

PRODUCTIES BIJ
PLEIDCOI IN
APPEL ZIJDENS
APPELLANTEN
INZAKE

DEDOVIC E.A. /
KOK, VAN AART-
SEN EN DE GRAVE
ROLNR. 99/759
DATUM PLEIDCOI

9 JUNI 2000
OM 11.00 UUR

Mr. N.M.P. Steijnen

Advocaat en Prokureur
Couwenhoven 52-05
3703 ER Zelst
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030-6956667

de Griffier van de 4e Kamer
Gerechtshof Amsterdam
Mevrouw N. Bakker
Postbus 1312
1000 BH Amsterdam

betreft: Dedovic/Kok - rolnr. 99/759
Pleidooi te houden op 9 juni a.s.
om 11.00 uur

datum 28 mei 2000

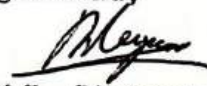
Geachte mevrouw Bakker,

Hierbij treft u aan 4 ordners met produkties 1 t/m 19 en separaat hiervan
4x een tweedelig witboek bij wijze van produktie 20.
Mag ik u verzoeken e.e.a. ter han te stellen van de President en de leden
van het Hof ?

Zo spoedig mogelijk wordt deze zending gevolgd door een brief mijnerzijds,
dit bij wijze van handleiding voor hantering van deze produkties.

Ik zal de landsadvocaat van hetzelfde bedienen.

Hoogachtend,


N.M.P. Steijnen

- G E R E C H T S H O F T E A M S T E R D A M

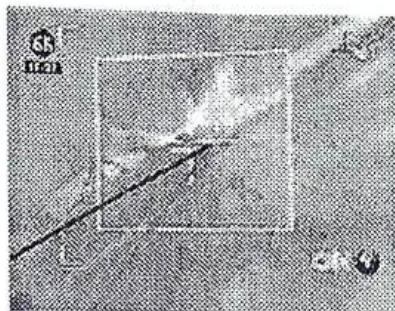
LIJST VAN PRODUKTIES ZIJDENS APPELLANTEN BIJ PLEIDOOI IN APPEL
INZAKE DEDOVIC E.A. / KOK, VAN AARTSEN EN DE GRAVE - ROLNR.

99/759 - PLEIDOOI VAN 9 JUNI 2000 11.00 UUR

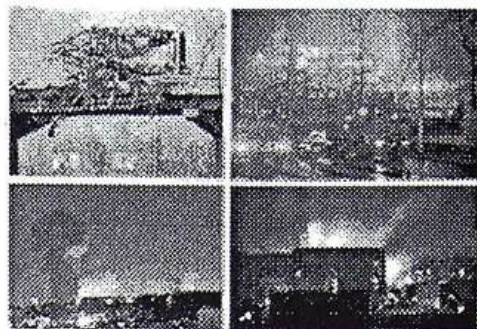
1. "De Aanloop tot de NAVO-Oorlog tegen de Federale Republiek Joegoslavië om Kosovo, 1999 - Analyses en achtergronden hoofdzakelijk op basis van dagelijkse westerse nieuwsbronnen" - mr. L.P.H. Stibru.
- 2.a. Rapportage van de meer dan 1000 doden onder de burgerbevolking als zogenaamd gevolg van 'collateral damage' en van de moedwilige NAVO-vernietiging van de energievoorziening voor de Joegoslavische burgerbevolking.
- 2.b. Voorlopige rapportage van de vele honderden scholen, ziekenhuizen, kerken, historische gebouwen, productiebedrijven, nutsbedrijven, bruggen, wegen, spoorwegen, etc., vernietigd of beschadigd in het kader van de NAVO-oorlogsterreur.
- 2.c. 'Chronology of Crimes of Dishonor of NATO' - Rapportage van de NAVO-terreur tegen de burgerbevolking van de Federale Republiek Joegoslavië en zijn voorzieningen.
- 2.d. Rapportage van het Ministerie van Buitenlandse Zaken van de Federale Republiek Joegoslavië van 10 november 1999 omtrent de gevolgen van de NAVO-agressie voor de gezondheidszorg en de volksgezondheid in Joegoslavië.
3. Overzicht van de misdrijven tegen de vrede, oorlogsmisdrijven en misdrijven tegen de menselijkheid, begaan door de NAVO-verantwoordelijken tegen de Federale Republiek Joegoslavië en zijn bevolking - "The Indictment", opgesteld door Ramsey Clark, voormalig minister van justitie van de Verenigde Staten.
4. "The Kosovo Conflict - Consequences for the environment & human settlements" - Rapport van de UNEP/UNCHS - "Recommendations".
- 5.a. Documentatie betreffende het gebruik van verarmd uranium door de NAVO-agressors in Joegoslavië.
- 5.b. Erkenning door secretaris-generaal Robertson van de NAVO van het gebruik van verarmd uranium in Joegoslavië en bekendmaking van mogelijke 'hot spots' als gevolg van dit gebruik.
6. Verslag van de fact-finding mission van de Republikeinse senator Jim Saxton in Joegoslavië, gehouden van 18-21 april 1999 en georganiseerd door de International Strategic Studies Association - Feitenrelaas betreffende de bombardementen op burgerdoelen en de bombardementen als oorzaak van vluchtelingenstromen.

7. "Days of terror (in the presence of the international forces)" - Zoran Andjelkovic, Center for Peace and Tolerance - uitvoerig gedocumenteerd verslag van dag tot dag over de terreur van Albanese terroristen in Kosovo na de machtsovername door de NAVO/KFOR -fragmenten.
8. Rapportage van 31 oktober 1999 over de culminatie van Albanees terrorisme na de machtsovername door KFOR.
9. Cijfermatig overzicht van de terroristische akties en de gevolgen hiervan in slachtoffer-aantallen van 12 juni 1999 tot 16 januari 2000, gepleegd door Albanese terroristen in Kosovo sinds de machtsovername van KFOR.
10. "The Kosovo Cover-UP" - Newsweek magazine mei 2000 - onthulling betreffende het onaangetast zijn van het Joegoslavische leger gedurende de maandenlange onafgebroken bombardementen.
11. Belangrijkste regels van het Eerste Aanvullende protocol bij de Verdragen van Genève van 1949 (Protocol I).
12. Internationale rechtsprincipes betreffende het agressie-verbod en het non-interventie beginsel: The International Law Principles van 1944; VN-resolutie 2625/XXV van 24 oktober 1970 betreffende de Declaration on Principles of International Law; VN-resolutie 3314/xxix van 4 december 1974 betreffende de Definition of Aggression.
13. "Agressie-oorlog het ergst denkbare oorlogsmisdrijf", als het oordeel van het Tribunaal van Neurenberg.
14. Report of the secretary-General pursuant to paragraph 2 of the Security Council resolution 808 (1993) van 3 mei 1993 - fragmenten.
15. Handvest van Neurenberg - engels- en nederlandstalige versie.
16. Veiligheidsraadsresolutie 1244 van 10 juni 1999.
17. "NATO Air Strikes against Yugoslavia and International Law and Morality" - prof. B.S. Chimni - Jawaharlal Nehru University, New Delhi.
18. Appendix B - Documentnatie betreffende het bezettingsdictaat van Rambouillet voor wat betreft Kosovo en de rest van de federale republiek Joegoslavië.
19. Servië als enige resterende multi-etnische staat in voormalig Joegoslavisch territoir - "Etnische Verrassing" - Elsevier Magazine van 2 oktober 1999.

"Collateral damages"- more than 1000 dead civilians



17 civilians were killed, and 43 severely wounded in a bombing of the bus near the place called Savine Vode on the road Pec-Rozaje. This is the seventh case of mass killing of the innocent civilians that the officials of



NATO alliance are about to call a "mistake". Spokesman of NATO have, so far, admitted the following **"collateral damages"**: bombing of civilian buildings in Aleksinac, Surdulica and Vracar, city center of Belgrade, bombing the civilian train in Grdelica, attack on column of Albanian refugees near village Meja, and bombing of the bus on the bridge near village Luzani. As "collateral damage" are mentioned only the cases in which few dozen of civilians were killed. The other "smaller mistakes", under 10 victims each, are not even being mentioned, and are not alarming to public. Such is the case of bombing of the place called Murino, in which 5 people were killed (two of them being children), that is not even mentioned in the report in NATO headquarters. The other daily "minor collateral damages" have the same treatment, although total of the victims is few hundred people so far.



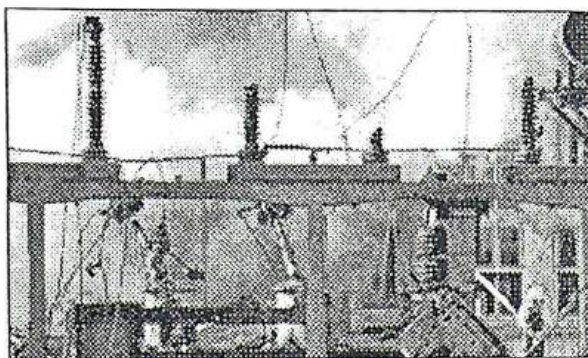
However, in seven "collateral damages" that NATO did admit, killed are more than 200 people, women and children, and few hundred wounded. To be correct, in Aleksinac were killed 12, in Surdulica 16, in the train of Grdelicka Klisura around 50, in refugee column 75, in the bus "Nis Express" near Luzani 40, and yesterday near the place called Savine Vode 17... Each of these "collateral damages" later was proved not to be one. For bombing of Surdulica, they first said that only one bomb mistakenly fell on inhabitant place, and few days latter they said that "there were more than one bomb".

For bombing of refugees column on the road Djakovica-Prizren, they also said that "pilot thought it was military convoy". Besides word "mistake" NATO has no other explanations for bombing of the train in Grdelicka klisura and

bombing of the bus near village Luzani, either. Pilots were said to have targeted only bridges and the train and the bus "just accidentally happened" to have been there. However, some speculations were risen that, by targeting the train and the bus, pilots were practicing hitting of the moving object from great distances. Another thing worth mentioning is that these "actions" resulted in killing of few dozen of children.

◀ Back

Destruction of facilities for power generation and transmission in FRY



The destruction and disabling of facilities for power generation and transmission in the Federal Republic of Yugoslavia by the NATO aviation constitutes a grave violation of the provisions of Chapter III of Additional Protocol I of 1977 to the 1949 Geneva Conventions on the Protection of Victims of War. Those provisions

prescribe both general protection of civilian facilities, such as power generation and transmission facilities, and special protection provided for under Article 54 of this document. Pursuant to the provisions on general protection (Article 52), such facilities may not be the object of attack or reprisals, while Article 54 stipulates that it is prohibited to attack, destroy, displace or render inoperative facilities indispensable for the survival of the civilian population. Power plants indisputably fall under the regime of protection provided by the mentioned article of Additional Protocol I. According to Article 85 (items 3.b. and 5) of this document, grave violations of the mentioned provisions are qualified as war crimes. Like in the case of the deliberate destruction of other civilian facilities throughout Yugoslavia, this time too the provisions were violated of Article 87 of the Protocol. They stipulate the duty of military commanders to acquaint members of the units under their control with the obligations stemming from this document, as well as to prevent and suppress their being violated and to notify the competent authorities in their country of such instances of violation. Since this is obviously not being done, as evidenced by the massive destruction of civilian facilities in FRY, including the above facilities, they too fall under the regime of criminal responsibility as persons issuing orders for the commission of such crimes.

This case also contains elements of the crime of genocide pursuant to the Convention on the Prevention and Punishment of the Crime of Genocide of 9 September 1948. According to Article II of the above Convention, genocide is, inter alia, understood to mean "the deliberate subjecting of a group to such living conditions as should lead to its total or partial physical extermination". Such intention is evident because attacks on sources of electricity are very violent and frequent i.e. made by employing destructive missiles as well as special purpose weapons. Needless to say, when considering the responsibility of aggressor countries for their genocidal behaviour, the attacks on power plants must be put in the context of all their acts having the nature of genocide to date, such as the destruction of other facilities necessary for the functioning of the life of citizens (schools, hospitals, bridges, factories, transportation systems, power plants, telecommunications systems etc.).



SPAN info - PROVISIONAL ASSESSMENT OF CIVILIAN CASUALTIES AND
DESTRUCTION

SPAN NOTE: This Information was sent to us by Mr. Rankovic from
Srbija (email: rrankovic@ptt.yu) Please keep in mind that this is a
PROVISIONAL ASSESSMENT. The information is not complete.

PROVISIONAL ASSESSMENT OF CIVILIAN CASUALTIES AND DESTRUCTION
IN THE TERRITORY OF THE FEDERAL REPUBLIC OF YUGOSLAVIA
FROM 24 MARCH TO 08 JUNE 1999

From the onset of the NATO aggression against FR Yugoslavia from
March 24 until June 8, 1999, the North Atlantic Alliance carried out more
than 35 000 assaults against the Federal Republic of
Yugoslavia. In air strikes were used: over 1 000 warplanes (among others
F-15, F-16, F-117) and 206 helicopters. More than 10 000 cruise missiles were
launched and over 79 000 tons of explosives were dropped, including
at least 152 containers with 35 450 cluster bombs, thermo-visual and graphite
bombs which are prohibited under international conventions. The greatest
number of air-strikes were carried out in the wider area of
Pristina (374), Prizren (232), Beograd (212), Urosevac (205), Djakovica
(190), Kraljevo and Uzice (145 per town), Novi Sad (114), and so on.

Three million children have been directly endangered by
indiscriminate bombardment by the NATO aggressors. Since the onset of the
aggression many children have been killed and wounded. Also, almost
250 000 children-refugees from former Yugoslav republics Croatia and
Bosnia-Herzegovina, who have found safe heaven in the FR Yugoslavia, have
once again been exposed to the horrors of war. Since the
commencement of the aggression children have not been able to attend school
classes, and it has been estimated that in the fall almost 100 000 pupils
will not be able to enrol as many pre-school institutions and
elementary schools have been demolished by NATO bombs.

After NATO barbaric assaults on facilities of the chemical and
petro-chemical industries millions of citizens have been exposed to poisonous
gasses. Water, soil and forests have also been badly
contaminated, thus disrupting the environmental balance. All this will have
lasting consequences on the health of the entire population and the
environment not only in Yugoslavia, but also in the region as a whole.

Furthermore, repeated bombardment of tourist centers and national

parks has endangered natural reservations and sanctuaries. Many species have become extinct due to the NATO bombings, and wildlife has started migrating and abandoning its natural habitat. The NATO aggressor has even attacked and endangered the Djavolja Varos site of metamorphic and sedimentary stone towers unique in Europe.

The International Union for the Conservation of Nature and European environment protection institutions and non-governmental organizations have been informed of the threat.

After the demolition of the Petrovaradin bridge (as regional and city power and water pipelines were constructed into the bridge), especially after wide-spread destruction of the electric power system in the territory of the FR of Yugoslavia (hydroelectric and thermo-electric power stations, transformers, electrical transmitters, power grid systems, power lines, etc) - with graphite, cluster and highly destructive thermo-visual bombs, regular supply of power as well as water (as water processing plants had no power) was disrupted. Destruction of the power system caused mass suffering of the entire population (around 11 million) of the FR of Yugoslavia, as all users in the country, including hospitals and other health institutions, maternity wards, institutions for the care of children and elderly, were severely affected. This only shows total and brutal disregard, on the part of the aggressors, for the needs of the most vulnerable segments of the population: new born babies, geriatric populace and the terminally ill who require unhindered daily medical care and treatment.

Continuous, highly intensive, bombardment of villages and towns in the southern Serbian province of Kosovo and Metohija resulted in mass destruction, wide spread fear and panic among the populace. Thousands of civilians, women, children, elderly and weak individuals from Kosovo and Metohija, in fear of aggressor bombs, were forced to flee the province, thus the NATO alliance caused an enormous humanitarian catastrophe.

Continuous indiscriminate bombing of civilian targets in the FR of Yugoslavia exposed the real nature of the aggressors who, by not showing any restraint what so ever, bombed even refugees and humanitarian convoys. By bombing humanitarian convoys, eg. Greek convoy in the immediate vicinity of the town of Urosevac (May 5, 1999) and a Romanian convoy near the village of Mijatovac (May 8, 1999), NATO aggressors committed yet another crime on a very long list of crimes against humanity which they had already committed in the territory of the FR Yugoslavia. The movement of trucks, which were visibly marked, transporting Greek humanitarian aid was announced in advance, thus this act cannot be qualified in any way as a "mistake" but only as a new planned crime against the civilian population in the Federal Republic of Yugoslavia.

Due to total destruction of industrial facilities throughout the country, more than 600 000 workers have become jobless. As a result almost 2.5 million citizens have no means to sustain minimal living conditions and are unable to ensure their existence.

Overall material damage is enormous. Preliminary estimates indicate that barbaric air strikes of the NATO alliance, since the beginning of the unprovoked aggression, against industrial, commercial and civil facilities and infrastructure throughout the territory of the FR of Yugoslavia, have incurred damages in excess of 100 billion dollars.

Herewith are listed only some of the most illustrative and distinctive examples.

CIVILIAN CASUALTIES

Several thousand civilians were killed and more than 6 000 sustained serious injuries, while a large number of them will remain crippled for life.

Children make up 30% of all casualties as well as 40% of the total number of the injured, while 10% of all Yugoslav children (approximately 300 000) have suffered severe psychological traumas and will require continuous medical surveillance, care and treatment. For the most part, children have been victims of the sprinkle cluster bombs, with delayed effect, and will continue to be until all parks, play-fields and open areas have been made safe from the remaining, unexploded, cluster bombs indiscriminately scattered throughout the country.

What follows are the most tragic instances of civilian casualties and suffering as a result of the unprovoked aggression of the NATO alliance on the FR of Yugoslavia:

Surdulica:

attack on a peaceful rural town 20 civilians were killed, including 12 children, and over 100 wounded of which 24 critically (27.4.1999);

20 civilians were killed and 88 injured in the attack on a Retirement Home and a Sanatorium (31.5.1999);

Korisa:

at least 87 civilians were killed and over 70 injured in the attack on a convoy of Albanian refugees returning to their homes (14.5.1999.);

Djakovica:

Djakovica-Prizren road: in the attack on two refugee columns, with four cruise missiles, 75 killed and 100 wounded, of whom 26 critically (14.4.1999);

in an attack on a refugee settlement housing Serb refugees from the Republika Srpska Krajina (Croatia), 10 refugees were killed and 16 wounded (21.4.1999);

Grdelicka gorge:

in the attack on a international passenger train 55 passengers were killed, including on child, and 16 wounded (12.4.1999);

village Luzani:

at least 60 passengers were killed and 13 injured in an attack on the road bridge during which a passenger bus "Nis Expres" on the Pristina-Podujevo route was hit; at the same time a first aid doctor was injured during a consecutive attack on the bridge in which an ambulance, giving help to injured, was destroyed (1.5.1999);

Istok:

100 killed and 200 injured in several attacks, on consecutive days, on the Istok Penitentiary (19.-24.5.1999);

Varvarin:

17 civilians have been killed, seven are missing and 74 wounded in the attack on a road bridge, on a busy market day (30.5.1999);

Belgrade:

suburb of Batajnica: a three year old girl Milica Rakic was killed, and five civilians wounded (17.4.1999);

in the attack on the Radio Television of Serbia office building, 15 employees have been killed and 17 wounded (23.4.1999);

in the attack on governmental building, commercial facilities and housing blocks in central Belgrade 3 civilians were killed and 38 wounded (30.04.1999.);

4 civilians (3 patients and a care-taker) have been killed and several injured on the hospital "Dragisa Misovic" (20.5.1999);

Nis:

at least 16 civilians were killed and more than 80 injured in repeated attacks on housing flats and central Nis (19.4.1999, 7.5.1999 and 12.5.1999) during which NATO planes dropped cluster bombs;

Savine Vode:

20 civilians were killed and 43 injured, out of which 24 sustained heavy injuries in an attack on a the "Djakovica Prevoz" passenger bus on the Pec-Kula-Rozaje route (3-4.5.1999);

Aleksinac:

12 civilians have been killed and more than 40 wounded in an attack on housing blocks, commercial premises and administrative buildings in central Aleksinac (5.4.1999);

Kursumlija:

13 dead and 25 wounded in an attack on housing blocks, commercial premises and administrative buildings in central Kursumlija (27.4.1999);

Novi Pazar:

13 civilians were killed, one is missing and 35 wounded in an attack on the residential area in the center of the town during which 25 building were completely destroyed (31.5.1999);

village Nagavac:

11 civilians have been killed and 5 wounded in an attack on a rural village (2.4.1999);

Pristina:

10 civilians have been killed and 8 wounded in an attack on housing blocks, commercial premises and administrative buildings in central Pristina (7.4.1999);

village Srbica:

10 civilians have been killed, among whom 7 children, during an attack with cluster bombs upon a peaceful rural village;

village Murino:

6 civilians, of whom two children, were killed and 8 injured in an attack on a village predominantly inhabited by Albanians (30.04.1999.);

Merdare:

5 civilians were killed, including an 11-month baby, an several wounded when 8 containers, holding 1.920 cluster bombs, were dropped in an attack on the regional road Prokuplje-Pristina (10.4.1999);

Doganovici:

5 albanian children were killed and two wounded having come upon unexploded cluster bombs in a field (27.4.1999);

Gnjilane:

4 civilians were killed and 19 wounded in an attack on the Agricultural Complex "Mladost" and transport company "Kosmet Prevoz" (19.5.1999);

Pancevo:

3 civilians have been killed and 4 wounded in attacks on commercial/industrial facilities (4.4.1999);

Ralja:

3 civilians were killed and 3 injured (2 children were killed) in the attack on the village of Ralja, near Sopot (25.5.1999);

Kragujevac:

more than 120 workers, forming a live shield, were wounded in a deliberate attack on the car factory "Zastava" (9.12.4.1999);

Vranje:

two civilians have been killed and 23 wounded in an attack on central Vranje (22.4.1999);

Kraljevo:

in attacks upon civilian target in Vitanovac, Varca and Bogutovac, wider Kraljevo area, 14 civilians have been wounded (30.4.1999);

Kraljevo-Godacica regional road: in an attack on a passenger bus eight passengers were wounded, of whom four sustained heavy injuries (30.04.1999.);

Novi Sad:

one civilian was killed and 45 injured in attacks on the Oil Refinery in Novi Sad during which residential suburbs Detelinara (6.5.1999) and Sangaj (7.06.1999) were hit;

Trstenik:

in the attack on a bridge one civilian was killed and 17 injured (30.04.1999.);

Vladicin Han:

2 civilians were killed and 5 wounded in an attack on a road bridge on the river Juzna Morava (11.5.1999);

village Radosta:

2 children have been killed and one wounded in a NATO cluster bomb attack on this peaceful village near Orahovac (25.5.1999);

Cuprija:

1 civilian was killed and 14 injured in the attack on the central residential area of the town (over 800 housing units were demolished during attacks on 8.4. & 29.5.1999.)

Krk Bunar:

one civilian was killed and 3 injured (French philosopher Daniel Schiffer, "Times" reporter Eve-Ann Prentis and "Corriera della Sera" Renzo Cianfanelli) in an attack on a foreign journalist convoy on the Prizren-Brezovica road (31.5.1999);

Mijatovac:

4 Romanian humanitarian workers were wounded in an attack on the bridge near Mijatovac (8.5.1999);

T R A F F I C

The road and railway networks, especially road and rail bridges, most of which were destroyed or damaged beyond repair, suffered extensive destruction. The targets of attacks were such communications as:

1. BRIDGES (DESTROYED AND DAMAGED):

1. The road bridge Varadin Bridge over the Danube, Novi Sad (1.4.1999);

2. The railway bridge over the river Toplica, railway line Nis-Prokuplje-Pristina, at the v. Podina, municipality of Zitoradja

(1-14.4.1999);

3. The road bridge "Sloboda" (Freedom) over the Danube, Novi Sad (3.4.1999);

4. The road bridge "Mladost" (Youth) over the Danube, connecting Backa Palanka with Ilok (3.4.1999);

5. The road bridge over the Vrbicka river near Jezgrovic, on the road Ribarice-Kosovka Mitrovica (4.4.1999);

6. The railway bridge near the village of Rudnica in the vicinity of Raska, on the Kraljevo - Kosovo Polje railway line (4.4.1999);

7. The road bridge "Lucice" over the Ibar river, Biljanovac municipality (4-13.4.1999);

8. The railway bridge on the river Ibar, v. Tuslici, municipality Rudnici (4.4.1999);

9. The road/railway bridge "Zezeljov" on the Danube river, Novi Sad (5-26.4.1999);

10. The "Lozno" railway bridge near Usce (5.4.1999);

11. The new railway/road bridge over the Danube connecting Bogojevo and Erdut (5.4.1999);

12. The road bridge along the Magura Belacevac road, 15 kilometres from Pristina (5.4.1999);

13. The bridge along the Nis-Pristina primary road, near Kursumlija (5.4.1999);

14. The road bridge on the road leading to Brvenik, near Usce (5.4.1999);

15. The road bridge near Zubin Potok, on the Kosovska Mitrovica - Ribarice road (5.4.1999);

16. The Grdelica gorge railway bridge, on the river Juzna Morava (on 12.4.1999);

17. "Sarajevo" Grdelica gorge road bridge, on the river Juzna Morava (on 12.4.-14.5.1999);

18. The old bridge on the river Rasina near the town of Krusevac (12-13.4.1999);

19. The new bridge on the river Rasina near the town of Krusevac (12-13.4.1999);

20. The Krusevac-Pojate bridge on the river Zapadna Morava, at the village of Jasika (on 13.4.1999);

21. The road bridge over the Kosanica river near Kursumlija (13.4.1999);

22. The road bridge on the Prokuplje-Pristina road, v. Pepeljovac, municipality Kursumlija (14.4.1999);

23. The bridge over the regional Kursumlija - Prokuplje road (14.4.1999);
24. The road bridge on the river Toplica, on the Nis-Pristina road near the town of Kursumlija (14.19.4. & 11.5.1999);
25. The railway bridge on the river Lim, between Priboj and Prijepolje, near hydroelectric power station Bistrica (on 15.4.1999);
26. The bridge on the river Ibar, at the village of Brvenik, linking Korlace and Raska (15.04.1999.);
27. The road bridge on the r. Danube, between Smederevo and Kovin (16.4.1999);
28. The railway bridge on the river Kosanica, v. Rudari, municipality Kursumlija, railway line Prokuplje - Pristina (18.04.1999.);
29. The road bridge on the river Kosanica, at the village of Selo Visoko (18.04.1999.);
30. The road bridge "Raskrsnica" near Donja Bistrica, on the route Priboj-Prijepolje-Nova Varos (20.4.1999);
31. The road bridge over the Danube along the Beograd-Novi Sad road, near Beska, Indjija municipality (21.4.1999);
32. The railway bridge on the river Sava near Ostruznica (21, 23.4.1999);
33. The railway bridge on the Kraljevo - Raska railway line, near Kraljevo (23.4.1999);
34. The road bridge on the river Lab, primary road Kosovska Mitrovica - Pristina, v. Babin Most (27.4.1999.);
35. The bridge over the railway track on the regional road Biljanovac - Mt. Kopaonik (29.4.1999);
36. The road bridge "Uzicki" on the river Uvac, municipality Kokin Brod, primary road Uzice - Nova Varos (30.4.1999.)
37. The road bridge near the village of Visoka, municipality Kursumlija (30.4.1999);
38. The road bridge on the river Zapadna Morava, at the town of Trstenik, regional road Trstenik - Velika Drenova (30.4.1999.);
39. Overpass at the village of Visoka, municipality Kursumlija (30.4.1999);
40. The railway bridge on the river Ibar, in the village Bojiste (30.04.1999.)
41. The road bridge on the river Lim, at the village of Kucin, on the road Prijepolje-Nova Varos (1.5.1999);
42. The bridge on the regional road Krusevac-Razanjanj, near the village of Djunis (1.5.1999);
43. The railway bridge near the village of Medari (1.5.1999);

44. The railway bridge at the village of Rudare (1.5.1999);
45. The road bridge on the river Bistrica, regional road Nova Varos -Priboj, municipality Nova Varos (3.5.1999);
46. The railway bridge near the township of Vatin, on the railway line Belgrade - Temisvar (7.5.1999);
47. The railway bridge on the river Lopatnica, v. Bogutovac, municipality Kraljevo (8.5.1999);
48. The road bridge on the river Nisava, town of Nis (8.5.1999);
49. The road bridge on the highway Belgrade - Nis, near Mijatovac (8.- 14.5.1999);
50. The road bridge near Vladicin Han, on the river Juzna Morava (11.5.1999);
51. The bridge over the river Vrapcevska Reka near the village of Ribarice, from the direction of Kosovska Mitrovica (12.5.1999);
52. The road bridge on the local road Gornje Nerodimlje-Jezerce, municipality Urosevac (12.5.1999);
53. The new road bridge in Biljanovac, v. Zizovci (12.5.1999);
54. The old road bridge on the water channel in Vrbas, on the Vrbas-Srbobran & Vrbas-Feketic road (13.5.1999);
55. The road bridge on the Belgrade - Nis highway, on the river Nisava, near v. Popovac (13.5.1999);
56. The road bridge over the river Lugomir, on the Belgrade - Nis highway, near Jagodina (14.5.1999);
57. The road bridge on the Konjsko-Toplicane road over the Sitnica river, municipality Lipljan (14.5.1999);
58. The road bridge on the local Pec - Kosovska Mitrovica road over the Istocka river, near Djurakovac (17.5.1999);
59. The road bridge over the river Brvenica, in Brvenik, on the regional road Kraljevo - Raska (17.5.1999);
60. The road bridge on the river Begej, near the township of Banatski Dvor - municipality Zitiste (20.5.1999);
61. The road bridge on the river Jasenica, on the Beograd - Nis highway near the township Orasja, municipality Velika Plana (21-25.5.1999);
62. The road bridge "Cekavacki" on the river Jablanica, near Lebane, on the regional road Leskovac - Pristina (27.5.1999);
63. The road bridge on the Belgrade-Skopje highway, at the village Popovac, municipality Nis (29.5.1999);
64. The railway bridge on the railway line Nis-Sofia, near the town of Bela Palanka (29.5.1999);
65. The road bridge on the river Velika Morava, in the town of

Varvarin (30.5.1999);

66. The railway bridge on the river Nisava, on the railway line between Bela Palanka - Pirot (31.5.1999);

2. RAILWAYS LINES AND RAILWAY STATIONS:

1. The Kraljevo - Kosovo Polje rail, near Ibarska Slatina;

2. The Belgrade - Bar rail, due to the destruction of the railway track near the village of Strbce and destruction of the bridge on the river Lim, between Priboj and Prijepolje (3.4.1999.);

3. The railway line and tunnel Prokuplje-Kosovo Polje, near Merdare, municipality Kursumlija (11.4.1999);

4. The Belgrade - Thessaloniki rail, due to the destruction of the bridge in the Grdelica gorge (12.4.1999);

5. Railway track and overpass (Josinacka Banja) near the town of Biljanovac (15.4.1999.);

6. Railway track on the Kosovska Mitrovica-Leposavic-Raska line, due to damages to the railway bridge at the village of Biljanovac (15.4.1999);

7. The Kursumlija - Prokuplje rail, near Pepeljevac village;

8. The Kraljevo - Kosovo Polje rail, near Ibarska Slatina;

9. The Nis - Pristina rail, near Kursumlija;

10. "Sarpelj" tunnel, near Jerinje village, 15 km north of Leposavic towards Raska, was destroyed;

11. Railway track Kursumlija - Podujevo, due to damages on the railway bridge at Kursumlija;

12. Railway track Belgrade - Bucuresht, due to the destruction of the bridge near Vatin (7.05.1999);

13. Railway track Kraljevo - Kragujevac, due to damages to the section of the track near the village of Vitanovac;

14. Railway track Cacak - Kraljevo, near Kraljevo (17.5.1999.)

15. Railway track Uzice - Priboj;

16. Railway track Bogojevac - Vukovar;

17. Railway track Leskovac - Predejane;

18. Railway track Nis-Sofia, due to the destruction of the railway bridge near the town of Bela Palanka (29.5.1999);

19. The Railway station in the township Lukicevo, near Zrenjanin (25.5.1999);

20. Railway station in Kraljevo - Bogutovac;

21. Railway station in Kosovo Polje;

22. Railway station in the town of Biljanovac;

23. The central city railway station in Sabac (24.5.1999);

3. ROADS AND TRANSPORTERS:

1. Traffic suspended on the Kosovska Mitrovica-Ribarici section of the Adriatic highway due to the destruction of the bridge over the Vrbicka river (4.4.1999.);

2. Traffic has been suspended on the Krusevac-Pojate road due to the destruction of the bridge on the Zapadna Morava, in the village of Jasika (13.4.1999.);

3. Primary road Prizren - Djakovica near the v. Mala Krupa, during the attack on the column of Albanian refugees returning to their homes (14.4.1999.);

4. Traffic has been suspended on the Nis-Pristina road, due to the fact that the bridge on the river Toplica, near the town of Kursumlija, has sustained heavy damage (14.19.4. & 11.5.1999);

5. Traffic has been suspended on the regional road Priboj - Prijepolje - Nova Varos, due to damages inflicted on the bridge "Raskrsnica" near Donja Bistrica (20.4.1999);

6. Kraljevo-Raska primary road near v. Bogutovac, municipality Kraljevo (24.4.1999.);

7. The Belgrade - Nis highway due to the destruction of the bridge near Mijatovac (8.- 14.5.1999);

8. Ibarska primary road, due to damages to the bridge on the Ibar river, Biljanovac municipality, destruction of the road between Pozega and Cacak and destruction of the road between Lipovica-Barajevo (4.4.-28.5.1999);

9. Belgrade-Zagreb highway, near Stari Banovci;

10. "Jedinstvo" bus station in Vranje sustained extensive damage;

11. "Kosmet Prevoz" transporter in Gnjilane - hangar full of new buses has been destroyed (26.3.-19.5.1999);

12. Bus station in Pristina;

13. Road maintenance company "Magistrala" in Pristina;

14. The Nis Central Bus Station;

15. The Pristina Bus Station;

16. The "Jedinstvo" bus station in Vranje (18.5.1999);

4. AIRPORTS (14):

- "Slatina" in Pristina; "Batajnica" and "Surcin" in Belgrade; "Lisicji Jarak" sports and agricultural airfield in Padinska Skela; Nis

airport; "Ponikve" in Uzice; "Golubovac" in Podgorica, "Ladjevci" airport near Kraljevo; agricultural and sports airfield in Sombor; agricultural airfield in v. Grica, municipality Urosevac; agricultural airfield in the v. Dubinje, municipality Novi Pazar; agricultural airfield in the v. Jug Bunar, municipality Djakovica; sports airfield in the v. Vinarce, municipality Leskovac;

ECONOMIC AND CIVILIAN TARGETS, PUBLIC INSTITUTIONS

The air strikes have so far destroyed or damaged throughout the territory of the Federal Republic of Yugoslavia several thousand industrial and commercial facilities and housing units. In the Leskovac region alone, over 3,500 industrial facilities and housing units were either destroyed or damaged, while in the northern Serbian province of Vojvodina more than 3,650 housing units as well as at least 82 commercial enterprises have been damaged or destroyed.

