

DISTRICT COURT OF PRISHTINE/PRISTINA

Case No.: P 425/11

Date: 02 May 2012

**IN THE NAME OF THE PEOPLE**

**THE DISTRICT COURT OF PRISTINA** in the Trial Panel composed of EULEX Judge Jonathan Welford-Carroll, presiding, Judge Shqipe Qerimi and EULEX Judge Dean Pineles, panel members, assisted by EULEX Legal Officer Zane Ratniece, recording officer, in the criminal case against:

I. **Naser KRASNIQI**, nickname , father's name , mother's name , born on , in , Municipality, , residing in , attended , ; charged according to the Indictment of the EULEX Special Prosecutor PPS no. 07/10, dated and filed with the Registry of the District Court of Pristina on 25.07.2011 (**Indictment**) with the criminal offences:

Count 1: **War Crime against the Civilian Population and War Crime against Prisoners of War**, under Articles 22, 142, 144 Criminal Code of the Socialist Federal Republic of Yugoslavia (CCSFRY), currently criminalized under Articles 23, 120 of the Criminal Code of Kosovo (CCK), in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) of Protocol II Additional to the four Geneva Conventions (APII); the Accused, in his capacity as KLA member and commander, and as a person holding a position of responsibility over Klecke/Klecka detention center, in co-perpetration with Fatmir LIMAJ, Nexhmi KRASNIQI, Naser SHALA, Arben KRASNIQI, Behlul LIMAJ, Besim SHURDHAI, Sabit SHALA, cooperative witness X, Shaban SHALA and other so far unidentified KLA soldiers, **violated the bodily integrity and the health of an undefined number of Serbian and Albanian civilians and Serbian military prisoners**, detained in the Klecke/Klecka detention center, by keeping them in inhumane conditions (including prisoners chained, premises

inappropriate, excessive cold, lack of sanitation, inadequate nutrition, frequent beatings); in Klecke/Klecka, Lipjan/Lipljan Municipality, from early 1999 until mid-June 1999;

Count 2: **War Crime against the Civilian Population**, under Articles 22, 142 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused, in his capacity as member of the KLA, in co-perpetration with Nexhmi KRASNIQI, Naser SHALA and Refki MAZRREKU, **killed Arben Avdyli**, a Kosovo Albanian civilian who had been previously detained in and released from the Klecke/Klecka detention center, by shooting at him with an AK-47 firearm; in Klecke/Klecka, Lipjan/Lipljan Municipality, on or about 03/04 April 1999;

Count 3: **War Crime against Prisoners of War**, under Articles 22, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused, in his capacity as member of the KLA and in co-perpetration with Nexhmi KRASNIQI, Naser SHALA and two unidentified KLA soldiers, **participated in the killing of four Serbian military prisoners** detained in the Klecke/Klecka detention center, whose remains were found in a mass grave near Klecke/Klecka and identified through DNA as Bojan Cvetković, Zarko Filipović and Zivota Todorović, who were executed with several rounds of AK-47 firearm by a group composed by Naser KRASNIQI, Nexhmi KRASNIQI, Naser SHALA, and two unidentified KLA soldiers; in Klecke/Klecka, Lipjan/Lipljan Municipality, on an undetermined date in April 1999, not before 11 April 1999;

Count 4: **War Crime against Prisoners of War**, under Articles 22, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused, in his capacity as

member of the KLA, in co-perpetration with Nexhmi KRASNIQI **violated the bodily integrity and health of a Serbian military prisoner**, detained in the Klecke/Klecka detention center, by repeatedly beating him; the victim was subsequently killed and his remains were found in a mass grave near Klecke/Klecka containing five bodies; in Klecke/Klecka, Lipjan/Lipljan Municipality, on an undetermined date in April 1999, not before 11 April 1999;

