission concluded that Naman Gerguri died as a result of left intra-cranial gunshot wound, probably caused by a weapon fired at close range.<sup>2223</sup>

(27) Ramush Gerguri (63, male)

795. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2224</sup> In addition, the French forensic mission established that the death of Ramush Gerguri was caused by an intracranial gunshot wound, caused by a weapon fired at close range.<sup>2225</sup>

(28) Avdyl (B) Gërxhaliu (43, male)

796. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2226</sup> In addition, the French forensic mission concluded that Avdyl (B) Gërxhaliu died as a result of a trans-thoracic bullet wound.<sup>2227</sup>

(29) Avdyl (F) Gërxhaliu (47, male)

797. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2228</sup> In addition, the French forensic mission established that Avdyl (F) Gërxhaliu died as a result of thoracic gunshot wound.<sup>2229</sup>

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<sup>2221</sup> P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 61–65; P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 58–61.

<sup>2222</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2223</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 54–56; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 54–57.

<sup>2224</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2225</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 21–22; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 4–6.

<sup>2226</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2227</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 60–62; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 97–100.

<sup>2228</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2229</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 90–91; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 94–96.

(30) Bajram Gërxhaliu (40, male)

798. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2230</sup> In addition, the French forensic mission concluded that Bajram Gërxhaliu died as a result of two gunshot wounds in the dorsal region, caused by a weapon fired at close range.<sup>2231</sup>

(31) Fatmir (A) Gërxhaliu ([no age recorded], male)

799. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2232</sup> The French forensic mission could not ascertain the cause of death of Fatmir (A) Gërxhaliu.<sup>2233</sup>

(32) Fatmir (U) Gërxhaliu (35, male)

800. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2234</sup> In addition, the French forensic mission concluded that Fatmir (U) Gërxhaliu died as a result of a left trans-thoracic gunshot wound, caused by a weapon probably fired at close range.<sup>2235</sup>

(33) Imer Gërxhaliu (42, male)

801. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2236</sup> In addition, the French forensic mission concluded that Imer Gërxhaliu died as a result of an intra-thoracic knife wound, which they considered to be caused by a bayonet.<sup>2237</sup>

(34) Nuhi Gërxhaliu (25, male)

802. Sabit Kadriu collected information about this victim in the course of an investigation he

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<sup>2230</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2231</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7; 92–94; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 97–100.

<sup>2232</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2233</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 95–96; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 101–103.

<sup>2234</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2235</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7; 130–132; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 151–154.

<sup>2236</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2237</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 96–98; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 104–107.



conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2238</sup> In addition, the French forensic mission established that Nuhi Gërxhaliu died as a result of four shots fired from a distance into the dorsal and cervical regions.<sup>2239</sup>

(35) Sejdi Gërxhaliu (39, male)

803. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2240</sup> In addition, the French forensic mission concluded that the death of Sejdi Gërxhaliu was caused by two gunshot wounds to the thoracic and cervical regions, caused by a weapon fired at a close range.<sup>2241</sup>

(36) Xhevdet Gërxhaliu (18, male)

804. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2242</sup> In addition, the French forensic mission established that Xhevdet Gërxhaliu died as a result of a trans-thoracic gunshot wound, which they considered had been caused by a shot fired at far range.<sup>2243</sup>

(37) Meriton Gjata (23, male)

805. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2244</sup> In addition, the French forensic mission concluded that Meriton Gjata died from two gunshot wounds to the dorsal region, caused by a weapon fired at close range.<sup>2245</sup>

(38) Sevdije Gjata (48, female)

806. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2246</sup> In addition, the French forensic

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<sup>2238</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2239</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 21–26; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 31–37.

<sup>2240</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2241</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; 132–135; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 155–158.

<sup>2242</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2243</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 85–87; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 138–141.

<sup>2244</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), e-court pp. 21–24.

<sup>2245</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 121–123; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 137–140.

<sup>2246</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), e-court pp. 21–24.

mission concluded that the death of Sevdije Gjata was caused by trans-facial gunshot wound tangential to the skull, caused by a weapon fired at close range.<sup>2247</sup>

(39) Tefik Gjata (44, male)

807. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2248</sup> No forensic evidence regarding Tefik Gjata was presented by the Prosecution.

(40) Bahri Haxhaj (28, male)

808. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2249</sup> In addition, the French forensic mission concluded that Bahri Haxhaj died as a result of two trans-thoracic gunshot wounds caused by a weapon fired at close range.<sup>2250</sup>

(41) Nafije Haziri (27, female)

809. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2251</sup> No forensic evidence was presented by the Prosecution relating to Nafije Haziri.

(42) Agim Hyseni (38, male)

810. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2252</sup> However, the French forensic report established that Agim Hyseni died a non-violent death, possibly as a result of a respiratory problem.<sup>2253</sup>

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<sup>2247</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 93–95; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 152–155.

<sup>2248</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2249</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2250</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 43–46; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 30–32.

<sup>2251</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2252</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2253</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 54–56; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court p. 38.

(43) Ali Hyseni ([no age recorded], male)

811. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2254</sup> In addition, the French forensic mission concluded Ali Hyseni died as a result of three thoraco-abdominal impacts caused by an automatic rifle fired at close range.<sup>2255</sup>

(44) Beqir Hyseni (40, male)

812. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2256</sup> In addition, the French forensic mission concluded that Beqir Hyseni died as a result of trans-thoracic gunshot wound, caused by weapon fired from a distance.<sup>2257</sup>

(45) Kada Hyseni (86, female)

813. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2258</sup> Sabit Kadriu reported that Kada Hyseni was approximately 86 years old at the time of her death. However, the French forensic mission concluded that Kada Hyseni died as a result of natural causes, probably cardiac.<sup>2259</sup>

(46) Hysen Hyseni (26, male)

814. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site. In addition, the French forensic mission concluded that Hysen Hyseni died as a result of external bleeding due to vascular injuries to the neck, caused by a weapon fired at close range.<sup>2260</sup>

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<sup>2254</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2255</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7; 79–81; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 81–83.

<sup>2256</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2257</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 161–164; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 100–102.

<sup>2258</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2259</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 57–59; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 39.

<sup>2260</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24; P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 26–27; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 11–13.

(47) Qazim Hyseni (54, male)

815. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2261</sup> No forensic evidence was submitted relating to Qazim Hyseni.

(48) Ramadan Hyseni (18, male)

816. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2262</sup> In addition, the French forensic mission established that Ramadan Hyseni died as a result of intra-thoracic gunshot wound caused by a weapon fired at very close range.<sup>2263</sup>

(49) Rrahman Hyseni (61, male)

817. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2264</sup> In addition, the French forensic mission concluded that the death of Rrahman Hyseni was caused by a transcranio-facial gunshot wound, caused by a weapon fired at close range.<sup>2265</sup>

(50) Xhevdet Hyseni (24, male)

818. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2266</sup> No forensic evidence was adduced by the Prosecution relating to Xhevdet Hyseni.

(51) Selman Ibishi (63, male)

819. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2267</sup> No forensic evidence was adduced by the Prosecution relating to Selman Ibishi.

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<sup>2261</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2262</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2263</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7; 53–54; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 51–53.

<sup>2264</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2265</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 61–62; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 66–68.

<sup>2266</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2267</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

(52) Sylejman Ibishi (20–30, male)

820. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2268</sup> In addition, the French forensic report established that Sylejman Ibishi was shot twice at close range, and he died from an intercranio-facial gunshot wound.<sup>2269</sup>

(53) Rahim Ibishi (72, male)

821. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2270</sup> No forensic evidence was adduced by the Prosecution relating to Rahim Ibishi.

(54) Tafil Ibishi (55, male)

822. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2271</sup> In addition, the French forensic mission concluded that Tafil Ibishi died from a cranio-facial gunshot wound, caused by a weapon fired from point blank range.<sup>2272</sup>

(55) Bajram Kurti (43, male)

823. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2273</sup> In addition, the French forensic mission established that Bajram Kurti was shot twice at close range, once hit in the thoracic region, and again in the transcraniofacial region, as a result of which he died.<sup>2274</sup>

(56) Afrim Konjuhi (29, male)

824. Sabit Kadriu collected information about this victim in the course of an investigation he

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<sup>2268</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2269</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 96–99; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 156–160.

<sup>2270</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2271</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2272</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 51–53; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 79–82.

<sup>2273</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2274</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 50–53; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 35–38.

conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2275</sup> In addition, the French forensic mission concluded that Afrim Konjuhi died as a result of a trans-thoracic gunshot wound, caused by a weapon fired at close range.<sup>2276</sup>

(57) Rexhep Konjuhi (40, male)

825. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2277</sup> In addition, the French forensic report concluded that Rexhep Konjuhi died as a result of two gunshot wounds in thoracic region, caused by a weapon fired at close range.<sup>2278</sup>

(58) Shaban Krasniqi (64, male)

826. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2279</sup> In addition, the French forensic mission established Shaban Krasniqi's died as a result of a trans-thoracic gunshot wound.<sup>2280</sup>

(59) Syle Krasniqi (70, male)

827. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2281</sup> No forensic evidence was adduced by the Prosecution relating to Syle Krasniqi.

(60) Ibadete Lushaku (26, female)

828. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2282</sup> No forensic evidence was adduced by the Prosecution relating to Ibadete Lushaku.

(61) Shehide Lushaku (89, female)

829. Sabit Kadriu collected information about this victim in the course of an investigation he

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<sup>2275</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2276</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 23–25; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7–10.

<sup>2277</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2278</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 28–31; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 14–18.

<sup>2279</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2280</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 68–69; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 110–113.

<sup>2281</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2283</sup> No forensic evidence was adduced by the Prosecution relating to Shehide Lushaku.

(62) Driton Maxhuni (32, male)

830. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2284</sup> In addition, the French forensic mission concluded that Driton Maxhuni died as a result of a tran-scranial bullet gunshot wound, caused by a weapon fired at very close range.<sup>2285</sup>

(63) Sabri Maxhuni (34, male)

831. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2286</sup> No forensic evidence was adduced by the Prosecution relating to Sabri Maxhuni.

(64) Ali Mernica (49, male)

832. Sabit Kadriu, while staying at the Agricultural compound in Gornja Sudimlja/Studime e Epërme, witnessed two policemen escorting the victim from the compound to the gate of the factory across the road. He then heard one or two shots being fired. Later, during the course of his investigation, Kadriu learned that the victim was killed and buried in the village of Pestova/Pestovë.<sup>2287</sup> No forensic evidence was adduced by the Prosecution relating to Ali Mernica.

(65) Remzi Morina (35, male)

833. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2288</sup> In addition, the French forensic mission concluded that Remzi Morina died as a result of a trans-thoracic gunshot wound, caused by a weapon fired at a close range.<sup>2289</sup>

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<sup>2282</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2283</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2284</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2285</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 107–108; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 173–175.

<sup>2286</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 17, 21–24.

<sup>2287</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 17, 21–24.

<sup>2288</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2289</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 105–107; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 116–119.

(66) Ekrem Mulaku (32, male)

834. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2290</sup> In addition, the French forensic mission concluded that Ekrem Mulaku died as a result of a thoracic gunshot wound, caused by a weapon fired at close range.<sup>2291</sup>

(67) Xhavit Mulaku (30, male)

835. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2292</sup> In addition, the French forensic mission established that Xhavit Mulaku died as a result of a trans-thoracic gunshot wound.<sup>2293</sup>

(68) Gani Muli (21, male)

836. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2294</sup> In addition, the French forensic mission concluded that Muli Gani died as a result of two gunshot wounds, one in the right transcranio-facial region, and second to the trans-abdominal region.<sup>2295</sup>

(69) Asllan Muli (49, male)

837. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2296</sup> The French forensic mission concluded that the death of Asllan Muli was caused by two trans-thoracic gunshot wounds, fired at close range.<sup>2297</sup>

(70) Hazir Muli (52, male)

838. Sabit Kadriu collected information about this victim in the course of an investigation he

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<sup>2290</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2291</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 86–89; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 90–93.

<sup>2292</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2293</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 84–85; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 87–89.

<sup>2294</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2295</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 104–106; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 168–172.

<sup>2296</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2297</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 110–113; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 124–128.



conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2298</sup> In addition, the French forensic mission concluded Hazir Muli died as a result of two gunshot wounds to thoracic region, caused by a weapon fired at close range.<sup>2299</sup>

(71) Bajram Muliqi (60, male)

839. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2300</sup> In addition, the French forensic mission concluded that Bajram Muliqi died as a result of two thoracic gunshot wounds.<sup>2301</sup>

(72) Islam Musa (56, male)

840. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2302</sup> In addition, the French forensic mission established that Islam Musa died as a result of trans-cranial gunshot wound, caused by a weapon fired at close range.<sup>2303</sup>

(73) Kadrush Musa (37, male)

841. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2304</sup> In addition, the French forensic mission concluded that Kadrush Musa died as a result of trans-abdominal thoracic gunshot wound, caused by a weapon fired at close range.<sup>2305</sup>

(74) Nexhmi Musa (54, male)

842. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2306</sup> In addition, the French forensic

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<sup>2298</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2299</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 107–109; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 120–123.

