



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
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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

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 1999.¹ 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 1999.²

(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".³ 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 1999.⁴

(3) Diona Caka (2, female)

4. Dren Caka testified that Diona Caka died at Lulzim Vejsa's house on 2 April 1999.⁵ 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 1999.⁶

(4) Valbona Caka (34, female)

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

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

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

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

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

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

⁶ 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 1999.⁷ 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 1999.⁸

(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.⁹ 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 1999.¹⁰

(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 1999.¹¹

(7) Egzon Haxhiavdija (5, male)

8. Dren Caka testified that Egzon Haxhiavdija was shot dead while at Lulzim Vejsa's house on 2 April 1999.¹² 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 1999.¹³

(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 1999.¹⁴

(9) Valbona Haxhiavdija (38, female)

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

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

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

⁹ Dren Caka, T. 2635 (31 August 2006).

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

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

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

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

¹⁴ 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 1999.¹⁵ 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 1999.¹⁶

(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 1999.¹⁷ 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 1999.¹⁸

(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 1999.¹⁹ 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 1999.²⁰

(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 1999.²¹ 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 1999.²²

(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 1999.²³

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

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

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

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

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

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

²¹ Dren Caka, T. 2644, 2661 (31 August 2006).

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

²³ 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 1999.²⁴ 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 1999.²⁵

(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 1999.²⁶

(16) Fetije Vejsa (60, female)

17. Dren Caka testified that Fetije Vejsa was shot dead while at Lulzim Vejsa's house on 2 April 1999.²⁷ 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 1999.²⁸

(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 1999.²⁹

(18) Rita Vejsa (2, female)

19. Dren Caka testified Rita Vejsa was killed while at Lulzim Vejsa's house on 2 April 1999.³⁰ 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 1999.³¹

(19) Sihana Vejsa (8, female)

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

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

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

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

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

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

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

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

³¹ 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 1999.³² 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 1999.³³

(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 1999.³⁴ 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 1999.³⁵

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 1999.³⁶ 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.³⁷

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

³² Dren Caka, T. 2641, 2661 (31 August 2006).

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

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

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

³⁶ 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.

³⁷ P2559 (Addendum to Expert Report), e-court p. 15.

were found in the soft tissue around the fracture”.³⁸ 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.³⁹ 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.⁴⁰

(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 1999.⁴¹ Remains that were given the label of Ba05–156T were identified through DNA testing as being those of Pashk (Gjon) Abazi.⁴² 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”.⁴³

(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 1999.⁴⁴ Remains that were given the label of Ba05–107T were identified through DNA testing as being those of Pjeter (Mark) Abazi.⁴⁵ 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”.⁴⁶ However, the Chamber notes that this autopsy report concluded that the skeletal remains of Ba05–107T are “those of a male,

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

³⁹ P2454 (OMPF Reports), e-court pp. 241–243.

⁴⁰ P2454 (OMPF Reports), e-court p. 243.

⁴¹ P2798 (OMPF list of missing persons).

⁴² P2559 (Addendum to Expert Report), e-court p. 15.

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

⁴⁴ P2798 (OMPF list of missing persons).

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

⁴⁶ 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).⁴⁷

(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 1999.⁴⁸ Remains that were given the label of 2Ba–80 were identified through DNA testing as being those of Bekim (Muharem) Ademaj.⁴⁹ 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.⁵⁰ 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,⁵¹ 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.⁵²

(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 1999.⁵³ Remains that were given the label of 2Ba–107 were identified through DNA testing as being those of Shemsi (Binak) Ademaj.⁵⁴ 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.⁵⁵

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

⁴⁸ P2798 (OMPF list of missing persons).

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

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

⁵¹ P944 (OMPF Reports), e-court pp. 120–122.

⁵² P943 (OMPF Reports), e-court p. 586.

⁵³ P2798 (OMPF list of missing persons).

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

⁵⁵ 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.⁵⁶

(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 1999.⁵⁷ Remains that were given the label of 2Ba-90 were identified through DNA testing as being those of Isuf (Avdyl) Ademi.⁵⁸ 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.⁵⁹ 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.⁶⁰

(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 1999.⁶¹ Remains that were given the label of 2Ba-188 were identified through DNA testing as being those of Mazllum (Bajram) Ademi.⁶² 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.⁶³ 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.⁶⁴ However, according to the anthropology summary report for Mazllum (Bajram) Ademi prepared by a forensic medical doctor

⁵⁶ P944 (OMPF Reports), e-court pp. 172–173.

⁵⁷ P2798 (OMPF list of missing persons).

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

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

⁶⁰ P944 (OMPF Reports), e-court pp. 141–143.

⁶¹ P2798 (OMPF list of missing persons).

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

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

⁶⁴ 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”.⁶⁵

(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 1999.⁶⁶ Remains that were given the label of 2Ba-17 were identified through DNA testing as being those of Liridon (Caush) Ahmetaj.⁶⁷ 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.⁶⁸ 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.⁶⁹

(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 1999.⁷⁰ Remains that were given the label of Ba05-076T were identified through DNA testing as being those of Ahmet (Mustafe) Ahmeti.⁷¹ 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.⁷² 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.⁷³

(10) Ahmet Ahmeti (65, male)

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

⁶⁵ P2394 (OMPF Reports), e-court pp. 27–28.

⁶⁶ P2798 (OMPF list of missing persons).

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

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

⁶⁹ P944 (OMPF Reports), e-court pp. 19–21.

⁷⁰ P2798 (OMPF list of missing persons).

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

⁷² 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 1999.⁷⁴ Remains that were given the label of 2Ba-148 were identified through DNA testing as being those of Ahmet (Ramadan) Ahmeti.⁷⁵ 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.⁷⁶ 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”.⁷⁷ 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.⁷⁸

(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 1999.⁷⁹ Remains that were given the label of 2Ba-61 were identified through DNA testing as being those of Blerim (Hysen) Ahmeti.⁸⁰ 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.⁸¹ 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,⁸² 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.⁸³

⁷³ P943 (OMPF Reports), e-court pp. 201–202.

⁷⁴ P2798 (OMPF list of missing persons).

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

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

⁷⁷ P2394 (OMPF Reports), e-court pp. 269–271.

⁷⁸ P2394 (OMPF Reports), e-court p. 271.

⁷⁹ P2798 (OMPF list of missing persons).

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

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

⁸² P943 (OMPF Reports), e-court pp. 191–192.

⁸³ 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 1999.⁸⁴ Remains that were given the label of 2Ba-176 were identified through DNA testing as being those of Hysen (Sadik) Ahmeti.⁸⁵ 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.⁸⁶ 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.⁸⁷

(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 1999.⁸⁸ 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 1999.⁸⁹ Remains that were given the label of 2Ba-22 were identified through DNA testing as being those of Adem (Haxhi) Aliaj.⁹⁰ 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.⁹¹ 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

⁸⁴ P2798 (OMPF list of missing persons).

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

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

⁸⁷ P944 (OMPF Reports), e-court pp. 290–291.

⁸⁸ P2798 (OMPF list of missing persons).

⁸⁹ P2798 (OMPF list of missing persons).

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

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

(to the head, trunk and limbs)”⁹² 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.⁹³

(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.⁹⁴ 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.⁹⁵

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.⁹⁶ 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.⁹⁷ This is confirmed by the anthropology summary report 2Ba–146 issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.⁹⁸

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.”⁹⁹ 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

⁹² P943 (OMPF Reports), e-court pp. 189–190.

⁹³ P943 (OMPF Reports), e-court pp. 548–549.

⁹⁴ 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).

⁹⁵ P2798 (OMPF list of missing persons).

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

⁹⁷ P2394 (OMPF Reports), e-court pp. 266–268.

⁹⁸ P2394 (OMPF Reports), e-court p. 268.

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

gunshot injuries”.¹⁰⁰ This is confirmed by the anthropology summary report 2Ba–152 issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.¹⁰¹ 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 1999.¹⁰² Remains that were given the label of 2Ba–37 were identified through DNA testing as being those of Ali (Mustafe) Aliaj.¹⁰³ 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.¹⁰⁴ 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.¹⁰⁵

(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 1999.¹⁰⁶ Remains that were given the label of 2Ba–222 were identified through DNA testing as being those of Sali (Rame) Aliaj.¹⁰⁷ 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

¹⁰⁰ P2394 (OMPF Reports), e-court pp. 272–275.

¹⁰¹ P2394 (OMPF Reports), e-court pp. 274–275.

¹⁰² P2798 (OMPF list of missing persons).

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

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

¹⁰⁵ P944 (OMPF Reports), e-court pp. 51–54.

¹⁰⁶ P2798 (OMPF list of missing persons).

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

instrument impact.¹⁰⁸ 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.¹⁰⁹

(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 1999.¹¹⁰ Remains that were given the label of 2Ba–44 were identified through DNA testing as being those of Zenun (Rame) Aliaj.¹¹¹ 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.¹¹² 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.¹¹³

(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 1999.¹¹⁴ Remains that were given the label of 2Ba–123 were identified through DNA testing as being those of Ymer (Xhemail) Avdullahu.¹¹⁵ 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

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

¹⁰⁹ P944 (OMPF Reports), e-court pp. 368–370.

¹¹⁰ P2798 (OMPF list of missing persons).

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

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

¹¹³ P944 (OMPF Reports), e-court pp. 64–67.

¹¹⁴ P2798 (OMPF list of missing persons).

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

region of the posterior side of the 2nd lumbar vertebra, at the level of the spinal canal”.¹¹⁶ 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”.¹¹⁷ 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.¹¹⁸

(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 1999.¹¹⁹ Remains that were given the label of Ba05–141T were identified through DNA testing as being those of Avdyl (Seld) Avdyli.¹²⁰ 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.¹²¹ 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.¹²²

(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 1999.¹²³ 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 1999.¹²⁴ Remains that were given the label of 2Ba–198 were identified through DNA testing as being those of Bajrush

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

¹¹⁷ P2454 (OMPF Reports), e-court pp. 28–29.

¹¹⁸ P2454 (OMPF Reports), e-court pp. 30.

¹¹⁹ P2798 (OMPF list of missing persons).

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

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

¹²² P943 (OMPF Reports), e-court pp. 193–194.

¹²³ P2798 (OMPF list of missing persons).

¹²⁴ P2798 (OMPF list of missing persons).

(Rizah) Avdyli.¹²⁵ 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.¹²⁶ 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.¹²⁷

(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 1999.¹²⁸ Remains that were given the label of 2Ba–205 were identified through DNA testing as being those of Hysen (Uke) Avdyli.¹²⁹ 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.¹³⁰ 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”.¹³¹ 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.¹³²

(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 1999.¹³³ However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

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

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

¹²⁷ P944 (OMPF Reports), e-court pp. 322–324.

¹²⁸ P2798 (OMPF list of missing persons).

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

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

¹³¹ P2454 (OMPF Reports), e-court pp. 61–62.

¹³² P2454 (OMPF Reports), e-court pp. 63–64.

¹³³ 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 1999.¹³⁴ Remains that were given the label of 2Ba–45 were identified through DNA testing as being those of Muhedin (Ali) Avdyli.¹³⁵ 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 5th 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.¹³⁶ 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”.¹³⁷ 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.¹³⁸

(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 1999.¹³⁹ 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 1999.¹⁴⁰ Remains that were given the label of 2Ba–126 were identified through DNA testing as being those of Lavdim (Xhafer) Bajraktari.¹⁴¹ 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”.

¹³⁴ P2798 (OMPF list of missing persons).

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

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

¹³⁷ P2454 (OMPF Reports), e-court pp. 4–5.

¹³⁸ P2454 (OMPF Reports), e-court p. 6.

¹³⁹ P2798 (OMPF list of missing persons).

¹⁴⁰ P2798 (OMPF list of missing persons).

¹⁴¹ 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”.¹⁴² 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”.¹⁴³ 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.¹⁴⁴

(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 1999.¹⁴⁵ Remains that were given the label of 2Ba–92 were identified through DNA testing as being those of Ali (Kadri) Bajrami.¹⁴⁶ 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.¹⁴⁷ 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).¹⁴⁸ 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 1999.¹⁴⁹ Remains that were given the label of 2Ba–160 were identified through DNA testing as being those of Shaban (Mehmet) Bajrami.¹⁵⁰ 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”.

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

¹⁴³ P2454 (OMPF Reports), e-court pp. 34–35.

¹⁴⁴ P2454 (OMPF Reports), e-court pp. 36.

¹⁴⁵ P2798 (OMPF list of missing persons).

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

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

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

¹⁴⁹ P2798 (OMPF list of missing persons).

¹⁵⁰ 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.¹⁵¹

(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 1999.¹⁵² Remains that were given the label of 2Ba–223 were identified through DNA testing as being those of Syle (Halil) Bajrami.¹⁵³ 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.¹⁵⁴ 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”.¹⁵⁵ 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.¹⁵⁶

(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 1999.¹⁵⁷ Remains that were given the label of 2Ba–128 were identified through DNA testing as being those of Xhafer (Hamza) Bajrami.¹⁵⁸ 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.¹⁵⁹ The death

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

¹⁵² P2798 (OMPF list of missing persons).

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

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

¹⁵⁵ P2454 (OMPF Reports), e-court pp. 69–70.

¹⁵⁶ P2454 (OMPF Reports), e-court p. 71.

¹⁵⁷ P2798 (OMPF list of missing persons).

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

¹⁵⁹ 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”.¹⁶⁰

(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 1999.¹⁶¹ Remains that were given the label of 2Ba–91 were identified through DNA testing as being those of Xhavit (Ali) Bajrami.¹⁶² 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.¹⁶³

(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 1999.¹⁶⁴ Remains that were given the label of Ba05–139T were identified through DNA testing as being those of Ali (Sali) Bala.¹⁶⁵ 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.¹⁶⁶ 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.¹⁶⁷

(35) Bajram Bala (46, male)

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

¹⁶⁰ P944 (OMPF Reports), e-court pp. 209–212.

¹⁶¹ P2798 (OMPF list of missing persons).

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

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

¹⁶⁴ P2798 (OMPF list of missing persons).

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

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

¹⁶⁷ P944 (OMPF Reports), e-court pp. 476–478.

Bala: Ba05–146T and Ba05–144DT.¹⁶⁸ This victim is listed as missing in the OMPF list of missing persons in Kosovo, last seen in Meja on 27 April 1999.¹⁶⁹ 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.¹⁷⁰ 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.¹⁷¹ 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.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 1999.¹⁷³ 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.¹⁷⁴ 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”.¹⁷⁵ 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.¹⁷⁶ 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.¹⁷⁷ This victim is listed as missing in the

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

¹⁶⁹ P2798 (OMPF list of missing persons).

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

¹⁷¹ P2394 (OMPF Reports), e-court pp. 197–200.

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

¹⁷³ P2798 (OMPF list of missing persons).

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

¹⁷⁵ P2454 (OMPF Reports), e-court pp. 268–269.

¹⁷⁶ P2454 (OMPF Reports), e-court p. 270.

¹⁷⁷ 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 1999.¹⁷⁸ 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 1999.¹⁷⁹ Remains that were given the label of 2Ba–48 were identified through DNA testing as being those of Ragip (Zenun) Baliu.¹⁸⁰ 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.¹⁸¹ 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,¹⁸² 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.¹⁸³

(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 1999.¹⁸⁴ Remains that were given the label of 2Ba–36 were identified through DNA testing as being those of Demush (Selim) Bardheci.¹⁸⁵ 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.¹⁸⁶ The death certificate issued by the Department of Justice,

¹⁷⁸ P2798 (OMPF list of missing persons).

¹⁷⁹ P2798 (OMPF list of missing persons).

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

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

¹⁸² P943 (OMPF Reports), e-court pp. 203–204.

¹⁸³ P943 (OMPF Reports), e-court pp. 498–499.

¹⁸⁴ P2798 (OMPF list of missing persons).

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

¹⁸⁶ 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.¹⁸⁷

(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 1999.¹⁸⁸ Remains that were given the label of 2Ba–40 were identified through DNA testing as being those of Idriz (Dine) Bardheci.¹⁸⁹ 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.¹⁹⁰ 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.¹⁹¹ 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.¹⁹²

(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 1999.¹⁹³ Remains that were given the label of 2Ba–238 were identified through DNA testing as being those of Haki (Dervish) Batusha.¹⁹⁴ 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.¹⁹⁵ 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

¹⁸⁷ P944 (OMPF Reports), e-court pp. 48–50.

¹⁸⁸ P2798 (OMPF list of missing persons).

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

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

¹⁹¹ P2394 (OMPF Reports), e-court pp. 249–251.

¹⁹² P2394 (OMPF Reports), e-court p. 251.

¹⁹³ P2798 (OMPF list of missing persons).

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

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

the chest (two shots)".¹⁹⁶ 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.¹⁹⁷

(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 1999.¹⁹⁸ Remains that were given the label of 2Ba-125 were identified through DNA testing as being those of Armend (Muhamet) Beqaj.¹⁹⁹ 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".²⁰⁰ 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".²⁰¹ 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.²⁰²

(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 1999.²⁰³ Remains that were given the label of 2Ba-163 were identified through DNA testing as being those of Bajram (Brahim) Beqaj.²⁰⁴ 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".²⁰⁵ This is confirmed by the anthropology summary report for Bajram (Brahim) Beqaj issued by the Office for Missing Persons and Forensics,

¹⁹⁶ P2454 (OMPF Reports), e-court pp. 75-76.

¹⁹⁷ P2454 (OMPF Reports), e-court p. 77.

¹⁹⁸ P2798 (OMPF list of missing persons).

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

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

²⁰¹ P2454 (OMPF Reports), e-court pp. 31-32.

²⁰² P2454 (OMPF Reports), e-court p. 33.

²⁰³ P2798 (OMPF list of missing persons).

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

²⁰⁵ P2394 (OMPF Reports), e-court pp. 180-181.

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

(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 1999.²⁰⁷ Remains that were given the label of 2Ba-34 were identified through DNA testing as being those of Bedri (Brahim) Beqaj.²⁰⁸ 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”.²⁰⁹ 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”.²¹⁰ 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.²¹¹

(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 1999.²¹² Remains that were given the label of 2Ba-161 were identified through DNA testing as being those of Brahim (Sylejman) Beqaj.²¹³ 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.²¹⁴ The death certificate issued by the Department of Justice, Office of the Medical

²⁰⁶ P2394 (OMPF Reports), e-court pp. 182–183.

²⁰⁷ P2798 (OMPF list of missing persons).

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

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

²¹⁰ P2454 (OMPF Reports), e-court pp. 1–2.

²¹¹ P2454 (OMPF Reports), e-court p. 3.

²¹² P2798 (OMPF list of missing persons).

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

²¹⁴ 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”.²¹⁵

(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 1999.²¹⁶ Remains that were given the label of 2Ba–38 were identified through DNA testing as being those of Dritan (Ymer) Beqaj.²¹⁷ 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.²¹⁸ 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.²¹⁹

(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 1999.²²⁰ Remains that were given the label of 2Ba–159 were identified through DNA testing as being those of Emin (Beqe) Beqaj.²²¹ 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.²²² The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Emin (Beqë) Beqaj is unascertained.²²³ This is

²¹⁵ P944 (OMPF Reports), e-court pp. 260–263.

²¹⁶ P2798 (OMPF list of missing persons).

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

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

²¹⁹ P943 (OMPF Reports), e-court pp. 207–208.

²²⁰ P2798 (OMPF list of missing persons).

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

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

²²³ 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.²²⁴

(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 1999.²²⁵ Remains that were given the label of 2Ba–43 were identified through DNA testing as being those of Kujtim (Tafe) Beqaj.²²⁶ 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.²²⁷ 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.²²⁸

(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 1999.²²⁹ 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–6.²³⁰ 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 1999.²³¹ 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)

²²⁴ P2454 (OMPF Reports), e-court p. 48.

²²⁵ P2798 (OMPF list of missing persons).

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

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

²²⁸ P944 (OMPF Reports), e-court pp. 61–63.

²²⁹ P2798 (OMPF list of missing persons).

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

²³¹ 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.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 1999.²³³ 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 1999.²³⁴ Remains that were given the label of 2Ba–79 were identified through DNA testing as being those of Rasim (Brahim) Beqaj.²³⁵ 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.²³⁶ 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.²³⁷

(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 1999.²³⁸ Remains that were given the label of 2Ba–42 were identified through DNA testing as being those of Tafe (Shaban) Beqaj.²³⁹ 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.²⁴⁰ The death certificate issued by the Department of Justice, Office of

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

²³³ P2798 (OMPF list of missing persons).

²³⁴ P2798 (OMPF list of missing persons).

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

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

²³⁷ P944 (OMPF Reports), e-court pp. 116–119.

²³⁸ P2798 (OMPF list of missing persons).

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

²⁴⁰ 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.²⁴¹

(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 1999.²⁴² Remains that were given the label of 2Ba-192 were identified through DNA testing as being those of Ymer (Brahim) Beqaj.²⁴³ 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.²⁴⁴ 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.²⁴⁵

(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 1999.²⁴⁶ Remains that were given the label of 2Ba-05 were identified through DNA testing as being those of Albert (Tahir) Beqiraj.²⁴⁷ 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 4th 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.²⁴⁸

(56) Arsim Beqiraj (16, male)

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

²⁴¹ P944 (OMPF Reports), e-court pp. 58–60.

²⁴² P2798 (OMPF list of missing persons).

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

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

²⁴⁵ P944 (OMPF Reports), e-court pp. 311–313.

²⁴⁶ P2798 (OMPF list of missing persons).

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

²⁴⁸ 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 1999.²⁴⁹ Remains that were given the label of 2Ba–118 were identified through DNA testing as being those of Arsim (Musa) Beqiraj.²⁵⁰ 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.²⁵¹ 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”.²⁵² 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”.²⁵³

(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 1999.²⁵⁴ Remains that were given the label of 2Ba–120 were identified through DNA testing as being those of Syle (Haxhi) Beqiraj.²⁵⁵ 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 7th thoracic vertebra, to the left of the spine”.²⁵⁶ 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]”.²⁵⁷

(58) Tahir Beqiraj (58, male)

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

²⁴⁹ P2798 (OMPF list of missing persons).

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

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

²⁵² P944 (OMPF Reports), e-court pp. 193–196.

²⁵³ P943 (OMPF Reports), e-court p. 578.

²⁵⁴ P2798 (OMPF list of missing persons).

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

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

²⁵⁷ 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 1999.²⁵⁸ Remains that were given the label of 2Ba-154 were identified through DNA testing as being those of Tahir (Haxhi) Beqiraj.²⁵⁹ 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”.²⁶⁰ 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”.²⁶¹

(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.²⁶² 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 1999.²⁶³ Remains that were given the label of 2Ba-162 were identified through DNA testing as being those of Halil (Uke) Berisha.²⁶⁴ 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.²⁶⁵ 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

²⁵⁸ P2798 (OMPF list of missing persons).

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

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

²⁶¹ P944 (OMPF Reports), e-court pp. 253–255.

²⁶² P2798 (OMPF list of missing persons).

²⁶³ P2798 (OMPF list of missing persons).

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

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

lumbar spina”.²⁶⁶ 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.²⁶⁷

(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 1999.²⁶⁸ Remains that were given the label of Ba05–149T were identified through DNA testing as being those of Avni (Adem) Binaku.²⁶⁹ 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.²⁷⁰ 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.²⁷¹ 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.²⁷²

(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.²⁷³ This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.²⁷⁴ 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.²⁷⁵ 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

²⁶⁶ P943 (OMPF Reports), e-court pp. 205–206.

²⁶⁷ P943 (OMPF Reports), e-court p. 526.

²⁶⁸ P2798 (OMPF list of missing persons).

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

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

²⁷¹ P2454 (OMPF Reports), e-court pp. 277–278.

²⁷² P2454 (OMPF Reports), e-court pp. 279–280.

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

²⁷⁴ P2798 (OMPF list of missing persons).

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

the victims went missing.²⁷⁶ 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.²⁷⁷ 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 1999.²⁷⁸ Remains that were given the label of 2Ba–111 were identified through DNA testing as being those of Ismet (Ali) Bobi.²⁷⁹ 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.²⁸⁰ 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”.²⁸¹ 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.²⁸²

(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 1999.²⁸³ Remains that were given the label of 2Ba–231 were identified through DNA testing as being those of Fiqrih (Baron) Cuni.²⁸⁴ 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

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

²⁷⁷ P2798 (OMPF list of missing persons).

²⁷⁸ P2798 (OMPF list of missing persons).

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

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

²⁸¹ P2394 (OMPF Reports), e-court pp. 15–16.

²⁸² P2394 (OMPF Reports), e-court p. 17–18.

²⁸³ 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.²⁸⁵

(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 1999.²⁸⁶ Remains that were given the label of 2Ba–254 were identified through DNA testing as being those of Muharrem (Ali) Cuni.²⁸⁷ 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.²⁸⁸ The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Muharrem (Ali) Cuni is a result of a “gunshot wound to the head”.²⁸⁹

(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 1999.²⁹⁰ Remains that were given the label of 2Ba–233 were identified through DNA testing as being those of Sutki (Muharrem) Cuni.²⁹¹ 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.²⁹² The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Sutki (Muharrem) Cuni is a result of a “gunshot wound to the chest”.²⁹³

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

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

²⁸⁶ P2798 (OMPF list of missing persons).

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

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

²⁸⁹ P944 (OMPF Reports), e-court pp. 412–414.

²⁹⁰ P2798 (OMPF list of missing persons).

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

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

²⁹³ 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 1999.²⁹⁴ 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 1999.²⁹⁵ 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.²⁹⁶

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 1999.²⁹⁷ Remains that were given the label of Ba05-83T were identified through DNA testing as being those of Linton (Pashk) Dedaj.²⁹⁸ 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.²⁹⁹ 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.³⁰⁰

(71) Mark Deda (47, male)

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

²⁹⁴ P2798 (OMPF list of missing persons).

²⁹⁵ P2798 (OMPF list of missing persons).

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

²⁹⁷ P2798 (OMPF list of missing persons).

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

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

³⁰⁰ 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.³⁰¹

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 1999.³⁰² Remains that were given the label of Ba05-129T were identified through DNA testing as being those of Mark (Uke) Dedaj.³⁰³ In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, notes that there were multiple fractures.³⁰⁴ 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.³⁰⁵

(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 1999.³⁰⁶ 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, Serbia³⁰⁷

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 1999.³⁰⁸ Remains that

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

³⁰² P2798 (OMPF list of missing persons).

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

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

³⁰⁵ P944 (OMPF Reports), e-court pp. 472-475.

³⁰⁶ P2798 (OMPF list of missing persons).

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

³⁰⁸ 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.³⁰⁹ 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.³¹⁰ 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”.³¹¹ 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.³¹²

(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 1999.³¹³ Remains that were given the label of Ba05–328T were identified through DNA testing as being those of Frrok (Nike) Dedaj.³¹⁴ 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”.³¹⁵ 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.³¹⁶

(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 1999.³¹⁷ Remains that were given the label of Ba05–324T were identified through DNA testing as being those of Gjon (Uke) Dedaj.³¹⁸ 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

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

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

³¹¹ P2394 (OMPF Reports), e-court pp. 207–210.

³¹² P2394 (OMPF Reports), e-court pp. 224–227.

³¹³ P2798 (OMPF list of missing persons).

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

³¹⁵ P2394 (OMPF Reports), e-court pp. 211–212.

³¹⁶ P2394 (OMPF Reports), e-court pp. 213–214.

³¹⁷ P2798 (OMPF list of missing persons).

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

report notes that there were multiple fractures, as well as signs of fire.³¹⁹ 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”.³²⁰ 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.³²¹

(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 1999.³²² Remains that were given the label of Ba05–334T were identified through DNA testing as being those of Mikel (Nike) Dedaj.³²³ 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.³²⁴ 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”.³²⁵ 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.³²⁶

(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 1999.³²⁷ Remains that were given the label of Ba05–16T were identified through DNA testing as being those of Pjeter (Uke) Dedaj.³²⁸ 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

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

³²⁰ P943 (OMPF Reports), e-court pp. 233–234.

³²¹ P943 (OMPF Reports), e-court p. 465.

³²² P2798 (OMPF list of missing persons).

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

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

³²⁵ P2454 (OMPF Reports), e-court pp. 113–114.

³²⁶ P2454 (OMPF Reports), e-court p. 115.

³²⁷ P2798 (OMPF list of missing persons).

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

humerus.³²⁹ 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”.³³⁰

(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 1999.³³¹ Remains that were given the label of 2Ba–06 were identified through DNA testing as being those of Deli (Miftar) Delija.³³² 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.³³³ 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.”³³⁴

(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 1999.³³⁵ Remains that were given the label of 2Ba–31 were identified through DNA testing as being those of Ali (Isuf) Demaj.³³⁶ 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 5th lumbar vertebra bordering on the sacrum”.³³⁷ The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of

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

³³⁰ P943 (OMPF Reports), e-court pp. 414–415.

³³¹ P2798 (OMPF list of missing persons)

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

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

³³⁴ P2394 (OMPF Reports), e-court pp. 1–4.

³³⁵ P2798 (OMPF list of missing persons).

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

³³⁷ 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”.³³⁸ This is confirmed by the anthropology summary report Ali (Isuf) Demaj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.³³⁹

(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 1999.³⁴⁰ Remains that were given the label of 2Ba–62 were identified through DNA testing as being those of Agron (Tom) Duzhmani.³⁴¹ 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.³⁴² 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”.³⁴³

(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.³⁴⁴ 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 1999.³⁴⁵ Noting Jose Baraybar’s evidence concerning the preparation of the OMPF list,³⁴⁶ 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,³⁴⁷ the Chamber is satisfied that sets of remains are those of the victims for whom they are designated in the OMPF list.

³³⁸ P943 (OMPF Reports), e-court pp. 249–250.

³³⁹ P943 (OMPF Reports), e-court p. 497.

³⁴⁰ P2798 (OMPF list of missing persons).

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

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

³⁴³ P944 (OMPF Reports), e-court pp. 91–93.

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

³⁴⁵ P2798 (OMPF list of missing persons).

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

³⁴⁷ 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 12th right rib” and the fractures to the left ribs could have been part of a single bullet wound.³⁴⁸ 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”.³⁴⁹ This is confirmed by the anthropology summary report Gostin Duzhmani issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.³⁵⁰

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.”³⁵¹ 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)”.³⁵² This is confirmed by the anthropology summary report Frane (Mark) Duzhmani issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.³⁵³

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.³⁵⁴ 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

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

³⁴⁹ P2394 (OMPF Reports), e-court pp. 279–280.

³⁵⁰ P2394 (OMPF Reports), e-court pp. 281–282.

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

³⁵² P2394 (OMPF Reports), e-court pp. 294–295.

³⁵³ P2394 (OMPF Reports), e-court pp. 296–297.

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

head”.³⁵⁵ 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.³⁵⁶

(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.³⁵⁷ 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 1999.³⁵⁸ Noting Jose Baraybar’s evidence concerning the preparation of the OMPF list,³⁵⁹ 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,³⁶⁰ 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 8th rib on the left side”.³⁶¹ 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”.³⁶² 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”.³⁶³

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.

³⁵⁵ P2394 (OMPF Reports), e-court pp. 290–291.

³⁵⁶ P2394 (OMPF Reports), e-court pp. 292–293

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

³⁵⁸ P2798 (OMPF list of missing persons).

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

³⁶⁰ P2798 (OMPF list of missing persons).

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

³⁶² P944 (OMPF Reports), e-court pp. 325–328.

³⁶³ 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”.³⁶⁴ 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”.³⁶⁵

(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.³⁶⁶ 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 1999.³⁶⁷ Noting Jose Baraybar’s evidence concerning the preparation of the OMPF list,³⁶⁸ 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,³⁶⁹ 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 12th thoracic and 1st lumbar vertebrae”, and “in the middle section of the right coxa”.³⁷⁰ The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of

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

³⁶⁵ P944 (OMPF Reports), e-court pp. 350–353.

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

³⁶⁷ P2798 (OMPF list of missing persons).

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

³⁶⁹ P2798 (OMPF list of missing persons).

³⁷⁰ 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”.³⁷¹ This is confirmed by the anthropology summary report for Pashk Duzhmani issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.³⁷²

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.³⁷³ 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”.³⁷⁴ This is confirmed by the anthropology summary report for Marjan Duzhmain issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.³⁷⁵

(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 1999.³⁷⁶ Remains that were given the label of 2Ba–82 were identified through DNA testing as being those of Pal (Kole) Duzhmani.³⁷⁷ 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.³⁷⁸ The death certificate issued by the Department of

³⁷¹ P944 (OMPF Reports), e-court pp. 286–289.

³⁷² P943 (OMPF Reports), e-court p. 567.

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

³⁷⁴ P2394 (OMPF Reports), e-court pp. 191–192.

³⁷⁵ P2394 (OMPF Reports), e-court p. 193.

³⁷⁶ P2798 (OMPF list of missing persons).

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

³⁷⁸ 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”.³⁷⁹

(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 1999.³⁸⁰ Remains that were given the label of 2Ba–167 were identified through DNA testing as being those of Male (Bajram) Fazlija.³⁸¹ 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”.³⁸² 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”.³⁸³

(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 1999.³⁸⁴ 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 1999.³⁸⁵ Remains that were given the label of 2Ba–64 were identified through DNA testing as being those of Haxhi

³⁷⁹ P944 (OMPF Reports), e-court pp. 126–128.

³⁸⁰ P2798 (OMPF list of missing persons).

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

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

³⁸³ P944 (OMPF Reports), e-court pp. 267–269.

³⁸⁴ P2798 (OMPF list of missing persons).

³⁸⁵ P2798 (OMPF list of missing persons).

(Avdulla) Fetaj.³⁸⁶ 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”.³⁸⁷ 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.³⁸⁸

(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 1999.³⁸⁹ 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 1999.³⁹⁰ Remains that were given the label of 2Ba–235 were identified through DNA testing as being those of Robert/Lulzim (Zef) Gashi.³⁹¹ 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.³⁹² 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”.³⁹³ 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.³⁹⁴

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

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

³⁸⁸ P944 (OMPF Reports), e-court pp. 94–96.

³⁸⁹ P2798 (OMPF list of missing persons).

³⁹⁰ P2798 (OMPF list of missing persons).

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

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

³⁹³ P2394 (OMPF Reports), e-court pp. 23–30.

³⁹⁴ 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 1999.³⁹⁵ Remains that were given the label of 2Ba–246 were identified through DNA testing as being those of Ibrahim (Muharem) Gaxherri.³⁹⁶ 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.³⁹⁷ 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”.³⁹⁸ 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.³⁹⁹

(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 1999.⁴⁰⁰ 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 1999.⁴⁰¹ Remains that were given the label of 2Ba–187 were identified through DNA testing as being those of Xhafer (Adem) Gaxherri.⁴⁰² 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

³⁹⁵ P2798 (OMPF list of missing persons).

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

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

³⁹⁸ P2394 (OMPF Reports), e-court pp. 187–188.

³⁹⁹ P2394 (OMPF Reports), e-court pp. 189–190.

⁴⁰⁰ P2798 (OMPF list of missing persons).

⁴⁰¹ P2798 (OMPF list of missing persons).

