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**Failure to Protect:
Anti-Minority Violence in Kosovo, March 2004**

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SUMMARY

For the last five years, so many internationals have come to study our problems that I can't even count them anymore, and they have produced tons of reports and recommendations. In the end, the result was that I lost everything I have built for forty years, while the international community watched from a few hundred meters away. I don't even have a single photograph left from my life. And now they tell me to go back and rebuild my life—how can I trust them?

Displaced Serb resident of Svinjare

We always knew that Kosovo would not be invaded. KFOR is in Kosovo to protect against civil violence, disturbances, and ethnic violence. They don't need tanks but riot gear and shields, and soldiers trained in dealing with public disorder. If KFOR was not prepared for such civil disorder, then why the heck not? What did they think they were in Kosovo for?

Senior UNMIK official

On March 17 and 18, 2004, violent rioting by ethnic Albanians took place throughout Kosovo, spurred by sensational and ultimately inaccurate reports that Serbs had been responsible for the drowning of three young Albanian children. For nearly forty-eight hours, the security structures in Kosovo—the NATO-led Kosovo Force (KFOR), the international U.N. (UNMIK) police, and the locally recruited Kosovo Police Service (KPS)—almost completely lost control, as at least thirty-three major riots broke out across Kosovo, involving an estimated 51,000 participants.

The violence across Kosovo represents the most serious setback since 1999 in the international community's efforts to create a multi-ethnic Kosovo in which both the government and civil society respect human rights. From the capital Pristina/Prishtine,¹ to cities like Prizren and Djakovica/Gjakove, to small villages like Slatina/Sllatine and Belo Polje/Bellopoje, large ethnic Albanian crowds acted with ferocious efficiency to rid their areas of all remaining vestiges of a Serb presence, and also targeted other minorities such as Roma, including Ashkali who are Albanian-speaking Roma. In many of the communities affected by violence, in attacks both spontaneous and organized, *every single* Serb, Roma, or Ashkali home was burned. In the village of Svinjare/Frasher, all 137 Serb homes were burned, but ethnic Albanian homes were left untouched. In nearby

¹ For the sake of clarity and consistency, Human Rights Watch provides both the Serbian and Albanian name at first mention of location. Subsequent references are in the Serbian language only, since this is the English language practice (for example, Pristina and not Prishtine).

Vucitrn/Vushtrri, the ethnic Albanian crowd attacked the Ashkali community, burning sixty-nine Ashkali homes. In Kosovo Polje/Fushe Kosove, one Serb was beaten to death, and over one hundred Serb and Roma homes were burned, as well as the post office, the Serbian school, and the Serbian hospital. Even the tiniest Serb presences were a target for the hostile crowds: ethnic Albanian crowds attacked the Serbian Orthodox Church in Djakovica for hours, ultimately driving out five elderly Serb women who were the last remaining Serbs in Djakovica, from a pre-war population of more than 3,000.

The March violence forced out the entire Serb population from dozens of locations—including the capital Pristina—and equally affected Roma and Ashkali communities. After two days of rioting, at least 550 homes and twenty-seven Orthodox churches and monasteries were burned, leaving approximately 4,100 Serbs, Roma, Ashkali, and other non-Albanian minorities displaced. Some 2,000 persons still remain displaced months later, living in crowded and unsanitary conditions—including in unheated and unfinished apartments, crowded schools, tent camps on KFOR military bases, and even metal trucking containers. The future of minorities in Kosovo has never looked bleaker.

The security organizations in Kosovo—KFOR, UNMIK international police, and the KPS—failed catastrophically in their mandate to protect minority communities during the March 2004 violence. In numerous cases, minorities under attack were left entirely unprotected and at the mercy of the rioters. In Svinjare, French KFOR troops failed to come to the assistance of the besieged Serbs, even though their main base was just a few hundred meters away—in fact, the ethnic Albanian crowd had walked right past the base on its way to burning down the village. French KFOR troops similarly failed to respond to the rioting in Vucitrn, which is located in between two major French bases. In Prizren, German KFOR troops failed to deploy to protect the Serb population and the many historic Serbian Orthodox churches, despite calls for assistance from their UNMIK international police counterparts, who later accused German KFOR commanders of cowardice. In Kosovo Polje, UNMIK and KFOR were nowhere to be seen as Albanian crowds methodically burned Serb homes. The village of Belo Polje, rebuilt on the outskirts of Pec to house returning Serbs, was burned to the ground even though it was almost adjacent to the main Italian KFOR base. Italian KFOR soldiers refused to approach the besieged Serbs, forcing the Serbs to run for several hundred meters through a hostile Albanian crowd, before KFOR evacuated them. Several Serbs were wounded in the process. Even in the capital Pristina, Serbs were forced to barricade themselves into their apartments, while Albanian rioters shot at them and looted and burned the apartments below and around them, for up to six hours before KFOR and UNMIK came to their assistance.

The failure of UNMIK international police and KFOR to effectively respond to the violence left much of the security in the hands of the Kosovo Police Service (KPS). The locally recruited KPS, many of them only recently trained, were poorly equipped to deal with the violence. Some KPS officers acted professionally and courageously, risking their own lives to rescue besieged Serbs and other minorities in many towns and villages. However, many other KPS officers stood by passively as the ethnic Albanian crowds burned homes and attacked Serbs and other minorities, even when those attacks took place just meters away. Some KPS officers showed a clear bias by arresting only Serbs and other minorities who were defending their homes, while ignoring the criminal behavior of ethnic Albanians occurring in front of their eyes. In a few cases, KPS officers were accused of taking an active part in the burning of minority homes.

The international community appears to be in absolute denial about its own failures in Kosovo. While international actors have been universally—and accurately—critical of the failures of the Kosovo Albanian leadership during and after the crisis, the dismal performance of the international community has escaped similar critical scrutiny. Instead, the leadership of KFOR and UNMIK seem happy to continue with “business as usual,” rather than putting in place the reforms needed to prevent a recurrence of mass violence—and a renewed collapse of the security institutions in the future.

An exhaustive and transparent review of Kosovo’s security institutions, resulting in a drastic overhaul of its inefficient structures, is urgently needed. Kosovo’s security institutions need to be adequately staffed with personnel who are well trained and adequately equipped to respond to riot situations. A coordinated security system must be developed between KFOR, UNMIK, and the KPS, putting an end to inter-institutional tensions and rivalries. KFOR in particular must develop a unified command structure and a common response system to violence in Kosovo, abandoning the decentralized structures and widely disparate national doctrines that contributed to the chaos of March 17 and 18. Ultimately the security of minority communities will rest in the hands of locally created institutions such as the KPS—just as it did in many locations during March. It is essential to the future of minorities in Kosovo therefore that the KPS is developed into a truly professional, impartial, well-trained police service that sees protection of minorities as one of its core mandates.

The international community has lost tremendous ground in Kosovo as a result of the March violence: ethnic Albanian extremists now know that they can effectively challenge the international security structures, having demolished the notion of KFOR and UNMIK invincibility; and ethnic minorities have lost almost all of the remaining trust they had left in the international community. Time is running out for both the international community and minorities in Kosovo, and now is the time for resolute and

transparent action to rectify the all-too obvious shortcomings of the international community's security structures in Kosovo.

RECOMMENDATIONS

To the Contact Group governments:

The Contact Group countries (France, Germany, Italy, Russia, U.S. and U.K), along with NATO, and the U.N. Security Council, should increase their engagement with Kosovo to improve the security of minorities. A thorough review and reform of the NATO-led Kosovo Force (KFOR) and the United Nations Interim Administration in Kosovo (UNMIK) structures is urgently needed, and will require attention and support at the highest levels to be effective. The overlapping, and at times competing, roles of various international institutions are hampering Kosovo's recovery, and it is important that the Contact Group acts in unity to carry out the necessary reforms in Kosovo. Therefore, Human Rights Watch is making recommendations to the Contact Group as a whole, rather than the individual institutions in charge of component elements of Kosovo's governance and security.

- Carry out a thorough, independent, and impartial review of the response of KFOR, international UNMIK police, and the Kosovo Police Service (KPS) to the March violence, focusing particularly on the failure of Kosovo's security organizations to protect minorities from ethnically motivated violence and the shortcomings of coordination between the various security organizations in Kosovo.
- Review the command structure and make-up of KFOR, with a view to creating a KFOR with a unified command structure able to respond quickly and uniformly to Kosovo-wide violence, by ensuring uniformity of response to security incidents, and being free of restrictions by national contingents of their "rules of engagement—commonly referred to as "caveats"—on troop deployment that hampered the KFOR response to the March 2004 violence.
- Expand the size of KFOR and international UNMIK police to ensure an adequate number of security officers to address the security situation in Kosovo.

- Ensure that KFOR troops and UNMIK civilian police deployed to Kosovo are experienced in riot-control situations, including graduated use-of-force response to riot situations, and have the necessary equipment to respond to riot situations and other mass disturbances.
- Together with Kosovo's Provisional Institutions of Self-Government (PISG), take immediate steps to improve the living conditions of those still displaced from the March 2004 violence. Address the continuing security concerns of the minorities displaced by the March 2004 violence in full conformity with the U.N. Guiding Principles on the Internally Displaced; ensure adequate consultation with the displaced and provide them with options, including reconstruction of their homes or relocation if the security situation so requires.
- Take the lead in initiating and institutionalizing a dialogue between the PISG, Kosovo Serb leaders, and the government of Serbia to improve the security of minorities in Kosovo, end discrimination in the provision of public services, and resolve the issue of parallel institutions.
- Seek accountability for ethnically motivated crimes in Kosovo, by prioritizing the strengthening of impartial investigative and judicial mechanisms in Kosovo.
- As requested by UNMIK, increase the number of UNMIK investigators, prosecutors, and judges to give UNMIK adequate capacity to investigate and prosecute criminal acts committed during the March violence, in accordance with international standards.
- Continue to make clear and forceful public statements that a multiethnic Kosovo in which the rights of all inhabitants are respected is one of the principal objectives of the international community.
- Provide international protection to ethnic minorities forced to flee Kosovo for fear of persecution. Ensure that those fleeing to neighboring countries or elsewhere in Western Europe have access to full and fair asylum determination procedures and are treated humanely with full respect for their human rights. Asylum seekers from Kosovo who had their applications rejected prior to the March violence, or those who sought to voluntarily

return to Kosovo, should have their applications reconsidered in light of the March 2004 violence and the changed security conditions in Kosovo.

- Prioritize the strengthening of a credible, professional, and impartial Kosovo Police Service by improving training programs and ensuring adequate equipment for KPS officers (including riot-control equipment). Salary packages for KPS officers should be increased to professional levels to ensure the recruitment and retention of quality personnel.

To Kosovo's Provisional Institutions of Self-Government:

- Commit Kosovo to a multiethnic future, and make clear that attacks against minorities will be vigorously prosecuted.
- Take responsibility for the security of minorities in Kosovo, and make the security of minorities in Kosovo a strategic priority for the PISG. Carry out the necessary reforms within the PISG and KPS to ensure security for minorities in Kosovo.
- Acknowledge that Kosovo's institutions—political leaders, the media, and the PISG—were partly to blame for the outbreak of violence in March 2004 by initially making inflammatory statements, and institute reforms to prevent future anti-minority violence in Kosovo.
- Seek dialogue with Kosovo's Serb leadership and the government of Serbia and Montenegro to improve the security of minorities in Kosovo, end discrimination in the provision of public services, and resolve the issue of parallel institutions.
- Seek to increase the multiethnic nature of institutions of governance in Kosovo, and act determinedly against discrimination in the provision of public services.

To the Government of Serbia and Montenegro:

- Seek dialogue with both the PISG and the international institutions in Kosovo to improve the security of minorities in Kosovo, end discrimination in the provision of public services, and resolve the issue of parallel institutions.

INTRODUCTION

On March 17, 2004, violent rioting by ethnic Albanian crowds broke out in Kosovo, a day after ethnic Albanian news agencies in Kosovo reported sensational and ultimately inaccurate reports that three young children had drowned after being chased into the river by Serbs.² With lightning speed, the crowd violence spread all over Kosovo, with the Kosovo authorities counting thirty-three major riots involving an estimated 51,000 participants over the next two days.³ Large ethnic Albanian crowds targeted Serb⁴ and other non-Albanian communities, burning at least 550 homes and twenty-seven Serbian Orthodox churches and monasteries, and leaving approximately 4,100 Serbs, Roma, Ashkali (Albanian-speaking Roma), and other non-Albanian minorities⁵ displaced.⁶ Nineteen people—eight Kosovo Serbs and eleven Kosovo Albanians—were killed, and over a thousand wounded—including more than 120 KFOR soldiers and UNMIK police officers, and fifty-eight Kosovo Police Service (KPS) officers.

The violence of March 2004 was not the first time non-Albanians came under attack in Kosovo. During the 1999 conflict between NATO and Yugoslavia over Kosovo, Kosovar Albanians were subjected to a systematic campaign of mass murder, rape, forced expulsions, and other war crimes committed by Serb and Yugoslav forces.⁷ When ethnic Albanians returned to Kosovo with the entry of NATO, Kosovo's Serb, Roma, and other minorities were immediately subjected to violence, causing a massive

² See below, Chapter V, Section C, "The Drowning of Three Boys in the Drine River," for a detailed discussion.

³ "U.N. Details Wide Scale of Kosovo Violence," Reuters, March 22, 2004.

⁴ The term "Serb" is used in this report to refer to persons of ethnic Serb origin living in Kosovo. The term "Serbian" would apply to citizens of the state of Serbia and Montenegro or formal entities, such as the Serbian Orthodox Church or the Serbian language. The term "ethnic Albanian" refers to ethnic Albanians living in Kosovo.

⁵ Some ethnic minorities in Kosovo, such as ethnic Turks, were not targeted by the violence.

⁶ Organization for Security and Co-operation in Europe (OSCE) Mission in Kosovo, Department of Human Rights and Rule of Law, "Human Rights Challenges Following the March Riots," p. 4.

⁷ For a detailed history of the war crimes committed by Serb and Yugoslav forces during the Kosovo conflict, see Human Rights Watch, *Under Orders: War Crimes in Kosovo* (New York: Human Rights Watch, 2001).

outflow of non-Albanians from Kosovo.⁸ High levels of violence against non-Albanian communities—much of it politically-motivated and organized—continued for months, with the international troop presence and U.N. administration largely ineffective in stopping the violence.

While the intensity of the violence in the immediate post-war period subsided, Serbs and other minorities continued to be regularly attacked in Kosovo. For example, on August 31, 2003, a grenade was thrown at a group of Serbs in the mixed village of Cernica/Cernice, near Gnjilane/Gjilan, killing a thirty-five-year-old schoolteacher, Miomar Savic, and wounding four other Serbs. On August 13, 2003, two Serb youth aged eleven and twenty were killed with automatic weapons while swimming in a river near the Serbian enclave of Gorazdevac/Gorazhdec.⁹ On June 3, 2003, eighty-year-old Slobodan Stolic, his seventy-eight-year-old wife Radmila, and their fifty-three-year-old son Ljubinko were axed to death in their Obilic/Obiliq home, which was then set alight.¹⁰ In April 2003, Amnesty International released a detailed report on attacks against minorities in Kosovo, concluding that

[a]lmost four years after the end of the war in Kosovo, minority communities are still at risk of killings and assaults, mostly at the hands of the majority community in their area. On a daily basis, they are denied effective redress for acts of violence and other threats to their physical and mental integrity.¹¹

The insecure environment in which Serbs found themselves in Kosovo led to the flight of almost the entire Serb population in many urban centers. For example, the Serb population of the town of Djakovica dropped from an estimated 3,000 in 1999, to just five elderly Serb women prior to the March events.¹² The remaining elderly Serb women,

⁸ Human Rights Watch, "Abuses Against Serbs and Roma in the New Kosovo," August 1999. Not all departures of Serbs and other non-Albanians from Kosovo were a direct result of anti-minority violence. Some Serbs and other non-Albanians departed from Kosovo or resettled in majority Serb areas immediately after the 1999 conflict, either because they feared future mistreatment, or because they made a conscious decision they did not want to live in an ethnic-Albanian dominated state, or, for a minority of those leaving, because they feared future prosecution for crimes committed by themselves during the conflict.

⁹ BBC News, "UN acts over Kosovo killings," August 14, 2003 [online], <http://news.bbc.co.uk/1/hi/world/europe/3150775.stm> (retrieved July 6, 2004). Beta, "Gorazdevac Victims Laid to Rest," August 13, 2003.

¹⁰ "Three Serbs Murdered in Kosovo: UN," Agence France Presse, June 4, 2003.

¹¹ Amnesty International, "Serbia and Montenegro (Kosovo/Kosova): Minority Communities: Fundamental Rights Denied," AI Index EUR 70/011/2003, April 1, 2003 [online], <http://web.amnesty.org/library/index/ENGEUR700112003>.

¹² OSCE, Gjakove/Djakovica: Municipal Profile, October 2003.

living under constant KFOR protection in and around a church, were the focus of protests in the town in March 2004. Similarly, the Serb population of Prizren—once one of the most culturally and ethnically diverse cities in Kosovo—dropped from nearly 9,000 before the 1999 war to just thirty-six in 2003.¹³ All of the remaining thirty-six Serbs in downtown Prizren were burned out of their homes during the March 2004 violence. Serbs in rural villages were less likely to flee, particularly impoverished elderly who had no remaining family support networks outside Kosovo.

Roma, Ashkali, and Egyptians (Roma who claim descent from ancient Egypt)—referred to collectively as RAE communities—also faced violence, intimidation, and forcible expulsion in the aftermath of the 1999 conflict. Some ethnic Albanians suspected that some RAE had collaborated with the Serb and Yugoslav forces during the 1999 conflict, and ethnic Albanians were not above the widespread anti-RAE sentiments that prevail in Europe, where RAE communities are derisively known as “Gypsies.” In the immediate aftermath of the 1999 conflict, RAE homes were burned alongside Serb homes, and RAE communities also faced deadly attacks, kidnappings, and other forms of violence.

The Belgrade-sponsored Coordination Center for Kosovo and Metohija, which has been intimately involved in the setting up of parallel structures for the Serb population of Kosovo, estimated in 2003 that almost 130,000 Serbs remained in Kosovo, a figure that correlates with independent estimates made by the Brussels-based European Stability Initiative.¹⁴ Although population figures for Kosovo are notoriously unreliable, these figures suggest that as much as two-thirds of Kosovo’s pre-1999 Serb population remains in Kosovo. It is important to note, however, that many remaining Serbs are internally displaced to Serb-dominated areas of Kosovo.