<sup>2300</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2301</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 118–120; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 136–136.

<sup>2302</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2303</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 43–45; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 67–70.

<sup>2304</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2305</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), pp. 6–10; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 6–9.

<sup>2306</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), e-court pp. 21–24.

mission concluded that Nexhmi Musa died as a result of inter-cranial gunshot wound, caused by a weapon fired at close range.<sup>2307</sup>

(75) Mehdi Musliu (24, male)

843. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2308</sup> In addition, the French forensic mission concluded Mehdi Musliu died as a result of trans-thoracic gunshot wound.<sup>2309</sup>

(76) Ragip Musliu (30–35, male)

844. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2310</sup> In addition, the French forensic mission established that Ragip Musliu died as a result of a trans-thoracic gunshot wound, caused by a weapon fired at close range.<sup>2311</sup>

(77) Besim Muzaqi (32, male)

845. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2312</sup> In addition, the French forensic mission concluded that Besim Muzaqi died as a result of two gunshot wounds, one to the trans-thoracic region, caused by a weapon fired at a close range, and a second to the intra-cranial region, caused by a weapon fired at contact range.<sup>2313</sup>

(78) Salih Muzaqi (37, male)

846. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2314</sup> No forensic evidence was adduced by

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<sup>2307</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 71–73; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 117–120.

<sup>2308</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2309</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 188–191; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 117–119.

<sup>2310</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2311</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 83–86; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 53–55.

<sup>2312</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2313</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 109–111; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 176–179.

<sup>2314</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

the Prosecution relating to Salih Muzaqi.

(79) Shehide Padruzi (84, female)

847. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2315</sup> No forensic evidence was adduced by the Prosecution relating to Shehide Padruzi.

(80) Murat Peci (60, male)

848. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2316</sup> In addition, the French forensic mission established that Murat Peci died as a result of trans-thoracic and thoraco-abdominal gunshot wounds.<sup>2317</sup>

(81) Ismajl Popova (29, male)

849. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2318</sup> No forensic evidence was adduced by the Prosecution relating to Ismajl Popova.

(82) Enver Prronaj (32, male)

850. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2319</sup> In addition, the French forensic mission concluded that Enver Prronaj died as a result of a trans-cervical gunshot wound, caused by a weapon fired at contact range.<sup>2320</sup>

(83) Zymer Prronaj (35, male)

851. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2321</sup> In addition, the French forensic

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<sup>2315</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2316</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2317</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 64–67; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 105–109.

<sup>2318</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2319</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2320</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 146–148; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 171–174.

<sup>2321</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

mission established that Zymer Pronaj died as a result of wounds sustained in the dorsal region caused by a machine gun.<sup>2322</sup>

(84) Ali Rashica (45, male)

852. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2323</sup> In addition, the French forensic mission concluded that Ali Rashica died as a result of a trans-thoracic gunshot wound, caused by a weapon fired at close range.<sup>2324</sup>

(85) Deli Rashica (48, male)

853. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2325</sup> In addition, the French forensic report showed that Deli Rashica died as a result of seven shots to the dorsal and lumbar regions, and the left forearm.<sup>2326</sup>

(86) Eshref Rashica (38, male)

854. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2327</sup> No forensic evidence was adduced by the Prosecution relating to Eshref Rashica.

(87) Ahmet Rexhepi (20–25, male)

855. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2328</sup> In addition, the French forensic mission concluded that Ahmet Rexhepi died as a result of a cranio-facial gunshot wound, caused by a weapon fired at contact range.<sup>2329</sup>

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<sup>2322</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 15–18; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 8–9.

<sup>2323</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2324</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 47, 52–53; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 47–50.

<sup>2325</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2326</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 47–51; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 41–46.

<sup>2327</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2328</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2329</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7, 76–78; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 77–80.

(88) Ilaz Rexhepi ([no age recorded], male)

856. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2330</sup> In addition, the French forensic mission established that Ilaz Rexhepi died as a result of two trans-thoracic gunshot wounds, caused by a weapon fired at close range.<sup>2331</sup>

(89) Ismet Rexhepi (38, male)

857. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2332</sup> No forensic evidence was adduced by the Prosecution relating to Ismet Rexhepi.

(90) Agim Sadiku (23, male)

858. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2333</sup> In addition, the French forensic report concluded that Agim Sadiku died as a result of a transcranio-facial gunshot wound.<sup>2334</sup>

(91) Hamdi Shala (26, male)

859. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2335</sup> In addition, the French forensic mission concluded that Hamdi Shala died as a result of a trans-cranial gunshot wound, caused by a weapon fired at point blank range.<sup>2336</sup>

(92) Shehide Sfarqa (50–60, female)

860. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2337</sup> However, the French forensic report

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<sup>2330</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2331</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7; 72–75; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 73–76.

<sup>2332</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2333</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2334</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 55–57; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 87–90.

<sup>2335</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2336</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 89–90; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 146–148.

<sup>2337</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

concluded that Shehide Sfarqa died as a result of an asthma attack.<sup>2338</sup>

(93) Sherif Sfarqa (43, male)

861. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2339</sup> In addition, the French forensic mission established that Sherif Sfarqa died as a result of a transcranio-facial gunshot wound, caused by a weapon fired at contact range. Sherif Sfarqa also had sustained two other gunshot wounds, caused by a weapon fired at close range.<sup>2340</sup>

(94) Skender Sfarqa (39, male)

862. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2341</sup> In addition, the French forensic mission concluded that Skender Sfarqa died as a result of a trans-thoracic gunshot wound, caused by a weapon fired at close range.<sup>2342</sup>

(95) Fetah Tahiri (39, male)

863. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2343</sup> In addition, the French forensic report concluded that Fetah Tahiri died as a result of a trans-thoracic gunshot wound, caused by a weapon fired at close range.<sup>2344</sup>

(96) Fehmi Ternava (39, male)

864. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2345</sup> In addition, the French forensic

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<sup>2338</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7; 128–129; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 148–150.

<sup>2339</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2340</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 47–51; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 74–78.

<sup>2341</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2342</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 45–47; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 71–73.

<sup>2343</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2344</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 74–76; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 121–124.

<sup>2345</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

mission concluded that Fehmi Ternava died as a result of a trans-cervical gunshot wound, caused by a weapon fired at close range.<sup>2346</sup>

(97) Sahit Tiku (68, male)

865. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2347</sup> In addition, the French forensic report concluded that Sahit Tiku died as a result of two gunshot wounds: one to the transcranio-facial region, caused by a weapon fired at contact range, and second to the thoracic region, caused by a weapon fired at close range.<sup>2348</sup>

(98) Azeminë Vershevcı (75, male)

866. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2349</sup> In addition, the French forensic mission concluded that Azeminë Vershevcı died as a result of cranio-cerebral trauma caused by a blunt object, compatible with a blow from a rifle butt.<sup>2350</sup>

(99) Faik Vidishiqi (35, male)

867. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2351</sup> In addition, the French forensic mission established that Faik Vidishiqi died as a result of trans-abdominal thoracic gunshot wound, caused by a weapon fired at close range.<sup>2352</sup>

(100) Driton Xhafa (30–40, male)

868. Sabit Kadriu collected information about this victim in the course of an investigation he

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<sup>2346</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 11–14; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 10–11.

<sup>2347</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2348</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court pp. 7, 113–117; P334 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 1), e-court pp. 129–132.

<sup>2349</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2350</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 165–167; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 102–103.

<sup>2351</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2352</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 24–25; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 16–17.

conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2353</sup> In addition, the French forensic report established that Driton Xhafa died as a result of trans-thoracic gunshot wound, caused by a weapon fired at close range.<sup>2354</sup>

(101) Nazif Xhafa (55, male)

869. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2355</sup> In addition, the French forensic report concluded that Nazif Xhafa died as a result of two gunshot wounds: one to the transcranio-facial region, and second to subclavicular region, both caused by a weapon fired at close range.<sup>2356</sup>

(102) Veli Xhafa (45, male)

870. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2357</sup> In addition, the French forensic mission concluded that Veli Xhafa died as a result of trans-cranial gunshot wound, caused by a weapon fired at close range.<sup>2358</sup>

(103) Naser Zhegrova (34, male)

871. Sabit Kadriu collected information about this victim in the course of an investigation he conducted at the Gornja Sudimlja/Studime e Epërme site.<sup>2359</sup> In addition, the French forensic report established that Naser Zhegrova died as a result of a trans-cranial gunshot wound, caused by a weapon fired at close range.<sup>2360</sup>

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<sup>2353</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2354</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 4–6; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 2–5.

<sup>2355</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2356</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 101–104; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 62–64.

<sup>2357</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2358</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 83–85; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 134–137.

<sup>2359</sup> Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

<sup>2360</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 7; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 47–49; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 33–34.



2. Victims not named in Schedule I of the Indictment (Gornja Sudimlja/Studime e Epërme)

(1) Miran Xhafa (male)

872. The Chamber heard from Fedrije Xhafa, that her father Miran Xhafa, a victim not listed in Schedule I, was killed by the Serbian police or paramilitary forces on 2 May 1999, while travelling in the convoy.<sup>2361</sup> In addition, the French forensic mission concluded that Miran Xhafa died as a result of transcranial gunshot wound, caused by a weapon shot from a close range.<sup>2362</sup>

F. KAČANIK

1. Victims named in Schedule K of the Indictment (Kotlina/Kotllina)

873. The Chamber notes that there are a number of discrepancies between the evidence and the Indictment in the spelling of the names of some of the victims listed in Schedule K (Kotlina/Kotllina). However, in most cases these discrepancies are so minor that the Chamber is nevertheless able to conclude that the relevant information relates to a certain victim.

(1) Idriz Kuqi (55, male)

874. Hazbi Loku saw the dead body of Idriz Kuqi, with a gunshot wound in the back of his head, in the yard of Liman Loku in Kotlina/Kotllina.<sup>2363</sup> The body of Idriz Kuqi was exhumed in the inner courtyard of the Kotlina/Kotllina mosque.<sup>2364</sup> The Austrian Forensic Team report labelled Idriz Kuqi as Body 24, and identified gunshot wounds in the right of his thorax as the cause of death.<sup>2365</sup> Dr. Zoran Stanković, a specialist in forensic medicine, pointed out in his report that Loku's testimony regarding the location of the wound was not supported by the forensic report.<sup>2366</sup>

(2) Ismail Kuqi (21, male)

875. Hazbi Loku named Ismajl Kuci as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2367</sup> Vebi Kuqi identified the corpse labelled Body 13 by clothing as his

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<sup>2361</sup> Fedrije Xhafa, P2274 (witness statement dated 29 August 2006), para. 8.

<sup>2362</sup> P333 (French Forensic Site Report, Gornja Sudimlja site, Vol. 1), e-court p. 8; P331 (French Forensic Site Report, Gornja Sudimlja site, Vol. 2), e-court pp. 81–82; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 130–133.

<sup>2363</sup> Hazbi Loku, P2296 (witness statement dated 4 June 1999), p. 5.

<sup>2364</sup> P361 (Austrian Forensic Team Report on Kotlina), pp. 38–39.

<sup>2365</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 39.

<sup>2366</sup> Zoran Stanković, T. 26164, 24166 (14 May 2008); 6D670 (Expert Report of Dr. Stanković), para. 19.

<sup>2367</sup> Hazbi Loku, T. 3164 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 5.

cousin Ismail Kuqi, after consultation with the deceased's mother.<sup>2368</sup> The Austrian report identified multiple gunshot wounds and that the victim's skull was destroyed, presumably as the result of an explosion.<sup>2369</sup> Stanković stated in his report with regard to this body, that it was found lying on its stomach with a blast wound in the region of the left armpit. He concluded that the wound was inflicted outside of the well and explained that had the body been in the well before an explosive device was thrown in, it would have been logical for the injuries to be in the back, not the front, bearing in mind the position in which the bodies were found.<sup>2370</sup>

(3) Nexhadi Kuqi (31, male)

876. Hazbi Loku named Nexhad Ferid Kuci as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2371</sup> Vebi Kuqi identified the corpse labelled Body 8 by clothing and the shape of the right foot as his cousin Nexhadi Kuqi.<sup>2372</sup> The Austrian report identified explosion and fire marks on the remains of the body, most of the body was missing.<sup>2373</sup> Stanković testified that the Austrian report should have identified and presented in more detail if there were wounds on the remaining parts of the body, although most of the body was missing.<sup>2374</sup> He also concluded that had the body been wounded by explosives in the well, they would have found more parts of the body there. In his opinion this means that the injury was caused elsewhere.<sup>2375</sup>

(4) Xhemjal Kuqi (22, male)

877. Hazbi Loku named Dzermal Muradem Kuci as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2376</sup> Vebi Kuqi identified the corpse labelled Body 4 by clothing and personal possessions as his cousin Xhemjal Kuqi.<sup>2377</sup> The Austrian report identified a bullet wound on the back of the torso. The autopsy reported in the same report stated that there were explosion and fire marks on the body and that skin lesions, possibly splinter wounds, were visible on the back. The victim's head was missing.<sup>2378</sup> Stanković commented that the doctor who wrote the report was inconsistent with regard to the description of the injuries to the body and testified that the report was erroneous when it stated that there was a bullet wound in the torso and later on that the autopsy

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<sup>2368</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 25.