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

ulna, pelvic bone, and legs, as well as signs of blunt instrument impact.⁴⁰³ 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”.⁴⁰⁴

(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 1999.⁴⁰⁵ Remains that were given the label of 2Ba–84 were identified through DNA testing as being those of Deme (Ali) Gjocaj.⁴⁰⁶ 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.⁴⁰⁷ 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.⁴⁰⁸

(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 1999.⁴⁰⁹ Remains that were given the label of 2Ba–100 were identified through DNA testing as being those of Ardijan (Ibrahim) Gjokaj.⁴¹⁰ 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”.⁴¹¹ 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”.⁴¹² This is confirmed by the anthropology summary report

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

⁴⁰⁴ P944 (OMPF Reports), e-court pp. 308–310.

⁴⁰⁵ P2798 (OMPF list of missing persons).

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

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

⁴⁰⁸ P944 (OMPF Reports), e-court pp. 132–134.

⁴⁰⁹ P2798 (OMPF list of missing persons).

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

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

⁴¹² 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.⁴¹³

(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 1999.⁴¹⁴ Remains that were given the label of 2Ba–26 were identified through DNA testing as being those of Asllan (Brahim) Golaj.⁴¹⁵ 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.⁴¹⁶ 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”.⁴¹⁷ 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)”.⁴¹⁸

(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 1999.⁴¹⁹ Remains that were given the label of 2Ba–208 were identified through DNA testing as being those of Avdi (Murat) Golaj.⁴²⁰ 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.⁴²¹ The death certificate issued by the Department of Justice, Office of

⁴¹³ P943 (OMPF Reports), e-court p. 592.

⁴¹⁴ P2798 (OMPF list of missing persons).

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

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

⁴¹⁷ P944 (OMPF Reports), e-court pp. 34–37.

⁴¹⁸ P943 (OMPF Reports), e-court p. 496.

⁴¹⁹ P2798 (OMPF list of missing persons).

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

⁴²¹ 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”.⁴²² 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.⁴²³

(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 1999.⁴²⁴ Remains that were given the label of 2Ba-77 were identified through DNA testing as being those of Idriz (Mehmet) Golaj.⁴²⁵ 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 5th lumbar vertebra L5”.⁴²⁶ 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”.⁴²⁷ 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”.⁴²⁸

(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 1999.⁴²⁹ Remains that were given the label of 2Ba-09 were identified through DNA testing as being those of Muse (Rexhe) Gola.⁴³⁰ 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,

⁴²² P943 (OMPF Reports), e-court pp. 77–78.

⁴²³ P943 (OMPF Reports), e-court p. 511.

⁴²⁴ P2798 (OMPF list of missing persons).

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

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

⁴²⁷ P944 (OMPF Reports), e-court pp. 110–112.

⁴²⁸ P943 (OMPF Reports), e-court p. 582.

⁴²⁹ P2798 (OMPF list of missing persons).

⁴³⁰ 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”.⁴³¹ 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”.⁴³²

(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 1999.⁴³³ Remains that were given the label of 2Ba–56 were identified through DNA testing as being those of Rame (Mehmet) Golaj.⁴³⁴ 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.⁴³⁵ 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”.⁴³⁶ 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.⁴³⁷

(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 1999.⁴³⁸ Remains that were given the label of 2Ba–13 were identified through DNA testing as being those of Rexhe (Mehmet) Golaj.⁴³⁹ 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

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

⁴³² P944 (OMPF Reports), e-court pp. 10–12.

⁴³³ P2798 (OMPF list of missing persons).

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

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

⁴³⁶ P2394 (OMPF Reports), e-court pp. 176–177.

⁴³⁷ P2394 (OMPF Reports), e-court pp. 178–179.

⁴³⁸ P2798 (OMPF list of missing persons).

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

the 11th thoracic vertebra”.⁴⁴⁰ 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”.⁴⁴¹ 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.⁴⁴²

(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–K1–2.⁴⁴³ This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.⁴⁴⁴ 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 1999.⁴⁴⁵ Remains that were given the label of 2Ba–190 were identified through DNA testing as being those of Faik (Sadik) Hajredini.⁴⁴⁶ 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.⁴⁴⁷ 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”.⁴⁴⁸ This is

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

⁴⁴¹ P943 (OMPF Reports), e-court pp. 75–76.

⁴⁴² P943 (OMPF Reports), e-court p. 502.

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

⁴⁴⁴ P2798 (OMPF list of missing persons).

⁴⁴⁵ P2798 (OMPF list of missing persons).

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

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

⁴⁴⁸ 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.⁴⁴⁹

(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 1999.⁴⁵⁰ Remains that were given the label of 2Ba-114 were identified through DNA testing as being those of Isni (Ymer) Hajredini.⁴⁵¹ 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.⁴⁵² 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”.⁴⁵³

(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 1999.⁴⁵⁴ Remains that were given the label of 2Ba-158 were identified through DNA testing as being those of Qamil (Haxir) Hajredini.⁴⁵⁵ 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.⁴⁵⁶ 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”.⁴⁵⁷ This is confirmed by the

⁴⁴⁹ P943 (OMPF Reports), e-court pp. 540–541.

⁴⁵⁰ P2798 (OMPF list of missing persons).

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

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

⁴⁵³ P944 (OMPF Reports), e-court pp. 183–185.

⁴⁵⁴ P2798 (OMPF list of missing persons).

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

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

⁴⁵⁷ 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.⁴⁵⁸

(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 1999.⁴⁵⁹ 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 1999.⁴⁶⁰ Remains that were given the label of 2Ba–206 were identified through DNA testing as being those of Gjon (Palush) Hasanaj.⁴⁶¹ 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.⁴⁶² 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.⁴⁶³

(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 1999.⁴⁶⁴ Remains that were given the label of 2Ba–170 were identified through DNA testing as being those of Luan (Shyt) Hasanaj.⁴⁶⁵ 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.

⁴⁵⁸ P943 (OMPF Reports), e-court p. 538–539.

⁴⁵⁹ P2798 (OMPF list of missing persons).

⁴⁶⁰ P2798 (OMPF list of missing persons).

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

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

⁴⁶³ P944 (OMPF Reports), e-court pp. 329–331.

⁴⁶⁴ P2798 (OMPF list of missing persons).

⁴⁶⁵ 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”.⁴⁶⁶ 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”.⁴⁶⁷

(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 1999.⁴⁶⁸ 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 1999.⁴⁶⁹ 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 1999.⁴⁷⁰ Remains that were given the label of 2Ba–221 were identified through DNA testing as being those of Shyt (Gjon) Hasanaj.⁴⁷¹ 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”.⁴⁷² 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”.⁴⁷³ This is confirmed by the anthropology summary report for Shyt (Gjon) Hasanaj issued by the Office for

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

⁴⁶⁷ P944 (OMPF Reports), e-court pp. 274–276.

⁴⁶⁸ P2798 (OMPF list of missing persons).

⁴⁶⁹ P2798 (OMPF list of missing persons).

⁴⁷⁰ P2798 (OMPF list of missing persons).

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

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

⁴⁷³ 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”.⁴⁷⁴

(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 1999.⁴⁷⁵ Remains that were given the label of 2Ba–211 were identified through DNA testing as being those of Mentor (Sadri) Haxhaj.⁴⁷⁶ 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.⁴⁷⁷ 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”.⁴⁷⁸

(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 1999.⁴⁷⁹ 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 1999.⁴⁸⁰ Remains that were given the label of 2Ba–196 were identified through DNA testing as being those of Avdi (Jashar) Haxhija.⁴⁸¹ 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

⁴⁷⁴ P943 (OMPF Reports), e-court p. 575.

⁴⁷⁵ P2798 (OMPF list of missing persons).

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

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

⁴⁷⁸ P944 (OMPF Reports), e-court pp. 340–343.

⁴⁷⁹ P2798 (OMPF list of missing persons).

⁴⁸⁰ P2798 (OMPF list of missing persons).

⁴⁸¹ 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 3rd and 4th lumbar vertebrae.”⁴⁸²

(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 1999.⁴⁸³ Remains that were given the label of 2Ba–04 were identified through DNA testing as being those of Florim (Isuf) Haxhija.⁴⁸⁴ 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.⁴⁸⁵ 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”.⁴⁸⁶ 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.⁴⁸⁷

(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 1999.⁴⁸⁸ Remains that were given the label of 2Ba–20 were identified through DNA testing as being those of Tahir (Alush) Haxhiu.⁴⁸⁹ 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”.⁴⁹⁰ The death

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

⁴⁸³ P2798 (OMPF list of missing persons).

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

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

⁴⁸⁶ P944 (OMPF Reports), e-court pp. 4–6.

⁴⁸⁷ P943 (OMPF Reports), e-court p. 590.

⁴⁸⁸ P2798 (OMPF list of missing persons).

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

⁴⁹⁰ 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”.⁴⁹¹

(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.⁴⁹² 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 1999.⁴⁹³ Noting Jose Baraybar’s evidence concerning the preparation of the OMPF list,⁴⁹⁴ 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,⁴⁹⁵ 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.⁴⁹⁶ 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”.⁴⁹⁷ 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.⁴⁹⁸

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.⁴⁹⁹ 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.⁵⁰⁰

⁴⁹¹ P944 (OMPF Reports), e-court pp. 25–27.

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

⁴⁹³ P2798 (OMPF list of missing persons).

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

⁴⁹⁵ P2798 (OMPF list of missing persons).

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

⁴⁹⁷ P2454 (OMPF Reports), e-court pp. 58–59.

⁴⁹⁸ P2454 (OMPF Reports), e-court p. 60.

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

⁵⁰⁰ 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.⁵⁰¹

(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 1999.⁵⁰² Remains that were given the label of 2Ba-256 were identified through DNA testing as being those of Bajram (Zenun) Hoxha.⁵⁰³ 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.⁵⁰⁴ 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”.⁵⁰⁵ 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.⁵⁰⁶

(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 1999.⁵⁰⁷ 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 1999.⁵⁰⁸ Remains that

⁵⁰¹ P2454 (OMPF Reports), e-court p. 45.

⁵⁰² P2798 (OMPF list of missing persons).

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

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

⁵⁰⁵ P2454 (OMPF Reports), e-court pp. 78–79.

⁵⁰⁶ P2454 (OMPF Reports), e-court p. 80.

⁵⁰⁷ P2798 (OMPF list of missing persons).

⁵⁰⁸ 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.⁵⁰⁹ 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.⁵¹⁰ 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”.⁵¹¹ 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.⁵¹²

(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.⁵¹³ 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 1999.⁵¹⁴ It identifies 2BA–105 as Naim (Hysni) Hoxha; therefore, 2BA–S–5 must be Hajrullah Hoxha.⁵¹⁵ Noting Jose Baraybar’s evidence concerning the preparation of the OMPF list,⁵¹⁶ 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 4th, 5th, 6th and 7th thoracic vertebrae on the left side”.⁵¹⁷ 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”.⁵¹⁸ This is

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

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

⁵¹¹ P944 (OMPF Reports), e-court pp. 169–171.

⁵¹² P943 (OMPF Reports), e-court p. 577.

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

⁵¹⁴ P2798 (OMPF list of missing persons).

⁵¹⁵ P2798 (OMPF list of missing persons).

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

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

⁵¹⁸ 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.⁵¹⁹

(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 1999.⁵²⁰ Remains that were given the label of 2Ba-74 were identified through DNA testing as being those of Ramiz (Shaban) Hoxha.⁵²¹ 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.⁵²² 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”.⁵²³ 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.⁵²⁴

(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 1999.⁵²⁵ Remains that were given the label of 2Ba-98 were identified through DNA testing as being those of Rifat (Ilaz) Hoxha.⁵²⁶ 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

⁵¹⁹ P2394 (OMPF Reports), e-court pp. 13–14.

⁵²⁰ P2798 (OMPF list of missing persons).

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

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

⁵²³ P2454 (OMPF Reports), e-court pp. 16–17.

⁵²⁴ P2454 (OMPF Reports), e-court p. 18.

⁵²⁵ P2798 (OMPF list of missing persons).

⁵²⁶ 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.⁵²⁷ 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”.⁵²⁸ 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.⁵²⁹

(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 1999.⁵³⁰ 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 1999.⁵³¹ Remains that were given the label of 2Ba–108 were identified through DNA testing as being those of Binak (Rame) Hyseni.⁵³² 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”.⁵³³ 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”.⁵³⁴ 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.⁵³⁵

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

⁵²⁸ P944 (OMPF Reports), e-court pp. 156–158.

⁵²⁹ P943 (OMPF Reports), e-court p. 580.

⁵³⁰ P2798 (OMPF list of missing persons).

⁵³¹ P2798 (OMPF list of missing persons).

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

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

⁵³⁴ P943 (OMPF Reports), e-court pp. 97–98.

⁵³⁵ 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 1999.⁵³⁶ 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 1999.⁵³⁷ Remains that were given the label of 2Ba-117 were identified through DNA testing as being those of Isni (Qazim) Ibrahimaj.⁵³⁸ 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”.⁵³⁹ 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”.⁵⁴⁰

(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 1999.⁵⁴¹ Remains that were given the label of 2Ba-104 were identified through DNA testing as being those of Masar (Smajl) Idrizi.⁵⁴² 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

⁵³⁶ P2798 (OMPF list of missing persons).

⁵³⁷ P2798 (OMPF list of missing persons).

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

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

⁵⁴⁰ P944 (OMPF Reports), e-court pp. 189–192.

⁵⁴¹ P2798 (OMPF list of missing persons).

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

temperature.⁵⁴³ 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”.⁵⁴⁴ 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.⁵⁴⁵

(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 1999.⁵⁴⁶ Remains that were given the label of 2Ba–249 were identified through DNA testing as being those of Deme (Ali) Islamaj.⁵⁴⁷ 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.⁵⁴⁸ 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.⁵⁴⁹

(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.⁵⁵⁰ 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 1999.⁵⁵¹ It also identifies 2Ba–226 as Bajram (Beke) Isufi, and records his case as closed with the remains having been returned to their families.⁵⁵² 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

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

⁵⁴⁴ P2454 (OMPF Reports), e-court pp. 25–26.

⁵⁴⁵ P2454 (OMPF Reports), e-court p. 27.

⁵⁴⁶ P2798 (OMPF list of missing persons).

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

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

⁵⁴⁹ P944 (OMPF Reports), e-court pp. 427–429.

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

⁵⁵¹ P2798 (OMPF list of missing persons).

⁵⁵² 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.⁵⁵³

(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 1999.⁵⁵⁴ 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.⁵⁵⁵ 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 2nd lumbar vertebra”.⁵⁵⁶ 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.⁵⁵⁷ Noting Jose Baraybar’s evidence concerning the preparation of the OMPF list,⁵⁵⁸ 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.⁵⁵⁹

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 1999.⁵⁶⁰ Remains that

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

⁵⁵⁴ P2798 (OMPF list of missing persons).

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

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

⁵⁵⁷ P2798 (OMPF list of missing persons).

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

⁵⁵⁹ 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).

⁵⁶⁰ 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.⁵⁶¹

(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 2005.⁵⁶²

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 1999.⁵⁶³ The Chamber notes that two different labels were given to the victim named Arben (Sokol) Kabashi: Ba05–010DT and Ba05–006T.⁵⁶⁴ 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.⁵⁶⁵ 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.⁵⁶⁶ 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.”⁵⁶⁷

⁵⁶¹ P2559 (Addendum to Expert Report), e-court p. 35 (under seal).

⁵⁶² 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).

⁵⁶³ P2798 (OMPF list of missing persons).

⁵⁶⁴ P2559 (Addendum to Expert Report), e-court p. 35 (under seal).

⁵⁶⁵ P2394 (OMPF Reports), e-court pp. 37–38.

⁵⁶⁶ P2394 (OMPF Reports), e-court p. 39.

⁵⁶⁷ 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 1999.⁵⁶⁸ Remains that were given the label of Ba05–109T were identified through DNA testing as being those of Nikoll (Zefe) Kabashi.⁵⁶⁹ 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.⁵⁷⁰

(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 1999.⁵⁷¹ 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 1999.⁵⁷² 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 1999.⁵⁷³ Remains that were given the label of Ba05–277T were identified through DNA testing as being those of Besim (Bajram) Kameri.⁵⁷⁴

(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 1999.⁵⁷⁵ Remains that

⁵⁶⁸ P2798 (OMPF list of missing persons).

⁵⁶⁹ P2559 (Addendum to Expert Report), e-court p. 35 (under seal).

⁵⁷⁰ P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 18–24.

⁵⁷¹ P2798 (OMPF list of missing persons).

⁵⁷² P2798 (OMPF list of missing persons).

⁵⁷³ P2798 (OMPF list of missing persons).

⁵⁷⁴ P2559 (Addendum to Expert Report), e-court p. 36 (under seal).

⁵⁷⁵ 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.⁵⁷⁶ 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.⁵⁷⁷

(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 1999.⁵⁷⁸ Remains that were given the label of 2Ba–234 were identified through DNA testing as being those of Muharrem (Male) Kamberi.⁵⁷⁹ 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”.⁵⁸⁰ 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”.⁵⁸¹ 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.⁵⁸²

(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 1999.⁵⁸³ Remains that were given the label of 2Ba–207 were identified through DNA testing as being those of Rrustem (Sadri) Kameri.⁵⁸⁴ 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

⁵⁷⁶ P2559 (Addendum to Expert Report), e-court p. 36 (under seal).

⁵⁷⁷ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1062–1065.

⁵⁷⁸ P2798 (OMPF list of missing persons).

⁵⁷⁹ P2559 (Addendum to Expert Report), e-court p. 35 (under seal).

⁵⁸⁰ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1283–1285.

⁵⁸¹ P943 (OMPF Reports), e-court pp. 3–4.

⁵⁸² P943 (OMPF Reports), e-court pp. 522–523.

⁵⁸³ P2798 (OMPF list of missing persons).

⁵⁸⁴ 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.⁵⁸⁵ 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.⁵⁸⁶

(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 1999.⁵⁸⁷ Remains that were given the label of 2Ba-130 were identified through DNA testing as being those of Shpend (Male) Kameri.⁵⁸⁸ 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.⁵⁸⁹

(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 1999.⁵⁹⁰ Remains that were given the label of 2Ba-01 were identified through DNA testing as being those of Nikolle (Gjoke) Komani.⁵⁹¹ 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”.⁵⁹² The death certificate issued by the Department of Justice, Office of the Medical

⁵⁸⁵ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1126–1129.

⁵⁸⁶ P944 (OMPF Reports), e-court pp. 332–334.

⁵⁸⁷ P2798 (OMPF list of missing persons).

⁵⁸⁸ P2559 (Addendum to Expert Report), e-court p. 36 (under seal).

⁵⁸⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 715–723.

⁵⁹⁰ P2798 (OMPF list of missing persons).

⁵⁹¹ P2559 (Addendum to Expert Report), e-court p. 36 (under seal).

⁵⁹² 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”.⁵⁹³ 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.⁵⁹⁴

(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 1999.⁵⁹⁵ Remains that were given the label of 2Ba–134 were identified through DNA testing as being those of Fran (Prenk) Komani.⁵⁹⁶ 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”.⁵⁹⁷ 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.⁵⁹⁸ 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.⁵⁹⁹

(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 1999.⁶⁰⁰ Remains that were given the label of 2Ba–93 were identified through DNA testing as being those of Pashk (Prenk) Komani.⁶⁰¹ 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

⁵⁹³ P2394 (OMPF Reports), e-court pp. 241–242.

⁵⁹⁴ P2394 (OMPF Reports), e-court pp. 243–244.

⁵⁹⁵ P2798 (OMPF list of missing persons).

⁵⁹⁶ P2559 (Addendum to Expert Report), e-court p. 36 (under seal).

⁵⁹⁷ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 742–747.

⁵⁹⁸ P2454 (OMPF Reports), e-court pp. 40–41.

⁵⁹⁹ P2454 (OMPF Reports), e-court p. 42.

⁶⁰⁰ P2798 (OMPF list of missing persons).

⁶⁰¹ P2559 (Addendum to Expert Report), e-court p. 36 (under seal).

high temperature.⁶⁰² 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”.⁶⁰³ 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.⁶⁰⁴

(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 1999.⁶⁰⁵ Remains that were given the label of Ba05–119T were identified through DNA testing as being those of Mikel (Ndue) Kqira.⁶⁰⁶ 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.⁶⁰⁷ 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”.⁶⁰⁸ 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.⁶⁰⁹

(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 1999.⁶¹⁰ Remains that were given the label of Ba05–09T were identified through DNA testing as being those of Pashke (Dede) Kqira.⁶¹¹ 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.⁶¹² The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of

⁶⁰² P942 (Documents related to the exhumation site Batajnica 02: Autopsy: Autopsy reports), e-court pp. 507–512.

⁶⁰³ P2394 (OMPF Reports), e-court pp. 8–9.

⁶⁰⁴ P2394 (OMPF Reports), e-court p. 10.

⁶⁰⁵ P2798 (OMPF list of missing persons).

⁶⁰⁶ P2559 (Addendum to Expert Report), e-court p. 37 (under seal).

⁶⁰⁷ P2414 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 8–15.

⁶⁰⁸ P2454 (OMPF Reports), e-court pp. 271–272.

⁶⁰⁹ P2454 (OMPF Reports), e-court p. 273.

⁶¹⁰ P2798 (OMPF list of missing persons).

⁶¹¹ 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”.⁶¹³ 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”.⁶¹⁴

(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.⁶¹⁵ This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.⁶¹⁶ It also identifies Ba05–239T as Luz (Mark) Kqira, and records his case as closed with the remains having been returned to his family.⁶¹⁷ 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.⁶¹⁸ 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”.⁶¹⁹ 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.⁶²⁰ 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 1999.⁶²¹ Remains that were given the label of 2Ba–129 were identified through DNA testing as being those of Albert (Ndrec) Krasniqi.⁶²² 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

⁶¹² P2415 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1–9.

⁶¹³ P2454 (OMPF Reports), e-court pp. 229–230.

⁶¹⁴ P2454 (OMPF Reports), e-court p. 231.

⁶¹⁵ P2559 (Addendum to Expert Report), e-court p. 37 (under seal).

⁶¹⁶ P2798 (OMPF list of missing persons).

⁶¹⁷ P2798 (OMPF list of missing persons).

⁶¹⁸ P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 25–33.

⁶¹⁹ P2454 (OMPF Reports), e-court pp. 306–307.

⁶²⁰ P2454 (OMPF Reports), e-court pp. 308–309.

⁶²¹ 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.⁶²³ 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”.⁶²⁴

(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.⁶²⁵ 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.⁶²⁶

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”.⁶²⁷ 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”.⁶²⁸

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 1999.⁶²⁹ Remains that were given the label of 2Ba–224 were identified through DNA testing as being those of Marko (Hil)

⁶²² P2559 (Addendum to Expert Report), e-court p. 37 (under seal).

⁶²³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 710–714.

⁶²⁴ P944 (OMPF Reports), e-court pp. 213–215.

⁶²⁵ P2559 (Addendum to Expert Report), e-court p. 37 (under seal).

⁶²⁶ P2798 (OMPF list of missing persons).

⁶²⁷ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 934–938.

⁶²⁸ P944 (OMPF Reports), e-court pp. 277–279.

⁶²⁹ P2798 (OMPF list of missing persons).

Krasniqi.⁶³⁰ 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”.⁶³¹ 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”.⁶³²

(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 1999.⁶³³ Remains that were given the label of 2Ba–241 were identified through DNA testing as being those of Ndue (Bibe) Krasniqi.⁶³⁴ 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 3rd rib”.⁶³⁵ 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”.⁶³⁶

(157) Pjeter Krasniqi (33, male)

200. See analysis number 154 above.

⁶³⁰ P2559 (Addendum to Expert Report), e-court p. 37 (under seal).

⁶³¹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1216-1219.

⁶³² P944 (OMPF Reports), e-court pp. 371–373.

⁶³³ P2798 (OMPF list of missing persons).

⁶³⁴ P2559 (Addendum to Expert Report), e-court p. 37 (under seal).

⁶³⁵ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1331–1335.

⁶³⁶ 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 1999.⁶³⁷ Remains that were given the label of 2Ba–110 were identified through DNA testing as being those of Hasan (Ibrahim) Kuqi.⁶³⁸ 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.⁶³⁹ 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”.⁶⁴⁰

(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 1999.⁶⁴¹ Remains that were given the label of 2Ba–52 were identified through DNA testing as being those of Shpend (Avdyl) Kuqi.⁶⁴² 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.⁶⁴³ 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”.⁶⁴⁴ 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.⁶⁴⁵

⁶³⁷ P2798 (OMPF list of missing persons).

⁶³⁸ P2559 (Addendum to Expert Report), e-court p. 38 (under seal).

⁶³⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 597–600.

⁶⁴⁰ P944 (OMPF Reports), e-court pp. 180–182.

⁶⁴¹ P2798 (OMPF list of missing persons).

⁶⁴² P2559 (Addendum to Expert Report), e-court p. 38 (under seal).

⁶⁴³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 304–306.

⁶⁴⁴ P2454 (OMPF Reports), e-court pp. 10–11.

⁶⁴⁵ 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 1999.⁶⁴⁶ Remains that were given the label of 2Ba-96 were identified through DNA testing as being those of Elmi (Rexhep) Kurpali.⁶⁴⁷ 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 10th rib on the mid-scapular line on the posterior right side of the thorax”.⁶⁴⁸ 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”.⁶⁴⁹ 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.⁶⁵⁰

(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 1999.⁶⁵¹ Remains that were given the label of 2Ba-51 were identified through DNA testing as being those of Haki (Muhamet) Kurtaj.⁶⁵² 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 10th and 11th thoracic vertebrae “suggest that they may have been caused by a projectile”.⁶⁵³ 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”.⁶⁵⁴ This is confirmed by the

⁶⁴⁶ P2798 (OMPF list of missing persons).

⁶⁴⁷ P2559 (Addendum to Expert Report), e-court p. 38 (under seal).

⁶⁴⁸ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 527–531.

⁶⁴⁹ P944 (OMPF Reports), e-court pp. 150–152.

⁶⁵⁰ P943 (OMPF Reports), e-court p. 583.

⁶⁵¹ P2798 (OMPF list of missing persons).

⁶⁵² P2559 (Addendum to Expert Report), e-court p. 38 (under seal).

⁶⁵³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 300–303.

⁶⁵⁴ 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.⁶⁵⁵

(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 1999.⁶⁵⁶ Remains that were given the label of 2Ba-184 were identified through DNA testing as being those of Isa (Osman) Kurtaj.⁶⁵⁷ 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 6th cervical vertebra”.⁶⁵⁸ 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”.⁶⁵⁹ 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.⁶⁶⁰

(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 1999.⁶⁶¹ Remains that were given the label of 2Ba-S-7 were identified through DNA testing as being those of Muhamet (Osman) Kurtaj.⁶⁶²

(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 1999.⁶⁶³ Remains that were given the label of 2Ba-76 were identified through DNA testing as being those of Sami (Qazim)

⁶⁵⁵ P2454 (OMPF Reports), e-court p. 9.

⁶⁵⁶ P2798 (OMPF list of missing persons).

⁶⁵⁷ P2559 (Addendum to Expert Report), e-court p. 38 (under seal).

⁶⁵⁸ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1005–1009.

⁶⁵⁹ P944 (OMPF Reports), e-court pp. 300–303.

⁶⁶⁰ P943 (OMPF Reports), e-court p. 568.

⁶⁶¹ P2798 (OMPF list of missing persons).

⁶⁶² P2559 (Addendum to Expert Report), e-court p. 38 (under seal).

Kurtaj.⁶⁶⁴ 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.⁶⁶⁵ 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”.⁶⁶⁶ 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.⁶⁶⁷

(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 1999.⁶⁶⁸ 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 1999.⁶⁶⁹ Remains that were given the label of Ba05–263T were identified through DNA testing as being those of Klaudia (Kole) Mala.⁶⁷⁰ 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.⁶⁷¹

(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 1999.⁶⁷² Remains that

⁶⁶³ P2798 (OMPF list of missing persons).

⁶⁶⁴ P2559 (Addendum to Expert Report), e-court p. 38 (under seal).

⁶⁶⁵ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 428–431.

⁶⁶⁶ P2394 (OMPF Reports), e-court pp. 5–6.

⁶⁶⁷ P2394 (OMPF Reports), e-court p. 7.

⁶⁶⁸ P2798 (OMPF list of missing persons).

⁶⁶⁹ P2798 (OMPF list of missing persons).

⁶⁷⁰ P2559 (Addendum to Expert Report), e-court p. 39 (under seal).

⁶⁷¹ P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 80–90.

⁶⁷² 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.⁶⁷³ 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.⁶⁷⁴

(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 1999.⁶⁷⁵ Remains that were given the label of Ba05–310T were identified through DNA testing as being those of Monika (Zef) Mala.⁶⁷⁶ 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.⁶⁷⁷ 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.⁶⁷⁸

(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.⁶⁷⁹ 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.”⁶⁸⁰

⁶⁷³ P2559 (Addendum to Expert Report), e-court p. 39 (under seal).

⁶⁷⁴ P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 74–79.

⁶⁷⁵ P2798 (OMPF list of missing persons).

⁶⁷⁶ P2559 (Addendum to Expert Report), e-court p. 39 (under seal).

⁶⁷⁷ P2602 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 16–23.

⁶⁷⁸ P944 (OMPF Reports), e-court pp. 511–513.

⁶⁷⁹ 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)

⁶⁸⁰ 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 1999.⁶⁸¹ Remains that were given the label of Ba05–77T were identified through DNA testing as being those of Blerim (Vate) Malaj.⁶⁸² 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.⁶⁸³ 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 “[g]unshot injury to the head”⁶⁸⁴

(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 2004.⁶⁸⁵

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 1999.⁶⁸⁶ Remains that were given the label of Ba05–73T were identified through DNA testing as being those of Vate (Mark) Malaj.⁶⁸⁷ 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.⁶⁸⁸ 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”.⁶⁸⁹ This is

⁶⁸¹ P2798 (OMPF list of missing persons).

⁶⁸² P2559 (Addendum to Expert Report), e-court p. 39 (under seal).

⁶⁸³ P2415 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 75–83.

⁶⁸⁴ P943 (OMPF Reports), e-court p. 452.

⁶⁸⁵ 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).

⁶⁸⁶ P2798 (OMPF list of missing persons).

⁶⁸⁷ P2559 (Addendum to Expert Report), e-court p. 39 (under seal).

⁶⁸⁸ P2415 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 59–66.

⁶⁸⁹ 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.⁶⁹⁰

(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 1999.⁶⁹¹ 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 1999.⁶⁹² Remains that were given the label of 2Ba-69 were identified through DNA testing as being those of Blerim (Asllan) Maloku.⁶⁹³ 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.⁶⁹⁴ 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”.⁶⁹⁵ 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.⁶⁹⁶

(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 1999.⁶⁹⁷ Remains that were given the label of 2Ba-217 were identified through DNA testing as being those of Burim (Ibrahim) Maloku.⁶⁹⁸ 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

⁶⁹⁰ P943 (OMPF Reports), e-court p. 416.

⁶⁹¹ P2798 (OMPF list of missing persons).

⁶⁹² P2798 (OMPF list of missing persons).

⁶⁹³ P2559 (Addendum to Expert Report), e-court p. 39 (under seal).

⁶⁹⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 395–398.

⁶⁹⁵ P943 (OMPF Reports), e-court pp. 45–46.

⁶⁹⁶ P943 (OMPF Reports), e-court p. 506.

⁶⁹⁷ 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.⁶⁹⁹ 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.⁷⁰⁰

(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 1999.⁷⁰¹ Remains that were given the label of 2Ba–115 were identified through DNA testing as being those of Petrit (Hajdar) Maluku.⁷⁰² 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.⁷⁰³ 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.⁷⁰⁴ 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.⁷⁰⁵

(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 1999.⁷⁰⁶ Remains that were given the label of 2Ba–81 were identified through DNA testing as being those of Ymer (Hazer) Maluku.⁷⁰⁷ 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

⁶⁹⁸ P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

⁶⁹⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1178–1181.

⁷⁰⁰ P944 (OMPF Reports), e-court pp. 354–357.

⁷⁰¹ P2798 (OMPF list of missing persons).

⁷⁰² P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

⁷⁰³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 627–631.

⁷⁰⁴ P944 (OMPF Reports), e-court pp. 186–188.

⁷⁰⁵ P943 (OMPF Reports), e-court p. 584.

⁷⁰⁶ P2798 (OMPF list of missing persons).

⁷⁰⁷ 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.⁷⁰⁸ The death certificate issued by the Department of Justice, Office of the Medical Examiner, also establishes that the cause of death of Ymer (Hazer) Maluku is unascertained.⁷⁰⁹

(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 1999.⁷¹⁰ Remains that were given the label of 2Ba-137 were identified through DNA testing as being those of Besim (Muhamet) Malushaj.⁷¹¹ 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.⁷¹² 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.⁷¹³ 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.⁷¹⁴

(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 1999.⁷¹⁵ 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 1999.⁷¹⁶ Remains that were given the label of 2Ba-145 were identified through DNA testing as being those of Shefki

⁷⁰⁸ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 450–454.

⁷⁰⁹ P944 (OMPF Reports), e-court pp. 123–125.

⁷¹⁰ P2798 (OMPF list of missing persons).

⁷¹¹ P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

⁷¹² P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 766–769.

⁷¹³ P943 (OMPF Reports), e-court pp. 43–44.

⁷¹⁴ P943 (OMPF Reports), e-court p. 513.

⁷¹⁵ P2798 (OMPF list of missing persons).

⁷¹⁶ P2798 (OMPF list of missing persons).

(Mustafe) Mulashaj.⁷¹⁷ 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 4th thoracic vertebra” and a defect was found “on the right scapula that could have occurred where a projectile went through the bone”.⁷¹⁸ 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”.⁷¹⁹ 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.⁷²⁰

(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.⁷²¹

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 1999.⁷²² Remains that were given the label of Ba05–260T were identified through DNA testing as being those of Bekim (Mark) Markaj.⁷²³ 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.”⁷²⁴ 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

⁷¹⁷ P2559 (Addendum to Expert Report), e-court p. 44 (under seal).

⁷¹⁸ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 801–807.

⁷¹⁹ P2394 (OMPF Reports), e-court pp. 19–20.

⁷²⁰ P2394 (OMPF Reports), e-court p. 21.

⁷²¹ Merita Deda, P2233 (witness statement dated 8 April 2000), p. 3.

⁷²² P2798 (OMPF list of missing persons).

⁷²³ P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

⁷²⁴ P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 64–73.

to the chest and right thigh”.⁷²⁵ 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.⁷²⁶

(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.⁷²⁷

227. The Chamber notes that two different labels were given to the victim named Mark (Zef) Markaj: Ba05–280DT and Ba05–247T.⁷²⁸ This victim is listed as missing in the OMPF list of missing 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.⁷²⁹ 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.⁷³⁰ 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.⁷³¹ 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.⁷³² 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

⁷²⁵ P943 (OMPF Reports), e-court pp. 37–38.

⁷²⁶ P943 (OMPF Reports), e-court p. 413.

⁷²⁷ Merita Deda, P2233 (witness statement dated 8 April 2000), p. 3.

⁷²⁸ P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

⁷²⁹ P2798 (OMPF list of missing persons).

⁷³⁰ P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 43–49.

⁷³¹ P943 (OMPF Reports), e-court pp. 41–42.