The devastation of NATO forces was particularly manifested in Pristina, Novi Sad, Aleksinac, Djakovica, Prokuplje, Gracanica, Cuprija, etc. Housing blocks on the outskirts of Belgrade - Kijevo Knezevac, Batajnica, Jakovo, Borca, as well as the area around Pancevo, were under attack.

1. INDUSTRY AND TRADE:

The NATO aggressor's assaults targeted factories and industrial facilities which directly cater for the needs of the population, among which the following are more prominent:

Belgrade:

- 1 "Galenika" drug factory (12.4.1999.);
2. "Frikom" company (15.5.1999);
3. Industrial complex "Dvadeset Prvi Maj" in Rakovica (24.3.-3.5.1999);
4. Factory "Jugostroj" in Rakovica (24.4.-3.5.1999);
5. "Beogradska pekarska industrija" (bakery) corporation (24.3.-3.5.1999);
6. "Rekord" corporation (24.3.-3.5.1999);
7. "DMB" company (24.3.-3.5.1999);
8. "Minel" company (24.3.-3.5.1999);
9. Machine building plant "Industrija Motora Rakovica" in Rakovica (24.4.-3.5.1999);
10. Factory "Frigostroj" in Rakovica (24.4.-3.5.1999);
11. Construction company "Rakovica" (24.3.-3.5.1999);
12. "Udamik promet" 24.3.-3.5.1999);
13. Holding company "Agropromet" - Krusevac, branch in Belgrade (27.4.1999);

14. Juice factory "Dunav grad" (29.4.1999);

15. "Jugoimport SDPR" (27.5.1999);

Pancevo:

16. "Lola Utva" agricultural aircraft factory (24-29.5.1999);

Smederevo:

17. Transport company Beograd, branch in Smederevo (29.4.1999)

18. "Sartid 1913" steel concern (15.5.1999);

19. Main office building "Zmaj" company (22.5.1999);

Novi Sad:

20. "Ciklonizacija" (28.3.1999);

21. "Tehnogas" (28.3.1999);

22. "Novograp" (28.3.1999);

23. "Gumins" (28.3.1999);

24. "Albus" (28.3.1999);

25. "Petar Drapsin" (28.3.1999);

26. Brewer Apatin, branch in Novi Sad (28.3.1999);

27. "Prevodnica" firm (28.3.1999);

28. "Niva" company (28.3.1999);

29. "Motins" (7.4.1999);

30. "Izolacija" (7.4.1999);

31. "Novokabel" (7.4.1999);

32. Trade company "Bazar" (7.4.1999);

33. "Zvezda" company (20-21.4.1999);

34. "Jugosped" company (20-21.4.1999);

35. "Stampa komerc" (20-21.4.1999);

Sremska Mitrovica:

36. "Dijana" shoe factory;

Kula:

37. "Istra" fittings factory (24.3.1999);

Bogojevo:

38. The port of Bogojevo;

Sabac:

39. Joint company "Mikromotor" (10.5.1999);

40. Storage house of "Agrocop" (22.5.1999);

Leskovac:

41. "Zdravlje" pharmaceutical plant (25.3.1999);

Aleksinac:

42. "Agrokolonijal" firm (5.4.1999);

43. "Empa" company (5.4.1999);

Cacak:

44. "Sloboda" home electrical appliances factory
(26.3.-13.4.1999);

45. Thermo-technical appliances plant "Cer" (1-17.5.1999);

46. Technical and repair factory (1-15.5.1999);

47. "Hidrogradnja" company (1-10.5.1999);

48. Clothing factory "1. oktobar" (11.5.1999);

Nis:

49. "Din" tobacco factory (5.4.-12.5.1999);

50. "Elektronska industrija" factory;

51. "Jastrebac" machine industry;

52. "Masinska industrija" machine plant;

53. Facilities of the "Beograd" rail company in Nis;

54. Construction material depot "Ogrev Invest";

55. General merchandise depot "Kopaonik" (19.4.1999);

56. Production line of the tobacco factory "Nis"
(5.4.-12.5.1999);

57. "Elektrotehna" warehouse;

58. Food storage facility "Fidelinka";

59. Facilities of the machine industry in Nis (24.4.1999);

60. Office building of the company "So Produkt" (24.4.1999);

61. "Proplanak" (24.4.1999);

62. "Elektro mang" company (24.4.1999);

63. "Elektro mehanika" company (24.4.1999);
64. "Frank komerc" firm (24.4.1999);
65. "Nis auto" (25.4.1999);
66. Holding company "Nana" (25.4.1999);
67. Holding company "Uzor" (25.4.1999);
68. "Birostroj" (25.4.1999);
69. "Agropromet" (25.4.1999);
70. Facilities of the pharmaceutical company "Velafarm";
71. "Feroxs" company (12.5.1999);
72. "Nis elektro" (12.5.1999);
- Kragujevac:
73. "Zastava" car factory, raised to the ground (9-12.4.1999);
- Krusevac:
74. "14 Oktobar" machine factory (12 & 15.4.1999);
75. "Trayal" tire factory (14.5.1999);
- Kursumlija:
76. Production line of the metal factory "Metalac" (20.4.1999);
- Valjevo:
77. "Krusik" holding corporation (14.4.-11.5.1999);
- Pozega:
78. "Prvi partizan - Lola Gama" factory (18.4.1999);
- Jagodina:
79. "Juhor" meat processing plant (15.5.1999);
- Vranje:
80. "Div" cigarette factory (2 & 5.4.1999);
81. "Nova Jugoslavija" printers (5.4.1999);
82. Furniture factor "Simpo";
83. Textile industry "Jumko";
- Raska:
84. Wood-processing complex "27. November";
- Novi Pazar:

85. "Polet" company (24.4.1999);
86. Holding company "Jugotrans" (24.4.1999);
87. Holding company "Vojin Pavlovic" (24.4.1999);
- Kosijerica:
88. Public enterprise "Srbija Sume" (12.5.1999);
- Lucani:
89. "Milan Blagojevic" chemical plant (5.4.-25.4.1999);
- Klina:
90. "Volujak" mine (19.4.1999);
- Pristina:
91. Plastics factory "Plastika" (25.3.-14.4.1999);
92. Cotton yarn factory;
93. Shock-absorber factory;
94. Surface coal mine "Belacevac" (11.4.-4.5.1999);
95. "Magistrala" company (12.4.1999);
96. Strip mine "Dobro Selo" in Obilic (4.5.1999);
- Pec:
97. Facilities of the Pec Brewery (21.5.1999);
98. Facilities of the automobile spare parts plant "Zastava-Ramiz Sadiku" (21.5. & 2.6.1999);
99. Construction company "Ramiz Sadiku" (6.4.1999);
100. Facilities of the wood processing plant (21.5.1999);
101. Vehicle park of the transport company "Sloga prevoz" (21.5.1999);
- Prizren:
102. Cement plant "Betonjerka" (6.4.1999);
103. Private firm "Limit-Duga" (8.4.1999);
104. "Sar - proizvodi" company (2.5.1999);
105. Kosovo vino" wine factory (6-12.5.1999);
106. "Famina - Trepca" state enterprise (13.5.1999);
107. "Printeks" company (13.5.1999);
- Urosevac:

108. Tubes factory (28.3.- 24.5.1999);

109. "Silkapora" factory (15.5.1999);

110. "Metohija vino" wine factory (19.5.1999);

Gnjilane:

111. "Binacka Morava" hydro construction company (10.4.-2.5.1999);

112. Cigarette factory (10.4.2.5.1999);

113. Battery factory (10.4.-2.5.1999);

Glogovac:

114. Plant Feroniki (29-30.04.1999);

Lipljan:

115. Plant Radioton (6.05.1999.);

Lebane:

116. "Jedinstvo company" (14.4.1999);

117. "Vocarstvo" unit (14.4.1999);

Djakovica:

118. Over 250 commercial and crafts shops, predominately privately owned, in central Djakovica were destroyed (24.3.-3.6.1999);

Vucitrn:

119. Factory of construction materials "Miloje Zakic" (28-29.5.1999);

Bujanovac:

120. "Integral" brick plant (13.5.1999);

Podujevo:

121. "Ciglana" brick plant (14.5.1999);

2. REFINERIES AND WAREHOUSES storing liquid raw materials and chemicals intended for the petro-chemical and chemical industries, were hit in Pancevo, Novi Sad, Sombor and elsewhere, causing large contamination of soil and air:

1. Fuel storage in Lipovica, which caused a great fire in the Lipovica forest (26.3.1999);

2. "Beopetrol" storage in Belgrade (4.4.1999);

3. "Beopetrol" storage in Bogutovac (4.4.-25.5.1999);

4. "Jugopetrol" installations in Smederevo (4.4.-31.5.1999);

5. Fuel storage of the boiler plant in Novi Beograd (4.4.1999);
6. Oil Refinery in Pancevo - totally demolished (4-7.6.1999);
7. Thermo electric power station/boiler plant in Novi Sad (5.4.1999);
8. Oil Refinery in Novi Sad (5.4.-07.6.1999);
9. Fuel storage "Naftagas promet" which is located 10 km from Sombor (5.4. - 20.5.1999);
10. Naftagas warehouse between Conoplje and Kljaicevo - Sombor (6.4.-23.5.1999);
11. "Jugopetrol" storage in Sombor (7.4.-24.5.1999);
12. "Beopetrol" fuel storage in Pristina (7.4.1999);
13. "Jugopetrol" storage facilities in Nis (11.5.1999);
14. Jugopetrol warehouse in Pristina (12.4.1999);
15. Jugopetrol petrol station in Pristina (13.4.1999);
17. Fuel depot in Gruza, near Kragujevac;
16. Petrochemical industry "DP HIP PETROHEMIJA" in Pancevo - totally demolished (14-15.4.1999);
17. Fertilizer plant "DP HIP AZOTARA" in Pancevo - totally destroyed (14-15.4.1999);
18. Chemical plant "Prva Iskra" in Baric - destruction of the production line (19.4 & 10.5.1999);
19. "Jugopetrol" storage facilities in Bor (15.-27.5.1999);
20. "Jugopetrol" pump station and storage facilities near Belgrade (16.5.1999);
21. "Jugopetrol" storage facilities in the township of Godominsko polje, municipality Smederevo (17.-22.5.1999);
22. "Jugopetrol" storage facilities in the Belgrade suburb Cukarica (18. & 20.5.1999.)

3. AGRICULTURE:

Several thousand hectares of fertile land, many rivers, lakes and underground waters have been polluted due to the spillage of petrochemical substances, oil spills and slicks which will, certainly, have long lasting effects on the health of the entire population of the FR of Yugoslavia. In forest fires caused by NATO cruise missiles and bombs more than several hundred hectares of forests have been burned down.

1. Orchard institute in Novi Sad (6.4.1999);
2. Agricultural and industrial complex "Proges" in Prizren (8.4.1999);

3. Chicken farm "Juko" in Djakovica (12.4.1999);
4. Agricultural and food-processing plant and a cow-breeding farm with 220 milk cows "Pester", in Sjenica, has been destroyed (6-8.4.1999);
5. "Sumsko gazdinstvo" forest farm in Suva Reka (19.4.1999);
6. "Titel" agricultural complex in Titel (20.4.1999);
7. Celarevo farm in Backi Petrovac (21.4.1999);
8. "Podunavlje" agricultural and industrial complex in Backi Petrovac (21.4.1999);
9. Agricultural and industrial complex "Becej" in Nis (25.4.1999);
10. PIK "Mladost" in Gnjilane (26.3. & 30.4.1999);
11. Agricultural complex "Petefi" in Novi Sad (28.4.1999);
12. Agricultural complex "Agrounija" in Indjija (1.5.1999);
13. Agricultural complex "7. juli" in Belgrade (2.5.1999);
14. Agricultural complex in Djakovica (4.5.1999);
15. Chiken factory in Gnjilane (9.5.1999);
16. Agricultural complex in Subotica (10.5.1999);
17. PIK "Kopaonik" in Kursumlija;
18. Agricultural Complex "Malizgan" in Dolac;
19. Agricultural Complex "Djuro Strugar" in Kula;
20. Agricultural Compex in the village of Svetlje housing refugees (11.5.1999);
21. Agricultural complex PKB Corporation in Belgrade (15.5.1999);
22. Pig breeding farm in the v. Ponosevac (15.5.1999);
23. Agricultural Complex "Djuro Strugar" in Kula (20.5.-3.6.1999);
24. Warehouses of the agricultural complex "Agrocoop" in Sabac (22.5.1999);
25. Agricultural farm "Dobricevo" near Cuprija (25. & 27.5.1999);
26. Farm of the agricultural complex "Dobricevo" in Cuprija (26.5.1999);
27. Agricultural complex "Dubrava" in Pristina (30.5.1999);
28. Agricultural farm "Stocarstvo" in Prizren (2.6.1999);
29. Forestry Complex "Juzni Kucaj" in Despotovac (3.6.1999);

30. Pig farm "Ekohrana" in Boljevac (8.6.1999);

4. HOSPITALS AND HEALTH CARE CENTRES:

NATO aviation also targeted many hospitals and health-care institutions, which have been partially damaged or totally destroyed, including:

- Neuropsychiatric Ward "Dr. Laza Lazarevic", Institute for urology and nephrology and Central Pharmacy of the Emergency Centre in Belgrade (3.4. & 8.5.1999);

- "Sveti Sava" hospital in Belgrade (7.4.1999);

- Army Medical Academy and Orthopaedic Clinic in Banjica, Belgrade (4.4. & 13.4.1999);

- Hospital "Dragisa Misovic", especially the Neuropsychiatric Ward which has been totally demolished, in Belgrade (19.5.1999);

- Medical Centre for Lung Diseases and Tuberculosis in Belgrade (28.4.1999);

- Gynaecological Hospital and Maternity Ward of the Clinical Centre in Belgrade (21.4.1999);

- City Hospital "Zvezdara" in Belgrade (5.4. & 30.4.1999);

- Labour Health Care Centre in Rakovica (15.4.1999);

- Hospital and Medical Centre in the territory in Leskovac (25.3.1999);

- Gerontological Centre in Leskovac (25.3.1999);

- Hospital and Poly-clinic in Nis (27.3.1999);

- Medical station of the Machine Industry, Nis (24.4.1999);

- General Hospital in Djakovica;

- City Hospital in Novi Sad (1.4.1999);

- Medical station - Klisa, Novi Sad (7.4.1999);

- Medical Centre and Ambulance Centre in Aleksinac (5.4.1999);

- Medical Centre in Kraljevo;

- Dispensary on Mount Zlatibor;

- Outpatient clinic and Medical station, Medjurecje - Ivanjica (12.4.1999);

- City hospital in Valjevo (21.4.1999);

- Dispensary "Krusik" in Valjevo;

- Hospital for treatment of dystrophia in Novi Pazar;

- Health Care Centre in Kursumlija;

- City hospital in Pancevo including the Maternity Ward (30.04.1999.);

- Neuropsychiatric Ward "Dr. Slavoljub Bakalovic" in Vrsac (30.04.1999.);

- City hospital in Nis (7.05.1999);

- Medical Care Centre in Vladicin Han (11.5.1999);

- Sanatorium for treatment of lung diseases, Surdulica (31.5.1999);

- Medical station in Kula (25.3.1999);

- Dentist station in Pristina (29.3.1999);

- Outpatient clinic in Prizren (19.4.1999);

- Outpatient clinic in Suva Reka (19.4.1999);

- Medical station, Druzetic, Koceljeva (23.4.1999);

5. SCHOOLS (MORE THAN 400 FACILITIES)

Over 300 schools, faculties and facilities for students and children were damaged or destroyed (more than 20 faculties, 6 collages, 40 secondary, 300 elementary schools, 6 student dormitories, as well as more than 50 pre-school facilities), among others:

- Elementary schools "16. oktobar" and "Vladimir Rolovic" in Belgrade;

- Day-care centre in settlement Petlovo Brdo in Belgrade;

- Elementary school and Engineering secondary school centre in Rakovica;

- Two secondary schools in the territory of Nis;

- Faculty for construction and architecture in Nis;

- Faculty for machine-technical studies in Nis;

- Faculty for electro-technical studies in Nis;

- Faculties of Law and Economics and elementary school "Radoje Domanovic" in Nis;

- Elementary schools "Toza Markovic", "Djordje Natosevic", "Veljko Vlahovic", "Sangaj" and "Djuro Danicic" and a day-care centre "Duga" in Novi Sad and creches in Visarionova Street and in the neighbourhood of Sangaj; Traffic School Centre, Faculty of Philosophy;

- Four elementary schools and a Medical high school in the territory of Leskovac;

- Elementary school in Lucane, as well as a larger number of education facilities in the territory of Kosovo and Metohija;

- Elementary schools in Kraljevo and the villages of Cvetka,

Aketa and Ladjevcij;

- Sombor: elementary schools "Ivo Lola Ribar", "A. Mrazovic", "N. Vukicevic" and "Nikola Tesla" in Kljajicevo;

- School centre in Kula;

- Agricultural school in Valjevo;

- Elementary school "Svetozar Markovic - Toza" in Novi Sad (6.05.1999);

- Secondary music school "Stanislav Binicki" in Belgrade (7.5.1999);

- Building of the Faculty of arts in Belgrade (7.5.1999);

- Elementary school in the village of Nabrdje, near Pec (11.5.1999);

- Elementary school "Laza Lazarevic" and "Kosta Abrasevic" in Sabac (11. & 18.5.1999.);

- Vladicin Han: elementary school "Branko Radicevic", high school "Jovan Skerija" and two kindergartens (11.5.1999.);

- Elementary school in the township of Leposavic (11.5.1999);

- Elementary school "Miladin Popovic" in Pec (21.5.1999);

- Elementary school "Marija Bursac" in Belgrade (31.5.1999);

6. PUBLIC AND HOUSING FACILITIES

- The residence of the President of the FR of Yugoslavia in Belgrade, sustained heavy damages (22.4.1999);

- Building of the Federal ministry of foreign affairs in central Belgrade (30.04. & 7.05.1999);

- Building of the Federal ministry of defence in central Belgrade (30.04. & 7.05.1999);

- Building of the Federal ministry of interior affairs in central Belgrade (30.04. & 7.05.1999);

- Building of the Government of the Republic of Serbia in central Belgrade (30.04. & 7.05.1999);

- Building of the administrative and judiciary authority of the Republic of Serbia in central Belgrade (7.4.1999);

- Building of the Ministry of internal affairs of the Republic of Serbia in Belgrade (30.4. & 7.5.1999);

- Pristina: damaged or destroyed, private and public housing units, commercial premises and office buildings, administrative buildings of municipal, provincial and republican authorities in downtown Pristina (29.3.1999);

- Damage to the building of the Institute for Security of the

Ministry of the Interior in Banjica (3.4.1999);

- Severe damage to the TV RTS studio in Pristina;
- Heavy damage to Hydro-Meteorological Station (Bukulja, near Arandjelovac);
- Aleksinac: damaged or destroyed, private and public, housing units, commercial premises and office buildings, administrative buildings of municipal and republican authorities in downtown Aleksinac (5.4.1999);
- Destruction of the Post Office in Pristina (7.4.1999);
- Destruction of the Refugee centre in Pristina (7.4.1999);
- "Tomik" ski resort on Mount Zlatibor (8.4.1999);
- "Divcibare" mountain resort (11.4.1999);
- "Baciste" Hotel on Mount Kopaonik (12.4.1999);
- Meteorological Station on Mount Kopaonik damaged (13.4.1999);
- Four libraries in Rakovica sustained heavy damage: "Radoje Dakic", "Isidora Sekulic", "Milos Crnjanski" and "Dusan Matic";
- Refugee camp "7 juli" in Paracin has sustained heavy damage;
- Office building of the Provincial Executive Council of Vojvodina, Novi Sad (18.04.1999.);
- Hotel "Mineral" in Bogutovacka Banja sustained heavy damages (19.4.1999);
- Office building of the power distribution board "Elektro distribucija" in Kursumlija (20.4.1999);
- Hotel "Putnik" on Mt. Kopaonik;
- Business centre "Usce" in Belgrade (21-27.4.1999);
- Refugee camp "Majino naselje" in Djakovica (21.4.1999);
- Radio Television of Serbia office building in Belgrade (23.4.1999);
- Youth and children centre in Belgrade (23.4.1999);
- Youth theatre "Dusko Radovic" in Belgrade (23.4.1999);
- Post Office in Nis (23.4.1999);
- Radio Television of Serbia office building in Novi Sad has been destroyed (4-30.5.1999);
- Hotel "Jugoslavija" has sustained heavy damages (7.5.1999);
- Central Post Office in Uzica (8.5.1999);
- Post Office in Kragujevac (9.5.1999);

- Vladicin Han: over 50% of housing facilities and state buildings have been destroyed or damaged (office buildings of the Republican and Municipal authorities, sport center, supermarkets, department stores, etc) /11.5.1999./;

- Facilities of the Radio Television Novi Sad in Sremska Kamenica (13.5.1999);

- Post office in the township of Ponikve (14.5.1999);

- Hotel "Park" in Pec (19.5.1999);

- Meteorological station "Palic" near Subotica (20-30.5.1999);

- Buildings of the Municipal and Republican authorities in Sabac (22.5.1999);

- Building of the municipal authority and Hotel "Plaza" in the town of Varvarin (30.5.1999);

- Sport hall in Pec has been totally demolished (2.6.1999);

7. INFRASTRUCTURE:

- Destruction of power supply transmitters in Belgrade suburbs of Resnik, Zemun Polje, Batajnica, Lestane (26.3.-2.6.1999);

- Damage to water supply system in Zemun (5.4.1999);

- Damage to a power supply transmitter in Bogutovac (10.4.1999);

- Telephone lines cut off in Bogutovac (10.4.1999);

- Damage to a power station in Pristina (12.4.1999);

- Damage to the city power plant in the town of Krusevac (12-13.4.1999);

- Damage to Bistrica hydroelectric power station in Polinje (13.4.1999);

- Damages to the power station 220-110 Beograd 3 and power station 110-35 Beograd 9 (23.4.1999);

- Damage to facilities "Drmno", power station Obrenovac, Bajina Basta, Nis 2 and Novi Sad 3 (2.5.1999);

- Damage to hydroelectric power station "Nikola Tesla" in the Belgrade suburb Obrenovac (3.-22.5.1999);

- Damage to power stations Obrenovac, Beograd 8 and Beograd 3 (7.5.1999);

- Damage to distribution facilities "Drmno", power stations Beograd 8, Nis 2, Bajina Basta, distribution facilities and power station "Kostolac A", as well as distribution facilities and power station of the thermal power plant "Kolubara A" (22.5.1999);

- Damage to the EPS facility in Bajina Basta (22.5.1999);

- Damage to the power station in the mine Bor, in Bor

(22.5.1999);

- Damage to the power plant in the Belgrade suburb Obrenovac (3.-23.5.1999);

- Damage to distribution facilities "Drmno", power stations Nis 2 and Novi Sad 3 (23.5.1999);

- Destruction of the electrical transformer station in Smederevo (15.5.1999);

- Destruction of the electrical transformation station in Bor (15.5.1999);

- Damage to the thermo power plant "Kolubara" in the township of Veliki Crljeni (22.5.1999);

- Damage to the power plant Rimski Sancevi in Novi Sad (23.5.1999);

- Damage to the power grid system in Nis (23.5.1999);

- Damage to the water supply system and long-distance power line in Sremska Mitrovica (24.5.1999);

- Damage to the long-distance power line /Boljevacica suma/ near Obrenovac (25.5.1999);

- Destruction of the long-distance power line near Djakovica (25.5.1999);

- Destruction of the long-distance power line near Backi Petrovac (25.5.1999);

- Destruction of the power grid system in Lestane, suburb of Belgrade (23.5.-2.6.1999);

- Damage to the power station in Belgrade (27.5.1999);

- Damage to the postal transmitter station "Telecom", near Uzice (27.5.1999);

- Severe damages to the water processing plant in Sombor (30.05.1999);

TELECOMMUNICATIONS

TV TRANSMITTERS (43):

1. Jastrebac - Prokuplje (25.3.-26.5.1999);

2. Gucevo - Loznica (25-27.4.1999);

3. Cot - Fruska Gora (5-11.4.1999);

4. Grmija - Pristina (6.4.-10.5.1999);

5. Bogutovac - Pristina (29.4.1999);

6. TV transmitter on Mt Goles - Pristina (9.4.-13.5.1999);

7. Mokra Gora - Kosovska Mitrovica (17/18.4.1999);
8. Kutlovac - Stari Trg (4.4.-16.5.1999);
9. "Cigota" - Uzice (25.3.1999);
10. "Tomik" - Uzice (25.3.-15.4.1999);
11. Transmitter on Crni Vrh - Stara Planina (26.5.-3.6.1999);
12. Satellite station "Yugoslavia" - Prilike (13-30.4.1999);
13. TV masts and transmitters - Novi Sad (21.4.-11.5.1999);
14. TV transmitter on Mt Ovcar - Cacak (15.4.-11.5.1999);
15. TV transmitter in Kijevo - Belgrade (23-29.4.1999);
16. TV transmitter on Mt Cer (16.4.-8.5.1999);
17. Relay on Mt Jagodnji - Krupanj (15.4.1999);
18. TV transmitter "Iriski Venac" - Fruska Gora (21.4.-11.5.1999);
19. TV relay on Mt. Bukulja (25.3.1999);
20. Transmitter in Gazimestan - Pristina (13.4.1999);
21. RTV transmitter in Krnjaca - Belgrade (23-29.4.1999);
22. RTV transmitter on Mt. Gobelj on Mt. Kopaonik (3.6.1999);
23. RTV transmitter on top of the business centre "Usce" used by RTV Kosava, RTV Pink, SOS channel, TV BK and Radio S - Belgrade (21.&27.4.1999);
24. RTV transmitter and scenic tower on Mt. Avala (30.04.1999);
25. RTV transmitters (two) "Vrsacki breg" - Vrsac (30.04. - 11.5.1999);
26. RTV transmitter "Crveno selo" - Subotica (10.5.1999);
27. RTV transmitter in Raska (19.5.1999);
28. RTV transmitter near Srbobran (20.5. & 3.6.1999);
29. Transmitter "Godominsko polje" of the Radio Smederevo (21.5.1999);
30. RTV transmitter "Prevovac" near Kursumlija (23.5.1999);
31. RTV transmitter and postal transmitter "Zabucje" near Uzice (25.5.1999);
32. Transmission center of Radio Belgrade in the village of Zvecka, near Obrenovac (25-31.5.1999);
33. Radio transmitter of Radio Kragujevac - Kragujevac (29.5.1999);

34. RTV transmitter "Plackovica" near Vranje (29.5.1999);
35. RTV transmitter "Brdo Kozarica" near Dimitrovgrad (29.5.-3.6.1999);
36. RTV transmitter of Radio TV Serbia and RTV transmitter of Radio TV Priboj near the town of Priboj (29.5.1999);
36. RTV transmitters "Vucjamo" and "Brdo Jabuka" near the town of Leposavic (29.5.1999);
37. "Radio Yugoslavia" emission center in Stublina, near Obrenovac (30.5.1999);
38. RTV transmitter "Besna Kobila" near the town of Vranje (31.5.-3.6.1999);
39. RTV transmitter "Branko Brdo" near the town of Zubin Potok (31.5.1999);
40. RTV transmitter "Banjska" near the town of Zvecan (1.6.1999);
41. RTV transmitter "Nemic Brdo" near the town of Ljubovija (2.6.1999);
42. RTV transmitter "Kotelnik" near the town of Kraljevo (2.6.1999);
43. RTV transmitter "Rudnik" near the town of Gornji Milanovac (3.6.1999);

DESTRUCTION OF CULTURAL AND HISTORIC MONUMENTS AND RELIGIOUS SHRINES

MEDIEVAL MONASTERIES AND RELIGIOUS SHRINES (59):

1. Monastery Rakovica from 16th century, Rakovica (24.3.1999);
2. Monastery Gracanica (14th century) under UNESCO protection, Pristina (30.3.-3.5.1999);
3. Patriarchate of Pec (13th century), Pec (31.3.-1.4.1999);
4. Monastery of St. Nicholas (12th century), Kursumlija (1/2.4.1999);
5. Monastery Vrdnik (16th century), Vrdnik (2/3.4.1999);
6. Vojlovica monastery (15th century) near Pancevo (3-12.4.1999);
7. Monastery Novo Hopovo (16th century), Fruska Gora (4/5.4.1999);
8. Monastery of Holy Mother (12th century) at the estuary of the Kosanica in the Toplica - territory of municipality of Kursumlija (4.4.1999);
9. Monastery Zociste (14th century), Orahovac (4.4.1999);
10. Monastery Nikolje (15th century), Ovcara (4/5.4.1999);

11. Monastery Zica (13th century) in Zica (7/8.4.1999);
12. Monastery Nova Pavlica (14th century) in Brvenik (7/8.4.1999);
13. Monastery Melentija (15th century), Kopaonik (13/14.4.1999);
14. Monastery Sisatovac (16th century), Fruska Gora (17.4.1999);
15. Monastery Staro Hopovo (16th century), Fruska Gora (17.4.1999);
16. Monaster Holly Trinity (16th century), Ovcar (22.4.1999);
17. Monastery Sretenje (16th century), Ovcar (22.4.1999);
18. Monaster Djurdjevi Stupovi (12th century), Novi Pazar (23.4.1999);
19. Monaster Kovilj (17th century), Kovilj (21.4.1999);
20. Monaster Sopocani (13th century), Novi Pazar (24.4.1999);
21. Monaster Ljubostinja (14th century), Trstenik (30.4.1999);
22. Monaster Draganac (19th century), Gnjlane (2.5.1999);
23. Monaster Decane (14th century), v. Istinic (2.5.1999);
- ***
24. Roman Catholic Church St. Antonio in Djakovica (29.3.1999);
25. Monaster Church of St. Juraj (built in 1714) in Petrovaradin (1.4.1999);
26. Church of Virgin Mary (12th century), Kursumlija (1.4.1999);
27. Vavedenje Church (14th century), Lipljan (1.4.1999);
28. Church of Resurrection of Virgin Mary (15th century), Smederevo (3.4.1999);
29. St. Nicolas Church (16th century), Pec (3.4.1999);
30. Church of St. George (19th century), Smederevo (3/4.4.1999);
31. Church in Jelasnica near Surdulica (4.4.1999);
32. Chapel St. Archangel Gabriel (18th century), Zemun (5.4.1999);
33. Old Orthodox Church St. Stephen (17th century), Sremska Mitrovica (6/7.4.1999);
34. New Orthodox Church St. Stephen (18th century), Sremska Mitrovica (6/7.4.1999);
35. Roman Catholic Church (19th century), Sremska Mitrovica (6/7.4.1999);

36. Stara Pavlica Church (12th century), Brvenik (7.4.1999);
 37. Old Church (19th century), Kragujeva (8.4.1999);
 38. St. Petka Church (16th century), Klina (14.4.1999);
 39. Monastery Church St. Archangel Michael in Rakovica (16.4.1999);
 40. Church of St. Archangel Michailo (19th century), Ivanjica (19.4.1999);
 41. Church of St. Peter (19th century), Belgrade (23.4.1999);
 42. Orthodox Church St. Marco (20th century), Belgrade (23.4.1999);
 43. Old Russian Orthodox Church Holly Trinity (20th century), Belgrade (23.4.1999);
 44. Church of St. Peter (10th century), Novi Pazar (23.4.1999);
 45. St. Nicholas Church (18th century), v. Krcmar, mun. Valjevo (29.4.1999);
 46. Church of St. Archangel Mihailo (19th century), Nis (5.5.1999);
 47. St. Marco Church (19th century), Uzice (8.5.1999);
 48. Church of St Mihailo and Gavriilo (19th century), Zablace (10.5.1999);
 49. Church of Virgin Mary (19th century), v. Cvetke (10.5.1999);
 50. St. Jovan Church (19th century), Nis (11.5.1999);
 51. Church of St. Peter and Pavle (19th century), Mrcajevci (11.5.1999);
 52. Church of St. Ilija (19th century), Pirot (12.5.1999);
 53. Church of St. Dimitrije (16th century), Vranje (12.5.1999);
 54. Church of St. Nicholas in Gomja Brnjica, near Pristina (25.5.1999);
 55. Church of the Holy Mother in Varvarin (30.5.1999);
 - ***
 56. Orthodox cemetery in Gnjilane (30.3.1999);
 57. Orthodox Christian cemetery in Pristina (7.4. - 31.5.1999);
 58. Orthodox cemetery in Raska (11.5.1999);
 59. Orthodox cemetery in Kosovska Vitina (29.5.1999);
- CULTURAL-HISTORICAL MONUMENTS AND MUSEUMS (15):

1. Severe damage to the roof structure of the Fortress of Petrovaradin (1.4.1999);
2. Destroyed archives housed in one of the Government buildings in Belgrade (3.4.1999);
3. Heavy damage to "Tabacki bridge", four centuries old, in Djakovica (5.4.1999);
4. Substantial damage to the building in Stara Carsija (Old street) in Djakovica (5.4.1999);
5. Monuments destroyed in Bogutovac (8.4.1999);
6. "Kadinjaca" memorial complex (8.4.1999);
7. Memorial complex in Gucevo (Loznica);
8. Memorial complex "Sumarice" in Kragujevac;
9. Vojvodina Museum in Novi Sad;
10. Old Military Barracks in Kragujevac - under the protection of the state (16.4.1999);
11. Memorial complex Crveni Krst in Nis (21.4.1999);
12. Heavy damages to the old section "Stara Carsija" of Pec (22.5.1999);
13. Memorial complex to the heroes of the battle of Kosovo, Gazimestan (24.5.1999);
14. Building of the Ethnographic museum in Belgrade (31.5.1999);
15. Medieval fortress "Markovo Kale" built in the 13 c., in Vranje (1.6.1999);

BOMBING OF DIPLOMATIC AND CONSULAR MISSIONS

ACCREDITED IN THE F.R. OF YUGOSLAVIA

In NATO actions so far on residential quarters in Belgrade, the Chinese Embassy was targeted by NATO bombers as well as another 19 diplomatic missions, embassies or Ambassador's residences, which have suffered great or less extensive damages during the bombardment of civilian targets in the vicinity of these buildings.