Count 5: **War Crime against Prisoners of War**, under Articles 22, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused in his capacity of member of the KLA, in co-perpetration with Nexhmi KRASNIQI, Naser SHALA, Refki MAZRREKU, Arben KRASNIQI and cooperative witness X **participated in the killing of a Serbian military prisoner**, mentioned under Count 4 above; more precisely, the defendant participated in the crime by marching the prisoner to the execution spot and by keeping him at the disposal of the direct perpetrator, Naser SHALA, although he knew, because explicitly informed about Naser SHALA's intention to kill the prisoner from the previous conversation between the latter and Fatmir LIMAJ, that the prisoner would be executed; in Klecke/Klecka, Lipjan/Lipljan Municipality, on an undetermined date in April 1999, not before 11 April 1999;

Count 6: **War Crime against Prisoners of War**, under Articles 22, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused in his capacity as member of the KLA, in co-perpetration with Fatmir LIMAJ, Nexhmi KRASNIQI, Naser SHALA, Arben KRASNIQI, Behlul LIMAJ and cooperative witness X, **participated in the killing of Nejbojša Djuričić and Veljko Marković, two Serbian Police officers**, detained in the Klecke/Klecka detention center, who were executed by cooperative witness X with several gun shots fired with a pistol; more precisely, the defendant participated in the crime by keeping the victims at the disposal of the direct

perpetrator of the execution, although he knew, because explicitly informed about Fatmir LIMAJ's intention to kill the prisoners, what would happen to them; in a location known as Livadhi i Canit near Klecke/Klecka, Lipjan/Lipljan, on or about 04/05 April 1999;

II. **Nexhmi KRASNIQI**, call sign during the war , father's name , mother's name , born on , in , , residing at , attended , ; charged according to the Indictment with the criminal offences:

Count 1: **War Crime against the Civilian Population and Prisoners of War**, under Articles 22, 142, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused, in his capacity as KLA member, in co-perpetration with Fatmir LIMAJ, Naser KRASNIQI, Naser SHALA, Arben KRASNIQI, Besim SHURDHAJ, Sabit SHALA, cooperative witness X and Shaban SHALA and other so far unidentified KLA soldiers, **violated the bodily integrity and the health of an undefined number of Serbian and Albanian civilians and Serbian military prisoners**, detained in the Klecke/Klecka detention center, by keeping them in inhumane conditions (including prisoners chained, premises inappropriate, excessive cold, lack of sanitation, inadequate nutrition, frequent beatings); in Klecke/Klecka, Lipjan/Lipljan Municipality, from early 1999 until mid-June 1999;

Count 2: **War Crime against Prisoners of War**, under Articles 22, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused, in his capacity as member of the KLA and in co-perpetration with cooperative witness X, Naser SHALA, Sabit SHALA, Besim SHURDHAJ, **tortured four Serbian military prisoners**, detained in the Klecke/Klecka detention center, whose remains were found in a mass grave near Klecke/Klecka and at least three of which were identified through

DNA as Bojan Cvetković, Zarko Filipović and Zivota Todorović, by repeatedly beating them; in Klecke/Klecka, Lipjan/Lipljan Municipality, on an undetermined date in April 1999, not before 11 April 1999;

Count 3: **War Crime against Prisoners of War**, under Articles 22, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused, in his capacity as member of the KLA and in co-perpetration with Naser KRASNIQI, Naser SHALA and two unidentified KLA soldiers, **participated in the killing of four Serbian military prisoners**, detained in the Klecke/Klecka detention center, whose remains were found in a mass grave near Klecke/Klecka, three of whom identified through DNA as Bojan Cvetković, Zarko Filipović and Zivota Todorović, who were executed with several rounds of AK-47 firearm by a group composed by Naser KRASNIQI, Nexhmi KRASNIQI, Naser SHALA, and two unidentified KLA soldiers; in Klecke/Klecka, Lipjan/Lipljan Municipality, on an undetermined date in April 1999, not before 11 April 1999;

Count 4: **War Crime against Prisoners of War**, under Articles 22, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused, in his capacity as member of the KLA, in co-perpetration with Naser KRASNIQI **violated the bodily integrity and health of a Serbian military prisoner**, detained in the Klecke/Klecka detention center, by repeatedly beating him; the victim was subsequently killed and his remains were found in a mass grave near Klecke/Klecka containing five bodies; in Klecke/Klecka, Lipjan/Lipljan Municipality, on an undetermined date in April 1999, not before 11 April 1999;