This report attempts to reconstruct the March 2004 violence that shattered the illusion of a stable and multi-ethnic Kosovo. During a two-week mission to Kosovo in April 2004, Human Rights Watch located and interviewed dozens of eyewitnesses and victims from the majority of the worst-affected areas in Kosovo, including Pristina, Mitrovica/Mitrovice, Obilic, Kosovo Polje, Vucitrn, Svinjare, Djakovica, Prizren, Belo Polje, Decani/Deçan) and Lipljan/Lipjan, among others. The report describes the abuses committed by Kosovar Albanians, and the impact of their actions on non-

¹³ OSCE, Prizren: Municipal Profile, October 2003. The OSCE estimates the December 2002 Serbian population of Prizren at 194, but this includes the Serbian population of several Serbian enclaves outside the city. The actual Serbian population of the city of Prizren prior to the violence was only thirty-six.

¹⁴ Kosovo Coordination Centre, *Principi organizovanja samouprave nacionalnih zajednice na Kosovu i Metohiji* (“Principles of the Organization of Self-Rule of the National Communities in Kosovo”) (Belgrade: January 2003) (estimating 129,474 Serbs remained in Kosovo in 2002); European Stability Initiative, *The Lausanne Principle: Multiethnicity, Territory and the Future of Kosovo’s Serbs*, June 7, 2004.

Albanian communities throughout Kosovo. The report also analyzes the role of local and international actors during the crisis, including the Kosovar Albanian leadership, the local press, the local security structures, and in particular the U.N. interim administration in Kosovo (UNMIK) and the KFOR.

BACKGROUND: KOSOVO'S UNRESOLVED STATUS AND THE ROLE OF THE INTERNATIONAL COMMUNITY IN KOSOVO

Under the agreement that brought the 1999 war to an end, Kosovo came under the interim administration of the United Nations, with a system of governance and security that, in addition to the United Nations Interim Administration Mission in Kosovo (UNMIK), involved the NATO-led peacekeeping Kosovo Force (KFOR), the Organization for Security and Co-operation in Europe (OSCE), and the European Union. Although Kosovo's final status—the level of autonomy or independence it will be granted, and its relationship to the Union of Serbia and Montenegro—will not be resolved until at least 2005. UNMIK is also involved in creating Provisional Institutions of Self-Government (PISG) for Kosovo, including the creation of a “credible, professional and impartial Kosovo Police Service (KPS).”¹⁵

As yet unresolved is the future status of the Kosovo Protection Corps (KPC), a structure created in 1999 to absorb demobilized members of the former Kosovo Liberation Army (KLA).¹⁶ The Kosovo Protection Corps aspires to be Kosovo's future army, but at present is designated by the international community as “a civilian emergency organization which carries out rapid disaster response tasks for public safety in times of emergency and humanitarian assistance.”¹⁷ Some members of the KPC have been implicated in human rights abuses against minority communities in Kosovo, and involvement in organized crime. The KPC itself played a minimal role during the March 2004 violence in Kosovo, largely confining itself to its barracks. In some areas of Kosovo, particularly the U.S. KFOR-led eastern sector, KPC was allowed to play a role

¹⁵ See UNMIK, “Police and Justice (Pillar I)—Police, Mandate,” n.d. [online], <http://www.unmikonline.org/justice/police.htm> (retrieved July 15, 2004).

¹⁶ The Kosovo Liberation Army (KLA), or Ushtria Clirimtare e Kosoves (UCK) in Albanian, was the dominant armed Albanian group fighting against Yugoslav and Serbian forces during the 1998-99 conflict in Kosovo. Following the end of the 1999 conflict, the KLA and KFOR signed an agreement on the demobilization of the KLA. Under the agreement, KLA members were absorbed into the newly created Kosovo Protection Force. Some KLA commanders were involved in war crimes during the 1998-99 Kosovo conflict, and have been indicted by both local and international tribunals. Some KLA members have also been accused of having ties to organized crime and Albanian nationalist elements, and played a significant role in other conflicts in the region.

¹⁷ Standards for Kosovo, Number VIII.

in calming crowds and mounting joint patrols. In the Scandinavian-KFOR-led central area of Kosovo, offers from KPC to help defend Çagllavica (Çagllavice) were steadfastly refused because Scandinavian KFOR elements did not want to cede any of their security responsibilities to the KPC.

The overlapping security organizations in Kosovo—namely the NATO-led KFOR, the UNMIK international police, the locally-recruited KPS, and the controversial KPC—enjoy an uneasy co-existence and frequently fail to adequately coordinate their activities. A general trend of security responsibility away from KFOR, first towards UNMIK police and ultimately towards KPS, has left responsibility for various security functions unclear. For example, a well-placed diplomatic source argued that the confused security response by KFOR and UNMIK to the initial violence in Mitrovica on March 17 was due partly to the hand-over process from KFOR to the UNMIK police that had been underway for months:

For the past months, the French KFOR were obliged to have a low profile in Mitrovica, as they were in the process of a slow withdrawal from Mitrovica and a hand-over of their responsibilities to UNMIK police. So they lost contact [with intelligence sources] on the ground.¹⁸

In the aftermath of the March riots, there appears to have been an increased recognition by KFOR and UNMIK on the need to coordinate their functions. In mid-April 2004, the KFOR Commander for the Central Region and the UNMIK Pristina police commander issued a joint statement committing themselves to “conduct training and mutual operations and to create an effective command and control system, so together we can fight any situation we’ll be faced with.”¹⁹

The Establishment and Role of KFOR

The 1999 Kosovo war ended with the departure of Serb and Yugoslav troops from the province, and the establishment of a NATO-led Kosovo Force (KFOR) to take over security in the province. The entry of KFOR into Kosovo, and the simultaneous departure of the Serb and Yugoslav forces, was governed by a June 9, 1999, Military Technical Agreement between KFOR and the respective governments of the then-

¹⁸ Human Rights Watch interview with diplomatic source, Pristina, April 18, 2004.

¹⁹ OSCE Mission in Kosovo, Department of Human Rights and Rule of Law, “Human Rights Challenges following the March Riots,” p. 6.

Federal Republic of Yugoslavia and the Republic of Serbia.²⁰ U.N. Security Council Resolution 1244, adopted on June 10, 1999, mandated KFOR with establishing and maintaining a secure environment in Kosovo, including responsibility for public safety and order.²¹

KFOR continues to play a prominent role in Kosovo, although its troop levels have been significantly reduced since the mission was first established, from 50,000 troops in June 1999 to 18,500 troops by late 2003. KFOR is organized into a headquarters based in Pristina, currently commanded by Lieutenant-General Holger Kammerhoff of the German Army (COM-KFOR). General Kammerhoff reports to the NATO Commander-in-Chief, Allied Forces Southern Europe (CINCSOUTH), based in Naples, Italy. U.S. Admiral Gregory Johnson is the current Commander-in-Chief of CINCSOUTH.

The KFOR troops are divided regionally into four Multinational Brigades. Multinational Brigade North, under French command, is responsible for the areas around the divided city of Mitrovica, together with Zvečan/Zveçan, and Vucitër.²² Multinational Brigade East, under U.S. command, is responsible for the areas around Kamenica, Gnjilane/Gjilan, Pasjane, Uroševac/Ferizaj, Strpce/Shtërpce, and Kacanik/Kaçanik.²³ Multinational Brigade Center, under Swedish command, is responsible for the areas around the capital Pristina, Podujevo/Podujeve, Obilić, Kosovo Polje, Gračanica/Gračanice, and Lipjan.²⁴ The multinational Brigade Southwest, under Italian command, is responsible for the areas around Pec/Pejë, Djakovica, Prizren, Decani, Orahovac/Rahovec, Malisevo/Malisheve, Suva Reka/Suhareke, Klina/Kline, and

²⁰ Military Technical Agreement between the international security force ("KFOR") and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia, June 9, 2004 [online], <http://www.nato.int/kfor/documents/mta.htm> (retrieved July 6, 2004). The Military Technical Agreement was accompanied by a separate agreement between KFOR and the KLA, the "Undertaking of demilitarization and transformation by UCK," signed on June 20, 1999 [online], <http://www.nato.int/kfor/documents/uck.htm> (retrieved July 6, 2004).

²¹ United Nations Security Council Resolution 1244, adopted June 10, 1999.

²² See [online] http://www.nato.int/kfor/mnb_northeast.htm (retrieved July 15, 2004) for a detailed description of its area of responsibility. The Multinational Brigade North includes contributing troops from Belgium, Denmark, Estonia, Greece, Luxembourg, and Morocco.

²³ See [online] http://www.nato.int/kfor/mnb_east.htm (retrieved July 15, 2004) for a detailed description of its area of responsibility. The Multinational Brigade East includes contributing troops from Armenia, Greece, Lithuania, Poland, and Ukraine.

²⁴ See [online] http://www.nato.int/kfor/mnb_center.htm (retrieved July 15, 2004) for a detailed description of its area of responsibility. Multinational Brigade Center includes contributing troops from the Czech Republic, Ireland, Latvia, Slovakia, Finland, and the U.K.

Dragas/Dragash.²⁵ In addition, KFOR has a Pristina-based Multinational Specialized Unit, a military police force that focuses on fighting organized crime and terrorism.²⁶

The reduction in KFOR troop levels to the 18,500 at the time of the March 2004 violence significantly affected KFOR's ability to respond effectively to the violence. Approximately one-third of the total KFOR troops, or roughly 6,000 troops at the time, were deployed in direct combat-related functions, while the other two-thirds provided various forms of logistical support. KFOR's ability to respond effectively to the violence was also severely hampered by the rules of engagement—often referred to as “caveats”—that various nations put on the deployment of their troops. Almost every nation which deploys troops in Kosovo places specific caveats on their deployment—such as limiting their use of deadly force, limiting their deployment to a certain sector of Kosovo, or requiring their troops to seek approval from national authorities rather than the KFOR command structure for certain activities. The Multinational Brigade Commanders also enjoy a high degree of autonomy over their area of control, limiting the ability of overall KFOR commander (COM-KFOR) to ensure a consistent Kosovo-wide response during times of crises and to shift troops between commands.

The Establishment and Role of UNMIK

With the same resolution that established KFOR, the United Nations Security Council also created the United Nations Interim Administration in Kosovo (UNMIK). As its name suggests, UNMIK was established to serve as an interim civilian administration for Kosovo, and to promote the establishment of substantial autonomy and self-government in Kosovo by fostering the establishment of accountable civilian institutions in Kosovo.²⁷ Under the direction of the Special Representative of the U.N. Secretary-General, UNMIK works, at the operation level, in four “pillars”: Pillar I, responsible for police and the administration of justice, and Pillar II, responsible for civil administration, are both implemented by the United Nations; Pillar III, democratization and institution building, is implemented by the Organization for Security and Co-operation in Europe (OSCE); and Pillar IV, Reconstruction and Economic Development, is implemented by the European Union (E.U.).

²⁵ See [online] http://www.nato.int/kfor/mnb_southwest.htm (retrieved July 15, 2004) for a detailed description of its area of responsibility. The Multinational Brigade SouthWest includes contributing troops from Austria, Argentina, Azerbaijan, Bulgaria, Georgia, Germany, Hungary, Romania, Slovenia, Spain, Switzerland, and Turkey.

²⁶ See [online] <http://www.nato.int/kfor/kfor/msu.htm> (retrieved July 15, 2004) for a detailed description.

²⁷ United Nations Security Council Resolution 1244, adopted June 10, 1999.

As part of its policing responsibilities, UNMIK has created the international UNMIK civilian police, which is responsible for interim law enforcement functions until the creation of a “credible, professional, and impartial” Kosovo Police Service (KPS).²⁸ As of December 2003, UNMIK had 3,752 international police officers in Kosovo, including 2,422 civilian police (CIVPOL), 975 members of Special Police Units (SPUs) and 355 border police.²⁹ The SPUs differ from other CIVPOL units in that they “represent a large, paramilitary, mobile and self-sufficient force of officers capable of rapid deployment to high-risk situations.”³⁰ UNMIK police officers come from some 49 contributing nations, from Argentina to Zimbabwe, and can range widely in terms of their policing experience and human rights awareness—as some come from nations with their own domestic record of severe police abuse.

The Kosovo Police Service

UNMIK is also tasked with the establishment of the Kosovo’s Provisional Institutions of Self-Government, including the creation of a “credible, professional and impartial Kosovo Police Service (KPS).” UNMIK and the OSCE work together to train police officers for the new KPS, a process that was initiated with the training of the first group of 176 aspiring police officers in September 1999 at the newly established Kosovo Police Service School in Vucitrn. By March 2004, 5,700 KPS officers had been trained and deployed throughout Kosovo. UNMIK ultimately aims to train and deploy some 6,500 KPS officers in Kosovo.³¹

In most police stations, KPS officers work under the supervision of, and in cooperation with, international UNMIK police officers. Ensuring a balanced ethnic composition among the force has been a key challenge in creating a viable KPS. As is the case with many other institutions in Kosovo, the ethnic composition of the KPS tends to reflect the ethnic make-up of the area: in predominantly ethnic Albanian areas, there are little or no Serbs and other non-Albanians participation in the KPS structures. In predominantly Serb areas such as northern Mitrovica, the KPS tends to be entirely Serb.

²⁸ UNMIK, “Police and Justice (Pillar I)—Police, Mandate,” n.d. [online], <http://www.unmikonline.org/justice/police.htm> (retrieved July 6, 2004).

²⁹ By March 2004, the number of international UNMIK civilian police had reduced to 3,248. United Nations Security Council, “Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo,” April 30, 2004, ANNEX 1. U.N. Doc. S/2004/348.

³⁰ UNMIK, “Police and Justice (Pillar I)—Police, Mandate.” In December 2003, UNMIK had Special Police Units from India, Jordan, Romania, Pakistan, Argentina, Poland, and Ukraine.

³¹ UNMIK, “Police and Justice (Pillar I)—Police, Mandate.”

Morale among KPS officers remains a primary challenge, because of the distrust they face from other security organizations, particularly KFOR, and because of the low remuneration they receive for their challenging work. Mutual distrust runs deep between the ethnic-Albanian dominated KPS and the French KFOR troops in command of Multinational Brigade-North: during the March 2004 violence, French KFOR attempted to disband KPS in southern Mitrovica, refused to allow ethnic Albanian KPS officers to carry out their duties and blocked them at checkpoints, and reportedly even considered burning down the KPS police station in southern Mitrovica.³²

KPS officers also are poorly equipped to carry out their duties. KPS officers have almost no riot control equipment such as tear gas, water cannons, riot shields, or rubber bullets. Most KPS officers have only been issued a single uniform. Their pay is minimal. Two leading KPS officers interviewed by Human Rights Watch in Prizren and Kosovo Polje, respectively, earned a salary between 240 and 250 Euros a month, in an economy where prices for consumer goods rival those of Western Europe. When Human Rights Watch asked an UNMIK police commander in Prizren what the international community could do to ensure a more effective security response to violence in Kosovo in the future, his immediate response was: "Put some money in the KPS budget and give them proper basic equipment that any police officer should have—we don't need anything more."³³

THE SPARKS THAT CAUSED A FIRE

While the March violence in Kosovo took almost everyone—local and international—by surprise, it did not suddenly appear out of nowhere. Deep dissatisfaction within Kosovo society about the lack of progress in resolving the final status of the province, continuing economic stagnation, and deepening concerns about Belgrade's attempts to consolidate political control in some parts of Kosovo left the province ripe for unrest. The socio-economic and political conditions in Kosovo that contributed to the March violence have been detailed in a report by the International Crisis Group.³⁴ The fate of the 3,430 persons missing since the end of 1999 war also remains an open wound in Kosovo. The issue of the missing is also a symbol of wider grievances, particularly among ethnic

³² International Crisis Group, *Collapse in Kosovo*, April 2004, p. 21.

³³ Human Rights Watch interview with UNMIK official, Prizren, April 13, 2004.

³⁴ International Crisis Group (ICG), *Collapse in Kosovo*, April 2004.

Albanians, who blame the lack of resolution on intransigence by Belgrade and inaction by UNMIK.³⁵

Lack of progress toward accountability for post-war attacks on minorities—evidenced by the limited number of successful prosecutions of ethnic Albanians for violence against minorities—helped ensure a climate of impunity for political violence in Kosovo.³⁶ At the same time, UNMIK arrests of former KLA commanders implicated in violence against other ethnic Albanians have frequently provoked large protests. Tensions rose further when a grenade exploded at the home of Kosovo's President Ibrahim Rugova on March 12, causing damage to the home but no injuries.³⁷ Against this simmering backdrop, several events converged in mid-March, greatly raising tensions in Kosovo, and ultimately exploding into open violence.

The Shooting of Jovica Ivic in Caglavica

At about 8 p.m. on March 15, unknown attackers fired from a car at an eighteen-year-old Serb, Jovica Ivic, at the Serb village of Caglavica on the outskirts of Pristina. Ivic was seriously wounded, with gunshot wounds to the stomach and arm. Ivic claimed that he knew the attackers were ethnic Albanian, because they had shouted at him in Albanian-accented Serbian prior to the shooting.³⁸ In response to the shooting, Serb villagers blocked the main Pristina-Skopje road that passes through Caglavica, as well as the Pristina-Gnjilane road that passes through the Serb enclave of Gracanica. Some Albanian drivers passing through the area were reportedly attacked and beaten by Serbs, as was an Irish KFOR contingent that tried to dismantle the Caglavica roadblock.³⁹

The blocking of the main Pristina-Skopje highway, an economic lifeline for Kosovo, enraged the Albanian public, as evident from the statements by Albanian political leaders who criticized the inability (or unwillingness) of the international community to deal with the blockade. When the violence erupted in Kosovo, many ethnic Albanian leaders focused on the blockade—defined as interference in the “freedom of movement” of

³⁵ UNMIK Office of Missing Persons and Forensics, OMPF Statistics, June 9, 2004 [online], http://www.unmikonline.org/justice/ompf/040609_OMPFS_S.pdf (retrieved June 23, 2004). According to UNMIK, 2,564 of the missing are ethnic Albanians, 570 and Serbs and 206 from other groups.

³⁶ An analysis of the functioning of the justice system in Kosovo is beyond the scope of this paper. For a discussion of some of the shortcomings of the judicial system in Kosovo see: OSCE Mission in Kosovo, Department of Human Rights and Rule of Law, “Human Rights Challenges following the March Riots,” May 25, 2004, pp. 7-14.

³⁷ United Nations Security Council, “Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo,” April 30, 2004, para 7. U.N. Doc. S/2004/348.

³⁸ “Angry Serbs Protest Shooting of Teenager,” Agence France Presse, March 16, 2004.