(1) The Embassy of the Peoples's Republic of China and the Chinese Ambassador's residence were bombed by NATO aircraft on the nights of 7-8 May. Three Chinese journalist died and eight other Embassy staff were seriously or lightly injured. The Embassy building and the Ambassador's residence, property of the PR of China, sustained heavy damages.

(2) During nightly bombings of central Belgrade and residential areas by NATO warplanes, in the period from 18 to 20 May 1999, 19 diplomatic missions accredited in Belgrade (Embassy buildings or Ambassador's residences) suffered damages as a result of ensuing detonations, which are as follows:

- Angolan Embassy (May 19-20);

- Royal Danish Embassy (May 19-20);
- Residence of the Egyptian Ambassador (May 19-20);
- Residence of the Indian Ambassador (May 19-20);
- Iraqi Embassy (May 19-20);
- Residence of the Iranian Ambassador (May 19-20);
- Residence of the Israeli Ambassador (May 19-20);
- Italian Embassy and the residence of the Italian Ambassador (May 7-8, 29-30);
- Canadian Embassy (May 7-8, 29-30);
- Residence of the Libyan Ambassador (May 19-20);
- Residence of the Hungarian Ambassador (May 19-20);
- Residence of the Norwegian Ambassador (May 19-20);
- Pakistan Embassy (May 19-20);
- Residence of the Polish Ambassador (May 19-20);
- Residence of the Syrian Ambassador (May 19-20);
- Residence of the Spanish Ambassador (May 19-20);
- Residence of the Swiss Ambassador (May 19-20);
- Residence of the Swedish Ambassador (May 19-20);
- Zimbabwean Embassy (May 19-20);

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CHRONOLOGY OF CRIMES AND DISHONOR OF NATO
June 05, 1999

Belgrade, June 5 (Tanjug) - Unable to break the heroic resistance of Yugoslav Army, criminal NATO alliance cowardly tried to destroy during the last 70 days civilian facilities, infrastructure, enterprises, factories, schools, institutes for information and health care, cultural-historical monuments, killing massively and without regretting innocent civilians, sick people, old men and women, pregnant women, children and babies.

NATO aggression started on March 24, shortly after 8.00 p.m. when the airport in Batajnica, Military Aviation Institute in Zarkovo and Military Academy in Belgrade, as well as targets in Kosovo and Metohia.

more than 500 houses and many buildings of the medical center were damaged in the region of municipality of Leskovac in bombardments on March 25 and 29. The medicines factory "Zdravlje" was also hit.

Cultural-historical monuments in region of Cetinje, and one of the most important monuments Gracanica were the target on March 25. The attack on that monastery will be repeated on March 31, which will be targeted with forbidden by international law cluster bombs.

During the air raids on Rakovica on March 28, the same called monastery suffered a damage. The cluster bombs fell on Montenegro, on

military airport in Golubovci and polygon Radovici, but on Glava Zete as well, where no military facilities are situated.

The target of NATO on March 27 were residential houses and kindergartens, especially in Rakovica. Deadly missiles fell during that hell of a night in Batajnica, Lipovacka forest, Sremcica, Jakovo, Lesce, Rusanj, Bujanj Potok, Zuce, Beli Potok, Majdan, Zarkovo and Zeleznik.

NATO bombed on March 29, the very heart of Pristina, as well as many civilian facilities in Pec, Gnjilane, Kosovska Mitrovica, Djakovica, Leskovac, Kraljevo and Sombor. The target was also the water installations Brezna near Gornji Milanovac, which supplies that part of the country with water.

Criminals bombed on March 30 the refugee camps near Nis and Pristina, killing 15 refugees, and even the monumental park "Sumarice" near Kragujevac was the target.

Pristina was covered on March 31 with cluster bombs, and Monastery Gracanica was targeted with two missiles.

NATO criminals ruined on April 1 the Varadin bridge in Novi Sad, and building of University of Novi Sad suffered great damages. Federal Ministry of Interior and new building of Serbian Ministry of Interior were bombed on April 3.

Civilian buildings and hospitals inside the Medical Center of Serbia were damaged. Commissariat for Refugees and Archive of Yugoslavia were also the target. Bridges in Novi Sad and Backa Palanka were destroyed.

Heating station in New Belgrade was destroyed on April 4, and one man was killed. The building of Medical hospital in Belgrade as well as many other civilian facilities in Banjica were damaged.

Tomorrow, only civilian facilities were targeted in Aleksinac. Twelve people were killed, and about 50 were injured. Sixteen houses were leveled to the ground, more than 400 are incapacitated for life, about ten industrial facilities were damaged.

Primary school "Svetozar Markovic" in Zemun was hit, the residential area in Veselina Maslese street, "Marija Bursac" school were also hit, and parts of City hospital and "Sveti Sava" hospital, where many patients came for medical treatments, were damaged.

Office of "Crvena Zastava" factory in Kragujevac was hit on April 8, 124 employees were injured, and thousands of workers remained jobless.

When the international passengers' train Belgrade - Thessaloniki was hit on Bistrica bridge in Grdulicka Klisura, about 50 civilians were killed.

The center of Cuprija was demolished with eight missiles on April 9, and numerous residential and private houses were leveled to the ground.

NATO launched a missile air-land on district of village of Pricevic near Valjevo. Iconostasis in church dedicated to Saint Sava in Monastery of Hopovo was damaged. Relay on mountain of Golez, about 20 kilometers north from Pristina was hit. That unabled the receipt of program of RTS.

The aggressor didn't spare FR Yugoslavia not even for Easter holidays. Launching rackets on Merdare near Podujevo, five citizens, and among them one baby, were killed. The factory of "Zastava" in Kragujevac, oil refinery in Pancevo, residential area of Detelinara in Novi Sad and factory "14 oktobar" from Krusevac were on the target of the aggressor.

On the road Pristina - Kosovo Polje, near the Agriculture school, two civilians were killed, and one is heavily injured. Oil refinery in Pancevo and factory "Zastava" in Kragujevac were bombed.

NATO missiles exploded on April 13 only 30- meters from the VMA hospital in Belgrade. About 20 patients were injured.

NATO committed on April 14 a massive crime on civilians, targeting a convoy of 400 Albanian refugees, who were on their way home from the Yugoslav - Albanian borderline. On the road Djakovica - Prizren, 72 Albanians were killed, 35 were injured. Lot of women and children were among them.

Missiles fell on Rakovica, where many factories and residential buildings suffered a damage, as well as on Pristina, Kursumlija, center of Kragujevac, RTS relay on mountain Ovcara and "Krusik" factory in Valjevo. A bridge over the Zapadna Morava river in village of Jasila near Krusevac was destroyed.

Oil refinery in Novi Sad was hit on April 15, and the bridge between Kovin and Smederevo was damaged. Valjevo, Rudnik, Arandjelovac, Gucevo and Subotica were on target.

Azotara and "Petrohemija" factories were hit on April 16. Among the aims all around Serbia, missiles hit the targets in Montenegro in Podgorica, Danilovgrad and Tuzi.

Military - civilian airport Ponikve near Uzice, monastery of Fruska Gora, "Krusik" factory in Valjevo, Sremska Mitrovica and Belgrade were on the target. The building of executive board of Vojvodina in Novi Sad was hit and severely damaged on April 18.

NATO cowards killed on April 19 a three-year-old Milica Rakic from Batajnica. Aleksinac was the target again tomorrow when center of Kursumlija was demolished - metal factory "Metalac",

"Elektro distribucija", "Health center" and surrounding residential facilities were damaged. The hospital in Novopazarska spa was damaged, and few houses were leveled to the ground.

In bombing of Pancevo, many factories and installations were totally destroyed. Nis suffered many destructions and one person was killed. Residential areas are demolished, tobacco factory and train stations also. The bridge in Donja Bistrica near Nova Varos was also damaged, and five workers were injured.

Refugee camp Maja near Djakovica was bombed on April 21. Five persons were killed. Demolition of business center "Usce" in New Belgrade started. This was the building from which TV and radio stations broadcasted its programs.

NATO tried on April 22 to commit assassination on president of FRY by bombing the official residence. This is a terroristic act without precedent in the civilized world.

NATO also committed monstrous crime on April 23 by bombing during the night the building of RTS in Aberdareva street in Belgrade, where about fifteen workers were killed.

Nis was again on target on April 24 when the city center was hit with 16 missiles, while the bombing of Leskovac district damaged about 500 houses. Twenty four missiles were launched on Jadar on mountain Gucevo, where many refugees were placed, and TV relay and high aerial pillar were destroyed.

Oil refinery in Novi Sad was hit again on April 25. The Zezelj bridge in Novi Sad was ruined on April 26. Kursumlija was targeted again, and number of killed civilians rose up to the number of 17. Metal factory "Metalac" and other installations was damaged, and about 2000 workers remained jobless.

Massacre directed by NATO happened on April 27 when more than 20 civilians were killed in bombing of Surdulica, among them 12 were children, while more than 150 were injured. Bridges on Lab near Mileseva on Ibarska road, on Kosanica near Kursumlija and bridge "May 25" which connects Backa Palanka and Ilok were hit.

Five railways in Ibarska Klisura between Kraljevo and Raska were damaged, 50 houses were totally destroyed, about 500 homes in Cuprija, sports hall, building of "Elektro distribucija", stores, two high and one primary schools were demolished.

"Tomahawk democracy" was continued with bombardment of gypsy area in Prizren on April 28 when four persons were killed, three of them were children. Pediatric hospital and maternity house of the Medical center "Dragisa Misovic" were damaged.

The bridge on Sava near Ostruznica, relay in Kmijaca, reservoirs of "Jugopetrol" in Pozega were destroyed. Oil refinery in Novi Sad, Novi Pazar, Smederevo, Pozarevac, Podgorica, Ruma and Bar were on target.

NATO destroyed on April 29 the Sarajevo bridge in Grdelicka Klisura. Criminals unable for traffic bridges on the river of Ibar and Danube near Beska. The tower on Avala, aerial tower in Borca and relays all around Serbia - on mountain Fruska Gora, Ovcar, Gobelji and Crni vrh were targeted.

The old building of Ministry of Interior of Republic of Serbia in the very heart of Belgrade was bombed on April 30, as well as Ministry of Defense and Army Headquarters. The village of Murino between Andrijevisa and Plav in Montenegro was targeted. Five persons were killed and eight were injured.

Near Luzane, on 1st May, "Nis Expres" bus was hit on the bridge. Forty-seven passengers were killed and 16 persons were heavily injured. The bridge in Trstenik on Zapadna Morava River was knocked down and one person was killed. Trstenik and Technical and Repair Institute in Cacak were shelled.

During bombing of Valjevo on 2nd May 34 persons were wounded and due to devastation of "Krusik" 7000 workers lost their job.

Targeting of electric power installations in Obrenovac, Kostolac as well as in the surrounding of Bajina Basta and "Perucac" power generating plant resulted in the electric-power network break-down. Bridges on Rasina River and Juzna Morava River were demolished and fire was caused in petrol refinery in Novi Sad. One bus of "Autotransport" of Kraljevo was attacked and two children lost their legs.

The bloody feast continued on 3rd May with bombing of a "Djakovica prevoz" bus near Savine Vode, on Pec-Kula-Rozaje road, when 20 civilians were killed and 43 injured. Novi Sad television was targeted again.

NATO committed an unblushing attack on 5th May intentionally

bombing near Urosevac the Greek humanitarian convoy the route of which was announced in advance. Besides, the convoy was properly marked.

The railway bridge near Vatina, on Beograd-Bucharest railway road, was demolished on 6th May. Oil tank stores of "Jugopetrol" and "Energogas" were targeted. The airfield in Nis was attacked and "Jugopetrol" installations near Negotin were targeted.

Nis was attacked again on 7th May when 14 persons were killed and 70 wounded. The Greek Consular Office was damaged. NATO again struck "Elektroprivreda Srbije" with graphite bombs leaving the greatest part of Serbia without electricity.

Three persons were killed in the attack on the Chinese Embassy on 8th May. The buildings of the Army Main Headquarter, Ministry of Defense, Serbian government, Yugoslav Ministry of Interior and "Jugoslavia" Hotel were targeted. Radio and TV transmitters on Kosmaj and Rudnik Mt. were hit as well.

The humanitarian convoy from Romania was targeted on 9th May. The post office building in Uzice was devastated, the Outpatient clinic in Uzice was damaged and "Krusik" of Valjevo was targeted again.

Two streets were completely erased from the map of Medosevac near Nis during shelling of that village on 10th May. Twenty houses were leveled to the ground and 100 are demolished so much that they are unusable. Many houses in Cacak were leveled to the ground during the attack on the industrial area in Cacak. "Prva Iskra" in Baric and Television and radio relay on Crveno Selo near Subotica were targeted too.

NATO struck Nis on 11th May. In that attack Vice President of the Socialist party of Serbia Dusan Matkovic and Vice President of the Yugoslav Assembly Republic Council Gorica Gajevic were injured. The railway road bridge near Zitoradja was damaged and bridges in Grdelica Gorge were bombed. The bridge on Lim River in Murino was demolished. Vladicin Han and the bridge on Juzna Morava were bombed and persons were killed.

NATO targeted Nis on 12th May too when 14 civilians were wounded and one day later the building of TV Novi Sad was bombed again.

Convoys of civilians were shelled on 14th May in Korisa near Prizren when more than 100 ethnic-Albanian civilians, mainly women, children and old people, were killed with cluster bombs. NATO used thermovision bombs that develop high temperature of up to 2000 degrees

Celsius so that they burn even the stone.

The Mining and Smelter Basin Bor, one of the largest copper mines in Europe was bombed on 15th May.

The transformer station of The Mining and Smelter Basin Bor was bombed on 16th May. "Jugopetrol" installations, the transformer stations in the circle of "Sartrid 1913" of Smederevo and the storing tank of the fuel pump in Zrenjanin road were hit. Missiles were fired on TV relay, medical plant factory, sheep farm and food store in Gora in Kosovo and Metohija.

In the attack on Bor on 17th May one person was killed. The overpass on Beograd-Nis highway was demolished. Twelve missiles were fired on Presevo and three on Leskovac. New attacks on Batajnica, Fruska Gora, Smederevo, Velika Plana, Prahovo, Ponikve and Gnjilane. "Sumarice" of Kragujevac were shelled with missiles and domes being the symbol of suffering of 7,300 innocent victims of the Second World War were destroyed.

With two missiles NATO hit "Jugopetrol" storage in Cukarica. Surcin was targeted as well. In the attack on "Krusik" of Valjevo one person was killed and 13 were injured. One person was killed during bombing of "Jugopetrol" in Bor.

The enemy missiles lightened "Duvanska industrija", printing enterprise "Nova Yugoslavia" and the bus station in Vranje. The bridge on Juzna Morava River in Vladicin Han was shelled with missiles. Many houses, schools, children nurseries were damaged. The bridge near Veliko Orasje was hit too.

During bombing of Gnjilane on 19th May four civilians were killed and 16 persons were slightly injured. Hospital "Dragisa Misovic" in Belgrade was bombed on 20th May and three patients and one one worker were killed and numerous patients were injured. The Clinic of Neurology was devastated and the buildings of The Centre for children lung diseases and tuberculosis and Gynecological clinic and maternity house were demolished from the explosion.

The criminals started to bomb the prison in Istok on 21st May killing several tens of prisoners and workers of the institution. Power generating plant "Drmno" near Kostolac and "Kolubara" in Veliki Crljeni, as well as the area surrounding the power generating plant in Bajina Basta were also the target of the NATO criminals. The enemy used special highly conductive fibers for causing short circuits.

Targets in the vicinity of Belgrade, Lipovica, Rakovica, Resnik, Batajnica and wider area of Avala Mountain were hit with. Two missiles were fired at "Jugopetrol" storing tanks in Radnicka Street.

Sombor and Sremska Mitrovica were bombed and at least 30 missiles were fired on civilian facilities throughout Kosovo and Metohija as well as on Ponikve airfield.

Around 100 missiles were fired throughout Kosovo and Metohija on 22nd May. Numerous houses in Sombor were damaged. The bridge on Stari Begej River near Stari Dvor was demolished. Ten missiles were fired on Sabac. Makis and Borca were targeted.

Thermal power generating plant in Obrenovac was bombed again on 23rd May. One person was killed and 29 persons were injured in Djakovica.

Thermal power generating installations near Kostolac, Novi Sad and Nis were hit again on 24th May. The inhabitants therefore were not able to satisfy their elementary living needs for water, bread and treatment.

The new building of the Serbian Ministry of Interior in Belgrade was targeted on 25th May. The NATO targets were long-distance power transmission lines of Obrenovac power generating plant. Missiles were fired at the Radio Belgrade broadcasting centre in Zvecka near Obrenovac, Makis and Batajnica. In Kraljevo vicinity few houses were damaged. Strong attacks were made on Novi Pazar and the entire Kosovo and Metohija. The targets were Obrenovac, Makis, Batajnica, Rakovica, MI building in Kneza Milosa Street in Belgrade. RT Serbia and Radio Yugoslavia relays in Zvecka near Obrenovac were hit.

Three persons were killed and two persons were injured during bombing of Kosovska Vitina on 26th May. The civilian airport "Slatina" was targeted. Repeater attack on the building of TV Novi Sad.

At least two civilians were killed and 10 wounded in the attack on Aleksinac on 27th May. Seven missiles were fired on private houses in the industrial area of the town. Transformer stations in Lestane and Bezanijska Kosa were hit. Three persons were killed during bombing of the bridge on Jablanica River near Lebane.

The centre of Cuprija was shelled with more than 10 missiles on 29th May. Twenty-two bombs were fired on Kosovska Vitina. The railway and bus stations were damaged as well as two department stores and a plant of "Froteks" in Uzice as well as a TV relay. Ponikve, Vrsac, Kursumlija and Novi Sad centre were targeted.

On 30th May NATO demolished the bridge on Velika Morava River near Varvarin. At least 11 civilians were killed and 40 persons were severely injured. The special hospital for tuberculosis, the elderly home and two pavilions of the Refugee centre in Surdulica were hit. At least 17 children and helpless old people lost their lives. The convoy of journalists was bombed near Prizren. Several persons were wounded. Philosopher Daniel Shiffer was among them.

The bridge near Vladicin Han was damaged. Aleksinac, Sombor, Sremska Kamenica, Urosevac vicinity, Pristina, the power generating plant in Obrenovac, Rakovica, Bujanj Potok, Avala, Jakovo, Zvecka and Stubline were bombed.

The criminal fired missiles on private houses in Ripanj and Volgina Street in Belgrade on 31st May. One person was killed and nine civilians were injured. The target was the transmitter of Radio Belgrade in Zvecka, near Obrenovac. Missiles for who knows what time were fired on power generating plants. The region of Velika Mostanica village was also targeted.

Over 100 graves were demolished and damaged in the Orthodox Cemetery in Pristina.

NATO repeated the attack on Novi Pazar on 1st June. The bomb hitting the apartment building killed thirteen people.

The criminals on 2nd June fired missiles at the main gas station in Srbobran and therefore all vital city systems in the town were left without the main energetic mean. The RTS relay between Srbobran and Sirig was hit. The relay of RT Kraljevo on Kotlenik Mountain was devastated. In Lipe village near Smederevo NATO hit a private house and injured two children. The facilities on Belgrade-Nis highway were targeted - the bridge on Jasenica River and overpass on the railway road Velika Plana-Mala Krsna. Kursumlija and Merosina near Nis were also targeted.

"Ravna reka" local community, Despotovac municipality, were shelled with four missiles on 3rd June. The bridge on Beli Drim River connecting Djakovica municipality with Orahovac and Prizren municipalities was demolished.

Barbarians and murderers of the NATO Alliance shelled also many other civilians targets in Kragujevac, Uzice, Vranje, Kraljevo, Krusevac, Pristina ... Slight or heavy damages were incurred to Pec Patriarchate, monasteries of Rakovica, Vojlovica, near Pancevo, New Hopovo and Sisatovac on Fruska Gora mountain, Sveti Nikola and Sveta Petka, near Kursumlija, churches in Vranje, Leskovac, Vladicin Han, as

well as temples of Sveti Marko and Sveta Trojica, in Belgrade.

Trying to escape NATO bombs, almost 800,000 persons, mainly ethnic Albanians, left Serbia after the beginning of the aggression. Another 200,000 civilians left Kosovo and went to Sumadija, Vojvodina and other parts of Serbia.

From the beginning of the aggression around 200 towns and villages was targeted. According to the international law forbidden cluster bombs were fired for 60 times. Twenty hospitals and 40 other health institutions were damaged.

Thousands of civilians were killed and much higher number of innocent people was disabled. Hundreds of schools, children nurseries, factories, economic and other facilities, as well as tens of bridges, roads, railway roads and airfields were devastated.

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FEDERAL REPUBLIC OF YUGOSLAVIA
FEDERAL MINISTRY FOR FOREIGN AFFAIRS

ECONOMIC SURVEY

Belgrade, 10 November 1999

No. 2

INFORMATION ON THE CONSEQUENCES OF NATO AGGRESSION IN THE FIELD OF HEALTH CARE AND PROTECTION

1. Since the end of the war operations (24 March through 7 June 1999), according to still incomplete information gathered and processed so far, more than 1,800 killed and 5,000 wounded persons have been registered, mostly women, children, the elderly as well as persons belonging to other vulnerable groups. Some 2,000 wounded persons will remain disabled for life.

2. In the same period, 147 health care institutions were demolished or damaged along with their equipment, medicines and medical supplies. Special commissions are in the process of assessing precise financial losses in each of these institutions, which will be made public once the procedure is over (Annex: List of health institutions damaged by war operations).

In the wake of NATO bombing, many residents of all nationalities and religions had to leave their homes and places of residence which negatively affected regular obligatory immunization (vaccines) against contagious diseases, the consequences of which are yet to be felt.

Also affected or prevented were:

- regular haematolyses for 4,500 patients affected by chronic terminal kidney failure, whose lives are directly endangered without this kind of protection;

- internal, surgical and radiological diagnosis and therapy for 90,000 patients suffering from malignant diseases, which will inevitably increase the mortality rate related to this disease;

- diagnostics and necessary therapy which will increase the mortality rate related to the following non-contagious diseases:

- 200,000 affected by diabetes;
- 300,000 affected by cardio-vascular diseases;
- 30,000 affected by neuro-psychiatric diseases;
- 600 haemophiliacs
- 400 patients with transplants (kidney, etc).

Hygienic and epidemiological control of potable water and food have also been made difficult which coupled with degradation of springs and damage to the water supply system (in most towns) including a large number of residents accommodated in inadequate dwellings, has already resulted in an increased number of persons affected by contagious respiratory and stomach diseases.

4. Precarious financial situation in the Republican Institute for Health-Care has already brought about extremely difficult situation in terms of supplying medical institutions with medicines and medical supplies, be they locally supplied or imported. As it was not possible to provide medical equipment and spare parts to health care institutions in the Republic of Serbia in good time, most of the equipment in the health care institutions is old. Health-care institutions in the Republic of Serbia at this moment lack a large

number of necessary medical equipment: 200 dialysis equipment, 500 various types of defibrillators, 220 various types of ultrasound equipment, 900 types of ECG equipment, 150 reanimation kits, 50 sets for anaesthesia with automatic pulmonary respiration, 150 cardio-graphs, 150 tables for neonatal reanimation, 150 respiratory electrical pumps, 150 blood heaters, 200 different types of incubators (portable, semi-intensive and intensive care), 100 spiro-metres, 200 blood counting machines, 400 ambulances with stretchers and related equipment and a large number of other equipment for all levels and types of health protection.

5) Due to the destruction of oil refineries in the Republic of Serbia, at this moment, it is necessary to ensure the imports of the following derivatives: 4,098.17 tonnes of petrol; 1,759.17 tonnes of diesel; 46,767.20 tonnes of crude oil; 42,459.9 tonnes of heating oil; and 3,507.99 tonnes of natural gas, i.e. necessary financial resources amounting to 159,894,218 US Dollars. The shortage of energy resources directly affects the functioning and provision of services in medical emergencies and many other medical branches (Annex: Break down of energy requirement for a four-month period for individual medical institutions).

6) In the FRY market, the share of imported medical supplies accounts for 45.18 per cent. Since the onset of aggressor operations, domestic production has been in a critical situation in all production processes in view of the fact that local production is to a large extent dependant on imported raw materials and precursors. If pharmaceutical industry is to continue its production and restore its pre-aggression production level, it is necessary to ensure raw materials, precursors and other spare parts, in the amount of DM 200,000,000.00.

In order to meet six-month needs of medical institutions in the Republic of Serbia related to imports of medicines, it is necessary to ensure 35,261,933.35 DM, for disposable medical supplies 29,169,985.18 DM. Priority should also be given to 6-month supplies for chemical laboratories, institutes and health protection centres in the territory of the Republic of Serbia for purchases of chemicals, diagnostic agents, serums and other disposable items, in the amount of USD 1,992,233.00. In order to enable normal functioning of health care service in the Republic of Serbia, it is necessary to ensure the above financial resources as soon as possible, namely necessary medicines and other medical disposables.