⁷³² P943 (OMPF Reports), e-court p. 484.

that the victim was part of a group of people last seen in Meja on 27 April 1999.⁷³³ Remains that were given the label of 2Ba–245 were identified through DNA testing as being those of Dede (Zefe) Markaj.⁷³⁴ 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”.⁷³⁵ 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”.⁷³⁶

(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 1999.⁷³⁷ Remains that were given the label of Ba05–35T were identified through DNA testing as being those of Gezime (Sokol) Marku.⁷³⁸ 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”.⁷³⁹

(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 1999.⁷⁴⁰ Remains that were given the label of 2Ba–242 were identified through DNA testing as being those of Xhevalin (Dede) Markaj.⁷⁴¹ In the autopsy report prepared by the Institute of Forensic Medicine of the

⁷³³ P2798 (OMPF list of missing persons).

⁷³⁴ P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

⁷³⁵ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1353–1358.

⁷³⁶ P944 (OMPF Reports), e-court pp. 402–404.

⁷³⁷ P2798 (OMPF list of missing persons).

⁷³⁸ P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

⁷³⁹ P2415 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 34–44.

⁷⁴⁰ P2798 (OMPF list of missing persons).

⁷⁴¹ 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 3rd rib”.⁷⁴² 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”.⁷⁴³

(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.⁷⁴⁴ 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 1999.⁷⁴⁵ Remains that were given the label of 2Ba–212 were identified through DNA testing as being those of Milan (Dede) Markaj.⁷⁴⁶ 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”.⁷⁴⁷ 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”.⁷⁴⁸

⁷⁴² P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1336–1339.

⁷⁴³ P944 (OMPF Reports), e-court pp. 393–395.

⁷⁴⁴ P2798 (OMPF list of missing persons).

⁷⁴⁵ P2798 (OMPF list of missing persons).

⁷⁴⁶ P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

⁷⁴⁷ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1152–1156.

⁷⁴⁸ 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.⁷⁴⁹

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 1999.⁷⁵⁰ Remains that were given the label of Ba05–200T were identified through DNA testing as being those of Pashuk (Pren) Markaj.⁷⁵¹ 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.⁷⁵² 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”.⁷⁵³ 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”.⁷⁵⁴

(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.⁷⁵⁵

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 1999.⁷⁵⁶ Remains that

⁷⁴⁹ Merita Deda, P2233 (witness statement dated 8 April 2000), p. 3.

⁷⁵⁰ P2798 (OMPF list of missing persons).

⁷⁵¹ P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

⁷⁵² P2414 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 73–79.

⁷⁵³ P2394 (OMPF Reports), e-court pp. 201–203.

⁷⁵⁴ P943 (OMPF Reports), e-court p. 578.

⁷⁵⁵ Merita Deda, P2233 (witness statement dated 8 April 2000), p. 3.

⁷⁵⁶ 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.⁷⁵⁷ 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.⁷⁵⁸ 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”.⁷⁵⁹ 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.⁷⁶⁰

(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.⁷⁶¹

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 1999.⁷⁶² Remains that were given the label of Ba05–255T were identified through DNA testing as being those of Pren (Zef) Markaj.⁷⁶³ 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.⁷⁶⁴

(189) Sokol Markaj (63, male)

239. The Chamber notes that two different labels were given to the victim named Sokol (Zef)

⁷⁵⁷ P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

⁷⁵⁸ P2602 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 24–36.

⁷⁵⁹ P2394 (OMPF Reports), e-court pp. 68–69.

⁷⁶⁰ P2394 (OMPF Reports), e-court p. 70.

⁷⁶¹ Merita Deda, P2233 (witness statement dated 8 April 2000), p. 3.

⁷⁶² P2798 (OMPF list of missing persons).

⁷⁶³ P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

⁷⁶⁴ P2416 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 56–63.

Markaj: Ba05–223DT and Ba05–134T.⁷⁶⁵ This victim is listed as missing in the OMPF list of missing 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.⁷⁶⁶ 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”.⁷⁶⁷ This is confirmed by the anthropology summary report Ba05–134T issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.⁷⁶⁸ 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.⁷⁶⁹ This victim is listed as missing in the OMPF list of missing 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.⁷⁷⁰ 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 “9th thoracic vertebra was caused by a projectile fired from a hand-held firearm”.⁷⁷¹ 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”.⁷⁷² 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.⁷⁷³

⁷⁶⁵ P2559 (Addendum to Expert Report), e-court p. 40 (under seal).

⁷⁶⁶ P2798 (OMPF list of missing persons).

⁷⁶⁷ P2394 (OMPF Reports), e-court pp. 194–195.

⁷⁶⁸ P2394 (OMPF Reports), e-court p. 196.

⁷⁶⁹ P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

⁷⁷⁰ P2798 (OMPF list of missing persons).

⁷⁷¹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 64–68.

⁷⁷² P2394 (OMPF Reports), e-court pp. 168–169.

⁷⁷³ 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.⁷⁷⁴ This victim is listed as missing in the OMPF list of missing 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.⁷⁷⁵ 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.⁷⁷⁶ 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)”.⁷⁷⁷ 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.⁷⁷⁸

(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 1999.⁷⁷⁹ Remains that were given the label of 2Ba–78 were identified through DNA testing as being those of Gani (Elez) Mehmeti.⁷⁸⁰ 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.”⁷⁸¹ The death certificate issued by the Department of Justice, Office of the

⁷⁷⁴ P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

⁷⁷⁵ P2798 (OMPF list of missing persons).

⁷⁷⁶ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 204–211.

⁷⁷⁷ P2394 (OMPF Reports), e-court pp. 172–173.

⁷⁷⁸ P2394 (OMPF Reports), e-court pp. 174–175.

⁷⁷⁹ P2798 (OMPF list of missing persons).

⁷⁸⁰ P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

⁷⁸¹ 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”.⁷⁸²

(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 1999.⁷⁸³ Remains that were given the label of 2Ba–72 were identified through DNA testing as being those of Hysen (Mehmet) Mehmeti.⁷⁸⁴ 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.⁷⁸⁵ 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”.⁷⁸⁶ 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.⁷⁸⁷

(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 1999.⁷⁸⁸ Remains that were given the label of 2Ba–135 were identified through DNA testing as being those of Hysni (Ali) Mehmeti.⁷⁸⁹ 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”.⁷⁹⁰ 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

⁷⁸² P944 (OMPF Reports), e-court pp. 113–115 .

⁷⁸³ P2798 (OMPF list of missing persons).

⁷⁸⁴ P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

⁷⁸⁵ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 407–410.

⁷⁸⁶ P944 (OMPF Reports), e-court pp. 101–103.

⁷⁸⁷ P943 (OMPF Reports), e-court p. 593.

⁷⁸⁸ P2798 (OMPF list of missing persons).

⁷⁸⁹ P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

⁷⁹⁰ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 748–759.

head, trunk and left arm”.⁷⁹¹ 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.⁷⁹²

(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 1999.⁷⁹³ 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 1999.⁷⁹⁴ Remains that were given the label of 2Ba-116 were identified through DNA testing as being those of Muharrem (Sali) Mehmeti.⁷⁹⁵ 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.⁷⁹⁶ 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”.⁷⁹⁷ 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.⁷⁹⁸

(197) Quash Mehmeti (45, male)

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

⁷⁹¹ P2394 (OMPF Reports), e-court pp. 262–263.

⁷⁹² P2394 (OMPF Reports), e-court p. 264–265.

⁷⁹³ P2798 (OMPF list of missing persons).

⁷⁹⁴ P2798 (OMPF list of missing persons).

⁷⁹⁵ P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

⁷⁹⁶ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 632–636.

⁷⁹⁷ P943 (OMPF Reports), e-court pp. 53–54.

⁷⁹⁸ 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 1999.⁷⁹⁹ Remains that were given the label of 2Ba–127 were identified through DNA testing as being those of Caush (Bajram) Mehmeti.⁸⁰⁰ 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 4th toe on the left foot and the metatarsal bones and the bones of the 4th toe on this foot were fractured”.⁸⁰¹ 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”.⁸⁰² 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.⁸⁰³

(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–16–1.⁸⁰⁴ This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.⁸⁰⁵ 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 1999.⁸⁰⁶ Remains that were given the label of 2Ba–102 were identified through DNA testing as being those of Sami (Muharrem) Mehmeti.⁸⁰⁷ 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

⁷⁹⁹ P2798 (OMPF list of missing persons).

⁸⁰⁰ P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

⁸⁰¹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 693–703.

⁸⁰² P2454 (OMPF Reports), e-court pp. 37–38.

⁸⁰³ P2454 (OMPF Reports), e-court p. 39.

⁸⁰⁴ P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

⁸⁰⁵ P2798 (OMPF list of missing persons).

⁸⁰⁶ P2798 (OMPF list of missing persons).

⁸⁰⁷ P2559 (Addendum to Expert Report), e-court p. 41 (under seal).

impact, and exposure to high temperature.⁸⁰⁸ 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)”.⁸⁰⁹ 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.⁸¹⁰

(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 1999.⁸¹¹ Remains that were given the label of 2Ba–88 were identified through DNA testing as being those of Marash (Mhill) Merturi.⁸¹² 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.⁸¹³

(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 1999.⁸¹⁴ Remains that were given the label of 2Ba–29 were identified through DNA testing as being those of Bajram (Rexhep) Metaj.⁸¹⁵ 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”.⁸¹⁶ The death certificate issued by the Department of Justice, Office of the Medical Examiner, also

⁸⁰⁸ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 552–557.

⁸⁰⁹ P2454 (OMPF Reports), e-court p. 23.

⁸¹⁰ P2454 (OMPF Reports), e-court p. 22–24.

⁸¹¹ P2798 (OMPF list of missing persons).

⁸¹² P2559 (Addendum to Expert Report), e-court p. 42 (under seal).

⁸¹³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 485–491.

⁸¹⁴ P2798 (OMPF list of missing persons).

⁸¹⁵ P2559 (Addendum to Expert Report), e-court p. 42 (under seal).

⁸¹⁶ 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.⁸¹⁷

(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 1999.⁸¹⁸ Remains that were given the label of 2Ba–214 were identified through DNA testing as being those of Ismet (Lah) Miftari.⁸¹⁹ 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”.⁸²⁰ 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”.⁸²¹

(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 1999.⁸²² Remains that were given the label of 2Ba–218 were identified through DNA testing as being those of Brahim (Isuf) Miroci.⁸²³ 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”.⁸²⁴ 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

⁸¹⁷ P944 (OMPF Reports), e-court pp. 38–41.

⁸¹⁸ P2798 (OMPF list of missing persons).

⁸¹⁹ P2559 (Addendum to Expert Report), e-court p. 42 (under seal).

⁸²⁰ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1162–1166.

⁸²¹ P944 (OMPF Reports), e-court pp. 347–349.

⁸²² P2798 (OMPF list of missing persons).

⁸²³ P2559 (Addendum to Expert Report), e-court p. 43 (under seal).

⁸²⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1182–1187.

wounds to the chest”.⁸²⁵ 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.⁸²⁶

(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 1999.⁸²⁷ Remains that were given the label of 2Ba-73 were identified through DNA testing as being those of Fahredin (Maxhun) Miroci.⁸²⁸ 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.⁸²⁹ 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”.⁸³⁰

(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 1999.⁸³¹ Remains that were given the label of 2Ba-68 were identified through DNA testing as being those of Isuf (Elez) Miroci.⁸³² 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”.⁸³³ 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

⁸²⁵ P944 (OMPF Reports), e-court pp. 358–361.

⁸²⁶ P943 (OMPF Reports), e-court p. 571.

⁸²⁷ P2798 (OMPF list of missing persons).

⁸²⁸ P2559 (Addendum to Expert Report), e-court p. 43 (under seal).

⁸²⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 411–419.

⁸³⁰ P944 (OMPF Reports), e-court pp. 104–106.

⁸³¹ P2798 (OMPF list of missing persons).

⁸³² P2559 (Addendum to Expert Report), e-court p. 43 (under seal).

⁸³³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 389–394.

abdomen”.⁸³⁴ 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”.⁸³⁵

(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 1999.⁸³⁶ Remains that were given the label of 2Ba–70 were identified through DNA testing as being those of Sokol (Rame) Miroci.⁸³⁷ 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.⁸³⁸ 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)”.⁸³⁹ 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.⁸⁴⁰

(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 1999.⁸⁴¹ Remains that were given the label of 2Ba–S–1 were identified through DNA testing as being those of Kole (Palush) Nrejaj.⁸⁴²

(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 1999.⁸⁴³ However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

⁸³⁴ P944 (OMPF Reports), e-court pp. 97–100.

⁸³⁵ P943 (OMPF Reports), e-court p. 585.

⁸³⁶ P2798 (OMPF list of missing persons).

⁸³⁷ P2559 (Addendum to Expert Report), e-court p. 43 (under seal).

⁸³⁸ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 399–401.

⁸³⁹ P943 (OMPF Reports), e-court pp. 39–40.

⁸⁴⁰ P943 (OMPF Reports), e-court p. 503.

⁸⁴¹ P2798 (OMPF list of missing persons).

⁸⁴² P2559 (Addendum to Expert Report), e-court p. 44 (under seal).

⁸⁴³ 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 1999.⁸⁴⁴ Remains that were given the label of 2Ba–174 were identified through DNA testing as being those of Nue (Adem) Ndue.⁸⁴⁵ 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.⁸⁴⁶ 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”.⁸⁴⁷ 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.⁸⁴⁸

(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 1999.⁸⁴⁹ Remains that were given the label of 2Ba–183 were identified through DNA testing as being those of Ahmet (Tafe) Neziri.⁸⁵⁰ 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.”⁸⁵¹ 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”.⁸⁵² 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

⁸⁴⁴ P2798 (OMPF list of missing persons).

⁸⁴⁵ P2559 (Addendum to Expert Report), e-court p. 44 (under seal).

⁸⁴⁶ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 948–950.

⁸⁴⁷ P2454 (OMPF Reports), e-court pp. 49–50.

⁸⁴⁸ P2454 (OMPF Reports), e-court p. 51.

⁸⁴⁹ P2798 (OMPF list of missing persons).

⁸⁵⁰ P2559 (Addendum to Expert Report), e-court p. 44 (under seal).

⁸⁵¹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 996–1004.

⁸⁵² 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.⁸⁵³

(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 1999.⁸⁵⁴ 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 1999.⁸⁵⁵ 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 1999.⁸⁵⁶ Remains that were given the label of 2Ba-144 were identified through DNA testing as being those of Sokol (Adem) Ndue.⁸⁵⁷ 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.⁸⁵⁸ 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.⁸⁵⁹ 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.⁸⁶⁰

(214) Sokol Nuza (51, male)

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

⁸⁵³ P2454 (OMPF Reports), e-court p. 57.

⁸⁵⁴ P2798 (OMPF list of missing persons).

⁸⁵⁵ P2798 (OMPF list of missing persons).

⁸⁵⁶ P2798 (OMPF list of missing persons).

⁸⁵⁷ P2559 (Addendum to Expert Report), e-court p. 44 (under seal).

⁸⁵⁸ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 797–800.

⁸⁵⁹ P943 (OMPF Reports), e-court pp. 276–277.

⁸⁶⁰ P943 (OMPF Reports), e-court p. 514.

that the victim was part of a group of people last seen in Meja on 27 April 1999.⁸⁶¹ Remains that were given the label of 2Ba–136 were identified through DNA testing as being those of Sokol (Male) Nuza.⁸⁶² 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.⁸⁶³ 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.⁸⁶⁴

(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 1999.⁸⁶⁵ Remains that were given the label of 2Ba–138 were identified through DNA testing as being those of Shpend (Sylejman) Osmani.⁸⁶⁶ 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.⁸⁶⁷ 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”.⁸⁶⁸

(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.⁸⁶⁹ 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

⁸⁶¹ P2798 (OMPF list of missing persons).

⁸⁶² P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

⁸⁶³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 760–765.

⁸⁶⁴ P944 (OMPF Reports), e-court pp. 224–226.

⁸⁶⁵ P2798 (OMPF list of missing persons).

⁸⁶⁶ P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

⁸⁶⁷ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 770–773.

⁸⁶⁸ P944 (OMPF Reports), e-court pp. 227–231.

⁸⁶⁹ 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.⁸⁷⁰

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.⁸⁷¹ 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.⁸⁷² 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.⁸⁷³

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.⁸⁷⁴ 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”.⁸⁷⁵ 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.⁸⁷⁶

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 1999.⁸⁷⁷ Remains that

⁸⁷⁰ P2798 (OMPF list of missing persons).

⁸⁷¹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 906–909.

⁸⁷² P2394 (OMPF Reports), pp. 22–23.

⁸⁷³ P2394 (OMPF Reports), p. 24.

⁸⁷⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 644–647.

⁸⁷⁵ P2394 (OMPF Reports), e-court pp. 245–246.

⁸⁷⁶ P2394 (OMPF Reports), e-court pp. 247–248.

⁸⁷⁷ 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.⁸⁷⁸

(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 1999.⁸⁷⁹ 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 1999.⁸⁸⁰ Remains that were given the label of 2Ba-53 were identified through DNA testing as being those of Haxhi (Muharem) Pajaziti.⁸⁸¹ 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.⁸⁸² 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”.⁸⁸³

(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 1999.⁸⁸⁴ Remains that were given the label of 2Ba-54 were identified through DNA testing as being those of Ismet (Rexhep) Pajaziti.⁸⁸⁵ In the autopsy report prepared by the Institute of Forensic Medicine of the

⁸⁷⁸ P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

⁸⁷⁹ P2798 (OMPF list of missing persons).

⁸⁸⁰ P2798 (OMPF list of missing persons).

⁸⁸¹ P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

⁸⁸² P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 307–310.

⁸⁸³ P944 (OMPF Reports), e-court pp. 75–79.

⁸⁸⁴ P2798 (OMPF list of missing persons).

⁸⁸⁵ 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 12th thoracic vertebra, which was caused by a “projectile found in [t]he body of the vertebra”.⁸⁸⁶ 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”.⁸⁸⁷ 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”.⁸⁸⁸

(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 1999.⁸⁸⁹ Remains that were given the label of 2Ba-18 were identified through DNA testing as being those of Muje (Isuf) Pajaziti.⁸⁹⁰ 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”.⁸⁹¹ 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”.⁸⁹²

(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 1999.⁸⁹³ Remains that were given the label of 2Ba-24 were identified through DNA testing as being those of Qerim

⁸⁸⁶ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 311–314.

⁸⁸⁷ P944 (OMPF Reports), e-court pp. 80–83.

⁸⁸⁸ P943 (OMPF Reports), e-court p. 576.

⁸⁸⁹ P2798 (OMPF list of missing persons).

⁸⁹⁰ P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

⁸⁹¹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 120–124.

⁸⁹² P944 (OMPF Reports), e-court pp. 22–24.

⁸⁹³ P2798 (OMPF list of missing persons).

(Pajazit) Pajaziti.⁸⁹⁴ 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.⁸⁹⁵

(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 1999.⁸⁹⁶ Remains that were given the label of 2Ba–11 were identified through DNA testing as being those of Shkelzen (Muje) Pajaziti.⁸⁹⁷ 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”.⁸⁹⁸ 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.⁸⁹⁹

(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 1999.⁹⁰⁰ Remains that were given the label of 2Ba–109 were identified through DNA testing as being those of Shpend (Halid) Pajaziti.⁹⁰¹ 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

⁸⁹⁴ P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

⁸⁹⁵ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 154–157.

⁸⁹⁶ P2798 (OMPF list of missing persons).

⁸⁹⁷ P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

⁸⁹⁸ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 85–88.

⁸⁹⁹ P944 (OMPF Reports), e-court pp. 16–18.

⁹⁰⁰ P2798 (OMPF list of missing persons).

⁹⁰¹ P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

instrument impact, and exposure to high temperature.⁹⁰² 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”.⁹⁰³ 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.⁹⁰⁴

(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 1999.⁹⁰⁵ Remains that were given the label of 2Ba–185 were identified through DNA testing as being those of Zenel (Mehmet) Pajaziti.⁹⁰⁶ 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.”⁹⁰⁷ 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.⁹⁰⁸

(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 1999.⁹⁰⁹ 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

⁹⁰² P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 592–595.

⁹⁰³ P944 (OMPF Reports), e-court pp. 175–179.

⁹⁰⁴ P943 (OMPF Reports), e-court p. 594.

⁹⁰⁵ P2798 (OMPF list of missing persons).

⁹⁰⁶ P2559 (Addendum to Expert Report), e-court p. 45 (under seal).

⁹⁰⁷ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1010–1014.

⁹⁰⁸ P944 (OMPF Reports), e-court pp. 304–307.

⁹⁰⁹ P2798 (OMPF list of missing persons).

that the victim was part of a group of people last seen in Meja on 27 April 1999.⁹¹⁰ Remains that were given the label of K2BA-102-1 were identified through DNA testing as being those of Uke (Mark) Pepaj.⁹¹¹

(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.⁹¹² This victim is listed as missing in the OMPF list of missing 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.⁹¹³ 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.⁹¹⁴

(231) Ilirian 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 1999.⁹¹⁵ Remains that were given the label of Ba05-240T were identified through DNA testing as being those of Ilirjan (Pashk) Pjetri.⁹¹⁶ In the autopsy report prepared by the Institute of Forensic Medicine of the Belgrade Medical Faculty, the cause of death of Ilirjan (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.⁹¹⁷ The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ilirjan (Pashk) Pjetri is a result of a “[g]unshot [to] the head”.⁹¹⁸

(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

⁹¹⁰ P2798 (OMPF list of missing persons).

⁹¹¹ P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

⁹¹² P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

⁹¹³ P2798 (OMPF list of missing persons).

⁹¹⁴ P2602 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 43-49.

⁹¹⁵ P2798 (OMPF list of missing persons).

⁹¹⁶ P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

⁹¹⁷ 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.⁹¹⁹

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 1999.⁹²⁰ 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 1999.⁹²¹ Remains that were given the label of 2Ba–251 were identified through DNA testing as being those of Ardian (Marash) Prela.⁹²² 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.⁹²³ 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”.⁹²⁴

(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 1999.⁹²⁵ Remains that were given the label of 2Ba–209 were identified through DNA testing as being those of Driton (Pal) Prela.⁹²⁶ 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

⁹¹⁸ P943 (OMPF Reports), e-court pp. 183–184.

⁹¹⁹ Merita Deda, P2233 (witness statement dated 8 April 2000), p. 3.

⁹²⁰ P2798 (OMPF list of missing persons).

⁹²¹ P2798 (OMPF list of missing persons).

⁹²² P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

⁹²³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1384–1387.

⁹²⁴ P944 (OMPF Reports), e-court pp. 408–411.

⁹²⁵ P2798 (OMPF list of missing persons).

⁹²⁶ 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.⁹²⁷ 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”.⁹²⁸ 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.⁹²⁹

(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.⁹³⁰ 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.⁹³¹

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.⁹³² 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”.⁹³³

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.⁹³⁴ 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

⁹²⁷ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1135–1142.

⁹²⁸ P2454 (OMPF Reports), e-court pp. 65–66.

⁹²⁹ P2454 (OMPF Reports), e-court pp. 67–68.

⁹³⁰ P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

⁹³¹ P2798 (OMPF list of missing persons).

⁹³² P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1366–1370.

⁹³³ P944 (OMPF Reports), e-court pp. 405–407.

⁹³⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 463–466.

to the head”⁹³⁵.

(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 1999.⁹³⁶ Remains that were given the label of 2Ba–232 were identified through DNA testing as being those of Tome (Kole) Prela.⁹³⁷ 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.⁹³⁸ 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”.⁹³⁹ 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.⁹⁴⁰

(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.⁹⁴¹ 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.⁹⁴²

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

⁹³⁵ P944 (OMPF Reports), e-court pp. 129–131.

⁹³⁶ P2798 (OMPF list of missing persons).

⁹³⁷ P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

⁹³⁸ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1271–1278.

⁹³⁹ P2454 (OMPF Reports), e-court pp. 72–73.

⁹⁴⁰ P2454 (OMPF Reports), e-court p. 74.

⁹⁴¹ P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

⁹⁴² 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”.⁹⁴³

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.⁹⁴⁴

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 1999.⁹⁴⁵ 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 1999.⁹⁴⁶ Remains that were given the label of Ba05–37T were identified through DNA testing as being those of Pal (Nike) Prendi.⁹⁴⁷ 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.⁹⁴⁸ 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)”.⁹⁴⁹ This is

⁹⁴³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 982–986.

⁹⁴⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1033–1039.

⁹⁴⁵ P2798 (OMPF list of missing persons).

⁹⁴⁶ P2798 (OMPF list of missing persons).

⁹⁴⁷ P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

⁹⁴⁸ P2415 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 45–58.

⁹⁴⁹ 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.⁹⁵⁰

(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 1999.⁹⁵¹ Remains that were given the label of Ba05–248T were identified through DNA testing as being those of Prend (Mark) Prendi.⁹⁵²

(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 1999.⁹⁵³ Remains that were given the label of 2Ba–199 were identified through DNA testing as being those of Sokol (Gjon) Prendi.⁹⁵⁴ 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”.⁹⁵⁵ 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”.⁹⁵⁶ 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.⁹⁵⁷

(245) Viktor Prendi (28, male)

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

⁹⁵⁰ P2394 (OMPF Reports), e-court p. 42–43.

⁹⁵¹ P2798 (OMPF list of missing persons).

⁹⁵² P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

⁹⁵³ P2798 (OMPF list of missing persons).

⁹⁵⁴ P2559 (Addendum to Expert Report), e-court p. 46 (under seal).

⁹⁵⁵ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1079–1082.

⁹⁵⁶ P943 (OMPF Reports), e-court pp. 279–280.

⁹⁵⁷ 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 1999.⁹⁵⁸ Remains that were given the label of 2Ba–172 were identified through DNA testing as being those of Vitor (Gjon) Prendi.⁹⁵⁹ 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.⁹⁶⁰ 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.⁹⁶¹

(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 1999.⁹⁶² Remains that were given the label of 2Ba–181 were identified through DNA testing as being those of Hajdar (Niman) Cestaj.⁹⁶³ 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”.⁹⁶⁴ 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.⁹⁶⁵

(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 1999.⁹⁶⁶ Remains that were given the label of 2Ba–S–3 were identified through DNA testing as being those of Adem

⁹⁵⁸ P2798 (OMPF list of missing persons).

⁹⁵⁹ P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

⁹⁶⁰ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 939–943.

⁹⁶¹ P944 (OMPF Reports), e-court pp. 280–282.

⁹⁶² P2798 (OMPF list of missing persons).

⁹⁶³ P2559 (Addendum to Expert Report), e-court p. 24 (under seal).

⁹⁶⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 987–990.

⁹⁶⁵ P944 (OMPF Reports), e-court pp. 293–295.

⁹⁶⁶ P2798 (OMPF list of missing persons).

(Sadri) Rama.⁹⁶⁷

(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 1999.⁹⁶⁸ Remains that were given the label of 2Ba-75 were identified through DNA testing as being those of Bujar (Arif) Rama.⁹⁶⁹ 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.”⁹⁷⁰ 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”.⁹⁷¹

(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-8.⁹⁷² This victim is listed as missing in the OMPF list of missing 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.⁹⁷³ 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 1999.⁹⁷⁴ Remains that were given the label of 2Ba-101 were identified through DNA testing as being those of Sadri

⁹⁶⁷ P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

⁹⁶⁸ P2798 (OMPF list of missing persons).

⁹⁶⁹ P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

⁹⁷⁰ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 425-427.

⁹⁷¹ P944 (OMPF Reports), e-court pp. 107-109.

⁹⁷² P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

⁹⁷³ P2798 (OMPF list of missing persons).

⁹⁷⁴ P2798 (OMPF list of missing persons).

(Adem) Rama.⁹⁷⁵ 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”.⁹⁷⁶ 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”.⁹⁷⁷

(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 1999.⁹⁷⁸ Remains that were given the label of 2Ba–186 were identified through DNA testing as being those of Sezaj (Hazir) Rama.⁹⁷⁹ 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.⁹⁸⁰ 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”.⁹⁸¹ 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.⁹⁸²

(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 1999.⁹⁸³ Remains that were given the label of 2Ba–25 were identified through DNA testing as being those of Zenun (Rame)

⁹⁷⁵ P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

⁹⁷⁶ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 548–551.

⁹⁷⁷ P944 (OMPF Reports), e-court pp. 166–168.

⁹⁷⁸ P2798 (OMPF list of missing persons).

⁹⁷⁹ P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

⁹⁸⁰ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1015–1019.

⁹⁸¹ P943 (OMPF Reports), e-court pp. 288–289.

⁹⁸² P943 (OMPF Reports), e-court p. 509–510.

⁹⁸³ P2798 (OMPF list of missing persons).

Rama.⁹⁸⁴ 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.⁹⁸⁵ 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”.⁹⁸⁶

(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 1999.⁹⁸⁷ Remains that were given the label of 2Ba–150 were identified through DNA testing as being those of Zeqir (Mete) Rama.⁹⁸⁸ 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.⁹⁸⁹ 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.⁹⁹⁰ 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.⁹⁹¹

(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 1999.⁹⁹² Remains that were given the label of 2Ba–89 were identified through DNA testing as being those of Ram

⁹⁸⁴ P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

⁹⁸⁵ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 158–162.

⁹⁸⁶ P944 (OMPF Reports), e-court pp. 31–33.

⁹⁸⁷ P2798 (OMPF list of missing persons).

⁹⁸⁸ P2559 (Addendum to Expert Report), e-court p. 47 (under seal).

⁹⁸⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 828–831.

⁹⁹⁰ P943 (OMPF Reports), e-court pp. 285–286.

⁹⁹¹ P943 (OMPF Reports), e-court p. 552–553.

⁹⁹² P2798 (OMPF list of missing persons).

(Dervish) Ramaj.⁹⁹³ 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”.⁹⁹⁴ 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”.⁹⁹⁵ 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.⁹⁹⁶

(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 1999.⁹⁹⁷ Remains that were given the label of 2Ba–85 were identified through DNA testing as being those of Tahir (Murat) Ramaj.⁹⁹⁸ 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 6th and 7th rib on the left side in the anterior axillary line”.⁹⁹⁹ 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”.¹⁰⁰⁰ 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”.¹⁰⁰¹

⁹⁹³ P2559 (Addendum to the expert report 004/2005-ER from September 2005 prepared by the ICMP), e-court p. 47 (under seal).

⁹⁹⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 492–498.

⁹⁹⁵ P2454 (OMPF Reports), e-court pp. 19–20.

⁹⁹⁶ P2454 (OMPF Reports), e-court p. 21.

⁹⁹⁷ P2798 (OMPF list of missing persons).

⁹⁹⁸ P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

⁹⁹⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 471–474.

¹⁰⁰⁰ P944 (OMPF Reports), e-court pp. 135–137.

¹⁰⁰¹ 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 1999.¹⁰⁰² Remains that were given the label of 2Ba-94 were identified through DNA testing as being those of Adem (Zenel) Rexha.¹⁰⁰³ 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.¹⁰⁰⁴ 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”.¹⁰⁰⁵ 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.¹⁰⁰⁶

(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 1999.¹⁰⁰⁷ Remains that were given the label of 2Ba-219 were identified through DNA testing as being those of Anton (Hajdar) Rexhaj.¹⁰⁰⁸ 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.¹⁰⁰⁹ 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”.¹⁰¹⁰ This is confirmed by the anthropology summary report for Anton (Hajdar) Rexhaj issued by the Office for Missing Persons

¹⁰⁰² P2798 (OMPF list of missing persons).

¹⁰⁰³ P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

¹⁰⁰⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 513–522.

¹⁰⁰⁵ P943 (OMPF Reports), e-court pp. 298–300.

¹⁰⁰⁶ P943 (OMPF Reports), e-court pp. 527–528.

¹⁰⁰⁷ P2798 (OMPF list of missing persons).

¹⁰⁰⁸ P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

¹⁰⁰⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1188–1192.

¹⁰¹⁰ 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”.¹⁰¹¹

(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.¹⁰¹² This victim is listed as missing in the OMPF list of missing 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.¹⁰¹³ 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.¹⁰¹⁴ 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)”.¹⁰¹⁵ 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.¹⁰¹⁶

(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 1999.¹⁰¹⁷ Remains that were given the label of 2Ba–139 were identified through DNA testing as being those of Bashkim (Rexhe) Rexha.¹⁰¹⁸ 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.¹⁰¹⁹ 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

¹⁰¹¹ P943 (OMPF Reports), e-court p. 573.

¹⁰¹² P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

¹⁰¹³ P2798 (OMPF list of missing persons).

¹⁰¹⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 111–115.

¹⁰¹⁵ P943 (OMPF Reports), e-court pp. 292–293.

¹⁰¹⁶ P943 (OMPF Reports), e-court pp. 556–557.

¹⁰¹⁷ P2798 (OMPF list of missing persons).

¹⁰¹⁸ P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

¹⁰¹⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 774–778.

the head, right leg”.¹⁰²⁰ 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.¹⁰²¹

(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 1999.¹⁰²² Remains that were given the label of 2Ba–21 were identified through DNA testing as being those of Iber (Hasan) Rexha.¹⁰²³ 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.¹⁰²⁴ 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”.¹⁰²⁵ 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.¹⁰²⁶

(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.¹⁰²⁷ This victim is listed as missing in the OMPF list of missing 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.¹⁰²⁸ 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.¹⁰²⁹ The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Ruzhdi

¹⁰²⁰ P943 (OMPF Reports), e-court pp. 295–296.

¹⁰²¹ P943 (OMPF Reports), e-court p. 524–525.

¹⁰²² P2798 (OMPF list of missing persons).

¹⁰²³ P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

¹⁰²⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 138–144.

¹⁰²⁵ P943 (OMPF Reports), e-court pp. 301–302.

¹⁰²⁶ P943 (OMPF Reports), e-court pp. 507–508.

¹⁰²⁷ P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

¹⁰²⁸ P2798 (OMPF list of missing persons).

¹⁰²⁹ 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”.¹⁰³⁰ 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.¹⁰³¹

(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 1999.¹⁰³² Remains that were given the label of 2Ba–10 were identified through DNA testing as being those of Hamez (Rexhep) Rexha.¹⁰³³ 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 12th rib on the left side, where a projectile was found, and gunshot wounds to both upper arms”.¹⁰³⁴ 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”.¹⁰³⁵ 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”.¹⁰³⁶

(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 1999.¹⁰³⁷ Remains that were given the label of 2Ba–155 were identified through DNA testing as being those of Isuf (Adem) Rexha.¹⁰³⁸ 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

¹⁰³⁰ P943 (OMPF Reports), e-court pp. 283–284.

¹⁰³¹ P943 (OMPF Reports), e-court pp. 550–551.

¹⁰³² P2798 (OMPF list of missing persons).

¹⁰³³ P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

¹⁰³⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 79–84.

¹⁰³⁵ P944 (OMPF Reports), e-court pp. 13–15.

¹⁰³⁶ P943 (OMPF Reports), e-court p. 579.

¹⁰³⁷ P2798 (OMPF list of missing persons).

¹⁰³⁸ 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.¹⁰³⁹

(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 1999.¹⁰⁴⁰ 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 1999.¹⁰⁴¹ Remains that were given the label of 2Ba–132 were identified through DNA testing as being those of Xhevdet (Hamez) Rexha.¹⁰⁴² 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 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 examination also revealed multiple gun shot wounds located in the head, chest, trunk, and lower arm.¹⁰⁴³ 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”.¹⁰⁴⁴

(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 1999.¹⁰⁴⁵ Remains that were given the label of 2Ba–49 were identified through DNA testing as being those of Bekim (Ali) Rrustemi.¹⁰⁴⁶ 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,

¹⁰³⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 856–862

¹⁰⁴⁰ P2798 (OMPF list of missing persons).