<sup>2369</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 25.

<sup>2370</sup> Zoran Stanković, T. 26150 (14 May 2008); 6D670 (Expert Report of Dr. Stanković), para. 8.

<sup>2371</sup> Hazbi Loku, T. 3163 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 3.

<sup>2372</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 18.

<sup>2373</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 19.

<sup>2374</sup> Zoran Stanković, T. 26178–26179 (14 May 2008).

<sup>2375</sup> Zoran Stanković, T. 26200 (14 May 2008).

<sup>2376</sup> Hazbi Loku, T. 3163 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 3.

<sup>2377</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 13.

showed that there were marks of an explosion and fire on the corpse and that this could disqualify the doctor as an expert.<sup>2379</sup> He commented that the doctor did not perform the examination thoroughly enough.<sup>2380</sup> The Trial Chamber notes that Stanković seems to read the report as if the two different causes refer to the same wound, which is not clear from the report.<sup>2381</sup> Stanković later during his testimony agreed with the suggestion that the first description of the wound was done by someone gathering the evidence at the site where the bodies were as opposed to the autopsy remarks by Dr. Markwalder at the Kačanik/Kaçanik cemetery.<sup>2382</sup>

(5) Agim Loku (31, male)

878. Hazbi Loku named Agim Loku as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2383</sup> Isuh Loku identified the corpse labelled Body 17 by surviving hair and teeth as his brother Agim Loku.<sup>2384</sup> The Austrian report identified explosion and fire marks, and a gunshot wound on the remains of the body. Most of the body was missing.<sup>2385</sup> Stanković stated in his report that the fact that the identity card of the body was found in the soil of the well indicates that the objects were thrown into the well during burial.<sup>2386</sup>

(6) Atan Loku (28, male)

879. Hazbi Loku named Adnan Loku as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2387</sup> It is however unclear if this refers to “Atan Loku”. Moreover, there have been no remains identified as belonging to Atan Loku, and his name does not appear in the Austrian Forensic Team report.

(7) Garip Loku (47, male)

880. Hazbi Loku named Garep Loku as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2388</sup> Emrush Loku identified the corpse labelled Body 11 as his brother Garip

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<sup>2378</sup> P361 (Austrian Forensic Team Report on Kotlina), pp. 12–13.

<sup>2379</sup> Zoran Stanković, T. 26124, 26127, 26130–26131 (14 May 2008); P361 (Austrian Forensic Team Report on Kotlina), pp. 12–13.

<sup>2380</sup> Zoran Stanković, T. 26131–26134 (14 May 2008).

<sup>2381</sup> Zoran Stanković, T. 26128–26129 (14 May 2008).

<sup>2382</sup> Zoran Stanković, T. 26172–26173 (14 May 2008).

<sup>2383</sup> Hazbi Loku, T. 3164 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 5.

<sup>2384</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 30.

<sup>2385</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 30.

<sup>2386</sup> 6D670 (Expert Report of Dr. Stanković), para. 12.

<sup>2387</sup> Hazbi Loku, T. 3164 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 1. *See also* below regarding unscheduled victim “Adnan Loku”.

<sup>2388</sup> Hazbi Loku, T. 3164 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 4.

Loku.<sup>2389</sup> The Austrian report identified marks of an explosion, wounds caused by an explosion, three gunshot wounds, including a wound produced by a revolving projectile, and that internal bleeding can be assumed because the “liver and lungs were torn to pieces”.<sup>2390</sup> The left foot of the body was missing.<sup>2391</sup>

(8) Ibush Loku (20, male)

881. Hazbi Loku named Ibush Loku as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2392</sup> Rexhep Loku identified the corpse labelled Body 21 as his son Ibush Loku.<sup>2393</sup> The Austrian report identified explosion and fire marks, a projectile from the upper left thigh, and that the legs and skull were destroyed. Both legs, below the thighs were missing.<sup>2394</sup>

(9) Ismajl Loku (28, male)

882. Hazbi Loku named Ismajl Loku as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2395</sup> Moreover, the name Ismail Loku, date of birth 20 January 1971, appears in the Victims/Injured list in the Austrian report among persons who were according to the Austrian report “[m]urder[ed] by shooting and detonation of explosives” in crime scene 1—upper and lower well in Kotlina/Kotllina.<sup>2396</sup> However, no remains have been identified as belonging to Ismajl Loku.<sup>2397</sup> In addition, the report does not provide any other information with regard to Ismajl Loku. It should be noted that according to the Austrian report, 5 out of 22 bodies or body parts found in the wells could not be identified (Body 3, Body 5, Body 9, Body 22, and Body 23).<sup>2398</sup>

(10) Izijah Loku (19, male)

883. Hazbi Loku identified Zija Loku as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2399</sup> Villagers identified the corpse labelled Body 2 as Izijah Loku on the basis of objects dug up in the immediate vicinity of the body.<sup>2400</sup> The Austrian report identified that

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<sup>2389</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 22.

<sup>2390</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 23.

<sup>2391</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 22.

<sup>2392</sup> Hazbi Loku, T. 3163 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

<sup>2393</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 34.

<sup>2394</sup> P361 (Austrian Forensic Team Report on Kotlina), pp. 33–34.

<sup>2395</sup> Hazbi Loku, T. 3164 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 5.

<sup>2396</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 6.

<sup>2397</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 6.

<sup>2398</sup> P361 (Austrian Forensic Team Report on Kotlina), pp. 11, 13, 20, 34, 36; *see also* P1809 (Eric Baccard’s overview report), p. 48; Eric Baccard, T. 10129 (19 February 2007).

<sup>2399</sup> Hazbi Loku, T. 3163 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

<sup>2400</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 9.

the explosion and fire marks on the body could have been caused either before or after death. The skull was completely shattered.<sup>2401</sup>

(11) Milaim Loku (34, male)

884. Hazbi Loku named his brother, Milaim Loku, as one of the persons killed in Kotlina/Kotllina in 24 March 1999 from photographs.<sup>2402</sup> He also testified that he found the dead body of Milaim Loku in a small river six days after the attack of 9 March 1999, with a gunshot wound from the back of the head, which exited through the face, and a cut wound on the right side.<sup>2403</sup> While no remains have been identified as belonging to Milaim Loku, the Trial Chamber accepts Hazbi Loku's testimony that Milaim Loku was killed during the attack conducted on 9 March 1999.

(12) Naser (R) Loku (17, male)

885. Hazbi Loku named Naser Loku as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2404</sup> Rexhep Loku identified the corpse labelled Body 20 as his son Naser (R) Loku.<sup>2405</sup> The Austrian report identified explosion and fire marks on the body, several splinter wounds on the back, and a knife wound in the throat. The lower right leg and foot were missing and that the head and legs were destroyed by the effects of the explosion.<sup>2406</sup> Stanković reported that it could not be said with certainty that the wound in the throat had been inflicted by a knife, it might also have been caused by shrapnel.<sup>2407</sup>

(13) Sabit Loku (20, male)

886. Hazbi Loku named Sabit Loku as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2408</sup> Moreover, the name Sabit Loku, date of birth 1979, appears in the Victims/Injured list in the Austrian report among persons who were according to the Austrian report “[m]urder[ed] by shooting and detonation of explosives” in crime scene 1—upper and lower well in Kotlina/Kotllina.<sup>2409</sup> However, no remains have been identified as belonging to Sabit Loku. In addition, the report does not provide any other information with regard to Sabit Loku. It should be

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<sup>2401</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 10.

<sup>2402</sup> Hazbi Loku, T. 3164 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 5.

<sup>2403</sup> Hazbi Loku, P2296 (witness statement dated 4 June 1999), p. 3.

<sup>2404</sup> Hazbi Loku, T. 3163 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

<sup>2405</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 33.

<sup>2406</sup> P361 (Austrian Forensic Team Report on Kotlina), pp. 32–33.

<sup>2407</sup> 6D670 (Expert Report of Dr. Stanković), para. 14.

<sup>2408</sup> Hazbi Loku, T. 3164 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 4.

<sup>2409</sup> P361 (Austrian Forensic Team Report on Kotlina), pp. 6, 71.

noted that according to the Austrian report, 5 out of 22 bodies or body parts found in the wells could not be identified (Body 3, Body 5, Body 9, Body 22, and Body 23).<sup>2410</sup>

(14) Zymer Loku (67, male)

887. Hazbi Loku found Zimer Loku alive, but badly injured on 24 March 1999, once “the Serbs started to leave” the village.<sup>2411</sup> Zimer Loku had wounds to his chest and his right leg was almost severed from his knee. However, he testified that Zimer Loku “died from his injuries” later that day, and also named him from photographs.<sup>2412</sup> The body of Zymer Loku was exhumed in the inner courtyard of the Kotlina/Kotllina mosque.<sup>2413</sup> The Austrian report labelled Zymer Loku as Body 25. According to the report, the right hand was bandaged and a blood-soaked checked scarf was wrapped around the right leg. A personal identity card Nr. SK 01361710 issued in Kačanik/Kaçanik on 19 February 1990 in the name of Zimer Loki Kemal was found in his pockets. The report identified a gunshot wound in the right calf and external bleeding as the cause of death.<sup>2414</sup> Stanković commented in his report that death by bleeding may occur only if a large blood vessel in the lower bones, close to the bone is injured. He also pointed out the discrepancy between the Austrian report that he had a gunshot wound in the right calf and Loku’s evidence that his right leg was almost severed.<sup>2415</sup>

(15) Neshat Rexha (16, male)

888. Hazbi Loku named Neshad Rexha one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2416</sup> Ferid B. Rexha identified the corpse labelled Body 7 as his son Neshat Rexha.<sup>2417</sup> The Austrian report identified explosion and fire marks on the body, and that the skull was broken by the force of a dull blow. It was indeterminable whether the injury was sustained before or after death.<sup>2418</sup> Stanković testified that the Austrian report should have explained the skull fracture in more detail since there could have been several explanations for its cause.<sup>2419</sup> During cross-examination, he confirmed that such skull injury could have been caused by the branches or

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<sup>2410</sup> P361 (Austrian Forensic Team Report on Kotlina), pp. 11, 13, 20, 34, 36; *see also* P1809 (Eric Baccard’s overview report), p. 48; Eric Baccard, T. 10129 (19 February 2007).

<sup>2411</sup> Hazbi Loku, P2296 (witness statement dated 4 June 1999), p. 6.

<sup>2412</sup> Hazbi Loku, P2296 (witness statement dated 4 June 1999), p. 6; Hazbi Loku, T. 3164 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 5.

<sup>2413</sup> P361 (Austrian Forensic Team Report on Kotlina), pp. 38–39.

<sup>2414</sup> P361 (Austrian Forensic Team Report on Kotlina), pp. 39–40.

<sup>2415</sup> 6D670 (Expert Report of Dr. Stanković), para. 16.

<sup>2416</sup> Hazbi Loku, T. 3164 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 5.

<sup>2417</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 16.

<sup>2418</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 16.

<sup>2419</sup> Zoran Stanković, T. 26136 (14 May 2008); *see also* 6D670 (Expert Report of Dr. Stanković), para. 10.

sticks in the vegetation around the well.<sup>2420</sup> He also explained that he compared whether the description of the clothes on the bodies that were taken out of the wells corresponded to the clothes that can be seen on the photographs taken by the MUP<sup>2421</sup> at the location and concluded that there are reasonable grounds to believe that one body in the trench close to one of the wells is the body whose clothing was described as belonging to Neshat Rexha.<sup>2422</sup>

(16) Sali (M) Vlashi (42, male)

889. Hazbi Loku named Sali Vasliu as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2423</sup> Zyber Vlashi identified the corpse labelled Body 6 as his brother Sali Vlashi.<sup>2424</sup> The Austrian report identified explosion and fire marks on the body, gunshot wounds, shattered head and legs. The legs were “presumably at the centre of the explosion”.<sup>2425</sup> Stanković stated in his report with regard to this body, that it was found lying on its stomach in the well and the centre of the wound was on the abdomen. He concluded that “with certainty” this wound was inflicted outside of the well and explained that had the body been in the well before an explosive device was thrown in, it would have been logical for the injuries to be in the back, not the front, bearing in mind the position in which the bodies were found.<sup>2426</sup>

(17) Vesel Vlashi (55, male)

890. Hazbi Loku named Vesel Vlashi as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2427</sup> He testified that men from Kotlina/Kotllina had found Vesel Vlashi in a room on the second level of Liman Loku’s house. Hazbi Loku was told that Vesel Vlashi was shot several times in the chest and the bottom half of his body was badly burned.<sup>2428</sup> The body of Vejsel Vlashi was exhumed in the inner courtyard of the Kotlina/Kotllina mosque.<sup>2429</sup> The Austrian report labelled Vejsel Vlashi as Body 26<sup>2430</sup> and identified soot deposits in the arms and legs and several gunshot wounds. According to the report, these wounds were also the cause of death.<sup>2431</sup> In a plastic

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<sup>2420</sup> Zoran Stanković, T. 26170 (14 May 2008). *See also* 6D670 (Expert Report of Dr. Stanković), para. 18.