LIST OF HEALTH CARE INSTITUTIONS DAMAGED IN WAR
OPERATIONS IN THE 24 MARCH - 10 JUNE 1999 PERIOD

1. REGION OF NORTHERN BAC

* ZZZZ Subotica

* Health Care Centre Subotica

Out-Patient Health Institution Subotica: Health Care Unit Palic

2. DISTRICT OF CENTRAL BANAT

3. DISTRICT OF NORTHERN BANAT

4. DISTRICT OF SOUTH BANAT

* Health Centre Pancevo

- General Hospital Pancevo

- Out-Patient Health Institution Pancevo

- Health Unit Kacarevo

- Health Unit Vojilovica

* Pharmacy Pancevo

* Specialized Psychiatric Hospital Vrsac

5. DISTRICT OF WESTERN BAC

- Out-Patient Health Institution with Rehabilitation centre Apatin

- Pharmacy in the village of Kupusina

6. DISTRICT OF SOUTHERN BAC

- * Out-Patient Health Institution Novi Sad
 - Facility in Sremska Kamenica
- * Pharmaceutical facility Novi Sad
 - Pharmacy in Sremska Kamenica
 - Pharmacy Liman in Novi Sad

7. DISTRICT OF SREM

8. CITY OF BELGRADE

- * Institute for Neuro-Psychological Diseases "Dr. Laza Lazarevic"
- * Institute for Orthopaedic Diseases and Surgeries Banjica
- * Institute for Psycho-Physical diseases and Oral Pathology, "Lipovica" unit
- * Specialized Hospital for the Prevention and Cure of Cerebral and Vascular Diseases "St. Sava"
- * Pharmaceutical facility Beograd
 - Pharmacy "Fruska Gora" in Zemun
 - Pharmacy "Miljakovac"
 - Pharmacy "Staro sajmise"
 - Pharmacy "Darinka Radovic" in Sremcica
- * Out-Patient Health Institution Obrenovac
 - Health Care unit in Baric
 - Health Care unit in Stubline
- * Out-Patient Health Institution in Rakovica
 - Health Care unit on Kanarevo Brdo
 - Health Care unit on Labudovo Brdo
 - Health Care unit in Resnik
 - Infirmary in DMB factory
- * Out-Patient Health Institution Zemun
 - Health Care unit "13.maj" in PKB Zemun
- * Out-Patient Health Institution "Dr Simo Milosevic"
 - Health Care unit in Sremcica
 - Health Care unit in Zeleznik
- * Out-Patient Health Institution Savski Venac - Main building
 - Health care centre for school children in Vojvode Milenka Street
 - VI Health Care station
- * Clinical Hospital Centre "Dr Dragisa Misovic"
- * Clinical Centre of Serbia
 - Institute for Urology
 - Institute for Cardio-Vascular diseases
 - Central Pharmacy
- * Rehabilitation clinic "Dr Miroslav Zotovic"
- * Out-Patient Health Institution Zvezdara
- * City Institute for Pulmonary Diseases and TBC protection

9. DISTRICT OF MACVA

- * Health Care Centre "Dr Laza Lazarevic" Sabac

10. DISTRICT OF KOLUBARA

- * Health Care Centre Valjevo
 - General Hospital
 - Administration Building
 - Infirmary in Pricevic (within Out-Patient Health Institution in Valjevo)
- * Pharmaceutical facility in Valjevo

- Pharmacy "1. maj"
- Galenical laboratory

11. DANUBIAN DISTRICT

12. DISTRICT OF BRANICEVO

13. DISTRICT OF SUMADIJA

- * Clinical Hospital Centre Kragujevac
- * Out-Patient Health Institution Kragujevac
- * ZZZZR Kragujevac
- * IZZZ Kragujevac

14. MORAVIAN DISTRICT

- * Health Care Centre Cuprija
 - General Hospital in Cuprija
 - Out-Patient Health Institution Cuprija
- * ZZZZ Cuprija

15. DISTRICT OF BOR

16. DISTRICT OF ZAJECAR

17. DISTRICT OF ZLATIBOR

- * Health Care Centre Uzice
 - General hospital Uzice
 - Out-Patient Health Institution Uzice
- * Health Care centre Pozega
 - General Hospital Pozega
 - Out-Patient Health Institution Pozega
- * Institute for thyroid diseases and metabolism Cajetina
- * Pharmaceutical facility Uzice
 - Pharmacy "Zdravlje"
 - Pharmacy "Zdravlje"

18. DISTRICT OF MORAVICA

- * Health Care Centre Cacak
 - General Hospital Cacak
 - Out-Patient Health Institution Lucani
 - Health Care unit "Sloboda" (within Out-Patient Health Institution Cacak)
 - Health Care unit Mrcajevci (within Out-Patient Health Institution Cacak)
 - Infirmary Medjurecje (within Out-Patient Health Institution Ivanjica)
 - Infirmary Prilike (within Out-Patient Health Institution Ivanjica)
- * Pharmaceutical institution Cacak
 - Pharmacy in Lucani

19. DISTRICT OF RASKA

- * Health Care Centre Kraljevo
 - Health Care unit Bogutovac (within Out-Patient Health Institution Kraljevo)
 - Health Care unit Milocaj (within Out-Patient Health Institution Kraljevo)
 - Health Care unit Ladjevci (within Out-Patient Health Institution Kraljevo)
 - Health Care unit Samaila (within Out-Patient Health Institution Kraljevo)
 - Health Care unit Supnja (within Out-Patient Health Institution Raska)

- Infirmary Brvenik - Kopaonik (within Out-Patient Health Institution Raska)
- * Health Care Centre Novi Pazar
 - Infirmary "Cukovac" (Children's Hospital)
 - Infirmary for Occupational Diseases
- * Pharmaceutical Centre Kraljevo
 - Pharmacy in Novi Pazar
- * Specialized hospital Novi Pazar

20. DISTRICT OF RASINA

- * Pharmaceutical institution Krusevac
 - Pharmacy "Trstenik"
 - Pharmacy "14. oktobar"
 - Pharmacy "Atanackovic"

21. DISTRICT OF NISAVA

- * ZZZZ Students' Clinic Nis
- * Out-Patient Health Institution Nis
 - Health Care station in Trg JNA 7 Street
 - Infirmary for Occupational Diseases
 - Infirmary near the Technical University
 - Health Care unit "Jastrebac"
- * Health Care centre Aleksinac
 - General Hospital Aleksinac
 - Day Hospital Aleksinac
- * Trauma Centre
- * Clinical Centre Nis
 - Institute for Pathology

22. DISTRICT OF TOPLICA

- * Health Care centre Prokuplje
 - Out-Patient Health Institution Prokuplje
 - Out-Patient Health Institution Kursumlija
 - Infirmary in Kursumlijska Banja (within Out-Patient Health Institution Kursumlija)

23. DISTRICT OF PIROT

24. DISTRICT OF JABLANICA

- * Health Care Centre Leskovac
 - General Hospital Leskovac
 - Out-Patient Health Institution Leskovac
 - Out-Patient Health Institution Grdelica
- * ZZZZ Leskovac
- * Pharmaceutical facility Leskovac
 - Pharmacy "Hipokrat"
 - Pharmacy "Centrala"
 - Pharmacy "Sutjeska"

25. DISTRICT OF PCINJ

- * Health Care centre Vranje
 - General Hospital Vranje
 - Out-Patient Health Institution Vranje
- * ZZZZ Vranje

- * Health Care Centre Aleksinac
- * Out-Patient Health Institution Vladicin Han
- * Specialized Hospital Surdulica

26. DISTRICT OF KOSOVO

- * Out-Patient Health Institution Pristina
- * Pharmaceutical institution Pristina
 - Pharmacy 1
 - Pharmacy 3

27. DISTRICT OF PEC

- * Health care centre Djakovica
 - General Hospital Djakovica
 - Out-Patient Health Institution Djakovica

28. DISTRICT OF PRIZREN

- * Out-Patient Health Institution Dragas
 - Health Care station in the municipality of Gora

29. DISTRICT OF KOSOVO/MITROVICA

- * Health Care Center Kosovska Mitrovica
 - Out-Patient Health Institution Kosovska Mitrovica
 - Out-Patient Health Institution Leposavic
 - Out-Patient Health Institution Vucitn

30. KOSOVO/POMORAVLJE DISTRICT

- * Health Care centre Gnjilane
 - Infirmary in the village of Vrbovac (within Out-Patient Health Institution Kosovska Vitina)
- * Pharmacy in Gnjilane

THE INDICTMENT

*Charging William J. Clinton, the
Government of the United States, NATO
and others with International Crimes and
Violations of International and Domestic
Laws Causing Deaths, Destruction,
Injury and Suffering*

By Ramsey Clark

July 31, 1999

Submitted to the Independent Commission of Inquiry to
Investigate U.S./NATO War Crimes
Against the People of Yugoslavia

Commission of Inquiry
c/o International Acton Center
39 West 14 Street, #206 New York, NY 10011
(212) 633-6646 fax: (212) 633-2889
<http://www.iacenter.org> email: iacenter@iacenter.org

The Charges

Charging William J. Clinton, the Government of the United States, NATO and Others with International Crimes and Violations of International and Domestic Laws Causing Deaths, Destruction, Injury and Suffering by:

1. Planning and Executing the Dismemberment, Segregation and Impoverishment of Yugoslavia.
2. Inflicting, Inciting and Enhancing Violence Between and Among Muslims and Slavs.
3. Disrupting Efforts to Maintain Unity, Peace and Stability in Yugoslavia.
4. Destroying the Peace-Making Role of the United Nations.
5. Using NATO for Military Aggression Against, and Occupation of, Non-Compliant Poor Countries.
6. Killing and Injuring a Defenseless Population throughout Yugoslavia.
7. Planning, Announcing and Executing Attacks Intended to Assassinate the Head of Government, Other Government Leaders and Selected Civilians.
8. Destroying and Damaging Economic, Social, Cultural, Medical, Diplomatic and Religious Resources, Properties and Facilities throughout Yugoslavia.
9. Attacking Objects Indispensable to the Survival of the Population of Yugoslavia.
10. Attacking Facilities Containing Dangerous Substances and Forces.
11. Using Depleted Uranium, Cluster Bombs and Other Prohibited Weapons.
12. Waging War on the Environment.
13. Imposing Sanctions through the UN That Are a Genocidal Crime against Humanity.
14. Creating An Illegal Ad-Hoc Criminal Tribunal to Destroy and Demonize Serb Leadership.
15. Using Controlled International Media to Create and Maintain Support for the U.S. Assault and to Demonize Yugoslavia, Slavs, Serbs and Muslims as Genocidal Murderers.
16. Establishing the Long-term Military Occupation of Strategic Parts of Yugoslavia by NATO Forces.
17. Attempting to Destroy the Sovereignty, Right to Self-Determination, Democracy and Culture of the Slavic and Other Peoples of Yugoslavia.
18. The Purpose of the U.S. Actions Being to Dominate, Control and Exploit Yugoslavia, Its People and Its Resources.
19. The Means of the U.S. Being Military Force and Economic Coercion.

The Complaint

This Complaint is presented to end the scourge of war, prevent future violations of fundamental human rights, protect international and national organizations, governments and institutions and to hold those convicted of the violations alleged accountable for their acts.

The Governments, Organizations and Individuals named herein are charged with:

Crimes against Peace, War Crimes, Crimes against Humanity and Other Offenses in Violation of the Principles of the Nuremberg Tribunal (Nuremberg), the Hague Regulations (Hague) and Geneva Conventions (Geneva) and Other International and National Laws;

Grave Violations of the Charter of the United Nations (UN Charter), the North Atlantic Treaty (NAT), other international treaties, International Law, the Federal Constitution and Domestic Laws of the United States, the Basic Laws of Other Nations Including the United Kingdom, the Federal Republic of Germany, Turkey, the Netherlands, Hungary, Italy, Spain and other Governments of NATO members and the Federal Republic of Yugoslavia.

Grave Violations of the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Genocide Convention, and Other International Covenants, Conventions, Treaties, Declarations and Domestic Laws named herein.

A. Defendants

1. President William J. Clinton, Secretary of State Madeleine Albright, Secretary of Defense William Cohen and Commanding Generals, Admirals, U.S. personnel directly involved in designating targets, flight crews and deck crews of the U.S. military bomber and assault aircraft, U.S. military personnel directly involved in targeting, preparing and launching missiles at Yugoslavia, the government of the United States personnel causing, condoning or failing to prevent violence in Yugoslavia before and during NATO occupation and Others to be named.
2. The United Kingdom, Prime Minister Tony Blair, the Foreign Minister, the Defense Minister and Commanding Generals, Admirals, U.K. personnel directly involved in designating targets, flight crews and deck crews of the U.K. military bomber and assault aircraft, U.K. military personnel directly involved in targeting, preparing and launching missiles at Yugoslavia, the government of the United Kingdom personnel causing, condoning or failing to prevent violence in Yugoslavia before and during NATO occupation and Others to be named.
3. The Federal Republic of Germany, Chancellor Gerhard Schroeder, the Foreign Minister, the Defense Minister and Commanding Generals, Admirals, German personnel directly involved in designating targets, flight crews and deck crews of the German military bomber and assault aircraft, German military personnel directly involved in targeting, preparing and launching missiles at Yugoslavia, the government of the Federal Republic of Germany personnel causing, condoning or failing to prevent violence in Yugoslavia before and during NATO occupation and Others to be named.
4. The Government of every NATO country that participated directly in the assaults on Yugoslavia with aircraft, missiles, or personnel and Commanding Generals, Admirals, NATO personnel directly involved in designating targets, flight crews and deck crews of the NATO military bomber and assault aircraft, NATO military personnel directly involved in targeting, preparing and launching missiles at Yugoslavia, the governments of the NATO countries' personnel causing, condoning or failing to prevent violence in Yugoslavia before and during NATO occupation and Others to be named.
5. The Governments of Turkey, Hungary, Italy and others who permitted the use of airbases on their territory to be used by U.S., or other military aircraft and missiles for direct assault on Yugoslavia.
6. The North American Treaty Organization (NATO), Secretary General Javier Solano, Supreme Commander, General Wesley K. Clark
7. For Condemnation: Each NATO member that voted to authorize military assaults on Yugoslavia.

B. The Charges

1. Planning and Executing the Dismemberment, Segregation and Impoverishment of Yugoslavia.

The United States, Germany, NATO and other defendants engaged in a course of conduct beginning in, or before 1991 intended to break the Federal Republic of Yugoslavia into many parts, segregate different ethnic, religious and other groups among and within newly balkanized borders, weaken the Slav, Serb, Muslim and other populations by causing and prolonging internal violence and by direct assaults by the United States and certain NATO members. As a consequence Yugoslavia, which had 25 million people in an integrated society and economy, is now comprised of many small nations, the largest of which is Serbia. Defendants intend to divide Yugoslavia until all parts of Yugoslavia have fewer than 5 million people, each to be overwhelmingly of a single ethnic origin and religion, to have severely impaired economies largely dominated by foreign interests, in which two groups, Orthodox Christian Serbs and Muslims suffer severest casualties, most extensive property damage, a vast reduction of productivity now down by three-quarters or more, and a generation of impoverishment.

UN Charter; Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty (Non Intervention Decl.), 1965 USGA Res. 2131.

2. Inflicting, Inciting and Enhancing Violence between Muslims and Slavs.

The United States and other defendants engaged in a course of conduct beginning in or before 1991, to cause Muslims and Orthodox Christian Slavs to engage in protracted fratricidal violence, in wars of attrition, similar to conflicts in Afghanistan and Chechnya between Muslims and Russian Slavs, which caused death, destruction and division in Bosnia, Kosovo and elsewhere between the groups and dangerous frictions and enmity between two major enemies of the U.S., Slavic peoples and Muslims, in other regions, weakening both. Tactics included both providing and depriving select Muslim groups of arms to attack others, or adequately defend themselves in Bosnia; motivating, training and supplying KLA with arms to attack Yugoslav police and military to seize control of Kosovo during NATO occupation and attack Serbs and others; preventing outside efforts to prevent and control the violence; committing, causing and condoning violence against persons displaced by U.S. and NATO bombing campaigns, and by KLA and Yugoslav police and military ground actions; causing and supporting clashes between Yugoslav military/police/civilian groups and KLA/paramilitary/civilian groups; condoning and failing to prevent assaults on displaced persons returning to and persons who remained in Kosovo, both before and after the NATO/U.S. occupation of Kosovo. In 1999, the U.S. caused the largest numbers of deaths, injuries and destruction by aerial and missile assaults against all elements in the population and its life support systems.

UN Charter, Art. 2; Non Intervention Decl.; Resolution on the Definition of Aggression (Res. on Aggression), 1997 UNGA Res. 3314.

3. Preventing and Disrupting Efforts to Maintain Unity, Peace and Stability in Yugoslavia.

From the beginning of its efforts to implement its plans for dismemberment and destruction of Yugoslavia, the U.S. acted to prevent any interference, negotiation, or other efforts within Yugoslavia, or by other nations, leaders, or individuals to prevent the accomplishment of its intended purposes. Its techniques included political, military and economic threats and control of highly publicized peace negotiations much like those at Dayton, Ohio, during the Bosnia struggle, at Rambouillet, France, in 1999, which created an appearance of earnest peace negotiations, but offered Yugoslavia only two choices, agree to foreign military occupation, or expect a devastating military assault.

UN Charter; Non Intervention Declaration; Resolution on Aggression; Pact of Paris 1928, Art I and II.

4. Destroying the Peace-Making Role of the United Nations.

The United States acted and coerced other nations to act to block the United Nations from performing its duties under the UN Charter to prevent conflict, control violence and maintain peace in Yugoslavia in violation of the Charter of the UN and threatening its viability as a international institution capable of maintaining peace and ending the scourge of war.

UN Charter; Non Intervention Decl.; Resolution on Aggression, Pact of Paris 1928, Art I and II.

5. Using NATO for Military Aggression against and Occupation of Non-Compliant Poor Countries.

The United States acted and coerced other nations to act to cause NATO to authorize direct military assaults on Yugoslavia in violation of the UN Charter and the North Atlantic Treaty relying overwhelmingly on U.S. weaponry and military technology and to cause NATO members to provide and finance the majority of the military forces to occupy Kosovo for the foreseeable future thereby employing the wealth and power of the rich former colonial powers of Europe against the poor and defenseless people of Yugoslavia.

United Nations Charter; North Atlantic Treaty 1949, Art. I.

6. Killing and Injuring a Defenseless Population throughout Yugoslavia.

Beginning on, or before March 24, 1999, the United States, without a declaration of war by the Congress, aided and abetted by certain NATO members, including the United Kingdom, Germany, Turkey, Spain and the Netherlands, as well as Hungary, Croatia, Italy and others, commenced a war of missile and aerial bombing assaults, often indiscriminate in its targeting, against the populations of Yugoslavia, intentionally killing and injuring many thousands of Serbs, Albanians, Romas, Muslims, Orthodox Christians, Roman Catholics, foreign nationals throughout Yugoslavia with malice aforethought.

Hague, Art. 22 and 23; Geneva 1949, Art. 19; Nuremberg, Principle VI a, b and c; U.S. Constitution, Art. I, Sec. 8, cl. II.

7. Planning, Announcing and Executing Attacks Intended to Assassinate the Head of Government, Other Government Leaders and Selected Civilians.

The United States planned, announced and carried out missile and aerial bombardment attacks intended to assassinate the Head of Government of Yugoslavia, members of his family, other government leaders and selected civilians to destroy existing government leadership and terrorize it and its closest personal support into submission. *U.N. Charter, Art. 2, Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons (Protected Persons Convention); U.S. Army Field Manual 27-10; U.S. Presidential Executive Order 12333 (Ex. Order 12333); Geneva Conventions 1977, Protocol I Additional (Geneva 1977), Art. 48, 51.*

8. Destroying and Damaging Economic, Social, Cultural, Medical, Diplomatic and Religious Resources, Properties and Facilities throughout Yugoslavia.

Beginning on, or before March 24, 1999, the United States, aided and abetted by certain NATO members, including United Kingdom, Germany, Turkey, Spain and the Netherlands and others including Croatia, Hungary and Italy, commenced a systematic missile and aerial bombing assault on resources, properties and economic, social, cultural, medical, diplomatic and religious facilities intentionally destroying and damaging them throughout Yugoslavia to crush the productive, economic, social, cultural, diplomatic and religious viability of the whole society.

Hague, Art. 22 and 23; Geneva 1949, Art. 19; Geneva 1977, Protocol I, Additional, Art. 48, 52, 53; UN Charter, Art. 2; Protected Persons Convention; U.S. Army Field Manual 27-10; Exec. Order 12333; Geneva 1977, Art. 48, 51; ICESCR.

9. **Attacking Objects Indispensable to the Survival of the Population of Yugoslavia.**

Beginning on or before March 24, 1999, the United States, aided and abetted by others, for the specific purpose of depriving the population of Yugoslavia of food, water, electric power, food production, medicines, medical care and other essentials to their survival, engaged in the systematic destruction and damage by missiles and aerial bombardment of food production and storage facilities, drinking water and irrigation works for agriculture, fertilizer, insecticide, pharmaceutical, hospitals and health care facilities, among other objects essential to human survival.

Hague 1907, Art. 22 and 23; Geneva 1949, Art. 19; Nuremberg 1970, Principles Via, b and c; Geneva 1977, Art. 48, 54.

10. **Attacking Facilities Containing Dangerous Substances and Forces.**

The United States attacked chemical plants and storage facilities, petroleum and natural gas refining, processing and storage facilities, fertilizer plants and other facilities and locations for the specific purpose of releasing and scattering toxic, radioactive and other dangerous substances and forces into the atmosphere, soil, ground water and food chain to poison the environment and injure the population.

Nuremberg Principle VI, Hague, Art. 22 and 23, Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, Geneva 1925 (Poisonous Substances Protocol); Geneva 1977, Protocol I Additional, Art. 48, 51, 56.

11. **Using Depleted Uranium, Cluster Bombs and Other Prohibited Weapons.**

The United States used prohibited weapons capable of mass destruction and inflicting indiscriminate death and suffering against the population of all Yugoslavia. Despite knowledge of its deadly long-term effect on life and warnings of the U.S. Nuclear Regulatory Commission, the U.S. attacked Yugoslavia with depleted uranium missiles, bombs and bullets. These depleted uranium weapons spread radioactive matter into the atmosphere, soil, ground water, food chain and solid objects, placing the Yugoslav population at risk of death, genetic damage, cancers, tumors, leukemia and other injuries for generations. Cluster bombs were used extensively, spraying deadly razor sharp metal shards over wide areas against hospitals, churches, mosques, schools, apartment developments and other heavily populated places inflicting death, injury and property damage. The use of other illegal weapons is under continuing investigation.

Hague, Art. 22 and 23, Geneva 1977, Art. 48, 51, 54, 55, POONA Indictment for the Subversion of Science and technology 1978 (POONA Indictment).

12. Waging War on the Environment.

The United States aerial and missile assault intentionally created a widespread, long-term and severe environmental disaster in Yugoslavia. Air pollution from overflights alone multiplied normal impurities in the atmosphere. Thousands of tons of explosives unleashed enormous quantities of chemicals into the air, raised clouds of dust and debris from places hit and started fires that often raged for days. Chemical, petrochemical, oil and gas refinery, storage and transmission facilities purposely targeted in the vicinity of Belgrade, Novi Sad, Nis and other major cities exposed huge populations to dangerous and noxious pollution. Depleted uranium scattered across Kosovo and the remainder of Serbia will threaten life for generations.

Hague, Art. 22 and 23; Geneva 1977, Art. 48, 51, 54, 55; Stockholm Declaration of the United Nations Conference on the Human Environment 1972; Principles I, II, (UN Conf. on Human Environment), et al.

13. Imposing Sanctions through the UN that Are a Genocidal Crime against Humanity to Achieve Impoverishment and Debilitation of the People of Yugoslavia.

The United States began an economic attack on Yugoslavia designed to break it up politically and tear it down economically before 1989. It caused the International Monetary Fund (IMF) to use its strongest shock therapy to attack Yugoslav productivity, add to its foreign debt burden and expose national wealth to foreign capital by forcing removal of trade barriers and privatizing vital public industry, commerce, utilities and facilities. In May 1991 U.S. Secretary of State Baker stopped all U.S. aid programs to all six Yugoslav Republics and vetoed future IMF credits, creating an enormous economic incentive and powerful political argument for political opposition to Belgrade to separate other Republics from Serbia. The U.S. forced UN sanctions against Yugoslavia, but relieved Republics that seceded from Yugoslavia of sanctions. Such sanctions devastated the entire economy of Yugoslavia to the degree that a normal growth rate free of U.S. coercion would require 30 years to return Yugoslavia to its 1989 levels of productivity. Per capita production value for all six Republics of Yugoslavia in 1989 was \$6220. Today for Serbia and Montenegro, the remaining Republics of Yugoslavia, it is \$1510. Ninety percent of all trade was among the six republics before the break-up. All former republics have suffered economically, but Yugoslavia now, with barely 40% of its 1990 population, including Kosovo, has had a far greater decline economically than the favored northern Republics of Slovenia and Croatia, which are today more overwhelmingly Roman Catholic than before their secession. The sanctions against Yugoslavia continue and Serbia, excluding Kosovo, is barred from receiving any planned reparations and aid to rebuild from bomb damage and economic attrition. The sanctions have had a far more damaging effect on life, health, the economy and the quality of life in Yugoslavia than the military assault, increasing death rates, lowering life expectation, reducing nutrition and health care and driving production down. As in Iraq, and elsewhere, the sanctions are an economic crime, a crime against humanity and genocide.

Nuremberg, Principle VI c, Crimes Against Humanity; Genocide Convention; Geneva 1977, Art. 48, 54, 55.

14. Creating an Illegal Ad-Hoc Criminal Tribunal to Destroy and Demonize Serb Leadership.

The United States acting through defendant Madeleine Albright coerced the UN Security Council to create ad hoc criminal tribunals for Yugoslavia and Rwanda in violation of the UN Charter to destroy and demonize enemy leaders in those two countries and threaten leaders elsewhere. The UN Charter does not authorize creation of criminal tribunals. The U.S. strongly opposes the International Criminal Tribunal treaty approved by 120 nations at Rome in July 1998 and in the process of ratification by nations now, because it does not intend to subject its leaders or military forces to the jurisdiction of an independent international Court and the rule of international law. By targeting individual enemies in ad hoc courts and charging them with genocide, it achieves their isolation internationally, pressures their own countries to remove them from power, corrupts and politicizes justice and uses the appearance of neutral international law to adjudicate and punish enemies as war criminals and establish itself as an innocent champion of justice.

UN Charter, Statute of the International Court of Justice (Statute ICJ); UDHR; ICCPR.

15. Using Controlled International Media to Create Support for U.S. Assaults Anywhere and to Demonize Yugoslavia, Slavs, Serbs and Muslims as Genocidal Murderers.

The United States defendants have systematically controlled, directed, manipulated, misinformed and restricted press and media coverage concerning Yugoslavia and the U.S. assaults on it to gain public support for the massive bombardment of a defenseless Yugoslavia, including Kosovo, as had been done in Libya, Iraq, Afghanistan, Sudan and elsewhere. The international media has supported and celebrated U.S. political goals of further fragmentation of Yugoslavia and other areas, segregating each region; demonizing selected government officials, other leaders, generals, military officers and soldiers as genocidal murderers; controlling other nations by the threat of popularly supported missile and air assaults and crippling economic sanctions and stimulating acceptance and support from the U.S. public for future operations against other nations and to increase military budgets to support an expanding global role for U.S. military presence and control.

16. Establishing the Long-term Military Occupation of Strategic Parts of Yugoslavia by NATO Forces.

The United States has coerced defendant NATO members and others to provide and support military occupation forces for the occupation of Kosovo, as it did in Bosnia, in order to physically control key parts of Yugoslavia to enforce permanent separation and segregation of States and peoples, to further injure the populations, to create barriers to immigration from Asia Minor, Arab states in the Middle East, North Africa, and former southern republics of the USSR, and elsewhere; to provide a buffer between Europe and the regions described by controlling the territory of divided, segregated and impoverished Slavs, Serbs, Orthodox Christians, Albanians, and others; to exploit the resources of the region; and to prepare and condition NATO members for future participation against other nations.

UN Charter; NAT, Art. I; Non Intervention Decl.

17. Attempting to Destroy the Sovereignty, Right to Self Determination, Democracy and Culture of the Slavic, Muslim, Christian and Other Peoples of Yugoslavia.

The United States has attempted to destroy the Sovereignty of Yugoslavia, the rights of its people to self determination, the democratic institutions it has developed and its culture that defines the heritage, values and traditions of its people. The United States overthrew the democratically elected Mossadegh administration in Iran in 1953, which it replaced with the Shah of Iran, who ruled absolutely for 25 years; the democratically elected Arbeny government of Guatemala, which was followed by 40 years of brutal governments; the democratically elected Lumumba government of the Congo in 1962, which was followed by the violent dictatorship of Mobutu Sese Seko for 32 years; the democratically elected Allende government of Chile, which promised health, education, social and economic justice, which was replaced by a reign of terror and military dictatorship under General Pinochet now sought by Spain and other nations for human rights violations. Popularly elected leaders in Vietnam, Pakistan, the Philippines, Panama, Haiti and elsewhere were replaced by U.S. surrogates. The U.S. has opposed, assaulted and blockaded Cuba and its people for 40 years. The UN General Assembly voted 155 to 2 to condemn the U.S. for its blockade of Cuba in December 1998. The U.S. has maintained repressive governments on five continents in too many countries to name; all seeking to destroy the cultures that define the people, their history, character, values, arts, literature, music, with commercially exploitative products having no substantive worth and one overriding purpose — profits from the poor. A goal of U.S. policy is to entrench the belief that only one system works, capitalism, that only one culture has value, that of the U.S. and western European, and that history will end with the globalization of U.S. culture.

UDHR; ICCPR; ICESCR.

18. The Purpose of the U.S. Actions Being to Dominate, Control and Exploit Yugoslavia, Its People and Its Resources.

The long term purpose of all the acts complained of is to dominate, control and exploit the poor nations of the world and the poor people of the U.S. and other rich countries to further enrich and empower concentrations of wealth and neutralize the whole population of poor, overwhelmingly darker skinned people with fear, powerlessness, poverty, bread and circus.

19. The Means of the U.S. Being Military Power and Economic Coercion.

The United States with a near monopoly on nuclear weapons, military aircraft, missiles, advanced armored vehicles, firepower, equipment, and highly sophisticated technology continuously expands its physical power to destroy, expending more on its military power than the rest of the UN Security Council members combined. This year, U.S. military expenditures will be near 300 billion dollars. The demonized People's Republic of China will spend 34 billion dollars, acquiring far less in destructive power for each dollar. The U.S. sells more destructive arms to other governments and groups seeking to overthrow governments than the rest of the arms selling countries combined. Often the intention is that they "kill each other," a preferred means of achieving domination. The U.S. does not sell arms it cannot destroy without incurring significant casualties. The U.S. uses its enormous economic power to coerce foreign governments to comply with its wishes, without regard to the interests of the people of those foreign countries. The threat of economic sanctions alone coerces countries to meet U.S. demands contrary to their sovereignty and self-interest.

C. Relief Sought

1. Freedom for all Balkan peoples to form a federation of their choice to provide political, civil, social, economic and cultural independence and viability for all the peoples of the region.
2. Comprehensive efforts to create mutual respect, common interests and bonds of friendship among and between Muslims, Slavs and all national, ethnic and religious groups in the Balkans.
3. Strict prohibition on all forms of foreign interference with or disruption of efforts to establish unity, peace and stability in the Balkans.
4. Restoration of peace-making functions of the UN and reform of the UN to make it effective.
5. The abolition of NATO.
6. Full accountability by individuals and governments for criminal and other wrongful military assaults and economic injustice, including sanctions inflicted on all the people of Yugoslavia, their lives, resources, properties and environment to include criminal prosecutions and reparations sufficient to place all the population in the condition it would be in had it not suffered the wrongs inflicted on it, together with resources with which to build a better future of the peoples' choice.
7. Abolition of the illegal ad hoc international criminal tribunal for Yugoslavia and reliance on a legal international tribunal of worldwide non-discriminatory jurisdiction capable of equal justice under the law.
8. Providing adequate media access to inform the world of the human destructiveness of the use of high technology weapons by the U.S. against poor and defenseless people and the practice of genocide by sanctions.
9. Removing all foreign troops from the Balkans at the earliest feasible moment and U.S. troops from NATO countries and elsewhere immediately.

A broader range of relief and reform may be found in Chapter 12 of *The Fire This Time*. It is drawn from the experiences and recommendations of the Commission of Inquiry and the International War Crimes Tribunal, which heard evidence in 20 countries concerning the assault on Iraq in 1991, the continuing assaults on Iraq thereafter and the genocidal sanctions that continue to this day.

Scope of the Inquiry

The Commission of Inquiry will focus on U.S. criminal conduct, aided and abetted by NATO, because of the dominant U.S. role in the military and other wrongful acts against Yugoslavia. The U.S. did not incur a single casualty to itself while causing thousands of deaths in Yugoslavia. The U.S. is also the focus because of the peril of continuing U.S. conduct to all the people of Yugoslavia and the risk of aerial and missile strikes against other nations in view of its recidivist record.

The Commission of Inquiry will seek and accept evidence of criminal acts by any person or government, related to the conflict, because it believes international law must be applied uniformly. It believes that "victors' justice" is not law, but the extension of war by force of the prevailing party. U.S. propaganda and international media coverage demonized Yugoslavia, its leadership, Serbs and Muslims to fit its purposes, but rarely noticed the criminal destruction of Yugoslavia by U.S. acts as set forth in this complaint.

Comprehensive efforts to gather and evaluate evidence, objectively judge all the conduct that constitutes crimes against peace, war crimes and crimes against humanity and to present these facts for judgment to the court of world opinion requires that any serious fair effort focus on the United States. The Commission of Inquiry believes its focus on U.S. criminal acts is important, proper, and the only way to bring the whole truth, a balanced perspective and impartiality in application of legal process to this great human tragedy.

Ramsey Clark

July 30, 1999



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The KOSOVO Conflict

Consequences for the Environment & Human Settlements



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Consequences for the Environment & Human Settlements

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UNEP/UNCHS (Habitat) Balkans Task Force

Foreword



The twentieth session of the Governing Council of the United Nations Environment Programme (UNEP) in 1999 was an important landmark in the development and policy focus of the organisation. The meeting strongly endorsed the re-orientation of the corporate objectives of UNEP and focused UNEP activities into five core areas of concentration.

Central to this new rationalised policy focus is the commitment by UNEP to enhance and strengthen its capability in the fields of information, monitoring, assessment and early warning. This crucial decision is at the heart of UNEP's role within the United Nations family as the catalytic organisation for the environment. It positions the organisation to be able to respond and be available for effective and objective neutral scientific assessments in such areas as natural disasters and man-made environmental problems.

In keeping with this Governing Council decision and at the strong recommendation of the United Nations Inter-agency Humanitarian Needs Assessment Mission, which visited the Federal Republic of Yugoslavia under the leadership of UN Under-Secretary-General, Sergio Viera de Mello, the Joint UNEP/UNCHS (Habitat) Balkans Task Force (BTF) came into being. It was charged with the task of urgently carrying out a detailed assessment of the environmental and human settlements impact of the conflict.

BTF was a joint initiative between UNEP and UNCHS (Habitat) and in line with the mandate of UNCHS to focus on normative functions, the task force integrated a human settlements component working alongside the United Nations Mission in Kosovo (UNMIK).