³⁹ Conor Lanny, “Kosovar Serbs Stone Irish UN troops,” *Irish Times*, March 17, 2004.

ethnic Albanians—as a key cause of the violence. For example, Arsim Bajrami, the Democratic Party of Kosovo (PDK) caucus leader in Parliament, stated during the parliamentary debate on the violence on March 17: “We are dissatisfied with how UNMIK operates, especially with the inability to establish full freedom of movement in Kosovo.”⁴⁰ The blockade at Caglavica proved to be one of the first focal points for the ethnic Albanian demonstrators on March 17 and 18, and the site of some of the heaviest clashes between KFOR and ethnic Albanians (see below).

Why did the blockade provoke such strong sentiments? The issue of the blockade in Caglavica and Gracanica cannot be separated from growing concerns among the ethnic Albanian community about the rise of Belgrade-sponsored “parallel” institutions in Serb enclaves. Over the past few years, the Serbian authorities in Belgrade have effectively maintained control over most of the majority Serb enclaves in Kosovo, establishing “parallel” courts, schools, education, security structures, and medical facilities that operate outside the control of UNMIK.⁴¹ Even though the creation the parallel institutions is a direct challenge to UNMIK’s mandate in Kosovo, the response of UNMIK to this fundamental undermining of its mandate institutions in Mitrovica, Gracanica, and other Serb enclaves has been weak. The failure of UNMIK to effectively challenge the creation of “parallel” institutions seriously worries the ethnic Albanian leadership, who fear that Belgrade is trying to create facts on the ground that would make its aim of cantonizing Kosovo an inevitable result. However, the Albanian viewpoint ignores the reality of life for many Serbs in Kosovo, who find access to Albanian-dominated essential services almost impossible because of discriminatory practices.⁴²

The Role of the “War Associations”

On March 16, 2004, the so-called “war associations”—three interconnected organizations representing the KLA’s war veterans, KLA invalids, and the families of the missing—organized widespread demonstrations in almost every ethnic Albanian city and town in Kosovo to protest the arrest and detention of former KLA leaders on domestic and international war crime charges. The demonstrations gained a particular vigor because of the February 2004 arrests by UNMIK police of four former KLA

⁴⁰ OSCE Representative on Freedom of the Media Miklós Haraszti, “The Role of the Media in the March 2004 Events in Kosovo,” April 2004, p. 8.

⁴¹ See OSCE Mission in Kosovo - Department of Human Rights and Rule of Law, *Parallel Structures in Kosovo*, October 2003.

⁴² See OSCE and United Nations High Commissioner for Refugees (UNHCR), “Tenth Assessment of the Situation of Ethnic Minorities in Kosovo (Period covering May 2002 to December 2002),” March 2003.

commanders, including the Prizren commander of the Kosovo Protection Corps,⁴³ General Selim Krasniqi, on charges relating to the murder of fellow Albanians during the 1998-9 Kosovo conflict.⁴⁴

During many of the rallies, speakers came close to inciting the crowds to rise up against UNMIK in protest against the detention of KLA leaders. The head of the disabled war veterans association of Mitrovica, Faik Fazliu, told demonstrators in the town on March 16 that "the continuation of the discriminatory policy of UNMIK towards the members of the former KLA will destabilize this region and that situation might get out of control as a result of citizens' revolt and indignation."⁴⁵ Faton Klinaku, the head of the three war associations, told a crowd in Pristina on the same date that with the arrests of the KLA members, "the neo-colonialists called UNMIK are supporting organized crime and are continuing the same politics applied by Serbia."⁴⁶ Nexhmi Lajci, the president of the association of war veterans in Pec/Peja, came close to calling for a new war, telling the audience, "Kosovo has been occupied [by UNMIK] as it used to be once [by Serbia] and there is a fear that it is moving towards a new war."⁴⁷ The ugly mood of the pro-KLA protests, which were attended by some 18,000 protesters Kosovo-wide, was perhaps well-summed up by a headline in the nationalist newspaper *Epoka e Re*, which splashed a slogan heard at the rally on its front page: "UNMIK beware, KLA will burn you down."⁴⁸ During the protests in Prizren, demonstrators stoned the UNMIK headquarters, wounding one UNMIK civilian police officer.⁴⁹

While the pro-KLA protests of March 16 did not directly lead to the March 17-18 violence, they did help lay the foundation for the protests that followed the next day, after the sensational reports of the drowning of the three Albanian children reached the public—reports which appeared in the same issues of the newspapers that reported on the pro-KLA protests. With their vast organizing structures throughout Kosovo, and the fact that they had organized Kosovo-wide protests throughout Kosovo, the war

⁴³ The Kosovo Protection Corps (KPC) was created following the 1999 war to absorb demobilized KLA members. See Background section of this report.

⁴⁴ Shaban Buza, "UN Police Arrest Four Kosovo former Guerrillas," Reuters, February 16, 2004.

⁴⁵ UNMIK Media Monitoring: Local Media, March 17, 2004 [online], <http://www.unmikonline.org/press/2004/mon/mar/lmm170304.pdf> (retrieved July 6, 2004).

⁴⁶ KosovaLive, "UNMIK applying Serb Laws to Punish Fighters, Say Protesters," March 16, 2004.

⁴⁷ UNMIK Media Monitoring: Local Media, March 17, 2004.

⁴⁸ OSCE Representative on Freedom of the Media Miklós Haraszti, "The Role of the Media in the March 2004 Events in Kosovo," April 2004.

⁴⁹ United Nations Security Council, "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo," April 30, 2004, para 6. U.N. Doc. S/2004/348.

associations were uniquely positioned to direct and capitalize on the violence that followed.

The Drowning of Three Boys in the Ibar River

The March 15 shooting of Jovica Ivic in Caglavica and the Serb road blockade that followed, combined with the pro-KLA protests on March 16, significantly raised tensions in Kosovo. As the pro-KLA protests were winding down, the ethnic Albanian media began broadcasting inflammatory reports that three young Albanian children had been chased into the Ibar River by Serbs on the afternoon of March 16, and had drowned. As a detailed report by the OSCE's Representative on Freedom of the Media later showed, the ethnic Albanian media played an irresponsible, inflammatory role, broadcasting information that was still unconfirmed: the surviving ethnic Albanian boy never publicly stated that the group were chased into the river by Serbs, only that the young Albanian boys had been sworn at by Serbs from a distant house. The interpretation that the boys were chased in the river by Serbs came from other sources, such as Halit Berani, a Mitrovica-based ethnic Albanian human rights activist (see below). Such subtleties didn't matter to the private and public state-funded media, who began broadcasting and printing unequivocal reports that the ethnic Albanian boys had been chased into the river by Serbs.⁵⁰

Moderating voices, such as the UNMIK spokesperson Tracy Becker, who warned that an ethnic motivation for the incident had not been established, received almost no airtime, while "experts" who denounced the Serb "bandits" were given unfettered and unchallenged access. For example, Halit Berani, the chairman of the Council for the Defense of Human Rights and Freedoms in Mitrovica—an ethnic Albanian human rights group with a strongly nationalist agenda—was given more than 4 minutes of the RTK news broadcast, compared to the 12 seconds given to the moderate UNMIK spokesperson (see above). Berani, who had not witnessed the incident, told the audience:

Today around 16:00 in the village of Cabrë (Cabra in Serbian), Zubin Potok municipality, while six children from the above mentioned village were playing, a group of Serb bandits attacked these children, the Serb bandits also had a dog, and [were] swearing at their Albanian mothers,

⁵⁰ RTV 21, an independent broadcaster, led their evening report on March 16 with the following: "Two Serbs chased four Albanian children today around 16:00 in the village of Caber and, while trying to escape from them, the Albanian children jumped in the Ibar river." RTK, the public broadcaster, began its news with the following: "Three Albanian children, Florent Veseli, 8 years old, Avni Veseli, 11 years old, and Egzon Deliu, 12 years old, went missing in the waters of the Ibar river, meanwhile Fitim Veseli, 14 years old, has been found. They are victims of an attack by a group of Serbs in the village of Caber..." See OSCE, "The Role of the Media," pp. 7-8.

they forced the Albanian children to run away. Two of them managed to hide in the roots of the willow trees by the river Lumbardh (Ibar river in Serbian), whereas the other four fell into the river. It is known that the Lumbardh river, apart from being very deep, has very cold water and is fast-moving. Most probably, the children couldn't swim well. There is no information about the fate of three of them, whereas one survived after making it to the other side of the river...

We are used to these Serb bandits....We think that it is in revenge for what happened in Caglavica [i.e. shooting of Serb], the case that showed what the Serbs are willing to do when the situation is getting calm in Kosova.⁵¹

The sensational reporting on the Serb "bandits" drowning young Albanian children set off a firestorm of protests and violence across Kosovo. However, while the drowning of the three children was a tragedy, a thorough investigation by the United Nations and a respected ethnic Albanian judge from Kosovo casts serious doubt on the allegations of Serb complicity in the drownings, citing inconsistencies in the accounts given by the surviving boy, and a lack of corroboration of the boy's account by the two other surviving children and an elderly Serb who was working in the area. The U.N. investigative team did a thorough search of the area where the drownings took place, and could not find any Serbs who fitted the description given by the surviving boy.⁵²

FAILURE TO PROTECT: UNMIK AND KFOR'S INABILITY TO PROTECT SERBS AND OTHER MINORITIES

The widespread attacks by ethnic Albanians on Serbs, Roma, Ashkali (Albanian-speaking Roma) and other non-Albanian minorities, documented below in this report, are a cause for grievous concern. Of equal concern, however, are the near-collapse of the international security organizations in Kosovo when confronted by the violence and unrest of March 2004, and the inability of KFOR, UNMIK international police, and the

⁵¹ Ibid, p. 10.

⁵² UNMIK Press Briefing, April 28, 2004 [online], <http://www.unmikonline.org/press/2004/trans/tr280404.pdf> (retrieved July 6, 2004). The U.N. investigators canvassed the houses in Donje Zupce village, where the two young Serb men had reportedly come from, and found that the residents were predominately elderly Serbs: "The residents of the village are primarily older Serbs, and, with their children accounted for, no young Serb males fitting the descriptions provided were identified."

local KPS to provide effective protection to Kosovo's minority communities during the two days of violence.

In community after community, Serbs and other minorities—a disproportionate number of them elderly and infirm—were left for hours at the mercy of hostile ethnic Albanians rioters, waiting for KFOR and UNMIK to rescue them. A summary of the protection failures shows just how severely the international community failed Kosovo's minorities in its time of greatest need:

- French KFOR troops refused to come to the assistance of the Serb residents of Svinjare, even though their main base is located just a few hundred meters from that village. The entire village of Svinjare—all 137 homes—were burned to the ground within viewing distance of the main French KFOR base.
- In nearby Vucitrn, located in between two main French KFOR camps, Albanian crowds burned sixty-nine Ashkali homes without a response from either French KFOR or international UNMIK police.
- In the southern city of Prizren, German KFOR commanders refused to honor requests to come to the assistance of their international UNMIK police counterparts, and Albanian crowds destroyed all remaining vestiges of the centuries-old Serb presence in the city, including several religious buildings dating back to the fourteenth century, burning one Serb man to death in his home and leaving all remaining Serbs in Prizren homeless.
- In the large town of Kosovo Polje, only a few UNMIK police and no KFOR personnel came to the assistance of the besieged Serbs, leaving a handful of local KPS officers to protect more than one hundred Serb families scattered around the city. One Serb was beaten to death, and at least one hundred Serb homes were burned, as was the main post office, the Serbian school, and the Serbian hospital.
- In the capital Pristina, Serb residents of the YU Program apartment buildings—an apartment complex originally built to house Serb refugees from Bosnia and Croatia—were besieged for hours by ethnic Albanian crowds who set their apartments on fire and shot at them before they were rescued by KFOR and UNMIK international police.

Even where UNMIK and KFOR were present, they often proved ineffective and outnumbered:

- In Djakovica, a few dozen Italian KFOR troops attempted to protect the last remaining Serbian Orthodox Church until they were overwhelmed and had to evacuate the five remaining Serb residents of Djakovica, all elderly women.
- In Belo Polje, Italian KFOR and international UNMIK police were unable to hold back a massive crowd of Albanians marching from Pec, who burned down the thirty-two homes that had been built to house returning Serbs who were once again displaced.
- On the outskirts of Prizren, German KFOR troops abandoned the fourteenth-century Monastery of the Archangels almost as soon as the Albanian crowd attacked it, evacuating the monks and allowing the Monastery to be burned down.

In the absence of KFOR and UNMIK, the dire security situation was often left in the hands of the recently trained and under-equipped Kosovo Police Service (KPS), whose performance was mixed. Some KPS officers performed with great courage and professionalism during the crisis, working tirelessly to protect or evacuate Serbs from their homes and doubtlessly saving lives. Many other KPS officers stood by passively, refusing to take steps to protect ethnic Serbs and other minorities, or participate in their evacuation. In a number of cases, KPS officers showed a bias against minorities, arresting Serbs or Ashkalis who tried to defend their homes while ignoring the criminal actions of Albanian rioters. Some KPS officers took an active part in the violence, allegedly participating in the burning of homes in Vucitrn, Obilic, and Kosovo Polje.

The failure—almost collapse—of the security institutions in Kosovo during the March 2004 violence is beyond dispute. What is more difficult to analyze is *why* the security institutions in Kosovo failed so miserably during the March violence. It is crucial that such an analysis takes place, in order to reform the institutional set-up of the security institutions in Kosovo and to prevent a similar collapse in the future. However, it appears that both UNMIK and KFOR are resistant to such a comprehensive review of its failures. Most of the UNMIK and KFOR officials with whom Human Rights Watch

met painted an inaccurately rosy picture of their response to the March 2004 violence,⁵³ or blamed each other for the failures.

Although international officials have been outspoken in their criticism of the Kosovar leadership for its failings during the crisis, they have not shown a similarly critical attitude in evaluating the failures of their own organizations and institutions. For example, when Jean-Marie Guéhenno, the U.N. Under-Secretary-General for Peace-Keeping Operations, briefed to U.N. Security Council on April 13, he criticized the Kosovar leadership for their “ambivalent” role during the crisis, but did not offer any critique of UNMIK and KFOR’s performance, arguing that “what was required now was concrete action by Kosovo’s leaders and its people to address the causes of the ethnically motivated violence [and] to implement measures to ensure the violence would not be repeated.” Adam Thomson, the U.K. representative at the U.N. Security Council, responded by congratulating UNMIK and KFOR for “restoring calm” in Kosovo.⁵⁴ Such uncritical, self-congratulatory rhetoric ignores the reality of UNMIK and KFOR’s failures, and the urgency with which these shortcomings need to be addressed in order to prevent a repeat of the March 2004 events. U.N. Secretary-General Kofi Annan’s own April 30 Kosovo report to the U.N. Security Council similarly fails to give a critical analysis of UNMIK and KFOR performance during the March violence, although it does analyze the response of Kosovar politicians and the KPS.⁵⁵

NATO has instituted a “Lessons Learned” review of KFOR actions during the March 2004 violence, but it is unlikely that its findings will be made public.⁵⁶ UNMIK police officials also carried out a review of their response to the crisis, according to a senior UNMIK spokesperson, but the results of that review have also not been made public, and UNMIK is not expected to institute major changes as a result of the review. On June 11, 2004, U.N. Secretary-General Kofi Annan appointed Norwegian Ambassador Kai Eide to investigate the March violence,⁵⁷ but it appears Eide’s mandate is to probe

⁵³ For example, KFOR officials repeatedly told Human Rights Watch that KFOR had to choose between protecting minority lives and protecting minority property during the March violence, and had chosen to focus on protecting minority lives. Such a characterization is misleading, as it ignores the reality that KFOR played only a minor role in protecting minority lives in many communities affected by violence, as shown in this report.

⁵⁴ U.N. Security Council press release, “March Violence in Kosovo ‘Huge Setback’ to Stabilization, Reconciliation, Under-Secretary-General for Peacekeeping Tells Security Council,” April 13, 2004, U.N. Doc. SC/8056.

⁵⁵ United Nations Security Council, “Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo,” April 30, 2004, U.N. Doc. S/2004/348.

⁵⁶ See International Security Information Service, Europe, “NATO Notes,” Vol. 6, No. 2, April 2004 [online], <http://www.isis-europe.org/ftp/Download/NATO%20Notes%20v6n2.PDF> (retrieved June 28, 2004), p.6.

⁵⁷ UNMIK News, “Kosovo: Norwegian envoy to head UN probe into March violence,” June 11, 2004 [online], <http://www.unmikonline.org/> (retrieved July 6, 2004).

"the political implications of violence between ethnic Albanians and Serbs and recommending ways in which the province's residents can live together again peacefully," rather than focusing on UNMIK and KFOR security failures during the crisis. German officials conducted their own internal review of the actions of their troops, reportedly concluding that KFOR was unable to fulfill its mandated security tasks or effectively protect minority communities in Kosovo, and raising serious concerns about the failure of German KFOR troops to effectively respond to the anti-Serb violence in Prizren.⁵⁸

While this report addresses the failures of Kosovo's security institutions, understanding why those failures occurred requires a level of access to UNMIK, KFOR, and KPS commanders and documents that Human Rights Watch was not able to obtain. Commanders and soldiers must be interviewed at all levels of responsibility, and documentation such as intelligence information, orders issued, deployment requests, and post-deployment assessments must be reviewed. However, even the limited access available to Human Rights Watch points to several conclusions about the reasons for the failure of Kosovo's security institutions:

- 1) The violence in Kosovo took the security institutions by surprise: There is no doubt that the violence took KFOR, UNMIK, and KPS by surprise, and that Kosovo's security institutions were unprepared to deal with such massive violence. While no one predicted the violence in Kosovo, KFOR and UNMIK should have been able to better predict how the violence would develop: most international journalists, for example, were anticipating violence in Mitrovica on March 17, but French KFOR had not deployed at the obvious flashpoint, the bridge between the two communities. The lack of preparedness by UNMIK and KFOR points towards a lack of capacity in intelligence and analysis capacities.
- 2) UNMIK and KFOR had insufficient capacity to respond effectively to the violence: Almost every UNMIK and KFOR official interviewed by Human Rights Watch stated that their troop levels were inadequate to deal with the widespread attacks that were taking place all over Kosovo, and called for an increase in troop and officer levels.
- 3) KFOR and UNMIK troops were inadequately trained and equipped to deal with riot situations: A major problem particularly with KFOR troops in Kosovo is that the troops tend to have limited or no riot control experience, and thus do

⁵⁸ Renate Flottau et al., "Deutsche Soldaten: Die Hasen Vom Amselfeld," *Der Spiegel* (Germany), May 3, 2004.

not know how to effectively respond to riot situations. The lack of capacity of KFOR to respond to riot situations was sharply criticized by a senior UNMIK official in an interview with Human Rights Watch:

We always knew that Kosovo would not be invaded. KFOR is in Kosovo to protect against civil violence, disturbances, and ethnic violence. They don't need tanks but riot gear and shields, and soldiers trained in dealing with public disorder. If KFOR was not prepared for such civil disorder, then why the heck not? What did they think they were in Kosovo for?⁵⁹

As shown by the effectiveness of a specialized British riot control unit deployed to Kosovo Polje on March 18, a small number of properly trained troops can have a greater impact than large numbers of ordinary soldiers without proper riot control training and equipment. KFOR, UNMIK, and KPS also should have the necessary riot control equipment—riot shields, protective clothing, tear gas, rubber bullets, water cannons—to enable an effective and non-lethal response.