<sup>2421</sup> *See* 6D501 (Case file regarding an act of terrorism in Kotlina/Kotllina, 24 March 1999).

<sup>2422</sup> Zoran Stanković, T. 26139, 26182–26184 (14 May 2008). *See also* 6D670 (Expert Report of Dr. Stanković), para. 2. During cross-examination he explained that he compared the clothes based on the colours in them.

<sup>2423</sup> Hazbi Loku, T. 3163 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

<sup>2424</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 15.

<sup>2425</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 15.

<sup>2426</sup> Zoran Stanković, T. 26150 (14 May 2008); 6D670 (Expert Report of Dr. Stanković), para. 8.

<sup>2427</sup> Hazbi Loku, T. 3163 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 2.

<sup>2428</sup> Hazbi Loku, P2296 (witness statement dated 4 June 1999), p. 5.

<sup>2429</sup> P361 (Austrian Forensic Team Report on Kotlina), pp. 38–39.

<sup>2430</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 40.

<sup>2431</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 41.

wallet found in the pocket of his jacket there was a Yugoslav driver's licence, a personal identity card, and a passport all issued in the name of Vejsel Vlashi.<sup>2432</sup>

2. Victims not named in Schedule K of the Indictment (Kotlina/Kotllina)

(1) Minah Kuqi ([no age recorded], male)

891. Hazbi Loku named Mina Kuci as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2433</sup> Baki Kuqi identified the corpse labelled Body 1 by clothing as his son Minah Kuqi.<sup>2434</sup> The Austrian report identified explosion and fire marks on the remains of the body. Several bullet entry points were present. According to the report, the bullet wounds were probably caused *post mortem*, because no corresponding haematoma were present.<sup>2435</sup>

(2) Sherif Kuqi ([no age recorded], male)

892. Hazbi Loku named Serif Kuci as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2436</sup> Vebi Kuqi identified the corpse labelled Body 12 as his brother, Sherif Kuqi.<sup>2437</sup> The Austrian report identified explosion marks and burns on the body, multiple gunshot wounds and that the victim's bowel, liver and lungs were damaged by gunshots or the effects of an explosion.<sup>2438</sup> Stanković stated in his report with regard to this body, that it was found lying on its front with blast wounds in the front region. He concluded that the wound was inflicted outside of the well and explained that had the body been in the well before an explosive device was thrown in, it would have been logical for the injuries to be in the back, not the front, bearing in mind the position in which the bodies were found.<sup>2439</sup>

(3) Ismet Loku ([no age recorded], male)

893. Hazbi Loku named Ismet Loku as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2440</sup> Zenel Loku identified the corpse labelled Body 14 as his son, Ismet Loku, by clothing and personal possessions.<sup>2441</sup> The Austrian report identified explosion marks and burns on

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<sup>2432</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 41.

<sup>2433</sup> Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

<sup>2434</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 10.

<sup>2435</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 11.

<sup>2436</sup> Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 2.

<sup>2437</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 24.

<sup>2438</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 24.

<sup>2439</sup> Zoran Stanković, T. 26150 (14 May 2008); 6D670 (Expert Report of Dr. Stanković), para. 8.

<sup>2440</sup> Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

<sup>2441</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 26.



the body, a gunshot wound in the shoulder, and that the skull was broken by the force of a blunt object.<sup>2442</sup>

(4) Mahi Loku ([no age recorded], male)

894. Hazbi Loku named Mahi Loku as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2443</sup> Latif Loku identified the corpse labelled Body 18 as his brother, Mahi Loku, by clothing.<sup>2444</sup> The Austrian report identified explosion and fire marks on the body, and splinter wounds on the victim's back.<sup>2445</sup>

(5) Naser (F) Loku ([no age recorded], male)

895. Hazbi Loku named Nasir Fadil Loku as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2446</sup> Mohamed Loku identified the corpse labelled Body 19 as his brother Naser (F) Loku, on the basis of the clothing.<sup>2447</sup> The Austrian report identified explosion and fire marks on the body, a gunshot wound in the stomach area and several wounds on the back, which may have been caused by gunshots or an explosion.<sup>2448</sup> Stanković noted in his report that the fact that medical examiners were unable to ascertain whether the injuries were inflicted by firearm or an explosion confirms the lack of expert experience with gunshot and blast wounds and methods of detecting shrapnel in a body.<sup>2449</sup>

(6) Bajram Loku ([no age recorded], male)

896. Hazbi Loku named Bajram Loku as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2450</sup> The Austrian report notes that the remains of a corpse labelled Body 23 together with remnants of clothing, pieces of flesh and bone could not be identified. However, the excavated mass included a jacket which was identified at the site by Qane Loku as the property of his son Loku Bajram.<sup>2451</sup>

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<sup>2442</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 27.

<sup>2443</sup> Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

<sup>2444</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 31.

<sup>2445</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 31.

<sup>2446</sup> Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 3.

<sup>2447</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 32.

<sup>2448</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 32.

<sup>2449</sup> 6D670 (Expert Report of Dr. Stanković), para. 13.

<sup>2450</sup> Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

<sup>2451</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 36.

(7) Sabri Loku ([no age recorded], male)

897. Hazbi Loku named Sabri Hamed Loku as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2452</sup> Moreover, the name Sabri Loku, date of birth 18 May 1971 appears in the Victims/Injured list in the Austrian report among persons who were according to the Austrian report “[m]urder[ed] by shooting and detonation of explosives” in crime scene 1—upper and lower well in Kotlina/Kotllina.<sup>2453</sup> However, no remains have been identified as belonging to Sabri Loku. In addition, the report does not provide any other information with regard to Sabri Loku. It should be noted that according to the Austrian report, 5 out of 22 bodies or body parts found in the wells could not have been identified (Body 3, Body 5, Body 9, Body 22, and Body 23).<sup>2454</sup>

(8) Emrlah Kuçi ([no age recorded], male)

898. Hazbi Loku found and identified the body of Emrlah Kuçi six days after the attack of 9 March, close to Milaim Loku’s body. There were two bullet holes in his jacket on the right side of his back, and two other holes on the left side of his jacket. The body had been partly eaten by animals, so the aforementioned gunshot wounds were the only the witness could see. Emrlah Kuçi went missing on 9 March 1999.<sup>2455</sup> No remains have been identified as belonging to Emrlah Kuçi.

(9) Atmir Loku ([no age recorded], male)

899. Emrush Loku identified body parts of the remains labelled Body 10, as his nephew, Atmir Loku, by the surviving remnants of clothing.<sup>2456</sup> The Austrian Forensic Team report identified explosion and fire marks on the remains, consisting solely of the lower limbs. The upper body was missing.<sup>2457</sup> Emrush Loku identified body parts of the remains labelled Body 16, as his nephew Atmir Loku by the distinguishing jutting and irregularly spaced teeth in the upper jaw and the khaki-green underwear.<sup>2458</sup> The Austrian report identified explosion marks and burns on the body, and that the body was located near the centre of the explosion. The skull was broken as a result of a dull blow. It was established on the basis of clothing that the victim’s lower limbs were labelled as Body 10.<sup>2459</sup>

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<sup>2452</sup> Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 3.

<sup>2453</sup> P361 (Austrian Forensic Team Report on Kotlina), pp. 6, 71.

<sup>2454</sup> P361 (Austrian Forensic Team Report on Kotlina), pp. 11, 13, 20, 34, 36; *see also* P1809 (Eric Baccard’s overview report), p. 48; Eric Baccard, T. 10129 (19 February 2007).

<sup>2455</sup> P2296 (witness statement dated 4 June 1999), p. 3.

<sup>2456</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 20.

<sup>2457</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 20.

<sup>2458</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 29.

<sup>2459</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 29. *See also* pp. 19–20.

(10) Cen Loku ([no age recorded], male)

900. Ekrem Loku identified the corpse labelled Body 15, as his son Cen Loku, by the victim's boots and socks.<sup>2460</sup> The Austrian report identified explosion marks and burns on the body, and that the body was largely destroyed from the effects of the explosion.<sup>2461</sup>

(11) Danush Kuqi ([no age recorded], male)

901. Hazbi Loku named Danush Idriz Kuci as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2462</sup> Moreover, the name Danush Kuqi, date of birth June 1982, appears in the Victims/Injured list in the Austrian report among persons who were according to the Austrian report “[m]urder[ed] by shooting and detonation of explosives” in crime scene 1—upper and lower well in Kotlina/Kotllina.<sup>2463</sup> However, no remains have been identified as belonging to Danush Kuqi. In addition, the report does not provide any other information with regard to Danush Kuqi. It should be noted that according to the Austrian report, 5 out of 22 bodies or body parts found in the wells could not have been identified (Body 3, Body 5, Body 9, Body 22, and Body 23).<sup>2464</sup>

(12) Adnan Loku ([no age recorded] male)

902. Hazbi Loku named Adnan Loku as one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.<sup>2465</sup> There have been no remains identified as belonging to Adnan Loku, and his name does not appear in the Austrian Forensic Team report.

3. Victims named in Schedule K of the Indictment (Vata/Vataj (Slatina/Sllatina))

903. The Chamber notes that there are a number of discrepancies between the evidence and the Indictment in the spelling of the names of some of the victims listed in Schedule K (Vata/Vataj (Slatina/Sllatina)). However, in most cases these discrepancies are so minor that the Chamber is nevertheless able to conclude that the relevant information relates to a certain victim.

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<sup>2460</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 28.

<sup>2461</sup> P361 (Austrian Forensic Team Report on Kotlina), p. 28.

<sup>2462</sup> Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 2.

<sup>2463</sup> P361 (Austrian Forensic Team Report on Kotlina), pp. 6, 71.

<sup>2464</sup> P361 (Austrian Forensic Team Report on Kotlina), pp. 11, 13, 20, 34, 36; *see also* P1809 (Eric Baccard's overview report), p. 48; Eric Baccard, T. 10129 (19 February 2007).

<sup>2465</sup> Hazbi Loku, T. 3164 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 1. *See also* above regarding scheduled victim “Atan Loku”.

(1) Illir Osman Caka (15, male)

904. Sejdi Lami buried Illir Osman Caka in the cemetery in the village of Vata/Vataj, Lama, on 14 April 1999.<sup>2466</sup> He named Illir Osman Caka as one of the seven people killed in the surrounding neighbourhoods of Caka and Tifeku on 13 April 1999.<sup>2467</sup> The Lama forensic report identified gunshot wounds to the head and chest as the cause of death of Illir Osman Caka, labelled victim #7, on 13 April 1999. The report concluded that “the autopsy findings are consistent with the allegations of long range execution”.<sup>2468</sup>

(2) Jakup Mustaf Caka (37, male)

905. Sejdi Lami buried Jakup Mustaf Caka in the cemetery in the village of Vata/Vataj, Lama, on 14 April 1999. He named Jakup Caka as one of the seven people killed in the surrounding neighbourhoods of Caka and Tifeku on 13 April 1999.<sup>2469</sup> The Lama forensic report identified a single gunshot wound to the chest as the cause of death of Jakup Mustaf Caka, labelled victim #6, on 13 April 1999.<sup>2470</sup>

(3) Mahmut Hasan Caka (45, male)

906. Sejdi Lami named Mahmut Caka as one of four dead bodies he found on a path, from the village of Vata/Vataj, Lama, at a place known to locals as “Guret e Kripes” on 13 April 1999.<sup>2471</sup> According to the Lama forensic report, the body was identified by the brother of the deceased, labelled victim #5, and the death occurred on 13 April 1999.<sup>2472</sup> The Lama forensic report identified a gunshot wound to the chest as the cause of death, and stated that the appearance of the wound suggests long range.<sup>2473</sup>

(4) Qemajl Deda (47, male)

907. The autopsy report for the Sllatina grave site identified gunshot wound to the chest, stab wound to the chest, and incised wound to the throat as the cause of death of Qemajl Deda. It

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<sup>2466</sup> Sejdi Lami, T. 3260–3261 (12 September 2006).

<sup>2467</sup> Sejdi Lami, T. 3260–3261 (12 September 2006), P2271 (witness statement dated 14 July 2000), p. 5.

<sup>2468</sup> P364 (Lama forensic report), pp. 21–24; P363 (Canadian Forensic Team report, 22 July 1999), p. 13.

<sup>2469</sup> Sejdi Lami, T. 3260–3261 (12 September 2006), P2271 (witness statement dated 14 July 2000), p. 5.

<sup>2470</sup> P364 (Lama forensic report), pp. 17–20; P363 (Canadian Forensic Team report, 22 July 1999), p. 13.

<sup>2471</sup> P2271 (witness statement dated 14 July 2000), p. 4; T. 3262 (12 September 2006).

<sup>2472</sup> P364 (Lama forensic report), p. 13; P363 (Canadian Forensic Team report, 22 July 1999), p. 12.