Pekka Haavisto, the former Finnish Environment and Development Cooperation Minister, agreed to serve as BTF chairman. He quickly set about pulling together an international group of experts to work in conjunction with the Nairobi headquartered in-house UNEP and UNCHS teams. I should like to thank Pekka Haavisto for his personal commitment and hard work in carrying out this role.

Throughout the BTF process some sixty experts have been involved in the assessment missions. They were drawn from a wide range of different backgrounds and experience and included input from six UN agencies and departments, 19 countries and 26 NGOs and scientific institutions.

One of the central requirements of the BTF project was that its activities should not divert resources from existing UNEP and UNCHS programmes in other parts of the world. To this end, I am pleased to be able to report that the entire BTF operation has been funded from additional voluntary contributions ensuring no dilution of activities to existing priorities and commitments. My thanks go to those donors who contributed finance and support in kind.

The results and recommendations of the BTF make interesting reading. They highlight the linkage between environmental pollution and humanitarian assistance. This report also demonstrates the need for environmental and human settlement planning in conflict management. I am convinced that such a neutral, objective and scientific assessment of the real situation on the ground in a post-conflict situation is essential. This approach provides a much-needed and reliable source of information to the peoples affected. It also provides a management tool for the international community as an integrated part of the needs assessment requirements in the overall emergency humanitarian effort in war-torn areas.

Klaus Töpfer

United Nations Under-Secretary-General
Executive Director of the United Nations Environment Programme
Acting Executive Director of the United Nations Centre for Human Settlements

Recommendations

The following recommendations are aimed at highlighting activities that are urgent to halt or mitigate the further degradation of the state of the environment in FRY, and diminish the risks to human health.

The main responsibility for clean-up efforts rests with the FRY authorities. Nevertheless, the international community must be ready to take action when urgent humanitarian needs are in question, or when and where the democratic development of the entire region could be enhanced.

An unhealthy and dangerously polluted environment does not provide a sound basis for the well-being of human populations or for business and trade. However, the implementation of the recommendations will not only depend on the availability of funds; political concerns related to the international embargo of Serbia will also have to be taken into account. In the current context, international assistance for reconstruction will only be available for the Republic of Montenegro and Province of Kosovo. However, the hot spots of special environmental concern identified in Serbia will require immediate action from a humanitarian point of view.

The recommendations made by BTF are based on the findings of the technical field missions, Desk Assessment Group, and extensive discussions within an international network of individual experts and organisations. They also take into account ongoing initiatives, such as the projects implemented by FOCUS.

The recommendations distinguish between short-term actions aimed at immediate clean-up, and longer-term recommendations, also taking institutional strengthening, reconstruction and resumption of industrial activities into account. Normal economic activities, including production at some of the contaminated sites, have begun to resume. This could aggravate the situation, and the BTF emphasises that clean-up and careful handling of contaminated material has to be given a particularly high priority at these sites.

Industrial Sites

■ Immediate Action

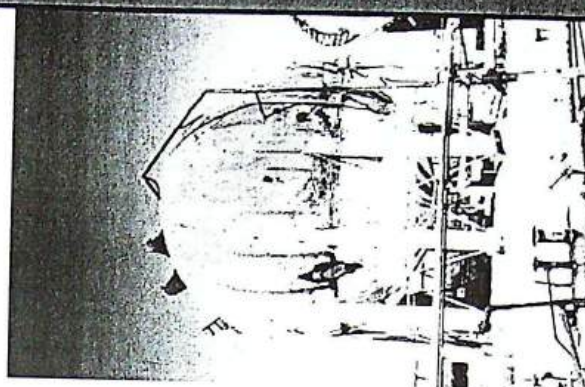
The first four paragraphs refer to all of the heavily-contaminated industrial sites; specific recommendations for the major hot spots follow.

Recommendations

- 1 Detailed groundwater studies and monitoring of drinking water should be conducted to determine whether pollution has contaminated sources of drinking water (this recommendation should be implemented for all of the hot spots - Pančevo, Kragujevac, Novi Sad and Bor - and other sites potentially at risk).
- 2 Surface soil contaminated with heavy oil, PCBs, heavy metals and other hazardous substances should be given remedial treatment and, if necessary, removed from all industrial sites (i.e. Pančevo, Kragujevac, Bor, Novi Sad, Barič, Kraljevo, Niš, Novi Beograd, Obrenovac region, Prahovo and Priština), and securely stored (see below).
- 3 A detailed waste disposal plan should be developed and implemented for every site, and for the FRY as a whole. Immediate action should be taken for the secure storage of hazardous waste (including medical waste), even if facilities for its final treatment or disposal are not yet available (see also page 80).
- 4 Monitoring of air, water, soil, agricultural products and human health, as well as communication of the results of such monitoring to the population around all industrial 'hot spots', should be continued, and, if necessary, increased.

- 5 **Pančevo:** urgent remedial action should be taken at the wastewater canal heavily contaminated with EDC and mercury. Immediate clean-up of the mercury spill at the petrochemical factory should also be implemented. Detailed recommendations are to:

- a) consider the wastewater canal as an environmental hot spot, with special risk to the aquatic environment of the Danube, and implement the following



Damaged VCM tank at the petrochemical plant in Pančevo
Photo: BTF

measures as soon as possible:

- complete isolation of the canal water and sediments from the Danube by construction of a physical barrier (alternative wastewater facilities to be implemented at the same time);
- removal of oil attached to the banks and vegetation along the canal and around its confluence with the Danube (to be done before next Danube flood period);
- detailed mapping of EDC, oil and mercury distribution in the canal;
- use of a suction dredger to remove the bottom sediments contaminated with EDC (based on the results of EDC mapping);
- secure disposal of the contaminated sediments.

b) remove and securely store the metallic mercury on the floor of the petrochemical plant; recover as much of the main spillage as possible by suction, and use chemical binding to assist with removal of residual quantities.

c) implement in situ remedial actions to clean up the groundwater which is highly contaminated with chlorinated solvents.

d) clean collector channels at the oil refinery to prevent further potential contamination of the Danube with oil and oil products.

6 Kragujevac: at the Zastava car plant, action should be taken to improve storage of the significant quantities of hazardous waste generated by operation of the factory, as well as by the air strikes. Immediate steps should be taken to clean up PCB and dioxin contamination. Specific recommendations are to:

a) inform the managers of the site about the contaminated areas and associated risks, in particular with regard to the security of workers conducting the clean-up operations;

b) remove the concrete floor of the paint works with extreme care and as thoroughly as possible to a depth of at least 5cm;

c) place the PCB- and dioxin-bearing deposits and the broken concrete in secure, dry storage. Ideally, the material would be taken to a hazardous waste treatment facility;

d) empty the water tanks before any major clean up and reconstruction of the paint shop is considered. Carry out a more detailed study to gain additional information about the pollutants present in the different tanks. Do not

release the water from the tanks into the river or wastewater system. Take urgent measures to prevent rainwater from increasing the volume of the tanks or causing them to overflow;

e) use available techniques to treat the polluted water in the tanks, for example through some type of filtration or through adsorbing materials (like active carbon or a peat bed).

7 Novi Sad: detailed studies should be carried out to determine whether oil and oil product pollution has contaminated the groundwater. Specific recommendations are to:

a) carry out further investigations within the refinery compound. Soil contaminated with heavier oils should be removed and disposed of under controlled conditions, using recovery technologies wherever possible. Soil and groundwater contaminated by lighter, more volatile oil products should be treated using in situ methods;

b) drill an observation well to confirm that free-phase gasoline is floating on top of the groundwater. Any floating gasoline should be removed using in situ methods, contaminated groundwater should also be cleaned up using in situ treatment;

c) continue abstraction from the well which was closed (well test and water quality sampling should also be carried out periodically), so that contaminating substances (oil, etc.) are also withdrawn, thereby reducing the risk of contaminating adjacent wells (hydrological barrier);

d) carry out appropriate tests to assess the hazard posed to the drinking water supply of Novi Sad through location of wells close to the oil refinery.

8 Bor: immediate action should be taken to prevent further releases of large amounts of sulphur dioxide gas in the atmosphere; damaged transformers and capacitors containing PCB oils should be removed and stored securely. Specific recommendations are to:

a) resume the production of sulphuric acid, thus binding the sulphur dioxide now released into the atmosphere;

b) treat the leaking capacitors and transformers, together with contaminated soil, as hazardous waste and deal with it accordingly.

Environmental impacts on the Danube

The result of laboratory analysis of samples taken from the Danube sediment and biota revealed significant chronic pollution, both upstream and downstream of the sites directly affected by the conflict. It is therefore strongly recommended that:

- 9 Follow-up monitoring be carried out with extension of the sampling to the confluence of major tributaries, e.g. Drava, Sava, Tisa and Morava rivers, as well as to the upstream (Hungarian) and downstream (Romanian - Bulgarian) reaches of the Danube.
- 10 An appropriate monitoring programme should be developed and implemented. This should be based on existing programmes but designed to be fully compatible with the ICPDR's TransNational Monitoring Network for the Danube River Basin (also see page 81).
- 11 Significant long-term efforts should be made to reduce both acute, point-source pollution and chronic pollution from industrial and urban effluent through investment in appropriate production and waste management processes.

Depleted Uranium

■ Immediate Action

- 12 It is necessary to obtain information from NATO confirming if, how and where DU was used during the Kosovo conflict. This is a prerequisite for verifying initial risk assessments, making necessary measurements, and taking precautionary actions.
- 13 Further measurements should be organised as soon as possible to identify possible contamination and verify assumptions. Highest priority should be given to finding pieces of depleted uranium, heavily contaminated surfaces and other "hot spots". Measures should be taken for the secure storage of any contaminated material recovered.
- 14 A thorough review of the effects on health of medium- and long-term exposure to depleted uranium should be undertaken under the auspices of the World

Health Organisation.

- 15 At places where contamination has been confirmed, measures should be taken to prevent access. The local authorities and people concerned should be informed of the possible risks and appropriate precautionary measures.

■ Monitoring

- 16 Appropriately designed health examination programmes should be established in areas where use of DU is confirmed.

Biodiversity

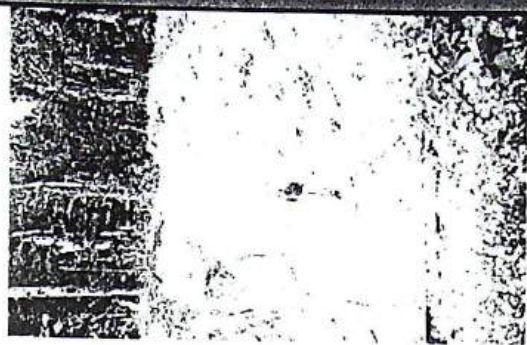
■ Immediate Action

- 17 Clearance of unexploded ordnance remaining in protected areas (primarily cluster bomblets) should be undertaken and measures implemented to issue warnings and restrict access to certain areas.

- 18 There is an urgent need to rebuild the nature conservation infrastructure and management system in Kosovo, as a first step, efforts should be made to recover all relevant information on biodiversity in the province.

■ Management and Monitoring

- 19 Management plans should be prepared and implemented for each of the damaged sites. The planning process should take environmental risks of reconstruction activities into account. The threats to national parks posed by tourism, changes in traditional land management practices and other legal and



Bomb craters in Fruska Gora National Park Photo: BIF

illegal economic activities should be assessed.

- 20 Priority should be given to establishment of the proposed Prokletije National Park, both because of its exceptionally high biodiversity and its significant potential role as a transboundary 'peace park' (Kosovo-Montenegro-Albania). Preparations and research on the Kosovo and Montenegrin sectors were well advanced prior to the conflict.

- 21 Long-term monitoring of the impacts of the conflict on protected areas, including the effects of reconstruction activities, should be conducted.

Human Settlements Priorities for Action in Kosovo

- 22 Medium-term housing rehabilitation strategies should be developed in close consultation with local stakeholders. Given the particular conditions of Kosovo, such strategies should enable the recovery of local capacities in the construction industry, building materials production and the operation of financial systems. Establishing traditional programmes of assistance that will prolong Kosovo's dependence on external support.

- 23 An assessment should be made of the resources available within Kosovo, including the income due to remittances and trade, that can be put at the service of rehabilitation activities. Such assessments are absolutely necessary before a credible rehabilitation strategy is in place, both to ensure the maximum use of local capacities and to target such programmes to the most needy sectors of the population.

- 24 As part of BTF/UNCHS (Habitat) on-going support activities to UNMIK, medium-term technical support programmes should be developed in the areas of:

- production of guidelines and procedures for municipal administration;
- the regularisation of housing and property rights and the establishment of an independent mechanism to deal with these issues;
- the development of a cadastral information system and the upgrading of

property registries and documentation.

Long-Term Institution Building

- 25 The capacities of the environmental administration in the FRY, the Republic of Serbia, the Republic of Montenegro and the Province of Kosovo, as well as at the municipal level, should be strengthened by providing sound economic frameworks and targeted training activities.

- 26 The environmental Monitoring System in the FRY should be redesigned and strengthened at both the federal and local levels, focusing on water, air, biodiversity and human health, and, in particular, targeting environmental hot spots. The environmental information network should be strengthened by establishing an internationally (i.e. EEA, UNEP, international environmental conventions) compatible system.

- 27 The potential benefits of FRY participation and full integration, when political circumstances permit, in the work of international organisations and regional environmental processes (Environment for Europe, Danube Convention, etc.) should be recognised (see pages 80-81 for information on Basel and Danube Conventions, of special relevance to BTF findings).

- 28 The private sector (business, industry) should be more involved in environmental planning and take environmental considerations into account during reconstruction and when taking up industrial activities.

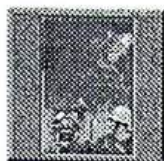
- 29 The non-governmental sector should be strengthened, for example, by raising environmental awareness, improving access to environmental information and promoting greater involvement in environmental policy-making locally, nationally and internationally. This will strengthen civil society and contribute to greater stability of the entire region.

- 30 The United Nations Mission in Kosovo (UNMIK) should develop capacity on environmental issues and integrate environmental considerations into other components of its activities.

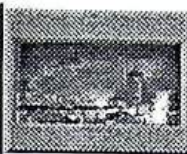


Recommendations

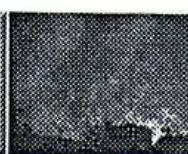
APPEAL BY PROFESSOR JAGOS ZELENOVIC,



Pancevo



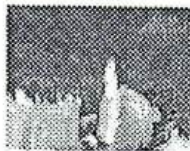
Beograd



Pancevo,
07/08.06.1999.



Pancevo,



Prahovo,
26.05.1999.



Prahovo,
26.05.1999.



Pancevo,
17.04.1999.



Novi Sad,
07.04.1999.

FEDERAL REPUBLIC OF YUGOSLAVIA

FEDERAL GOVERNMENT

FEDERAL MINISTRY FOR DEVELOPMENT ,

SCIENCE AND ENVIRONMENT

Your Excellency,

I would like to remind You of the letter dated 18th April 1999, addressed to You by Mr, Zivadin Jovanovic, Federal Minister for Foreign Affairs of FR Yugoslavia, and on this occasion I wish once again to alert You and the UN Commission for Sustainable Development on the environmental consequences inflicted by the NATO aggression on FR Yugoslavia.

Since 24th March 1999 NATO has been severely bombing the Federal Republic of Yugoslavia, without any international legal basis, real pretext and consensus of the United Nations Security Council.

The NATO aggression on FR Yugoslavia has caused an economic, humanitarian, health, as well as environmental catastrophe.

The aggressor's daily targets are national parks, nature reservations, monuments of cultural and natural heritage, rare and protected plants and animal species, among which

are those of international importance. Even the cultural and historical monuments, which are in the World Heritage List, are not being spared, as well as the world biosphere reservation and wetlands of international importance.

Besides carrying out genocide, NATO by its aggression is causing ecocide in the environment of FR Yugoslavia and wider, in the whole Balkans and considerable part of Europe. The real ecological catastrophe is going on in the heart of Europe with unforeseeable time and space range.

**His Excellency
Mr. Klaus Toepfer
UNEP Executive Director
Nairobi
Kenya**

Daily attacks on the chemical industry and electrical power plants, the NATO forces have caused numerous technological, chemical and industrial accidents throughout Yugoslavia, with wide local consequences and with all elements of transboundary environmental catastrophe. Permanent bombing has caused numerous explosions, swift uncontrolled spreading, spilling, evaporating and sublimating of huge quantities of highly toxic substances, as well as burning, combustion and incomplete combustion of inflammable materials. Large quantities of substances with cancerogenic, allergenic, teratogenic, mutagenic, toxic and other dangerous characteristics with negative consequences for people, plants and animals have been emitted in the environment.

Destruction of chemical industry plants presents a special form of chemical war. In order to illustrate this, only few of typical examples are given here:

- large quantities of dangerous and harmful substances were dispersed: chlorine, chloro-carbon hydride, ammonia, benzene, vinyl-chloride, the concentration in the air somewhere reaching the values of several hundred and even more than a few thousand times higher of the allowed maximum;
- incomplete combustion of inflammable fuel caused the

emission of a huge quantity of carbonmonoxide, nitrogen and sulphur oxides, cancerogenic polycyclic carbon-hydride and soot;

- there is a danger that bombing of the chemical industry plants could cause spilling of highly toxic mercury, which is used in certain technological processes; thousands of tons of oil and oil derivatives, acids and alkalis leaked into the rivers, effecting and, at some localities, destroying aquatic flora and fauna; thousands of tons of oil leaked into the Danube, the most important European river, thus destroying and endangering in long terms flora and fauna, as well as water supply for great numbers of people in several countries;
- heavily damaged electric power transformer stations released pyralene oils - only one liter of spilt oil can pollute one billion liters of water;
- certain quantities of heavy metals were also spread into some water blows.

Chemical compounds following bomb and missile explosions are extremely dangerous, as well as fires resulting from building destruction including surrounding forests, all being important ecosystem components. Bearing in mind that NATO aggressor uses the banned cluster bombs, the endangered areas cover a vast region.

Many forest complexes, national parks and orchards were damaged due to bombing, by cluster bombs in particular. Large forest areas were damaged in the fire, trunks were damaged and destroyed thus devastating forests and contaminating the forest soil. Due to fossil fuel combustion a great quantity of harmful gases were emitted in the air with adverse influence on forest death.

NATO uses in its aggression on FR Yugoslavia the banned genocide weapons, ammunition with radioactive charges. It has been proved that A10 warplanes use ammunition with depleted uranium. Uranium oxide particles with micro dimension and in the form of mobile aerosol, are spread widely by air circulation. The depleted uranium has its time of semi-disintegration which is several hundred million years, actually its effect is ever lasting. If it is inhaled, this radioactive and highly toxic material can not be removed

from lungs, thus enlarging its toxic and cancerogenic effects.

Vast distracted was caused by soft graphite bombs several times breaking down the electric power system with unforeseeable humanitarian and environmental consequences.

The NATO aggression on Yugoslavia contains essential elements of ecocide. Numerous specially valuable habitats of flora and fauna and vulnerable ecosystems were polluted and/or degraded by dangerous eco-toxic materials. Fresh water flows and underground waters have been polluted, and the air pollution has endangered a vast area causing long-term soil pollution and endangering agricultural and forest areas, leading to an unforeseeable endangering of biodiversity. Destroyed bridges slow down the water flow and flood up-stream regions. Slow down of the Danube flow at Novi Sad has already caused flooding of cultivated land, and there is a threat of flooding of settlements.

Regarding the NATO threats of bombing of oil and chemical industry plants, which could be considered as "chemical bombs", and bearing in mind danger to the environment at local and transboundary level, preventive security measures have been undertaken (evacuation, dislocation etc.).

NATO is constantly carrying out war activities in the vicinity of the Institute for Nuclear Sciences Vinca in Belgrade suburbs.

The Institute performs only scientific & research activities related to peaceful conditions. If the international community does not prevent these attacks, an environmental crime will happen with unforeseeable consequences. Man's right to safe and healthy environment is endangered by the NATO aggression. As a result of this, numerous basic human rights are violated, including the right to life and health, as well as other basic human rights and freedom (the right to development, work, education, movement, freedom of thought etc.).

Numerous international documents have been severely violated by the nonprovoked and illegal NATO aggression: UN Charter, the Humanitarian Law Provisions, especially the Geneva Conventions with the related Protocols, the Conventions on the Prevention and Punishment of Genocide Crimes, international agreement provisions in the field of environment, as well the basic proclaimed principles of environmental protection.

Within the framework of the violated international agreements in the field of environment, particular attention is drawn to the following conventions: the Convention on the Cooperation in the Field of the Protection and Sustainable Use of the Danube River, Convention on the Protection and Use of Transboundary Waters and International Lakes, the Barcelona Convention on the Protection of the Mediterranean Sea against the Pollution, the Convention on Transboundary Pollution of Atmosphere, the Convention on Climate Changes, the Convention on the Protection of the World's Cultural and Natural Heritage, the Ramsar Convention, the Convention on the Conservation of European Wildlife and Natural Habitats, the Convention on Conservation of Migratory Species of Wild Animals, the Basel Convention on Transboundary Movements of Hazardous Wastes and their Disposal.

The following conventions related to environmental protection during the war conflicts have been violated: the Convention on Banning of Military or any other Adverse Technology Affecting the Environment, the Convention on Protection of Cultural Heritage in the Case of War Conflicts, Bacteriological (Biological) and Toxin Weapons, and on their Destruction, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and their Destruction, etc.

The NATO member states have also violated the principles of the Rio Declaration on the Environment and Development, adopted at the UN Conference on the Environment and Development in 1992, and in particular principle 24: "The war conflict in its essence is destructive to sustainable development. Therefore, states shall respect international law which enables the protection of the environment during war conflict, and when necessary shall cooperate in its further development.", as well as principle 25: "Peace, development and protection of environment are interdependent and indivisible".

Bearing in mind the above, and respecting the consistent peace policy carried out by the federal Republic of Yugoslavia, we consider it as imperative to immediately cease all war activities and set for peaceful solution of the existing problems and start rehabilitation and reconstruction of the destroyed as soon as possible.

Yours Sincerely,
Prof. Jagos Zelenovic, Ph.D.
Minister in the Federal Government

Graham N. Green (former ambassador to Croatia): "Kosovo fallout - Canadian personnel may be exposed to radiation contamination", NATIONAL POST, July 26, 1999

EXPOSED - The deadly legacy of NATO air strikes in Kosovo, The Independent

NATO obstructs UN inquiry into depleted uranium - The Independent, October 16, 1999

Scott Peterson, Pristina, Yugoslavia: US reluctance to talk about DU -Christian Science Monitor, October 5, 1999 - International attempts to assess the risks from depleted uranium (DU) bullets used in Kosovo and Serbia are being thwarted by American reluctance to pinpoint where DU was used.-

CHRISTINE ABDELKRIM -DELANNE: "CONFLICT IN THE BALKANS - Not such conventional weapons", Le Monde diplomatique, June 1999

NATIONAL POST, Monday, July 26, 1999

Kosovo fallout

Canadian personnel may be exposed to radiation contamination

Graham N. Green
National Post

So, Canada's military is hot on the trail of a mystery about whether Canadian peacekeepers were exposed to dangerous levels of bauxite and PCBs during a 1993 tour of duty in Croatia. But in its belated haste to uncover the facts in this six-year-old case after apparently bungling its initial investigation, the government seems to be ignoring another even more serious potential hazard facing Canadian troops and civilian personnel now serving in Kosovo: radiation poisoning from NATO weapons used against Yugoslavia.

According to an unpublished report prepared for the European Commission, radioactive air pollution has been detected in some areas of Yugoslavia due to uranium-tipped shells used by U.S. warplanes during the Kosovo war. The report, prepared by the Regional Environmental Centre for Central and Eastern Europe, describes the depleted uranium in the anti-tank shells as "perhaps the most dangerous" of the cancer-causing and toxic substances released during the bombing.

Depleted uranium (DU) is a by-product of the enrichment of uranium for military and civilian uses. It is 1.7 times denser than lead and ideally suited for armour piercing weapons. U.S. military regulations require protective clothing and masks to be worn when handling such ammunition, but the real danger comes when the weapons hit their target. As the shells explode, they burn and release a radioactive aerosol of uranium oxide. This settles in the dust or is suspended in the air or carried by wind. If inhaled, it penetrates the lung tissue, enters the blood stream and stores in the liver, kidney and bones, irradiating all the delicate tissues.

More than 850,000 of the weapons were reportedly used during the 1991 Gulf War, leaving as much as 40 tons of radioactive dust in Iraq and Kuwait. It has been alleged by some U.S. and British groups that exposure to this dust may be a cause of so-called Gulf War Syndrome, an unexplained illness suffered by some Gulf War veterans and which is marked by chronic fatigue, weight loss and defects in children born subsequently. Doctors in Iraq also claim the radioactive dust has caused an increase in stillbirths, birth defects, leukemia and other cancers in children born in southern Iraq since 1991.

Russia first alleged that NATO was using DU shells in the Kosovo war at the beginning of April after enhanced radiation levels were detected in the atmosphere and on the ground in Serbia. Alliance officials initially rejected Russia's claim, but after stonewalling for almost a month, the Pentagon finally confirmed that DU weapons were being used, although it tried to play down the potential hazards.

This despite a 1990 study prepared for the U.S. Army which said DU was "linked to cancer when exposures are internal" and "chemical toxicity causing kidney damage" and that a charred shell emitted three times more radiation than is considered safe for the general public. Another report by the army's Environmental Policy Institute in 1995 stated: "If DU enters the body, it has the potential to generate significant medical consequences [that are] both chemical and radiological."

A UN team of experts is studying the environmental consequences of the Kosovo war, including the possible effects of depleted uranium weapons. Its report will not be ready until September, but a confidential preliminary report described DU ammunition as "very dangerous and harmful." Meanwhile, tens of thousands of peacekeepers and civilian aid workers, including many Canadians, are deployed throughout Kosovo and may already have been exposed to the harmful radioactive dust left behind by NATO's bombs.

Of course, the Canadian government is right to try to find out what happened to our peacekeepers in Croatia six years ago. But it also has a duty to find out what may be happening to our troops and civilian personnel now serving in Kosovo. A thorough investigation needs to be undertaken without delay to determine whether there is an increased health risk in Kosovo and, if so, what steps will be taken to minimize the threat to Canadians on duty there. It simply isn't good enough to wait for others to do the job, or to try to find out what happened six years down the road when Canadians begin to complain about the effects of "Kosovo War Syndrome."

And while it is at it, perhaps the government can tell us whether it approves of using radioactive shells in a "humanitarian" war -- or any war, for that matter.

Graham N. Green was ambassador to Croatia (1995-97), and comments on international affairs from Ottawa.

Letters to Editor: letters@nationalpost.com

The Independent

EXPOSED: THE DEADLY LEGACY OF NATO STRIKES IN KOSOVO

AFTER INSISTING throughout its air bombardment of Yugoslavia that its use of depleted uranium munitions against Serb forces posed no hazard to human health, Nato officers in Kosovo now admit that particles from their shells may have contaminated soil near targets in Yugoslavia and could cause "inhalation" problems, especially for children.

There has been a growing outcry against munitions containing depleted uranium (DU) - a waste product of the nuclear industry - since it was used in armour-piercing projectiles in the 1991 Gulf war. In the eight years

since, hundreds of Iraqis living near the battlefields have died from mysterious cancers and grossly deformed children have been born to Iraqi soldiers who fought in the war. British and American veterans suffering from

Gulf war syndrome suspect that the use of DU weapons caused their own sickness and cancers.

In briefings to international aid workers in Pristina, one K-For officer has warned his audience of "contaminated dust" at the scene of DU munitions explosions and urged aid officials to stay 150 feet away from targets hit in

Nato air strikes. But non-governmental organisations have been amazed to hear that Nato cannot - or will not - say where it used DU ordnance against Serb forces. "There is no releasable information about where it was used and when," a K-For spokesman told The Independent. He would give no reason for Nato's refusal to provide these details.

Officially, K-For warns aid workers to beware of all Kosovo battle sites - especially the danger posed by unexploded cluster bombs - but the records of one major aid organisation in Pristina show that on 13 and 20 August a K-For officer was twice asked by United Nations officials about the dangers of DU projectiles fired by American A-10 Warthog ground-attack aircraft. The officer - believed to have been British - spoke of "the danger of the spread of contaminated dust".

The Pentagon says that in the 1991 Gulf war, more than 860,000 DU rounds were fired by United States and - to a much lesser extent - British forces. In following years, doctors in southern Iraq were stunned to find an

exponential increase in child cancers and deformities among families living near the old battlefields or close to targets hit by US forces. One Iraqi doctor's report in Basra last year recorded three babies born without heads

in August along with four with abnormally large heads, six babies born with no heads in September and two with short limbs. In October 1998, another baby was born without a head and four with oversize heads.

Nor were DU munitions used in Kosovo only against armour, as Nato claimed. One aid worker found exploded DU rounds at a defence installation near Djakovica. "There were no vehicles there, but I found the tops of the rounds," he told me.

The Independent
October 16, 1999

By Robert Fisk

NATO OBSTRUCTS UN INQUIRY INTO DEPLETED URANIUM

AFTER INSISTING that no scientific study had ever proved depleted uranium (DU) shells could cause cancer in Iraq or Kosovo, Nato has refused to co-operate with a United Nations team investigating the use of the munitions in the former Yugoslavia.

Pekka Haavisto, chairman of the UN's Balkan environment task force, says Nato refused to co-operate with his team and that "immediate action is necessary to obtain information from Nato confirming if, how and where, DU was used during the conflict."

There is, of course, no "if" about it. Nato admitted in answer to a question from The Independent in May that US A-10 aircraft had used DU shells - designed to penetrate thick armour - against Serb targets, a statement the US

Department of Defence later repeated. A Nato spokesman claimed - inaccurately - that a Rand Corporation study had proved DU munitions caused no harm.

Hundreds of tons of DU were used in the 1991 Gulf War. In the years that followed, there was an epidemic of cancers among Iraqis living near the battlefields - many of whom showed symptoms identical or similar to thousands of Allied veterans now suffering from Gulf War syndrome. Scientists fear similar contamination has taken place in ex-Yugoslavia. Yet when last month Nato was asked for the locations in Kosovo where DU was

used, a spokesman said the information was "not releasable".

The UN, it now turns out, got the same runaround. "Nato always replied to our letters," an official in Mr Haavisto's office told me yesterday. "But they never gave the answers we were expecting. They were never able to release the information. They said it was 'security'." Inquiries by The Independent have established that Nato knows perfectly well, from munitions and pilots' reports, target areas against which DU weapons were used. They include districts close to Djakovica, Mitrovica, Pristina, Urahovac and in Serbia proper.

In private, Nato officers have been telling humanitarian officials in Kosovo to stay away from any area where DU was used - while still refusing to state where they are. Mr Haavisto's report recommends "a thorough review of the effects on health of medium and long-term exposure to DU" by the World Health Organisation.

Yet two years ago the Iraqis asked the WHO for just such a report. It was never produced. Now the UN says - in its DU report - that "during and immediately after any attack where depleted uranium was used, some people

in the immediate vicinity may have been heavily exposed to depleted uranium by inhalation". Special health examinations are necessary, the UN says, adding that the possible contamination of land need not prevent refugees from returning to their villages. But "hot-spot" target areas must be identified as soon as possible and arrangements made "for the secure storage of any contaminated material".

This, of course, cannot be done - because Nato is keeping the information secret.

Christian Science Monitor, Tuesday, October 5, 1999 -

<http://www.csmonitor.com/durable/1999/10/05/fp6s2-csm.shtml>

US reluctance to talk about DU

Scott Peterson

PRISTINA, YUGOSLAVIA

International attempts to assess the risks from depleted uranium (DU) bullets used in Kosovo and Serbia are being thwarted by American reluctance to pinpoint where DU was used.

As part of a sweeping United Nations environment damage assessment of the Kosovo conflict, UN agencies have made inquiries about exactly where and how much DU ammunition was used in the 78-day NATO bombing campaign. So far, they have received little data.

"They say it's militarily sensitive information," says David Kyd, spokesman for the UN's International Atomic

"The Trail of a Bullet": on humans field illness? rite round'? Lead	Past articles from the Monitor special series DU's global spread spurs debate over effect A rare visit to Iraq's radioactive battle- DU's fallout in Iraq and Kuwait: a rise in Will America risk use of DU in Kosovo? Pentagon stance on DU a moving target Tungsten: One alternative to a risky 'favo- The Monitor's View: Where the Trail Should
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Fallout from use of DU bullets in Kosovo

Energy Agency (IAEA) in Vienna. The IAEA is examining radiation aspects for the Balkans Task Force, a group created last May by the UN Environment Program to investigate the impact of the war.