¹⁰⁴¹ P2798 (OMPF list of missing persons).

¹⁰⁴² P2559 (Addendum to Expert Report), e-court p. 48 (under seal).

¹⁰⁴³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 730–735.

¹⁰⁴⁴ P944 (OMPF Reports), e-court pp. 220–223.

¹⁰⁴⁵ P2798 (OMPF list of missing persons).

¹⁰⁴⁶ 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 12th 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”.¹⁰⁴⁷ 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”.¹⁰⁴⁸ 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.¹⁰⁴⁹

(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 1999.¹⁰⁵⁰ Remains that were given the label of 2Ba–71 were identified through DNA testing as being those of Dan (Osman) Rrustemi.¹⁰⁵¹ 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.¹⁰⁵² 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”.¹⁰⁵³ 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.¹⁰⁵⁴

(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 1999.¹⁰⁵⁵ Remains that were given the label of 2Ba–46 were identified through DNA testing as being those of Xhafer (Osman) Rrustemi.¹⁰⁵⁶ In the autopsy report prepared by the Institute of Forensic Medicine of the

¹⁰⁴⁷ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 292–295.

¹⁰⁴⁸ P943 (OMPF Reports), e-court pp. 270–271.

¹⁰⁴⁹ P943 (OMPF Reports), e-court pp. 542–543.

¹⁰⁵⁰ P2798 (OMPF list of missing persons).

¹⁰⁵¹ P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

¹⁰⁵² P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 402–406.

¹⁰⁵³ P943 (OMPF Reports), e-court pp. 273–274.

¹⁰⁵⁴ P943 (OMPF Reports), e-court p. 546.

¹⁰⁵⁵ P2798 (OMPF list of missing persons).

¹⁰⁵⁶ 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 1st and 2nd thoracic vertebrae, and above the junction of the 2nd rib on the right side”.¹⁰⁵⁷ 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)”.¹⁰⁵⁸ 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.¹⁰⁵⁹

(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 1999.¹⁰⁶⁰ Remains that were given the label of 2Ba-173 were identified through DNA testing as being those of Iber (Male) Sadiku.¹⁰⁶¹ 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”.¹⁰⁶² 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”.¹⁰⁶³

(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 1999.¹⁰⁶⁴ Remains that were given the label of 2Ba-S-12 were identified through DNA testing as being those of Ismet

¹⁰⁵⁷ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 277–280.

¹⁰⁵⁸ P943 (OMPF Reports), e-court pp. 267–268.

¹⁰⁵⁹ P943 (OMPF Reports), e-court pp. 544–545.

¹⁰⁶⁰ P2798 (OMPF list of missing persons).

¹⁰⁶¹ P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

¹⁰⁶² P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 944–947.

¹⁰⁶³ P944 (OMPF Reports), e-court pp. 283–285.

¹⁰⁶⁴ P2798 (OMPF list of missing persons).

(Miftar) Sadiku.¹⁰⁶⁵

(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 1999.¹⁰⁶⁶ Remains that were given the label of 2Ba-165 were identified through DNA testing as being those of Osman (Beqe) Sadiku.¹⁰⁶⁷ 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”.¹⁰⁶⁸ 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.¹⁰⁶⁹

(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 1999.¹⁰⁷⁰ Remains that were given the label of 2Ba-S-2 were identified through DNA testing as being those of Ramiz (Sadik) Sadiku.¹⁰⁷¹

(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 1999.¹⁰⁷² Remains that were given the label of 2Ba-237 were identified through DNA testing as being those of Sadik (Haxhi) Sadiku.¹⁰⁷³ 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

¹⁰⁶⁵ P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

¹⁰⁶⁶ P2798 (OMPF list of missing persons).

¹⁰⁶⁷ P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

¹⁰⁶⁸ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 902–905.

¹⁰⁶⁹ P944 (OMPF Reports), e-court pp. 264–266.

¹⁰⁷⁰ P2798 (OMPF list of missing persons).

¹⁰⁷¹ P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

¹⁰⁷² P2798 (OMPF list of missing persons).

signs of blunt instrument impact.¹⁰⁷⁴ 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”.¹⁰⁷⁵ 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.¹⁰⁷⁶

(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 1999.¹⁰⁷⁷ Remains that were given the label of 2Ba–143 were identified through DNA testing as being those of Isni (Hazir) Sadrija.¹⁰⁷⁸ 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.¹⁰⁷⁹ 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.¹⁰⁸⁰

(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 1999.¹⁰⁸¹ Remains that were given the label of 2Ba–169 were identified through DNA testing as being those of Rexhep (Uke) Sadria.¹⁰⁸² 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

¹⁰⁷³ P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

¹⁰⁷⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1304–1309.

¹⁰⁷⁵ P943 (OMPF Reports), e-court pp. 304–305.

¹⁰⁷⁶ P943 (OMPF Reports), e-court pp. 529–530.

¹⁰⁷⁷ P2798 (OMPF list of missing persons).

¹⁰⁷⁸ P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

¹⁰⁷⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 793–796.

¹⁰⁸⁰ P944 (OMPF Reports), e-court pp. 242–244.

¹⁰⁸¹ P2798 (OMPF list of missing persons).

¹⁰⁸² 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”.¹⁰⁸³ 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”.¹⁰⁸⁴

(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 1999.¹⁰⁸⁵ Remains that were given the label of 2Ba–229 were identified through DNA testing as being those of Shaqir (Muharem) Sadria.¹⁰⁸⁶ 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.¹⁰⁸⁷ 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”.¹⁰⁸⁸ 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.¹⁰⁸⁹

(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 1999.¹⁰⁹⁰ 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 1999.¹⁰⁹¹ However, the Chamber notes that there is no forensic evidence with respect to this listed victim.

¹⁰⁸³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 923–927.

¹⁰⁸⁴ P944 (OMPF Reports), e-court pp. 270–273.

¹⁰⁸⁵ P2798 (OMPF list of missing persons).

¹⁰⁸⁶ P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

¹⁰⁸⁷ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1247–1251.

¹⁰⁸⁸ P944 (OMPF Reports), e-court pp. 377–380.

¹⁰⁸⁹ P943 (OMPF Reports), e-court p. 572.

¹⁰⁹⁰ P2798 (OMPF list of missing persons).

¹⁰⁹¹ 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 1999.¹⁰⁹² Remains that were given the label of 2Ba–63 were identified through DNA testing as being those of Osman (Jakup) Salihaj.¹⁰⁹³ 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.¹⁰⁹⁴ 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.¹⁰⁹⁵ 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.¹⁰⁹⁶

(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 1999.¹⁰⁹⁷ Remains that were given the label of 2Ba–164 were identified through DNA testing as being those of Bajram (Male) Salihu.¹⁰⁹⁸ 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.¹⁰⁹⁹ 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”.¹¹⁰⁰ 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.¹¹⁰¹

¹⁰⁹² P2798 (OMPF list of missing persons).

¹⁰⁹³ P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

¹⁰⁹⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 362–365.

¹⁰⁹⁵ P2454 (OMPF Reports), e-court pp. 13–14.

¹⁰⁹⁶ P2454 (OMPF Reports), e-court p. 15.

¹⁰⁹⁷ P2798 (OMPF list of missing persons).

¹⁰⁹⁸ P2559 (Addendum to Expert Report), e-court p. 49 (under seal).

¹⁰⁹⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 896–901.

¹¹⁰⁰ P943 (OMPF Reports), e-court pp. 325–326.

¹¹⁰¹ 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 1999.¹¹⁰² 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 1999.¹¹⁰³ Remains that were given the label of 2Ba–39 were identified through DNA testing as being those of Beqir (Muharrem) Selmani.¹¹⁰⁴ 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 5th 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*”.¹¹⁰⁵ 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”.¹¹⁰⁶ 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.¹¹⁰⁷

(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 1999.¹¹⁰⁸ Remains that were given the label of 2Ba–67 were identified through DNA testing as being those of Nexhat (Beqir) Selmani.¹¹⁰⁹ 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”.

¹¹⁰² P2798 (OMPF list of missing persons).

¹¹⁰³ P2798 (OMPF list of missing persons).

¹¹⁰⁴ P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

¹¹⁰⁵ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 235–238.

¹¹⁰⁶ P944 (OMPF Reports), e-court pp. 55–57.

¹¹⁰⁷ P943 (OMPF Reports), e-court p. 581.

¹¹⁰⁸ P2798 (OMPF list of missing persons).

¹¹⁰⁹ 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 6th rib”.¹¹¹⁰ 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”.¹¹¹¹

(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 1999.¹¹¹² Remains that were given the label of 2Ba–28 were identified through DNA testing as being those of Ali (Sahit) Selmani.¹¹¹³ 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.¹¹¹⁴ 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”.¹¹¹⁵ 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.¹¹¹⁶

(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 1999.¹¹¹⁷ Remains that were given the label of 2Ba–244 were identified through DNA testing as being those of Baki (Xheme) Selmani.¹¹¹⁸ 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

¹¹¹⁰ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 384–388.

¹¹¹¹ P2394 (OMPF Reports), e-court pp. 255–256.

¹¹¹² P2798 (OMPF list of missing persons).

¹¹¹³ P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

¹¹¹⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 174–178.

¹¹¹⁵ P943 (OMPF Reports), e-court pp. 322–323.

¹¹¹⁶ P943 (OMPF Reports), e-court pp. 516–517.

¹¹¹⁷ P2798 (OMPF list of missing persons).

¹¹¹⁸ P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

impact.¹¹¹⁹ 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.¹¹²⁰ 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.¹¹²¹

(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 1999.¹¹²² Remains that were given the label of 2Ba-S-10 were identified through DNA testing as being those of Burim (Xheme) Selmani.¹¹²³

(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 1999.¹¹²⁴ Remains that were given the label of 2Ba-121 were identified through DNA testing as being those of Jonuz (Bajram) Selmani.¹¹²⁵ 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.¹¹²⁶ 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”.¹¹²⁷ 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.¹¹²⁸

(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.

¹¹¹⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy: Autopsy reports), e-court pp. 1345–1352.

¹¹²⁰ P2394 (OMPF Reports), e-court pp. 184–185.

¹¹²¹ P2394 (OMPF Reports), e-court p. 186.

¹¹²² P2798 (OMPF list of missing persons).

¹¹²³ P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

¹¹²⁴ P2798 (OMPF list of missing persons).

¹¹²⁵ P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

¹¹²⁶ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 658–661.

¹¹²⁷ P944 (OMPF Reports), e-court pp. 200–202.

¹¹²⁸ 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 1999.¹¹²⁹ 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 1999.¹¹³⁰ Remains that were given the label of 2Ba–32 were identified through DNA testing as being those of Ujkan (Ali) Selmani.¹¹³¹ 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.¹¹³² 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.¹¹³³

(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 1999.¹¹³⁴ Remains that were given the label of 2Ba–243 were identified through DNA testing as being those of Xheme (Isuf) Selmani.¹¹³⁵ 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”.¹¹³⁶ The death certificate issued by the Department of Justice, Office of the Medical Examiner, establishes that the cause of death of Xhemë

¹¹²⁹ P2798 (OMPF list of missing persons).

¹¹³⁰ P2798 (OMPF list of missing persons).

¹¹³¹ P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

¹¹³² P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 200–203.

¹¹³³ P944 (OMPF Reports), e-court pp. 42–44.

¹¹³⁴ P2798 (OMPF list of missing persons).

¹¹³⁵ P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

¹¹³⁶ 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”.¹¹³⁷

(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 1999.¹¹³⁸ Remains that were given the label of 2Ba–215 were identified through DNA testing as being those of Zenun (Isuf) Selmani.¹¹³⁹

(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 1999.¹¹⁴⁰ Remains that were given the label of 2Ba–122 were identified through DNA testing as being those of Deme (Salih) Shala.¹¹⁴¹ 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.¹¹⁴² 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.¹¹⁴³

(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.¹¹⁴⁴ 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.¹¹⁴⁵

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

¹¹³⁷ P944 (OMPF Reports), e-court pp. 396–401.

¹¹³⁸ P2798 (OMPF list of missing persons).

¹¹³⁹ P2558 (Notice of DNA Reports, December 2005), e-court p. 66 (under seal).

¹¹⁴⁰ P2798 (OMPF list of missing persons).

¹¹⁴¹ P2559 (Addendum to Expert Report), e-court p. 50 (under seal).

¹¹⁴² P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 662–665.

¹¹⁴³ P944 (OMPF Reports), e-court pp. 203–205.

¹¹⁴⁴ P2559 (Addendum to Expert Report), e-court p. 52 (under seal).

¹¹⁴⁵ 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.¹¹⁴⁶ 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”.¹¹⁴⁷ 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.¹¹⁴⁸

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.¹¹⁴⁹ 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”.¹¹⁵⁰ 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.¹¹⁵¹

(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 1999.¹¹⁵² Remains that were given the label of 2Ba–239 were identified through DNA testing as being those of Ahmet (Deli) Shehu.¹¹⁵³ 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.¹¹⁵⁴ 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

¹¹⁴⁶ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 868–871.

¹¹⁴⁷ P2394 (OMPF Reports), e-court pp. 276–277.

¹¹⁴⁸ P2394 (OMPF Reports), e-court p. 278.

¹¹⁴⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 475–480.

¹¹⁵⁰ P2394 (OMPF Reports), e-court pp. 259–260.

¹¹⁵¹ P2394 (OMPF Reports), e-court p. 261.

¹¹⁵² P2798 (OMPF list of missing persons).

¹¹⁵³ P2559 (Addendum to Expert Report), e-court p. 52 (under seal).

¹¹⁵⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1319–1323.

“multiple gunshot wounds”.¹¹⁵⁵ 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”.¹¹⁵⁶

(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 1999.¹¹⁵⁷ Remains that were given the label of 2Ba–156 were identified through DNA testing as being those of Bujar (Beqe) Shehu.¹¹⁵⁸ 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.¹¹⁵⁹ 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”.¹¹⁶⁰

(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 1999.¹¹⁶¹ Remains that were given the label of 2Ba–201 were identified through DNA testing as being those of Mehmet (Rame) Shehu.¹¹⁶² 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

¹¹⁵⁵ P944 (OMPF Reports), e-court pp. 384–387.

¹¹⁵⁶ P943 (OMPF Reports), e-court p. 570.

¹¹⁵⁷ P2798 (OMPF list of missing persons).

¹¹⁵⁸ P2559 (Addendum to Expert Report), e-court p. 52 (under seal).

¹¹⁵⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 863–867.

¹¹⁶⁰ P944 (OMPF Reports), e-court pp. 256–259.

¹¹⁶¹ P2798 (OMPF list of missing persons).

¹¹⁶² 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 1st cervical vertebra.”¹¹⁶³ 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”.¹¹⁶⁴ 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.¹¹⁶⁵

(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 1999.¹¹⁶⁶ Remains that were given the label of 2Ba–02 were identified through DNA testing as being those of Rame (Hasan) Shehu.¹¹⁶⁷ 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.¹¹⁶⁸ 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”.¹¹⁶⁹ 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.¹¹⁷⁰

(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 1999.¹¹⁷¹ Remains that were given the label of 2Ba–35 were identified through DNA testing as being those of Elvis (Miftar) Shoshi.¹¹⁷² 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

¹¹⁶³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1088–1091.

¹¹⁶⁴ P943 (OMPF Reports), e-court pp. 310–311.

¹¹⁶⁵ P943 (OMPF Reports), e-court pp. 531–532.

¹¹⁶⁶ P2798 (OMPF list of missing persons).

¹¹⁶⁷ P2559 (Addendum to Expert Report), e-court p. 52 (under seal).

¹¹⁶⁸ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 33–37.

¹¹⁶⁹ P944 (OMPF Reports), e-court pp. 1–3.

¹¹⁷⁰ P943 (OMPF Reports), e-court p. 588.

¹¹⁷¹ P2798 (OMPF list of missing persons).

¹¹⁷² 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 5th rib and the anterior axillary line”.¹¹⁷³ 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”.¹¹⁷⁴

(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.¹¹⁷⁵ 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.¹¹⁷⁶ 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 1999.¹¹⁷⁷ Remains that were given the label of 2Ba–240 were identified through DNA testing as being those of Gani (Ymer) Smajli.¹¹⁷⁸ 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.¹¹⁷⁹ 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)

¹¹⁷³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 218–222.

¹¹⁷⁴ P944 (OMPF Reports), e-court pp. 45–47.

¹¹⁷⁵ P2559 (Addendum to Expert Report), e-court p. 52 (under seal).

¹¹⁷⁶ P2798 (OMPF list of missing persons).

¹¹⁷⁷ P2798 (OMPF list of missing persons).

¹¹⁷⁸ P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

¹¹⁷⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1324–1330.

and left arm”.¹¹⁸⁰ 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.¹¹⁸¹

(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 1999.¹¹⁸² Remains that were given the label of 2Ba–203 were identified through DNA testing as being those of Filip (Ibrahim) Sokoli.¹¹⁸³ 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.”¹¹⁸⁴ 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)”.¹¹⁸⁵ 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.¹¹⁸⁶

(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 1999.¹¹⁸⁷ 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 1999.¹¹⁸⁸ Remains that were given the label of 2Ba–147 were identified through DNA testing as being those of Kastriot

¹¹⁸⁰ P2394 (OMPF Reports), e-court pp. 287–288.

¹¹⁸¹ P2394 (OMPF Reports), e-court p. 289.

¹¹⁸² P2798 (OMPF list of missing persons).

¹¹⁸³ P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

¹¹⁸⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1096–1102.

¹¹⁸⁵ P943 (OMPF Reports), e-court pp. 316–317.

¹¹⁸⁶ P943 (OMPF Reports), e-court pp. 520–521.

¹¹⁸⁷ P2798 (OMPF list of missing persons).

¹¹⁸⁸ P2798 (OMPF list of missing persons).

(Pashk) Sokoli.¹¹⁸⁹ 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 4th lumbar vertebra”.¹¹⁹⁰ 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”.¹¹⁹¹

(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 1999.¹¹⁹² Remains that were given the label of 2Ba–225 were identified through DNA testing as being those of Krist (Ibrahim) Sokoli.¹¹⁹³ 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 6th and 7th vertebrae”.¹¹⁹⁴ 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”.¹¹⁹⁵ This is confirmed by the anthropology summary report for Krist (Ibrahim) Sokoli issued by the Office for Missing Persons and Forensics, Department of Justice.¹¹⁹⁶

(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 1999.¹¹⁹⁷ Remains that

¹¹⁸⁹ P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

¹¹⁹⁰ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 814–818.

¹¹⁹¹ P944 (OMPF Reports), e-court pp. 245–248.

¹¹⁹² P2798 (OMPF list of missing persons).

¹¹⁹³ P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

¹¹⁹⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy: Autopsy reports), e-court pp. 1220–1225.

¹¹⁹⁵ P943 (OMPF Reports), e-court pp. 313–314.

¹¹⁹⁶ P943 (OMPF Reports), e-court p. 533.

¹¹⁹⁷ 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.¹¹⁹⁸ 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.¹¹⁹⁹ 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”.¹²⁰⁰ This is confirmed by the anthropology summary report Simon (Ibrahim) Sokoli issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK.¹²⁰¹

(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 1999.¹²⁰² Remains that were given the label of 2Ba–213 were identified through DNA testing as being those of Ismet (Zenun) Sylja.¹²⁰³ 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.¹²⁰⁴ 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”.¹²⁰⁵ 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.¹²⁰⁶

(310) Rexhep Sylja (77, male)

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

¹¹⁹⁸ P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

¹¹⁹⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 960–964.

¹²⁰⁰ P943 (OMPF Reports), e-court pp. 313–314.

¹²⁰¹ P943 (OMPF Reports), e-court p. 547.

¹²⁰² P2798 (OMPF list of missing persons).

¹²⁰³ P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

¹²⁰⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1157–1161.

¹²⁰⁵ P943 (OMPF Reports), e-court pp. 307–308.

¹²⁰⁶ 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 1999.¹²⁰⁷ Remains that were given the label of 2Ba–23 were identified through DNA testing as being those of Rexhep (Avdi) Sylja.¹²⁰⁸ 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.¹²⁰⁹ 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.¹²¹⁰

(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 1999.¹²¹¹ Remains that were given the label of 2Ba–66 were identified through DNA testing as being those of Bajram (Sali) Sylja.¹²¹² 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.¹²¹³

(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 1999.¹²¹⁴ Remains that were given the label of 2Ba–142 were identified through DNA testing as being those of Bajram (Male) Tahiraj.¹²¹⁵ 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.

¹²⁰⁷ P2798 (OMPF list of missing persons).

¹²⁰⁸ P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

¹²⁰⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 150–153.

¹²¹⁰ P944 (OMPF Reports), e-court pp. 28–30.

¹²¹¹ P2798 (OMPF list of missing persons).

¹²¹² P2559 (Addendum to Expert Report), e-court p. 53 (under seal).

¹²¹³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 377–383.

¹²¹⁴ P2798 (OMPF list of missing persons).

¹²¹⁵ P2559 (Addendum to Expert Report), e-court p. 54 (under seal).

Additionally, there was a projectile found in the “soft tissue of the 5th intercostals space on the right side, at the level of the scapular line...whose tip is pointing to upper edge of the 6th rib”.¹²¹⁶ 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.¹²¹⁷

(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 1999.¹²¹⁸ Remains that were given the label of 2Ba–50 were identified through DNA testing as being those of Halil (Myftar) Tahiraj.¹²¹⁹ 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.¹²²⁰ 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”.¹²²¹

(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 1999.¹²²² Remains that were given the label of 2Ba–97 were identified through DNA testing as being those of Isuf (Tahir) Tahiraj.¹²²³ 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.¹²²⁴ The death certificate issued by the Department of Justice, Office of the

¹²¹⁶ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 789–792.

¹²¹⁷ P944 (OMPF Reports), e-court pp. 239–241.

¹²¹⁸ P2798 (OMPF list of missing persons).

¹²¹⁹ P2559 (Addendum to Expert Report), e-court p. 54 (under seal).

¹²²⁰ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 296–299.

¹²²¹ P944 (OMPF Reports), e-court pp. 72–74.

¹²²² P2798 (OMPF list of missing persons).

¹²²³ P2559 (Addendum to Expert Report), e-court p. 54 (under seal).

¹²²⁴ 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.¹²²⁵

(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 1999.¹²²⁶ Remains that were given the label of 2Ba-141 were identified through DNA testing as being those of Osman (Tahir) Tahiraj.¹²²⁷ 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.¹²²⁸ 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”.¹²²⁹

(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 1999.¹²³⁰ Remains that were given the label of 2Ba-182 were identified through DNA testing as being those of Ramadan (Tahir) Tahiraj.¹²³¹ 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.¹²³² 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”.¹²³³

¹²²⁵ P944 (OMPF Reports), e-court pp. 153–155.

¹²²⁶ P2798 (OMPF list of missing persons).

¹²²⁷ P2559 (Addendum to Expert Report), e-court p. 54 (under seal).

¹²²⁸ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 785-788.

¹²²⁹ P944 (OMPF Reports), e-court pp. 236–238.

¹²³⁰ P2798 (OMPF list of missing persons).

¹²³¹ P2559 (Addendum to Expert Report), e-court p. 54 (under seal).

¹²³² P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 991–995.

¹²³³ 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 1999.¹²³⁴ Remains that were given the label of 2Ba–228 were identified through DNA testing as being those of Rrustem (Sadri) Tahiraj.¹²³⁵ 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.¹²³⁶ 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”.¹²³⁷ 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.¹²³⁸

(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).¹²³⁹ This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people last seen in Meja on 27 April 1999.¹²⁴⁰ 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 1999.¹²⁴¹ Remains that were given the label of 2Ba–179 were identified through DNA testing as being those of Xhevdet (Selman) Tahiraj.¹²⁴² In the autopsy report prepared by the Institute of Forensic Medicine of the

¹²³⁴ P2798 (OMPF list of missing persons).

¹²³⁵ P2559 (Addendum to Expert Report), e-court p. 54 (under seal).

¹²³⁶ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1240–1246.

¹²³⁷ P2394 (OMPF Reports), e-court pp. 283–284.

¹²³⁸ P2394 (OMPF Reports), e-court pp. 285–286.

¹²³⁹ P2559 (Addendum to Expert Report), e-court p. 54 (under seal).

¹²⁴⁰ P2798 (OMPF list of missing persons).

¹²⁴¹ P2798 (OMPF list of missing persons).

¹²⁴² 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.”¹²⁴³ 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”.¹²⁴⁴ This is confirmed by the anthropology summary report for Xhevdet (Selman) Tahiraj issued by the Office for Missing Persons and Forensics, Department of Justice, UNMIK¹²⁴⁵

(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.¹²⁴⁶ 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.¹²⁴⁷

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 8th 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.”¹²⁴⁸ 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”.¹²⁴⁹

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.

¹²⁴³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 973–981.

¹²⁴⁴ P2454 (OMPF Reports), e-court pp. 52–53.

¹²⁴⁵ P2454 (OMPF Reports), e-court p. 54.

¹²⁴⁶ 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.

¹²⁴⁷ P2798 (OMPF list of missing persons).

¹²⁴⁸ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 779–784.

¹²⁴⁹ 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 1999.¹²⁵⁰ 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 1999.¹²⁵¹ Remains that were given the label of 2Ba-47 were identified through DNA testing as being those of Hasan (Rame) Xhemajlaj.¹²⁵² 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”.¹²⁵³ 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”.¹²⁵⁴

(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 1999.¹²⁵⁵ 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-16-3.¹²⁵⁶ This victim is listed as missing in the OMPF list of missing persons in Kosovo. The list notes that the victim was part of a group of people

¹²⁵⁰ P2798 (OMPF list of missing persons).

¹²⁵¹ P2798 (OMPF list of missing persons).

¹²⁵² P2559 (Addendum to Expert Report), e-court p. 55 (under seal).

¹²⁵³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 281–285.

¹²⁵⁴ P944 (OMPF Reports), e-court pp. 68–71.

¹²⁵⁵ P2798 (OMPF list of missing persons).

¹²⁵⁶ P2559 (Addendum to Expert Report), e-court p. 55 (under seal).

last seen in Meja on 27 April 1999.¹²⁵⁷ 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 1999.¹²⁵⁸ Remains that were given the label of 2Ba–57 were identified through DNA testing as being those of Miftar (Hasan) Xhemajlaj.¹²⁵⁹ 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.¹²⁶⁰ 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.¹²⁶¹

(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 1999.¹²⁶² 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 1999.¹²⁶³ Remains that were given the label of 2Ba–133 were identified through DNA testing as being those of Rifat (Isa) Xhemajlaj.¹²⁶⁴ 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

¹²⁵⁷ P2798 (OMPF list of missing persons).

¹²⁵⁸ P2798 (OMPF list of missing persons).

¹²⁵⁹ P2559 (Addendum to Expert Report), e-court p. 55 (under seal).

¹²⁶⁰ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 333–337.

¹²⁶¹ P944 (OMPF Reports), e-court pp. 84–87.

¹²⁶² P2798 (OMPF list of missing persons).

¹²⁶³ P2798 (OMPF list of missing persons).

¹²⁶⁴ 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.¹²⁶⁵ 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”.¹²⁶⁶ 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.¹²⁶⁷

(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 1999.¹²⁶⁸ 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 1999.¹²⁶⁹ Remains that were given the label of 2Ba–248 were identified through DNA testing as being those of Xhemajli (Rame) Xhemajli.¹²⁷⁰ 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”.¹²⁷¹ 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”.¹²⁷²

¹²⁶⁵ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 736–741.

¹²⁶⁶ P943 (OMPF Reports), e-court pp. 328–329.

¹²⁶⁷ P943 (OMPF Reports), e-court p. 500–501.

¹²⁶⁸ P2798 (OMPF list of missing persons).

¹²⁶⁹ P2798 (OMPF list of missing persons).

¹²⁷⁰ P2559 (Addendum to Expert Report), e-court p. 55 (under seal).

¹²⁷¹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1371–1375.

¹²⁷² 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 1999.¹²⁷³ Remains that were given the label of 2Ba-95 were identified through DNA testing as being those of Elez (Tafe) Imeri.¹²⁷⁴ 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”.¹²⁷⁵ 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”.¹²⁷⁶

(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 1999.¹²⁷⁷ 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 1999.¹²⁷⁸ Remains that were given the label of 2Ba-99 were identified through DNA testing as being those of Halit (Mustafe) Imeri.¹²⁷⁹ 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.¹²⁸⁰ 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

¹²⁷³ P2798 (OMPF list of missing persons).

¹²⁷⁴ P2559 (Addendum to Expert Report), e-court p. 34 (under seal).

¹²⁷⁵ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 523–526.

¹²⁷⁶ P944 (OMPF Reports), e-court pp. 147–149.

¹²⁷⁷ P2798 (OMPF list of missing persons).

¹²⁷⁸ P2798 (OMPF list of missing persons).

¹²⁷⁹ P2559 (Addendum to Expert Report), e-court p. 34 (under seal).

¹²⁸⁰ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 540–543.

unascertained.¹²⁸¹

(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 1999.¹²⁸² Remains that were given the label of 2Ba–60 were identified through DNA testing as being those of Hasan (Halit) Imeri.¹²⁸³ 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.¹²⁸⁴ 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”.¹²⁸⁵ 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”.¹²⁸⁶

(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 1999.¹²⁸⁷ Remains that were given the label of 2Ba–194 were identified through DNA testing as being those of Hysen (Halit) Imeri.¹²⁸⁸ 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.¹²⁸⁹ 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”.¹²⁹⁰ This is confirmed by the anthropology summary report for Hysen (Halit) Imeri issued by the Office for

¹²⁸¹ P944 (OMPF Reports), e-court pp. 159–161.

¹²⁸² P2798 (OMPF list of missing persons).

¹²⁸³ P2559 (Addendum to Expert Report), e-court p. 33 (under seal).

¹²⁸⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 349–354.

¹²⁸⁵ P944 (OMPF Reports), e-court pp. 88–90.

¹²⁸⁶ P943 (OMPF Reports), e-court p. 587.

¹²⁸⁷ P2798 (OMPF list of missing persons).

¹²⁸⁸ P2559 (Addendum to Expert Report), e-court p. 33 (under seal).

¹²⁸⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1058–1061.

¹²⁹⁰ P944 (OMPF Reports), e-court pp. 317–321.

Missing Persons and Forensics, Department of Justice, UNMIK.¹²⁹¹

(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 1999.¹²⁹² Remains that were given the label of 2Ba–193 were identified through DNA testing as being those of Musa (Xhafer) Imeri.¹²⁹³ 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.¹²⁹⁴ 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.¹²⁹⁵

(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 1999.¹²⁹⁶ Remains that were given the label of 2Ba–153 were identified through DNA testing as being those of Xhafer (Muse) Imeri.¹²⁹⁷ 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.¹²⁹⁸ 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”.¹²⁹⁹

(338) Zenel Ymeri (41, male)

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

¹²⁹¹ P943 (OMPF Reports), e-court p. 569.

¹²⁹² P2798 (OMPF list of missing persons).

¹²⁹³ P2559 (Addendum to Expert Report), e-court p. 34 (under seal).

¹²⁹⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1055–1057.

¹²⁹⁵ P944 (OMPF Reports), e-court pp. 314–316.

¹²⁹⁶ P2798 (OMPF list of missing persons).

¹²⁹⁷ P2559 (Addendum to Expert Report), e-court p. 33 (under seal).

¹²⁹⁸ 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 1999.¹³⁰⁰ Remains that were given the label of 2Ba-87 were identified through DNA testing as being those of Zenel (Xhafer) Imeri.¹³⁰¹ 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.¹³⁰² 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.¹³⁰³

(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 1999.¹³⁰⁴ Remains that were given the label of 2Ba-131 were identified through DNA testing as being those of Bajram (Lahe) Zenuni.¹³⁰⁵ 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.¹³⁰⁶ 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”.¹³⁰⁷

(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 1999.¹³⁰⁸ Remains that were given the label of 2Ba-08 were identified through DNA testing as being those of Xhevat

¹²⁹⁹ P944 (OMPF Reports), e-court pp. 249–252.

¹³⁰⁰ P2798 (OMPF list of missing persons).

¹³⁰¹ P2559 (Addendum to Expert Report), e-court p. 34 (under seal).

¹³⁰² P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 481–484.

¹³⁰³ P944 (OMPF Reports), e-court pp. 138–140.

¹³⁰⁴ P2798 (OMPF list of missing persons).

¹³⁰⁵ P2559 (Addendum to Expert Report), e-court p. 56 (under seal).

¹³⁰⁶ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 724–729.

¹³⁰⁷ P944 (OMPF Reports), e-court pp. 216–219.

¹³⁰⁸ P2798 (OMPF list of missing persons).

(Hazir) Zenuni.¹³⁰⁹ 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.¹³¹⁰ 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”.¹³¹¹

(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 1999.¹³¹² Remains that were given the label of 2Ba-41 were identified through DNA testing as being those of Zenel (Zeqe) Zenuni.¹³¹³ 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.¹³¹⁴ 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.¹³¹⁵ 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.¹³¹⁶

(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 1999.¹³¹⁷ Remains that were given the label of 2Ba-210 were identified through DNA testing as being those of Hasan (Rame) Zeqiri.¹³¹⁸ In the autopsy report prepared by the Institute of Forensic Medicine of the

¹³⁰⁹ P2559 (Addendum to Expert Report), e-court p. 56 (under seal).

¹³¹⁰ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 69–73.

¹³¹¹ P944 (OMPF Reports), e-court pp. 7–9.

¹³¹² P2798 (OMPF list of missing persons).

¹³¹³ P2559 (Addendum to Expert Report), e-court p. 56 (under seal).

¹³¹⁴ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 246–253.

¹³¹⁵ P2394 (OMPF Reports), e-court pp. 252–253.

¹³¹⁶ P2394 (OMPF Reports), e-court p. 254.

¹³¹⁷ P2798 (OMPF list of missing persons).

¹³¹⁸ 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.¹³¹⁹ 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”.¹³²⁰

(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 1999.¹³²¹ Remains that were given the label of 2Ba–227 were identified through DNA testing as being those of Arber (Selim) Zyberi.¹³²² 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 12th rib on the left side”.¹³²³ 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”.¹³²⁴

(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 1999.¹³²⁵ Remains that were given the label of 2Ba–124 were identified through DNA testing as being those of Gani (Sadri) Zyberi.¹³²⁶ 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

¹³¹⁹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1143–1146.

¹³²⁰ P944 (OMPF Reports), e-court pp. 335–339.

¹³²¹ P2798 (OMPF list of missing persons).

¹³²² P2559 (Addendum to Expert Report), e-court p. 56 (under seal).

¹³²³ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 1235–1239.

¹³²⁴ P944 (OMPF Reports), e-court pp. 374–376.

¹³²⁵ P2798 (OMPF list of missing persons).

¹³²⁶ P2559 (Addendum to Expert Report), e-court p. 56 (under seal).

temperature.¹³²⁷ 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”.¹³²⁸

(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 1999.¹³²⁹ Remains that were given the label of 2Ba-59 were identified through DNA testing as being those of Skender (Beqir) Zyberi.¹³³⁰ 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.¹³³¹ 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”.¹³³² 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.¹³³³

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)¹³³⁴ as being killed in Bela Crkva/Bellacërka and recognised them all as having been killed on 26 March 1999 in Belaja stream.¹³³⁵

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

¹³²⁷ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 674–677.