<sup>2473</sup> P364 (Lama forensic report), pp. 13–16.

concludes homicide as the manner of death.<sup>2474</sup>

(5) Nazmi Elezi (29, male)

908. The autopsy report for the Sllatina grave site identified being hit in the head by a grenade as the possible cause of death of Nazmi Elezi. It concludes homicide as the manner of death.<sup>2475</sup>

(6) Vesel Elezi (41, male)

909. The autopsy report for the Sllatina grave site identified multiple gunshot wounds as the cause of death of Vesel Elezi. It concludes homicide as the manner of death.<sup>2476</sup>

(7) Brahim Lama (52, male)

910. Sejdi Lami named Brahim Lami as one of four dead bodies he found on a path, from the village of Vata/Vataj, Lama, at a place known to locals as “Guret e Kripes” on 13 April 1999.<sup>2477</sup> The Lama forensic report identified multiple gunshot wounds to the chest as the cause of death of Brahim Lama, labelled victim #9, on 13 April 1999.<sup>2478</sup>

(8) Hebib Lama (18, male)

911. Sejdi Lami named Hebib Lami as one of four dead bodies he found on a path, from the village of Vata/Vataj, Lama, at a place known to locals as “Guret e Kripes” on 13 April 1999.<sup>2479</sup> The Lama forensic report identified multiple gunshot wounds to the chest and abdomen as the cause of death of Hebib Lama, labelled victim #10, on 13 April 1999.<sup>2480</sup>

(9) Ibrahim Lama (52, male)

912. The Lama forensic report identified gunshot wounds to the chest as the cause of death of Ibrahim Lama, labelled victim #8, on 13 April 1999.<sup>2481</sup>

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<sup>2474</sup> P365 (Sllatina grave site autopsy report), e-court p. 5.

<sup>2475</sup> P365 (Sllatina grave site autopsy report), e-court p. 11.

<sup>2476</sup> P365 (Sllatina grave site autopsy report), e-court p. 19.

<sup>2477</sup> Sejdi Lami, P2271 (witness statement dated 14 July 2000), p. 4, T. 3261–3262 (12 September 2006).

<sup>2478</sup> P364 (Lama forensic report), pp. 29–32; P363 (Canadian Forensic Team report, 22 July 1999), p. 12.

<sup>2479</sup> Sejdi Lami, P2271 (witness statement dated 14 July 2000), p. 4, T. 3261–3262 (12 September 2006).

<sup>2480</sup> P364 (Lama forensic report), pp. 33–36; P363 (Canadian Forensic Team report, 22 July 1999), p. 12.

<sup>2481</sup> P364 (Lama forensic report), pp. 25–28.

(10) Izahir Salihu (22, male)

913. The Lama forensic report identified gunshot wound to the back as the cause of death of Izahir Ilaz Salihu, labelled victim #4, on 13 April 1999.<sup>2482</sup>

(11) Kemajl Salihu (40, male)

914. The Lama forensic report identified gunshot wound to the abdomen as the cause of death of Kemajl Ilaz Salihu, labelled victim #3, on 13 April 1999.<sup>2483</sup>

(12) Sabri Salihu (38, male)

915. The Lama forensic report identified gunshot wounds to the back as the cause of death of Sabri Ilaz Salihu, labelled victim #2, on 13 April 1999.<sup>2484</sup>

(13) Hialiali Shiqeriber (46, male)

916. Sejdi Lami named Shyqyri as one of persons killed in the village of Vata/Vataj on 13 April 1999.<sup>2485</sup> Moreover, the Lama forensic report identified gunshot wound to lower back as the cause of death of Hialiali Shiqeriber, labelled victim #11, on or around 13 April 1999.<sup>2486</sup> The report also identified 4 non-immediate life threatening gunshot wounds to the shoulder and arms, which due to likely blood loss contributed to the death.<sup>2487</sup> The Canadian forensic team report indicates that the victim was identified by his father Bequir Halili.<sup>2488</sup>

4. Victims not named in Schedule K of the Indictment (Vata/Vataj (Slatina/Sllatina))

(1) Ramadan Xhokli (28, male)

917. Sejdi Lami named Ramadan Xhokli as one of the persons killed in Vata/Vataj, Kačanik/Kaçanik municipality on 13 April 1999.<sup>2489</sup> The Canadian forensic team report identified

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<sup>2482</sup> P364 (Lama forensic report), pp. 10–12; P363 (Canadian Forensic Team report, 22 July 1999), p. 13.

<sup>2483</sup> P364 (Lama forensic report), pp. 6–9; P363 (Canadian Forensic Team report, 22 July 1999), p. 13.

<sup>2484</sup> P364 (Lama forensic report), pp. 2–5; P363 (Canadian Forensic Team report, 22 July 1999), p. 13.

<sup>2485</sup> Sejdi Lami, T. 3261 (12 September 2006), P2271 (witness statement dated 14 July 2000), p. 5.

<sup>2486</sup> P364 (Lama forensic report), pp. 38–41; P363 (Canadian Forensic Team report, 22 July 1999), p. 12.

<sup>2487</sup> P364 (Lama forensic report), p. 40.

<sup>2488</sup> P363 (Canadian Forensic Team report, 22 July 1999), p. 17.

<sup>2489</sup> Sejdi Lami, T. 3261 (12 September 2006), P2271 (witness statement dated 14 July 2000), p. 5.

the body in grave #1 as belonging to Ramadan Xhokli.<sup>2490</sup> The Canadian forensic team report indicates that the victim was identified by his brother Zeqir Xhokli.<sup>2491</sup>

(2) Rraman Lami (52, male)

918. The Canadian forensic team report first identified Rraman Lama in grave number 9;<sup>2492</sup> however, the report later referred to Rraman Lama as the male victim #8.<sup>2493</sup> This appears to be an internal inconsistency in the report. Sejdi Lami identified one of the victims killed on 13 April 1999 as Rraman Lami.<sup>2494</sup>

5. Victims named in Schedule K of the Indictment (Stagovo/Stagova)

919. The Chamber notes that there are a number of discrepancies between the evidence and the Indictment in the spelling of the names of some of the victims listed in Schedule K (Stagovo/Stagova). However, in most cases these discrepancies are so minor that the Chamber is nevertheless able to conclude that the relevant information relates to a certain victim.

(1) Baki Bela (72, male)

920. Muharrem Dashi saw the body of Bela in the village of Stagovo/Stagova, on 21 May 1999.<sup>2495</sup> According to the Interpol Disaster Victim Identification autopsy report body 99/04/509 was identified as Baki Bela by relatives.<sup>2496</sup> The Interpol Disaster Victim Identification autopsy report identified internal bleeding and skull brain trauma caused by shot, as the cause of death. The victim suffered at least two shots through the head and neck, six shots through the abdomen and fifteen shots through the left leg and pelvis. Killing was noted as the manner of death.<sup>2497</sup>

(2) Hamdi Dashi (53, male)

921. Muharrem Dashi saw the body of Hamdi Dashi in the village of Stagovo/Stagova, on 21 May 1999.<sup>2498</sup> According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/508

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<sup>2490</sup> P363 (Canadian Forensic Team report, 22 July 1999), p. 4.

<sup>2491</sup> P363 (Canadian Forensic Team report, 22 July 1999), p. 17.

<sup>2492</sup> P363 (Canadian Forensic Team report, 22 July 1999), p. 4.

<sup>2493</sup> P363 (Canadian Forensic Team report, 22 July 1999), p. 12.

<sup>2494</sup> Sejdi Lami, P2271 (witness statement dated 14 July 2000), p. 4.

<sup>2495</sup> Muharrem Dashi, T. 4615 (11 October 2006).

<sup>2496</sup> P368 (Interpol Disaster Victim Identification autopsy report), p. 494.

<sup>2497</sup> P368 (Interpol Disaster Victim Identification autopsy report), pp. 494–495.

<sup>2498</sup> Muharrem Dashi, T. 4615 (11 October 2006).

was identified as Hamdi Dashi by relatives.<sup>2499</sup> The Interpol Disaster Victim Identification autopsy report identified internal bleeding and skull brain trauma as the cause of death. The victim was shot through the pelvis, torso and shoulder and also suffered skull fractures. Killing was noted as the manner of death.<sup>2500</sup>

(3) Ibrahim Avdi Dashi (31, male)

922. Muharrem Dashi saw the body of Brahim Dashi in the village of Stagovo/Stagova, on 21 May 1999.<sup>2501</sup> According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/507 was identified as Ibrahim Dashi by relatives.<sup>2502</sup> The Interpol Disaster Victim Identification autopsy report identified brain destruction as the cause of death. The victim suffered a deadly shot through the head and was also shot through the abdomen. Killing was noted as the manner of death.<sup>2503</sup>

(4) Ramadan Dashi (58, male)

923. Muharrem Dashi saw the body of Ramadan Dashi in the village of Stagovo/Stagova, on 21 May 1999.<sup>2504</sup> According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/506 was identified as Ramadan Dashi by relatives.<sup>2505</sup> The Interpol Disaster Victim Identification autopsy report identified destruction of brain as the cause of death. The victim suffered a deadly shot through the head, and was also shot in the thorax, abdomen and thigh. Killing was noted as the manner of death.<sup>2506</sup>

(5) Bahrije (R) Elezi (46, female)

924. According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/505 was identified as Barije Elezi by relatives.<sup>2507</sup> The Interpol Disaster Victim Identification autopsy report identified internal bleeding and injury of heart and lungs due to a gunshot through the thorax as the cause of death. The victim was also suffered a shot through an arm and a leg fracture, caused by blunt force. Killing was noted as the manner of death.<sup>2508</sup>

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<sup>2499</sup> P368 (Interpol Disaster Victim Identification autopsy report), p. 433.

<sup>2500</sup> P368 (Interpol Disaster Victim Identification autopsy report), pp. 433–434.

<sup>2501</sup> Muharrem Dashi, T. 4615 (11 October 2006).

<sup>2502</sup> P368 (Interpol Disaster Victim Identification autopsy report), p. 378.

<sup>2503</sup> P368 (Interpol Disaster Victim Identification autopsy report), pp. 378–380.

<sup>2504</sup> Muharrem Dashi, T. 4615 (11 October 2006).

<sup>2505</sup> P368 (Interpol Disaster Victim Identification autopsy report), p. 323.

<sup>2506</sup> P368 (Interpol Disaster Victim Identification autopsy report), pp. 323–324.

<sup>2507</sup> P368 (Interpol Disaster Victim Identification autopsy report), p. 271.

<sup>2508</sup> P368 (Interpol Disaster Victim Identification autopsy report), pp. 271–272.



(6) Fitim Gudaqi (7, male)

925. Muharrem Dashi saw the body of Fitim Gudaqi in the village of Stagovo/Stagova, on 21 May 1999.<sup>2509</sup> According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/502 was identified as Fitim Gudaqi by relatives.<sup>2510</sup> The Interpol Disaster Victim Identification autopsy report identified internal bleeding as the most probable cause of death due to a shot through the neck. It was conceivable that the victim was held by his mother during the incident, as alleged. Killing was noted as the manner of death.<sup>2511</sup>

(7) Hanife Gudaqi (77, female)

926. Muharrem Dashi saw the body of the grandmother of Fitim Gudaqi in the village of Stagovo/Stagova, on 21 May 1999.<sup>2512</sup> According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/501 was identified as Hanife Gudaqi by relatives.<sup>2513</sup> The Interpol Disaster Victim Identification autopsy report identified internal and external bleeding as the cause of death due to a shot through the thorax. The victim was also shot through the abdomen. Killing was noted as the manner of death.<sup>2514</sup>

(8) Sevdije Guri (54, female)

927. According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/503 was identified as Sevdije Guri by relatives.<sup>2515</sup> The Interpol Disaster Victim Identification autopsy report identified external bleeding as the cause of death, due to shots through the thighs which opened large arterial blood vessels. The victim was also shot through the thorax. Killing was noted as the manner of death.<sup>2516</sup>

(9) Elife Jaha (83, female)

928. According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/504 was identified as Elife Jaha by relatives.<sup>2517</sup> The Interpol Victim Identification autopsy report

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<sup>2509</sup> Muharrem Dashi, T. 4615 (11 October 2006).

<sup>2510</sup> P368 (Interpol Disaster Victim Identification autopsy report), p. 101.

<sup>2511</sup> P368 (Interpol Disaster Victim Identification autopsy report), pp. 101–102.

<sup>2512</sup> Muharrem Dashi, T. 4615 (11 October 2006). While Muharrem Dashi testified that the grandmother of Fitim Gudaqi “was more than 80 years old”, the Interpol Disaster Victim Identification autopsy report identified Hanife Gudaqi as approximately 74 years old.

<sup>2513</sup> P368 (Interpol Disaster Victim Identification autopsy report), p. 44.

<sup>2514</sup> P368 (Interpol Disaster Victim Identification autopsy report), pp. 44–45.

<sup>2515</sup> P368 (Interpol Disaster Victim Identification autopsy report), p. 159.

<sup>2516</sup> P368 (Interpol Disaster Victim Identification autopsy report), pp. 159–160.