- 4) The lack of a coordinated response from KFOR, UNMIK, and KPS hampered its efforts. It is well known that tensions exist between the various security organizations in Kosovo, and that coordination between KFOR, UNMIK, and KPS is minimal. Even within KFOR, coordination between the various multinational brigades is minimal, and the command structure between the multinational brigades and COM-KFOR is not unified. A senior UNMIK official succinctly described the lack of a unified KFOR command to Human Rights Watch:

KFOR lacks command and control structures. Lt-Gen. Kammerhoff is the commander in theory, but this is ceremonial. Practically speaking, daily decisions are made by the national contingents that take instructions from their capitals, and Kammerhoff's instructions are secondary.⁶⁰

⁵⁹ Human Rights Watch interview with senior UNMIK official, June 16, 2004.

⁶⁰ Ibid. KFOR spokesperson Lt.-Col. James Moran similarly described the relationship between Lt-Gen. Kammerhoff and the Multinational Brigade Commanders: "COM-KFOR cannot give brigade commanders orders, but the brigade commanders receive guidance from COM-KFOR." Human Rights Watch interview with KFOR spokesperson Lt-Col. Moran, Pristina, April 19, 2004.

Distrust and lack of cooperation between Kosovo's security institutions must be addressed and rectified. NATO itself had recognized the structural command and control problems faced by KFOR, vowing at its December 2003 Defense Minister's meeting that KFOR "will be restructured but will not be reduced below 17,500 troops for the time being."⁶¹ However, little progress had been made towards the restructuring process by the time the violence broke out in March 2004.

- 5) Kosovo's international institutions—including UNMIK and KFOR—were themselves under attack and needed protection, drawing resources away from protection of minorities. While this report focuses on the failure of UNMIK and KFOR to protect minorities during the March violence, it is important to recognize that UNMIK and KFOR also had to divert resources towards protecting themselves. UNMIK offices throughout Kosovo were themselves targeted for attack. More than one hundred UNMIK vehicles were burned or seriously damaged during the violence. Among the wounded were a significant number of security officers: sixty-five UNMIK international police, fifty-eight KPS police officers, and sixty-one KFOR soldiers suffered injuries.
- 6) KPS training, equipping, and proper provisioning must be prioritized: KPS officers will play an increasingly important role in Kosovo as it moves towards resolving its final status. Many KPS officers served with courage during the riots, under extremely difficult circumstances. While KPS officers who participated or remained passive during the violence must be brought to account, it is equally important to recognize those who served with distinction and courage. The training and equipping of KPS officers must be upgraded, and KPS officers should earn salaries that are appropriate and competitive with the private sector.

THE VIOLENCE: ETHNIC ALBANIAN ATTACKS ON SERBS AND ROMA

Was the Violence Spontaneous or Organized?

The March violence in Kosovo involved more than 50,000 rioters, and international officials quickly described the violence as organized by ethnic extremists. UNMIK spokesperson Derek Chappell described the acts of violence as having "a degree of

⁶¹ NATO Defense Ministerial, "Final Communiqué," December 1, 2003.

organization behind them." On March 23, during a visit to the violence-affected city of Obilic, UNMIK head Harri Holkeri stated that Albanian extremists "had a ready-made plan" for the violence.⁶² During his March 22 visit to Kosovo, NATO Secretary-General Jaap de Hoop Scheffer described the "unacceptable" violence as "orchestrated and organized by extremist factions in the Albanian community."⁶³ Visiting Kosovo just days after the March violence, the European Union's foreign policy representative Javier Solana also described the violence as organized: "It may have been a moment of spontaneity, but ... a lot of people (were) organized to take advantage of that moment of spontaneity."⁶⁴ Admiral Gregory Johnson, the commander of NATO forces for Southern Europe, a command which includes the NATO-led KFOR troops in Kosovo, stated that there was a "modicum of organization" behind the violence and described the violence as "essentially amount[ing] to ethnic cleansing."⁶⁵ In his report to the U.N. Security Council, Secretary-General Kofi Annan stated that "the onslaught led by Kosovo Albanian extremists against the Serb, Roma and Ashkali communities of Kosovo was an organized, widespread, and targeted campaign."⁶⁶

In fact, the March violence in Kosovo was both spontaneous and organized. A major reason why the demonstrations grew so quickly and became so violent is that many Kosovar Albanians, especially young people, were frustrated and, in the words of one Pristina-based diplomat, "in the mood to demonstrate."⁶⁷ The main component of most of the crowds were young ethnic Albanians, many of whom came of age after the 1999 conflict, and who feel deeply marginalized and frustrated by the lack of opportunities provided by Kosovo's stagnating economy. The fact that many ordinary ethnic Albanians rapidly went out in the streets and joined in spontaneous violence against their ethnic Serb and Roma neighbors presents an even greater challenge to the possibility of a multi-ethnic Kosovo than the alternative scenario of ethnic violence organized by a minority of ethnic Albanian extremists. Disturbingly, the 1999 conflict has left behind a

⁶² Nebi Qena, "UN accuses Kosovo violence instigators of 'crimes against humanity,'" Agence France Presse, March 24, 2004.

⁶³ "NATO chief says Kosovo violence was 'orchestrated,'" Agence France Presse, March 22, 2004.

⁶⁴ Paul Ames, "EU's Solana says violence could delay decision on Kosovo's future," Associated Press, March 25, 2004. Solana also warned that ethnic violence should not be rewarded: "If some people think that with violence they can precipitate the decisions of the international community, they are wrong... You cannot imagine moving toward a decision on status if the standards have not been reached ... burning churches, burning schools, chasing people out of their homes is [sic] not the type of standards that the European Union is defending."

⁶⁵ "Kosovo violence could have been organized—top NATO official," Agence France Presse, March 18, 2004. John Nadler, "'Ethnic cleansing' under way in Kosovo, NATO leader warns; Hundreds of troops dispatched in effort to end 'huggery, mob violence,'" *Ottawa Citizen*, March 20, 2004.

⁶⁶ United Nations Security Council, "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo," April 30, 2004, para 2. U.N. Doc. S/2004/348.

⁶⁷ Human Rights Watch interview with diplomat, Pristina, March 18, 2004.

large number of individuals deeply familiar with ethnic violence, both as victims and perpetrators. In other words, all too many individuals in Kosovo know well how to burn down their neighbor's house—with or without organization behind such violence.

Yet while the majority of the ethnic Albanian rioters probably came to join the protests spontaneously, there is little doubt that some ethnic Albanian extremist elements worked to organize and accelerate the violence. As with the 1998-99 actions against Serb and Yugoslav forces by KLA, most of these extremist elements organized on the local rather than the regional level, and their affiliations varied from town to town. Some were radical members of ethnic Albanian political parties, others had belonged to the KLA, and some were members of fringe groups such as the shadowy "Albanian National Army" whose initials (AKSh, Armata Kombetare Shqiptare) were often found spray-painted at the sites of rioting.

Both the spontaneous and organized elements behind the violence acted with a common purpose: to get rid of remaining ethnic Serb and other minority communities in Kosovo. Once the violence began, it swept throughout Kosovo with almost clinical precision: after two days of rioting, *every single* Serb, Roma, or Askaeli home had been burned in most of the communities affected by the violence, but neighboring ethnic Albanian homes were left untouched.

The Mitrovica and Caglavica Clashes

The violence in Kosovo started, as it had many times before, at the Mitrovica bridge which divides the ethnic Serb north of the town from the ethnic Albanian south. Although violence was a predictable outcome of the preceding events, KFOR and UNMIK appear to have been caught unprepared on the morning of the 17th.

An international newsphotographer explained to Human Rights Watch that when he arrived in Mitrovica at about 10:45 a.m., a demonstration of ethnic Albanian school children was marching up and down the road leading to the bridge.⁶⁸ A symbol of the town's division, the bridge has been a flashpoint in past violence. The march was organized by Albanian teachers to protest the alleged drowning of the three children the day before.⁶⁹ KPS officers and a few UNMIK police were manning a small crowd control barrier blocking the road to the bridge. Suddenly, a large crowd of Albanian men came from behind the children, shouting "To the bridge! To the bridge!" and ran

⁶⁸ Email communication with international news photographer Andrew Testa, May 2004.

⁶⁹ ICG, *Collapse in Kosovo*, p. 44.

towards the bridge, immediately overwhelming the KPS/UNMIK barrier. The KPS and UNMIK officers attempted to regroup on the bridge, using their truncheons to beat back the crowd, and were joined by a group of fifteen or so Jordanian UNMIK riot control police. The international news photographer explained what happened next:

I began to run with the crowd, and as we approached the bridge I could see an incomplete barricade of crowd control barriers, and a handful of police, KPS and UNMIK. As the crowd came onto the bridge these police tried to stop them from crossing but were totally outnumbered, I then noticed that there was nothing behind this handful of police to stop the crowd. It would be usual in these situations in Mitrovica to have KFOR troops blocking the bridge, but on that day there was not a single soldier on the bridge. The Albanian demonstrators seemed as surprised as I was and many of them faltered halfway across and seemed pretty unsure what to do, but the ringleaders were shouting them forward, so they went on to the Serb side.⁷⁰

Once across the bridge, the Albanians began to attack the Dolce Vita restaurant adjacent to the bridge on the north side, and nearby cars. The restaurant was a popular hang-out for the Serb nationalist "bridge-watchers" in the immediate post-war period. Serb residents of Mitrovica quickly came to fight the Albanians, and UNMIK also regrouped to push the Albanians back across the bridge about fifteen minutes later. KFOR did not arrive in the area until after the Albanians had been pushed back across the bridge.

At the same time, a group of several hundred Albanians had gone onto a second bridge and begun throwing stones at Serb homes. They were unable to cross the bridge completely because of the presence of permanently stationed KFOR troops on the bridge, reinforced with UNMIK police. At least one grenade was thrown from the Serb side, wounding at least seven Albanians and some French KFOR troops. Almost immediately, two armed Albanian men ran towards the bridge with AK-47s assault rifles and started shooting at the Serb side.⁷¹ Intense exchanges of gunfire followed, leaving four Albanians dead and many more wounded, and further inflaming Albanian sentiment across Kosovo.⁷² UNMIK police sources later claimed that the French soldiers had refused to use their stun grenades to stop the crowd, and had no

⁷⁰ Email communication with international news photographer Andrew Testa, May 2004.

⁷¹ Ibid.

⁷² Ibid.

ammunition to return fire when the two Albanian gunmen approached the bridge and began firing.⁷³

The Serb blockade of the Caglavica road was the next flashpoint, as Albanians from the central region of Kosovo reacted to the news of the fighting and deaths in Mitrovica. Students from the University of Pristina received flyers encouraging them to join the protests in Caglavica. Some of the heaviest clashes between Albanian crowds and international KFOR and UNMIK troops took place at Caglavica, as KFOR and UNMIK tried to keep thousands of ethnic Albanians from entering the village and the large Serb enclave around it. On the main highway, a battle continued from early afternoon until late evening, and the international troops took significant fire from the Albanian side. Swedish KFOR troops were reinforced by U.S. Marines towards nightfall, and the international troops were able to prevent the ethnic Albanian crowd from reaching Caglavica—barely.

The heavy fighting at Caglavica continued the next day. Albanian militants continued to clash throughout the day with the reinforced KFOR troops—who had now barred the road with razor wire. KFOR troops were regularly fired upon, and four Albanians were shot dead by the KFOR troops.⁷⁴ In the evening, Prime Minister Rexhepi and several of his cabinet ministers went to meet with the crowd, appealing on them to stop, and the crowd dispersed just minutes later.⁷⁵

Attacks against Serbs and Roma, and the Failure to Protect

The fighting in Mitrovica and Caglavica received significant media attention, creating the impression that most of the fighting in Kosovo was between ethnic Albanians and international UNMIK and KFOR troops and that the international community had responded robustly to the violence. However, at the same time, a massive wave of violence was sweeping across Kosovo, targeting Serb and other non-Albanian communities. Unlike in Caglavica where the international troops mounted a sustained defense, non-Albanian minorities throughout Kosovo were often left at the mercy of the attacks by ethnic Albanians, without significant protection from KFOR or UNMIK troops.

Pristina/Prishtine

⁷³ ICG, *Collapse in Kosovo*, p. 45.

⁷⁴ ICG, *Collapse in Kosovo*, p. 49.

⁷⁵ Human Rights Watch interview with Prime Minister Bajram Rexhepi, April 19, 2004.

Almost no Serbs continued to live in the capital Pristina after the 1999 war, except for a few isolated elderly Serbs who chose to continue living in their homes, and several dozen Serb families who lived in the so-called YU Program apartments in the Ulpiana district of Pristina. The families living in the YU Program apartments included Serb refugees from Croatia and Bosnia, for whom the apartments were originally built in the mid-1990s, as well as Serbs displaced after the 1999 conflict in Kosovo, and some Serbs who were working for various international organizations in Kosovo.

Ethnic Albanian protests from Pristina appeared to have been well organized on March 17, although they initially focused on exhorting ethnic Albanians to join the protests at Caglavica rather than on Pristina itself. At the University of Pristina, students found leaflets in their dormitories urging them to join the protests, signed on behalf of the "organizing council." At the municipality buildings in Pristina, university officials including the President of the Independent Union of Students of the University of Pristina (UPSUP) Gani Morina and University of Pristina Rector Zejnel Kelmendi addressed thousands of students, "alternat[ing] between exhorting and placating the crowd's emotion."⁷⁶ Throughout the day, the momentum of the protests continued to grow.

When the crowds began to return to Pristina in the evening from the pitched battles at Caglavica with KFOR and UNMIK troops, they focused their attention on the YU Program apartment buildings that housed most of Pristina's remaining Serbs. Shortly after 7 p.m., Milanka Stefanovic was preparing to put her eight-year-old daughter to bed when she heard a crowd of several hundred Albanians gather outside, yelling "UCK, UCK (Ushtria Clirimtare e Kosoves; the Albanian name of the Kosovo Liberation Army)," telling the residents to "Go to Serbia," and threatening to kill them.⁷⁷ The apartments came under sustained attack from the crowd, until the last Serbs were evacuated sometime around 1 a.m. The crowd shot at the building, set apartments on fire, and beat and stabbed some of the Serb residents.

Trapped in a few apartments, some with reinforced doors, the Serbs living in the YU Program apartment building could smell the smoke from the burning apartments below them. One of the residents, Dragan Smiljanic, was caught by a group of ethnic Albanians while fleeing his apartment, and stabbed in the face.⁷⁸ Outside in the hallways, Serb residents heard ethnic Albanian crowds rampage through the building, looting the

⁷⁶ Ibid.

⁷⁷ Human Rights Watch interview with Milanka Stefanovic, Mitrovica, April 9, 2004.

⁷⁸ Human Rights Watch interview with Radojka Raskovic, Gracanica, April 17, 2004.

apartments and setting them on fire. Zivka Savic, a forty-seven-year-old woman, recalled:

Albanians were coming from everywhere, arriving even in taxis. We heard pistol and rifle shots. Meanwhile, we kept calling for help, but no one would come. My grandchild was lying down and a bullet came into the room, hitting the ceiling and then his mattress. The crowd was destroying everything, and we didn't know what would happen to us.⁷⁹

It took KFOR and UNMIK until at least 10 p.m. to respond to the calls for help from the trapped Serbs. Many of the YU building residents were not evacuated until around 1 a.m., six hours after they had first come under attack.

All of the Serbs interviewed by Human Rights Watch explained that they repeatedly telephoned UNMIK and KFOR, as soon as the attack began, and made further calls during the evening, begging UNMIK and KFOR to come rescue them. Two Irish KFOR vehicles managed to make their way through the hostile crowd and reach the besieged YU Program apartment building, sometime after 10 p.m., three hours after the attack started. Irish KFOR temporarily dispersed the crowd by firing in the air.⁸⁰ The KFOR troops managed to evacuate the children and other vulnerable persons, but could not evacuate all of the residents.⁸¹ A combined KFOR and UNMIK police evacuation team was subsequently beaten back several times by the ethnic Albanian crowd,⁸² and only managed to return to the building after 1 a.m., six hours after the attack began. The ethnic Albanian crowd attacked the vehicles that were evacuating the Serbs, stoning the vehicles and attempting to block their path with overturned garbage containers.⁸³

Violence against Serbs and Serb buildings in Pristina continued on March 18. On the evening of March 18, a crowd of ethnic Albanians, most of them young people, attacked the St. Nicolas Orthodox Church in the old part of town. KPS and Italian UNMIK troops mounted an ineffective and uncoordinated defense of the Church, with Italian UNMIK accidentally firing tear gas at the KPS officers and also shooting a KPS officer three times.⁸⁴ At about 8 p.m., the Italian UNMIK was able to disperse the two hundred

⁷⁹ Human Rights Watch interview with Zivka Savic, Gracanica, April 17, 2004.

⁸⁰ Ibid. Several other witnesses claim that the first evacuation occurred only at 12:30 AM, and the second evacuation at 2:30AM.

⁸¹ Human Rights Watch interview with Radojka Raskovic, Gracanica, April 17, 2004.

⁸² ICG, *Collapse in Kosovo*, p. 46.

⁸³ Human Rights Watch interview with Zivka Savic, Gracanica, April 17, 2004; ICG, *Collapse in Kosovo*, p. 46.