Count 5: **War Crime against Prisoners of War**, under Articles 22, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four

Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused in his capacity of member of the KLA, in co-perpetration with Naser KRASNIQI, Naser SHALA, Refki MAZRREKU, Arben KRASNIQI and cooperative witness X **participated in the killing of a Serbian military prisoner**, mentioned under Count 4 above; more precisely, the defendant participated in the crime by marching the prisoner to the execution spot and by keeping him at the disposal of the direct perpetrator, Naser SHALA, although he knew, because explicitly informed about Naser SHALA's intention to kill the prisoner from the previous conversation between the latter and Fatmir LIMAJ, that the prisoner would be executed; in Klecke/Klecka, Lipjan/Lipljan Municipality, on an undetermined date in April 1999, not before 11 April 1999;

Count 6: **War Crime against the Civilian Population**, under Articles 22, 142 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused, in his capacity as member of the KLA, in co-perpetration with Naser KRASNIQI, Naser SHALA and Refki MAZRREKU, **killed Arben Avdyli**, a Kosovo Albanian civilian who had been previously detained in and released from the Klecke/Klecka detention center, by shooting at him with an AK-47 firearm; in Klecke/Klecka, Lipjan/Lipljan Municipality, on or about 03/04 April 1999;

Count 7: **War Crime against Prisoners of War**, under Articles 22, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused in his capacity as member of the KLA, in co-perpetration with Fatmir LIMAJ, Naser KRASNIQI, Naser SHALA, Arben KRASNIQI, Behlul LIMAJ and cooperative witness X, **participated in the killing of Nejbojša Djurić and Veljko Marković, two Serbian Police officers**, detained in the Klecke/Klecka detention center, who were executed by cooperative witness X with several gun shots fired with a pistol; more precisely, the defendant participated in the crime by keeping the victims at the disposal of the direct

perpetrator of the execution, although he knew, because explicitly informed about Fatmir LIMAJ's intention to kill the prisoners, what would happen to them; in a location known as Livadhi i Canit near Klecke/Klecka, Lipjan/Lipljan, on or about 04/05 April 1999;

III. **Fatmir LIMAJ**, nickname , father's name , mother's name , born on , in , , residing at , attended , ; charged according to the Indictment with the criminal offences:

Count 1: **War Crime against the Civilian Population and War Crime against Prisoners of War**, under Articles 22, 142, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused, in his capacity as KLA member and commander, and as a person exercising overall control over the Klecke/Klecka detention center, in co-perpetration with Naser KRASNIQI, Nexhmi KRASNIQI, Naser SHALA, Arben KRASNIQI, Behlul LIMAJ, Besim SHURDHAJ, Sabit SHALA, cooperative witness X, Shaban SHALA and other so far unidentified KLA soldiers, **violated the bodily integrity and the health of an undefined number of Serbian and Albanian civilians and Serbian military prisoners**, detained in the Klecke/Klecka detention center, by keeping them in inhumane conditions (including prisoners chained, premises inappropriate, excessive cold, lack of sanitation, inadequate nutrition, frequent beatings); in Klecke/Klecka, Lipjan/Lipljan Municipality, from early 1999 until mid-June 1999;

Count 2: **War Crime against Prisoners of War**, under Articles 22, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused, in his capacity as KLA member and commander, **tortured a Serbian military prisoner**, detained in the Klecke/Klecka detention center, whose remains were found in a mass grave

containing five bodies near Klecke/Klecka, by punching and kicking him during an interrogation; in Klecke/Klecka, Lipjan/Lipljan Municipality, on an undetermined date in April 1999, not before 11 April 1999;