<sup>2517</sup> P368 (Interpol Disaster Victim Identification autopsy report), p. 214.

identified internal bleeding due to a shot through the thorax and skull brain trauma as the cause of death. The victim was also shot through the arm and suffered blunt force face (skull) trauma, mostly distinctly on the lower the jaw. Killing was noted as the manner of death.<sup>2518</sup>

(10) Ramush Jaha (75, male)

929. Muharrem Dashi saw the body of Ramush Jaha in the village of Stagovo/Stagova, on 21 May 1999.<sup>2519</sup> The “Stagov” Grave Site autopsy report labelled the body of Ramush Jaha case no. 02/99/DK. The report identified gunshot wound to the head as the cause of death. The victim was also shot in the leg. Homicide was noted as the manner of death.<sup>2520</sup>

(11) Fahri Mani (56, male)

930. Muharrem Dashi saw the body of Fahri Mani in the village of Stagovo/Stagova, on 21 May 1999.<sup>2521</sup> The “Stagov” Grave Site autopsy report labelled the body of Fahri Mani case no. 01/99/DK. The report identified gunshot wound to the chest as the cause of death. The victim was shot three times. Homicide was noted as the manner of death.<sup>2522</sup>

(12) Ibush Rrushi (59, male)

931. Muharrem Dashi saw the body of Rrushi in the village of Stagovo/Stagova, on 21 May 1999.<sup>2523</sup> According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/510 was identified as Ibush Rrushi by relatives.<sup>2524</sup> The Interpol Victim Identification autopsy report identified internal bleeding as the cause of death, due to a shot through the thorax. The victim also suffered three other shot wounds in the limbs, and possibly an injury from an explosion. Killing was noted as the manner of death.<sup>2525</sup>

6. Victims named in Schedule K of the Indictment (Dubrava/Lisnaja)

932. The Chamber notes that there are a number of discrepancies between the evidence and the Indictment in the spelling of the names of some of the victims listed in Schedule K

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<sup>2518</sup> P368 (Interpol Disaster Victim Identification autopsy report), pp. 214–215.

<sup>2519</sup> Muharrem Dashi, T. 4616 (11 October 2006).

<sup>2520</sup> P369 (Stagov Grave Site autopsy report, 7 October 1999), pp. 6–12.

<sup>2521</sup> Muharrem Dashi, T. 4616 (11 October 2006).

<sup>2522</sup> P369 (Stagov Grave Site autopsy report, 7 October 1999), pp. 1–5.

<sup>2523</sup> Muharrem Dashi, T. 4615 (11 October 2006).

<sup>2524</sup> P368 (Interpol Disaster Victim Identification autopsy report), p. 553.

<sup>2525</sup> P368 (Interpol Disaster Victim Identification autopsy report), pp. 553–554.

(Dubrava/Lisnaja). However, in most cases these discrepancies are so minor that the Chamber is nevertheless able to conclude that the relevant information relates to a certain victim.

(1) Arton Hajrush Qorri (17 [uncertain], male)

933. Fadil Vishi identified the deceased Arben Qorri from a photograph.<sup>2526</sup> According to Interpol Disaster Victim Identification autopsy report the Body 99/03/502 was identified as Arton Hajrush Qorri by relatives.<sup>2527</sup> The Interpol Disaster Victim Identification autopsy report identified internal bleeding as the cause of death, due to a gunshot wound in the abdomen. It notes the victim was also shot through the hip. Killing was noted as the manner of death.<sup>2528</sup>

(2) Fatije Hajrush Qorri (9, female)

934. K31 identified Fetije Qorri being killed on 25 May 1999 in Dubrava/Lisnaja.<sup>2529</sup> Fadil Vishi testified Fetija Qorri was killed on 25 May 1999.<sup>2530</sup> He identified her from a photograph taken when she was alive.<sup>2531</sup> According to Interpol Disaster Victim Identification autopsy report the Body 99/03/508 was identified as Fatije Hajrush Qorri by relatives.<sup>2532</sup> The Interpol Disaster Victim Identification autopsy report identified the girl was killed by a gunshot through the ribcage, and internal bleeding as the cause of death. Killing was noted as the manner of death.<sup>2533</sup>

(3) Hajrush Mehmet Qorri ([no age recorded], male)

935. Fadil Vishi identified the deceased Hajrush Qorri from a photograph taken on 26 May 1999.<sup>2534</sup> Fadil Vishi testified the last time he saw Qorri alive was before 25 May 1999.<sup>2535</sup> In his witness statement, Fadil Vishi also notes that “[w]e also found the bodies of Hajrush Qorri and his son and daughter”, but then later notes “I did not see anyone of these bodies”.<sup>2536</sup> According to Interpol Disaster Victim Identification autopsy report the Body 99/03/503 was identified as Hajrush Mehmet Qorri by relatives.<sup>2537</sup> The Interpol Disaster Victim Identification autopsy report identified two gunshot wounds, and that internal bleeding was the cause of death. The report concludes the

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<sup>2526</sup> Fadil Vishi, T. 3558 (19 September 2006); P2306 (Photographs provided by witness Fadil Vishi of Fedije Qorr), p. 5.

<sup>2527</sup> P376 (Interpol Disaster Victim Identification autopsy report), p. 45.

<sup>2528</sup> P376 (Interpol Disaster Victim Identification autopsy report), pp. 45–46.

<sup>2529</sup> K31, P2595 (witness statement dated 16 October 1999), p. 4 (under seal).

<sup>2530</sup> Fadil Vishi, T. 3558 (19 September 2006).

<sup>2531</sup> Fadil Vishi, T. 3559 (19 September 2006); P2306 (Photographs provided by witness Fadil Vishi of Fedije Qorr), p. 1.

<sup>2532</sup> P372 (Interpol Disaster Victim Identification autopsy report), p. 49.

<sup>2533</sup> P372 (Interpol Disaster Victim Identification autopsy report), pp. 49–50.

<sup>2534</sup> Fadil Vishi, T. 3558 (19 September 2006); P2306 (Photographs provided by witness Fadil Vishi of Fedije Qorr), p. 7.

<sup>2535</sup> Fadil Vishi, T. 3558 (19 September 2006).

<sup>2536</sup> Fadil Vishi, P2284 (witness statement dated 18 October 1999), p. 4.

<sup>2537</sup> P378 (Interpol Disaster Victim Identification autopsy report), p. 46.

body was in a kneeling and bent-over position when the deadly shot was fired. Killing was noted as the manner of death.<sup>2538</sup>

(4) Rexhep Zejnulla Qorri (45, male)

936. K31 saw Rexhep Qorri being killed on 25 May 1999 in Dubrava/Lisnaja.<sup>2539</sup> Fadil Vishi noted that Rexhep Qorri was found killed, however, he did not see the body.<sup>2540</sup> According to Interpol Disaster Victim Identification autopsy report the Body 99/03/501 was identified as Rexhep Zejnulla Qorri by relatives.<sup>2541</sup> The Interpol Disaster Victim Identification autopsy report identified “respiratory standstill (caused) by central brain contusion” as the cause of death. The victim was shot two behind the ear with a projectile. Killing was noted as the manner of death.<sup>2542</sup>

(5) Ali Tusha (17, male)

937. In his witness statement, Fadil Vishi noted that Ali Tusha was found killed, about 50 meters from Fadil Vishi’s house.<sup>2543</sup> According to Interpol Disaster Victim Identification autopsy report the Body 99/03/504 was identified as Ali Tusha by relatives.<sup>2544</sup> The Interpol Disaster Victim Identification autopsy report identified the victim was hit by several bullets, and that internal bleeding was the most probable cause of death. Killing was noted as the manner of death.<sup>2545</sup>

(6) Xhemajl Tusha (39, male)

938. In his witness statement, Fadil Vishi noted that Xhemajl Tusha was found killed, about 50 meters from Fadil Vishi’s house.<sup>2546</sup> According to Interpol Disaster Victim Identification autopsy report the Body 99/03/505 was identified as Xhemajl Tusha by relatives.<sup>2547</sup> The Interpol Disaster Victim Identification autopsy report identified the victim was shot at least six times, and that respiratory standstill caused by upper neck marrow injury was the cause of death. Killing was noted as the manner of death.<sup>2548</sup>

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<sup>2538</sup> P378 (Interpol Disaster Victim Identification autopsy report), pp. 46–47.

<sup>2539</sup> K31, P2595 (witness statement dated 16 October 1999), p. 3 (under seal).

<sup>2540</sup> Fadil Vishi, P2284 (witness statement dated 18 October 1999), p. 4.

<sup>2541</sup> P373 (Interpol Disaster Victim Identification autopsy report), p. 46.

<sup>2542</sup> P373 (Interpol Disaster Victim Identification autopsy report), pp. 46–47.

<sup>2543</sup> Fadil Vishi, P2284 (witness statement dated 18 October 1999), p. 4.

<sup>2544</sup> P379 (Interpol Disaster Victim Identification autopsy report), p. 48.

<sup>2545</sup> P379 (Interpol Disaster Victim Identification autopsy report), pp. 48–49.

<sup>2546</sup> Fadil Vishi, P2284 (witness statement dated 18 October 1999), p. 4.

<sup>2547</sup> P377 (Interpol Disaster Victim Identification autopsy report), p. 46.

<sup>2548</sup> P377 (Interpol Disaster Victim Identification autopsy report), pp. 46–49.

Rrahim Beqir Vishi ([no age recoded], male) (7)

939. In his witness statement, Fadil Vishi noted that the body of Rrahim Vishi was found in his yard on 25 May 1999.<sup>2549</sup> According to Interpol Disaster Victim Identification autopsy report the Body 99/03/506 was identified as Rrahim Beqi Vishi by relatives.<sup>2550</sup> The Interpol Disaster Victim Identification autopsy report identified skull brain trauma and/or internal bleeding as the cause of death. The victim suffered multiple fractures in the fingers, most likely the results of blunt force, and was shot multiple times in the skull, thorax and limbs. Killing was noted as the manner of death.<sup>2551</sup>

(8) Milaim Misim Vishi ([no age recorded], male)

940. In his witness statement, Fadil Vishi noted that the body of Milaim Vishi was found in his yard on 25 May 1999.<sup>2552</sup> According to Interpol Disaster Victim Identification autopsy report the Body 99/03/507 was identified as Milaim Misim Vishi by relatives.<sup>2553</sup> The Interpol Disaster Victim Identification autopsy report identified the victim was shot twice, and that internal bleeding was the cause of death. Killing was noted as the manner of death.<sup>2554</sup>

7. Victims not named in Schedule K of the Indictment (Dubrava/Lisnaja)

(1) Sylejman Gurri ([no age recorded], male)

941. Fadil Vishi testified Sylejman Gurri was kidnapped in his presence on 5 May 1999 and was killed on 25 May 1999.<sup>2555</sup> Fadil Vishi found the body of Sylejman Gurri about 2 km away from the village of Dubrava/Lisnaja on 26 May 1999, a photo of the deceased was taken.<sup>2556</sup>

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<sup>2549</sup> Fadil Vishi, P2284 (witness statement dated 18 October 1999), p. 4.

<sup>2550</sup> P375 (Interpol Disaster Victim Identification autopsy report), p. 47.

<sup>2551</sup> P375 (Interpol Disaster Victim Identification autopsy report), pp. 47–48.

<sup>2552</sup> Fadil Vishi, P2284 (witness statement dated 18 October 1999), p. 4.

<sup>2553</sup> P374 (Interpol Disaster Victim Identification autopsy report), p. 46.

<sup>2554</sup> P374 (Interpol Disaster Victim Identification autopsy report), pp. 46–47.

<sup>2555</sup> Fadil Vishi, T. 3554 (19 September 2006).

<sup>2556</sup> Fadil Vishi, T. 3554–3555 (19 September 2006), P2284 (witness statement dated 18 October 1999), p. 4; *see also* P2306 (Photographs provided by witness Fadil Vishi of Fedije Qorr), p. 3.