⁸⁴ ICG, *Collapse in Kosovo*, p. 49.

or so ethnic Albanians surrounding the church by firing in the air, but then immediately began to evacuate the priest of the church as well the five Serb homes on the street nearby.⁸⁵ Almost immediately after the Italian UNMIK departed, the ethnic Albanian rioters returned and burned the church. In the following days, the evacuated Serb homes were progressively looted. When sixty-eight-year-old Stefanka Tisma returned to check on his evacuated home two weeks later, he found that his home had been completely looted, that all the electrify wires had been cut, and that the looters had flooded the house by turning on the water taps.⁸⁶

Lipljan/Lipjan

Protests began in Lipljan around 4 or 5 p.m. on March 17, as large crowds of ethnic Albanians began to gather at a downtown high school. The crowd initially tried to enter the Serb village of Suvi Do but were stopped by KFOR, then turning their attention to the Serb neighborhoods of Lipljan.

Most Serbs in the Lipljan area live in nine exclusively Serb villages around the town, but the town itself has two significantly Serb areas, the exclusively Serb neighborhood of Kisa located around the Serb Orthodox Church and the mixed Serb-Albanian neighborhood of Bestin. Like Pristina and Obilic, Lipjan also has a YU Program apartment building located in Bestin, originally built in the mid-1990s to house Serb refugees from Croatia and Bosnia, but now inhabited mostly by displaced Serbs from Kosovo.

Although there were Finnish KFOR troops and KPS police officers present in the Kisa on March 17, the ethnic Albanian crowd overwhelmed them and began attacking Serb homes and the Orthodox Church, throwing stones through the windows of the homes. KPS officers remained passive until two hand grenades exploded, one in the churchyard and another in the yard of a neighboring home. Almost immediately, the KPS officers moved to arrest the Orthodox priest and his neighbor, accusing them of throwing the hand grenades, even though both were bleeding from wounds received from the grenades and told the KPS the hand grenades had been thrown by the Albanian crowd.⁸⁷ However, the Finnish KFOR managed to regain some control over Kisa, assisted by the fact that the area was permanently sealed off by razor wire, and managed to prevent the whole-sale burning of Serb homes in Kisa.

⁸⁵ Human Rights Watch interview with Stefanka Tisma, Gracanica, April 10, 2004.

⁸⁶ Ibid.

⁸⁷ Human Rights Watch interview with Brother Randal Denic, Lipljan, April 17, 2004.

Worse violence took place in the mixed Bestin neighborhood in the town. Joka Vesic, a seventy-year-old Serb living on the fourth floor of the YU Program building, could see clearly what the crowd was doing:

Three KPS officers were walking behind the crowd, with their hands behind their backs. The KPS officers didn't take an active part, but they also didn't stop them. There was no KFOR or UNMIK presence.The crowd passed through the main road towards where our building is located and the Serb houses are. They immediately started burning the Serb homes while the Albanian homes were marked with red paint saying "UCK" I clearly saw them light the bottle [gasoline bomb], then they broke the window, and threw it in through the window.⁸⁸

Rioters killed one Serb, fifty-four-year-old Nenad Vesic, as he was trying to flee his home with his family. According to his cousin Joka Vesic, who watched the killing from his fourth-floor apartment, Nenad Vesic was shot as he exited from his home, in front of his sister and mother.⁸⁹ KPS officers were nearby at the time of the shooting, according to Joka Vesic, but did not arrest any suspects.

After attacking the Serb homes in Bestin, the ethnic Albanian crowd began attacking the YU Program apartment building. Unable to enter because of the armored doors in the building, the Albanians then went into an adjacent apartment building inhabited by ethnic Albanians, and were able to gain access to the YU Program building via the roof. At that moment, KFOR troops arrived to evacuate the trapped Serbs at the YU Program building, taking them to the now secured Kisa neighborhood.⁹⁰ Finnish KFOR also evacuated the Serbs from their homes in the Bestin neighborhood, moving them to the yard of the Kisa church compound.⁹¹

The next day, Albanian arsonists burned all the remaining Serb homes in the Bestin neighborhood, apparently unimpeded by KFOR, UNMIK, or KPS. Twenty-eight family homes were burned in Lipljan.⁹²

Svinjare/Frasher

⁸⁸ Human Rights Watch interview with Joka Vesic, Gracanica, April 10, 2004

⁸⁹ Ibid.

⁹⁰ Ibid.

⁹¹ Human Rights Watch interview with Aleksandar Vasic, Lipljan, April 17, 2004.

⁹² Ibid; Human Rights Watch interview with Brother Randal Denic, Lipljan, April 17, 2004.

The village of Svinjare was among the worst affected by the March violence. Svinjare is an ethnic Serb village located just south of Mitrovica. According to a count by French military officials, all 137 Serb homes in Svinjare were destroyed by ethnic Albanian rioters. The destruction of Svinjare is particularly shocking in light of the fact that the main French KFOR logistics base, Camp Belvedere, is located only some five hundred meters from the village. French KFOR failed to make a serious effort to protect Svinjare, even though the ethnic Albanian crowd that destroyed the village walked right past the base.

Trouble began in Svinjare around 3 p.m. on March 18, when several hundred ethnic Albanians began walking towards Svinjare after burning a Serbian Orthodox Church in South Mitrovica. Milos Antic, a forty-eight-year-old Serb farmer, recalled watching the ethnic Albanian crowd approach the village: "We saw that the huge mass was approaching from the [road past] the barracks, the French military base. I'm not sure what the soldiers were doing, but [the ethnic Albanian crowd] passed right by the base."⁹³

When the ethnic Albanian crowd reached Svinjare, only two KFOR vehicles—manned by some fifteen Moroccan soldiers—were present in the village. The KFOR troops received orders to intercept and stop the protesters, and moved to the edge of the village nearest to the approaching Albanian crowd. Just before the Albanian protesters reached Svinjare, the Moroccan troops were joined by several UNMIK police vehicles that had raced ahead of the crowd in an attempt to prevent it from entering Svinjare.⁹⁴ Despite the reinforcements, the protesters simply ran around the combined KFOR and UNMIK position and began setting Serb homes on fire: "The Albanian mass couldn't use the main road, so they went off the road and started burning the homes with molotovs [gasoline bombs]. I saw how they were lighting the molotovs and throwing them at the houses."⁹⁵

At this early stage of the attack on Svinjare, the number of rioters was still relatively small, around 400 to 500 people. When a Polish UNMIK Special Police Unit arrived to reinforce the embattled KFOR and UNMIK troops, they were able to temporarily disperse the Albanian crowd and extinguish the flames in the six or seven Serb homes

⁹³ Human Rights Watch interview with Milos Antic, Mitrovica, April 8, 2004.

⁹⁴ Ibid.

⁹⁵ Ibid.

already set on fire.⁹⁶ Still, the French KFOR soldiers at the nearby Belvedere Base did not assist in the defense of the village.

After the ethnic Albanian group was temporarily forced to disperse, the Serb villagers from Svinjare were shocked when the Polish UNMIK SPU commander and an American UNMIK police commander told them they would have to immediately evacuate Svinjare. The Polish UNMIK SPU commander told the Serb village leaders that there were problems all over Kosovo, and that his unit had only half an hour in Svinjare before they would have to leave to respond to other crises.⁹⁷ According to Dragan Bjelica, who was a participant in the meeting, the Serb leaders requested to meet with the KFOR commanders at the nearby Belvedere Base to beg for protection. At the base they met a Belgian KFOR colonel who threw up his hands when they explained their homes were being set on fire and asked for security assistance. The Belgian colonel then suggested he could send fifty troops to Svinjare, but insisted the troops would have to stay together at the center and at the school in Svinjare, rather than spread out and protect the Serb homes.⁹⁸

By the time the village leaders returned to Svinjare, unable to secure the KFOR assistance they needed to protect their homes, the ethnic Serb women and children had already been evacuated. As darkness began to fall, the Moroccan KFOR troops insisted that the men also had to leave the village, and evacuated them to the French base. Almost all of the Serbs of Svinjare left without having time to collect even the most basic of possessions.

When the last Serbs left Svinjare on March 18, most of their homes were still intact. During the night and the following day, the Albanian crowd was allowed to loot and burn the Serb homes of Svinjare without interference from the nearby KFOR base. In the end, every single Serb home in Svinjare was looted and burned, and their livestock killed. One Serb leader in the village bitterly described how the international community had failed him in a time of need:

For the last five years, so many internationals have come to study our problems that I can't even count them anymore, and they have produced tons of reports and recommendations. In the end, the result was that I lost everything I have built for forty years, while the international community watched from a few hundred meters away. I

⁹⁶ Ibid.

⁹⁷ Human Rights Watch interview with Dragan Bjelica, Mitrovica, April 9, 2004.

⁹⁸ Ibid.

don't even have a single photograph left from my life. And now they tell me to go back and rebuild my life—how can I trust them?⁹⁹

Slatina/Sllatine

In many areas of Kosovo, ethnic Albanian crowds attacked Serb residents for hours before international KFOR or UNMIK troops came to their assistance. Slatina, a small village located just southeast of Mitrovica with only thirteen remaining Serb homes at the time of the violence, is a case in point.

Vladimir Savic, a sixty-nine-year-old resident of Slatina, described how a small group of ethnic Albanians—many of them he recognized as fellow residents of Slatina and knew by name—began to gather around the Serb homes on the morning of March 18. Soon, a group of seven young Albanians from Slatina—including several sons of a local former KLA commander—began to throw stones at the Serb homes, almost all of them inhabited by elderly, retired Serbs. One of the sons of the former KLA commander from Slatina came to Savic's home and told him: "Go to Serbia! Kosovo is mine! We cannot live together." Savic tried to reason with him, explaining that he too had been born in the village, but was ordered to go inside his home. The homes came under increasingly fierce attack at about 2:30 p.m., and several of the elderly Serbs were beaten severely. Eighty-year-old Govoljub Savic lost an eye to a stone, and a second elderly Serb was badly wounded when he was hit on the head with a spade.¹⁰⁰

KFOR failed to come to the assistance of the embattled elderly Serbs in Slatina. When the crowd first began to throw stones at the homes, a convoy of four French KFOR vehicles passed through the village, and the Serbs attempted to flag it down. The last KFOR vehicle briefly slowed down, and told the Serbs that they could not stop because they were on their way "to more serious trouble."¹⁰¹ Shortly before 5 p.m., the Serbs were finally able to contact UNMIK police, which immediately responded by sending three cars.

The arrival of the UNMIK police had a dramatic effect on the behavior of the ethnic Albanian crowd: "The Albanians stopped putting houses on fire as soon as the police came."¹⁰² After evacuating the wounded Serbs, the UNMIK police said they would stay

⁹⁹ Human Rights Watch interview with Milos Antic, Mitrovica, April 8, 2004.

¹⁰⁰ Human Rights Watch interview with Vladimir Savic, Zvecan, April 9, 2004.

¹⁰¹ *Ibid.*

¹⁰² *Ibid.*

the night, and were joined by KFOR troops shortly before nightfall. No further attacks occurred while UNMIK and KFOR were in Slatina.

The next morning, at about 10 a.m., the Serbs were told they would have to evacuate their homes. The remaining nine Serbs were evacuated in a single UNMIK police vehicle, effectively preventing them from taking any possessions because of space restrictions. The UNMIK officers reassured the Serbs that the evacuation was only temporary, and that KFOR troops would protect their homes. That promise proved empty. Only three homes had been burned by the time of the evacuation, but over the next days all thirteen of the Serb homes in the village were looted and burned to the ground.

Vucitrn/Vushtrii

Ethnic Serbs were not the only victims of the March violence. In many areas of Kosovo, Roma, Ashkali (Albanian-speaking Roma), and other non-Albanian minorities also faced violence. Among the most severe attacks was the burning of at least sixty-nine Ashkali homes together with a Serb Orthodox Church in Vucitrn. The town of Vucitrn is located south of Mitrovica. Even though Vucitrn is in close proximity to two major French KFOR bases—"Belvedere" and Novo Selo—KFOR or UNMIK did not take an active part in the defense of the Ashkali community in Vucitrn. The only security force that played a significant role during the violence in Vucitrn was the predominantly ethnic Albanian Kosovo Police Service (KPS). While some KPS officers assisted in the evacuation of Ashkali residents, it appears that other KPS officers played an active part in the violence, arresting and abusing Ashkalis who attempted to defend their homes. According to some Ashkali, some KPS officers participated in the burning of Ashkali homes.

Before the 1999 war, some 350 Ashkali families lived in Vucitrn, many of them engaged in the butcher trade. After the war, many of the Ashkali were attacked by ethnic Albanians. At least five Ashkalis from the town were abducted and "disappeared" and more than a hundred Ashkali homes burned. Almost the entire Ashkali community of Vucitrn fled, with only ten to fifteen families deciding to stay. However, Ashkali families began to return to Vucitrn in 2001, and by March 2004, some seventy Ashkali families were again living in Vucitrn. Because of their prominent role in the butcher trade and the remittances of relatives working in western Europe, many of the Ashkali had significant wealth and built large homes, making them a target for criminal opportunists.

The violence in Vucitrn started at about 4 p.m. on March 18, when a group that included former KLA fighters burned and desecrated the St. Elias Serbian Orthodox Church in

Vucitrn before joining up with a second group, reportedly led by ethnic Albanian criminal leaders, and attacking the Ashkali community.¹⁰³ The crowd numbered about 400-500 and was mostly male, but continued to rapidly grow in size. The Moroccan KFOR contingent guarding the Orthodox Church had evacuated during the attack on the church, leaving Vucitrn without a KFOR presence.

As soon as the ethnic Albanian crowd reached the Ashkali neighborhood, they began burning homes:

They had all kinds of weapons—wooden sticks, axes, gardening tools, and bottles of petrol. I saw when the first Ashkali house was attacked. They pulled all the people out of the house and set it on fire. They ran immediately to the second house which had three stories. It had a tall wall and strong gates. They managed to jump the wall and open the gates, and the crowd came inside. ...The members of that family fled to the second floor and locked the doors. The crowd immediately set the car on fire and then set the house on fire, while the family was still inside.¹⁰⁴

Many of the Ashkali recalled the terror they felt when their homes were set on fire with their families inside and no-one came to help them. Nejib Cizmoli, a thirty-seven-year-old Ashkali butcher, recalled being trapped on the second-floor of his burning home with eleven people, including children aged three, eight, fourteen, fifteen, and sixteen.¹⁰⁵

Almost all the Ashkali made repeated telephone calls to KFOR, UNMIK, and the local KPS police requesting assistance. Njazi Pllavci, a forty-seven-year-old Ashkali father of four who returned to Vucitrn from Serbia in November 2003, broke down in tears as he recalled the lack of KFOR or UNMIK presence: "We called the [KPS] police station maybe twenty times, asking them to come secure our houses as soon as possible. We asked for UNMIK and KFOR, but the KPS said they had left....If KFOR would have sent troops or tanks, what happened would not have happened."¹⁰⁶ The Ashkali village leader, Abdush Cizmoli, was equally scathing of KFOR and UNMIK: "Nobody is more

¹⁰³ ICG, *Collapse in Kosovo*, p. 51.

¹⁰⁴ Human Rights Watch interview with Xhemal Kelmendi, Novo Selo, April 14, 2004.

¹⁰⁵ Human Rights Watch interview with Nejib Cizmoli, Novo Selo, April 14, 2004.

¹⁰⁶ Human Rights Watch interview with Njazi Pllavci, Novo Selo, April 16, 2004.

to blame than KFOR and UNMIK. If they wanted to, with one tank they could have saved us—it would not have come to all these problems.”¹⁰⁷

In private conversations with Human Rights Watch, French KFOR troops explained that the decision not to deploy to Vucitrn had been based on their conclusion that the Ashkali community was “militarily indefensible,” and that most French KFOR troops had been committed to the defense of northern Mitrovica. The view that Vucitrn was “militarily indefensible” points to a common problem with KFOR highlighted during Human Rights Watch’s research in Kosovo. KFOR contingents tend to see their engagement in traditional military terms rather than in more appropriate policing terms. In the case of Vucitrn, it is unlikely that KFOR would have had to militarily engage the largely unarmed Albanian crowd by opening fire or otherwise; crowd control tactics commonly used by civilian police could have had a significant impact. Furthermore, the Ashkali community in Vucitrn was easily defensible from a crowd control perspective, since Ashkali homes in the town were closely grouped with only a few access points.

The failure of KFOR and UNMIK to come to the defense of the Ashkali of Vucitrn left the security situation entirely in the hands of the ethnic Albanian KPS police. Ashkalis interviewed by Human Rights Watch consistently claimed that the KPS had refused to respond to the burning and rioting until some Ashkalis fired their rifles into the air to protect their homes. Almost immediately after the shooting, KPS officers came—to arrest and abuse Ashkalis they suspected of firing at the Albanian protesters. Xhemal Kelmendi, who lived in the house next to the home from which the shots rang out, was among those arrested and abused:

I was alone in the garden, my family was inside my house. Then I heard a big noise at my gate, and it was forced open by the crowd. I was very happy when I saw it was the KPS police, but I was soon disappointed. I thought with the arrival of the police, everything would stop. But the police ordered me to raise my hands and lay on the ground. They tied my hands, and while I was on the ground they hit me two or three times. They pulled me up and asked for my machine gun. I said I didn’t have a weapon. One of the policemen swore at my mother: “I fucked that Gypsy mother of yours,” and hit me again....They kept hitting me and asking for weapons. I kept saying I had no weapons. They took me to

¹⁰⁷ Human Rights Watch interview with Abdush Cizmolli, Novo Selo, April 16, 2004.

the police car, and they kept hitting me with their fists and boots....
When the police took me out of my house, the crowd applauded.¹⁰⁸

Other Ashkali men arrested that night faced similar beatings and abuse. By contrast, according to the Ashkali who were taken to the KPS police station, the KPS police appear not to have arrested a single ethnic Albanian in Vucitrn that day, despite the fact that it was the ethnic Albanians who were attacking and burning Ashkali homes. In some cases, it appears that the KPS officers were actively colluding with the Albanian crowds. When Xhemal Kelmendi was being taken to the police car, a group of Albanians attempted to attack him. The KPS officers ordered them to stop, saying "We had an agreement," and the men retreated.¹⁰⁹ Another Ashkali recalled that when the crowd stoned the KPS vehicle he was being evacuated in, the KPS police officer stopped, telling the crowd, "You know you should not throw rocks at the police," and the crowd stopped—a bizarre admonishment while the crowd was burning Ashkali homes.¹¹⁰ One Ashkali woman who lived next door to the home of the Ashkali village leader, Abdush Cizmulli, told Human Rights Watch that she had personally heard the police telling the crowd to go ahead and burn the house, saying "They are out now, set it on fire."¹¹¹

Soon after the arrests of several Ashkali men, allegedly for shooting at the Albanian crowd, the KPS police returned to evacuate the remaining Ashkali families. As soon as KPS arrived, the Albanian crowd stopped burning homes and retreated, allowing the KPS to cordon off the main Ashkali Street. The KPS went from house to house, ordering the Ashkali to evacuate immediately and stating that they could not guarantee their safety: "If you want us to guarantee your lives, you must come with us." The evacuation happened so fast that most families had no chance to take any possessions with them. As soon as the Ashkalis were evacuated, the entire Ashkali neighborhood was burned. Thirty-seven-year-old Ferida Myftare recalled: "I wasn't even out of our street when I saw my house burning. I left my house with nothing."¹¹²

The evacuated Ashkali were first taken to the grounds of the KPS police training institute in Vucitrn, and then to the main KPS police station. At the main KPS police station, many of the Ashkali were surprised to find approximately 100 KPS officers, most of whom had not responded to the calls for assistance from the Ashkali community.