¹³²⁸ P944 (OMPF Reports), e-court pp. 206–208.

¹³²⁹ P2798 (OMPF list of missing persons).

¹³³⁰ P2559 (Addendum to Expert Report), e-court p. 56 (under seal).

¹³³¹ P942 (Documents related to the exhumation site Batajnica 02: Autopsy reports), e-court pp. 346–348.

¹³³² P943 (OMPF Reports), e-court pp. 331–332.

¹³³³ P943 (OMPF Reports), e-court p. 512.

¹³³⁴ P97 (Exhumation report re Bela Crkva/Bellacërka). This document was admitted through witness Sabri Popaj.

¹³³⁵ Isuf Zhuniqi, T. 410–4105 (27 September 2006).

as being killed at Bela Crkva/Bellacërka.¹³³⁶

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 1999.¹³³⁷ However, there have been no remains identified as belonging to him; his name does not appear in the British Forensic Team's report.¹³³⁸

(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 1999.¹³³⁹ 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.¹³⁴⁰

(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 1999.¹³⁴¹ 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.¹³⁴²

¹³³⁶ Sabri Popaj, T. 5677 (1 November 2006); P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 3–5.

¹³³⁷ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5.

¹³³⁸ P97 (Exhumation report re Bela Crkva/Bellacërka).

¹³³⁹ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹³⁴⁰ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 63.

¹³⁴¹ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹³⁴² 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 1999.¹³⁴³ However, there have been no remains identified as belonging to him; his name does not appear in the British Forensic Team's report.¹³⁴⁴

(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 1999.¹³⁴⁵ 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.¹³⁴⁶

(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 1999.¹³⁴⁷ 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.¹³⁴⁸

(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 1999.¹³⁴⁹ However, there have been no remains identified as belonging to him; his name does not appear in the British Forensic Team's report.¹³⁵⁰

¹³⁴³ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5.

¹³⁴⁴ See P97 (Exhumation report re Bela Crkva/Bellacërka).

¹³⁴⁵ 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.

¹³⁴⁶ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 85–86.

¹³⁴⁷ 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).

¹³⁴⁸ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 89–90.

¹³⁴⁹ 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.

¹³⁵⁰ 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 1999.¹³⁵¹ 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.¹³⁵²

(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 1999.¹³⁵³ 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.¹³⁵⁴

(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 1999.¹³⁵⁵ 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.¹³⁵⁶

(11) Hazer Popaj (77, male)

422. Isuf Zhuniqi and Sabri Popaj identified Hazer Popaj as one of the persons killed at the Belaja

¹³⁵¹ 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.

¹³⁵² P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 86–87.

¹³⁵³ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹³⁵⁴ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 84–85.

¹³⁵⁵ 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.

¹³⁵⁶ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 88–89.

stream in Bela Crkva/Bellacërka on 26 March 1999.¹³⁵⁷ Sabri Popaj and Zenel Popaj buried the body.¹³⁵⁸ 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.¹³⁵⁹

(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 1999.¹³⁶⁰ However, there have been no remains identified as belonging to him; his name does not appear in the British Forensic Team's report.¹³⁶¹

(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 1999.¹³⁶² 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.¹³⁶³ Sabri Popaj and Enver Popaj, Irfan Popaj's brother, buried his body.¹³⁶⁴ 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.¹³⁶⁵

(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 1999.¹³⁶⁶ Sabri Popaj buried his body.¹³⁶⁷ The corpse

¹³⁵⁷ 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.

¹³⁵⁸ 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.

¹³⁵⁹ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 81–82.

¹³⁶⁰ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 6; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 5.

¹³⁶¹ See P97 (Exhumation report re Bela Crkva/Bellacërka).

¹³⁶² 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.

¹³⁶³ Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 8, T. 5661–5662, 5674 (1 November 2006).

¹³⁶⁴ Sabri Popaj, P2446 (witness statement dated 14 June 1999), pp. 7–8.

¹³⁶⁵ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 75–76.

¹³⁶⁶ 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.¹³⁶⁸

(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 1999.¹³⁶⁹ 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.¹³⁷⁰

(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 1999.¹³⁷¹ However, there have been no remains identified as belonging to him; his name does not appear in the British Forensic Team's report.¹³⁷²

(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 1999.¹³⁷³ Sabri Popaj buried the body.¹³⁷⁴ 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.¹³⁷⁵

¹³⁶⁷ 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).

¹³⁶⁸ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 93–94.

¹³⁶⁹ 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.

¹³⁷⁰ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 87–88.

¹³⁷¹ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 6.

¹³⁷² P97 (Exhumation report re Bela Crkva/Bellacërka).

¹³⁷³ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 6; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹³⁷⁴ 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).

¹³⁷⁵ 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 1999.¹³⁷⁶ 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.¹³⁷⁷

(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 1999.¹³⁷⁸ 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.¹³⁷⁹

(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 1999.¹³⁸⁰ 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.¹³⁸¹

(21) Rrustem Popaj (61, male)

432. Isuf Zhuniqi and Sabri Popaj identified Rrustem Popaj as one of the persons killed at the

¹³⁷⁶ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹³⁷⁷ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 83–84.

¹³⁷⁸ 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).

¹³⁷⁹ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 92–93.

¹³⁸⁰ 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).

¹³⁸¹ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 91–92.

Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.¹³⁸² Although the name “Popaj Rrustem” 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.¹³⁸³ 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.¹³⁸⁴

(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 1999.¹³⁸⁵ 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.¹³⁸⁶

(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 1999.¹³⁸⁷ 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.¹³⁸⁸ 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

¹³⁸² 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.

¹³⁸³ Isuf Zhuniqi, T. 4104 (27 September 2006); P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 11.

¹³⁸⁴ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 66–67.

¹³⁸⁵ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹³⁸⁶ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 84–85.

¹³⁸⁷ 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.

¹³⁸⁸ 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.¹³⁸⁹

(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 1999.¹³⁹⁰ 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.¹³⁹¹

(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 1999.¹³⁹² 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.¹³⁹³

(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 1999.¹³⁹⁴ 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.¹³⁹⁵

¹³⁸⁹ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 74–75.

¹³⁹⁰ 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).

¹³⁹¹ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 90–91.

¹³⁹² Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 6; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹³⁹³ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 95–96.

¹³⁹⁴ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 6; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹³⁹⁵ 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 1999.¹³⁹⁶ 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;¹³⁹⁷ Sabri Popaj testified that he eye-witnessed the killings of "eight" members of the Spahiu family whose names he did not know.¹³⁹⁸ 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.¹³⁹⁹ 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 inquiry in these 12 cases were head and/or back with three to the chest.¹⁴⁰⁰ 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.¹⁴⁰¹

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

¹³⁹⁶ 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).

¹³⁹⁷ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 3.

¹³⁹⁸ Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 4, T. 5655–5656 (1 November 2006).

¹³⁹⁹ 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.

¹⁴⁰⁰ 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.¹⁴⁰² 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.¹⁴⁰³

(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.¹⁴⁰⁴ 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.¹⁴⁰⁵

(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.¹⁴⁰⁶ 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.¹⁴⁰⁷

(d) Qamile Spahiu (69, female)

445. Sahit Zhuniqi identified the corpse labelled JB-G/68/SR (Zone 6) as Qamile Spahiu. He had

¹⁴⁰¹ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 46–47.

¹⁴⁰² P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

¹⁴⁰³ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 105.

¹⁴⁰⁴ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

¹⁴⁰⁵ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 104.

¹⁴⁰⁶ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

¹⁴⁰⁷ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 105–106.

buried her body.¹⁴⁰⁸ 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.¹⁴⁰⁹

(c) Xhemal Spahiu (70, male)

446. Sahit Zhuniqui identified the corpse labelled JB-G/66/SR (Zone 6) by the face as Xhemal Spahiu. He had buried his body.¹⁴¹⁰ Isuf Zhuniqui also testified that Xhemal Spahiu was killed.¹⁴¹¹ 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.¹⁴¹²

(28) Clirim Zhuniqui's family

447. Isuf Zhuniqui stated that he saw he saw 13 people belonging to the families of Clirim Zhuniqui and Xhemal Spahiu being killed by the MUP at Belaja stream on 26 March 1999: eight members of Clirim Zhuniqui's family and five members of Xhemal Spahiu' family. From the Zhuniqui 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.¹⁴¹³ He stated that he discovered later that Clirim's 2-year old son had survived the execution.¹⁴¹⁴

448. Sabri Popaj testified that he saw altogether 14 people belonging to the Zhuniqui family and the Spahiu family at the stream at the relevant time: six belonged to Clirim Zhuniqui's family and eight persons belonged to the Spahiu Family. From Zhuniqui's family he saw the following persons being killed: father Clirim, mother Lumturie, two daughters, and two sons.¹⁴¹⁵ Sabri Popaj also heard that a small 2-year old boy was found alive at the scene of the killing that he had witnessed.¹⁴¹⁶ In his testimony, he stated that his name was "Skodran" and he belonged to the family of "Arsim Zhuniqui".¹⁴¹⁷

¹⁴⁰⁸ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

¹⁴⁰⁹ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 102–103.

¹⁴¹⁰ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

¹⁴¹¹ 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.

¹⁴¹² P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 101.

¹⁴¹³ Isuf Zhuniqui, P2331 (witness statement dated 4 May 1999), p. 3.

¹⁴¹⁴ 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.

¹⁴¹⁵ Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 3.

¹⁴¹⁶ Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 5.

¹⁴¹⁷ 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.¹⁴¹⁸ In addition to Clirim Zhuniqui and his wife, Isuf Zhuniqui saw Clirim's son, Dardan, his daughter, Dardane, and "another son" being killed.¹⁴¹⁹ Sabri Popaj, on the other hand, saw two daughters and two sons killed.¹⁴²⁰ 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 1999.¹⁴²¹ Sahit Zhuniqui identified the corpse labelled JB-G/62/SR as his brother, Shlirim Zhuniqui. He had buried his body.¹⁴²² 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.¹⁴²³

(b) Lumnig Zhuniqui (39, female)

451. Isuf Zhuniqui and Sabri Popaj identified Lumnig Zhuniqui as one of the persons killed at the Belaja stream in Bela Crkva/Bellacërka on 26 March 1999.¹⁴²⁴ Sahit Zhuniqui identified the corpse labelled JB-G/63/SR (Zone 6) as "his sister", Lumnig Zhuniqui. He had buried her body.¹⁴²⁵ 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.¹⁴²⁶

¹⁴¹⁸ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 46–47.

¹⁴¹⁹ Isuf Zhuniqui, P2331 (witness statement dated 4 May 1999), p. 3.

¹⁴²⁰ Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 3.

¹⁴²¹ 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.

¹⁴²² P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

¹⁴²³ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 98–99.

¹⁴²⁴ 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.

¹⁴²⁵ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

¹⁴²⁶ 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 1999.¹⁴²⁷ Sabri Popaj also testified that among other members of Clirim Zhuniqi's family, he saw his two sons being killed.¹⁴²⁸ Sahit Zhuniqi identified the corpse labelled JB-G/64/SR (Zone 6) as his nephew, Dardan Zhuniqi. He had buried his body.¹⁴²⁹ 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.¹⁴³⁰

(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 1999.¹⁴³¹ Sabri Popaj also testified that among other members of Clirim Zhuniqi's family, he saw his two daughters being killed.¹⁴³² Sahit Zhuniqi identified the corpse labelled JB-G/67/SR (Zone 6) as his niece, Dardane Zhuniqi. He had buried her body.¹⁴³³ 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.¹⁴³⁴

(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 1999.¹⁴³⁵ 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.¹⁴³⁶ Sabri Popaj also testified that among other members of Clirim Zhuniqi's family, he saw his two daughters being killed.¹⁴³⁷ Sahit Zhuniqi identified the corpse labelled JB-

¹⁴²⁷ 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.

¹⁴²⁸ Sabri Popaj, P2446 (witness statement dated 14 June 1999), pp. 3–4.

¹⁴²⁹ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

¹⁴³⁰ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 100.

¹⁴³¹ 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.

¹⁴³² Sabri Popaj, P2446 (witness statement dated 14 June 1999), pp. 3–4.

¹⁴³³ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

¹⁴³⁴ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 101–102.

¹⁴³⁵ Isuf Zhuniqi, T. 4104 (27 September 2006); P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 19.

¹⁴³⁶ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 3.

¹⁴³⁷ 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.¹⁴³⁸ 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.¹⁴³⁹ 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 1999.¹⁴⁴⁰ 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.¹⁴⁴¹

(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 1999.¹⁴⁴² 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.¹⁴⁴³ 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.¹⁴⁴⁴

¹⁴³⁸ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court p. 47.

¹⁴³⁹ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 100–101.

¹⁴⁴⁰ 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.

¹⁴⁴¹ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 41, 61–62.

¹⁴⁴² 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.

¹⁴⁴³ Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 8. *See also* Sabri Popaj. T. 5661–5662, 5674 (1 November 2006).

¹⁴⁴⁴ 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 1999.¹⁴⁴⁵ 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.¹⁴⁴⁶

(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 1999.¹⁴⁴⁷ 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.¹⁴⁴⁸

(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 1999.¹⁴⁴⁹ 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.¹⁴⁵⁰

(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 1999.¹⁴⁵¹ Sabri Popaj identified the corpse labelled CAD/1/SR (Zone 1) by the clothing and the gold tooth as his cousin, Eshref Zhuniqi. The

¹⁴⁴⁵ 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.

¹⁴⁴⁶ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 42, 67–68.

¹⁴⁴⁷ 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.

¹⁴⁴⁸ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 42, 69–70.

¹⁴⁴⁹ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹⁴⁵⁰ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 42, 63–64.

¹⁴⁵¹ 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.¹⁴⁵²

(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 1999.¹⁴⁵³ 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.¹⁴⁵⁴

(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 1999.¹⁴⁵⁵ 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 1999.¹⁴⁵⁶ However, his name does not appear in Isuf Zhuniqi's witness statement where he identified the people he saw being killed in Bela Crkve/Bellacërkve.¹⁴⁵⁷ 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.¹⁴⁵⁸

(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 1999.¹⁴⁵⁹ 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

¹⁴⁵² P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 49, 82.

¹⁴⁵³ 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.

¹⁴⁵⁴ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 42–43, 74.

¹⁴⁵⁵ Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹⁴⁵⁶ Isuf Zhuniqi, T. 4104 (27 September 2006); P94 (Pre-conflict photographs of the individuals killed in Bela Crkva/Bellacërka), p. 23.

¹⁴⁵⁷ See Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5.

¹⁴⁵⁸ 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.¹⁴⁶⁰ 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.¹⁴⁶¹

(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 1999.¹⁴⁶² 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.¹⁴⁶³

(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 1999.¹⁴⁶⁴ 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.¹⁴⁶⁵

(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 1999.¹⁴⁶⁶ 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

¹⁴⁵⁹ 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.

¹⁴⁶⁰ Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 8, T. 5661–5662, 5674 (1 November 2006).

¹⁴⁶¹ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 45, 80–81.

¹⁴⁶² Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹⁴⁶³ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 42, 64–65.

¹⁴⁶⁴ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹⁴⁶⁵ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 41, 58.

¹⁴⁶⁶ 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.¹⁴⁶⁷ 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.¹⁴⁶⁸

(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 1999.¹⁴⁶⁹ However, there have been no remains identified as belonging to him; his name does not appear in the British Forensic Team's report.¹⁴⁷⁰

(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 1999.¹⁴⁷¹ 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.¹⁴⁷²

(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 1999.¹⁴⁷³ 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.¹⁴⁷⁴

¹⁴⁶⁷ Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 8, T. 5661–5662, 5674 (1 November 2006).

¹⁴⁶⁸ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 45, 77–78.

¹⁴⁶⁹ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5.

¹⁴⁷⁰ See P97 (Exhumation report re Bela Crkva/Bellacërka).

¹⁴⁷¹ 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.

¹⁴⁷² P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 41, 57.

¹⁴⁷³ 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.

¹⁴⁷⁴ 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 1999.¹⁴⁷⁵ 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.¹⁴⁷⁶

(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 1999.¹⁴⁷⁷ 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.¹⁴⁷⁸

(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 1999.¹⁴⁷⁹ 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.¹⁴⁸⁰

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

¹⁴⁷⁵ 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.

¹⁴⁷⁶ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 42, 70–71.

¹⁴⁷⁷ Isuf Zhuniqi, P2331 (witness statement dated 4 May 1999), p. 5; Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹⁴⁷⁸ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 42, 71–72.

¹⁴⁷⁹ 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.¹⁴⁸¹ 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.¹⁴⁸²

(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 1999.¹⁴⁸³ 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.¹⁴⁸⁴

(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 1999.¹⁴⁸⁵ 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.¹⁴⁸⁶

(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 1999.¹⁴⁸⁷ 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.¹⁴⁸⁸

¹⁴⁸⁰ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 68–69.

¹⁴⁸¹ Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 8, T. 5661–5662, 5674 (1 November 2006).

¹⁴⁸² P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 79–80.

¹⁴⁸³ Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹⁴⁸⁴ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 41, 59–60.

¹⁴⁸⁵ Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹⁴⁸⁶ P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 41, 60–61.

¹⁴⁸⁷ Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 7.

¹⁴⁸⁸ 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 1999.¹⁴⁸⁹ However, there have been no remains identified as belonging to him; his name does not appear in the British Forensic Team's report.¹⁴⁹⁰

(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.¹⁴⁹¹ 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.¹⁴⁹²

(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.¹⁴⁹³ 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.¹⁴⁹⁴

¹⁴⁸⁹ Sabri Popaj, P2446 (witness statement dated 14 June 1999), p. 4, T. 5656 (1 November 2006).

¹⁴⁹⁰ See P97 (Exhumation report re Bela Crkva/Bellacërka).

¹⁴⁹¹ 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.

¹⁴⁹² P97 (Exhumation report re Bela Crkva/Bellacërka), e-court pp. 47, 103–104.

¹⁴⁹³ 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.

¹⁴⁹⁴ 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 1999.¹⁴⁹⁵

(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 1999.¹⁴⁹⁶

(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 1999.¹⁴⁹⁷

(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 1999.¹⁴⁹⁸

(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 1999.¹⁴⁹⁹

¹⁴⁹⁵ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁴⁹⁶ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁴⁹⁷ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁴⁹⁸ 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).

¹⁴⁹⁹ 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 1999.¹⁵⁰⁰

(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 1999.¹⁵⁰¹

(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 1999.¹⁵⁰²

(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 1999.¹⁵⁰³

(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 1999.¹⁵⁰⁴

(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 1999.¹⁵⁰⁵

¹⁵⁰⁰ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵⁰¹ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵⁰² P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵⁰³ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵⁰⁴ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵⁰⁵ 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 1999.¹⁵⁰⁶

(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 1999.¹⁵⁰⁷

(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 1999.¹⁵⁰⁸

(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 1999.¹⁵⁰⁹

(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 1999.¹⁵¹⁰

(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 1999.¹⁵¹¹

¹⁵⁰⁶ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵⁰⁷ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵⁰⁸ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵⁰⁹ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵¹⁰ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵¹¹ 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 1999.¹⁵¹²

(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 1999.¹⁵¹³

(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 1999.¹⁵¹⁴

(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 1999.¹⁵¹⁵

(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 1999.¹⁵¹⁶

(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 1999.¹⁵¹⁷

(24) Njazi Batusha (35–39, male)

504. Lutfi Ramadani and Mehmet Krasniqi identified Njazi Batusha as one of the people killed in

¹⁵¹² P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵¹³ P2357 (List of names provided by Lutfi Ramadani), p. 2.

¹⁵¹⁴ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵¹⁵ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵¹⁶ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵¹⁷ 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 1999.¹⁵¹⁸

(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 1999.¹⁵¹⁹

(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.¹⁵²⁰

(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 1999.¹⁵²¹

(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 1999.¹⁵²²

(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 1999.¹⁵²³

(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 1999.¹⁵²⁴

¹⁵¹⁸ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵¹⁹ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵²⁰ 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.

¹⁵²¹ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵²² P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵²³ Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 4.

¹⁵²⁴ 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 1999.¹⁵²⁵

(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 1999.¹⁵²⁶

(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 1999.¹⁵²⁷

(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 1999.¹⁵²⁸

(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.¹⁵²⁹

(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 1999.¹⁵³⁰

(37) Nazim Hajdari (29–33, male)

517. Lutfi Ramadani and Mehmet Krasniqi identified Nazim Hajdari as one of the people killed in

¹⁵²⁵ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵²⁶ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵²⁷ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵²⁸ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵²⁹ Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵³⁰ 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 1999.¹⁵³¹

(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 1999.¹⁵³²

(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 1999.¹⁵³³

(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 1999.¹⁵³⁴

(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 1999.¹⁵³⁵

(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 1999.¹⁵³⁶

(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 1999.¹⁵³⁷

¹⁵³¹ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵³² P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵³³ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵³⁴ 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.

¹⁵³⁵ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵³⁶ 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 1999.¹⁵³⁸

(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 1999.¹⁵³⁹

(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 1999.¹⁵⁴⁰

(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 1999.¹⁵⁴¹

(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 1999.¹⁵⁴²

(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 1999.¹⁵⁴³

¹⁵³⁷ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵³⁸ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵³⁹ 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.

¹⁵⁴⁰ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁴¹ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁴² P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁴³ 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 1999.¹⁵⁴⁴

(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 1999.¹⁵⁴⁵

(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 1999.¹⁵⁴⁶

(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.¹⁵⁴⁷

(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 1999.¹⁵⁴⁸

(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 1999.¹⁵⁴⁹

¹⁵⁴⁴ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁴⁵ 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).

¹⁵⁴⁶ P2357 (List of names provided by Lutfi Ramadani), p. 3.

¹⁵⁴⁷ 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).

¹⁵⁴⁸ 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).

¹⁵⁴⁹ 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 1999.¹⁵⁵⁰

(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 1999.¹⁵⁵¹ 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 18.¹⁵⁵²

(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 1999.¹⁵⁵³ 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 18.¹⁵⁵⁴

(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 1999.¹⁵⁵⁵

(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 1999.¹⁵⁵⁶

(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 1999.¹⁵⁵⁷

¹⁵⁵⁰ 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).

¹⁵⁵¹ P2357 (List of names provided by Lutfi Ramadani), p. 3.

¹⁵⁵² Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁵³ P2357 (List of names provided by Lutfi Ramadani), p. 4; Lutfi Ramadani, T. 4308–4310 (28 September 2008).

¹⁵⁵⁴ Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁵⁵ 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 1999.¹⁵⁵⁸

(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 1999.¹⁵⁵⁹

(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 1999.¹⁵⁶⁰

(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 1999.¹⁵⁶¹

(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 1999.¹⁵⁶²

(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 1999.¹⁵⁶³

¹⁵⁵⁶ P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁵⁷ P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁵⁸ P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁵⁹ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁶⁰ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁶¹ Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁶² Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁶³ 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 1999.¹⁵⁶⁴

(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 1999.¹⁵⁶⁵

(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 1999.¹⁵⁶⁶

(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 1999.¹⁵⁶⁷

(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 1999.¹⁵⁶⁸

(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 1999.¹⁵⁶⁹

(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 1999.¹⁵⁷⁰

¹⁵⁶⁴ P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁶⁵ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁶⁶ Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁶⁷ Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁶⁸ 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 1999.¹⁵⁷¹

(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 1999.¹⁵⁷²

(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 1999.¹⁵⁷³

(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 1999.¹⁵⁷⁴

(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 1999.¹⁵⁷⁵

(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 1999.¹⁵⁷⁶

¹⁵⁶⁹ P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁷⁰ P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁷¹ P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁷² P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁷³ P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁷⁴ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁷⁵ 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 1999.¹⁵⁷⁷ 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 1999.¹⁵⁷⁸

(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 1999.¹⁵⁷⁹ 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 1999.¹⁵⁸⁰

(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 1999.¹⁵⁸¹

(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 1999.¹⁵⁸²

¹⁵⁷⁶ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁷⁷ 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.

¹⁵⁷⁸ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁷⁹ 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.

¹⁵⁸⁰ P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁸¹ 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 1999.¹⁵⁸³

(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 1999.¹⁵⁸⁴

(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 1999.¹⁵⁸⁵

(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 1999.¹⁵⁸⁶

(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 1999.¹⁵⁸⁷

(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 1999.¹⁵⁸⁸

¹⁵⁸² P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁸³ 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).

¹⁵⁸⁴ P2357 (List of names provided by Lutfi Ramadani), p. 2; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁸⁵ P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁸⁶ P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁸⁷ P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁸⁸ 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 1999.¹⁵⁸⁹

(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 1999.¹⁵⁹⁰

(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.¹⁵⁹¹

(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 1999.¹⁵⁹²

(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 1999.¹⁵⁹³

(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 1999.¹⁵⁹⁴

(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 1999.¹⁵⁹⁵

¹⁵⁸⁹ P2357 (List of names provided by Lutfi Ramadani), p. 1; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 5.

¹⁵⁹⁰ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁹¹ Prosecution Final Trial Brief, 29 July 2008 (public version), Annex C (Mala Kruša/Velika Kruša), p. 18.

¹⁵⁹² Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁹³ 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 1999.¹⁵⁹⁶

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 1999.¹⁵⁹⁷

(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 1999.¹⁵⁹⁸

(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 1999.¹⁵⁹⁹

(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 1999.¹⁶⁰⁰

(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 1999.¹⁶⁰¹

¹⁵⁹⁴ Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁹⁵ Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁹⁶ P2357 (List of names provided by Lutfi Ramadani), p. 3; Mehmet Krasniqi, P2341 (witness statement dated 4 April 1999), p. 6.

¹⁵⁹⁷ P2357 (List of names provided by Lutfi Ramadani), p. 2.

¹⁵⁹⁸ P2357 (List of names provided by Lutfi Ramadani), p. 2.

¹⁵⁹⁹ P2357 (List of names provided by Lutfi Ramadani), p. 2.

¹⁶⁰⁰ P2357 (List of names provided by Lutfi Ramadani), p. 3.

¹⁶⁰¹ 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 1999.¹⁶⁰²

(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 1999.¹⁶⁰³

(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 1999.¹⁶⁰⁴

(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 1999.¹⁶⁰⁵

(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 1999.¹⁶⁰⁶

(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 1999.¹⁶⁰⁷

(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 1999.¹⁶⁰⁸

¹⁶⁰² P2357 (List of names provided by Lutfi Ramadani), p. 3.

¹⁶⁰³ P2357 (List of names provided by Lutfi Ramadani), p. 3.

¹⁶⁰⁴ P2357 (List of names provided by Lutfi Ramadani), p. 3.

¹⁶⁰⁵ P2357 (List of names provided by Lutfi Ramadani), p. 3.

¹⁶⁰⁶ P2357 (List of names provided by Lutfi Ramadani), p. 3.

¹⁶⁰⁷ P2357 (List of names provided by Lutfi Ramadani), p. 3.

¹⁶⁰⁸ 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 1999.¹⁶⁰⁹

(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 1999.¹⁶¹⁰

(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 1999.¹⁶¹¹

(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 1999.¹⁶¹²

(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 1999.¹⁶¹³

(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 1999.¹⁶¹⁴

(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.¹⁶¹⁵ However, there is no other evidence supporting this assertion.

¹⁶⁰⁹ P2357 (List of names provided by Lutfi Ramadani), p. 2.

¹⁶¹⁰ P2357 (List of names provided by Lutfi Ramadani), p. 1.

¹⁶¹¹ P2357 (List of names provided by Lutfi Ramadani), p. 1.

¹⁶¹² P2357 (List of names provided by Lutfi Ramadani), p. 1.

¹⁶¹³ P2357 (List of names provided by Lutfi Ramadani), p. 1.

¹⁶¹⁴ 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.¹⁶¹⁶ 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.¹⁶¹⁷ Some personal items were found with the remains.¹⁶¹⁸ Afrim Berisha is listed as one of the persons missing or killed in Suva Reka/Suhareka on 26 March 1999 by Hysni Berisha¹⁶¹⁹ and is also listed on the OMPF list of missing persons.¹⁶²⁰

(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 1999.¹⁶²¹ In addition, the list of missing persons from Suva Reka/Suhareka prepared by Hysni Berisha contains Altin's name¹⁶²² as does the OMPF list of missing persons.¹⁶²³

¹⁶¹⁵ Lutfi Ramadani, T. 4296, 4299 (28 September 2006).

¹⁶¹⁶ P2486 (Report of the Biology Service), pp. 7–8.

¹⁶¹⁷ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 11–14.

¹⁶¹⁸ P139 (Photographs of identification items relating to Afrim Berisha); P140 (Index of photographs of identification items relating to Afrim Berisha).

¹⁶¹⁹ 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.

¹⁶²⁰ P2798 (OMPF list of missing persons).

¹⁶²¹ Shyrete Berisha, T. 3869–3871 (25 September 2006); P2346 (Berisha family tree).

¹⁶²² 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).

¹⁶²³ 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.¹⁶²⁴ Hamdi Berisha had four daughters, namely, Arta, Zana, Merita, and Hanumsha, all of which are listed in the Schedule.¹⁶²⁵ 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-54.¹⁶²⁶ 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.¹⁶²⁷ 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.¹⁶²⁸ 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.¹⁶²⁹

604. All four girls are also listed on the OMPF list of missing persons.¹⁶³⁰ 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.¹⁶³¹

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 1999.¹⁶³² Hysni Berisha's list of missing persons lists the name of Avdi Berisha¹⁶³³ as does the OMPF list of missing persons.¹⁶³⁴

¹⁶²⁴ P2486 (Report of the Biology Service), p. 8.

¹⁶²⁵ P2346 (Berisha family tree).

¹⁶²⁶ P2559 (Addendum to Expert Report) (under seal), p. 20.

¹⁶²⁷ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 58–60.

¹⁶²⁸ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 110–113.

¹⁶²⁹ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 149–151.

¹⁶³⁰ P2798 (OMPF list of missing persons).

¹⁶³¹ 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 1999.¹⁶³⁵ Through DNA analysis, Alonso identified remains labelled as Ba-21a and Ba-28b as belonging to Besim Berisha.¹⁶³⁶ The ICMP report identifies remains labelled Ba-21a and Ba-28b as belonging to either Besim Berisha or his brother Hajdin Berisha.¹⁶³⁷ 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-21a¹⁶³⁸ and Ba-28b¹⁶³⁹ 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.¹⁶⁴⁰ Besim Berisha is listed on Hysni Berisha's list and the OMPF list as one of the persons who went missing on 26 March 1999.¹⁶⁴¹

(6) Bujar Berisha (40, male)

609. Shyrete Berisha gave extensive evidence about the way in which Bujar Berisha was killed on 26 March 1999.¹⁶⁴² Hysni Berisha identified Bujar Berisha's grave in the Suva Reka/Suhareka cemetery.¹⁶⁴³ 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.¹⁶⁴⁴

¹⁶³² Shyrete Berisha, T. 3869–3871, 3899–3900 (25 September 2006); P2346 (Berisha family tree).

¹⁶³³ P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁶³⁴ P2798 (OMPF list of missing persons).

¹⁶³⁵ Shyrete Berisha, T. 3869–3871 (25 September 2006); P2346 (Berisha family tree).

¹⁶³⁶ P2486 (Report of the Biology Service), pp. 6–7.

¹⁶³⁷ P2559 (Addendum to Expert Report) (under seal), p. 21; P2558 (Notice of DNA Reports, December 2005) (under seal), e-court p. 35.

¹⁶³⁸ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 139–142; P181 (Autopsy report for Ba-21a and Ba-28b).

¹⁶³⁹ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 161–163; P181 (Autopsy report for Ba-21a and Ba-28b).

¹⁶⁴⁰ P943 (OMPF Reports), e-court p. 387.

¹⁶⁴¹ P2351 (List of killed/missing persons in 1998 and 1999), p. 2; P2798 (OMPF list of missing persons).

¹⁶⁴² Shyrete Berisha, T. 3869–3871, 3891–3894 (25 September 2006); P2346 (Berisha family tree).

¹⁶⁴³ P2282 (witness statement dated 20 August 2001), p. 14; P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁶⁴⁴ 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 1999.¹⁶⁴⁵ Dafina Berisha is also listed in Hysni Berisha's list of missing persons,¹⁶⁴⁶ as well as on the OMPF's list of missing persons.¹⁶⁴⁷

(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 1999.¹⁶⁴⁸ Dorentina Berisha is also listed in Hysni Berisha's list of missing persons,¹⁶⁴⁹ as well as on the OMPF's list of missing persons.¹⁶⁵⁰

(9) Drilon Berisha (13, male)

612. Shyrete Berisha gave evidence to the effect that Drilon Berisha was present in the pizzeria on 26 March 1999.¹⁶⁵¹ Through DNA analysis, Alonso identified remains labelled as Ba-40 as belonging to Drilon Berisha.¹⁶⁵² The ICMP report identifies remains labelled Ba-40 as belonging to Drilon Berisha.¹⁶⁵³ 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.¹⁶⁵⁴ 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.¹⁶⁵⁵ Drilon Berisha is also listed in Hysni Berisha's list of missing persons,¹⁶⁵⁶ as well as on the OMPF's list of missing persons.¹⁶⁵⁷

(10) Edon Berisha (12, male)

613. Shyrete Berisha gave evidence to the effect that Edon Berisha was present in the pizzeria on

¹⁶⁴⁵ Shyrete Berisha, T. 3869–3871, 3898–3899 (25 September 2006); P2346 (Berisha family tree).

¹⁶⁴⁶ P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁶⁴⁷ P2798 (OMPF list of missing persons).

¹⁶⁴⁸ Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

¹⁶⁴⁹ P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

¹⁶⁵⁰ P2798 (OMPF list of missing persons).

¹⁶⁵¹ Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

¹⁶⁵² P2486 (Report of the Biology Service), p. 5.

¹⁶⁵³ P2559 (Addendum to Expert Report) (under seal), p. 21; P2558 (Notice of DNA Reports) (under seal), e-court p. 35.

¹⁶⁵⁴ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 194–198; P185 (atopsy report for Ba-40).

¹⁶⁵⁵ P2394 (OMPF Reports), e-court pp. 165–167.

¹⁶⁵⁶ P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁶⁵⁷ P2798 (OMPF list of missing persons).

26 March 1999.¹⁶⁵⁸ Edon Berisha is also listed on Hysni Berisha's list of missing persons,¹⁶⁵⁹ as well as on the OMPF's list of missing persons.¹⁶⁶⁰

(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 1999.¹⁶⁶¹ Eron Berisha is also listed on Hysni Berisha's list of missing persons,¹⁶⁶² as well as on the OMPF's list of missing persons.¹⁶⁶³

(12) Fatime Berisha (37, female)

615. Shyrete Berisha gave evidence to the effect that Fatime Berisha was present in the pizzeria on 26 March 1999.¹⁶⁶⁴ Fatime Berisha is also listed on Hysni Berisha's list of missing persons,¹⁶⁶⁵ as well as on the OMPF's list of missing persons.¹⁶⁶⁶

(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 1999.¹⁶⁶⁷ 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.¹⁶⁶⁸ The cause of death was found to be a gunshot wound to the head.¹⁶⁶⁹ Fatime Berisha is also listed on Hysni Berisha's list of missing persons and he has identified her grave.¹⁶⁷⁰

(14) Fatmire Berisha (22, female)

617. Shyrete Berisha gave evidence to the effect that Fatmire Berisha was present in Vesel

¹⁶⁵⁸ Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

¹⁶⁵⁹ P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

¹⁶⁶⁰ P2798 (OMPF list of missing persons).

¹⁶⁶¹ Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

¹⁶⁶² P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

¹⁶⁶³ P2798 (OMPF list of missing persons).

¹⁶⁶⁴ Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

¹⁶⁶⁵ P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁶⁶⁶ P2798 (OMPF list of missing persons).