## II. ANNEX B – LIST OF SHORT FORMS FOR LEGAL AUTHORITIES USED IN THE JUDGEMENT

### *ICTY and ICTR Jurisprudence*

*Prosecutor v. Akayesu*, Case No. ICTR-96-4-T, Judgement, 2 September 1998 (*Akayesu* Trial Judgement)

*Prosecutor v. Aleksovski*, Case No. IT-95-14/1-A, Judgement, 24 March 2000 (*Aleksovski* Appeal Judgement)

*Prosecutor v. Babić*, Case No. IT-03-72, Sentencing Judgement, 29 June 2004 (*Babić* Sentencing Judgement)

*Prosecutor v. Babić*, Case No. IT-03-72-A, Judgement on Sentencing Appeal, 18 July 2005 (*Babić* Judgement on Sentencing Appeal)

*Prosecutor v. Bagilishema*, Case No. ICTR-95-1A-A, Judgement, 3 July 2002 (*Bagilishema* Appeal Judgement)

*Prosecutor v. Blagojević and Jokić*, Case No. IT-02-60-T, Judgement, 17 January 2005 (*Blagojević* Trial Judgement)

*Prosecutor v. Blagojević and Jokić*, Case No. IT-02-60-A, Judgement, 9 May 2007 (*Blagojević* Appeal Judgement)

*Prosecutor v. Blaškić*, Case No. IT-95-14-T, Judgement, 3 March 2000 (*Blaškić* Trial Judgement)

*Prosecutor v. Blaškić*, Case No. IT-95-14-A, Judgement, 29 July 2004 (*Blaškić* Appeal Judgement)

*Prosecutor v. Bralo*, Case No. IT-95-17-A, Judgement on Sentencing Appeal, 2 April 2007 (*Bralo* Judgement on Sentencing Appeal)

*Prosecutor v. Brđanin*, Case No. IT-99-36-T, Judgement, 1 September 2004 (*Brđanin* Trial Judgement)

*Prosecutor v. Brđanin*, Case No. IT-99-36-A, Judgement, 3 April 2007 (*Brđanin* Appeal Judgement)

*Prosecutor v. Brđanin*, Case No. IT-99-36-A, Decision on Interlocutory Appeal, 19 March 2004 (*Brđanin* Joint Criminal Enterprise Decision on Interlocutory Appeal)

*Prosecutor v. Delalić, Mucić, Delić, and Landžo*, Case No. IT-96-21-T, Judgement, 16 November 1998 (*Čelebići* Trial Judgement)

- Prosecutor v. Delalić, Mucić, Delić, and Landžo*, Case No. IT-96-21-A, Judgement, 20 February 2001 (*Čelebići Appeal Judgement*)
- Prosecutor v. Deronjić*, Case No. IT-02-61-A, Judgement on Sentencing Appeal, 20 July 2005 (*Deronjić Judgement on Sentencing Appeal*)
- Prosecutor v. Erdemović*, Case No. IT-96-22-Tbis, Sentencing Judgement, 5 March 1998 (*Erdemović Sentencing Judgement*)
- Prosecutor v. Erdemović*, Case No. IT-96-22-A, Judgement, 7 October 1997 (*Erdemović Appeal Judgement*)
- Prosecutor v. Furundžija*, Case No. IT-95-17/1-T, Judgement, 10 December 1998 (*Furundžija Trial Judgement*)
- Prosecutor v. Furundžija*, Case No. IT-95-17/1-A, Judgement, 21 July 2000 (*Furundžija Appeal Judgement*)
- Prosecutor v. Gacumbtsi*, Case No. ICTR-2001-64-T, Judgement, 17 June 2004 (*Gacumbtsi Trial Judgement*)
- Prosecutor v. Galić*, Case No. IT-98-29-AR73.2, Decision on Interlocutory Appeal concerning Rule 92 bis(C), 7 June 2002 (*Galić 92 bis Decision on Interlocutory Appeal*)
- Prosecutor v. Galić*, Case No. IT-98-29-T, Judgement and Opinion, 5 December 2003 (*Galić Trial Judgement*)
- Prosecutor v. Galić*, Case No. IT-98-29-A, Judgement, 30 November 2006 (*Galić Appeal Judgement*)
- Prosecutor v. Hadžihasanović and Kubura*, Case No. IT-01-47-AR72, Decision on Interlocutory Appeal Challenging Jurisdiction in Relation to Command Responsibility, 16 July 2003 (*Hadžihasanović Command Responsibility Decision on Interlocutory Appeal*)
- Prosecutor v. Hadžihasanović and Kubura*, Case No. IT-01-47-T, Judgement, 15 March 2006 (*Hadžihasanović Trial Judgement*)
- Prosecutor v. Hadžihasanović and Kubura*, Case No. IT-01-47-A, Judgement, 22 April 2008 (*Hadžihasanović Appeal Judgement*)
- Prosecutor v. Halilović*, Case No. IT-01-48-T, Judgement, 16 November 2005 (*Halilović Trial Judgement*)
- Prosecutor v. Halilović*, Case No. IT-01-48-A, Judgement, 16 October 2007 (*Halilović Appeal Judgement*)
- Prosecutor v. Jelisić*, Case No. IT-95-10-T, Judgement, 14 December 1999 (*Jelisić Trial Judgement*)

- Prosecutor v. Jelisić*, Case No. IT-95-10-A, Judgement, 5 July 2001 (*Jelisić Appeal Judgement*)
- Prosecutor v. Jokić*, Case No. IT-01-42/1-S, Sentencing Judgement, 18 March 2004 (*Jokić Sentencing Judgement*)
- Prosecutor v. Jokić*, Case No. IT-01-42/1-A, Judgement on Sentencing Appeal, 30 August 2005 (*Jokić Judgement on Sentencing Appeal*)
- Prosecutor v. Kajelijeli*, Case No. ICTR-98-44A-A, Judgement, 23 May 2005 (*Kajelijeli Appeal Judgement*)
- Prosecutor v. Kamuhanda*, Case No. ICTR-99-54A-T, Judgement, 22 January 2004 (*Kamuhanda Trial Judgement*)
- Prosecutor v. Kamuhanda*, Case No. ICTR-99-54A-A, Judgement, 19 September 2005 (*Kamuhanda Appeal Judgement*)
- Prosecutor v. Kayishema and Ruzindana*, Case No. ICTR-95-1-T, Judgement, 21 May 1999 (*Kayishema Trial Judgement*)
- Prosecutor v. Kayishema and Ruzindana*, Case No. ICTR-95-1-A, Judgement, 1 June 2001 (*Kayishema Appeal Judgement*)
- Prosecutor v. Kordić and Čerkez*, Case No. IT-95-14/2-T, Judgement, 26 February 2001 (*Kordić Trial Judgement*)
- Prosecutor v. Kordić and Čerkez*, Case No. IT-95-14/2-A, Judgement, 17 December 2004 (*Kordić Appeal Judgement*)
- Prosecutor v. Krajišnik*, Case No. IT-00-39-T, Judgement, 27 September 2006 (*Krajišnik Trial Judgement*)
- Prosecutor v. Krnojelac*, Case No. IT-97-25-T, Judgement, 15 March 2002 (*Krnojelac Trial Judgement*)
- Prosecutor v. Krnojelac*, Case No. IT-97-25-A, Judgement, 17 September 2003 (*Krnojelac Appeal Judgement*)
- Prosecutor v. Krstić*, Case No. IT-98-33-T, Judgement, 2 August 2001 (*Krstić Trial Judgement*)
- Prosecutor v. Krstić*, Case No. IT-98-33-A, Judgement, 19 April 2004 (*Krstić Appeal Judgement*)
- Prosecutor v. Kunarac, Kovač, and Vuković*, Cases Nos. IT-96-23-T & IT-96-23/1-T, Judgement, 22 February 2001 (*Kunarac et al. Trial Judgement*)



- Prosecutor v. Kunarac, Kovać, and Vuković*, Cases Nos. IT-96-23-A & IT-96-23/1-A, 12 June 2002 (*Kunarac et al.* Appeal Judgement)
- Prosecutor v. Kupreškić, Kupreškić, Kupreškić, Josipović, Papić, and Vladimir Šantić*, Case No. IT-95-16-T, Judgement, 14 January 2000 (*Kupreškić et al.* Trial Judgement)
- Prosecutor v. Kupreškić, Kupreškić, Kupreškić, Josipović, Papić and Vladimir Šantić*, Case No. IT-95-16-A, Appeal Judgement, 23 October 2001 (*Kupreškić et al.* Appeal Judgement)
- Prosecutor v. Kvočka, Kos, Radić, Žigić, and Prcać*, Case No. IT-98-30/1-T, Judgement, 2 November 2001 (*Kvočka et al.* Trial Judgement)
- Prosecutor v. Kvočka, Kos, Radić, Žigić, and Prcać*, Case No. IT-98-30/1-A, Judgement, 28 February 2005 (*Kvočka et al.* Appeal Judgement)
- Prosecutor v. Limaj, Bala, and Musliu*, Case No. IT-03-66-T, Judgement, 30 November 2005 (*Limaj et al.* Trial Judgement)
- Prosecutor v. Limaj, Bala, and Musliu*, Case No. IT-03-66-A, Judgement, 27 September 2007 (*Limaj et al.* Appeal Judgement)
- Prosecutor v. Martić*, Case No. IT-95-11-T, Judgement, 12 June 2007 (*Martić* Trial Judgement)
- Prosecutor v. Martić*, Case No. IT-95-11-A, Judgement, 8 October 2008 (*Martić* Appeal Judgement)
- Prosecutor v. Milošević*, Case No. IT-02-54-T, Decision on Motion for Judgement of Acquittal, 16 June 2004 (*Milošević* Rule 98 *bis* Decision)
- Prosecutor v. Mpambara*, Case No. ICTR-01-65-T, Judgement, 11 September 2006 (*Mпамbara* Trial Judgement)
- Prosecutor v. Mrkšić, Radić, and Šljivančanin*, Case No. 95-13/1-T, Judgement, 27 September 2007 (*Mrkšić et al.* Trial Judgement)
- Prosecutor v. Mrkšić, Radić, and Šljivančanin*, Case No. IT-95-13-R61, Review of Indictment Pursuant to Rule 61 of the Rules of Procedure and Evidence, 3 April 1996 (*Mrkšić* Rule 61 Decision)
- Prosecutor v. Muhimana*, Case No. ICTR-95-1B-A, Judgement, 21 May 2007 (*Muhimana* Appeal Judgement)
- Prosecutor v. Musema*, Case No. ICTR-96-13-A, Judgement, 16 November 2001 (*Musema* Appeal Judgement)
- Prosecutor v. Muvunyi*, Case No. ICTR-2000-55A-T, Judgement, 12 September 2006 (*Muvunyi* Trial Judgement)

- Prosecutor v. Nahimana, Barayagwiza, and Ngeze*, Case No. ICTR-99-52-A, 28 November 2007 (*Nahimana et al.* Appeal Judgement)
- Prosecutor v. Naletilić and Martinović*, Case No. IT-98-34-T, Judgement, 31 March 2003 (*Naletilić* Trial Judgement)
- Prosecutor v. Naletilić and Martinović*, Case No. IT-98-34-A, Judgement, 3 May 2006 (*Naletilić* Appeal Judgement)
- Prosecutor v. Ndindabahizi*, Case No. ICTR-2001-71-I, Judgement, 15 July 2004 (*Ndindabahizi* Trial Judgement)
- Prosecutor v. Ndindabahizi*, Case No. ICTR-2001-71-A, Judgement, 16 January 2007 (*Ndindabahizi* Appeal Judgement)
- Prosecutor v. D. Nikolić*, Case No. IT-94-2-S, Sentencing Judgement, 18 December 2003 (*D. Nikolić* Sentencing Judgement)
- Prosecutor v. D. Nikolić*, Case No. IT-94-2-A, Judgement on Sentencing Appeal, 4 February 2005 (*D. Nikolić* Judgement on Sentencing Appeal)
- Prosecutor v. M. Nikolić*, Case No. IT-02-60/1-A, Judgement on Sentencing Appeal, 8 March 2006 (*M. Nikolić* Judgement on Sentencing Appeal)
- Prosecutor v. Ntagerura, Bagambiki, and Imanishimwe*, Case No. ICTR-99-46-A, Judgement, 7 July 2006 (*Ntagerura et al.* Appeal Judgement)
- Prosecutor v. Ntakirutimana and Ntakirutimana*, Cases Nos. ICTR-96-10-A & ICTR-96-17-A, Judgement, 13 December 2004 (*Ntakirutimana* Appeal Judgement)
- Prosecutor v. Obrenović*, Case No. IT-02-60-2, Sentencing Judgement, 10 December 2003 (*Obrenović* Sentencing Judgement)
- Prosecutor v. Orić*, Case No. IT-03-68-T, Judgement, 30 June 2006 (*Orić* Trial Judgement)
- Prosecutor v. Orić*, Case No. IT-03-68-A, Judgement, 3 July 2008 (*Orić* Appeal Judgement)
- Prosecutor v. Semanza*, Case No. ICTR-97-20-T, Judgement, 15 May 2003 (*Semanza* Trial Judgement)
- Prosecutor v. Semanza*, Case No. ICTR-97-20-A, Judgement, 20 May 2005 (*Semanza* Appeal Judgement)
- Prosecutor v. Šešelj*, Case No. IT-03-67-AR72.1, Decision on the Interlocutory Appeal Concerning Jurisdiction, 31 August 2004 (*Šešelj* Appeal Jurisdiction Decision)