¹⁰⁸ Human Rights Watch interview with Xhemal Kelmendi, Novo Selo, April 14, 2004.

¹⁰⁹ Ibid.

¹¹⁰ Human Rights Watch interview with Fedaim Kelmendi, Novo Selo, April 16, 2004.

¹¹¹ Human Rights Watch interview with Zaida Cizmulli, Novo Selo, April 16, 2004.

¹¹² Human Rights Watch interview with Ferida Myftare, Novo Selo, April 16, 2004.

The failure of UNMIK and KFOR to respond to the plight of the Ashkali in Vucitrn certainly contributed to the massive destruction. The limited KPS response did have a significant impact on pushing back to Albanian crowds, lending credence to the Ashkali view that a strong UNMIK and KFOR response could have prevented the destruction of their homes. The KPS response in Vucitrn was deeply problematic, focusing more on punishing Ashkali for defending their homes rather than fulfilling their obligations to protect all residents on a nondiscriminatory basis. The allegations that some KPS officers in Vucitrn actively participated in the violence certainly deserve further investigation.

Kosovo Polje/Fushe Kosove

Kosovo Polje, located about eight kilometers southwest of Pristina, was approximately 25 percent Serb prior to the 1999 conflict, but the Serb population dropped drastically after the war. Most of the Serbs and other minorities left Kosovo Polje for the nearby all-Serb villages of Ugljare, Kuzmin, and Batuse, but over one hundred homes in Kosovo Polje continued to be inhabited by Serbs. Unlike other towns where Serbs tended to live in tightly knit neighborhoods, the Serbs of Kosovo Polje were more dispersed, living alongside their ethnic Albanian neighbors.

Kosovo Polje, which translates as “field of blackbirds” occupies an important place in Serb history, as it was the site of the historic 1389 battle between Serb and Ottoman forces. Slobodan Milosevic also launched his nationalist career with a fiery speech at Kosovo Polje on April 24, 1987.¹¹³ Although the Serb population of Kosovo Polje had dwindled, it continued to be an important administrative center for Belgrade: it was one of the few places where Kosovo residents could renew Yugoslav passports.

Trouble started in Kosovo Polje in the early afternoon of March 17. According to several sources, Albanian extremists from the nearby Drenica region, the birthplace and stronghold of the KLA and Kosovar Albanian nationalism in general, began to arrive in Kosovo Polje by car and bus.¹¹⁴ The crowd quickly grew larger, and soon included many ethnic Albanian residents of Kosovo Polje, in particularly youths between fourteen- and twenty-years-old. Several of the Serbs interviewed by Human Rights Watch stated that they recognized some of their neighbors among their attackers.

¹¹³ Laura Silber and Allan Little, *Yugoslavia: Death of a Nation* (New York: Penguin Books, 1997), p. 37-39.

¹¹⁴ Human Rights Watch interview with Dusan Arsic, Gracanica, April 10, 2004; ICG, *Collapse in Kosovo*, p. 47.

The rapidly growing crowd, numbering several thousand strong by early afternoon, gathered in front of the Serb hospital and the nearby St. Sava School in Kosovo Polje and set them alight, completely gutting the structures.¹¹⁵ They then fanned out through the nearby neighborhoods, carefully locating and burning the Serb homes that were interspersed with the homes of ethnic Albanians.

None of the Serb witnesses or ethnic Albanian KPS officials interviewed by Human Rights Watch saw any presence of KFOR troops on the streets of Kosovo Polje during the rioting—apparently, the KFOR troops were either redeployed elsewhere at the time, or simply failed to respond. Many of the UNMIK police were unavailable, as they had been asked to assist at Caglavica.¹¹⁶ In effect, the defense of Kosovo Polje—with over one hundred Serb homes spread out over a substantial town—was left in the hands of just a few dozen KPS officers, assisted by a handful of UNMIK police.¹¹⁷ KPS officers lacked tear gas, rubber bullets, riot gear, and many other essential supplies to deal effectively with a dangerous and volatile crowd.¹¹⁸ The absence of KFOR and a lack of a substantial UNMIK presence left the KPS with extremely limited options.

The performance of KPS varied widely in Kosovo Polje. A small number of KPS officers acted bravely throughout the crisis, trying to stop the crowds from attacking Serb homes and evacuating Serbs when the security situation became too severe. Some of the KPS officers worked tirelessly to evacuate and protect Serb residents. Many others simply stood by and refused to intervene in the violence. In some cases, KPS officers may have taken an active part in the violence.

Even when KPS officers attempted to act professionally, they were so outnumbered by the crowds that they had almost no impact. Dejan Jovanovic, a thirty-two-year-old Serb who used to work at a multi-ethnic radio station, explained that he watched an ethnic Albanian crowd he estimated at 5,000 to 6,000 people burn the St. Sava school and the adjacent clinic. The crowd then began to loot and burn Serb homes in the area. Initially, a group of KPS and UNMIK police arrived in three cars, and tried to reason with the crowd. The crowd responded by attacking the police cars and continued to loot and burn. Jovanovic and his grandmother soon faced a group of fifty to seventy rioters, most of them young men, who set their home on fire:

¹¹⁵ Human Rights Watch interview with Dejan Jovanovic, Kosovo Polje, April 16, 2004.

¹¹⁶ Human Rights Watch interview with KPS official, Kosovo Polje, April 16, 2004.

¹¹⁷ There are only 55 KPS officers in Kosovo Polje, including some Serbs. However, only a few dozen reported for duty. Others were away at training courses or simply did not report for duty.

¹¹⁸ Human Rights Watch interview with KPS official, Kosovo Polje, April 16, 2004.

When they first came in the garden, they smashed all the windows in the first house and set it on fire. Then they came to the second house where we were. They saw me and my grandmother and ran to us, with knives and sticks. They were calling on us to come out, but I blocked the door with a stove. They came into the house, but I stopped them from coming into the room. I saw their faces through the windows—there were many people I recognized as my neighbors, from the block of flats behind our house.¹¹⁹

As the protesters set the house on fire, two KPS officers arrived. The KPS officers attempted to stop them, “but it was no use,” Jovanovic explained because “they would force some out and others would come.” Finally, the protesters went on to other homes, and the KPS officers helped Jovanovic put out the fire. As Jovanovic and the KPS officers were attempting to extinguish the flames, a number of protesters came back and began beating him, simply running around the KPS officers even though the latter had drawn their guns on the protesters by this stage. Jovanovic saw more protesters arriving with bats and other weapons, so was forced to flee with his grandmother back into his home, which was again set on fire. The KPS officers finally were able to evacuate Jovanovic and his grandmother, leaving behind their burning home.¹²⁰

Nevenka Rikalo, a forty-seven-year-old worker at the multi-ethnic municipality in Kosovo Polje, told a similar story of an overwhelmed KPS. At about 4:30 p.m. on March 17, a group of ten youngsters aged between fourteen and seventeen attacked her home, and began beating her seventy-year-old mother with wooden sticks. Two KPS police officers came and gave chase to the boys, ultimately arresting two of them. However, when the KPS officers put the two boys in their police car, ethnic Albanian protestors attacked the car, and the KPS officers were forced to release the two boys. In the meantime other rioters had climbed over Rikalo’s fence and were setting the house on fire from the roof. The KPS officers told the family they had five minutes to evacuate, and the family was forced to flee with only the clothes they were wearing. After being taken to the police station, Nevenka assisted the KPS police throughout the night, taking calls from Serbs under attack and helping the police locate their homes. She saw only three international UNMIK police at the station, and explained that almost all of the evacuations had been carried out by just a handful of KPS officers.¹²¹

¹¹⁹ Human Rights Watch interview with Dejan Jovanovic, Kosovo Polje, April 16, 2004.

¹²⁰ Ibid.

¹²¹ Human Rights Watch interview with Nevenka Rikalo, Ugljare, April 17, 2004.

In some cases, KPS officers did little if anything to protect Serbs under attack. Fifty-three-year-old Zivorad Tonic left the KPS police station to go check on his home at about 5 p.m., and encountered a crowd of about 200 Albanians armed with wooden and iron stick who began to beat him severely. Several KPS vehicles occupied by officers were parked just meters away, but the KPS officers did nothing to try and stop the beatings. Tonic had to fight his way to the KPS cars and went inside one of the cars to stop the beating, without any assistance from the KPS officers. When the KPS officers finally drove away with Tonic in their car, Tonic was in such a bad condition that the KPS officers initially thought he had died.¹²² Another Serb, sixty-two-year-old Zlatibor Trajkovic, was beaten to death in Kosovo Polje around the same time.

Ruzica Stevanovic, a thirty-four-year-old mother of three with a bedridden mother-in-law, similarly received no assistance from KPS officers present as her home was being attacked. An ethnic Albanian crowd set her house on fire, and she had to push her two sons through the bathroom windows to help them escape. Her bedridden, sixty-nine-year-old mother-in-law was trapped inside the burning home. As her home and neighboring homes were burning, a group of KPS officers arrived—but then stood by and refused to help her:

When the KPS cars approached, the crowd saw them and stopped burning and began to disperse. The KPS officers entered the crowd, shaking hands with some of them and putting their hands on their shoulders in greeting. Because things calmed down a little, we got some courage to leave our houses and went to see what happened to my mother-in-law. We broke a window and found a room filled with smoke and saw her inside all the smoke, with the door on fire. We somehow took her out through the window—she was conscious.

[We started extinguishing the fire]. In the meantime, the KPS officers were sitting with some Albanian civilians. I called them a few times to come help us, but they refused to respond to my calls for help. None of them ever even came in our yard. They came in five vehicles, two or three [officers] per vehicle. Some of them were busy dispersing the crowd, but five or six of them were just sitting close to our homes talking to the Albanians, they paid no attention to us.¹²³

¹²² Human Rights Watch interview with Zivorad Tonic, Gracanica, April 10, 2004.

¹²³ Human Rights Watch interview with Ruzica Stevanovic, Gracanica, April 10, 2004.

After Stevanovic extinguished the fire at her home (her mother-in-law's home was in full flames by now), two KPS officers approached and told her that it was time to evacuate. She left with only one bag of belongings. After she left, her home was again set on fire, and completely destroyed.

In at least one case, KPS officers are accused of participating in arson in Kosovo Polje. Dusan Arsic was the owner of one of the largest homes in Kosovo Polje, and rented out several rooms in his home to UNMIK police officers. At about 5:45 p.m., as Serb homes in many other parts of Kosovo Polje were already ablaze, two KPS officers arrived at his home and told him he had to evacuate immediately because a huge Albanian crowd was approaching. The KPS took four of Arsic's relatives in their car, and said they would return for Arsic and his wife. Arsic and his wife got into their own car and started driving towards a relative's home, but noticed the KPS officers return to their home, probably looking to evacuate them. They saw the KPS officers enter the home and search for them, and then noticed flames coming out of the home five minutes later. As the KPS officers were the only persons at the home at the time, Arsic is convinced they set his home on fire.¹²⁴

The destruction of the Serb community in Kosovo Polje was complete: every single Serb home and almost every Serb institution in a town once known for its vibrant Serb community was burned. Among the buildings burned, according to KPS sources, was the main post office—one of the few multi-ethnic ones operating in Kosovo, but hated by Albanians as one of the few places they could renew their Yugoslav passports, the Serbian St. Sava school, the Serbian hospital, and at least one hundred homes.

The chaos in Kosovo Polje soon wound down. On the morning of March 18, the First Battalion of the British Grenadier Guards, a unit with extensive riot control experience, was mobilized from their base in the United Kingdom, and by the same evening they were patrolling the streets of Kosovo Polje. The commander of the unit, Major Carew Hatherley, explained to Human Rights Watch that he was convinced his soldiers could have controlled the crowd if they been on location at the time. The problem, he explained, is that few KFOR troops have riot control experience or equipment: "For the average KFOR soldier, there is nothing in between standing there and taking it from the crowd, and firing."¹²⁵

¹²⁴ Ibid.

¹²⁵ Human Rights Watch interview with Major Carew Hatherley, Kosovo Polje, April 16, 2004.

Obilic/Obiliq

The town of Obilic, located a few kilometers northwest of the capital Pristina, continued to be home to several hundred Serbs and Roma after the 1999 conflict, although the Serb and Roma population fell dramatically from pre-war levels.¹²⁶ The remaining Serbs lived in several neighborhoods around Obilic, including the Todorovic neighborhood, the Cerska Ulitsa settlement, the Rudnika Kolonija neighborhood, as well as the high-rise YU Program apartment buildings which housed mainly displaced Serbs from other villages.

From 1 p.m. until 4 p.m. on March 17, hundreds of ethnic Albanians, most of them between 10 and 18 years old, took part in a demonstration down the main street of Obilic, yelling slogans and throwing stones at Serb homes. KPS police officers were present during the protest march, but did not interfere with the protesters, merely ensuring that they stayed on the main road. The protesters listened to several speeches in front of the municipality building, and briefly stoned a Norwegian KFOR contingent that happened to pass through Obilic on its way to Pristina. The crowd also stoned the YU Program apartment building in Obilic, which houses displaced Serbs and is located right across the street from the combined UNMIK and KPS police station. Again, KPS police officers made no attempt to disperse the crowd or stop the violence. Around 4 p.m., the crowd dispersed, having caused only limited damage to the Serb homes.¹²⁷

The next morning, April 18, Serb residents in Obilic watched Albanian schoolchildren arrive at school as normal at 8 a.m. However, less than an hour later the schoolchildren all left the school, together with their teachers, and began attacking and burning the Serbian Orthodox Church. Olgica Subotic, who lived on the fifth floor of the YU Program building overlooking the school, recalled:

The school children participated together with their teachers. I saw that the school children went to school, but after a half hour they came out together with their teachers. I recognized the teachers, if you show me pictures I can identify them. Seven or eight teachers were organizing the crowd.¹²⁸

¹²⁶ According to a 1998 UNHCR estimate, Obilic had a population of 11,000 "that was 41 per cent Albanian and 27 per cent Serb," the remainder being other minorities. Cited in OSCE, *Kosovo/Kosova: As Seen As Told*, chapter on Obilic/Obiliq, December 6, 1999 [online], <http://www.osce.org/kosovo/documents/reports/hr/part1/p0cont.htm> (retrieved June 25, 2004). Those proportions would place the pre-war Serb population at approximately 3,000 and other minorities at around 3,500.

¹²⁷ Human Rights Watch interview with Olgica Subotic, Gracanica, April 17, 2004.

¹²⁸ *Ibid.*

A second witness gave a similar account: "All of the Albanian children went to school at 8 a.m., making some plan and then stepping out of their school building together with their teachers at 8:15 a.m. or so....Then this huge mass started immediately burning our church together with the teachers. I know the teachers and saw them there."¹²⁹ Also leading the crowd were three young ethnic Albanian men who were former KLA fighters.¹³⁰

The crowd initially focused on burning the church, but had difficulty setting it alight because it was mostly constructed from concrete. The crowd then set alight the neighboring house of the Serbian church caretaker, as well as the building of the Belgrade-sponsored Coordination Center for Kosovo and Metohija before moving on the Serb neighborhood of the extended Todorovic family. Sreten Todorovic, a resident from the Todorovic neighborhood, watched as the crowd began setting some of the houses on fire:

My family and people from six other houses gathered in one home in our neighborhood. As they were setting my house on fire, I watched from ten meters or so away. This is how they did it: two guys would lift another unto the roof. This guy would take out some roof tiles and throw a Molotov cocktail [gasoline bomb] into the house.¹³¹

After burning some of the homes in the Todorovic neighborhood, the crowd returned to the Orthodox Church and again tried to set it alight by dragging flammable materials into the church. They then attacked the YU Program apartment building, and moved on the other Serb areas of Obilic, including the Cerska Ulica and Rudnicka Kolonija areas, continuing to burn homes.

All the Serb residents of Obilic interviewed by Human Rights Watch were unanimous in stating that the KPS police in Obilic had not taken any steps to prevent the crowd from attacking Serb homes. Denka Savic, herself a former KPS officer, explained: "I know the KPS officers who were standing there. They were just walking behind the demonstrators

¹²⁹ Human Rights Watch interview with Stojan Todorovic, Mitrovica, April 9, 2004.

¹³⁰ The three KLA leaders were identified by name by several Serb residents of Obilic, who personally saw the three KLA leaders leading the crowd. The names of the KLA leaders, and of the residents who identified them, are on file with Human Rights Watch.

¹³¹ Human Rights Watch interview with Sreten Todorovic, Mitrovica, April 9, 2004.

and did nothing to prevent them from doing these things. But they did not help them actively either.”¹³²

Other residents said they had personally witnessed KPS officers taking an active part in the violence. According to one: “[t]he police were just standing by doing nothing. Later on, the police became actively involved in the demonstrations. I saw KPS officers bring tires to burn the church and later help destroy homes in the Todorovic neighborhood....I saw with my own eyes the KPS officers with the crowd, whatever they could find they threw inside the church and put on fire.”¹³³ Another witness reported seeing a KPS policeman throwing a Molotov cocktail back at the church after it had bounced off the wall.¹³⁴

As far as Human Rights Watch is aware, the KPS officers failed to arrest any of the Albanian demonstrators. However, when a seventy-four-year-old Serb, Stojan Arsic, threw an explosive device to ward off Albanian demonstrators who were trying to burn his home, KPS police arrived within minutes to arrest the elderly Serb.¹³⁵ There are approximately ten Serb KPS officers in Obilic, but they did not take part in the response to the riot: the Serb KPS commander for Obilic was in the U.S. for training, and the Serb KPS officers stayed inside the police station of Obilic, fearing for their own safety.