Count 3: **War Crime against Prisoners of War**, under Articles 22, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused, in his capacity as KLA member and commander, in co-perpetration with Nexhmi KRASNIQI, Naser SHALA, Naser KRASNIQI, Arben KRASNIQI, Behlul LIMAJ and cooperative witness X, **participated in the killing of Nejbojša Djuričić and Veljko Marković, two Serbian police officers**, detained in the Klecke/Klecka detention center, who were executed by cooperative witness X with several gun shots fired with a pistol; more precisely, the defendant participated in the crime by ordering cooperative witness X to execute the prisoners; in a location known as Livadhi i Canit near Klecke/Klecka, Lipjan/Lipljan, on or about 04/05 April 1999;

IV. **Naser SHALA**, nickname , father's name , mother's name , born on , in , , residing at , attended , ; charged according to the Indictment with the criminal offences:

Count 1: **War Crime against the Civilian Population and War Crime against Prisoners of War**, under Articles 22, 142, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused, in his capacity as KLA member holding a position of responsibility within the Klecke/Klecka detention center, in co-perpetration with Fatmir LIMAJ, Naser KRASNIQI, Nexhmi KRASNIQI, Arben KRASNIQI, Behlul LIMAJ, Besim SHURDHAI, Sabit SHALA, cooperative witness X, Shaban SHALA and other so far unidentified KLA soldiers, **violated the bodily integrity and the health of an undefined number of Serbian and Albanian civilians**



**and Serbian military prisoners**, detained in the Klecke/Klecka detention center, by keeping them in inhumane conditions (including prisoners chained, premises inappropriate, excessive cold, lack of sanitation, inadequate nutrition, frequent beatings); in Klecke/Klecka, Lipjan/Lipljan Municipality, from early 1999 until mid-June 1999;

Count 2: **War Crime against Prisoners of War**, under Articles 22, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused, in his capacity as member of the KLA and in co-perpetration with cooperative witness X, Nexhmi KRASNIQI, Sabit SHALA, Besim SHURDHAI, **tortured four Serbian military prisoners**, detained in the Klecke/Klecka detention center, whose remains were found in a mass grave near Klecke/Klecka and at least three of which were identified through DNA as Bojan Cvetković, Zarko Filipović and Zivota Todorović, by repeatedly beating them; in Klecke/Klecka, Lipjan/Lipljan Municipality, on an undetermined date in April 1999, not before 11 April 1999;

Count 3: **War Crime against Prisoners of War**, under Articles 22, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused, in his capacity as member of the KLA and in co-perpetration with Naser KRASNIQI, Nexhmi KRASNIQI and two unidentified KLA soldiers, **participated in the killing of four Serbian military prisoners**, detained in the Klecke/Klecka detention center, whose remains were found in a mass grave near Klecke/Klecka, three of whom identified through DNA as Bojan Cvetković, Zarko Filipović and Zivota Todorović, who were executed with several rounds of AK-47 firearm by a group composed by Naser KRASNIQI, Nexhmi KRASNIQI, Naser SHALA, and two unidentified KLA soldiers; in Klecke/Klecka, Lipjan/Lipljan Municipality, on an undetermined date in April 1999, not before 11 April 1999;

- Count 4: **War Crime against Prisoners of War**, under Articles 22, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused in his capacity of member of the KLA, in co-perpetration with Naser KRASNIQI, Nexhmi KRASNIQI, Refki MAZRREKU, Arben KRASNIQI and cooperative witness X **killed a Serbian military prisoner**, detained in the Klecke/Klecka detention center, whose remains were found in a mass grave near Klecke/Klecka containing five bodies, by inflicting several blows to his body (and in particular to his neck) with a scythe; in Klecke/Klecka, Lipjan/Lipljan Municipality, on an undetermined date in April 1999, not before 11 April 1999;
- Count 5: **War Crime against the Civilian Population**, under Articles 22, 142 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused, in his capacity as member of the KLA, in co-perpetration with Naser KRASNIQI, Nexhmi KRASNIQI and Refki MAZRREKU, **participated in the killing of Arben Avdyli**, a Kosovo Albanian civilian who had been previously detained in and released from the Klecke/Klecka detention center; more precisely, the defendant participated in the crime by keeping the victim at the disposal of the perpetrators and by pushing him into a hole in the ground where he was subsequently executed by Naser KRASNIQI and Nexhmi KRASNIQI with AK-47 firearms; in Klecke/Klecka, Lipjan/Lipljan Municipality, on or about 03/04 April 1999;
- Count 6: **War Crime against Prisoners of War**, under Articles 22, 144 CCSFRY, currently criminalized under Articles 23, 120 CCK, in violation of Common Article 3 to the four Geneva Conventions 1949, and Articles 4, 5(1) APII; the Accused in his capacity as member of the KLA, in co-perpetration with Fatmir LIMAJ, Naser KRASNIQI, Nexhmi KRASNIQI, Arben KRASNIQI, Behlul LIMAJ and cooperative witness X, **participated in**