Informal requests made to Nato and envoys to the IAEA - including the US - "led us to believe that Nato was as reluctant as were the Serbs" to discuss DU use and targets, Mr. Kyd says. "We absolutely have to have the information so we can do serious measurements and analysis."

Nato is cooperating with other aspects of the UN inquiry, such as the impact on bombed industrial sites and pollutants spilled into the Danube River. But last week, Nato sources say, American diplomats at Nato headquarters unilaterally rejected Nato as a point for any further contact about DU use, effectively forcing the Balkans Task Force and anyone else seeking DU data to ask the Pentagon directly. Nato

sources say they have come up against a "brick wall" while making their own inquiries.

US aircraft were the only ones using DU ammunition, but Defense Department officials say they have received no direct request for target data.

"Our position is that we don't have anything to hide," says spokesman Lt. Col. Steve Campbell. Yet the reply to a direct Monitor request for confirmation that DU was used at two locations in Djakovica and Vranje (see story above) was: "To date, we have not discussed in anything but the most general of terms what munitions were used against what targets," said Defense Department spokesman Lt. Col. Victor Warzinski.

By contrast, US and British Nato forces after the June cease-fire quickly provided exact coordinates for 1,500 cluster-bomb drops (which each scatter 150 to 200 bomblets), so that UN deminers could create a map of hazard areas.

NATO TARGET: Radioactivity has been found at this site near Vranje, but the Pentagon will not confirm DU use at any specific place.

SCOTT PETERSON/GAMMA-LIAISON

US military sources suggest that 3,000 to 4,000 bullets were fired in the Kosovo campaign, a figure that roughly matches estimates made by Yugoslav military and independent Western analysts. By comparison, the Gulf War saw heavy DU use, with American forces firing 340 tons - 783,000 bullets, and 9,000 larger tanks rounds - across the deserts of Iraq and Kuwait. By all accounts, only a fraction of that amount was used in Kosovo, though here it was used for the first time in populated areas.

A confidential preliminary Balkans Task Force (BTF) report leaked in May, as the bombing continued, did not mince words about the risk of DU. "This type of ammunition is nuclear waste, and its use is very dangerous and harmful," it said.

The BTF has sent requests directly to Nato, and has visited Washington to determine the extent of DU use. They channeled their requests through the State Department, however, not the Pentagon.

"We have had some cooperation," says BTF chairman Pekka Haavisto. "But what is the consequence [of DU]? That is what we really want to know."

For years after the 1991 Gulf War, US military regulations for handling DU were based on strict US Nuclear Regulatory Commission standards. The Pentagon, however - while calling its changing policy "inconsistent" - has been revising those rules, and today portrays DU as harmless.

Past US military and independent reports link DU to severe health problems.

Many conclude that it is an "acceptable risk," though one 1990 study conducted for the Army states that "no dose is so low that the probability of effect is zero."

Le Monde diplomatique
June 1999

Available in French at: http://www.monde-diplomatique.fr/1999/06/ABDELKRIM_DELANNE/12106.html

CONFLICT IN THE BALKANS
Not such conventional weapons

by CHRISTINE ABDELKRIM -DELANNE

During the Gulf war the Allied forces, particularly the United States and the United Kingdom, used ammunition made from depleted uranium for the first time (shells, missiles, bombs and bullets). These munitions have now been used by Nato in Yugoslavia. Apart from their immediate effects, they have dramatic long-term effects on their victims - and also on their users - through radioactive contamination.

On 30 March 1999 Nato announced the arrival in Yugoslavia of the US A-10 assault aircraft, the famous "tank-busters". There is something playful about the name tank-busters, reminiscent of a video game. What people forget to mention is that the fearsome efficiency of these new weapons derives from the nature of their ammunition, which is made from depleted uranium (DU). On 21 April 1999 Nato spokesman Giu-

seppa Marani confirmed to the Japanese daily paper Mainishi that they were being used in Yugoslavia.

Depleted uranium or U-238 is a waste product deriving from the enrichment process of natural uranium which makes it possible to obtain the fissile U-235 uranium used for both military purposes (nuclear weapons and

submarines) and civil purposes (nuclear power stations, aviation). As a metal it is extremely heavy and dense. Fired at a speed of 1,200 metres per second (Mach 5) it pierces tank armour and can pierce a block of concrete

three metres underground. It is therefore far more effective than the tungsten that has been used hitherto. What is more, it costs nothing (it really is a waste product from the nuclear industry), unlike tungsten which has to be imported. Its use in weapons manufacture also provides a partial solution to the intractable problem of what to do with nuclear waste - in 1991 the United States federal budget made provision for the acquisition of 130,000 tons of DU for "national defence reserves", a figure that was subsequently revised upwards.

Already in 1979 a memorandum from the US department of defence was arguing for the use of DU (1). Then and since, the radioactive and highly toxic nature of these weapons was deliberately ignored. However, in that year

Leonard A. Dietz, a researcher at the Knolls Atomic Power Laboratory (KAPL) at Schenectady, New York State, discovered DU traces in pollution control air filters, three of them at a distance of 42 kilometres from the site (2). The contamination derived from the National Lead Industries Plant (NL) in Colonie (just 16 km east of the laboratory) on the outskirts of the town of Albany. National Lead manufactures penetrators for shells and wing counterweights for civil aircraft. Unconnected with Dietz's findings, in 1980 New York State ordered NL to cease production for having exceeded regulation radioactivity discharges to the environment. The site was closed and decontaminated.

Dietz analysed 26 uranium-bearing particles extracted from several of KAPL's air filters. Four particles contained pure depleted uranium. The other 22 particles were enriched uranium. He explained that "the four DU particles

were near the upper end of the respirable' size range, which is about 5 micrometres. Respirable means that particles will pass through the upper respiratory airway to the lung and become deposited in various interior

regions of the lung, where many will remain for many years. A 5 micrometers uranium dioxide particle can cause a high, localised yearly radiation dose to lung tissue. It is a radioactive hot spot in the lung (3)." In fact, at

several plants manufacturing DU arms in the US there have been strikes among workers in the "dirty plants" which produ-

ce these weapons, demanding that certain forms of cancer be recognised as industrial illnesses and pressing for better working conditions.

When depleted uranium ammunitions hit their targets, they release radioactive particles, as well as dust containing toxic heavy-metal elements. The uranium is liable to spontaneous combustion and produces vapours which burn at very high temperatures.

The contaminating effects of these weapons both for the environment and the surrounding populations has long been denied by the military authorities. However as long ago as 28 September 1990 the US army was already publishing a thick technical dossier giving advice in the event of accidents involving depleted uranium (4). It says "No equipment or materials involved in the accident/incident are to be removed from the site for unrestricted use until the item(s) have been monitored by radiation protection personnel and decontaminated as required." The guide also points out that "as they burn, high explosives melt, flow, drip, spread, and mix with surrounding ground or wreckage. After the fire is extinguished, the explosives are safe only if they are completely burned. High explosives which have not completely burned remain an extreme explosive hazard. After these explosives have cooled below ignition temperature they will, like metal, take on curious shapes. They may have picked up impurities while molten or burning, which will make them actually more dangerous than they were before melting."

In March 1991 a tank containing depleted uranium armaments was buried in the nuclear dump at Barnwell in South Carolina, while three other tanks were buried in Saudi Arabia and Germany (5). Eight days after the end of the Gulf war a memo on depleted uranium issued by US Army Command gave the first instructions for soldiers on how to deal with "vehicles contaminated by radioactivity".

It was only with the revelations about "friendly fire" that the US was forced publicly to admit the use of DU armaments during the Gulf war. During Operations Desert Shield and Desert Storm 29 American vehicles were

contaminated by DU on the battlefield. Twenty-one of them (6 Abrams tanks and 15 Bradley combat vehicles) had been damaged by these munitions. In total 15 soldiers were killed and more than 60 injured by fire from DU arms. Since Iraq did not possess these kinds of weapons, it was obvious that the damage must have been a result of targeting errors by US troops (6). The Army Times (the US army's official newspaper) of 26 July 1993 published a detailed list of damage sustained as a result of "friendly fire" without, however, saying anything about deaths that may have occurred after the event.

Five years after the war, 30 of the soldiers who had been victims of this "collateral damage" were checked by the Depleted Uranium Program at the MD VA Medical Centre in Baltimore. Fifteen still presented with a high level of radioactivity in their urine. Dietz subsequently carried out a study into DU contamination effects among Gulf war veterans and noted that "If you've got any indication of DU at this late date, even at low levels, it would indicate you'd had a pretty heavy dose five years ago!". But he adds that "the US army and the Department of Veterans' Affairs have shown an unwillingness to investigate health issues associated with the toxicity and radioactivity of inhaled and ingested DU aerosol particles that have become absorbed in the body. Both have refused to test large numbers of veterans for the presence of DU in their bodies" (7).

Devastating effects

Nevertheless, it is by now accepted that some of the pathologies listed as "Gulf war syndrome" were actually due to the presence of DU. The International Action Center, set up by the former US attorney-general, Ramsey Clark, has been very active against the Gulf war, campaigning for the embargo against Iraq to be lifted. One of its members, Sara Flounders, reports that the Department of Veterans' Affairs has carried out a study among 251 veterans' families in Mississippi. Since the war 67% of them have had children with serious abnormalities (8).

There has been an increase in certain cancers and hitherto unknown congenital malformations - and exactly the same has been reported, on an alarming scale, from Iraq. It is difficult to evaluate the exact quantity of DU armaments that were used in Iraq, Kuwait and Saudi Arabia. According to the US armed forces, more than 14,000 rounds were used by US troops, of which 7,000 were during training in the Saudi Arabian desert prior to the war and 3,000 were lost during a fire at a US Army arms dump at Doha in Kuwait. Ammunition used by the British and probably other armed forces needs to be added to the count.

A secret report from Britain's Atomic Energy Authority, made public in November 1991 (9), indicates that at least 40 tons of DU were left in the desert by the Allied forces. It notes the presence in Kuwait and Iraq of

enough uranium to cause "500,000 potential deaths". Nine years after the end of the conflict Iraqi doctors are still reporting abnormally high incidences of leukaemia among children, tumours and cancers among adults, and births or abortions of fetuses with monstrous abnormalities.

Two international symposiums on the subject were held in Baghdad (1994 and 1998), with the participation of foreign

specialists and Gulf war veterans. At the December 1998 session the participants highlighted the need for international help in setting up a rigorous epidemiological study to examine causes and effects. They also raised the issue, which cannot currently be resolved, of identifying the location of zones affected, particularly in the south, and ensuring their decontamination. "A ban on these weapons is a matter of concern for all of us", said Dr Sami Al Araji, a member of the Iraqi Society for Environmental Protection, at its March meeting in Baghdad, "because yesterday it was Iraq, but after that, who knows?" After that is now Yugoslavia (10).

* Journalist, France

(1) "Anti-armour ammunition with depleted uranium penetrators", US Defence Department memorandum, March 1979.

(2) Leonard A. Dietz, "Contamination of Persian Gulf War veterans and others by depleted uranium", Bulletin of the Atomic Scientist, New York, 19 July 1996. In the same study the author points out that on 4 October 1992, when an El Al Boeing-747 crashed into an apartment building in Amsterdam, Holland, it contained 279kg of DU in its fuselage which "burned and contaminated the surrounding area".

(3) "Investigation of excess alpha activity observed in recent air filter collections and other environmental centres", DLA Chem-434-LADD, Knolls Atomic Power Laboratory, 24 January 1980.

(4) "Guidelines for safe response to handling, storage and transportation accidents involving army tank munitions or armour which contain depleted uranium", US Department of the Army, Technical Bulletin, TB 9-1300-278.

(5) Wall Street Journal, New York, 10 June 1991.

(6) Dan Fahey, "Collateral Damage: how US Troops were exposed to depleted uranium during the Persian Gulf War" in Depleted Uranium Network of the Military Toxics Project, San Francisco, 20 September 1996.

(7) Leonard A. Dietz, op. cit.

(8) Sara Flounders, Ramsey Clark, "Metal of Dishonour... depleted uranium", International Action Center, New York, 1998. E-mail address: iacenter@iacenter.org Website at <http://iacenter.org>

(9) Nick Cohen, "Radioactive waste left in Gulf by Allies", Independent on Sunday, London, 10 November 1991. See also Le Monde diplomatique, April 1995.

(10) The organisation Human Rights Watch has exposed and denounced Nato's use of cluster bombs in Yugoslavia. These munitions generally have a non-exploding failure rate of 5-10% and are left lying on the ground. Here they become, objectively, anti-personnel mines, putting civilian lives at risk both during and after the conflict - potentially for years to come. See Human Rights Watch, "NATO use of cluster bombs must stop", New York, 11 May 1999. Also <http://www.hrw.org/campaigns/kosovo98>

Translated by Ed Emery

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Date sent: Thu, 30 Mar 2000 21:34:31 +0200
To: office@globalreflexion.org
From: Herman de Tollenaere <her-
mantl@stad.dsl.nl>
Subject: Depleted uranium Yugoslavia

href="http://www.wsws.org/" eudora="autourl"www.wsws.org^O
^O

WSWS : News & Analysis : Europe : The Balkans^O
NATO admits to use of radioactive munitions in Yugoslavia^O
By Julie Hyland^O
31 March 2000^O
^O

NATO Secretary General Lord George Robertson has finally provided limited details of the Alliance's use of depleted uranium (DU) ammunition during its war against Serbia last year. Robertson disclosed the information in a letter to UN Secretary General Kofi Annan last month, four months after it was first requested.^O

DU is a waste product of the process used to enrich natural uranium ore for use in nuclear reactors and nuclear weapons. It is 1.7 times as dense as lead and is used in the tips of a bullet or a round to pierce armour plating. It can also be used in cruise missile nose cones and has been used in the armour of tanks. DU breaks into tiny particles on impact, which can be easily ingested and/or inhaled. Numerous studies have linked DU ammunition to the increase of cancer in Iraq, following the 1991 Gulf War, and to the number of army personnel in the US and the UK suffering from "Gulf War Syndrome".^O

Annan had requested detailed information on NATO's use of DU during its 78-day bombardment of Yugoslavia, following a UN investigation by the Balkan Task Force (BTF). The results of the BTF investigation, which included members from the World Health Organisation, the International Atomic Energy Agency and the Swedish Radiation Protection Institute, were reported last October.

Investigators concentrated on four environmental "hot-spots" in Kosovo: Pancevo, Kragujevac, Novi Sad and Bor, but complained that the lack of official confirmation from NATO of its use of DU "during the Kosovo conflict distorted the prerequisites for the group's work". The report concluded that whilst the Kosovo conflict did not cause an environmental catastrophe for the whole of the Balkan region, pollution at the four spots investigated was "serious and poses a threat to human health". It urged an investigation into the impact of DU ammunition on human health.^O

Robertson wrote that the United States Air Force A-10 "tank-buster" aircraft had concentrated their operations "in an area west of the Pec-Dakovica-Prizren highway, in the area surrounding Klinja, in the area around Prizren, and in an area to the north of a line joining Suva Reka and Urosevac". He added, "However, many missions using DU also took place outside these

areas.ö^O

The UN Environmental Programme (UNep) complained that "the information provided [by Robertson] is not of sufficient detail to facilitate an accurate field assessment of the environmental and human health consequences of its use at the present time". This meant it was not possible "to comprehensively carry out an objective and scientifically based environmental and human health impact assessment in Kosovo".^O

Whilst claiming that Robertson's admission "should not be a cause of widespread alarm", UNep urged that its October 1999 recommendations should be followed including preventing access to all places where contamination has been confirmed, informing the local populace of the possible risks and taking "appropriate precautionary measures".^O

The lack of detailed information in Robertson's letter is not surprising. NATO pursued a strategy of "carpet-bombing" towns and cities across Yugoslavia during its offensive. Some 700 planes flew almost 35,000 sorties, destroying large parts of the country's industrial and social infrastructure. During the latter stages of the air campaign, NATO moved to 24-hour bombing, targeting industrial plants, airports, electricity and telecommunications facilities, railways, bridges and fuel depots, schools, health clinics, day care centres, government buildings, churches, museums and monasteries.^O

A comprehensive list of those areas targeted with DU ammunition would probably mean declaring much of Serbia and Kosovo contaminated, as well as raising serious concerns over the environmental and health dangers for surrounding countries.^O

It is unlikely that a detailed breakdown will be forthcoming. Following Robertson's admission, Francois LeBlevenac, a NATO spokesman, said that the alliance had "no direct control" over the use of DU ammunition during the war. Whilst NATO had overall control of the campaign against Serbia, "it had no jurisdiction over the choice of armaments used by member nations," LeBlevenac said.^O

Both the US and the UK were known to have used DU ammunition during the war. Whilst both have denied that the weapons posed any significant risk to human health, numerous studies have revealed significant dangers. The US Army's Environmental Policy Institute reported in 1995: "If DU enters the body, it has the potential to generate significant medical consequences. The risks associated with DU are both chemical and radiological."^O

UK Ministry of Defence personnel in Kosovo have been warned to stay clear of any sites targeted with DU munitions, unless they are wearing full radioactive protective clothing. The National Radiological Protection Board advises UK nationals visiting or working in Kosovo to avoid disturbing areas contaminated with DU. Last April, radiation physicists at the University of Maryland submitted evidence

to the US Department of Energy, recommending that DU never be used in warfare because of the health hazards. Last week German KFOR troops designated an area of approximately 5,000 square metres in Kosovo-Metohija as radioactive, leading the Defence Ministry to promise it would conduct health checks on all its personnel in the vicinity.^0 The consequences of DU munitions have been most clearly revealed in Iraq. The US fired almost 944,000 rounds of DU ammunition in Iraq and Kuwait during the 1991 war. Congenital birth defects in Iraq are reported to have increased to three times their post-war levels and there has been a dramatic increase in cancers and childhood leukaemia. Last year, British experimental biologist Roger Cohill warned that the use of DU weapons against Yugoslavia was likely to result in an additional 10,000 fatal cancer cases in the region.^0

As in Iraq, NATO sanctions against Serbia are undermining the medical profession's ability to detect and treat the disease. At a public meeting convened in London on March 24 to commemorate the first anniversary of the NATO bombing, Labour MP's Alice Mahon and Bob Marshall-Andrews reported on their recent visit to Yugoslavia as part of a campaign to lift western sanctions.^0

The two reported that they had spoken with refugees from Kosovo, Bosnia and Croatia and met patients at the Bazanijska Kosa hospital in Belgrade. Cancer experts at the hospital had informed them that sanctions were seriously undermining cancer prevention and the quality of care. Radiotherapy equipment often does not have all the required parts and chemotherapy drugs are unavailable. Already this has meant that the number of early-detected cancer cases has dropped from 35 percent in 1990 to 13 percent. Doctors told them that, in comparison to the rest of Europe, Serbia is now bottom of the league table for five-year survival rates for lung, breast, colon, rectum, prostate, testicular, ovarian, stomach and cervical cancers.^0

The BTF report is available on the Internet at: href="http://www.grid.unep.ch/btf" eudora="autourl" http://www.grid.unep.ch/href="http://www.grid.unep.ch/btf" eudora="autourl" btf^0

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^0

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^0

Herman de Tollenaere

Van: Mfilifer@cs.com <Mfilifer@cs.com>

Aan: Mfilifer@cs.com <Mfilifer@cs.com>

Datum: zondag 06, juni 1999 21:16

Onderwerp: Please read and forward

-Subject: Fw: Procitaj ovo i salji dalje!

Subject: refutation of ethnic cleansing charge (fwd)

Date: Mon, 31 May 1999 18:53:50 -0400 (EDT)

Finally the details of Saxton's fact-finding mission to Yugo and Kosovo.

It is urgent that this information be circulated to the American people.

○ Congressman Saxton's trip was covered as a human interest story in the METRO section of the NY Times!

It is of vital importance that the ethnic cleansing charges be directly attacked. It is a crutch of the Washington war party to mislead the American people.

please pass this on to your groups

=====

Consider the following, from a Republican congressman who returned from a fact finding investigation in Yugoslavia:

"There is no doubt but that the NATO bombings in Kosovo and in the rest of Serbia have contributed heavily - perhaps overwhelmingly - toward the outflow of refugees, not only the Kosovar Albanians but many other ethnic groups who have been forced on the road with the destruction of their homes or their livelihoods." (From the report below)

○ "US CONGRESSIONAL MISSION TO YUGOSLAVIA DISPUTES WHITE HOUSE/STATE DEPT/PENTAGON/NATO INFORMATION

Essential Public Policy Points Relating to the ISSA
Mission to Yugoslavia, April 18-21, 1999

The International Strategic Studies Association organized a fact-finding mission from Washington DC to Yugoslavia on April 18-21, 1999. The purpose was for the Association and a key US Congressman to determine to a greater extent factors important to future policymaking with regard to the war being prosecuted against Yugoslavia. ISSA worked with a Yugoslav NGO, the Institute for Geopolitical Studies, in facilitating the mission.

US Congressman Jim Saxton (Republican, New Jersey), an ISSA Life Member and Chairman of the US House of Representatives Task Force on Terrorism &

and Chairman of the Subcommittee on Unconventional Warfare (and member of the House Armed Services Committee; and Vice-Chairman of the Joint [House-Senate] Economic Committee), participated in the mission, along with the Director of the Task Force on

8.6.99

Terrorism, Yossef Bodansky.

The mission delegates met with key Yugoslav officials and politicians, at the highest levels, including the Foreign Minister. As well, contacts were made with non-governmental individuals in Yugoslavia, and an assessment was made of NATO bombing damage in the greater Belgrade area.

A. The Rationale Behind the Fact-Finding Visit

1. The visit was principally undertaken to ensure that the US Congress had sufficient independent information on the conduct of the war ("the Kosovo Crisis") to be able to fully debate proposals put to it by the US Administration. The Founding Fathers of the United States wished to ensure that there were checks and balances in the US system. The Congress was empowered to approve and fund - or disapprove and withhold funding - the actions of the Administration, and was charged with the function of declaring war. It was, therefore, the responsibility of Congress to satisfy itself

through the utmost diligence that courses of action to which it committed its actions were appropriate. It was never intended that the Congress should blindly endorse the Administrative Branch, but rather should support it or check it after due debate and research.

2. The commitment of US lives into a combat situation, where many lives will certainly be lost, and where the long-term strategic interests of the United States are involved, cannot therefore be undertaken without the most complete research and understanding.

With regard to the present situation in Yugoslavia, Congress had until this mission been virtually totally reliant on the Administration's view of events, and on the media, which has been greatly influenced by the only real source of information and opinion available: the Administration.

3. It was necessary to determine far more objectively the real situation before one-sided evidence and jingoism was allowed to determine whether Congress threw American lives, and the future strategic position of the United States, into a war. This was the underlying motive for the ISSA/Saxton mission to Yugoslavia.

4. It was also necessary to ensure that the United States did not unwittingly commit crimes of its own in pursuit of a just solution to the tragedy.

B. What was discovered

1. The Flow of Refugees: The international media, because it is largely on the external borders of Yugoslavia, has seen only the flow of refugees out of the country, to Albania and Macedonia. However, some one-third of the Albanian Yugoslav and other ethnic group refugees appear, in fact, to be fleeing further into Serbia, to avoid the Kosovo Liberation Army. Yugoslavia has already been burdened since 1992 with almost one-million refugees from Bosnian Serb areas and Croatian Serb areas, as well as Croatians and Muslims fleeing into Serbia-proper from what is now Bosnia-Herzegovina and Croatia.

2. There is no doubt but that the NATO bombings in Kosovo and in the rest of Serbia have contributed heavily - perhaps overwhelmingly - toward the outflow of refugees, not only the Kosovar Albanians but many other ethnic groups who have been forced on the road with the destruction of their homes or their livelihoods.
3. There are some 26 different ethnic groups in Yugoslavia, and some 20 different ethnic groups living in the Kosovo region. Within Yugoslavia, some one-third of the population is not of Serbian origin, and this makes it the most multi-cultural, multi-religious state in the Balkan region.
4. We saw extensive destruction of civilian targets, many of which could not be justified by NATO as military targets nor vital to the maintenance of a Yugoslav strategic power base. Given the widespread damage to these purely civilian targets which we saw, including the direct destruction of homes, it is not difficult to believe the claims of the Yugoslav Government that some 400,000 to a half-million people have been thrown out of work because of the destruction of their workplaces. This means that some 2-million Yugoslavs of all ethnic origins are without income, out of a population of some 10+-million people.
5. Justification for bombing civilian targets has now been given that these facilities were owned by relatives of President Milosevic, but the vast majority of these factories were either State-owned, privately-owned by non-Milosevic family members or, for the greater part, owned jointly by the State and by the workforces of the various factories. As a result, this has directly contributed to an attack on the average Yugoslav family.
6. There was no evidence to support the contention that the Yugoslav warfighting capability has been overwhelming broken by the sustained NATO bombing campaign. Rather, the bombing has driven the Yugoslav people to put aside their political differences and to unite in the face of an external threat, much as would be the case if the United States was attacked. We met with people who have, in the past, been totally opposed, politically, to President Milosevic. Today, they are working completely with Mr Milosevic to defend their country. So the intention of the bombing to break the Yugoslav people away from Mr Milosevic has totally failed, and shows no sign of succeeding.
7. The cost in terms of human casualties from the NATO bombing have largely been civilian: between 500 and 1,000 dead, with several thousand injured. Military personnel casualties have been minimal.
8. There has clearly been significant damage suffered by Yugoslav military assets, including domestic oil refining capability. However, it would be a mistake to believe that the real warfighting capability of Yugoslavia has been degraded to anything like the level where the insertion of ground forces could be successful: that is, that it

could militarily defeat Yugoslavia without massive loss of life and without destroying the one thing which the campaign intends to save, namely a viable restoration of Kosovars to their homes and livelihoods in the Kosovo region.

8.6.99

The net result of an insertion of ground forces would be that a protracted war would continue within the very rugged terrain of the country, and that the lowland areas would be laid waste in the process. It surely is not our intention to achieve a victory without restoring the homes and employment of the Kosovar people (whether of Albanian origin or not).

9. Apart from a costly, protracted war with the massive loss of life among NATO states, including, of course, the United States, there is reason for grave concern over a wider war. Firstly, it is clear that there would be retaliatory actions against major Western targets, such as our own oil refineries and nuclear power stations, etc., from Yugoslav special forces or from non-government Serb activists. So we could expect a major outbreak of anti-NATO terrorism, perhaps on a scale not before seen, if we choose to escalate the war into a full ground operation. This must at the very least be taken into consideration.

10. We attempted to investigate reports that there has already been considerable loss of life among NATO forces, and we feel that we received some confirmation that this has been the case. Clearly, the cost to NATO in human and equipment terms has already been far greater than anything which has been announced. Just how extensive the NATO aircraft and personnel losses have been remains to be confirmed. What is clear is that already there has been a cost to us, apart from the mere monetary cost of equipment and consumables. This cost can only rise significantly as the conflict proceeds.

11. It has been stated by NATO that the Yugoslav Air Force has been driven from the skies, with half the Yugoslav fighter aircraft force lost, and that all defenses now consist only of anti-aircraft artillery and anti-aircraft missiles. It is more likely that the Yugoslav Air Force is preserving its forces to be used in any broader conflict. This is not Iraq, and we should not make the mistake of believing that the fight, or fighting capability, has been driven from the Yugoslavs.

12. There has, in fact, been considerable progress toward reaching a political solution acceptable to all moderate parties. And, of course, we except from the definition "moderate parties" the so-called Kosovo Liberation Army, which derived from the communist origins of the former Albanian stalinist leaders and which today is funded largely by narcotic trafficking into Western Europe and through extortion. It has been a mistake for the West to support the KLA now, when moderate Kosovar Albanian leaders have been committed to a political solution to the tragedy. Equally, attempts to discredit moderate Kosovar Albanian leader Dr Ibrahim Rugova are counter-productive to achieving a peaceful and lasting solution to the problem. The fact that Dr Rugova's enormous courage in remaining in Yugoslavia to seek such a solution is now being dismissed by allegations that he is a "virtual prisoner" only serve to reinforce the hand of the KLA, which has previously been labeled a terrorist force by the United States,

and remains so today. [The matter of KLA terrorism and the prospect of Yugoslav special operations in a wider war are both matters which have been the subject of considerable study by the US House of Representatives Task Force on Terrorism and Unconventional Warfare, chaired by Congressman Saxton.]

8.6.99

13. We received strong indications from the very senior officials with whom we met - and clearly the messages which we received were sanctioned by Mr Milosevic himself - that virtually all the substantive demands for Kosovo's future autonomy within Yugoslavia could be met, and met quickly, provided negotiations could resume. As a result, we need to undertake a careful step-by-step approach toward peace and we need to see some substantive evidence of commitment and goodwill on the part of the Yugoslavs. I believe that this will be forthcoming.

14. Without question, we need to ensure that Congress is totally clear on the situation before further escalation takes place, and before further funding is put in place to continue a protracted war. Congress needs to undertake this process of due diligence itself, given the fact that the enormous confusion which has taken place due to media manipulation on all sides has only contributed to a blood-lust which - if it is the only basis for decisionmaking - could lead to a much longer and wider war.

15. Finally, it seems clear that if we accept that we must commit to a broader war in Yugoslavia, then we must also accept that US and NATO military preoccupation with this conflict will open the door to a range of other conflicts which could be of massive and lasting consequence. In this regard, we must expect that an expanded war would lead to an exacerbation of Turkish-Greek tensions leading to a separate war, in which the Cyprus issue would become a key. We could expect North Korea to take the opportunity to initiate a military attack on South Korea, with Japan drawn into the fray.

We could expect that the People's Republic of China would use the opportunity to

attempt to invade Taiwan. We could expect a variety of new conflicts to arise in the Middle East. And so on. What is clear, not just to ourselves but to others, is that we have a finite military force available to NATO at present, and, because we have spent our post-Cold War "peace dividend", others will take advantage of the situation to launch their offensives, knowing the West does not have the capacity to fight on many fronts.

BELGRADE, 31 October 1999

ALBANIAN TERRORISM IN KOSOVO CULMINATED AFTER ARRIVAL OF KFOR

BELGRADE, October 31 - In the period from June 10 to September 28 this year, in the territory of Kosovo and Metohija armed terrorist "KLA" gangs have carried out 2,599 attacks, of which 2,564 on civilians. In those terrorist attacks were killed 216 Serbs and Montenegrins, 47 Albanians and four members of other national communities, and 348 civilians have been injured.

According to the Serbian Interior Ministry, in three and a half months since the arrival of KFOR in the territory of the southern Serbian province, have been committed daily on average 23.1 terrorist attacks on citizens, which is 11 times more than the daily average of attacks in 1998 and 1999 (till June 10), when Serbian Interior Ministry members were in charge of the security of citizens in the province.

Detailed data about the violence of Albanians in Kosovo, against non-Albanian residents, which escalated evidently after the arrival of KFOR in the territory of Serbia, were provided, pointing to terrorism and mass crimes, by Serbian Interior Ministry analysts Milos Nedeljkovic and Mile Novakovic at a recent symposium in Novi Sad held on the subject - NATO's aggression on FR Yugoslavia 99.

According to the authors of the report titled terrorism of Albanian separatists in Kosovo and Metohija and their methods of operation illustrates very well the security situation in that province and the inefficiency of KFOR and the international community in the realization of commitments from Security Council Resolution 1244 and the military-technical accord from Kumanovo.

That the attacks of Albanian terrorists have become synchronized and more frequent since the arrival of KFOR in Kosovo-Metohija is evident from the facts that on June 10 and June 12 were carried out three terrorist attacks, on June 13 eight, on June 14 as many as 9 terrorist attacks. After that, the number of attacks increases every day, especially following the incursion of armed terrorist gangs from Albania.

By opening state borders towards Albania, KFOR enabled the unimpeded entry of 20,000 armed "KLA" members, stationed in camps in northern Albania. It also enabled the entry into Kosovo and Metohija of armed Albanian criminal gangs who commit mass crimes on a daily basis, massacres, kidnappings, rapes, arsons and lootings against Serbian and other non-Albanian populations, and then return unpunished to the territory of the Republic of Albania.

It is characteristic, the authors of the report said, that terrorist attacks were at first directed at the ethnic cleansing of non-Albanian populations in villages and towns in Metohija, than in Serbian enclaves in Kosovo, especially in Pristina and its surroundings. The most intensive attacks and ethnic cleansing are currently directed at the regions of Gnjilane, Vitina, Kosovska Kamenica and other towns in Kosovo Pomoravlje, and in Kosovska Mitrovica.