- Prosecutor v. Sikirica, Dožen, and Kolundžija*, Case No. IT-95-8-S, Sentencing Judgement, 13 November 2001 (*Sikirica et al.* Sentencing Judgement)
- Prosecutor v. Simba*, Case No. ICTR-01-76-A, Judgement, 27 November 2007 (*Simba* Appeal Judgement)
- Prosecutor v. Simić, Tadić, and Zarić*, Case No. IT-95-9-T, Judgement, 17 October 2003 (*Simić et al.* Trial Judgement)
- Prosecutor v. Simić, Tadić, and Zarić*, Case No. IT-95-9-A, Judgement, 28 November 2006 (*Simić et al.* Appeal Judgement)
- Prosecutor v. Stakić*, Case No. IT-97-24-T, Judgement, 31 July 2003 (*Stakić* Trial Judgement)
- Prosecutor v. Stakić*, Case No. IT-97-24-A, Judgement, 22 March 2006 (*Stakić* Appeal Judgement)
- Prosecutor v. Strugar*, Case No. IT-01-42-T, Judgement, 31 January 2005 (*Strugar* Trial Judgement)
- Prosecutor v. Strugar*, Case No. IT-01-42-A, Judgement, 17 July 2008 (*Strugar* Appeal Judgement)
- Prosecutor v. Tadić*, Case No. IT-94-1-AR-72, Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction, 2 October 1995 (*Tadić* Jurisdiction Decision on Interlocutory Appeal)
- Prosecutor v. Tadić*, Case No. IT-94-1-T, Opinion and Judgement, 7 May 1997 (*Tadić* Trial Judgement)
- Prosecutor v. Tadić*, Case No. IT-94-1-A, Judgement, 15 July 1999 (*Tadić* Appeal Judgement)
- Prosecutor v. Tadić*, Case No. IT-94-1-A and IT-94-1-Abis, Judgement in Sentencing Appeals, 26 January 2000 (*Tadić* Judgement on Sentencing Appeal)
- Prosecutor v. Vasiljević*, Case No. IT-98-32-T, Judgement, 29 November 2002 (*Vasiljević* Trial Judgement)
- Prosecutor v. Vasiljević*, Case No. IT-98-32-A, Judgement, 25 February 2004 (*Vasiljević* Appeal Judgement)
- Prosecutor v. Zelenović*, Case No. IT-96-23/2-S, Sentencing Judgement, 4 April 2007 (*Zelenović* Sentencing Judgement)
- Prosecutor v. Zelenović*, Case No. IT-96-23/2-A, Judgement on Sentencing Appeal, 31 October 2007 (*Zelenović* Judgement on Sentencing Appeal)

### *Treaties and Commentaries*

Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of 12 August 1949, entry into force 21 October 1950 (First Geneva Convention)

Convention Relative to the Treatment of Prisoners of War of 12 August 1949, entry into force 21 October 1950 (Third Geneva Convention)

Geneva Convention relative to the Protection of Civilian Person in Time of War, entry into force 21 October 1950 (Fourth Geneva Convention)

Jean Pictet (ed.), *Commentary, Convention relative to the Protection of Civilian Persons in Time of War* (1952, 1<sup>st</sup> reprint 1995) (ICRC Commentary to Fourth Geneva Convention)

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts, 8 June 1977, entry into force 7 December 1978 (Additional Protocol I)

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts, 8 June 1977, entry into force 7 December 1978 (Additional Protocol II)

Jean Pictet (ed.), *Commentary, Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts* (1987) (ICRC Commentary to Additional Protocol II)

### III. ANNEX C – TABLE OF ACRONYMS

APC	Armoured personnel carrier
ARBR	Rocket Brigade Air Defence or Rocket Artillery Brigade
BCS	Bosnian/Croatian/Serbian
CDHRF	Council for the Defence of Human Rights and Freedoms
EU	European Union
FNU	First name unknown
FRY	Federal Republic of Yugoslavia
GŠ	General Staff of the VJ
ICMP	International Commission on Missing Persons
ICRC	International Committee of the Red Cross
IKM	Forward Command Post
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the Former Yugoslavia
JSO	Special Operations Unit of the MUP State Security Department
KiM	Kosovo and Metohija
KLA	Kosovo Liberation Army
LDK	Democratic League of Kosovo
MBR	Mechanised Brigade
MTBR	Motorised Brigade
MUP	Ministry of Interior
N GŠ or NGŠ	Chief of the General Staff
NŠ VK	Chief of the Supreme Command Staff
OC	Operations Centre
ODI	Operations Daily Report

ODT	Operations Duty Team
OKBR	Armoured Brigade
OMPF	Office of Missing Persons and Forensics
OPG	Operational Pursuit Group of the MUP
OSCE	Organisation for Security and Co-operation in Europe
OUP	Sectors of the Interior of the MUP
PBR	Infantry Brigade
PJP	Special Police Unit of the MUP
PrK	Priština Corps
PVO	Anti-Aircraft Defence
RDB or DB	State Security Department of the MUP
RJB	Public Security Department of the MUP
RPG	Rocket Propelled Grenades
RPO	Reserve Police Detachment
RV	Air Force
SAJ	Special Anti-Terrorist Units of the MUP
SDC	Supreme Defence Council
SMB	Olive-green-grey uniform used by the VJ
SMO	Federal Ministry of Defence
SOŠP	Section for Operations and Staff Affairs (VJ)
SPS	Socialist Party of Serbia
ŠTS	Šiptar Terrorist Forces
ŠVK	Supreme Command Staff
U.S.	United States of America
UÇK	Kosovo Liberation Army
UN	United Nations

UNHCR	United Nations High Commissioner for Refugees
UNMIK	United Nations Mission in Kosovo
VB	Military Security
VJ	Army of Yugoslavia
VK	Supreme Commander
VK-DA	Supreme Command
VMA	Military Medical Academy
VOD	Military Department
VOk	Military Sectors
VSO	Supreme Defence Council
VTOD	Military Territorial Detachment

#### IV. ANNEX D – LIST OF WITNESSES

##### Witnesses called by the Prosecution

Frederick	ABRAHAMS	Hysni	KRYEZIU
Branimir	ALEKSANDRIĆ	Sejdi	LAMI
Antonio	ALONSO	Rahim	LATIFI
Eric	BACCARD	Hazbi	LOKU
Nazlie	BALA	Dušan	LONČAR
Patrick	BALL	Liri	LOSHI
Jose Pablo	BARAYBAR	Joseph	MAISONNEUVE
Halit	BERISHA	Lizane	MALAJ
Shyrete	BERISHA	Mehmet	MAZREKAJ
Hysni	BERISHA	Adnan	MEROVCI
Helge	BRUNBORG	Sandra	MITCHELL
Bajram	BUCALIU	Klaus	NAUMANN
Shaun	BYRNES	Nike	PERAJ
Dren	CAKA	Zlatomir	PEŠIĆ
Richard	CIAGLINSKI	Wolfgang	PETRITSCH
Philip	COO	Michael	PHILLIPS
John	CROSLAND	Martin	PNISHI
Ljubinko	CVETIĆ	Sabri	POPAJ
Muharrem	DASHI	Božidar	PROTIĆ
Merita	DEDA	Boško	RADOJKOVIĆ
Lakić	ĐOROVIĆ	Isa	RAKA
Mustafa	DRAGA	Lutfi	RAMADANI
Karol John	DREWIENKIEWICZ	András	RIEDLMAYER
Dušan	DUNJIĆ	Xhevahire	RRAHMANI
Hadije	FAZLIU	Sadije	SADIKU
Hamide	FONDAJ	Reshit	SALIHI
William	FULTON	Abdullah	SALIHU
Shukri	GËRXHALIU	Qamil	SHABANI
Ali	GJOGAJ	Abdulhaqim	SHAQIRI
Časlav	GOLUBOVIĆ	John	STERENBERG
Aferdita	HAJRIZI	Goran	STOPARIĆ
Mahmut	HALIMI	Veton	SURROI
Fuat	HAXHIBEQIRI	John	SWEENEY
Baton	HAXHIU	Ratomir	TANIĆ
Ali	HOTI	Milazim	THAQI
Hani	HOXHA	Gordana	TOMAŠEVIĆ
Bedri	HYSENI	Aleksandar	VASILJEVIĆ
Agim	JEMINI	Luzlim	VEJSA
Emin	KABASHI	Fadil	VISHI
Sabit	KADRIU	Knut	VOLLEBAEK
Jan	KICKERT	Neill	WRIGHT
Ndrec	KONAJ	Fedrije	XHAFI
Florim	KRASNIQI	Edison	ZATRIQI
Mehmet	KRASNIQI	Isuf	ZHUNIQI
Rexhep	KRASNIQI	Shefqet	ZOGAJ



Bislim	ZYRAPI	K74
K63		K89
K62		K31
K73		K90
K83		K79
K25		K20
K24		K88
K84		K54
K72		K14
K81		K82
K86		K87
K58		

**Unavailable persons whose statements were tendered by the Prosecution and admitted pursuant to Rule 92 quater**

Halil	MORINA	Antonio	RUSSO
Ibrahim	RUGOVA	Sadik	JANUZI

**Witnesses called by Milan Milutinović**

Života	ĆOSIĆ	Ratko	MARKOVIĆ
Jovan	KOJIĆ	Goran	SVILANOVIĆ

**Witnesses called by Nikola Šainović**

Zoran	ANĐELKOVIĆ	Zoran	MIJATOVIĆ
Momir	BULATOVIĆ	Dragan	MILANOVIĆ
Živadin	JOVANOVIĆ	Andreja	MILOSAVLJEVIĆ
Milan	JOVANOVIĆ	Milomir	MINIĆ
Obrad	KESIĆ	Veljko	ODALOVIĆ
Duško	MATKOVIĆ		

**Witnesses called by Dragoljub Ojdanić**

Ljubomir	ANĐELKOVIĆ	Milivoje	NOVKOVIĆ
Rade	ČUČAK	Milorad	OBRADOVIĆ
Đorđe	ĆURČIN	Vidoje	PANTELIĆ
Neđo	DANILOVIĆ	Slobodan	PETKOVIĆ
Geza	FARKAŠ	Radovan	RADINOVIĆ
Branko	FEZER	Milan	RADOIČIĆ
Branko	GAJIĆ	Miodrag	SIMIĆ
Radomir	GOJOVIĆ	Spasoje	SMILJANIĆ
Staniša	IVKOVIĆ	Miloš	SPASOJEVIĆ
Negovan	JOVANOVIĆ	Đordije	STRUNJAŠ
Arsenije	KATANIĆ	Zlatoje	TERZIĆ
Slobodan	KOSOVAC	Milan	UZELAC
Branko	KRGA	Milovan	VLAJKOVIĆ
Spasoje	MUČIBABIĆ	Branko	ŽIGIĆ
Vlade	NONKOVIĆ		

**Witnesses called by Nebojša Pavković**

Velimir	OBRADOVIĆ	Miodrag	JANKOVIĆ
Mirko	STARČEVIĆ	Tomislav	MLADENOVIĆ
Stanimir	RADOSAVLJEVIĆ	Ljubiša	STOJIMIROVIĆ
Žarko	KOŠTIĆ		

**Witnesses called by Vladimir Lazarević**

Saša	ANTIĆ	Vladimir	MARINKOVIĆ
Đura	BLAGOJEVIĆ	Ivica	MILOSAVLJEVIĆ
Božidar	DELIĆ	Tomislav	MITIĆ
Ljubiša	DIKOVIĆ	Radomir	MLADENOVIĆ
Milutin	FILIPOVIĆ	Sergej	PEROVIĆ
Pavle	GAVRILOVIĆ	Aleksandar	PETKOVIĆ
Mihajlo	GERGAR	Ljubomir	SAVIĆ
Franjo Mate	GLONČAK	Novica	STAMENKOVIĆ
Krsman	JELIĆ	Radojko	STEFANOVIĆ
Goran	JEVTOVIĆ	Momir	STOJANOVIĆ
Milan	KOTUR	Zdravko	VINTAR
Vladimir	LAZAREVIĆ	Vlatko	VUKOVIĆ
Radomir	LUKIĆ	Dragan	ŽIVANOVIĆ
Miloš	MANDIĆ	SD1	
Dragiša	MARINKOVIĆ	SD3	

**Witnesses called by Sreten Lukić**

Duško	ADAMOVIĆ	Miroslav	MIJATOVIĆ
Miomir	BOGOSAVLJEVIĆ	Dragan	MILENKOVIĆ
Nenad	BOGUNOVIĆ	Radojica	NIKČEVIĆ
Petar	DAMJANAC	Nebojša	OGNJENOVIĆ
Branislav	DEBELJKOVIĆ	Sladčan	PANTIĆ
Miloš	DEREVIĆ	Momir	PANTIĆ
Petar	DUJKOVIĆ	Radovan	PAPONJAK
Shaban	FAZLIJI	Dragan	PAUNOVIĆ
Božidar	FILIĆ	Čedomir	ŠAKIĆ
Dragan	FURDULOVIĆ	Branislav	SIMONOVIĆ
Gvozden	GAGIĆ	Miloš	VOJNOVIĆ
Dušan	GAVRANIĆ	Radovan	VUČUREVIĆ
Vladimir	ILIĆ	Dragan	ŽIVALJEVIĆ
Ljubivoje	JOKSIĆ	Zoran	ŽIVKOVIĆ
Aleksandar	KOŠTIĆ	Radovan	ZLATKOVIĆ
Živko	LEKOSKI	6D1	
Danica	MARINKOVIĆ	6D2	
Milivoje	MIHAJLOVIĆ		

**Joint witnesses called by all the Accused**

Eric  
Branimir

FRUITS  
JOKIĆ

Zoran

STANKOVIĆ

**Joint witnesses called by Ojdanić and Lukić**

Živojin

ALEKSIC

Dušan

MLADENOVSKI

**Witnesses called by the Trial Chamber**

Milan

ĐAKOVIĆ

Aleksandar

DIMITRIJEVIĆ

**Unavailable persons whose statements were tendered by the Milutinović Defence and admitted pursuant to Rule 92 *quater***

Zoran

ĐINĐIĆ