Several witnesses saw KFOR and UNMIK troops in the center of town during the rioting. KFOR troops were also deployed to protect the YU Program apartment building from attack. However, the outnumbered UNMIK and KFOR troops did not take any steps to prevent or stop the rioting itself, limiting themselves to rescuing the besieged Serbs. According to Stojan Todorovic: “At no point did KFOR, UNMIK, or KPS use loudspeakers to tell the crowd to stop, and they didn’t use tear gas or rubber bullets. There was not attempt to stop the protest.”¹³⁶

Ultimately, the Serb and Roma residents of Obilic were evacuated from their homes by a combined force of American UNMIK police, Irish KFOR, and some KPS officers. When the Serbs left their homes, many of them were still intact. Over the next days, Albanians were given a free hand to continue burning homes, destroying some ninety homes and forty apartments belonging to Serbs, and looting the homes of the Roma who had been forced to flee.

¹³² Human Rights Watch interview with Denka Savic, Mitrovica, April 9, 2004.

¹³³ Human Rights Watch interview with Olgica Subotic, Gracanica, April 17, 2004.

¹³⁴ Human Rights Watch interview with Streten Todorovic, Mitrovica, April 9, 2004.

¹³⁵ Ibid.

¹³⁶ Human Rights Watch interview with Stojan Todorovic, Mitrovica, April 9, 2004.

Belo Polje/Bellopoje

Belo Polje was a pilot project in re-creating a multi-ethnic Kosovo community and recognizing the right of Serbs to return to their former homes and villages, many of which had been inhabited by their ancestors for generations. Belo Polje is a small Serb village located just south of the city of Pec, in the western part of Kosovo. The village was home to some three hundred Serb families before the 1999 war, but all of them fled to Serbia and Montenegro in the immediate aftermath of the war, after several persons from the village were murdered. In July 2003, after protracted negotiations with UNMIK, KFOR, and the provisional Kosovo government (also known as the PISG), it was agreed that twenty-five homes would be rebuilt in the village, and thirty-four Serbs returned. The village was considered safe for returns because the main Italian KFOR base, Villagio Italia, is located only a kilometer away.

On March 17, Belo Polje hosted several representatives of former Serb residents of the village who were also considering returning to the province, and were being shown around. "As we finished the meeting, we walked around the village to look at the new houses and to see where we could build more," Momcilo Savic recalled.¹³⁷ At about 2:30 p.m., several KPS police officers ran up to the group of residents and visitors, and advised them that a big Albanian crowd was coming towards Belo Polje. The officers urged the Serbs to take shelter in their rebuilt Orthodox Church.

An ethnic Albanian crowd had gathered in the center of Pec, growing from several hundreds to thousands as protest leaders using megaphones urged others to join. The crowd first marched on the local UNMIK and municipality buildings in Pec before heading to Belo Polje.¹³⁸ Momcilo Savic and the other residents of Belo Polje watched the crowd approach: "We saw a huge column of people, maybe as many as 5,000 people. They were shouting "UCK, UCK," and insulting us in [the] Albanian [language]."¹³⁹

Even though the main Italian KFOR base was only a kilometer away, fewer than one hundred Italian KFOR soldiers responded to the crisis in Belo Polje. The Italian KFOR troops refused to approach the Church where the Serbs were sheltering, forcing the residents to walk some one hundred and fifty meters through the hostile crowd before they were evacuated.¹⁴⁰ A group of ten or fifteen UNMIK police, most of them

¹³⁷ Ibid.

¹³⁸ ICG, *Collapse in Kosovo*, p. 47.

¹³⁹ Human Rights Watch interview with Momcilo Savic, Decani Monastery, April 11, 2004.

¹⁴⁰ ICG, *Collapse in Kosovo*, p. 47.

American, had to form a cordon to try and protect the fleeing Serbs as they passed through the hostile crowd.

The KFOR and UNMIK troops were completely overwhelmed by the ethnic Albanian rioters: "KFOR had shields and were pushing people back, but the mass of people acted like they didn't exist."¹⁴¹ According to several Serb witnesses, there were between fifty and one hundred ethnic Albanian KPS officers at the scene, but they refused to carry out their duties: "There were also fifty KPS officers but they had their arms crossed and were just looking on."¹⁴² Another witness recalled: "The KPS were standing with crossed arms, almost one hundred of them. There were lots of KPS vehicles and they moved them to allow the protesters through."¹⁴³

When the Serbs were ordered to evacuate, the lack of adequate security personnel and the refusal of Italian KFOR to approach the church where the Serbs were sheltering almost resulted in tragedy. The fleeing Serbs were attacked by the ethnic Albanian crowd, and several were stabbed and injured. Only the fatal shooting of one of the Albanian attackers by an American UNMIK policewoman stopped the attack:

The American [UNMIK] police made a cordon of two lines of police, and we had to run from the church to the vehicle for about 100 meters. A mass of Albanians, about one thousand, came to try and block our way. ... There was a killer who knifed an old man three times near his heart. Rocks were flying everywhere and hitting us. When the killer was not satisfied with stabbing one person, he went to try and stab a boy. A policewoman pulled out her gun and said "Stop!" three times in English. The killer still approached. The American woman shot in the air and then at him, and he fell down [dead]....Only one group of people managed to make it to the truck and go to the base. Some of us had to lock ourselves back into the church.

They were throwing Molotov cocktails [gasoline bombs] at the church, we were lucky that there was no wood floor or we would have burned down. ... The Americans [UNMIK] saw what was happening and came with their shields. We opened the door and they removed the [burning] cocktails. An armored vehicle was waiting for us outside so we ran for it.

¹⁴¹ Human Rights Watch interview with Raiko Savic, Decani Monastery, April 11, 2004.

¹⁴² Human Rights Watch interview with Momcilo Savic, Decani Monastery, April 11, 2004.

¹⁴³ Human Rights Watch interview with Rajko Savic, Decani Monastery, April 11, 2004.

As we were moving towards the armored vehicle, we were all hit with rocks and injured.¹⁴⁴

The Serbs were evacuated to the nearby Villagio Italia KFOR base. Eleven of thirty-four evacuees required first aid treatment for their injuries. Three seriously injured Serbs had to be hospitalized in the Prizren hospital. All of the recently reconstructed homes in Belo Polje were burned down.

The next day, March 18, Ali Lajci, the Democratic League of Kosovo's (LDK) municipal president of Pec, led a substantial ethnic Albanian crowd from Pec to Belo Polje, where he and other Kosovar Albanian officials laid flowers at the site where the knife-wielding attacker had been shot dead by UNMIK police the previous day.¹⁴⁵

Djakovica/Gjakove

The town of Djakovica, located in the south of Kosovo near the Albanian border, was home to some three thousand Serbs before the 1999 war. By the time of the March 2004 violence, the Serb population of Djakovica had been reduced to just five elderly women. The women lived around the Serb orthodox church in Djakovica, under constant guard by Italian KFOR troops to protect them from attack. Seventy-five-year-old Nada Isailovic, one of the five elderly women, explained to Human Rights Watch how difficult their life had been:

Everyday I walked from my house to our Church with the Italian soldiers as an escort. The Albanians would throw eggs and tomatoes, they did anything they could to destroy us. They did not want to see a Serb or a Serb house [in Djakovica]. I had Italian soldiers living in my house for five years. It was surrounded by barbed wire, as was the church. ...We could not buy food from the Albanians because they refused to sell to us. Thanks to the Italians—we could give them a list of our needs and they would buy it for us.¹⁴⁶

Like many other towns in Kosovo, there was a major pro-KLA protest in Djakovica on March 16. The protest in Djakovica was particularly well attended partly because so

¹⁴⁴ Human Rights Watch interview with Momcilo Savic, Decani Monastery, April 11, 2004.

¹⁴⁵ ICG, *Collapse in Kosovo*, p. 51.

¹⁴⁶ Human Rights Watch interview with Nada Isailovic, Decani Monastery, Kosovo, April 12, 2004.

many Albanians remain missing from the 1999 conflict, in addition to the hundreds who were killed in Djakovica during the 1999 conflict.¹⁴⁷

On the evening of March 17, at about 6 p.m., a large group of ethnic Albanians descended on the tiny remaining Serb community in Djakovica—essentially a single Serb home and a Serb church, protected by Italian KFOR. The Italian soldiers immediately evacuated the five elderly Serb women from the home and placed them inside the church, which they then tried to defend from a crowd of several thousand attackers. According to two of the Serb women interviewed by Human Rights Watch, the thirty to forty Italian soldiers had orders not to use their guns on the crowd, and lacked riot-control equipment such as rubber bullets or tear gas.¹⁴⁸ The Italian KFOR soldiers outside the church came under fierce attack from the stone-throwing crowd and had to retreat to inside the church, where the elderly Serb women helped treat several Italian soldiers wounded by rocks. At about 8 p.m., the Italian peacekeepers evacuated the Serb women to their airport base outside Djakovica. Italian KFOR soldiers attempted to continue defend the church, but were soon forced to abandon their positions.

The Serb homes and Serb Orthodox church in Djakovica were utterly destroyed by the ethnic Albanian rioters after the residents were evacuated and Italian KFOR withdrew. When Human Rights Watch visited the site a month later, even the rubble of the church and home had been carted away from the site, leaving only an empty area and erasing the last evidence of a Serb presence in Djakovica. There were no Serbs left in Djakovica after the March 2004 violence.

Prizren

Like many other cities and towns, Prizren had seen a substantial protest on March 16 by KLA supporters, particularly because some Prizren-based former KLA commanders had been arrested in February 2004.

Violence broke out in Prizren around 3 or 4 p.m. on March 17. According to a Serb witness, two buses came to downtown Prizren and stopped in front of a hotel in the center of the town. Ethnic Albanians descended from the buses with placards and

¹⁴⁷ Human Rights Watch research documented approximately two hundred killings by Serbian police and paramilitary as well as Yugoslav soldiers in Djakovica city alone, in addition to other killings in neighboring villages. Some 1,200 ethnic Albanians were missing from Djakovica at the end of the 1999 conflict, the highest number anywhere in Kosovo by far. See *Under Orders*, Chapter 6.

¹⁴⁸ Human Rights Watch interview with Nada Isalovic, Decani Monastery, Kosovo, April 12, 2004; Human Rights Watch interview with Poleksija Kastratovic, Decani Monastery, Kosovo, April 12, 2004.

Albanian flags, and began shouting slogans in Albanian.¹⁴⁹ A crowd gathered rapidly. According to witnesses, the crowd initially appeared confused about what to target, initially attacking the UNMIK building across the street and burning some UNMIK vehicles.¹⁵⁰ However, they soon changed direction, crossing the river to the hillside Serb community.

During the attack on the Serb community of Prizren, most of them living in the historic Serbian seminary and nearby buildings, the German KFOR seemed to melt away. None of the Serbs interviewed by Human Rights Watch saw a single German KFOR soldier in the area during the attack. According to Ljubisa Pleskonjic, a Serb who lived at the seminary with his wife and two young children, "[t]he whole time, no one from UNMIK, KPS, or KFOR came. Normally we would see thousands of them driving through the streets. Only once the seminary and other buildings were burning, a group of UNMIK and KPS came, but the crowd was so strong that they ran away."¹⁵¹

In the security vacuum created by the failure of German KFOR to respond, most of the Serbs in Prizren were left at the mercy of the crowds. Ljubisa Pleskonjic, together with his pregnant wife, and their two young children, found themselves trapped in their burning apartment inside the Serbian seminary:

They came to our door and tried to smash it. I put a bench against the door and was pushing back. Then they tried to break the door with an axe. When they saw they couldn't smash the door, they poured petrol on it and set it on fire. Everything was soon on fire.

There was a window in the bathroom, thirty centimeters by thirty centimeters. I managed to push my wife and children out of the window unto the roof, but I couldn't make it [because of my size.] I kissed my wife and children goodbye—I thought I was going to die.

I went back to the burning kitchen. I smashed the refrigerator into the wall and cracked a hole in the wall, and went out this way. I found my family.... The crowd started attacking [a group of UNMIK and KPS police who had come] and the police ran down the road in panic and left us behind.

¹⁴⁹ Human Rights Watch interview with Ljubisa Pleskonjic, Prizren, April 12, 2004.

¹⁵⁰ ICG, *Collapse in Kosovo*, p. 47.

¹⁵¹ Human Rights Watch interview with Ljubisa Pleskonjic, Prizren, April 12, 2004.

There was a small shop with rubbish bins, and we went to hide there until 5 a.m., without shoes or anything. I had to keep the children quiet because they wouldn't stop crying. At 5 a.m., I went out in the street and saw an Albanian KPS car. I spoke to them in Albanian and they took us to the German base.¹⁵²

Several elderly Serbs were beaten at the seminary. One elderly Serb, sixty-one-year-old Dragan Nedeljkovic, died in the burning of the seminary, and fellow residents of the seminary claimed they heard him being beaten during the attack.

The response of the German KFOR in Prizren presents one of the most fundamental security failures during the March 2004 riots. Even though one of the largest German KFOR bases is located right on the outskirts of Prizren, the German KFOR commanders refused to effectively mobilize their troops during the worst attacks, repeatedly ignoring pleas from their German UNMIK police colleagues for assistance.¹⁵³ UNMIK police commanders in Prizren are convinced that a stronger KFOR response could have prevented the whole-sale burning of fifty-six Serb houses and five Serb orthodox churches of historic importance, as well as the terror faced by a Serb population abandoned to their fate by the international community.

An UNMIK official who asked for anonymity explained to Human Rights Watch that the UNMIK police commanders in Prizren had repeatedly requested for the deployment of German KFOR troops during the worst rioting. He firmly believed that if one tank had pulled up during the beginning of the rioting, "the demonstrators would have left." According to the UNMIK official, some four hundred German KFOR soldiers had prepared themselves to leave the base and respond to the riot situation, but never received orders to deploy. He blamed the failure of German KFOR to respond on "commanders who don't want to make mistakes that could end their careers."¹⁵⁴

The failure of German KFOR troops to respond to the rioting in Prizren left the security situation in the hands of about three hundred and fifty poorly equipped KPS police—most of them with only a few years experience—and several dozen UNMIK police. The Prizren-based Argentinean UNMIK Special Police Unit had been called to

¹⁵² Human Rights Watch interview with Ljubisa Pleskonjic, Prizren, April 12, 2004.

¹⁵³ Human Rights Watch interview with UNMIK official, Prizren, April 12, 2004; Renate Flottau et al., "Deutsche Soldaten: Die Hasen Vom Amselfeld," *Der Spiegel* (Germany), May 3, 2004.

¹⁵⁴ Human Rights Watch interview with UNMIK official, Prizren, April 12, 2004.

assist with crowd control elsewhere in Kosovo.¹⁵⁵ The remaining KPS and UNMIK police simply did not have the equipment to deal with the crowds: "We don't have the necessary equipment. No tear gas, no rubber bullets, no razor wire, no water cannon. We were simply not prepared for this," an UNMIK police commander told Human Rights Watch.¹⁵⁶

Even though they were clearly overwhelmed by the massive violence faced in Prizren, many KPS and UNMIK officers conducted themselves professionally. Eighty-year-old Mladen Gligorijevic, who lived in a private house in Prizren with his seventy-year-old wife, his sixty-nine-year-old sister, and his daughter, explained that KPS officers came to check on his family four times during the riot, reassuring the family and urging them to stay inside their home. On the fourth visit, at about 5 p.m., the same KPS officers came again, telling him, "Uncle, get ready to leave in a few minutes," and took the family away in their car. "All of the time, it was only the KPS, the same group of KPS came each time. UNMIK and KFOR never came," Gligorijevic recalled.¹⁵⁷

Seventy-five-year-old Milos Necic, who lived in an isolated Serb home by himself, had a similar account of KPS courage. An Albanian crowd was breaking down his door, a group of four or five KPS officers scaled over his wall and told him they would have to evacuate him. Unable to take him out of the front door because of the huge crowd, the KPS officers had to climb with Necic over the roofs of two neighboring Albanian homes, using their shields to protect Necic from rock throwing. The KPS were then forced to call a taxi to go back to the station, because the crowd was attacking KPS cars as well.¹⁵⁸ None of the Serbs in Prizren accused the KPS of involvement in the violence, although it appears that many KPS officers did not report for duty during the events.¹⁵⁹

In addition to destroying the Serb homes and churches in downtown Prizren, ethnic Albanian rioters also attacked the fourteenth-century Monastery of Holy Archangels located in the Bistrica/Lumbardhi river gorge several kilometers outside Prizren. It was the only surviving Serbian Orthodox Monastery in the German Sector. The monastery's only access point was a narrow road through the gorge; as such, it should have been easily defensible. When a group of about 200 ethnic Albanians arrived around 8:45 p.m., there were only fifteen German KFOR soldiers guarding the ancient monastery. According to the Serb monks, as the ethnic Albanian crowd approached, the German

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

¹⁵⁷ Human Rights Watch interview with Mladen Gligorijevic, Prizren, April 12, 2004.

¹⁵⁸ Human Rights Watch interview with Milos Necic, Prizren, April 12, 2004.

¹⁵⁹ Human Rights Watch interview with UNMIK official, Prizren, April 12, 2004.

soldiers simply stood on the bridge without attempting to stop them.¹⁶⁰ The crowd then slowly approached, wading through the river around the soldiers on the bridge, and began throwing Molotov cocktails at the monastery. "The Germans didn't use their truncheons or tear gas, and didn't even fire in the air," one of the monks recalled.¹⁶¹ As soon as the crowd began attacking the monastery, the German peacekeepers ordered the monks to get into KFOR armored vehicles and drove them away, leaving the monastery to be burned down by the ethnic Albanian crowd.¹⁶²

Rioters in Prizren destroyed virtually every significant Serbian Orthodox monument in the area, including a number of 14th-century churches. Among the Serbian Orthodox structures destroyed or severely damaged in Prizren was the modern Seminary of Saints Cyrillus and Methodius College; the nineteenth-century Saint Georges Cathedral and its adjacent Bishop's residence; the fourteenth-century Church of Saint Savior; the fourteenth-century church of Saint Nicholas; the fourteenth-century Church of the Holy Virgin Ljeviska; as well as the Monastery of Holy Archangels mentioned above. The ancient churches in Prizren housed some of the most significant frescoes in Kosovo, and their loss is a significant one for the Serbian Orthodox church.¹⁶³

THE RESPONSE OF THE KOSOVAR LEADERSHIP TO THE VIOLENCE

The March 2004 violence initially took the Kosovar political leadership by surprise, and few ethnic Albanian politicians initially grasped just how severe the attacks on minority communities were. In the initial period, many ethnic Albanian politicians vacillated between attempting to gain politically from the violence and calling on the population to calm down. Caught up with their own political frustrations—the lack of progress with the resolution of Kosovo's final status, their fight against Serbian "parallel institutions," and their demand for more governing powers—many politicians initially issued statements that may have helped legitimize the violence in the eyes of many Albanians.