Pointing to numerous examples, the analysts cited the case of the murder of a 14-year-old Serbian boy, Zoran Jankovic, while he was recovering from wounds sustained in a previous attack by Albanian terrorists on him and on his father Zivorad, in Gnjilane on July 15. The boy was brutally knifed to death in Pristina hospital.

Testifying to the systematic genocide and ethnic cleansing conducted by Albanian terrorists in the territory of Kosovo and Metohija are mass graves and mass liquidations and massacres of non-Albanian populations in Pec and surroundings, in the surroundings of Gnjilane, in Staro Gracko, in Ugljare, in the marketplace of the village of Bresje near Kosovo Polje and others.

Nedeljkovic and Novakovic said that terrorist "KLA" gangs in the territory of Kosovo and Metohija have formed more than 20 prisons (village Petrovo-Stimlje, Prizren, suburb Priskote - Djakovica, village Ponosevac and Radonjicko jezero, the village Bibe and Kamena glava - Urosevac, village Malisevo - Gnjilane, the village Vrelo - Istok, PKB Orvin and the village Zrze - Orahovac, the village Budisavce and Svrhe - Klina, the village Junik - Decane, several locations in Pristina), which has been confirmed partly by KFOR representatives.

Serbian police has at its disposal information that a number of kidnapped persons are in "KLA" camps and prisons in the territory of Albania, near the airport Rinas near Tirana and in Kukesh.

Albanian terrorist gangs also targeted ethnic Albanians, loyal citizens, whose only "sin" was that they considered Serbia and Yugoslavia as their state. Since January 1 last year till September 28 this year, Albanian terrorists have killed 243 members of the ethnic Albanian minority.

During this year, especially after the arrival of KFOR forces, has continued the showdown of "KLA" terrorist gangs with fellow ethnic Albanians, under the pretext that they had collaborated with Serbs. That is why a growing number of ethnic Albanian businessmen and private businessmen are leaving Pec, because they feel that their personal security and their property are endangered by Albanian robbers and terrorists who are on the rampage in that town.

Persecuted by Albanian terrorists is also an increasing number of ethnic Albanians of the Catholic faith, especially from Djakovica and surrounding villages (Pljancor, Novo Selo, Doblibare, Bardosan and others), and the

situation is similar in other towns and villages in Kosovo and Metohija.

Targeted also by Albanian separatists are members of the Turkish and Muslim ethnic communities, the Romanies, and Goranies, the authors said and cited the fact that since the arrival of KFOR forces (June 10) have been committed 49 attacks on members of national and ethnic communities living in Kosovo and Metohija.

Terrorist attacks targeted especially facilities of Serbian Interior Ministry members. In the period from January 1 last year till the withdrawal of Interior Ministry members from Kosovo and Metohija in June this year, in the territory of Kosovo and Metohija Albanian terrorists have committed a total of 1,849 attacks on Interior Ministry members and facilities in which were killed 287 and wounded 911 interior Ministry members.

The largest number of terrorist attacks on Interior Ministry members were committed in the course of 1998 (1,129) in which 115 were killed, 216 seriously wounded, and 187 slightly wounded Interior Ministry members. Moreover, Albanian terrorists kidnapped 15 policemen. Three policemen have been released, while the fate of nine policemen is still unknown.

The authors also called attention to the fact that only three days after an agreement was reached between Yugoslav President Slobodan Milosevic and U.S. special envoy Ambassador Richard Holbrooke, armed Albanian terrorist gangs attacked on October 17 last year policemen in the village Orlate, Glogovac municipality, killing three and seriously wounding two policemen.

Policemen and their family members were the target of attacks of terrorist groups also this year. Since January 1 till the departure of Interior Ministry members from Kosovo and Metohija, were committed 720 terrorist attacks on the police in which were killed 172 and wounded 508 Ministry members.

In the course of last year, a prime target of Albanian terrorists were also valuable cultural-historical monuments of the Serbian people, as the monastery in Devici and the church in the village Opterusa.

In Kosovo and Metohija have in the course of this year also, particularly since the arrival of KFOR forces to the region, have increased in frequency vandal attacks of Albanian terrorist gangs on the Serbian cultural-historical heritage, which is being ravaged, burned and looted.

The authors said that in Pristina have been destroyed monuments to the Montenegrin 19th century poet, Njegos, and to the Serbian language reformer, Vuk Karadzic, who also lived in the 19th century. In the center of Urosevac has been knocked down and destroyed a monument to emperor Uros, and in Prizren has been destroyed a monument to emperor Dusan. Terrorists have also damaged a monument to prince Lazar in Gnjilane, and in the village of Gornje Neredimlje they have damaged a monument to Serbian rulers from the

Nemanjic dynasty from the 14th century and the trunk of the tree planted 635 years ago by the Serbian emperor Dusan.

In the period from June 13 to September 18 this year, in the territory of Kosovo and Metohija, have been damaged and destroyed more than 60 (sixty) Serbian Orthodox churches and monasteries.

Since the arrival of KFOR, Albanian terrorists have occupied by force and usurped most schools and faculties (Pristina, Kosovska Mitrovica and others) from which they expelled all staff members of Serbian or Montenegrin nationality, as well as teachers and students, and there have also been murders and kidnappings.

Targeted by terrorists last year were especially those employed in public services and in socially-owned enterprises, and prominent businessmen - owners of private firms. Last year there were 89 terrorist attacks against 190 persons employed in public services and firms.

In the course of this year, and particularly since the arrival of KFOR, have been registered numerous intrusions of Albanian terrorists into public facilities and institutions, and terrorist attacks on some officials of public enterprises, faculties and medical institutions. In Pristina have been registered intrusions into the premises of the Medical center, the Federal Customs Administration, the public enterprise for water supply, the thermo-electric power plant Kosovo B, depots and gas stations of Jugopetrol and others.

The authors of the report pointed out that in the course of last year Albanian terrorists used as an operation method the kidnapping of citizens of Serbian and Montenegrin nationality and also of ethnic Albanians loyal to Serbia and FR Yugoslavia.

In the period from January 1 to December 31 last year, in the region of Kosovo and Metohija Albanian terrorists have kidnapped 293 citizens, of which 173 Serbs and Montenegrins, 101 Albanians, 14 Romanies, one Macedonian national, one member of the Muslim national minority and one member of the Bulgarian national minority, and two persons of other national minorities. Among the kidnapped are 54 women and 14 minors, of whom 6 (six) children.

Of the total number of kidnapped, 31 have been killed, 110 have been released, nine have escaped, while the fate of 143 citizens is still unknown.

Kidnapping, mistreatment and murder of kidnapped citizens have been a frequent method of terrorist activity of Albanian separatists also in the course of 1999, particularly since the arrival of KFOR.

In the period from January 1 to September 28 this year Albanian terrorists have kidnapped a total of 557 persons, including 23 policemen. Most of the kidnapped are Serbs and Montenegrins (420), then follow ethnic Albanians (87). In that period have been killed 53 citizens and five policemen,

while 428 kidnapped persons are still missing. Of the 557 kidnapped this year, as many as 449 have been kidnapped in the period since the arrival of KFOR forces in Kosovo and Metohija.

Most of the attacks and kidnapping occurred before the eyes of KFOR and U.N. Civilian Mission members, who have been informed in advance about all those cases, but have undertaken very little, or nothing, to prevent the terrorist activity or to find and set free the kidnapped persons.

Analysts of the Serbian Interior Ministry Nedeljkovic and Novakovic assessed in their report that the real intentions of KFOR were best illustrated by the behaviour of members of the Belgium contingent of KFOR, which includes also Croats and Albanians, in the villages of Leska, Trebice and others, in Leposavic municipality. They, namely, in the evening hours often disturbed Serb villagers by banging on their doors.

Besides murders, rapes, beatings, burning down of houses and destruction of private property, Albanian separatists have in the past year also often destroyed transformer stations and water supply infrastructure, PTT equipment and lines, leaving populated areas without water and electric power, with the aim of giving rise to fear and insecurity.

The material damage determined in 1998 alone has been put at several million U.S. dollars, the authors of the report said, adding that in this year, especially since the arrival of KFOR, the material damage inflicted by Albanian terrorists to the community was huge, as well as the damage inflicted to citizens of Serbian and Montenegrin nationalities, whose property has been destroyed and houses burned down.

In the course of last year there were numerous examples of forcible mobilization of Albanians, who were forced by Albanian separatists to dig trenches, armed and forced to take part in terrorist actions. Those who resisted, were been dealt ruthlessly, Nedeljkovic and Novakovic said.

In the part of the report dealing with the sources of financing Albanian terrorism, the authors said that the terrorists use for acquiring arms a significant part of revenue obtained from illegal drug-trafficking in many West European countries and in the United States. Pointing to this are also data of Interpol from West European countries, according to which in the course of last year have been arrested, on drug-trafficking charges, 143 Yugoslav nationals, of whom 135 members of the Albanian national minority from Kosovo and Metohija.

For the purchase of arms for terrorists, in Switzerland has been founded also an Albanian endowment "The Homeland Calls" with branches in West European countries and in the United States, and Dardanija bank in Tirana. They collect illegal taxes imposed on Albanians abroad, of three percent of personal income, as well as voluntary contributions. According to acquired

information, these "funds" are managed by the self-proclaimed leader of the "Albanian government in exile" Bujar Bukoshi who is living in Germany, the report said. Albanian terrorists in Kosovo and Metohija possess arms of various origin. Large quantities of arms come from Albania and a significant part of the arms are purchased by the terrorists on the world illegal market of arms, which are funnelled into Kosovo and Metohija mostly from Albania, Macedonia and the territories of the former Yugoslav republics. Terrorism in Kosovo and Metohija is undoubtedly in the service of the creation of an ethnically cleansed "Greater Albania," the authors said, and in that respect, terrorists are recruited, organized, armed and trained in camps and bases in northern Albania (Bajram Curi, Tropoja, Krum, Kukes, Peshkopeja, Elbasan, Dajit, Durres, Ljabinot etc. Over 4,000 Albanians from Kosovo and Metohija have been trained so far, while during NATO's aggression on Yugoslavia, in that part of the territory of Albania were concentrated over 15,000 armed "KLA" terrorists, who with the arrival of KFOR entered unimpeded Kosovo and Metohija, said the report of Nedeljkovic and Novakovic.

BELGRADE, 20 January 2000

SPECIAL ISSUE

VIEW

of terrorist and other acts of violence and of certain violations of Security Council resolution 1244 (1999) in the Province of Kosovo and Metohija since the arrival of KFOR and UNMIK in the period from 12 June 1999 to 16 January 2000

1) Number of terrorist attacks: 3,688

Out of which 3,491 were committed against Serbs and Montenegrins, 87 against Albanians and 110 against Roma, Muslims, Goranci, Turks and members of other nationalities.

2) Number of abducted and missing persons: 688

Out of whom 630 were Serbs and Montenegrins, 36 Albanians and 22 members of other nationalities.

The fate of 581 persons is still unknown; 69 abducted persons were killed, 6 persons escaped while 32 were released.

3) Number of killed persons: 793

Out of whom 705 were Serbs and Montenegrins (22 massacred, 84 mutilated and 5 burned to death), 63 were Albanians and 25 members of other nationalities in Kosovo and Metohija.

4) The latest brutal crimes:

- Killing of the Skenderis, a four member Muslim family, in Prizren on 11 January 2000;

- Rape and killing of a 11 year old Albanian girl by a KFOR member near Vitina on 13 January 2000;

- Killing of three men of Serbian nationality who tried to return to their ancestors homes in the village of Pasjane on 16 January 2000.

5) Number of arbitrarily arrested persons by KFOR and UNMIK: 57

Arrested Serbs are detained in prisons in Priština, Prizren, Sojevo near Uroševac, Kosovska Mitrovica, Gnjilane, Lipjan and Kolokot Banja.

They have been arrested without any explanation or charges, only on the ground of information provided by the Albanians, most frequently by the members of the terrorist so-called "KLA".

6) Number of wounded persons: 611

7) Reported cases of physical assault, harassment and inflicted grave bodily harm: 416

8) Registered cases of serious threats: 356

9) Registered number of private dwellings broken into and forcibly taken occupancy of: 776 in Priština, over 200 in Kosovska Mitrovica, 190 in Gnjilane, 124 in Orahovac, a large number in Kosovo Polje and Lipjan.

10) Ethnic cleansing:

-In the campaign of ethnic cleansing following the deployment of KFOR and UNMIK over 350 000 Serbs, Montenegrins, Roma, Muslims, Goranci, Turks and other non-Albanians were expelled from Kosovo

and Metohija, of whom 250 000 are Serbs.

- The following towns and villages are ethnically cleansed of Serbs, Roma, Muslims, Goranci and other non-Albanians:

Prizren, Djakovica, Pec, Srbica, Podujevo, Vucitn, Glogovac, as well as the villages of the municipality of Istok; Dzakovo, Osojane, Tucepom, Kos, @ac, Belica, Krnjine, Maricane, Kacanik, Stimlje, Kmetovacka Vrbica, surroundings of Urosevac, Slivovo, Nedakovac, Nevoljane, Vrpica, Ljestar, @egra (municipality of Gnjilane), @itnje, Pozaranje, Grmovo, Drobos, Kabas and Binac (municipality of Vitina).

- The ethnic cleansing has been in its final stages in Priština (all the Serbian population has been driven out of the largest residential quarters: Ulpijana, Sunčani Breg, Dardanija, Univerzitetsko Naselje), Gnjilane, Uroševac, Kosovska Mitrovica, Lipjan, Kosovo Polje where 80 per cent of the Serbian population has been expelled (houses burned down, looted, property seized from the owners of shops, Albanian terrorists maltreat and physically abuse Serbs, who refused to sell their houses and move out of Kosovo and Metohija, before the very eyes of the members of KFOR), Kosovska Kamenica, area of Vitina and Kosovsko Pomoravlje, as well as in the villages of Topličane, Rujice, Magure, Slovinja, Staro Gracko.

Members of the terrorist "KLA" make special pressure on the region of Gora populated by indigenous ethnic group - Goranci who are not allowed to use their mother tongue, i.e. the Serbian language, in schools and in everyday life, in an attempt to misrepresent this ethnic group as members of Albanian nationality.

11) Destruction of churches, monasteries and cultural monuments:

About 80 churches, monasteries and other cultural monuments were burned down, demolished or seriously damaged including the following: the Church of Assumption of Our Lady in Dolac, monastery of St. Marco in Koriša from 1467, monastery of Prophets Kosmo and Damien in Zaočište from 14th century, the church in Kijev from the 14th century, the Holy Trinity monastery from the 14th century near Mušutište, monastery Devič built in 1440, church of St. Paraskeva in Drenik from the 16th century, church of St. Dimitri near Peć, the Orthodox church in Grmovo near Vitina, church of St. Ilija in Žegra near Gnjilane, church of Holy Mother in Mušutište from 1315, church of St. Prophet Ilija in Bistrižin, church of Apostles Peter and Paul in Suva Reka, monastery of St. Uroš in Nerodimlje, monastery of St. Archangel Gabriel from the 14th century in Binač, church of the Holy Virgin from the 16th century in Belo Polje, church of St. John the Baptist in Pečka Banja, churches in the villages of Naklo, Vučitrn, Petrovac, Uroševac, Podgorce, Djurakovac, Kruševo, Osojane, Samodreža, Dresna near Klina, Rekovac, Petrić, monastery Dinač near Vitina, Holy Trinity Cathedral in Djakovica.

Clergy, monks were terrorized and prosecuted. More than 150 parish residences were destroyed or damaged. Over 10 000 icons and other sacred objects most of which are cultural monuments under the special protection of the State, were stolen or destroyed.

The following cultural monuments were damaged and demolished:

- monuments in memory of giants of Serbian and Montenegrin literature Vuk Karadžić and Petar Petrović Njegoš in the very centre of Priština;
- monuments in memory of King Uroš in Uroševac and King Dušan in Prizren;
- memorial to Prince Lazar in Gnjilane and the memorial to Serbian rulers from the Nemanjić dynasty in the village of Gornje Nerodimlje.

12) Forced and illegal taking over of public institutions:

- Forcible and illegal take-overs of premises and buildings of post offices, banks, medical

institutions, water and power supply systems, university, elementary and secondary schools, municipal and other authorities of local administration, local communes, buildings of the Ministry of the Interior and the Army of Yugoslavia, factories, enterprises, cooperatives, etc. in Priština (premises of the Clinical centre "Priština" and the health station, the Federal Customs Administration, the Public Housing Company, Institute for Urban Planning, the public enterprise "Vodovod", thermal power plant "Kosovo B", depots and petrol stations of "Jugopetrol", the share-holding companies "Kosmet-Priština", "Kosovo-Trans", the public enterprise "Energoinvest", the public enterprise "Autopriština", "Car shock absorbers plant", "Jugotrans", etc.) as well as in Prizren, Dragaš, Podujevo, Lipjan, Štrpci, Kosovska Mitrovica, Kosovo Polje (with the assistance of the members of KFOR), Djakovica (with the assistance of the members of KFOR).

- By forced and illegal taking over of public enterprises and institutions over 20 000 employed Serbs, Montenegrins, Roma, Muslims, Goranci, Turks and other non-Albanians were sacked and left with no means for living.

13) Registered armed attacks on villages: Slovinj, Matičane, Orahovac, Konjuh, Berivojce, Gornja Brnjica, the villages around Kosovska Kamenica: Gmčar, Magila, Ajvalija, all the villages of the Istok-Klina region, Gorazdevac near Peč, Svinjare, Klokot, Novo Brdo, Zjum, Donja and Gornja Gušterica, Sušica, Badavac, Bresje, Vrbovac, Vitina, Cernice, (municipality of Gnjilane), Dobruša, Veliko Ropotovo (municipality of Kosovska Kamenica), Parteš (municipality of Gnjilane), Pasjane (municipality of Gnjilane), Lještari, Budriga, Dobrotin (municipality of Lipjan), Gmčar, Binač, Ranilug, Silovo, Odovce, Rajanovce, Bosce, Čaglavica, Paravolo, Lebane, Gojbulja, in the following villages in the area of the municipality of Gora: Brodosvce, Belobrod, Kukavce - frequent attacks against the houses of Goranci, Muslims and Albanians who are loyal to the FR of Yugoslavia.

All this runs counter to the assertions about the disarming of the terrorist "KLA".

14) Siege of towns and villages: Gadnje, Orahovac and Velika Hoča, Koretin, villages around Gnjilane, Priluzje, Gornja Srbica, Gorazdevac. About 3 500 Serbs, residents of Orahovac, have been living for more than seven months since the deployment of KFOR and UNMIK in the only concentration camp in Europe after the Second World War - under the siege of the terrorist "KLA".

15) Armed threats against villages and terror committed on a daily basis against non-Albanian population: Ugljari, Srpski Babuš, Štimlje, Novo Selo, Bresje, the area around Kosovo Polje, Miloševo (against which the armed attack was carried out), village of Zebnice (dramatic humanitarian situation), majority of the mainly Croatian Catholic population who lived in the villages of Letinice, Vrnež, Vrnovo Kolo and Šašare have moved out, Drenovac (50 Serbs massacred), village of Cernice (series of incidents in which members of the US contingent of KFOR maltreated Serbs), Požaranje, Gotovuša, Gatnje, Zubin Potok, Veliki Alaš, Vrelo and Radevo.

16) The looted Serb villages from which the residents were forced out: Mužićani, Slivovo, Orlović, Dragaš, the area around Kosovo Polje, Sofalija, Livadice, Mirovac, Sirinička Župa, Medregovac, Grace, Zočiste, Sofalije, Dragoljevac, Tomance, Koretin, Leštar, Donja Šipašnica.

17) Serb neighbourhoods set on fire: Istok, Klina, Donja Lapaštica, Obrandža, Velika Reka, Perane, Lauše, the villages around Podujevo, Grace, Donja Dubica, Zočiste, Orahovac, Naklo, Vitimirice, Belo Polje, Kojlovice, Aloš-Topličane, Krajište, Rudnik, Donji Strmac, Goleš (municipality of Lipjan), Orlović (municipality of Priština), Krpimej and Lauša (municipality of Podujevo), Mužićane (all Serbian houses burned down), Zaimovo, Denovac, Lesjane, Gornje and Donje Nerodimlje (all Serbian houses looted and then burned down), Sinaje (municipality of Istok), Belovac, Mali Talinovac, Ljubizda, Klobuka (municipality of Kosovska Kamenica).

18) Registered number of homes burnt down: about 50 000 houses of Serbs, Roma, Muslims, Goranci and other non-Albanians were burned down in Kosovo and Metohija.

19) Registered number of illegal entries of foreign citizens into the territory of the FR of Yugoslavia (Kosovo and Metohija) without the necessary papers (visas and registration of stay with the competent

authorities): 677

Over 200 000 foreigners have illegally entered into the Province with the consent of UNMIK and KFOR. The Government of the FR of Yugoslavia has officially requested on several occasions their expulsion. These requests have not been met although those persons are international terrorists, criminals, drug dealers, mafia members, women and children traders, organizers of bordellos and other forms of international crime.

20) Registered number of stolen vehicles: over 12 000 vehicles. As a result of open borders with Macedonia and Albania 250 000 vehicles were brought into Kosovo and Metohija without payment of customs duties and most of these vehicles were stolen.

21) Registered number of criminal acts of illicit trafficking and possession of goods without appropriate documents: 137

22) Registered number of cases of violation of the land security zone by KFOR 236

REVIEW

OF TERRORIST AND OTHER ACTS OF VIOLENCE AND OF CERTAIN VIOLATIONS OF SECURITY COUNCIL RESOLUTION 1244 (1999) IN THE PROVINCE OF KOSOVO AND METOHIJA SINCE THE DEPLOYMENT OF KFOR AND UNMIK IN THE PERIOD FROM 12 JUNE 1999 TO 16 JANUARY 2000

Terrorism of Albanian separatists

Total number of terrorist attacks	3,688
- Serbs and Montenegrins	3,491
- Albanians	87
- members of other nationalities	110

A. Killed	793
- Serbs and Montenegrins	705
- Albanians	63
- members of other nationalities	25

B. Wounded	611
- Serbs and Montenegrins	572
- Albanians	18
- members of other nationalities	21

C. Kidnapped and missing	688
- Serbs and Montenegrins	630
- Albanians	36
- members of other nationalities	22

Fate of kidnapped and missing

1. Killed	69
2. Escaped	6
3. Unaccounted-for	581
4. Released	32

EUROPE

NATO said it won a great victory, but the war did very little damage to Serb forces. By not conceding this, the Pentagon may mislead future presidents about the limits of U.S. power. A NEWSWEEK exclusive. BY JOHN BARRY AND EVAN THOMAS

The Kosovo Cover-Up

NEWSWEEK - FEB 2000

IT WAS ACCLAIMED AS THE MOST SUCCESSFUL air campaign ever. "A turning point in the history of warfare," wrote the noted military historian John Keegan, proof positive that "a war can be won by airpower alone." At a press conference last June, after Serbian strongman Slobodan Milosevic agreed to pull his Army from Kosovo at the end of a 78-day aerial bombardment that had not cost the life of a single NATO soldier or airman, Defense Secretary William Cohen declared, "We severely crippled the [Serb] military forces in Kosovo by destroying more than 50 percent of the artillery and one third of the armored vehicles." Displaying colorful charts, Chairman of the Joint Chiefs Gen. Henry Shelton claimed that NATO's air forces had killed "around 120 tanks," "about 220 armored personnel carriers" and "up to 450 artillery and mortar pieces."

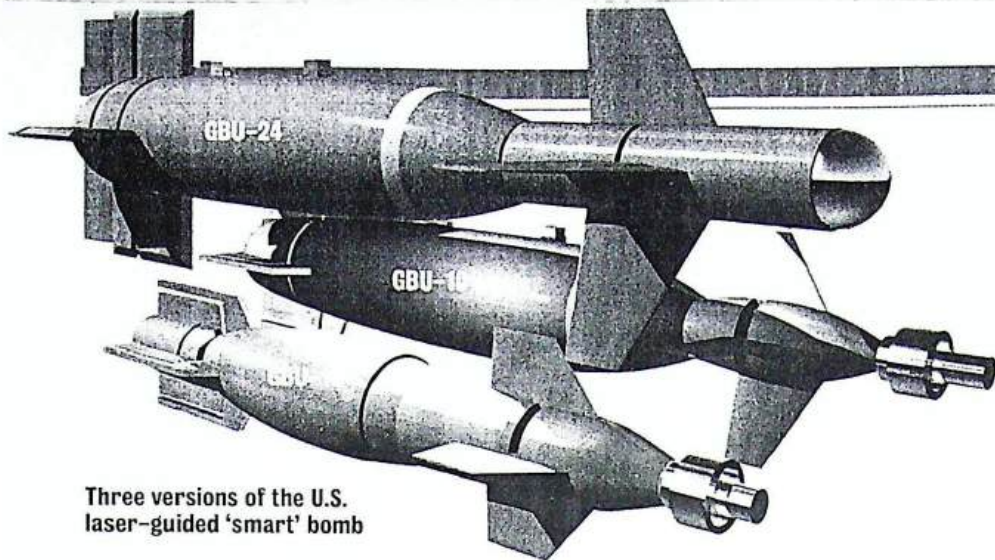
An antiseptic war, fought by pilots flying safely three miles high. It seems almost too good to be true—and it was. In fact—as some critics suspected at the time—the air campaign against the Serb military in Kosovo was largely ineffective. NATO bombs plowed up some fields, blew up hundreds of cars, trucks and decoys, and barely dented Serb artillery and armor. According to a suppressed Air Force report obtained by NEWSWEEK, the number of targets verifiably destroyed was a tiny fraction of those claimed: 14 tanks, not 120; 18 armored personnel carriers, not 220; 20 artillery pieces, not 450. Out of the 744 "confirmed" strikes by NATO pilots during the war, the Air Force investigators, who spent weeks combing Kosovo by helicopter and by foot, found evidence of just 58.

The damage report has been buried by top military officers and Pentagon officials, who in interviews with NEWSWEEK over the last three weeks were still glossing over or denying its significance. Why the evasions and dissembling, with the disturbing echoes of the inflated "body counts" of the Vietnam War? All during the Balkan war, Gen. Wesley Clark, the top NATO commander, was under pressure from Washington to produce positive bombing results from politicians who were desperate not to commit ground



A GAME OF HIDE-AND-SEEK: Serbian tanks emerge into the open and withdraw from Pristina, Kosovo's capital, last June

FROM LEFT: MICHAEL J. N. BOWLES; YANNIS KONTOS—CORBIS SYGMA



Three versions of the U.S. laser-guided 'smart' bomb

Combat High Above the Clouds

The Air Force claimed it destroyed hundreds of Serbian tanks, armored personnel carriers and artillery pieces, mostly with laser-guided "smart" bombs dropped from high altitude. But under the conditions that prevailed in Kosovo, the smart bomb was far from a sure kill.

How it works

Laser-guided bomb

At 15,000 feet: The pilot locks his laser beam onto the target. This works best at lower altitudes and against large, fixed targets, such as bridges, not small, movable targets like tanks.

Target: Dropped from a low enough altitude, a laser-guided bomb can correct its course onto the target

At high altitude, with moisture or dust in the air, a pilot may have trouble seeing a tank, much less getting it in his cross hairs, as seen here



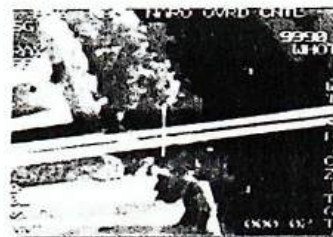
The Problems

① **Laser sighting:** Lasers travel in a straight line, while bombs fall in an arc. Dropped from too great a height, the bomb may miss a tank by 20 or 30 feet, sparing it from destruction.



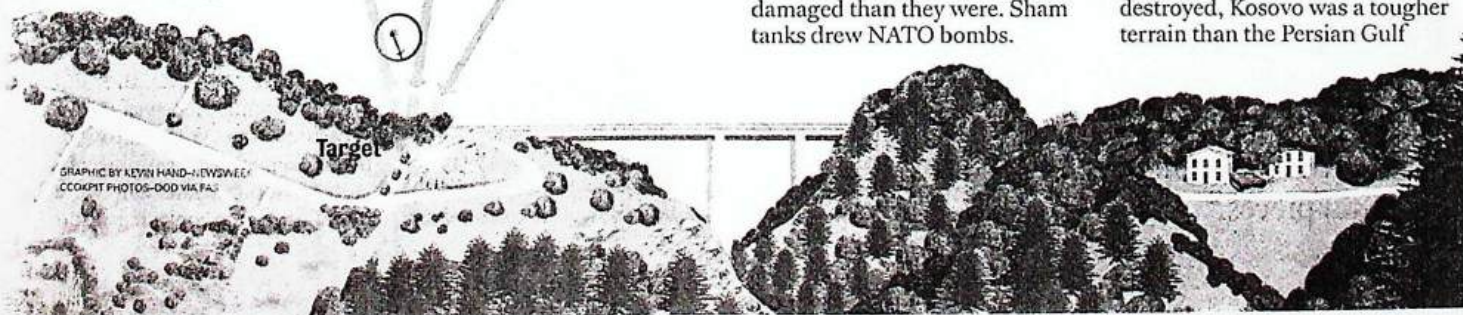
A roadside tank can be hard to spot

② **Decoys:** The Serbs became adept at building fakes. Bridges were painted to look more damaged than they were. Sham tanks drew NATO bombs.



A bridge is a bigger, easier target

③ **Terrain:** Covered with hills, woods and houses, and guarded by air defenses that were never destroyed, Kosovo was a tougher terrain than the Persian Gulf



troops to combat. The Air Force protested that tanks are hard to hit from 15,000 feet, but Clark insisted. Now that the war is long over, neither the generals nor their civilian masters are eager to delve into what really happened. Asked how many Serb tanks and other vehicles were destroyed in Kosovo, General Clark will only answer, "Enough."

In one sense, history is simply repeating itself. Pilots have been exaggerating their "kills" at least since the Battle of Britain in 1940. But this latest distortion could badly mislead future policymakers. Air power was effective in the Kosovo war not against military targets but against civilian ones. Military planners do not like to talk frankly about terror-bombing civilians ("strategic targeting" is the preferred euphemism), but what got Milosevic's attention was turning out the lights in downtown Belgrade. Making the Serb populace suffer by striking power stations—not "plinking" tanks in the Kosovo countryside—threatened his hold on power. The Serb dictator was not so much defeated as pushed back into his lair—for a time. The surgical strike remains a mirage. Even with the best technology, pilots can destroy mobile targets on the ground only by flying low and slow, exposed to ground fire. But NATO didn't want to see pilots killed or captured.

Instead, the Pentagon essentially declared victory and hushed up any doubts about what the air war exactly had achieved. The story of the cover-up is revealing of the way military bureaucracies can twist the truth—not so much by outright lying, but by "reanalyzing" the problem and winking at inconvenient facts. Caught in the middle was General Clark, who last week relinquished his post in a controversial early retirement.

GRAPHIC BY KEVIN HAND-NEWSWEEK
COCKPIT PHOTOS—DOD VIA FAS

MAN IN THE MIDDLE:
'This can't be,' Clark
said when he saw the
low damage figures



Mistrusted by his masters in Washington, Clark will retire from the Army next month with none of the fanfare that greeted other conquering heroes like Dwight Eisenhower after World War II or Norman Schwarzkopf after Desert Storm. To his credit, Clark was dubious about Air Force claims and tried—at least at first—to gain an accurate picture of the bombing in Kosovo. At the end of the war the Serbs' ground commander, Gen. Noboja Pavkovic, claimed to have lost only 13 tanks. "Serb disinformation," scoffed Clark. But quietly, Clark's own staff told him the Serb general might be right. "We need to get to the bottom of this," Clark said. So at the end of June, Clark dispatched a team into Kosovo to do an on-the-ground survey. The 30 experts, some from NATO but most from the U.S. Air Force, were known as the Munitions Effectiveness Assessment Team, or MEAT. Later, a few of the officers would refer to themselves as "dead meat."

The bombing, they discovered, was highly accurate against fixed targets, like bunkers and bridges. "But we were spoofed," said one team member. The Serbs protected one bridge from the high-flying NATO bombers by constructing, 300 yards upstream, a fake bridge made of polyethylene sheeting stretched over the river. NATO "destroyed" the phony bridge many times. Artillery pieces were faked out of long black logs stuck on old truck wheels. A two-thirds scale SA-9 antiaircraft missile launcher was fabricated from the metal-lined paper used to make European milk cartons. "It would have looked perfect from three miles up," said a MEAT analyst.