¹⁶⁶⁷ Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

¹⁶⁶⁸ 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).

¹⁶⁶⁹ P130 (Autopsy Report: SCG/28/SR).

¹⁶⁷⁰ 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 1999.¹⁶⁷¹ Through DNA analysis, Alonso identified remains labelled as Ba-29 and Ba-37 as those belonging to Fatmire Berisha.¹⁶⁷² The ICMP report identifies remains labelled Ba-29 and Ba-37 as belonging to Fatmire Berisha.¹⁶⁷³ These remains were also identified by virtue of loose objects found on or near them.¹⁶⁷⁴ 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.¹⁶⁷⁵ 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.¹⁶⁷⁶ Fatmire Berisha is also listed on Hysni Berisha's list of missing persons,¹⁶⁷⁷ as well as on the OMPF's list of missing persons.¹⁶⁷⁸

(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 1999.¹⁶⁷⁹ She also testified that Faton was taken by a member of the Serb forces once the family was forced to leave the house.¹⁶⁸⁰ 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.¹⁶⁸¹ Faton Berisha is also listed on Hysni Berisha's list of missing persons.¹⁶⁸²

(16) Flora Berisha (38, female)

619. Shyrete Berisha gave evidence to the effect that Flora Berisha was present in the pizzeria on 26 March 1999.¹⁶⁸³ Flora Berisha is also listed on Hysni Berisha's list of missing persons,¹⁶⁸⁴ as well

¹⁶⁷¹ Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

¹⁶⁷² P2486 (Report of the Biology Service), p. 6.

¹⁶⁷³ P2559 (Addendum to Expert Report) (under seal), p. 21; P2558 (Notice of DNA Reports) (under seal), e-court p. 35.

¹⁶⁷⁴ P147 (Index of photographs of identification items relating to Fatmire Berisha); P148 (Photographs of identification items relating to Fatmire Berisha).

¹⁶⁷⁵ 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).

¹⁶⁷⁶ P2394 (OMPF Reports), e-court pp. 165–167.

¹⁶⁷⁷ P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁶⁷⁸ P2798 (OMPF list of missing persons).

¹⁶⁷⁹ Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

¹⁶⁸⁰ Shyrete Berisha, T. 3895–3896 (25 September 2006).

¹⁶⁸¹ 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).

¹⁶⁸² P2351 (List of killed/missing persons in 1998 and 1999), p. 1; P2282 (witness statement dated 20 August 2001), p. 14.

¹⁶⁸³ Shyrete Berisha, T. 3869–3871, 3886–3887 (25 September 2006); P2346 (Berisha family tree).

¹⁶⁸⁴ P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

as on the OMPF's list of missing persons.¹⁶⁸⁵

(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 1999.¹⁶⁸⁶ 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.¹⁶⁸⁷ 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-21a¹⁶⁸⁸ and Ba-28b¹⁶⁸⁹ 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.¹⁶⁹⁰ Hysni Berisha, through his list of missing persons, identified Hajdin Berisha as one of the persons who went missing on 26 March 1999.¹⁶⁹¹

(18) Hamdi Berisha (54, male)

622. Through DNA analysis, Alonso identified remains labelled as Ba-16 as those belonging to Hamdi Berisha.¹⁶⁹² 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.¹⁶⁹³ The remains were also identified by virtue of the loose personal items found with them in the mass grave.¹⁶⁹⁴ Hysni Berisha

¹⁶⁸⁵ P2798 (OMPF list of missing persons).

¹⁶⁸⁶ Shyrete Berisha, T. 3869–3871 (25 September 2006); P2346 (Berisha family tree).

¹⁶⁸⁷ 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.

¹⁶⁸⁸ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 139–142; P181 (Autopsy report for Ba-21a and Ba-28b).

¹⁶⁸⁹ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 161–163; P181 (Autopsy report for Ba-21a and Ba-28b).

¹⁶⁹⁰ P943 (OMPF Reports), e-court p. 387.

¹⁶⁹¹ P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

¹⁶⁹² P2486 (Report of the Biology Service), p. 9.

¹⁶⁹³ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 124–128.

¹⁶⁹⁴ 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 1999¹⁶⁹⁵ and identified one of the photographs found in Batajnica as depicting Hamdi Berisha's wife and their son Mirat.¹⁶⁹⁶ Hamdi Berisha is also on the OMPF's list of missing persons.¹⁶⁹⁷

(19) Hanumusha Berisha (81, female)

623. Shyrete Berisha placed Hanumusha Berisha, aged 81, in the pizzeria on 26 March 1999.¹⁶⁹⁸ Hysni Berisha identified the victim's walking stick he found in Suva Reka/Suhareka.¹⁶⁹⁹ Hanumusha Berisha is listed on the OMPF's list of missing persons.¹⁷⁰⁰

(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.¹⁷⁰¹ Through DNA analysis, Alonso identified remains labelled as Ba-02 as those belonging to Hava Berisha.¹⁷⁰² 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.¹⁷⁰³ Hysni Berisha's list contains the name of Hava Berisha¹⁷⁰⁴ and she is also listed on the OMPF's list of missing persons.¹⁷⁰⁵

(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 1999.¹⁷⁰⁶ 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.¹⁷⁰⁷ Dunjić's report shows that remains labelled Ba-48 belonged to a female of

¹⁶⁹⁵ P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁶⁹⁶ P122 (Various photographs of items found in the mass grave site near Prizren).

¹⁶⁹⁷ P2798 (OMPF list of missing persons).

¹⁶⁹⁸ 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).

¹⁶⁹⁹ 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.

¹⁷⁰⁰ P2798 (OMPF list of missing persons).

¹⁷⁰¹ Shyrete Berisha, T. 3869–3872, 3891–3893 (25 September 2006); P2346 (Berisha family tree).

¹⁷⁰² P2486 (Report of the Biology Service), p. 5.

¹⁷⁰³ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 83–87; P178 (Autopsy report for Ba-02).

¹⁷⁰⁴ P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁷⁰⁵ P2798 (OMPF list of missing persons).

¹⁷⁰⁶ Shyrete Berisha, T. 3869–3872, 3898–3899 (25 September 2006); P2346 (Berisha family tree).

¹⁷⁰⁷ P2486 (Report of the Biology Service), pp. 5–6.

approximately 15 to 16 years of age. The cause of death has not been determined.¹⁷⁰⁸ The same report indicates that remains Ba-20 belonged to a 16 to 19 year old female. The cause of death was not established.¹⁷⁰⁹ Both girls are also listed as missing on both Hysni Berisha's list¹⁷¹⁰ and the OMPF list of missing persons.¹⁷¹¹

(22) Ismet Berisha (2, male)

626. Shyrete Berisha gave evidence to the effect that Ismet Berisha was present in the pizzeria on 26 March 1999.¹⁷¹² Ismet Berisha is also listed on Hysni Berisha's list of missing persons,¹⁷¹³ as well as on the OMPF's list of missing persons.¹⁷¹⁴

(23) Kushtrin Berisha (11, male)

627. Shyrete Berisha gave evidence to the effect that Kushtrin Berisha was present in the pizzeria on 26 March 1999.¹⁷¹⁵ Kushtrin Berisha is also listed on Hysni Berisha's list of missing persons,¹⁷¹⁶ as well as on the OMPF's list of missing persons.¹⁷¹⁷

(24) Lirije Berisha (24, female)

628. Shyrete Berisha identified Lirije Berisha as one of the persons killed in Suva Reka/Suhareka on 26 March 1999.¹⁷¹⁸ 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.¹⁷¹⁹ The ICMP report also identifies remains Ba-12 as belonging to Lirije Berisha.¹⁷²⁰ 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.¹⁷²¹ The OMPF report contains the post-mortem analysis of remains labelled Ba-12 and shows that cause of

¹⁷⁰⁸ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 41–44; P180 (Autopsy results for Ba-20 and Ba-48).

¹⁷⁰⁹ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 134–138; P180 (Autopsy results for Ba-20 and Ba-48).

¹⁷¹⁰ P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁷¹¹ P2798 (OMPF list of missing persons).

¹⁷¹² Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

¹⁷¹³ P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁷¹⁴ P2798 (OMPF list of missing persons).

¹⁷¹⁵ Shyrete Berisha, T. 3869–3871, 3990 (25 September 2006); P2346 (Berisha family tree).

¹⁷¹⁶ P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

¹⁷¹⁷ P2798 (OMPF list of missing persons).

¹⁷¹⁸ Shyrete Berisha, T. 3869–3871, 3896–3900 (25 September 2006); P2346 (Berisha family tree).

¹⁷¹⁹ P2486 (Report of the Biology Service), p. 7; P187 (Autopsy report for Ba-15).

¹⁷²⁰ P2559 (Addendum to Expert Report) (under seal), p. 20; P2558 (Notice of DNA Reports) (under seal), e-court p. 35.

¹⁷²¹ 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.¹⁷²² Lirije Berisha is also listed on both Hysni Berisha's list¹⁷²³ and the OMPF list of missing persons.¹⁷²⁴

(25) Mevlude Berisha (26, female)

629. Shyrete Berisha gave evidence to the effect that Mevlude Berisha was present in the pizzeria on 26 March 1999.¹⁷²⁵ Mevlude Berisha is also listed on Hysni Berisha's list of missing persons,¹⁷²⁶ as well as on the OMPF's list of missing persons.¹⁷²⁷

(26) Mihrije Berisha (26, female)

630. Shyrete Berisha gave evidence placing Mihrije Berisha in the pizzeria on 26 March 1999.¹⁷²⁸ The ICMP identifies remains labelled Ba-30 as those belonging to Mihrije Berisha.¹⁷²⁹ 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.¹⁷³⁰ However, the OMPF also analysed the remains and found that the cause of death was a gunshot wound to the head and neck.¹⁷³¹ Mihrije's name is also recorded on Hysni Berisha's list of missing persons,¹⁷³² as well as on the OMPF list of missing persons.¹⁷³³

(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 1999.¹⁷³⁴ Mirat Berisha is also listed on the OMPF's list of missing persons.¹⁷³⁵

¹⁷²² P2394 (OMPF Reports), e-court pp. 148–150.

¹⁷²³ P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

¹⁷²⁴ P2798 (OMPF list of missing persons).

¹⁷²⁵ Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

¹⁷²⁶ P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

¹⁷²⁷ P2798 (OMPF list of missing persons).

¹⁷²⁸ Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

¹⁷²⁹ P2558 (Notice of DNA Reports) (under seal), e-court p. 35.

¹⁷³⁰ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 167–171; P188 (Autopsy report for Ba-30).

¹⁷³¹ P943 (OMPF Reports), e-court p. 388.

¹⁷³² P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

¹⁷³³ P2798 (OMPF list of missing persons).

¹⁷³⁴ 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.

¹⁷³⁵ 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 1999.¹⁷³⁶ 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.¹⁷³⁷ Through DNA analysis, Alonso identified remains labelled Ba-25 as those belonging to Musli Berisha.¹⁷³⁸ The ICMP report also identifies those remains as Musli Berisha.¹⁷³⁹ 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.¹⁷⁴⁰ The remains in Batajnica were found with identification documents in Musli Berisha's name.¹⁷⁴¹ Musli Berisha is also listed on the missing persons list prepared by OMPF.¹⁷⁴²

(29) Nefije Berisha (54, female)

633. Nefije Berisha is listed on Hysni Berisha's list of missing persons,¹⁷⁴³ and on the OMPF's list of missing persons.¹⁷⁴⁴

(30) Nexhat Berisha (43, male)

634. Shyrete Berisha saw her husband, Nexhat Berisha, being shot dead on 26 March 1999.¹⁷⁴⁵ Hysni Berisha identified Nexhat Berisha's grave,¹⁷⁴⁶ 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.¹⁷⁴⁷

¹⁷³⁶ Shyrete Berisha, T. 3906 (25 September 2006); P2344 (Photographs of some of the victims present in the pizzeria), p. 4; P2346 (Berisha family tree).

¹⁷³⁷ 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.

¹⁷³⁸ P2486 (Report of the Biology Service), p. 6.

¹⁷³⁹ P2559 (Addendum to Expert Report) (under seal), pp. 20–21; P2885 (Notice of DNA Reports) (under seal), e-court p. 35.

¹⁷⁴⁰ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 156–160.

¹⁷⁴¹ P155 (Index of photographs of identification items relating to Musli Berisha); P156 (Photographs of identification items relating to Musli Berisha).

¹⁷⁴² P2798 (OMPF list of missing persons).

¹⁷⁴³ P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁷⁴⁴ P2798 (OMPF list of missing persons).

¹⁷⁴⁵ Shyrete Berisha, T. 3869–3871, 3895–3896 (25 September 2006); P2346 (Berisha family tree).

¹⁷⁴⁶ P2282 (witness statement dated 20 August 2001), p. 14; P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁷⁴⁷ 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 1999.¹⁷⁴⁸ Through DNA analysis, Alonso identified remains labelled Ba-19 as those belonging to Nexhmedin Berisha.¹⁷⁴⁹ 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.¹⁷⁵⁰ Hysni Berisha included Nexhmedin Berisha's name on the list of killed or missing persons.¹⁷⁵¹

(32) Redon Berisha (1, male)

636. Shyrete Berisha testified that her son Redon was in the pizzeria on 26 March 1999.¹⁷⁵² Through DNA analysis, Alonso identified remains labelled Ba-46 as those belonging to Redon Berisha.¹⁷⁵³ 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.¹⁷⁵⁴ Redon is also named on Hysni Berisha's list of those missing and/or killed in Suva Reka/Suhareka¹⁷⁵⁵ and is listed on the OMPF list of missing persons.¹⁷⁵⁶

(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,¹⁷⁵⁷ 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 1999.¹⁷⁵⁸ Sebahate Berisha is also listed on Hysni Berisha's list of missing persons,¹⁷⁵⁹ as well as on the OMPF's list of missing persons.¹⁷⁶⁰

¹⁷⁴⁸ Shyrete Berisha, T. 3869–3871, 3895–3897 (25 September 2006); P2346 (Berisha family tree).

¹⁷⁴⁹ P2486 (Report of the Biology Service), p. 7.

¹⁷⁵⁰ 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).

¹⁷⁵¹ P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

¹⁷⁵² Shyrete Berisha, T. 3869–3871, 3899–3900 (25 September 2006); P2346 (Berisha family tree).

¹⁷⁵³ P2486 (Report of the Biology Service), p. 5.

¹⁷⁵⁴ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 214–216; P186 (Autopsy report for Ba-46 and Ba-46a).

¹⁷⁵⁵ P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁷⁵⁶ P2798 (OMPF list of missing persons).

¹⁷⁵⁷ 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 1999.¹⁷⁶¹ Hysni Berisha identified Sedat Berisha's grave, and placed him on his list of those missing and/or killed in Suva Reka/Suhareka.¹⁷⁶² 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.¹⁷⁶³

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.¹⁷⁶⁴ However, as explained earlier,¹⁷⁶⁵ 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.¹⁷⁶⁶

(36) Sherine Berisha (17, female)

641. Shyrete Berisha gave evidence to the effect that Sherine Berisha was present in the pizzeria on 26 March 1999.¹⁷⁶⁷ Sherine Berisha is also listed on Hysni Berisha's list of missing persons,¹⁷⁶⁸ as well as on the OMPF's list of missing persons.¹⁷⁶⁹

(37) Sofia Berisha (58, female)

642. Shyrete Berisha gave evidence that Sofije Berisha was present in the pizzeria on 26 March 1999.¹⁷⁷⁰ 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

¹⁷⁵⁸ Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

¹⁷⁵⁹ P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁷⁶⁰ P2798 (OMPF list of missing persons).

¹⁷⁶¹ Shyrete Berisha, T. 3869–3871, 3895–3896 (25 September 2006); P2346 (Berisha family tree).

¹⁷⁶² P2282 (witness statement dated 20 August 2001), e-court p. 14; P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁷⁶³ Halit Berisha, P2326 (witness statement dated 17 August 2001), p. 3.

¹⁷⁶⁴ P136 (British Forensic Team Anthropological Report); P137 (Anthropological Summary: SCG/33/SR).

¹⁷⁶⁵ See Volume 2, note 1372.

¹⁷⁶⁶ 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).

¹⁷⁶⁷ Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

¹⁷⁶⁸ P2351 (List of killed/missing persons in 1998 and 1999), p. 1.

¹⁷⁶⁹ P2798 (OMPF list of missing persons).

¹⁷⁷⁰ Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

Reka/Suhareka.¹⁷⁷¹ Through DNA analysis, Alonso identified remains labelled Ba-32 as those belonging to Sofije Berisha.¹⁷⁷² These remains are also identified as belonging to Sofije Berisha in the ICMP report.¹⁷⁷³ 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.¹⁷⁷⁴ Sofije Berisha is also listed on the OMPF list of missing persons.¹⁷⁷⁵

(38) Vesel Berisha (61, male)

643. Shyrete Berisha testified that Vesel Berisha was present in the pizzeria on 26 March 1999.¹⁷⁷⁶ One of the items found in a mass grave near the firing range in Prizren was identified as belonging to Vesel Berisha.¹⁷⁷⁷ Through DNA analysis, Alonso, as well as the ICMP, identified remains labelled Ba-22 and Ba-59 as those belonging to Vesel Berisha.¹⁷⁷⁸ 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.¹⁷⁷⁹ With respect to skeletal remains Ba-59, the team was unable to establish the gender and could not determine the cause of death.¹⁷⁸⁰ However, the OMPF team was able to establish the cause of death, it being a gunshot wound to the spine.¹⁷⁸¹ Items leading to the identification of Vesel Berisha were found with his remains in Batajnica.¹⁷⁸² 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.¹⁷⁸³

(39) Vlorjan Berisha (17, male)

644. Shyrete Berisha gave evidence to the effect that Vlorjan Berisha was present in the pizzeria

¹⁷⁷¹ 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.

¹⁷⁷² P2486 (Report of the Biology Service), pp. 4–5.

¹⁷⁷³ P2559 (Addendum to Expert Report) (under seal), p. 21.

¹⁷⁷⁴ 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.

¹⁷⁷⁵ P2798 (OMPF list of missing persons).

¹⁷⁷⁶ Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

¹⁷⁷⁷ 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.

¹⁷⁷⁸ 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.

¹⁷⁷⁹ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 143–148; P182 (Autopsy report for Ba-22 and Ba-59).

¹⁷⁸⁰ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 73–75; P182 (Autopsy report for Ba-22 and Ba-59).

¹⁷⁸¹ P943 (OMPF Reports), e-court p. 390.

¹⁷⁸² P151 (Index of photographs of identification items relating to Vesel Berisha); P152 (Photographs of identification items relating to Vesel Berisha).

¹⁷⁸³ P2351 (List of killed/missing persons in 1998 and 1999), p. 2; P2798 (OMPF list of missing persons).

on 26 March 1999.¹⁷⁸⁴ Vlorjan Berisha is also listed on Hysni Berisha's list of missing persons,¹⁷⁸⁵ as well as on the OMPF's list of missing persons.¹⁷⁸⁶

(40) Zelihe Berisha (50, female)

645. Hysni Berisha testified that Zelihe Berisha was killed in Suva Reka/Suhareka.¹⁷⁸⁷ Zelihe Berisha is also listed on the OMPF list of missing persons.¹⁷⁸⁸

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 1999.¹⁷⁸⁹ 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.¹⁷⁹⁰ 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.¹⁷⁹¹ 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.¹⁷⁹² However, the OMPF report identifies the cause of death as a possible gunshot wound.¹⁷⁹³ Hysni Berisha lists both as among those missing and/or killed in Suva Reka/Suhareka,¹⁷⁹⁴ and they are also listed on the OMPF list of missing persons.¹⁷⁹⁵

(2) Jashar Berisha (56, male)

647. K83 personally witnessed the murder of Jashar Berisha.¹⁷⁹⁶ Shyrete Berisha gave evidence about speaking to Jashar Berisha on 26 March 1999, just before the incident in the pizzeria.¹⁷⁹⁷

¹⁷⁸⁴ Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

¹⁷⁸⁵ P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

¹⁷⁸⁶ P2798 (OMPF list of missing persons).

¹⁷⁸⁷ 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.

¹⁷⁸⁸ P2798 (OMPF list of missing persons).

¹⁷⁸⁹ Shyrete Berisha, T. 3869–3872 (25 September 2006); P2346 (Berisha family tree).

¹⁷⁹⁰ P2486 (Report of the Biology Service), p. 7.

¹⁷⁹¹ 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.

¹⁷⁹² P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 33–36; P172 (Autopsy report for Ba-34).

¹⁷⁹³ P934 (OMPF reports), e-court p. 386.

¹⁷⁹⁴ P2351 (List of killed/missing persons in 1998 and 1999), p. 2.

¹⁷⁹⁵ P2798 (OMPF list of missing persons).

¹⁷⁹⁶ 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.¹⁷⁹⁸ 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.¹⁷⁹⁹ Through DNA analysis, Alonso, as well as the ICMP, identified remains labelled Ba-11, Ba-50, and Ba-55 as belonging to Jashar Berisha.¹⁸⁰⁰ 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.¹⁸⁰¹ As for Ba-55, the team was unable to establish the cause of death.¹⁸⁰² 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.

¹⁷⁹⁷ Shyrete Berisha, T. 3898 (25 September 2006).

¹⁷⁹⁸ 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).

¹⁷⁹⁹ 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).

¹⁸⁰⁰ 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.

¹⁸⁰¹ P2407 (Individual forensic reports of bodies from Batajnica I), e-court pp. 48–51.

¹⁸⁰² 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.¹⁸⁰³ Jetulla Alushi, age 90, is listed on the OMPF list of missing persons as having gone missing on 28 March 1999 in Izbica.¹⁸⁰⁴

(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.¹⁸⁰⁵

(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.¹⁸⁰⁶ He is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸⁰⁷ His remains have been identified, through DNA analysis, by the ICMP expert team.¹⁸⁰⁸ 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.¹⁸⁰⁹

(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.¹⁸¹⁰ Bajram Bajraj is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸¹¹ Bajram (H) Bajra, age 63, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.¹⁸¹²

¹⁸⁰³ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁸⁰⁴ P2798 (OMPF list of missing persons).

¹⁸⁰⁵ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁸⁰⁶ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 30; P231 (Still photographs of bodies found in Izbica), pp. 135–136.

¹⁸⁰⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸⁰⁸ P2558 (Notice of DNA Reports) (under seal), e-court p. 32.

¹⁸⁰⁹ P2798 (OMPF list of missing persons).

¹⁸¹⁰ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 30; P231 (Still photographs of bodies found in Izbica), pp. 137–138.

¹⁸¹¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸¹² 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.¹⁸¹³

(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.¹⁸¹⁴ He is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸¹⁵ His remains have subsequently been identified, through DNA analysis, by the ICMP.¹⁸¹⁶ 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.¹⁸¹⁷

(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.¹⁸¹⁸ Brahim Bajra, age 80, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.¹⁸¹⁹

(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.¹⁸²⁰ He is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸²¹ Fazli Bajra's remains have been identified, through DNA analysis, by the ICMP.¹⁸²² Fazli Bajra, age

¹⁸¹³ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸¹⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 29; P231 (Still photographs of bodies found in Izbica), pp. 131–132.

¹⁸¹⁵ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸¹⁶ P2558 (Notice of DNA Reports) (under seal), e-court p. 32.

¹⁸¹⁷ P2798 (OMPF list of missing persons).

¹⁸¹⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court pp. 18, 29; P231 (Still photographs of bodies found in Izbica), pp. 127–128.

¹⁸¹⁹ P2798 (OMPF list of missing persons).

¹⁸²⁰ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 30; P231 (Still photographs of bodies found in Izbica), pp. 133–134.

¹⁸²¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸²² 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.¹⁸²³

(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.¹⁸²⁴ He is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸²⁵ In addition, Loshi testified about having personally seen Ilaz Bajra's body.¹⁸²⁶ Ilaz Bajra's remains have subsequently been identified, through DNA analysis, by the ICMP.¹⁸²⁷ 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.¹⁸²⁸

(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.¹⁸²⁹ Sami Bajra is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸³⁰ Sami Bajra, age 19, is also recorded as missing on the OMPF list of missing persons.¹⁸³¹ However, Loshi made a note on his statement that this man was not killed during the Izbica incident on 28 March 1999.¹⁸³²

(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.¹⁸³³ 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.¹⁸³⁴

¹⁸²³ P2798 (OMPF list of missing persons).

¹⁸²⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 29; P231 (Still photographs of bodies found in Izbica), pp. 129–130.

¹⁸²⁵ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸²⁶ Liri Loshi, T. 5362 (26 October 2006).

¹⁸²⁷ P2558 (Notice of DNA Reports) (under seal), e-court p. 32.

¹⁸²⁸ P2798 (OMPF list of missing persons).

¹⁸²⁹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 32; P231 (Still photographs of bodies found in Izbica), pp. 163–164.

¹⁸³⁰ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸³¹ P2798 (OMPF list of missing persons).

¹⁸³² Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 32.

¹⁸³³ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁸³⁴ 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.¹⁸³⁵ The OMPF list of missing persons records Hajdar Bajraktari, age 53, as having gone missing in Izbica on 31 March 1999.¹⁸³⁶ His remains have now been identified by the ICMP and returned to his family.¹⁸³⁷ 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.¹⁸³⁸

(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.¹⁸³⁹ According to the OMPF list of missing persons, Demush Behrami, age 66, went missing in Izbica on 31 March 1999.¹⁸⁴⁰

(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.¹⁸⁴¹ 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.¹⁸⁴² 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.¹⁸⁴³ The OMPF report confirms the finding that the cause of death was a gunshot wound to the chest.¹⁸⁴⁴ 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.¹⁸⁴⁵

(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

¹⁸³⁵ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸³⁶ P2798 (OMPF list of missing persons).

¹⁸³⁷ P2558 (Notice of DNA Reports) (under seal), e-court p. 32.

¹⁸³⁸ 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 6.

¹⁸³⁹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁸⁴⁰ P2798 (OMPF list of missing persons).

¹⁸⁴¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁸⁴² P2558 (Notice of DNA Reports) (under seal), e-court p. 33. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 6.

¹⁸⁴³ P2606 (Autopsy report for PS/II-27), pp. 4–5.

¹⁸⁴⁴ P943 (OMPF Reports), e-court p. 361.

¹⁸⁴⁵ P2798 (OMPF list of missing persons).

Afrim Xhemajli.¹⁸⁴⁶ According to the OMPF list of missing persons, Nuredin Behrami, age 80, went missing in Izbica on 28 March 1999.¹⁸⁴⁷

(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.¹⁸⁴⁸

(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.¹⁸⁴⁹ 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.¹⁸⁵⁰ 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.¹⁸⁵¹ Following the identification of these remains, a certificate of death was then issued by the Serb authorities, in the name of “Dibran (Haxhi) Pani”.¹⁸⁵² 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.¹⁸⁵³

(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.¹⁸⁵⁴ Salih Dervishi is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸⁵⁵ Sali Dervishi, age 59, is recorded by OMPF as having gone missing in Izbica on 31

¹⁸⁴⁶ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁸⁴⁷ P2798 (OMPF list of missing persons).

¹⁸⁴⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸⁴⁹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁸⁵⁰ P2558 (Notice of DNA Reports) (under seal), e-court p. 38. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 6.

¹⁸⁵¹ P224 (Autopsy report for PS/II-20).

¹⁸⁵² P223 (Death certificate for Dibran Pani).

¹⁸⁵³ P2798 (OMPF list of missing persons).

¹⁸⁵⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 32; P231 (Still photographs of bodies found in Izbica), pp. 159–160.

¹⁸⁵⁵ 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.¹⁸⁵⁶

(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.¹⁸⁵⁷ He is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸⁵⁸ 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.¹⁸⁵⁹ 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.¹⁸⁶⁰ This cause of death was confirmed by the OMPF forensic team.¹⁸⁶¹ 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.¹⁸⁶²

(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.¹⁸⁶³ He is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸⁶⁴ Ilaz Dervishi, age 72, is listed on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.¹⁸⁶⁵

(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.¹⁸⁶⁶ According to one of the ICMP reports, the body remains labelled FHG-05-006B were

¹⁸⁵⁶ P2798 (OMPF list of missing persons).

¹⁸⁵⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 18.

¹⁸⁵⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁸⁵⁹ P2558 (Notice of DNA Reports) (under seal), e-court p. 38.

¹⁸⁶⁰ P2431 (Autopsy report for PS/II-30).

¹⁸⁶¹ P943 (OMPF reports), e-court p. 362.

¹⁸⁶² P2798 (OMPF list of missing persons).

¹⁸⁶³ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 32; P231 (Still photographs of bodies found in Izbica), pp. 165–166.

¹⁸⁶⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸⁶⁵ P2798 (OMPF list of missing persons).

¹⁸⁶⁶ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

found, through DNA analysis, to belong to “Musli (Sejdi) Doqi”.¹⁸⁶⁷ 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.¹⁸⁶⁸

(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.¹⁸⁶⁹ Hamdi Doqi is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸⁷⁰ 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.¹⁸⁷¹

(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 1999.¹⁸⁷² Ali Draga is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸⁷³ 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.¹⁸⁷⁴ 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.¹⁸⁷⁵ 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 57.¹⁸⁷⁶ 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.¹⁸⁷⁷ 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.¹⁸⁷⁸

¹⁸⁶⁷ P2558 (Notice of DNA Reports) (under seal), e-court p. 39.

¹⁸⁶⁸ P2798 (OMPF list of missing persons).

¹⁸⁶⁹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 24.

¹⁸⁷⁰ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸⁷¹ P2798 (OMPF list of missing persons).

¹⁸⁷² Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

¹⁸⁷³ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸⁷⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 30; P231 (Still photographs of bodies found in Izbica), pp. 143–144.

¹⁸⁷⁵ P248 (Gordana Tomašević’s autopsy reports), e-court pp. 306–309.

¹⁸⁷⁶ 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 6.

¹⁸⁷⁷ P2558 (Notice of DNA Reports) (under seal), e-court p. 39.

¹⁸⁷⁸ 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 1999.¹⁸⁷⁹ Cen Draga is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸⁸⁰ 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.¹⁸⁸¹ Finally, Cene Draga, age 69, is listed on the OMPF list of missing persons as having gone missing on 31 March 1999 in Izbica.¹⁸⁸²

(25) Hajriz Draga (43, male)

673. Mustafa Draga testified about the way in which Hajriz Draga died on 28 March 1999.¹⁸⁸³ Hajriz Draga is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸⁸⁴ In addition, he was identified using the procedure described in Section VII.G, namely through a still photograph captured on Liri Loshi's video.¹⁸⁸⁵ 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.¹⁸⁸⁶ 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.¹⁸⁸⁷

(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.¹⁸⁸⁸ Ismet Draga is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸⁸⁹ Finally, Ismet Draga, age 31, is listed on the OMPF list of missing persons as having gone missing on 31 March 1999 in Izbica.¹⁸⁹⁰

¹⁸⁷⁹ Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

¹⁸⁸⁰ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸⁸¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 30; P231 (Still photographs of bodies found in Izbica), pp. 141–142.

¹⁸⁸² P2798 (OMPF list of missing persons).

¹⁸⁸³ Mustafa Draga, T. 2356–2357 (25 August 2006); P2244 (witness statement dated 13 November 1999), p. 4.

¹⁸⁸⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸⁸⁵ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 31; P231 (Still photographs of bodies found in Izbica), pp. 148–49.

¹⁸⁸⁶ P2558 (Notice of DNA Reports) (under seal), e-court p. 39.

¹⁸⁸⁷ P2798 (OMPF list of missing persons).

¹⁸⁸⁸ Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

¹⁸⁸⁹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸⁹⁰ 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.¹⁸⁹¹ Murat Draga is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸⁹² 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.¹⁸⁹³ According to one of the ICMP reports, the body remains labelled FHG-38-001B were found, through DNA analysis, to belong to Murat Draga.¹⁸⁹⁴ 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.¹⁸⁹⁵

(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 1999.¹⁸⁹⁶ Rrustem Draga is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁸⁹⁷ In addition, he was identified using the procedure described in Section VII.G, namely through a still photograph captured on Liri Loshi's video.¹⁸⁹⁸ Finally, Rrustem Draga, age 80, is listed on the OMPF list of missing persons as having gone missing on 31 March 1999 in Izbica.¹⁸⁹⁹

(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".¹⁹⁰⁰ Zade Dragaj is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁹⁰¹ According to one of the ICMP reports, the body remains

¹⁸⁹¹ Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

¹⁸⁹² Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸⁹³ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 30; P231 (Still photographs of bodies found in Izbica), p. 145.

¹⁸⁹⁴ P2558 (Notice of DNA Reports) (under seal), e-court p. 39.

¹⁸⁹⁵ P2798 (OMPF list of missing persons).

¹⁸⁹⁶ Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

¹⁸⁹⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁸⁹⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 30; P231 (Still photographs of bodies found in Izbica), pp. 139–140.

¹⁸⁹⁹ P2798 (OMPF list of missing persons).

¹⁹⁰⁰ Mustafa Draga, T. 2360 (25 August 2006).

¹⁹⁰¹ 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.¹⁹⁰² 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.¹⁹⁰³ 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.¹⁹⁰⁴ 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.¹⁹⁰⁵ 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 55.¹⁹⁰⁶ 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.¹⁹⁰⁷

(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.¹⁹⁰⁸ 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.¹⁹⁰⁹ 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

¹⁹⁰² P2558 (Notice of DNA Reports) (under seal), e-court p. 39. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 6.

¹⁹⁰³ 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.

¹⁹⁰⁴ P2798 (OMPF list of missing persons).

¹⁹⁰⁵ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹⁰⁶ P2558 (Notice of DNA Reports) (under seal), e-court p. 39.

¹⁹⁰⁷ P2798 (OMPF list of missing persons).

¹⁹⁰⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹⁰⁹ P2798 (OMPF list of missing persons).

was closed as no sufficient information was available.¹⁹¹⁰

(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.¹⁹¹¹ 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.¹⁹¹² 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.¹⁹¹³

(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.¹⁹¹⁴ According to the Prosecution, the remains labelled PSII-46 belong to Muhamet Emra/Muhamet Kadriu.¹⁹¹⁵ 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.¹⁹¹⁶ Muhamet (Kadri) Emra, age 60, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.¹⁹¹⁷ 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.¹⁹¹⁸ A person by that name is also recorded on the OMPF list of missing persons, as having

¹⁹¹⁰ P2798 (OMPF list of missing persons).

¹⁹¹¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹¹² P2798 (OMPF list of missing persons).

¹⁹¹³ P2419 (Autopsy report for PS/II-2), pp. 7–10; P2604 (Autopsy report for PS/II-6).

¹⁹¹⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁹¹⁵ Prosecution Final Trial Brief, 29 July 2008 (public version), Annex C (Izbica), p. 3.

¹⁹¹⁶ P2611 (Autopsy report for PS/II-46).

¹⁹¹⁷ P2798 (OMPF list of missing persons).

¹⁹¹⁸ 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.¹⁹¹⁹ According to the Prosecution, the remains labelled PSII-33 belong to Hajrullah Fetahu.¹⁹²⁰ 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.¹⁹²¹ 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 54.¹⁹²² 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.¹⁹²³ 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.¹⁹²⁴ 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.¹⁹²⁵

(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

¹⁹¹⁹ P2798 (OMPF list of missing persons).

¹⁹²⁰ Prosecution Final Trial Brief, 29 July 2008 (public version), Annex C (Izbica), p. 3.

¹⁹²¹ P2608 (Autopsy report for PS/II-33).

¹⁹²² P2558 (Notice of DNA Reports) (under seal), e-court p. 42.