**the killing of Nejbojša Djurić and Veljko Marković, two Serbian police officers,** detained in the Klecke/Klecka detention center, who were executed by cooperative witness X with several gun shots fired with a pistol; more precisely, the defendant participated in the crime by keeping the victims at the disposal of the direct perpetrator of the execution, although he knew, because explicitly informed about Fatmir LIMAJ's intention to kill the prisoners, what would happen to them; in a location known as Livadhi i Canit near Klecke/Klecka, Lipjan/Lipljan, on or about 04/05 April 1999;

AFTER having held the Main Trial sessions open to the public on 11 and 14 November 2011, 01 and 14 December 2011, 16, 30 and 31 January 2012, 06, 07, 09, 28 and 29 February 2012, 01, 05, 06, 07, 21 and 30 March 2012; all held in the presence of Accused Naser KRASNIQI, his Defence Counsel Florin Vertopi and Xhafer Maliqi, Accused Nexhmi KRASNIQI, his Defence Counsel Mahmut Halimi and Betim Shala, Accused Fatmir Limaj, his Defence Counsel Karim A. A. Khan, QC and Tahir Rrecaj, Accused Naser Shala, his Defence Counsel Bajram Tmava; except for the sessions when Defence Counsel sent their substitutes;<sup>1</sup> and in the presence of EULEX Special Prosecutor Maurizio Salustro of the Special Prosecution Office of Kosovo (except the session on 30 March 2012 when he sent his substitute);

AFTER the Trial Panel's deliberation and voting held on 02 May 2012;

PURSUANT to Article 392 of the Kosovo Code of Criminal Procedure (KCCP) on this day of 02 May 2012, in open court and in the presence of the Accused and their Defence Counsel and EULEX Special Prosecutor Maurizio Salustro;

*renders the following*

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<sup>1</sup> The sessions were held in the presence of other Accused and their Defence Counsel until the proceedings were severed on 30 March 2012.

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## JUDGMENT

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- I. **Naser KRASNIQI**, with personal details above, in detention on remand from 16 March 2011 until 21 March 2012, is found as follows:

pursuant to Article 390 3) KCCP

- Count 1: **NOT GUILTY** of War Crime against the Civilian Population and War Crime against Prisoners of War (violation of the bodily integrity and the health of an undefined number of Serbian and Albanian civilians and Serbian military prisoners)
- Count 2: **NOT GUILTY** of War Crime against the Civilian Population (killing of Arben Avdyli)
- Count 3: **NOT GUILTY** of War Crime against Prisoners of War (participation in the killing of four Serbian military prisoners)
- Count 4: **NOT GUILTY** of War Crime against Prisoners of War (violation of the bodily integrity and health of a Serbian military prisoner)
- Count 5: **NOT GUILTY** of War Crime against Prisoners of War (participation in the killing of a Serbian military prisoner)
- Count 6: **NOT GUILTY** of War Crime against Prisoners of War (participation in the killing of Nejbojša Djuričić and Veljko Marković, two Serbian police officers)