On the first day of the violence, the Kosovo Parliamentary Assembly (the province's parliament, and part of the PISG) suspended its work. The Assembly took no action to

¹⁶⁰ Human Rights Watch interview with Brother Bojan Dejanovic, Decani Monastery, April 12, 2004.

¹⁶¹ Ibid.

¹⁶² Ibid.

¹⁶³ For a description of the destroyed churches of Prizren, see Institute for the Protection of Cultural Monuments of the Republic of Serbia, *Cultural Heritage of Kosovo and Metohija* (Belgrade, 2002), pp. 109-129.

stop or contain the violence but instead issued a public statement that blamed the international community and the Serbs for the violence: "The Kosovo Assembly voices its disagreement with the lack of commitment by UNMIK to provide security for all Kosovar citizens. The tolerance for Serb parallel structures and criminal gangs that murder Kosovar citizens is a wrong policy that will destabilize Kosovo."¹⁶⁴ The speaker of the Parliamentary Assembly, Nexhat Daci, "speaking on behalf of parliament," described the injured and killed Albanians from the fighting on March 17 as "people [who] died fighting for democracy and freedom."¹⁶⁵

The Kosovo Democratic Party (PDK)—whose leader, former KLA commander Hashim Thaci, was on a visit to the United States at the time of the attacks—issued an equally strong anti-Serb statement:

Serbs are misusing the Albanians' goodwill to create an equal society for all. They don't want to integrate in Kosovar society. Proof of this is yesterday's [children's drowning] and today's [Mitrovica violence] events. Their will has remained in the previous five years only for violence against Albanians. This can no longer be tolerated.¹⁶⁶

Many of the statements issued by the ethnic Albanian leadership steadfastly refused to condemn the violence or even mention the fact that Serbs had been a primary target. The response of Kosovo's President Ibrahim Rugova was particularly weak. Rugova repeatedly failed to condemn attacks against Serbs and other minorities, restricting himself to passive and pro-forma statements of concern rather than taking an active role in stopping the violence. During his March 18 appeal for calm, for example, Kosovo President Ibrahim Rugova expressed his "deepest regret" for the wounding of UNMIK police officer and KFOR soldiers, but made no mention of Serb victims.¹⁶⁷ During another statement on March 19, Rugova condemned the violence against the international presence, and again failed to mention the violence against Serbs.¹⁶⁸

¹⁶⁴ Koha Ditore, "Assembly Members Stop Their Work; Accuse Internationals for Violence," reproduced in UNMIK Media Monitoring: Local Media, March 18.

¹⁶⁵ "Kosovo's three main parties say independence 'only way out' of crisis," BBC Monitoring European, March 18, 2004.

¹⁶⁶ Translation of PDK provided to Human Rights Watch by international source.

¹⁶⁷ "President Calls for End to Violence, Says Protests Damaging Kosovo," BBC Monitoring European, March 18, 2004.

¹⁶⁸ Following meeting with Prime Minister Rexhepi and the Speaker of the Parliamentary Assembly Nexhat Daci, Rugova stated on March 19: "We repeat that attacks against the international presence, both civil and military, are fully unacceptable and in direct opposition with the vital interests of Kosovo. On this occasion, I once again stress that destruction of religious and cultural monuments, of public property and houses, is unacceptable and condemnable for the people of Kosovo."

On March 18, a joint statement was issued in the name of UNMIK head Harri Holkeri, NATO Admiral Gregory Johnson, the representatives of the Quint,¹⁶⁹ Kosovo President Rugova, Kosovo Prime Minister Rexhepi, Kosovo Assembly Speaker Nexhat Daci, Alliance for the Future of Kosovo (AAK) chairperson Rramush Haradinaj,¹⁷⁰ and the KFOR commander General Kammerhoff. The statement, which did not refer to attacks against Serbs, read:

There is no excuse for violence and it must stop immediately. Those who are engaging in violence are betraying all the people of Kosovo. The progress of the last few years is in jeopardy and with it prospects for a better future for everyone. We, the leaders of Kosovo, unite in denouncing those who practice violence. Now is the time for calm.¹⁷¹

Even this statement was too strong for some Kosovo politicians: reportedly, Jakup Krasniqi, the minister of Public Services and the representative of the PDK in Hashim Thaci's absence, refused to sign the statement and walked out of the meeting. Krasniqi reportedly walked out of the meeting because "Albanians had collaborated too long with UNMIK and he chose to stand with the people."¹⁷²

As the impact of the violence became more apparent to the ethnic Albanian leadership—and, particularly, as they became more aware of the battering that Kosovo's image was suffering internationally—some Albanian leaders issued stronger condemnations of the violence, but still appeared to refrain from directly condemning attacks on Serbs. Hashim Thaci, leader of the PDK, cut short his visit to the United States and issued a televised appeal for an end to the violence on March 18, stating:

Kosovo, NATO, and the West have not fought for a Kosovo only for Albanians or for a violent Kosovo. Violence is not the way to solving problems, violence only creates problems. ...We must not forget that

¹⁶⁹ The "Quint" is made up of the members of the Contact Group minus Russia, i.e. the United States, the United Kingdom, France, Germany, and Italy.

¹⁷⁰ Haradinaj is a former senior KLA commander.

¹⁷¹ "UN, KFOR, Kosovo leaders issue statement calling for immediate end of violence," BBC Monitoring Newsfile, March 18, 2004.

¹⁷² ICG, *Collapse in Kosovo*, p. 25. Krasniqi, a former spokesperson for the KLA during the 1998-99 conflict, changed his position in the following days, stating on March 20 that "we were and are against the violence. Kosovo does not need the torching of houses and cultural property." "Kosovo government 'profoundly disturbed' by deadly inter-ethnic violence," Agence France Presse, March 20, 2004.

Kosovo has its freedom today thanks to the sacrifice of its people and the Western world.¹⁷³

On March 20, Thaci became one of the first Albanian leaders to directly acknowledge and condemn the attacks against Serbs, stating that "those who set fire to Serb houses and to Orthodox churches are nothing more than criminals, who cannot be tolerated. Kosovo does not just belong to the Albanians."¹⁷⁴

The weak response of Kosovo's interim institutions and political leadership prompted strong condemnation from the international community. During an April 22 visit to Pristina, NATO Secretary-General Jaap de Hoop Scheffer stated that he had seen "no progress" since his post-violence visit in March. De Hoop Scheffer strongly criticized the Kosovar leadership, saying he had "expected to see more responsibility, rebuilding, stronger language, and more ambitions."¹⁷⁵ U.N. Secretary-General Kofi Annan also criticized the "ambivalent" response of the ethnic Albanian leadership, stating in his report to the U.N. Security Council that they were "generally reluctant to condemn in a forthright manner the violence in general and later the violence against the Kosovo Serb community in particular. [Kosovo's leaders] failed to grasp the seriousness of the situation and initially attempted to connect it to their own political objectives."¹⁷⁶ The European Union, while avoiding directly blaming the Kosovar leadership for the violence, called on "all leaders, especially the Kosovo Albanian leadership, to take responsibility for the situation and to ensure such acts and threats of violence are not repeated," stressing to Kosovar Albanian leaders that "what is at stake is their credibility."¹⁷⁷

While the international community has strongly condemned Kosovo's ethnic Albanian leadership for its role during the crisis, it is important to recognize that some ethnic Albanian leadership did take strong action. While unspecified calls by Kosovar Albanian politicians for an end to the violence were apparently ignored, direct interventions by ethnic Albanian leaders appear to have had a positive effect on some occasions. On March 18, Prime Minister Bajram Rexhepi personally went to the fierce clashes at

¹⁷³ Zeri, "Thaci calls upon citizens to stop protests and not forget the help of NATO," reproduced in UNMIK Media Monitoring, Local Media, March 19, 2004.

¹⁷⁴ "Former Albanian Leader Slams 'Criminals' Burning Serb Homes in Kosovo," Agence France Press, March 20, 2004.

¹⁷⁵ Shaban Buza, "NATO criticizes Kosovo leaders' response to fighting," Reuters, April 22, 2004.

¹⁷⁶ United Nations Security Council, "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo," April 30, 2004, para. 2. U.N. Doc. S/2004/348.

¹⁷⁷ European Union Council of Ministers, "Conclusions of March 26, 2004 European Council Meeting," March 26, 2004.

Caglavica, accompanied by several other ethnic Albanian leaders, and convinced the crowd to go home within minutes, after promising that the Serb roadblock would be removed. Rexhepi had similarly gone to Mitrovica on March 17 to attempt to personally calm the situation, with less success. In Decani on March 18, the municipality head Ibrahim Selmanaj and the head of the local branch of the KLA Veterans Association, Avdyt Mushkolaj, personally stopped a crowd that was moving towards the historic Decani Monastery, intending to burn it down.¹⁷⁸ The effectiveness of these sporadic actions begs the question of how much more destruction could have been prevented if the entire Kosovo Albanian leadership had taken a more proactive approach to seeking to end the violence, rather than initially justifying it as some politicians did.

After the violence ceased, many ethnic Albanian politicians continued to attempt to make political capital out of the violence, rather than take responsibility and seek to prevent future outbreaks of anti-minority violence. President Rugova, for example, continued to try and seek immediate steps towards independence for Kosovo, arguing that continuing the stalemate on independence would only allow "extremists" to gain ground.¹⁷⁹

While various international officials were quick to condemn the Kosovar political leaders for their role during the March violence, they have failed to similarly critically examine the failures of the international organizations themselves. Virtually all of the Albanian and international actors interviewed by Human Rights Watch were of the unanimous opinion that UNMIK and KFOR structures, both at the political and security level, virtually collapsed during the onset of the crisis. Certainly, as this report amply demonstrates, KFOR and UNMIK were not able to provide effective security for non-Albanian communities throughout Kosovo. As one diplomatic representative explained to Human Rights Watch, "KFOR and UNMIK didn't take control of the situation. In the end, the demonstrators had enough and decided to go home."¹⁸⁰ No representative of KFOR and UNMIK has publicly acknowledged the severe failures of their organizations during the March crisis, calling into question whether the international organizations have learned important lessons from the experience or are rather continuing with "business as usual."

¹⁷⁸ Human Rights Watch interview with Father Sava, Decani Monastery, April 11, 2004. Mushkolaj was later arrested by UNMIK on suspicion of involvement in anti-UNMIK violence in Decani on March 17.

¹⁷⁹ RFE/RL Newswire, "Kosovo's President Calls on British Troops to Remain," April 5, 2004; UNMIK Media Monitoring, Kosovo Press Headlines, Koha Ditore, "Rugova: Without recognition of independence, extremists will gain ground," April 6, 2004; Alissa Rubin, "Serb Province Simmers Amid Uneasy Quiet; Three Months After Deadly Rampages in Kosovo, Ethnic Hatred and Uncertainty About the Future Remain an Explosive Mix," *Los Angeles Times*, June 30, 2004.

¹⁸⁰ Human Rights Watch interview with diplomatic source, Pristina, April 18, 2004.

THE SITUATION FOR SERBS, ROMA, AND OTHER NON-ALBANIAN MINORITIES IN KOSOVO AFTER THE VIOLENCE

The March violence left nineteen persons dead, 954 wounded, 4,100 persons displaced, 550 homes destroyed, and twenty-seven Orthodox churches and monasteries burned. An additional 182 homes and two Orthodox churches or monasteries were seriously damaged.¹⁸¹ An overwhelming number of the displaced Serbs and other non-Albanians are elderly and impoverished. They remained behind in Kosovo despite earlier violence because they were too poor or old to leave. Most of the displaced Serbs and other non-Albanians explained to Human Rights Watch that they had lost homes that took decades of hard work and saving to build.

More than 2,000 persons remained displaced at the time of Human Rights Watch's April research mission, and were often living in miserable and overcrowded conditions. Many of the families burned out of their homes in Svinjare and Obilic were living in unheated, unfinished apartment buildings without access to water and electricity in Mitrovica and Zvecan.¹⁸² Human Rights Watch also found displaced Serbs living in metal trucking containers in Gracanica and Ugljare. Hundreds of displaced persons are also housed in school buildings in Gracanica and Mitrovica, in crowded conditions that provide no privacy and inadequate sanitation. Displaced Serbs from Prizren are located at a gymnasium on the German KFOR base, displaced Serbs from Belo Polje are located at the Italian "Villagio Italio" KFOR base, while hundreds of displaced Ashkali from Vucitrn are living in a muddy and crowded tent camp inside the French KFOR base at Novo Selo. Several families are being housed in single tents. The historic monasteries of Gracanica and Decani are also housing displaced Serbs.

Both the Kosovo Provisional Government (PISG) and the UNMIK institutions have focused most of their attention on reconstruction of the destroyed homes, eager to overcome the setback to Kosovo's image caused by the ethnic violence. However, little attention has been paid to the actual wishes of the displaced Serbs and other non-Albanian minorities. When UNMIK and PISG officials held a ceremony in April 2004 to mark the reconstruction of the YU Program apartment buildings in Pristina, attended by

¹⁸¹ OSCE, Department of Human Rights and Rule of Law, *Human Rights Challenges Following the March Riots*, p. 6.

¹⁸² A small minority of the displaced found more comfortable accommodations in a housing complex built to accommodate displaced Serb professors from the University of Pristina.

foreign journalists, they failed to invite the displaced residents, most of them living in nearby Gracanica, or even to inform them that the event was taking place.¹⁸³

Human Rights Watch found that opinions differed widely among displaced Serbs and other non-Albanian minorities as to whether they wanted to return to their homes or leave Kosovo. Ljubisa Pleskonjic, a thirty-six-year-old electrical engineer who voluntarily returned to Kosovo (Prizren) in September 2003 wanted to leave again: "I left a good job because I wanted to come back to Kosovo, to my birthplace. Now, I don't want people to pay me for [my apartment]. I want four plane tickets in one direction: as far away from here as possible."¹⁸⁴ Eighty-year-old Mladen Gligorijevic, also from Prizren, was equally adamant about leaving: "We want to be paid for all of our possessions and then we want to leave Kosovo. We just want to leave Kosovo and never see Albanians again. Our [Albanian] neighbors didn't even help us. There is no living together anymore."¹⁸⁵

On the other hand, there were also many displaced Serbs who wanted to remain. Milos Necic, also from Prizren, explained: "For me, the alternative to leaving Prizren doesn't exist. Prizren had five monuments dedicated to my ancestors, and some of my relatives were hanged during World War II by the fascists."¹⁸⁶ Many of the displaced elderly Serbs are too impoverished to start a new life outside Kosovo, and don't have relatives who can support them—the primary reason why many have remained despite the daily difficulties of life as a non-Albanian in Kosovo. Many of those who wanted to return to their homes insisted on more stringent security. The Serbs of Belo Polje, who were already preparing to return to their destroyed homes when interviewed in April, explained:

We didn't ask for barbed wire—we came at the request of the government to coexist with the Albanians. But now that we saw the Albanians don't want to coexist with us, we want the barbed wire. It is the only healthy relationship between us and our neighbors.

It is important that the PISG and the international institutions listen to the wishes of the displaced communities, and not force a solution—such as rebuilding of their homes—on the displaced. Security is a primary concern for all of the displaced—those who want

¹⁸³ Human Rights Watch interviews with Radojka Raskovic and Zivka Savic, Gracanica, April 17, 2004.

¹⁸⁴ Human Rights Watch interview with Ljubisa Pleskonjic, Prizren, April 12, 2004.

¹⁸⁵ Human Rights Watch interview with Mladen Gligorijevic, Prizren, April 13, 2004.

¹⁸⁶ Human Rights Watch interview with Milos Necic, Prizren, April 13, 2004.

to leave and those who would prefer to stay in Kosovo—and a necessary pre-condition for reconstruction and return. But most of all, the displaced persons must be allowed to make an informed choice, and must be given options, including the possibility of resettlement outside Kosovo.

Many of the persons affected by the March violence had only recently returned to Kosovo, some with the assistance of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration. Fedaim Kelmendi abandoned his application for asylum in Belgium in January 2004, and returned to his home in Vucitrn after IOM assured him it was safe to return. IOM provided him with free plane tickets to Kosovo, and provided transportation to his home in Vucitrn. Njazi Pllavci, an Ashkali, returned to his home in Vucitrn in May 2003 with the assistance of UNHCR, because he was no longer able to support his family in Serbia. The Serbs of Belo Polje returned after receiving security guarantees from KFOR and UNMIK, as well as rebuilding assistance.

The return programs implemented by IOM, UNMIK, and UNHCR should be seriously reconsidered in light of the March violence. Persons should not be returned to an area where their safety cannot be guaranteed, as this contravenes the fundamental principle of voluntary return in safety and dignity. The United Nations High Commissioner for Refugees has clearly enunciated this position following the March 2004 violence:

UNHCR's position remains that members of all minority groups, particularly Serbs, Roma, Ashkaelia, Egyptians as well as Bosniaks and Goranis should continue to benefit from international protection in countries of asylum. Induced or forced return movements jeopardize the highly delicate ethnic balance and may contribute to increasing the potential for new inter-ethnic clashes....As far as individuals from Kosovo are concerned who have applied for voluntary repatriation, it is very important that refugees' decisions are taken in full knowledge of the recent deterioration of the security conditions in general and minorities in particular.¹⁸⁷

¹⁸⁷ UNHCR, "UNHCR Position on international protection needs of individuals from Kosovo in light of recent inter-ethnic confrontations," March 30, 2004.

UNHCR advocates against involuntary returns to Kosovo, and argues that "those individuals [outside Kosovo] who applied for repatriation prior to mid-March 2004 should be given the possibility to reassess their application."¹⁸⁸

The ongoing danger to minority communities in Kosovo was underscored in the early hours of June 5 with a drive-by shooting on a group of Serb teenagers in Gracanica, despite the presence of KFOR checkpoints in the town.¹⁸⁹ The attack left sixteen-year-old Dimitrije Popovic dead. Although the United Nations announced the arrest of two ethnic Albanian suspects on the same day, the shooting was a troubling echo of March 15 killing of Jovica Ivic.¹⁹⁰

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¹⁸⁸ Ibid

¹⁸⁹ Shaban Buza, "Serb boy killed as tensions rise in Kosovo," Reuters, June 5, 2004; Garentina Kraja, "Serb teenager killed in drive-by shooting in Kosovo," Associated Press, June 5, 2004.

¹⁹⁰ UNMIK Press release, "SRSG's statement on the killing Gracanica [sic]," [UNMIK/PR/1194], June 6, 2004.

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