¹⁹²³ P2798 (OMPF list of missing persons).

¹⁹²⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹²⁵ P2798 (OMPF list of missing persons).

Afrim Xhemajli.¹⁹²⁶ 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 64.¹⁹²⁷ 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.¹⁹²⁸ Having also performed an autopsy on these remains and established the cause of death as a gunshot wound to the neck,¹⁹²⁹ the OMPF issued a death certificate in the name of Mehmet Hajra.¹⁹³⁰ 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.¹⁹³¹

(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.¹⁹³² 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 61.¹⁹³³ The OMPF analysed these remains and concluded that the cause of death was a gunshot wound to the head.¹⁹³⁴ 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.¹⁹³⁵ 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.¹⁹³⁶

(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.¹⁹³⁷

(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

¹⁹²⁶ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁹²⁷ P2558 (Notice of DNA Reports) (under seal), e-court p. 44; P2559 (Addendum to Expert Report) (under seal), e-court p. 7.

¹⁹²⁸ P2419 (Autopsy report for PS/II-1), e-court pp. 1–4.

¹⁹²⁹ P943 (OMPF Reports) e-court p. 368.

¹⁹³⁰ P2454 (OMPF Reports), e-court pp. 203–204.

¹⁹³¹ P2798 (OMPF list of missing persons).

¹⁹³² Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹³³ P2558 (Notice of DNA Reports) (under seal), e-court p. 44.

¹⁹³⁴ P943 (OMPF Reports), e-court pp. 99–100, 443.

¹⁹³⁵ 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.

¹⁹³⁶ P2798 (OMPF list of missing persons).

Xhemajli.¹⁹³⁸ 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 67.¹⁹³⁹ 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.¹⁹⁴⁰

(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.¹⁹⁴¹ 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 48.¹⁹⁴² 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.¹⁹⁴³ 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.¹⁹⁴⁴

(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.¹⁹⁴⁵ Rifat Hoti, age 64, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.¹⁹⁴⁶

(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.¹⁹⁴⁷ The grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of Rrustem Hoti.¹⁹⁴⁸ Rrustem Hoti, age 68, is recorded on the OMPF list of missing persons as having gone missing on 28 March 1999 in Izbica.¹⁹⁴⁹

¹⁹³⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹³⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁹³⁹ P2558 (Notice of DNA Reports) (under seal), e-court p. 46.

¹⁹⁴⁰ P2798 (OMPF list of missing persons).

¹⁹⁴¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁹⁴² P2558 (Notice of DNA Reports) (under seal), e-court p. 45. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 8.

¹⁹⁴³ P2428 (Autopsy report for PS/II-9). *See also* P943 (OMPF Reports), e-court p. 369.

¹⁹⁴⁴ P2798 (OMPF list of missing persons).

¹⁹⁴⁵ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁹⁴⁶ P2798 (OMPF list of missing persons).

¹⁹⁴⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁹⁴⁸ 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 4.

¹⁹⁴⁹ 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.¹⁹⁵⁰ 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 55.¹⁹⁵¹ 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.¹⁹⁵²

(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.¹⁹⁵³ Muhamet Hoti has been identified using the procedure described in Section VII.G above, namely through Liri Loshi's video.¹⁹⁵⁴ 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.¹⁹⁵⁵

(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.¹⁹⁵⁶ 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 65.¹⁹⁵⁷ 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.¹⁹⁵⁸

(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.¹⁹⁵⁹ Shefqet (A) Hoti, age 52, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.¹⁹⁶⁰

¹⁹⁵⁰ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁹⁵¹ P2558 (Notice of DNA Reports) (under seal), e-court p. 45.

¹⁹⁵² P2798 (OMPF list of missing persons).

¹⁹⁵³ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹⁵⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 28.

¹⁹⁵⁵ P2798 (OMPF list of missing persons).

¹⁹⁵⁶ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 25.

¹⁹⁵⁷ P2558 (Notice of DNA Reports) (under seal), e-court p. 46.

¹⁹⁵⁸ P2798 (OMPF list of missing persons).

¹⁹⁵⁹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹⁶⁰ 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.¹⁹⁶¹ 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 26.¹⁹⁶² 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.¹⁹⁶³

(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.¹⁹⁶⁴ The grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of Zenel Isufi.¹⁹⁶⁵ Zenel Isufi, age 71, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.¹⁹⁶⁶

(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.¹⁹⁶⁷ 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 41.¹⁹⁶⁸ 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.¹⁹⁶⁹

(54) Kajtaž (Z) Kajtaždi (68, male)

702. Kajtaž (Z) Kajtaži is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.¹⁹⁷⁰ According to one of the ICMP reports, the body remains labelled FHE-14-002B were identified through DNA analysis as being those of Kajtaž (Z) Kajtaži, age 63.¹⁹⁷¹ The grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the

¹⁹⁶¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹⁶² P2558 (Notice of DNA Reports) (under seal), e-court p. 45.

¹⁹⁶³ P2798 (OMPF list of missing persons).

¹⁹⁶⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁹⁶⁵ 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 4.

¹⁹⁶⁶ P2798 (OMPF list of missing persons).

¹⁹⁶⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹⁶⁸ P2558 (Notice of DNA Reports) (under seal), e-court p. 50.

¹⁹⁶⁹ P2798 (OMPF list of missing persons).

¹⁹⁷⁰ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁹⁷¹ P2558 (Notice of DNA Reports) (under seal), e-court p. 50.

name of Kajtaž Kajtaži.¹⁹⁷² Kajtaž (Z) Kajtaži, age 63, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.¹⁹⁷³

(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.¹⁹⁷⁴ 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 83.¹⁹⁷⁵ 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.¹⁹⁷⁶

(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.¹⁹⁷⁷ Jetullah Kelmendi, age 61, is recorded by OMPF as having gone missing in Izbica on 28 March 1999.¹⁹⁷⁸

(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.¹⁹⁷⁹ 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.¹⁹⁸⁰

(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.¹⁹⁸¹ Brahim Kotorri, age 68, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.¹⁹⁸²

¹⁹⁷² 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 6.

¹⁹⁷³ P2798 (OMPF list of missing persons).

¹⁹⁷⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹⁷⁵ P2558 (Notice of DNA Reports) (under seal), e-court p. 51.

¹⁹⁷⁶ P2798 (OMPF list of missing persons).

¹⁹⁷⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹⁷⁸ P2798 (OMPF list of missing persons).

¹⁹⁷⁹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹⁸⁰ P2798 (OMPF list of missing persons).

¹⁹⁸¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹⁸² 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.¹⁹⁸³ 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 54.¹⁹⁸⁴ 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.¹⁹⁸⁵ 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.¹⁹⁸⁶

(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.¹⁹⁸⁷ 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.¹⁹⁸⁸

(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.¹⁹⁸⁹ 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 66.¹⁹⁹⁰ 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.¹⁹⁹¹

(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.¹⁹⁹² Rrahim Krasniqi, age 69, is recorded on the OMPF list of missing persons as

¹⁹⁸³ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹⁸⁴ P2558 (Notice of DNA Reports) (under seal), e-court p. 52. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 8.

¹⁹⁸⁵ P2605 (Autopsy report for PS/II-22).

¹⁹⁸⁶ P2798 (OMPF list of missing persons).

¹⁹⁸⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹⁸⁸ P2798 (OMPF list of missing persons).

¹⁹⁸⁹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

¹⁹⁹⁰ P2558 (Notice of DNA Reports) (under seal), e-court p. 53.

¹⁹⁹¹ P2798 (OMPF list of missing persons).

¹⁹⁹² 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.¹⁹⁹³

(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.¹⁹⁹⁴ 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 67.¹⁹⁹⁵ 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.¹⁹⁹⁶

(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.¹⁹⁹⁷ In addition, Sami Loshi's corpse was seen by a member of his family, Liri Loshi, at the scene of the killings.¹⁹⁹⁸ 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 25.¹⁹⁹⁹ 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.²⁰⁰⁰ 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.²⁰⁰¹

(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.²⁰⁰² In addition, Jahar Loshi's body was seen by Liri Loshi at the scene of the killings.²⁰⁰³ According to one of the ICMP reports, the body remains labelled PS/II-25 were identified through

¹⁹⁹³ P2798 (OMPF list of missing persons).

¹⁹⁹⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁹⁹⁵ P2558 (Notice of DNA Reports) (under seal), e-court p. 54.

¹⁹⁹⁶ P2798 (OMPF list of missing persons).

¹⁹⁹⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

¹⁹⁹⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 36.

¹⁹⁹⁹ P2558 (Notice of DNA Reports) (under seal), e-court p. 55. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 8.

²⁰⁰⁰ P221 (Death certificate for Sami Ijashaj); P222 (Autopsy report for Sami Ijashaj).

²⁰⁰¹ P2798 (OMPF list of missing persons).

²⁰⁰² Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁰³ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 36.

DNA analysis as being those of Jashar Loshi, age 50.²⁰⁰⁴ 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.²⁰⁰⁵ 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.²⁰⁰⁶

(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.²⁰⁰⁷ In addition, Selman Loshi's body was seen by Liri Loshi at the scene of the killings.²⁰⁰⁸ 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 78.²⁰⁰⁹ 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.²⁰¹⁰ 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.²⁰¹¹

(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.²⁰¹² The grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of Halil Morina.²⁰¹³ Halil Morina, age 56, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.²⁰¹⁴

(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

²⁰⁰⁴ P2558 (Notice of DNA Reports) (under seal), e-court p. 55; P2559 (Addendum to Expert Report) (under seal), e-court p. 8.

²⁰⁰⁵ P217 (Death certificate for Jashar Loshaj); P218 (Autopsy report for PS/II-25).

²⁰⁰⁶ P2798 (OMPF list of missing persons).

²⁰⁰⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁰⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court pp. 19, 36.

²⁰⁰⁹ P2558 (Notice of DNA Reports) (under seal), e-court p. 55; P2559 (Addendum to Expert Report) (under seal), e-court p. 8.

²⁰¹⁰ P2609 (Autopsy report for PS/II-39). *See also* P2454 (OMPF Reports), e-court pp. 220–223.

²⁰¹¹ P2798 (OMPF list of missing persons).

²⁰¹² Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰¹³ 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 4.

²⁰¹⁴ P2798 (OMPF list of missing persons).

Afrim Xhemajli.²⁰¹⁵ According to one of the ICMP reports, the body remains labelled FLP 06/001B were identified as being those of Sokol (H) Murseli, age 37.²⁰¹⁶ 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.²⁰¹⁷ 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.²⁰¹⁸ 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.²⁰¹⁹ 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 43.²⁰²⁰ 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 43.²⁰²¹ 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.²⁰²²

(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.²⁰²³ 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 51.²⁰²⁴ 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.²⁰²⁵ Ilaz Musliu, age 51, is

²⁰¹⁵ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

²⁰¹⁶ P2558 (Notice of DNA Reports) (under seal), e-court p. 59.

²⁰¹⁷ P2798 (OMPF list of missing persons).

²⁰¹⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰¹⁹ P248 (Gordana Tomašević's autopsy reports), e-court pp. 199–202.

²⁰²⁰ 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 5.

²⁰²¹ P2558 (Notice of DNA Reports) (under seal), e-court p. 59.

²⁰²² P2798 (OMPF list of missing persons).

²⁰²³ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰²⁴ P2558 (Notice of DNA Reports) (under seal), e-court p. 59. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 9.

²⁰²⁵ 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.²⁰²⁶

(71) Shaban Musliu (87, male)

719. Mustafa Draga gave evidence of seeing Shaban Musliu's body on the Izbica field.²⁰²⁷ Shaban Musliu is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.²⁰²⁸

(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.²⁰²⁹ 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 62.²⁰³⁰ 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.²⁰³¹

(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.²⁰³² 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 23.²⁰³³ Naim Musliu, age 23, is also recorded on OMPF list of missing persons as having gone missing on 28 March 1999 in Izbica.²⁰³⁴

(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.²⁰³⁵ 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 46.²⁰³⁶ Muhamet

²⁰²⁶ P2798 (OMPF list of missing persons).

²⁰²⁷ Mustafa Draga, T. 2361 (25 August 2006).

²⁰²⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰²⁹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰³⁰ P2558 (Notice of DNA Reports) (under seal), e-court p. 59.

²⁰³¹ P2798 (OMPF list of missing persons).

²⁰³² Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰³³ 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 5.

²⁰³⁴ P2798 (OMPF list of missing persons).

²⁰³⁵ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰³⁶ 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.²⁰³⁷

(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.²⁰³⁸ Hasan Mustafaj, age 67, is also recorded on OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.²⁰³⁹

(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.²⁰⁴⁰ Azem Osman was identified, through a wooden grave marker found next to the body, as one of the corpses examined by Tomašević's team.²⁰⁴¹ 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 69.²⁰⁴² 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.²⁰⁴³

(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.²⁰⁴⁴ 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 24.²⁰⁴⁵ 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.²⁰⁴⁶ 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.²⁰⁴⁷

²⁰³⁷ P2798 (OMPF list of missing persons).

²⁰³⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰³⁹ P2798 (OMPF list of missing persons).

²⁰⁴⁰ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁴¹ P248 (Gordana Tomašević's autopsy reports), e-court pp. 310–313.

²⁰⁴² P2558 (Notice of DNA Reports) (under seal), e-court p. 60.

²⁰⁴³ P2798 (OMPF list of missing persons).

²⁰⁴⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁴⁵ P2558 (Notice of DNA Reports) (under seal), e-court p. 60; P2559 (Addendum to Expert Report) (under seal), e-court p. 9.

²⁰⁴⁶ P213 (Death certificate for Fatmir Osmanaj); P214 (Autopsy report for PS/II-18).

²⁰⁴⁷ 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.²⁰⁴⁸ 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 63.²⁰⁴⁹ 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.²⁰⁵⁰

(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.²⁰⁵¹ 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 76.²⁰⁵² 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.²⁰⁵³

(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.²⁰⁵⁴ According to one of the ICMP reports, the body remains labelled FHG-02-004B were identified as being those of Sabit Qallapeku, age 60.²⁰⁵⁵ 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.²⁰⁵⁶

(82) Ismajl Qelaj (61, male)

730. Mustafa Draga identified Smajc Çela as one of the men executed in Izbica on 28 March

²⁰⁴⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁴⁹ P2558 (Notice of DNA Reports) (under seal), e-court p. 60.

²⁰⁵⁰ P2798 (OMPF list of missing persons).

²⁰⁵¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁵² P2558 (Notice of DNA Reports) (under seal), e-court p. 60.

²⁰⁵³ P2798 (OMPF list of missing persons).

²⁰⁵⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁵⁵ P2558 (Notice of DNA Reports) (under seal), e-court p. 62.

²⁰⁵⁶ P2798 (OMPF list of missing persons).

1999.²⁰⁵⁷ Ismail Qelaj is also listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.²⁰⁵⁸ Ismajl Celaj, age 60, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.²⁰⁵⁹

(83) Rexhep Qelaj (72, male)

731. Mustafa Draga identified Rexh Çela as one of the men whose execution he witnessed on 28 March 1999.²⁰⁶⁰ Rexhep Qelaj is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.²⁰⁶¹ 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.²⁰⁶² 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 72.²⁰⁶³ 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.²⁰⁶⁴

(84) Metush Qelaj (68, male)

732. Mustafa Draga identified Metush Çela as one of the men whose execution he witnessed.²⁰⁶⁵ Metush Qelaj is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.²⁰⁶⁶ 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.²⁰⁶⁷ 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 70.²⁰⁶⁸ 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.²⁰⁶⁹ Finally, Metush Celaj, age 70, is also recorded

²⁰⁵⁷ Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4. *See also* Volume 2, note 1489.

²⁰⁵⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁵⁹ P2798 (OMPF list of missing persons).

²⁰⁶⁰ Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

²⁰⁶¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁶² Liri Loshi, P2436 (Rule 92 *bis* package), e-court pp. 23, 32; P231 (Still photographs of bodies found in Izbica), pp. 167–168.

²⁰⁶³ P2558 (Notice of DNA Reports) (under seal), e-court p. 62.

²⁰⁶⁴ P2798 (OMPF list of missing persons).

²⁰⁶⁵ Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

²⁰⁶⁶ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁶⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court pp. 22, 32; P231 (Still photographs of bodies found in Izbica), pp. 169–170.

²⁰⁶⁸ P2558 (Notice of DNA Reports) (under seal), e-court p. 62; P2559 (Addendum to Expert Report) (under seal), e-court p. 9.

²⁰⁶⁹ 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.²⁰⁷⁰

(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.²⁰⁷¹ Hamz Qupeva was also identified using the procedure described in Section VII.G, namely through Liri Loshi's video.²⁰⁷² 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 49.²⁰⁷³ 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.²⁰⁷⁴

(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.²⁰⁷⁵ 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 69.²⁰⁷⁶ 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.²⁰⁷⁷

(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.²⁰⁷⁸ 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 52.²⁰⁷⁹ 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.²⁰⁸⁰

²⁰⁷⁰ P2798 (OMPF list of missing persons).

²⁰⁷¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

²⁰⁷² Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 27.

²⁰⁷³ P2558 (Notice of DNA Reports) (under seal), e-court p. 62.

²⁰⁷⁴ P2798 (OMPF list of missing persons).

²⁰⁷⁵ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁷⁶ P2558 (Notice of DNA Reports) (under seal), e-court p. 62.

²⁰⁷⁷ P2798 (OMPF list of missing persons).

²⁰⁷⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁷⁹ P2558 (Notice of DNA Reports) (under seal), e-court p. 63.

²⁰⁸⁰ 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.²⁰⁸¹ 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 50.²⁰⁸² 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.²⁰⁸³

(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.²⁰⁸⁴ Mustafa Sejdiu, age 46, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.²⁰⁸⁵

(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.²⁰⁸⁶

(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.²⁰⁸⁷ He was also identified using Liri Loshi's video.²⁰⁸⁸ 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.²⁰⁸⁹

(92) Idriz Shala (69, male)

740. Mustafa Draga identified Idriz Shala as one of the men whose execution he witnessed.²⁰⁹⁰ Idriz Shala is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim

²⁰⁸¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁸² P2558 (Notice of DNA Reports) (under seal), e-court p. 64.

²⁰⁸³ P2798 (OMPF list of missing persons).

²⁰⁸⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

²⁰⁸⁵ P2798 (OMPF list of missing persons).

²⁰⁸⁶ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

²⁰⁸⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁸⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 26.

²⁰⁸⁹ P2798 (OMPF list of missing persons).

²⁰⁹⁰ Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

Xhemajli.²⁰⁹¹ Idriz Shala, age 69, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.²⁰⁹²

(93) Isuf Shala (64, male)

741. Milazim Thaqi gave evidence that he witnessed the killing of Isuf Shala, aged 63.²⁰⁹³ Isuf Shala is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.²⁰⁹⁴ 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.²⁰⁹⁵ Isuf Shala, age 62, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.²⁰⁹⁶

(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.²⁰⁹⁷ 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.²⁰⁹⁸ Muje Shala, age 62, is recorded on the OMPF list of missing persons as having gone missing on 31 March 1999.²⁰⁹⁹

(95) Sali Shala (38, male)

743. Mustafa Draga identified Sali Shala as one of the men whose execution he witnessed.²¹⁰⁰ Salih Shala is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.²¹⁰¹ 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.²¹⁰² According to

²⁰⁹¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁹² P2798 (OMPF list of missing persons).

²⁰⁹³ Milazim Thaqi, P2246 (witness statement dated 12 November 1999), p. 5, P2446 (witness statement dated 17 and 20 October 2001), pp. 2–3.

²⁰⁹⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁹⁵ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 22; P231 (Still photographs of bodies found in Izbica), e-court p. 153.

²⁰⁹⁶ P2798 (OMPF list of missing persons).

²⁰⁹⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²⁰⁹⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 32; P231 (Still photographs of bodies found in Izbica), e-court pp. 157–158.

²⁰⁹⁹ P2798 (OMPF list of missing persons).

²¹⁰⁰ Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

²¹⁰¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²¹⁰² 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 34.²¹⁰³ 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.²¹⁰⁴

(96) Zymer Shala (63, male)

744. Mustafa Draga identified Zymer Shala as one of the men whose execution he witnessed.²¹⁰⁵ Zymer Shala is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.²¹⁰⁶ 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.²¹⁰⁷ 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 1936.²¹⁰⁸ 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".²¹⁰⁹ 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 63.²¹¹⁰ 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.²¹¹¹

(97) Halim Shala (63, male)

745. Mustafa Draga identified Halim Shala as one of the men whose execution he witnessed.²¹¹² Halim Shala is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.²¹¹³ 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.²¹¹⁴ According to one of the ICMP reports, the body remains labelled FHH-12-001 were identified through DNA

²¹⁰³ P2558 (Notice of DNA Reports) (under seal), e-court p. 66.

²¹⁰⁴ P2798 (OMPF list of missing persons).

²¹⁰⁵ Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

²¹⁰⁶ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²¹⁰⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 31; P231 (Still photographs of bodies found in Izbica), e-court pp. 154–155.

²¹⁰⁸ Gordana Tomašević, T. 7036–7037 (21 November 2006); P248 (Gordana Tomašević's autopsy reports), e-court pp. 345–348.

²¹⁰⁹ 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 7.

²¹¹⁰ P2558 (Notice of DNA Reports) (under seal), e-court p. 67.

²¹¹¹ P2798 (OMPF list of missing persons).

²¹¹² Mustafa Draga, P2244 (witness statement dated 13 November 1999), p. 4.

²¹¹³ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²¹¹⁴ 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 64.²¹¹⁵ 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.²¹¹⁶

(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.²¹¹⁷ 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 76.²¹¹⁸ 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.²¹¹⁹

(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.²¹²⁰

(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.²¹²¹ Zeqir Shpati, age 61, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.²¹²²

(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.²¹²³ According to one of the ICMP reports, the body remains labelled FHG-03-001B were

²¹¹⁵ P2558 (Notice of DNA Reports) (under seal), e-court p. 66.

²¹¹⁶ P2798 (OMPF list of missing persons).

²¹¹⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²¹¹⁸ P2558 (Notice of DNA Reports) (under seal), e-court p. 66.

²¹¹⁹ P2798 (OMPF list of missing persons).

²¹²⁰ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

²¹²¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²¹²² P2798 (OMPF list of missing persons).

²¹²³ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

identified through DNA analysis as being those of Rame Sylja, age 60.²¹²⁴ 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.²¹²⁵

(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.²¹²⁶ 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 79.²¹²⁷ 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.²¹²⁸

(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.²¹²⁹ 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 49.²¹³⁰ 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.²¹³¹

(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.²¹³² Remains found in Petrovo Selo and labelled PS/II-32 were identified through DNA analysis as being those of Hamdi Temaj.²¹³³ These remains have been analysed by the experts from Niš forensic institute and the cause of death established as gunshot wound to the head.²¹³⁴ 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.²¹³⁵

²¹²⁴ P2558 (Notice of DNA Reports) (under seal), e-court p. 70.

²¹²⁵ P2798 (OMPF list of missing persons).

²¹²⁶ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

²¹²⁷ P2558 (Notice of DNA Reports) (under seal), e-court p. 70.

²¹²⁸ P2798 (OMPF list of missing persons).

²¹²⁹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

²¹³⁰ P2558 (Notice of DNA Reports) (under seal), e-court p. 71.

²¹³¹ P2798 (OMPF list of missing persons).

²¹³² Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

²¹³³ P2559 (Addendum to Expert Report) (under seal), e-court p. 10.

²¹³⁴ P219 (Death certificate for Hamdi Temaj); P220 (Autopsy report for Hamdi Temaj).

²¹³⁵ 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.²¹³⁶ 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 70.²¹³⁷ 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.²¹³⁸

(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.²¹³⁹ 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 66.²¹⁴⁰ 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.²¹⁴¹

(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.²¹⁴² The grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of Ajet Thaqi.²¹⁴³ Ajet (D) Thaqi, age 70, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.²¹⁴⁴

(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.²¹⁴⁵ Sheremet Thaqi, age 46, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.²¹⁴⁶

²¹³⁶ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²¹³⁷ P2558 (Notice of DNA Reports) (under seal), e-court p. 71.

²¹³⁸ P2798 (OMPF list of missing persons).

²¹³⁹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²¹⁴⁰ P2558 (Notice of DNA Reports) (under seal), e-court p. 71.

²¹⁴¹ P2798 (OMPF list of missing persons).

²¹⁴² Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

²¹⁴³ 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 5.

²¹⁴⁴ P2798 (OMPF list of missing persons).

²¹⁴⁵ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

²¹⁴⁶ 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 74.²¹⁴⁷ Uke Uka is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.²¹⁴⁸ Uke (Uke) Thaqi, age 74, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 28 March 1999.²¹⁴⁹

(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.²¹⁵⁰ 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.²¹⁵¹ 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.²¹⁵² 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 1928.²¹⁵³ 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.²¹⁵⁴ Idriz Xhemajli, age 71, is also recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.²¹⁵⁵

(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

²¹⁴⁷ Milazim Thaqi, P2246 (witness statement dated 12 November 1999), p. 5, P2446 (witness statement dated 17 and 20 October 2001), pp. 2–3.

²¹⁴⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²¹⁴⁹ P2798 (OMPF list of missing persons).

²¹⁵⁰ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²¹⁵¹ P2798 (OMPF list of missing persons).

²¹⁵² Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²¹⁵³ Gordana Tomašević, T. 7036–7037 (21 November 2006); P248 (Gordana Tomašević's autopsy reports), e-court pp. 325–328.

²¹⁵⁴ 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 6.

²¹⁵⁵ P2798 (OMPF list of missing persons).

Afrim Xhemajli.²¹⁵⁶

(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.²¹⁵⁷ The grave of one of the bodies exhumed in Izbica by the Kosovska Mitrovica SUP team was marked with the name of Jahir Zeka.²¹⁵⁸ 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 49.²¹⁵⁹ 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.²¹⁶⁰

(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.²¹⁶¹ 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 53.²¹⁶² 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.²¹⁶³

(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.²¹⁶⁴

(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.²¹⁶⁵ Zyhre Fejza, age 61, is recorded on the OMPF list of missing persons as having gone missing in Izbica on 31 March 1999.²¹⁶⁶

²¹⁵⁶ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

²¹⁵⁷ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

²¹⁵⁸ 6D116 (MUP Report on the forensic examination of the site in Izbica, 2 June 1999), p. 5.

²¹⁵⁹ P2558 (Notice of DNA Reports) (under seal), e-court p. 73.

²¹⁶⁰ P2798 (OMPF list of missing persons).

²¹⁶¹ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

²¹⁶² P2558 (Notice of DNA Reports) (under seal), e-court p. 73.

²¹⁶³ P2798 (OMPF list of missing persons).

²¹⁶⁴ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

²¹⁶⁵ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 9.

²¹⁶⁶ 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 1999.²¹⁶⁷ Zoje Osmani is listed as one of those killed in Izbica in a list prepared by Liri Loshi and Afrim Xhemajli.²¹⁶⁸ 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 70.²¹⁶⁹ These remains have been analysed by the experts from Niš forensic institute, but the cause of death could not be established.²¹⁷⁰ 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.²¹⁷¹

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.²¹⁷² Sofie 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.²¹⁷³ According to one of the ICMP reports, the body remains labelled PSII-8A belong to Sofije Dragaj, age 66.²¹⁷⁴ These remains have been analysed by the experts from Niš forensic institute, but the cause of death could not be established.²¹⁷⁵ 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.²¹⁷⁶

²¹⁶⁷ Mustafa Draga, T. 2360 (25 August 2006); P2244 (witness statement dated 13 November 1999), p. 5.

²¹⁶⁸ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²¹⁶⁹ P2558 (Notice of DNA Reports) (under seal), e-court p. 60.

²¹⁷⁰ P2429 (Autopsy report for PS/II-13). *See also* P943 (OMPF Reports), e-court p. 366.

²¹⁷¹ P2798 (OMPF list of missing persons).

²¹⁷² Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 8.

²¹⁷³ Liri Loshi, P2436 (Rule 92 *bis* package), e-court p. 31; P231 (Still photographs of bodies found in Izbica), e-court pp. 150–151.

²¹⁷⁴ P2558 (Notice of DNA Reports) (under seal), e-court p. 39. *See also* P2559 (Addendum to Expert Report) (under seal), e-court p. 6.

²¹⁷⁵ P215 (Death certificate for Sofija Dragoj); P216 (Autopsy report for PS/II-8A).

²¹⁷⁶ 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.²¹⁷⁷ 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.²¹⁷⁸

(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.²¹⁷⁹ 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.²¹⁸⁰

(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.²¹⁸¹ 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.²¹⁸²

(4) Remzi Aliu (55, male)

772. Sabit Kadriu collected information about this individual in the course of an investigation he

²¹⁷⁷ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²¹⁷⁸ 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.

²¹⁷⁹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²¹⁸⁰ 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.

²¹⁸¹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²¹⁸² 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.²¹⁸³ 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.²¹⁸⁴

(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.²¹⁸⁵ 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.²¹⁸⁶

(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.²¹⁸⁷ In addition, the French forensic mission concluded that Nezir Beqiri died as a result of a cranial traumatic injury caused by a blunt object.²¹⁸⁸

(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.²¹⁸⁹ 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.²¹⁹⁰ Sabit Kadriu reported that Qamile

²¹⁸³ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²¹⁸⁴ 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.

²¹⁸⁵ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²¹⁸⁶ 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.

²¹⁸⁷ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²¹⁸⁸ 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.

²¹⁸⁹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²¹⁹⁰ 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.²¹⁹¹

(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.²¹⁹² 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.²¹⁹³

(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.²¹⁹⁴ 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.²¹⁹⁵

(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.²¹⁹⁶ The French forensic mission concluded that Rifat Ferati died as a result of cranial trauma caused by a blunt instrument.²¹⁹⁷

(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.²¹⁹⁸ No forensic evidence was submitted by the Prosecution relating to Bislim Ferizi.

²¹⁹¹ 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.

²¹⁹² Sabit Kadriu, P2377 (witness statement dated 10 December 2000), p. 22.

²¹⁹³ 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.

²¹⁹⁴ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²¹⁹⁵ 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.

²¹⁹⁶ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²¹⁹⁷ 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.²¹⁹⁹ 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.²²⁰⁰ 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.²²⁰¹ 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.²²⁰² The French forensic mission concluded that Enver Gerguri died as a result of craniofacial gunshot wound shot from very close range.²²⁰³

(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.²²⁰⁴ 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.²²⁰⁵

²¹⁹⁸ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²¹⁹⁹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁰⁰ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁰¹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁰² Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁰³ 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.

²²⁰⁴ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁰⁵ 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.²²⁰⁶ In addition, the French forensic mission concluded that Fahri Gërxhaliu died as a result of two intra-cranial gunshot wounds.²²⁰⁷

(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.²²⁰⁸ 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.²²⁰⁹ 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.²²¹⁰

(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.²²¹¹ 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.²²¹²

(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.²²¹³ In addition, the French forensic mission concluded that Shaban Gërxhaliu died as a result of three gunshot wounds: one intracranio-

²²⁰⁶ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁰⁷ 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.

²²⁰⁸ Shukri Gërxhaliu, P2275 (witness statement dated 4 February 2002), para. 21.

²²⁰⁹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²¹⁰ 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.

²²¹¹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²¹² 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.

²²¹³ 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.²²¹⁴

(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.²²¹⁵ 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.²²¹⁶

(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.²²¹⁷ 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.²²¹⁸

(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.²²¹⁹ 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.²²²⁰ In addition, the French forensic mission concluded that Skender Gerguri died as a result of intra-thoracic gunshot wound, caused by a

²²¹⁴ 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.

²²¹⁵ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²¹⁶ 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.

²²¹⁷ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²¹⁸ 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.

²²¹⁹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²²⁰ 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.²²²¹

(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.²²²² 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.²²²³

(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.²²²⁴ 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.²²²⁵

(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.²²²⁶ In addition, the French forensic mission concluded that Avdyl (B) Gërxhaliu died as a result of a trans-thoracic bullet wound.²²²⁷

(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.²²²⁸ In addition, the French forensic mission established that Avdyl (F) Gërxhaliu died as a result of thoracic gunshot wound.²²²⁹

²²²¹ 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.

²²²² Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²²³ 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.

²²²⁴ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²²⁵ 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.

²²²⁶ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²²⁷ 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.

²²²⁸ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²²⁹ 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.²²³⁰ 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.²²³¹

(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.²²³² The French forensic mission could not ascertain the cause of death of Fatmir (A) Gërxhaliu.²²³³

(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.²²³⁴ 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.²²³⁵

(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.²²³⁶ 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.²²³⁷

(34) Nuhi Gërxhaliu (25, male)

802. Sabit Kadriu collected information about this victim in the course of an investigation he

²²³⁰ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²³¹ 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.

²²³² Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²³³ 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.

²²³⁴ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²³⁵ 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.

²²³⁶ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²³⁷ 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.²²³⁸ 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.²²³⁹

(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.²²⁴⁰ 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.²²⁴¹

(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.²²⁴² 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.²²⁴³

(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.²²⁴⁴ 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.²²⁴⁵

(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.²²⁴⁶ In addition, the French forensic

²²³⁸ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²³⁹ 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.

²²⁴⁰ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁴¹ 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.

²²⁴² Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁴³ 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.

²²⁴⁴ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), e-court pp. 21–24.

²²⁴⁵ 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.

²²⁴⁶ 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.²²⁴⁷

(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.²²⁴⁸ 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.²²⁴⁹ 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.²²⁵⁰

(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.²²⁵¹ 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.²²⁵² However, the French forensic report established that Agim Hyseni died a non-violent death, possibly as a result of a respiratory problem.²²⁵³

²²⁴⁷ 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.

²²⁴⁸ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁴⁹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁵⁰ 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.

²²⁵¹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁵² Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁵³ 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.²²⁵⁴ 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.²²⁵⁵

(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.²²⁵⁶ 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.²²⁵⁷

(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.²²⁵⁸ 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.²²⁵⁹

(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.²²⁶⁰

²²⁵⁴ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁵⁵ 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.

²²⁵⁶ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁵⁷ 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.

²²⁵⁸ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁵⁹ 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.

²²⁶⁰ 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.²²⁶¹ 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.²²⁶² 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.²²⁶³

(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.²²⁶⁴ 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.²²⁶⁵

(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.²²⁶⁶ 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.²²⁶⁷ No forensic evidence was adduced by the Prosecution relating to Selman Ibishi.

²²⁶¹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁶² Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁶³ 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.

²²⁶⁴ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁶⁵ 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.

²²⁶⁶ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁶⁷ 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.²²⁶⁸ 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.²²⁶⁹

(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.²²⁷⁰ 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.²²⁷¹ 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.²²⁷²

(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.²²⁷³ 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.²²⁷⁴

(56) Afrim Konjuhi (29, male)

824. Sabit Kadriu collected information about this victim in the course of an investigation he

²²⁶⁸ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁶⁹ 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.

²²⁷⁰ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁷¹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁷² 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.

²²⁷³ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁷⁴ 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.²²⁷⁵ 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.²²⁷⁶

(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.²²⁷⁷ 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.²²⁷⁸

(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.²²⁷⁹ In addition, the French forensic mission established Shaban Krasniqi's died as a result of a trans-thoracic gunshot wound.²²⁸⁰

(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.²²⁸¹ 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.²²⁸² 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

²²⁷⁵ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁷⁶ 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.

²²⁷⁷ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁷⁸ 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.

²²⁷⁹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁸⁰ 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.

²²⁸¹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

conducted at the Gornja Sudimlja/Studime e Epërme site.²²⁸³ 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.²²⁸⁴ 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.²²⁸⁵

(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.²²⁸⁶ 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.²²⁸⁷ 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.²²⁸⁸ 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.²²⁸⁹

²²⁸² Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁸³ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁸⁴ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁸⁵ 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.