**II. Nexhmi KRASNIQI**, with personal details above, in detention on remand from 16 March 2011 until 21 March 2012, is found as follows:

pursuant to Article 390 3) KCCP

- Count 1: **NOT GUILTY** of War Crime against the Civilian Population and Prisoners of War (violation of the bodily integrity and the health of an undefined number of Serbian and Albanian civilians and Serbian military prisoners)
- Count 2: **NOT GUILTY** of War Crime against Prisoners of War (torture of four Serbian military prisoners)
- Count 3: **NOT GUILTY** of War Crime against Prisoners of War (participation in the killing of four Serbian military prisoners)
- Count 4: **NOT GUILTY** of War Crime against Prisoners of War (violation of the bodily integrity and health of a Serbian military prisoner)
- Count 5: **NOT GUILTY** of War Crime against Prisoners of War (participation in the killing of a Serbian military prisoner)
- Count 6: **NOT GUILTY** of War Crime against the Civilian Population (killing of Arben Avdyli)
- Count 7: **NOT GUILTY** of War Crime against Prisoners of War (participation in the killing of Nejbojša Djuričić and Veljko Marković, two Serbian police officers)

**III. Fatmir LIMAJ**, with personal details above, under house arrest from 22 September 2011 until 21 March 2012, is found as follows:

pursuant to Article 390 3) KCCP

- Count 1: **NOT GUILTY** of War Crime against the Civilian Population and War Crime against Prisoners of War (violation of the bodily integrity and the health of an undefined number of Serbian and Albanian civilians and Serbian military prisoners)
- Count 2: **NOT GUILTY** of War Crime against Prisoners of War (torture of Serbian military prisoner)
- Count 3: **NOT GUILTY** of War Crime against Prisoners of War (participation in the killing of Nejbojša Djurić and Veljko Marković, two Serbian police officers)

**IV. Naser SHALA**, with personal details above, in detention on remand from 16 March 2011 until 21 March 2012, is found as follows:

pursuant to Article 390 3) KCCP

- Count 1: **NOT GUILTY** of War Crime against the Civilian Population and War Crime against Prisoners of War (violation of the bodily integrity and the health of an undefined number of Serbian and Albanian civilians and Serbian military prisoners)
- Count 2: **NOT GUILTY** of War Crime against Prisoners of War (torture of four Serbian military prisoners)
- Count 3: **NOT GUILTY** of War Crime against Prisoners of War (participation in the killing of four Serbian military prisoners)
- Count 4: **NOT GUILTY** of War Crime against Prisoners of War (killing of a Serbian military prisoner)
- Count 5: **NOT GUILTY** of War Crime against the Civilian Population (participation in the killing of Arben Avdyli)

Count 6: **NOT GUILTY** of War Crime against Prisoners of War (participation in the killing of Nejbojša Djurić and Veljko Marković, two Serbian police officers)

#### COSTS OF CRIMINAL PROCEEDINGS

Pursuant to Article 103 (1) KCCP the costs of criminal proceedings under Article 99 (2) 1) to 5) KCCP, the necessary expenses of the defendant and the remuneration and necessary expenditures of defence counsel, as well as the costs of interpretation and translation shall be paid from budgetary resources as per applicable rates.

#### PROPERTY CLAIM

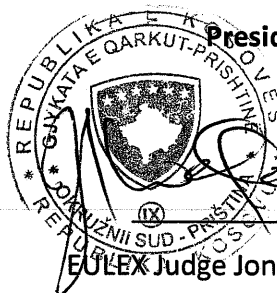
No property claim has been filed. Therefore, no decision is rendered pursuant to Article 396 (4) KCCP.

Recording Officer:



EULEX Legal Officer

Zane Ratniece



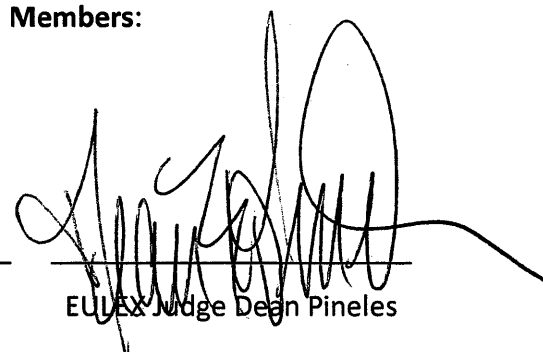
Presiding Judge:

EULEX Judge Jonathan Welford-Carroll

Panel Members:



Judge Shqipe Qerimi



EULEX Judge Dean Pineles