²²⁸⁶ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 17, 21–24.

²²⁸⁷ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 17, 21–24.

²²⁸⁸ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁸⁹ 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.²²⁹⁰ 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.²²⁹¹

(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.²²⁹² In addition, the French forensic mission established that Xhavit Mulaku died as a result of a trans-thoracic gunshot wound.²²⁹³

(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.²²⁹⁴ 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.²²⁹⁵

(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.²²⁹⁶ The French forensic mission concluded that the death of Asllan Muli was caused by two trans-thoracic gunshot wounds, fired at close range.²²⁹⁷

(70) Hazir Muli (52, male)

838. Sabit Kadriu collected information about this victim in the course of an investigation he

²²⁹⁰ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁹¹ 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.

²²⁹² Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁹³ 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.

²²⁹⁴ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁹⁵ 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.

²²⁹⁶ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁹⁷ 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.²²⁹⁸ 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.²²⁹⁹

(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.²³⁰⁰ In addition, the French forensic mission concluded that Bajram Muliqi died as a result of two thoracic gunshot wounds.²³⁰¹

(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.²³⁰² 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.²³⁰³

(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.²³⁰⁴ 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.²³⁰⁵

(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.²³⁰⁶ In addition, the French forensic

²²⁹⁸ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²²⁹⁹ 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.

²³⁰⁰ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³⁰¹ 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.

²³⁰² Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³⁰³ 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.

²³⁰⁴ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³⁰⁵ 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.

²³⁰⁶ 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.²³⁰⁷

(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.²³⁰⁸ In addition, the French forensic mission concluded Mehdi Musliu died as a result of trans-thoracic gunshot wound.²³⁰⁹

(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.²³¹⁰ 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.²³¹¹

(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.²³¹² In addition, the French forensic mission concluded that Besim Muzaqi died as a result of two gunshot wounds, one to the 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.²³¹³

(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.²³¹⁴ No forensic evidence was adduced by

²³⁰⁷ 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.

²³⁰⁸ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³⁰⁹ 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.

²³¹⁰ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³¹¹ 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.

²³¹² Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³¹³ 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. 109–111; P332 (French Forensic Autopsies Report, Gornja Sudimlja site, Vol. 2), e-court pp. 176–179.

²³¹⁴ 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.²³¹⁵ 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.²³¹⁶ In addition, the French forensic mission established that Murat Peci died as a result of trans-thoracic and thoraco-abdominal gunshot wounds.²³¹⁷

(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.²³¹⁸ 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.²³¹⁹ 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.²³²⁰

(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.²³²¹ In addition, the French forensic

²³¹⁵ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³¹⁶ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³¹⁷ 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.

²³¹⁸ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³¹⁹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³²⁰ 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.

²³²¹ 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.²³²²

(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.²³²³ 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.²³²⁴

(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.²³²⁵ 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.²³²⁶

(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.²³²⁷ 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.²³²⁸ 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.²³²⁹

²³²² 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.

²³²³ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³²⁴ 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.

²³²⁵ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³²⁶ 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.

²³²⁷ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³²⁸ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³²⁹ 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.²³³⁰ 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.²³³¹

(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.²³³² 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.²³³³ In addition, the French forensic report concluded that Agim Sadiku died as a result of a transcranio-facial gunshot wound.²³³⁴

(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.²³³⁵ 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.²³³⁶

(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.²³³⁷ However, the French forensic report

²³³⁰ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³³¹ 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.

²³³² Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³³³ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³³⁴ 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.

²³³⁵ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³³⁶ 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.

²³³⁷ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

concluded that Shehide Sfarqa died as a result of an asthma attack.²³³⁸

(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.²³³⁹ 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.²³⁴⁰

(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.²³⁴¹ 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.²³⁴²

(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.²³⁴³ 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.²³⁴⁴

(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.²³⁴⁵ In addition, the French forensic

²³³⁸ 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.

²³³⁹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³⁴⁰ 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.

²³⁴¹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³⁴² 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.

²³⁴³ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³⁴⁴ 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.

²³⁴⁵ 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.²³⁴⁶

(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.²³⁴⁷ 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.²³⁴⁸

(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.²³⁴⁹ 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.²³⁵⁰

(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.²³⁵¹ 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.²³⁵²

(100) Driton Xhafa (30–40, male)

868. Sabit Kadriu collected information about this victim in the course of an investigation he

²³⁴⁶ 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.

²³⁴⁷ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³⁴⁸ 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.

²³⁴⁹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³⁵⁰ 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.

²³⁵¹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³⁵² 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.²³⁵³ 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.²³⁵⁴

(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.²³⁵⁵ 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.²³⁵⁶

(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.²³⁵⁷ 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.²³⁵⁸

(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.²³⁵⁹ 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.²³⁶⁰

²³⁵³ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³⁵⁴ 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.

²³⁵⁵ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³⁵⁶ 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.

²³⁵⁷ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³⁵⁸ 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.

²³⁵⁹ Sabit Kadriu, P2377 (witness statement dated 10 December 2000), pp. 21–24.

²³⁶⁰ 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.²³⁶¹ 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.²³⁶²

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.²³⁶³ The body of Idriz Kuqi was exhumed in the inner courtyard of the Kotlina/Kotllina mosque.²³⁶⁴ 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.²³⁶⁵ 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.²³⁶⁶

(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.²³⁶⁷ Vebi Kuqi identified the corpse labelled Body 13 by clothing as his

²³⁶¹ Fedrije Xhafa, P2274 (witness statement dated 29 August 2006), para. 8.

²³⁶² 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.

²³⁶³ Hazbi Loku, P2296 (witness statement dated 4 June 1999), p. 5.

²³⁶⁴ P361 (Austrian Forensic Team Report on Kotlina), pp. 38–39.

²³⁶⁵ P361 (Austrian Forensic Team Report on Kotlina), p. 39.

²³⁶⁶ Zoran Stanković, T. 26164, 24166 (14 May 2008); 6D670 (Expert Report of Dr. Stanković), para. 19.

²³⁶⁷ 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.²³⁶⁸ The Austrian report identified multiple gunshot wounds and that the victim's skull was destroyed, presumably as the result of an explosion.²³⁶⁹ 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.²³⁷⁰

(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.²³⁷¹ Vebi Kuqi identified the corpse labelled Body 8 by clothing and the shape of the right foot as his cousin Nexhadi Kuqi.²³⁷² The Austrian report identified explosion and fire marks on the remains of the body, most of the body was missing.²³⁷³ 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.²³⁷⁴ 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.²³⁷⁵

(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.²³⁷⁶ Vebi Kuqi identified the corpse labelled Body 4 by clothing and personal possessions as his cousin Xhemjal Kuqi.²³⁷⁷ 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.²³⁷⁸ 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

²³⁶⁸ P361 (Austrian Forensic Team Report on Kotlina), p. 25.

²³⁶⁹ P361 (Austrian Forensic Team Report on Kotlina), p. 25.

²³⁷⁰ Zoran Stanković, T. 26150 (14 May 2008); 6D670 (Expert Report of Dr. Stanković), para. 8.

²³⁷¹ Hazbi Loku, T. 3163 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 3.

²³⁷² P361 (Austrian Forensic Team Report on Kotlina), p. 18.

²³⁷³ P361 (Austrian Forensic Team Report on Kotlina), p. 19.

²³⁷⁴ Zoran Stanković, T. 26178–26179 (14 May 2008).

²³⁷⁵ Zoran Stanković, T. 26200 (14 May 2008).

²³⁷⁶ Hazbi Loku, T. 3163 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 3.

²³⁷⁷ 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.²³⁷⁹ He commented that the doctor did not perform the examination thoroughly enough.²³⁸⁰ 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.²³⁸¹ 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.²³⁸²

(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.²³⁸³ Isuh Loku identified the corpse labelled Body 17 by surviving hair and teeth as his brother Agim Loku.²³⁸⁴ The Austrian report identified explosion and fire marks, and a gunshot wound on the remains of the body. Most of the body was missing.²³⁸⁵ 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.²³⁸⁶

(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.²³⁸⁷ 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.²³⁸⁸ Emrush Loku identified the corpse labelled Body 11 as his brother Garip

²³⁷⁸ P361 (Austrian Forensic Team Report on Kotlina), pp. 12–13.

²³⁷⁹ Zoran Stanković, T. 26124, 26127, 26130–26131 (14 May 2008); P361 (Austrian Forensic Team Report on Kotlina), pp. 12–13.

²³⁸⁰ Zoran Stanković, T. 26131–26134 (14 May 2008).

²³⁸¹ Zoran Stanković, T. 26128–26129 (14 May 2008).

²³⁸² Zoran Stanković, T. 26172–26173 (14 May 2008).

²³⁸³ Hazbi Loku, T. 3164 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 5.

²³⁸⁴ P361 (Austrian Forensic Team Report on Kotlina), p. 30.

²³⁸⁵ P361 (Austrian Forensic Team Report on Kotlina), p. 30.

²³⁸⁶ 6D670 (Expert Report of Dr. Stanković), para. 12.

²³⁸⁷ 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”.

²³⁸⁸ Hazbi Loku, T. 3164 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 4.

Loku.²³⁸⁹ 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”.²³⁹⁰ The left foot of the body was missing.²³⁹¹

(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.²³⁹² Rexhep Loku identified the corpse labelled Body 21 as his son Ibush Loku.²³⁹³ 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.²³⁹⁴

(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.²³⁹⁵ 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.²³⁹⁶ However, no remains have been identified as belonging to Ismajl Loku.²³⁹⁷ 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).²³⁹⁸

(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.²³⁹⁹ Villagers identified the corpse labelled Body 2 as Izijah Loku on the basis of objects dug up in the immediate vicinity of the body.²⁴⁰⁰ The Austrian report identified that

²³⁸⁹ P361 (Austrian Forensic Team Report on Kotlina), p. 22.

²³⁹⁰ P361 (Austrian Forensic Team Report on Kotlina), p. 23.

²³⁹¹ P361 (Austrian Forensic Team Report on Kotlina), p. 22.

²³⁹² Hazbi Loku, T. 3163 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

²³⁹³ P361 (Austrian Forensic Team Report on Kotlina), p. 34.

²³⁹⁴ P361 (Austrian Forensic Team Report on Kotlina), pp. 33–34.

²³⁹⁵ Hazbi Loku, T. 3164 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 5.

²³⁹⁶ P361 (Austrian Forensic Team Report on Kotlina), p. 6.

²³⁹⁷ P361 (Austrian Forensic Team Report on Kotlina), p. 6.

²³⁹⁸ 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).

²³⁹⁹ Hazbi Loku, T. 3163 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

²⁴⁰⁰ 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.²⁴⁰¹

(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.²⁴⁰² 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.²⁴⁰³ 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.²⁴⁰⁴ Rexhep Loku identified the corpse labelled Body 20 as his son Naser (R) Loku.²⁴⁰⁵ 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.²⁴⁰⁶ 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.²⁴⁰⁷

(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.²⁴⁰⁸ 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.²⁴⁰⁹ 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

²⁴⁰¹ P361 (Austrian Forensic Team Report on Kotlina), p. 10.

²⁴⁰² Hazbi Loku, T. 3164 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 5.

²⁴⁰³ Hazbi Loku, P2296 (witness statement dated 4 June 1999), p. 3.

²⁴⁰⁴ Hazbi Loku, T. 3163 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

²⁴⁰⁵ P361 (Austrian Forensic Team Report on Kotlina), p. 33.

²⁴⁰⁶ P361 (Austrian Forensic Team Report on Kotlina), pp. 32–33.

²⁴⁰⁷ 6D670 (Expert Report of Dr. Stanković), para. 14.

²⁴⁰⁸ Hazbi Loku, T. 3164 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 4.

²⁴⁰⁹ 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).²⁴¹⁰

(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.²⁴¹¹ 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.²⁴¹² The body of Zymer Loku was exhumed in the inner courtyard of the Kotlina/Kotllina mosque.²⁴¹³ 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.²⁴¹⁴ 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.²⁴¹⁵

(15) Neshat Rexha (16, male)

888. Hazbi Loku named Neshad Rexha one of the persons killed in Kotlina/Kotllina in March 1999 from photographs.²⁴¹⁶ Ferid B. Rexha identified the corpse labelled Body 7 as his son Neshat Rexha.²⁴¹⁷ 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.²⁴¹⁸ 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.²⁴¹⁹ During cross-examination, he confirmed that such skull injury could have been caused by the branches or

²⁴¹⁰ 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).

²⁴¹¹ Hazbi Loku, P2296 (witness statement dated 4 June 1999), p. 6.

²⁴¹² 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.

²⁴¹³ P361 (Austrian Forensic Team Report on Kotlina), pp. 38–39.

²⁴¹⁴ P361 (Austrian Forensic Team Report on Kotlina), pp. 39–40.

²⁴¹⁵ 6D670 (Expert Report of Dr. Stanković), para. 16.

²⁴¹⁶ Hazbi Loku, T. 3164 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 5.

²⁴¹⁷ P361 (Austrian Forensic Team Report on Kotlina), p. 16.

²⁴¹⁸ P361 (Austrian Forensic Team Report on Kotlina), p. 16.

²⁴¹⁹ Zoran Stanković, T. 26136 (14 May 2008); *see also* 6D670 (Expert Report of Dr. Stanković), para. 10.

sticks in the vegetation around the well.²⁴²⁰ 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 MUP²⁴²¹ 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.²⁴²²

(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.²⁴²³ Zyber Vlashi identified the corpse labelled Body 6 as his brother Sali Vlashi.²⁴²⁴ 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”.²⁴²⁵ 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.²⁴²⁶

(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.²⁴²⁷ 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.²⁴²⁸ The body of Vejsel Vlashi was exhumed in the inner courtyard of the Kotlina/Kotllina mosque.²⁴²⁹ The Austrian report labelled Vejsel Vlashi as Body 26²⁴³⁰ 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.²⁴³¹ In a plastic

²⁴²⁰ Zoran Stanković, T. 26170 (14 May 2008). *See also* 6D670 (Expert Report of Dr. Stanković), para. 18.

²⁴²¹ *See* 6D501 (Case file regarding an act of terrorism in Kotlina/Kotllina, 24 March 1999).

²⁴²² 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.

²⁴²³ Hazbi Loku, T. 3163 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

²⁴²⁴ P361 (Austrian Forensic Team Report on Kotlina), p. 15.

²⁴²⁵ P361 (Austrian Forensic Team Report on Kotlina), p. 15.

²⁴²⁶ Zoran Stanković, T. 26150 (14 May 2008); 6D670 (Expert Report of Dr. Stanković), para. 8.

²⁴²⁷ Hazbi Loku, T. 3163 (11 September 2006), P380 (Set of 24 photographs provided by Hazbi Loku), p. 2.

²⁴²⁸ Hazbi Loku, P2296 (witness statement dated 4 June 1999), p. 5.

²⁴²⁹ P361 (Austrian Forensic Team Report on Kotlina), pp. 38–39.

²⁴³⁰ P361 (Austrian Forensic Team Report on Kotlina), p. 40.

²⁴³¹ 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.²⁴³²

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.²⁴³³ Baki Kuqi identified the corpse labelled Body 1 by clothing as his son Minah Kuqi.²⁴³⁴ 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.²⁴³⁵

(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.²⁴³⁶ Vebi Kuqi identified the corpse labelled Body 12 as his brother, Sherif Kuqi.²⁴³⁷ 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.²⁴³⁸ 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.²⁴³⁹

(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.²⁴⁴⁰ Zenel Loku identified the corpse labelled Body 14 as his son, Ismet Loku, by clothing and personal possessions.²⁴⁴¹ The Austrian report identified explosion marks and burns on

²⁴³² P361 (Austrian Forensic Team Report on Kotlina), p. 41.

²⁴³³ Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

²⁴³⁴ P361 (Austrian Forensic Team Report on Kotlina), p. 10.

²⁴³⁵ P361 (Austrian Forensic Team Report on Kotlina), p. 11.

²⁴³⁶ Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 2.

²⁴³⁷ P361 (Austrian Forensic Team Report on Kotlina), p. 24.

²⁴³⁸ P361 (Austrian Forensic Team Report on Kotlina), p. 24.

²⁴³⁹ Zoran Stanković, T. 26150 (14 May 2008); 6D670 (Expert Report of Dr. Stanković), para. 8.

²⁴⁴⁰ Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

²⁴⁴¹ 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.²⁴⁴²

(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.²⁴⁴³ Latif Loku identified the corpse labelled Body 18 as his brother, Mahi Loku, by clothing.²⁴⁴⁴ The Austrian report identified explosion and fire marks on the body, and splinter wounds on the victim's back.²⁴⁴⁵

(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.²⁴⁴⁶ Mohamed Loku identified the corpse labelled Body 19 as his brother Naser (F) Loku, on the basis of the clothing.²⁴⁴⁷ 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.²⁴⁴⁸ 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.²⁴⁴⁹

(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.²⁴⁵⁰ 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.²⁴⁵¹

²⁴⁴² P361 (Austrian Forensic Team Report on Kotlina), p. 27.

²⁴⁴³ Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

²⁴⁴⁴ P361 (Austrian Forensic Team Report on Kotlina), p. 31.

²⁴⁴⁵ P361 (Austrian Forensic Team Report on Kotlina), p. 31.

²⁴⁴⁶ Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 3.

²⁴⁴⁷ P361 (Austrian Forensic Team Report on Kotlina), p. 32.

²⁴⁴⁸ P361 (Austrian Forensic Team Report on Kotlina), p. 32.

²⁴⁴⁹ 6D670 (Expert Report of Dr. Stanković), para. 13.

²⁴⁵⁰ Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 1.

²⁴⁵¹ 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.²⁴⁵² 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.²⁴⁵³ 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).²⁴⁵⁴

(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 1999.²⁴⁵⁵ 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.²⁴⁵⁶ The Austrian Forensic Team report identified explosion and fire marks on the remains, consisting solely of the lower limbs. The upper body was missing.²⁴⁵⁷ 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.²⁴⁵⁸ 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 10.²⁴⁵⁹

²⁴⁵² Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 3.

²⁴⁵³ P361 (Austrian Forensic Team Report on Kotlina), pp. 6, 71.

²⁴⁵⁴ 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).

²⁴⁵⁵ P2296 (witness statement dated 4 June 1999), p. 3.

²⁴⁵⁶ P361 (Austrian Forensic Team Report on Kotlina), p. 20.

²⁴⁵⁷ P361 (Austrian Forensic Team Report on Kotlina), p. 20.

²⁴⁵⁸ P361 (Austrian Forensic Team Report on Kotlina), p. 29.

²⁴⁵⁹ 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.²⁴⁶⁰ The Austrian report identified explosion marks and burns on the body, and that the body was largely destroyed from the effects of the explosion.²⁴⁶¹

(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.²⁴⁶² 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.²⁴⁶³ 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).²⁴⁶⁴

(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.²⁴⁶⁵ 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.

²⁴⁶⁰ P361 (Austrian Forensic Team Report on Kotlina), p. 28.

²⁴⁶¹ P361 (Austrian Forensic Team Report on Kotlina), p. 28.

²⁴⁶² Hazbi Loku, T. 3163 (11 September 2006); P380 (Set of 24 photographs provided by Hazbi Loku), p. 2.

²⁴⁶³ P361 (Austrian Forensic Team Report on Kotlina), pp. 6, 71.

²⁴⁶⁴ 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).

²⁴⁶⁵ 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 1999.²⁴⁶⁶ He named Illir Osman Caka as one of the seven people killed in the surrounding neighbourhoods of Caka and Tifeku on 13 April 1999.²⁴⁶⁷ 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”.²⁴⁶⁸

(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 1999.²⁴⁶⁹ 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 1999.²⁴⁷⁰

(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 1999.²⁴⁷¹ 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 1999.²⁴⁷² 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.²⁴⁷³

(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

²⁴⁶⁶ Sejdi Lami, T. 3260–3261 (12 September 2006).

²⁴⁶⁷ Sejdi Lami, T. 3260–3261 (12 September 2006), P2271 (witness statement dated 14 July 2000), p. 5.

²⁴⁶⁸ P364 (Lama forensic report), pp. 21–24; P363 (Canadian Forensic Team report, 22 July 1999), p. 13.

²⁴⁶⁹ Sejdi Lami, T. 3260–3261 (12 September 2006), P2271 (witness statement dated 14 July 2000), p. 5.

²⁴⁷⁰ P364 (Lama forensic report), pp. 17–20; P363 (Canadian Forensic Team report, 22 July 1999), p. 13.

²⁴⁷¹ P2271 (witness statement dated 14 July 2000), p. 4; T. 3262 (12 September 2006).

²⁴⁷² P364 (Lama forensic report), p. 13; P363 (Canadian Forensic Team report, 22 July 1999), p. 12.

²⁴⁷³ P364 (Lama forensic report), pp. 13–16.

concludes homicide as the manner of death.²⁴⁷⁴

(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.²⁴⁷⁵

(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.²⁴⁷⁶

(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 1999.²⁴⁷⁷ 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 1999.²⁴⁷⁸

(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 1999.²⁴⁷⁹ 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 1999.²⁴⁸⁰

(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 1999.²⁴⁸¹

²⁴⁷⁴ P365 (Sllatina grave site autopsy report), e-court p. 5.

²⁴⁷⁵ P365 (Sllatina grave site autopsy report), e-court p. 11.

²⁴⁷⁶ P365 (Sllatina grave site autopsy report), e-court p. 19.

²⁴⁷⁷ Sejdi Lami, P2271 (witness statement dated 14 July 2000), p. 4, T. 3261–3262 (12 September 2006).

²⁴⁷⁸ P364 (Lama forensic report), pp. 29–32; P363 (Canadian Forensic Team report, 22 July 1999), p. 12.

²⁴⁷⁹ Sejdi Lami, P2271 (witness statement dated 14 July 2000), p. 4, T. 3261–3262 (12 September 2006).

²⁴⁸⁰ P364 (Lama forensic report), pp. 33–36; P363 (Canadian Forensic Team report, 22 July 1999), p. 12.

²⁴⁸¹ 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 1999.²⁴⁸²

(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 1999.²⁴⁸³

(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 1999.²⁴⁸⁴

(13) Hialali Shiqeriber (46, male)

916. Sejdi Lami named Shyqyri as one of persons killed in the village of Vata/Vataj on 13 April 1999.²⁴⁸⁵ Moreover, the Lama forensic report identified gunshot wound to lower back as the cause of death of Hialali Shiqeriber, labelled victim #11, on or around 13 April 1999.²⁴⁸⁶ 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.²⁴⁸⁷ The Canadian forensic team report indicates that the victim was identified by his father Bequir Halili.²⁴⁸⁸

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 1999.²⁴⁸⁹ The Canadian forensic team report identified

²⁴⁸² P364 (Lama forensic report), pp. 10–12; P363 (Canadian Forensic Team report, 22 July 1999), p. 13.

²⁴⁸³ P364 (Lama forensic report), pp. 6–9; P363 (Canadian Forensic Team report, 22 July 1999), p. 13.

²⁴⁸⁴ P364 (Lama forensic report), pp. 2–5; P363 (Canadian Forensic Team report, 22 July 1999), p. 13.

²⁴⁸⁵ Sejdi Lami, T. 3261 (12 September 2006), P2271 (witness statement dated 14 July 2000), p. 5.

²⁴⁸⁶ P364 (Lama forensic report), pp. 38–41; P363 (Canadian Forensic Team report, 22 July 1999), p. 12.

²⁴⁸⁷ P364 (Lama forensic report), p. 40.

²⁴⁸⁸ P363 (Canadian Forensic Team report, 22 July 1999), p. 17.

²⁴⁸⁹ 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.²⁴⁹⁰ The Canadian forensic team report indicates that the victim was identified by his brother Zeqir Xhokli.²⁴⁹¹

(2) Rraman Lami (52, male)

918. The Canadian forensic team report first identified Rraman Lama in grave number 9;²⁴⁹² however, the report later referred to Rraman Lama as the male victim #8.²⁴⁹³ 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.²⁴⁹⁴

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 1999.²⁴⁹⁵ According to the Interpol Disaster Victim Identification autopsy report body 99/04/509 was identified as Baki Bela by relatives.²⁴⁹⁶ 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.²⁴⁹⁷

(2) Hamdi Dashi (53, male)

921. Muharrem Dashi saw the body of Hamdi Dashi in the village of Stagovo/Stagova, on 21 May 1999.²⁴⁹⁸ According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/508

²⁴⁹⁰ P363 (Canadian Forensic Team report, 22 July 1999), p. 4.

²⁴⁹¹ P363 (Canadian Forensic Team report, 22 July 1999), p. 17.

²⁴⁹² P363 (Canadian Forensic Team report, 22 July 1999), p. 4.

²⁴⁹³ P363 (Canadian Forensic Team report, 22 July 1999), p. 12.

²⁴⁹⁴ Sejdi Lami, P2271 (witness statement dated 14 July 2000), p. 4.

²⁴⁹⁵ Muharrem Dashi, T. 4615 (11 October 2006).

²⁴⁹⁶ P368 (Interpol Disaster Victim Identification autopsy report), p. 494.

²⁴⁹⁷ P368 (Interpol Disaster Victim Identification autopsy report), pp. 494–495.

²⁴⁹⁸ Muharrem Dashi, T. 4615 (11 October 2006).

was identified as Hamdi Dashi by relatives.²⁴⁹⁹ 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.²⁵⁰⁰

(3) Ibrahim Avdi Dashi (31, male)

922. Muharrem Dashi saw the body of Ibrahim Dashi in the village of Stagovo/Stagova, on 21 May 1999.²⁵⁰¹ According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/507 was identified as Ibrahim Dashi by relatives.²⁵⁰² 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.²⁵⁰³

(4) Ramadan Dashi (58, male)

923. Muharrem Dashi saw the body of Ramadan Dashi in the village of Stagovo/Stagova, on 21 May 1999.²⁵⁰⁴ According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/506 was identified as Ramadan Dashi by relatives.²⁵⁰⁵ 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.²⁵⁰⁶

(5) Bahrije (R) Elezi (46, female)

924. According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/505 was identified as Bahrije Elezi by relatives.²⁵⁰⁷ 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.²⁵⁰⁸

²⁴⁹⁹ P368 (Interpol Disaster Victim Identification autopsy report), p. 433.

²⁵⁰⁰ P368 (Interpol Disaster Victim Identification autopsy report), pp. 433–434.

²⁵⁰¹ Muharrem Dashi, T. 4615 (11 October 2006).

²⁵⁰² P368 (Interpol Disaster Victim Identification autopsy report), p. 378.

²⁵⁰³ P368 (Interpol Disaster Victim Identification autopsy report), pp. 378–380.

²⁵⁰⁴ Muharrem Dashi, T. 4615 (11 October 2006).

²⁵⁰⁵ P368 (Interpol Disaster Victim Identification autopsy report), p. 323.

²⁵⁰⁶ P368 (Interpol Disaster Victim Identification autopsy report), pp. 323–324.

²⁵⁰⁷ P368 (Interpol Disaster Victim Identification autopsy report), p. 271.

²⁵⁰⁸ 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 1999.²⁵⁰⁹ According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/502 was identified as Fitim Gudaqi by relatives.²⁵¹⁰ 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.²⁵¹¹

(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 1999.²⁵¹² According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/501 was identified as Hanife Gudaqi by relatives.²⁵¹³ 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.²⁵¹⁴

(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.²⁵¹⁵ 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.²⁵¹⁶

(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.²⁵¹⁷ The Interpol Victim Identification autopsy report

²⁵⁰⁹ Muharrem Dashi, T. 4615 (11 October 2006).

²⁵¹⁰ P368 (Interpol Disaster Victim Identification autopsy report), p. 101.

²⁵¹¹ P368 (Interpol Disaster Victim Identification autopsy report), pp. 101–102.

²⁵¹² 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.

²⁵¹³ P368 (Interpol Disaster Victim Identification autopsy report), p. 44.

²⁵¹⁴ P368 (Interpol Disaster Victim Identification autopsy report), pp. 44–45.

²⁵¹⁵ P368 (Interpol Disaster Victim Identification autopsy report), p. 159.

²⁵¹⁶ P368 (Interpol Disaster Victim Identification autopsy report), pp. 159–160.

²⁵¹⁷ 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.²⁵¹⁸

(10) Ramush Jaha (75, male)

929. Muharrem Dashi saw the body of Ramush Jaha in the village of Stagovo/Stagova, on 21 May 1999.²⁵¹⁹ 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.²⁵²⁰

(11) Fahri Mani (56, male)

930. Muharrem Dashi saw the body of Fahri Mani in the village of Stagovo/Stagova, on 21 May 1999.²⁵²¹ 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.²⁵²²

(12) Ibush Rrushi (59, male)

931. Muharrem Dashi saw the body of Rrushi in the village of Stagovo/Stagova, on 21 May 1999.²⁵²³ According to the Interpol Disaster Victim Identification autopsy report the Body 99/04/510 was identified as Ibush Rrushi by relatives.²⁵²⁴ 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.²⁵²⁵

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

²⁵¹⁸ P368 (Interpol Disaster Victim Identification autopsy report), pp. 214–215.

²⁵¹⁹ Muharrem Dashi, T. 4616 (11 October 2006).

²⁵²⁰ P369 (Stagov Grave Site autopsy report, 7 October 1999), pp. 6–12.

²⁵²¹ Muharrem Dashi, T. 4616 (11 October 2006).

²⁵²² P369 (Stagov Grave Site autopsy report, 7 October 1999), pp. 1–5.

²⁵²³ Muharrem Dashi, T. 4615 (11 October 2006).

²⁵²⁴ P368 (Interpol Disaster Victim Identification autopsy report), p. 553.

²⁵²⁵ 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.²⁵²⁶ According to Interpol Disaster Victim Identification autopsy report the Body 99/03/502 was identified as Arton Hajrush Qorri by relatives.²⁵²⁷ 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.²⁵²⁸

(2) Fatije Hajrush Qorri (9, female)

934. K31 identified Fetije Qorri being killed on 25 May 1999 in Dubrava/Lisnaja.²⁵²⁹ Fadil Vishi testified Fetija Qorri was killed on 25 May 1999.²⁵³⁰ He identified her from a photograph taken when she was alive.²⁵³¹ According to Interpol Disaster Victim Identification autopsy report the Body 99/03/508 was identified as Fatije Hajrush Qorri by relatives.²⁵³² 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.²⁵³³

(3) Hajrush Mehmet Qorri ([no age recorded], male)

935. Fadil Vishi identified the deceased Hajrush Qorri from a photograph taken on 26 May 1999.²⁵³⁴ Fadil Vishi testified the last time he saw Qorri alive was before 25 May 1999.²⁵³⁵ 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”.²⁵³⁶ According to Interpol Disaster Victim Identification autopsy report the Body 99/03/503 was identified as Hajrush Mehmet Qorri by relatives.²⁵³⁷ The Interpol Disaster Victim Identification autopsy report identified two gunshot wounds, and that internal bleeding was the cause of death. The report concludes the

²⁵²⁶ Fadil Vishi, T. 3558 (19 September 2006); P2306 (Photographs provided by witness Fadil Vishi of Fedije Qorr), p. 5.

²⁵²⁷ P376 (Interpol Disaster Victim Identification autopsy report), p. 45.

²⁵²⁸ P376 (Interpol Disaster Victim Identification autopsy report), pp. 45–46.

²⁵²⁹ K31, P2595 (witness statement dated 16 October 1999), p. 4 (under seal).

²⁵³⁰ Fadil Vishi, T. 3558 (19 September 2006).

²⁵³¹ Fadil Vishi, T. 3559 (19 September 2006); P2306 (Photographs provided by witness Fadil Vishi of Fedije Qorr), p. 1.

²⁵³² P372 (Interpol Disaster Victim Identification autopsy report), p. 49.

²⁵³³ P372 (Interpol Disaster Victim Identification autopsy report), pp. 49–50.

²⁵³⁴ Fadil Vishi, T. 3558 (19 September 2006); P2306 (Photographs provided by witness Fadil Vishi of Fedije Qorr), p. 7.

²⁵³⁵ Fadil Vishi, T. 3558 (19 September 2006).

²⁵³⁶ Fadil Vishi, P2284 (witness statement dated 18 October 1999), p. 4.

²⁵³⁷ 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.²⁵³⁸

(4) Rexhep Zejnulla Qorri (45, male)

936. K31 saw Rexhep Qorri being killed on 25 May 1999 in Dubrava/Lisnaja.²⁵³⁹ Fadil Vishi noted that Rexhep Qorri was found killed, however, he did not see the body.²⁵⁴⁰ According to Interpol Disaster Victim Identification autopsy report the Body 99/03/501 was identified as Rexhep Zejnulla Qorri by relatives.²⁵⁴¹ 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.²⁵⁴²

(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.²⁵⁴³ According to Interpol Disaster Victim Identification autopsy report the Body 99/03/504 was identified as Ali Tusha by relatives.²⁵⁴⁴ 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.²⁵⁴⁵

(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.²⁵⁴⁶ According to Interpol Disaster Victim Identification autopsy report the Body 99/03/505 was identified as Xhemajl Tusha by relatives.²⁵⁴⁷ 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.²⁵⁴⁸

²⁵³⁸ P378 (Interpol Disaster Victim Identification autopsy report), pp. 46–47.

²⁵³⁹ K31, P2595 (witness statement dated 16 October 1999), p. 3 (under seal).

²⁵⁴⁰ Fadil Vishi, P2284 (witness statement dated 18 October 1999), p. 4.

²⁵⁴¹ P373 (Interpol Disaster Victim Identification autopsy report), p. 46.

²⁵⁴² P373 (Interpol Disaster Victim Identification autopsy report), pp. 46–47.

²⁵⁴³ Fadil Vishi, P2284 (witness statement dated 18 October 1999), p. 4.

²⁵⁴⁴ P379 (Interpol Disaster Victim Identification autopsy report), p. 48.

²⁵⁴⁵ P379 (Interpol Disaster Victim Identification autopsy report), pp. 48–49.

²⁵⁴⁶ Fadil Vishi, P2284 (witness statement dated 18 October 1999), p. 4.

²⁵⁴⁷ P377 (Interpol Disaster Victim Identification autopsy report), p. 46.

²⁵⁴⁸ 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 1999.²⁵⁴⁹ According to Interpol Disaster Victim Identification autopsy report the Body 99/03/506 was identified as Rrahim Beqi Vishi by relatives.²⁵⁵⁰ 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.²⁵⁵¹

(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 1999.²⁵⁵² According to Interpol Disaster Victim Identification autopsy report the Body 99/03/507 was identified as Milaim Misim Vishi by relatives.²⁵⁵³ 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.²⁵⁵⁴

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 1999.²⁵⁵⁵ 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.²⁵⁵⁶

²⁵⁴⁹ Fadil Vishi, P2284 (witness statement dated 18 October 1999), p. 4.

²⁵⁵⁰ P375 (Interpol Disaster Victim Identification autopsy report), p. 47.

²⁵⁵¹ P375 (Interpol Disaster Victim Identification autopsy report), pp. 47–48.

²⁵⁵² Fadil Vishi, P2284 (witness statement dated 18 October 1999), p. 4.

²⁵⁵³ P374 (Interpol Disaster Victim Identification autopsy report), p. 46.

²⁵⁵⁴ P374 (Interpol Disaster Victim Identification autopsy report), pp. 46–47.

²⁵⁵⁵ Fadil Vishi, T. 3554 (19 September 2006).

²⁵⁵⁶ 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, 1st 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	XHAFJA
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