The team found dozens of burnt-out cars, buses and trucks—but very few tanks. When General Clark heard this unwelcome



DECLARING VICTORY: Cohen, Shelton and President Clinton talk to journalists about the NATO ceasefire as the Serbs start to pull their troops out of Kosovo at war's end

news, he ordered the team out of their helicopters: "Goddammit, drive to each one of those places. Walk the terrain." The team grubbed about in bomb craters, where more than once they were showered with garbage the local villagers were throwing into these impromptu rubbish pits. At the beginning of August, MEAT returned to Air Force headquarters at Ramstein air base in Germany with 2,600 photographs. They briefed Gen. Walter Begert, the Air Force deputy commander in Europe. "What do you mean we didn't hit tanks?" Begert demanded. Clark had the same reaction. "This can't be," he said. "I don't believe

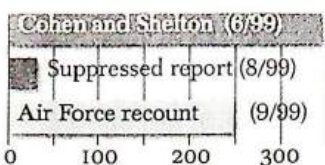
it." Clark insisted that the Serbs had hidden their damaged equipment and that the team hadn't looked hard enough. Not so, he was told. A 50-ton tank can't be dragged away without leaving raw gouges in the earth, which the team had not seen.

The Air Force was ordered to prepare a new report. In a month, Brig. Gen. John Corley was able to turn around a survey that pleased Clark. It showed that NATO had successfully struck 93 tanks, close to the 120 claimed by General Shelton at the end of the war, and 153 armored personnel carriers, not far off the 220 touted by Shelton. Corley's team did not do any new field research. Rather, they looked for any support for the pilots' claims. "The methodology is rock solid," said Corley, who strongly denied any attempt to obfuscate. "Smoke and mirrors" is more like it, according to a senior officer at NATO headquarters who examined the data. For more than half of the hits declared by Corley to be "validated kills," there was only one piece of evidence—usually, a blurred cockpit video or a flash detected by a spy satellite. But satellites usually can't discern whether a bomb hits anything when it explodes.

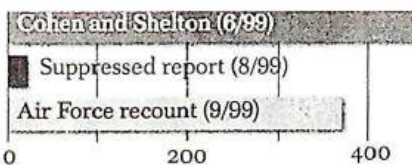
The Corley report was greeted with quiet disbelief outside the Air Force. NATO sources say that Clark's deputy, British Gen. Sir Rupert Smith, and his chief of staff, German Gen. Dieter Stockmann, both privately cautioned Clark not to accept Corley's numbers. The U.S. intelligence community was also doubtful. The CIA puts far more credence in a November get-

How Effective?

Estimates varied on how many Serbian tanks and armored personnel carriers were destroyed.



There were equally large discrepancies on the number of artillery pieces knocked out.



together of U.S. and British intelligence experts, which determined that the Yugoslav Army after the war was only marginally smaller than it had been before. "Nobody is very keen to talk about this topic," a CIA official told NEWSWEEK.

Lately, the Defense Department has tried to fudge. In January Defense Secretary Cohen and General Shelton put their names to a formal After-Action Report to Congress on the Kosovo war. The 194-page report was so devoid of hard data that Pentagon officials jokingly called it "fiber-free." The report did include Corley's chart showing that NATO killed 93 tanks. But the text included a caveat: "the assessment provides no data

on what proportion of total mobile targets were hit or the level of damage inflicted." Translation, according to a senior Pentagon official: "Here's the Air Force chart. We don't think it means anything." In its most recent report extolling the triumph of the air war, even the Air Force stopped using data from the Corley report.

Interviewed by NEWSWEEK, General Clark refused to get into an on-the-record discussion of the numbers. A spokesman for General Shelton asserted that the media, not the military, are obsessed with "bean-counting." But there are a lot of beans at stake. After the November election, the Pentagon will go through one of its quadrennial reviews, as-

signing spending priorities. The Air Force will claim the lion's share. A slide shown by one of the lecturers at a recent symposium on air power organized by the Air Force Association, a potent Washington lobby, proclaimed: "It's no myth... the American Way of War."

The risk is that policymakers and politicians will become even more wedded to myths like "surgical strikes." The lesson of Kosovo is that civilian bombing works, though it raises moral qualms and may not suffice to oust tyrants like Milosevic. Against military targets, high-altitude bombing is overrated. Any commander in chief who does not face up to those hard realities will be fooling himself. ■

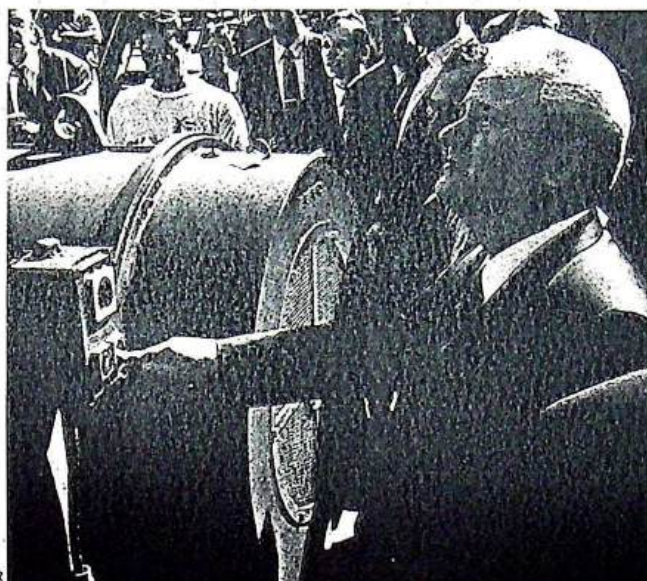
Milosevic, the Comeback Kid

Serbia seems to be rebuilding faster than Kosovo

BY ZORAN CIRJAKOVIC

SLOBODAN MILOSEVIC was supposed to be in his final days. The Yugoslav strongman has lost every war he's started since he began fighting his neighbors nine years ago, and he's an indicted war criminal. In the last weeks of the Kosovo campaign, NATO bombers targeted Serbian infrastructure and key government-owned industries controlled by his cronies. At the time, many of his opponents predicted that his government wouldn't be able to provide the basic services necessary to sustain him in power for long. Some predicted that the destruction of Serbia's electrical network, in particular, would create hardship during the winter. With only the heat of their anger to keep them warm, Serbs would throw Milosevic out of office.

It has not turned out that way. If Milosevic lost the war in Kosovo, he's clearly winning the battle for survival in the Balkans. Not only did he manage to pull his army out of Kosovo largely intact, he supplied his people with electricity through the winter. In fact, Milosevic has gone on a rebuilding spree. He boasts that



WINNING THE BATTLE FOR SURVIVAL: The Yugoslav leader reopens an oil refinery damaged in the NATO bombing campaign

his government has rebuilt 38 road and railway bridges (out of 64 damaged or destroyed during the bombing), 470 housing units, eight schools, five hospitals and two animal farms. The state-run news agency Tanjug reports that 140,000 workers employed in 200 companies worked on the reconstruction, and the regime says rebuilding is underway at 76 more sites. The government-owned Zastava factory that makes Yugo cars and

weapons, almost destroyed during the NATO bombing, recently announced that it produced 3,242 cars and 180 trucks in the first quarter of this year. Advertisements for the new Yugos appear daily, emphasizing Milosevic's "victory" more than the company's famously rickety autos.

Some of those reconstruction figures are suspect. But Milosevic's efforts in Serbia may well be outstripping what the United Nations is

achieving in Kosovo. It took the United Nations till March to get Kosovo's postal system restarted, and parts of Pristina still suffer electricity and water shortages nearly a year after the war ended.

In surveys, Milosevic's approval rating, while lower than ever—17.2 percent in a poll last month—is still higher than all opposition leaders combined. Meanwhile, the fragmented Kosovo Liberation Army isn't polling much higher among Kosovars.

How has Milosevic reasserted power and rebuilt—despite his nearly total isolation? Mainly by coercion and imposing "reconstruction taxes." He has also called in chits from rich industrialists close to the regime. The dictator, who recently indicated he doesn't intend to give up power, may also have injected some of his own money from offshore accounts. The Serbian state media, meanwhile, regularly reports on the achievements of "our builders."

Many Serbs, of course, find the propaganda laughable. "People still live very bad lives. Salaries are very small and pensions are late," says Zarko Korac, leader of the pro-Western Social Democratic Union Party. Still, he concedes, "There is always a tendency to underestimate Milosevic." Just about every one—including NATO—always has.

With JOSH HAMMER in Pristina

PROTOCOL I

Belangrijke
Regels

In herinnering brengende, dat iedere Staat, overeenkomstig het Handvest van de Verenigde Naties, de plicht heeft zich in zijn internationale betrekkingen te onthouden van bedreiging met of gebruik van geweld, gericht tegen de soevereiniteit, de territoriale integriteit of de politieke onafhankelijkheid van een Staat, dan wel plaatsvindend op enige andere wijze die onverenigbaar is met de doelstellingen van de Verenigde Naties,

Van oordeel, dat het niettemin noodzakelijk is, de bepalingen ter bescherming van de slachtoffers van gewapende conflicten opnieuw te bevestigen en uit te breiden, en maatregelen toe te voegen met het oog op een strengere toepassing daarvan,

Hun overtuiging uitsprekende, dat geen enkele bepaling van dit Protocol of van de Verdragen van Genève van 12 augustus 1949 kan worden uitgelegd als rechtvaardiging van of machtiging tot enige daad van agressie of van enig ander gebruik van geweld, onverenigbaar met het Handvest van de Verenigde Naties,

Artikel 36

Nieuwe wapens

Op een Hoge Verdragsluitende Partij rust bij de bestudering, ontwikkeling, aanschaf of invoering van een nieuw wapen, een nieuw middel of een nieuwe methode van oorlogvoering de verplichting, vast te stellen of het gebruik daarvan, in bepaalde of in alle omstandigheden, door dit Protocol of door enige andere regel van het ten aanzien van de Hoge Verdragsluitende Partij toepasselijke volkenrecht is verboden.

DEEL IV

BURGERBEVOLKING

SECTIE I

ALGEMENE BESCHERMING TEGEN DE GEVOLGEN VAN DE VIJANDELIJKHEDEN

Hoofdstuk I

GRONDREGEL EN TOEPASSINGSGBIED

Artikel 48

Grondregel

Ten einde te verzekeren, dat de burgerbevolking en de burgerobjecten worden ontzien en beschermd, dienen de partijen bij het conflict te allen tijde onderscheid te maken tussen de burgerbevolking en combattanten en tussen burgerobjecten en militaire doelen en dienen zij derhalve hun operaties uitsluitend tegen militaire doelen te richten.

Artikel 49

Definitie van aanvallen en toepassingsgebied

1. „Aanvallen” betekent: daden van geweld gericht tegen de tegenstander, hetzij offensieve hetzij defensieve.

2. De bepalingen van dit Protocol met betrekking tot aanvallen zijn van toepassing op alle aanvallen, op welk gebied ook uitgevoerd, met inbegrip van nationaal grondgebied dat aan een partij bij het conflict toebehoort maar door een tegenstander wordt beheerst.

3. De bepalingen van deze Sectie zijn van toepassing op alle krijgsv verrichtingen te land, in de lucht of ter zee die de burgerbevolking, de individuele burgers of burgerobjecten te land kunnen treffen. Zij zijn voorts van toepassing op alle aanvallen vanuit zee of uit de lucht op doelen op het land, maar laten overigens de regels van het volkenrecht, van toepassing bij gewapende conflicten ter zee of in de lucht, onverlet.

4. De bepalingen van deze Sectie vormen een aanvulling op de regels betreffende de humanitaire bescherming, neergelegd in het Vierde Verdrag, in het bijzonder in Deel II daarvan, en in andere voor de Hoge Verdragsluitende Partijen bindende internationale overeenkomsten, evenals op andere regels van het volkenrecht betreffende de bescherming van burgers en burgerobjecten te land, ter zee of in de lucht tegen de gevolgen van vijandelijkheden.

Hoofdstuk II

BURGERS EN BURGERBEVOLKING

Artikel 50

Definitie van burgers en burgerbevolking

1. Burger is ieder die niet behoort tot een van de categorieën personen, bedoeld in artikel 4, letter A, 1, 2, 3 en 6 van het Derde Verdrag en in artikel 43 van dit Protocol. Bij twijfel of iemand burger is, wordt hij als burger beschouwd.
2. De burgerbevolking omvat alle personen die burgers zijn.
3. De aanwezigheid onder de burgerbevolking van personen die niet onder de definitie van burgers vallen, ontnemt haar de civiele hoedanigheid niet.

Artikel 51

Bescherming van de burgerbevolking

1. De burgerbevolking en de afzonderlijke burgers genieten algemene bescherming tegen uit militaire operaties voortvloeiende gevaren. Om deze bescherming te verwezenlijken dienen de volgende regels, die een aanvulling vormen op de andere van toepassing zijnde regels van het volkenrecht, onder alle omstandigheden in acht te worden genomen.
2. Noch de burgerbevolking als zodanig, noch de afzonderlijke burgers mogen het doelwit van een aanval vormen. Daden van geweld of bedreiging met geweld, waarvan het belangrijkste oogmerk is de burgerbevolking angst aan te jagen, zijn verboden.
3. De burgers genieten de in deze Sectie verleende bescherming, behalve indien en zolang zij rechtstreeks aan de vijandelijkheden deelnemen.
4. Niet-onderscheidende aanvallen zijn verboden. Niet-onderscheidende aanvallen zijn:
 - (a) aanvallen die niet op een bepaald militair doel zijn gericht;
 - (b) aanvallen waarbij gebruik wordt gemaakt van strijdmiddelen of -methoden die niet op een bepaald militair doel kunnen worden gericht; of
 - (c) aanvallen waarbij gebruik wordt gemaakt van strijdmiddelen of -methoden waarvan de gevolgen niet kunnen worden beperkt zoals dit Protocol vereist;en die derhalve in alle genoemde gevallen naar hun aard, militaire doelen en burgers of burgerobjecten zonder onderscheid kunnen treffen.
5. De volgende soorten aanvallen dienen onder andere als niet-onderscheidend te worden beschouwd:
 - (a) aanvallen door middel van een bombardement, met welke middelen en methoden dan ook, waarbij een aantal duidelijk gescheiden en als zodanig te onderscheiden militaire doelen, gelegen in een stad, dorp of andere streek waarin zich een vergelijkbare concentratie burgers of burgerobjecten bevindt, worden aangemerkt als één enkel militair doel; en
 - (b) aanvallen die, naar kan worden verwacht bijkomend verlies van mensenlevens onder de burgerbevolking, verwonding van burgers, schade aan burgerobjecten of een combinatie daarvan ten gevolge zullen hebben, in een mate die buitensporig zou zijn in verhouding tot het verwachte tastbare en rechtstreekse militaire voordeel.
6. Aanvallen op de burgerbevolking of burgers bij wijze van represaille zijn verboden.

7. De aanwezigheid of de bewegingen van de burgerbevolking of van afzonderlijke burgers mogen niet worden gebruikt om bepaalde plaatsen of gebieden te vrijwaren voor militaire operaties, in het bijzonder niet wanneer daarbij wordt getracht militaire doelen tegen aanvallen af te schermen of militaire operaties te dekken, te begunstigen of te belemmeren. De partijen bij het conflict mogen de bewegingen van de burgerbevolking of van afzonderlijke burgers niet in een bepaalde richting leiden ten einde te trachten militaire doelen tegen aanvallen af te schermen of militaire operaties te dekken.

8. Geen enkele overtreding van deze verboden ontslaat de partijen bij het conflict van hun juridische verplichtingen met betrekking tot de burgerbevolking en de burgers, daaronder begrepen de verplichting om de in artikel 57 voorziene voorzorgsmaatregel te treffen.

Hoofdstuk III BURGEROBJECTEN

Artikel 52

Algemene bescherming van burgerobjecten

1. Burgerobjecten mogen niet het doelwit van een aanval worden en tegen die objecten mogen geen represailles worden genomen. Burgerobjecten zijn alle objecten die geen militaire doelen als omschreven in het tweede lid, zijn.

2. Aanvallen dienen strikt tot militaire doelen te worden beperkt. Voor zover het objecten betreft, zijn militaire doelen uitsluitend die objecten die naar hun aard, ligging, bestemming of gebruik een daadwerkelijke bijdrage tot de krijgsv verrichtingen leveren en waarvan de gehele of gedeeltelijke vernietiging, verovering of onbruikbaarmaking onder de omstandigheden van dat moment een duidelijk militair voordeel oplevert.

3. In geval van twijfel of een object dat gewoonlijk dienst doet voor civiele doeleinden, zoals plaatsen van godsdienstige verering, een huis of ander soort woning of een school, wordt gebruikt om een daadwerkelijke bijdrage te leveren aan de krijgsv verrichtingen, dient ervan te worden uitgegaan dat het niet voor het laatst genoemd doel wordt gebruikt.

Artikel 53

Bescherming van culturele goederen en plaatsen van godsdienstige verering

Onverminderd de bepalingen van het Verdrag van 's-Gravenhage inzake de bescherming van culturele goederen in geval van een gewapend conflict van 14 mei 1954 en van andere op deze bescherming betrekking hebbende internationale akten, is het verboden:

- (a) vijandelijke handelingen te verrichten, gericht tegen de historische monumenten, de kunstwerken of plaatsen van godsdienstige verering die het culturele of geestelijke erfgoed van de volkeren vormen;
- (b) dergelijke goederen te gebruiken ter ondersteuning van de militaire inspanning;
- (c) represailles tegen dergelijke goederen te nemen.

Artikel 54

Bescherming van voor het overleven van de burgerbevolking onmisbare objecten

1. Het uithongeren van burgers als methode van oorlogsvoering is verboden.

2. De volgende daden zijn verboden: het aanvallen, vernietigen, weghalen of onbruikbaar maken van voor het overleven van de burgerbevolking onmisbare objecten, zoals voedingsmiddelen, landbouwgebieden waar voedingsmiddelen worden geproduceerd, oogsten, vee, drinkwaterinstallaties en -voorraden en bevoeiingswerken, met het oogmerk om, wegens de waarde welke die objecten voor het levensonderhoud hebben, de burgerbevolking of de tegenpartij daarvan te beroven, ongeacht of de beweegreden van een dergelijke daad is de burgers uit te hongeren, hen ertoe te bewegen weg te trekken, of welke andere beweegreden ook.

3. De verboden, neergelegd in het tweede lid, zijn niet van toepassing op de daarin bedoelde objecten die door een tegenpartij worden gebruikt:

- (a) uitsluitend voor het levensonderhoud van de leden van haar strijdkrachten; of
- (b) indien niet voor het levensonderhoud, dan toch als rechtstreekse ondersteuning van krijgsv verrichtingen, mits evenwel in geen geval

handelingen tegen die objecten worden ondernomen, waardoor naar kan worden verwacht voor de burgerbevolking zo weinig voedsel of water zou overblijven dat zij zou verhongeren of worden gedwongen weg te trekken.

4. Tegen deze objecten mogen geen represailles worden genomen.
5. Gelet op het levensbelang dat iedere partij bij het conflict heeft bij de verdediging van haar grondgebied tegen invallen, mag zij binnen dat gebied, voor zover dat door haarzelf wordt beheerst, van de in het tweede lid neergelegde verboden afwijken, wanneer dat wegens dwingende militaire noodzaak is geboden.

Artikel 55

Bescherming van het natuurlijk milieu

1. Bij de krijgsverrichtingen moet ervoor worden gewaakt, dat het natuurlijk milieu tegen omvangrijke, langdurige en ernstige schade wordt beschermd. Deze bescherming omvat mede het verbod van het gebruik van strijdmiddelen en -methoden die zijn bestemd om zodanige schade aan het natuurlijk milieu toe te brengen dat daardoor de gezondheid of de overleving van de burgerbevolking in gevaar wordt gebracht, of dat dergelijke schade naar kan worden verwacht, zal worden toegebracht.

2. Aanvallen gericht tegen het natuurlijk milieu bij wijze van represaille zijn verboden.

Artikel 56

Bescherming van werken en installaties die gevaarlijke krachten bevatten

1. Werken of installaties die gevaarlijke krachten bevatten, te weten stuwdammen, dijken en kerncentrales, mogen niet het doelwit van een aanval worden gemaakt, zelfs niet wanneer zij militaire doelen zijn indien die aanvallen het vrijkomen van gevaarlijke krachten zouden veroorzaken en daardoor zware verliezen aan mensenlevens onder de burgerbevolking teweeg zouden brengen. Andere militaire doelen gelegen op of in de nabijheid van die werken of installaties, mogen niet het doelwit van een aanval worden gemaakt indien die aanvallen het vrijkomen van gevaarlijke krachten uit die werken of installaties zouden veroorzaken en daardoor zware verliezen aan mensenlevens onder de burgerbevolking teweeg zouden brengen.

2. De in het eerste lid voorziene bijzondere bescherming tegen aanvallen eindigt:

- (a) wat stuwdammen of dijken betreft, alleen indien deze worden gebruikt voor andere dan hun gebruikelijke bestemming en voor geregelde, aanzienlijke en rechtstreekse ondersteuning van de militaire operaties, en indien die aanvallen het enige praktisch uitvoerbare middel vormen om die ondersteuning te beëindigen;
- (b) wat kerncentrales betreft, alleen indien deze elektrische energie leveren voor geregelde, aanzienlijke en rechtstreekse ondersteuning van de militaire operaties, en indien die aanvallen het enige praktisch uitvoerbare middel vormen om die ondersteuning te beëindigen;
- (c) wat de andere militaire doelen, gelegen op of in de nabijheid van die werken of installaties betreft, alleen indien deze worden gebruikt voor geregelde, aanzienlijke en rechtstreekse ondersteuning van de militaire operaties, en indien die aanvallen het enige praktisch uitvoerbare middel vormen om die ondersteuning te beëindigen.

3. In alle gevallen kan de burgerbevolking en kunnen de individuele burgers blijvend aanspraak maken op de volledige bescherming, hun door het volkenrecht verleend, met inbegrip van de bescherming, voortvloeiende uit de in artikel 57 voorziene voorzorgsmaatregelen. Indien de bescherming eindigt en een van de in het eerste lid vermelde werken, installaties of militaire doelen wordt aangevallen, moeten alle praktisch uitvoerbare maatregelen worden genomen om het vrijkomen van de gevaarlijke krachten te verhinderen.

4. Het is verboden represailles te nemen tegen de in het eerste lid vermelde werken, installaties of militaire doelen.

5. De partijen bij het conflict moeten trachten te vermijden, militaire doelen in de nabijheid van de in het eerste lid vermelde werken of installaties te plaatsen. Niettemin zijn installaties, gebouwd met het uitsluitende doel de beschermde werken of installaties tegen aanvallen te verdedigen, toegestaan en mogen deze zelf geen doelwit van een aanval worden gemaakt, mits zij niet worden gebruikt bij de vijandelijkheden, behalve voor defensieve handelingen die noodzakelijk zijn om aanvallen op de beschermde werken of installaties te beantwoorden, en mits hun bewapening is beperkt tot wapens die slechts geschikt zijn om een vijandelijke actie tegen de beschermde werken of installaties af te weren.

6. Aan de Hoge Verdragsluitende Partijen en de partijen bij het conflict wordt dringend verzocht, onderling nadere overeenkomsten te sluiten om objecten die gevaarlijke krachten bevatten, aanvullende bescherming te verschaffen.

7. Ten einde de herkenbaarheid van de door dit artikel beschermde objecten te bevorderen, kunnen de partijen bij het conflict deze voorzien van een bijzonder kenteken, bestaande uit een groep van drie feloranje, op één as geplaatste cirkels, als aangegeven in artikel 16 van Bijlage I bij dit Protocol. De afwezigheid van een zodanige aanduiding ontheft geen enkele partij bij het conflict in enig opzicht van haar verplichtingen krachtens dit artikel.

Hoofdstuk IV VOORZORGSMAATREGELEN

Artikel 57

Voorzorgen bij aanvallen

1. Bij het uitvoeren van de militaire operaties moet er voortdurend voor worden gewaakt, dat de burgerbevolking, de burgers en de burgerobjecten worden ontzien.

2. Met betrekking tot aanvallen dienen de volgende voorzorgen te worden genomen:

(a) zij die een aanval voorbereiden of tot een aanval besluiten dienen:

(i) al het praktisch uitvoerbare te doen om zich ervan te vergewissen, dat de aan te vallen doelen geen burgers of burgerobjecten zijn en geen bijzondere bescherming genieten, maar militaire doelen vormen in de zin van artikel 52, tweede lid, en dat de bepalingen van dit Protocol niet verbieden deze aan te vallen;

(ii) alle praktisch uitvoerbare voorzorgen te nemen bij de keuze van de middelen en methoden voor de aanval, ten einde bijkomend verlies van mensenlevens onder de burgerbevolking, verwonding van burgers en schade aan burgerobjecten te voorkomen en deze in elk geval tot het uiterste te beperken;

(iii) af te zien van enige aanval die naar kan worden verwacht mede bijkomend verlies van mensenlevens onder de burgerbevolking, verwonding van burgers, schade aan burgerobjecten of een combinatie daarvan zal veroorzaken, in een mate welke buitensporig zou zijn in verhouding tot het te verwachten tastbare en rechtstreekse militaire voordeel;

(b) een aanval dient te worden afgelast of opgeschort, wanneer blijkt dat het doel geen militair doel is of een bijzondere bescherming geniet, of wanneer blijkt dat de aanval naar kan worden verwacht mede bijkomend verlies van mensenlevens onder de burgerbevolking, verwonding van burgers, schade aan burgerobjecten of een combinatie daarvan zou veroorzaken, in een mate welke buitensporig zou zijn in verhouding tot het te verwachten tastbare en rechtstreekse militaire voordeel;

(c) omtrent aanvallen die ook de burgerbevolking zouden kunnen treffen, dient op effectieve wijze vooraf een waarschuwing te worden gegeven, tenzij de omstandigheden dat niet toelaten.

3. Wanneer een keuze mogelijk is tussen verschillende militaire doelen om een gelijkwaardig militair voordeel te behalen, dient dat doel te

worden uitgekozen, waarop de aanval naar kan worden verwacht het minste gevaar voor de levens van de burgerbevolking en voor de burgerobjecten oplevert.

4. Bij het uitvoeren van militaire operaties ter zee of in de lucht dient elke partij bij het conflict, in overeenstemming met haar rechten en verplichtingen krachtens de regels van volkenrecht, toepasselijk in gewapende conflicten alle redelijke voorzorgen te nemen om verlies van mensenslevens onder de burgerbevolking en schade aan burgerobjecten te voorkomen.

5. Geen enkele bepaling van dit artikel mag worden uitgelegd als machtiging tot enige aanval op de burgerbevolking, burgers of burgerobjecten.

Artikel 58

Voorzorgen tegen de gevolgen van aanvallen

De partijen bij het conflict dienen voor zover dat ook maar enigszins praktisch uitvoerbaar is:

- (a) onverminderd het bepaalde in artikel 49 van het Vierde Verdrag, te trachten de burgerbevolking, de individuele burgers en de burgerobjecten onder hun gezag uit de nabijheid van militaire doelen te verwijderen;
- (b) te vermijden, militaire doelen in of nabij dichtbevolkte gebieden te plaatsen;
- (c) alle andere noodzakelijke voorzorgen te nemen om de burgerbevolking, de individuele burgers en de burgerobjecten onder hun gezag tegen de uit de militaire operaties voortvloeiende gevaren te beschermen.

91/415
EDMUND JAN OSMAŃCZYK

The Encyclopedia of The United Nations and International Relations



Taylor and Francis, 1990
New York – Philadelphia – London

"The American Republics... animated by the desire of preserving the peace and prosperity of the continent, for which it is indispensable that their mutual relations be based upon principles of justice and upon respect for law, solemnly declare as a fundamental concept of American international law, that, without criticizing territorial acquisitions effected in the past, and without reference to existing controversies -

"In the future territorial acquisitions obtained by means of war or under the menace of war or in presence of an armed force, to the detriment of any American Republic, shall not be lawful, and that

"Consequently territorial acquisitions effected in the future by these means can not be invoked as conferring title; and that

"Those obtained in the future by such means shall be considered null in fact and in law."

1928, Resolution of the Sixth International Conference of American States:

"Resolves:

"1. All aggression is considered illicit and as such is declared prohibited.

"2. The American States will employ all pacific means to settle conflicts which may arise between them."

Documents illustrating the origins of the policy of non-recognition of the American Republics, in: *International Conciliation*, No. 293, New York, October 1933, pp. 461-477

AGGRESSION, UN DEFINITION, 1974. A definition adopted by the UN General Assembly Res. 3314/XXIX, Dec. 14, 1974. The text is as follows:

"The General Assembly,

Having considered the report of the Special Committee on the Question of Defining Aggression, established pursuant to its resolution 2330/XXII of Dec. 18, 1967, covering the work of its seventh session held from Mar. 11 to Apr. 12, 1974, including the draft Definition of Aggression adopted by the Special Committee by Consensus and recommended for adoption by the General Assembly,

Deeply convinced that the adoption of the Definition of Aggression would contribute to the strengthening of international peace and security,

1. Approves the Definition of Aggression, the text of which is annexed to the present resolution;

2. Expresses its appreciation to the Special Committee on the Question of Defining Aggression for its work which resulted in the elaboration of the Definition of Aggression;

3. Calls upon all States to refrain from all acts of aggression and other uses of force contrary to the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations;

4. Calls the attention of the Security Council to the Definition of Aggression, as set out below, and recommends that it should as appropriate, take account of that Definition as guidance in determining, in accordance with the Charter, the existence of an act of aggression.

Annex. Definition of Aggression. The General Assembly,

Basing itself on the facts that one of the fundamental purposes of the United Nations is to maintain international peace and security and to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace,

Recalling that the Security Council, in accordance with art. 39 of the Charter of the United Nations, shall determine the existence of any threat to the peace, breach of the peace or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with arts. 41 and 42, to maintain or restore international peace and security,

Recalling also the duty of States under the Charter to settle their international disputes by peaceful means in order not to endanger international peace, security and justice. Bearing in mind that nothing in this Definition shall be interpreted as in any way affecting the scope of the provisions of the Charter with respect to the functions and powers of the organs of the United Nations.

Considering also that, since aggression is the most serious and dangerous form of the illegal use of force, being fraught, in the conditions created by the existence of all types of weapons of mass destructions, with the possible threat of a world conflict and all its catastrophic consequences, aggression should be defined at the present integrity.

Reaffirming also that the territory of a State shall not be violated by being the object, even temporarily, of military occupation or of other measures of force taken by another State in contravention of the Charter, and that it shall not be the object of acquisition by another State resulting from such measures of the threat thereof.

Reaffirming also the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations. Convinced that the adoption of a definition on aggression ought to have the effect of deterring a potential aggressor, would simplify the determination of acts of aggression and the implementation of measures to suppress them and would also facilitate the protection of the rights and lawful interests of, and the rendering of assistance to, the victim. Believing that, although the question whether an act of aggression has been committed must be considered in the light of all the circumstances of each particular case, it is nevertheless desirable to formulate basic principles as guidance for such determination.

Adopts the following Definition of Aggression:

Art. 1. Aggression is the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations, as set out in this Definition.

Explanatory note: In this Definition the term "State"

(a) is used without prejudice to questions of recognition or to whether a State is a member of the United Nations,

(b) includes the concept of a "group of States" where appropriate

Art. 2. The first use of armed force by a State in contravention of the Charter shall constitute prima facie evidence of an act of aggression although the Security Council may, in conformity with the Charter conclude that a determination that an act of aggression has been committed would not be justified in the light of other relevant circumstances, including the fact that the act concerned or their consequences are not of sufficient gravity.

Art. 3. Any of the following acts, regardless of a declaration of war, shall, subject to and in accordance with the provisions of art. 2, qualify as an act of aggression:

(a) The invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof;

(b) Bombardment by the armed forces of a State against the territory of another State or the use of any weapons by a State against the territory of another State;

(c) The blockade of the ports or coasts of a State by the armed forces of another State;

(d) An attack by the armed forces of a State on the land, sea or air forces, or marine and air fleets of another State;

(e) The use of armed forces of one State which are within the territory of another State with the agreement of the receiving State, in contravention of the conditions provided for in the agreement or any extension of their presence in such territory beyond the termination of the agreement;

(f) The action of a State in allowing its territory, which it has placed at the disposal of another State, to be used by that other State for perpetrating an act of aggression against a third State;

(g) The sending by or on behalf of a State of armed bands, groups, irregulars or mercenaries, which carry out acts of armed force against another State of such gravity as to amount to the acts listed above, or its substantial involvement therein.

Art. 4. The acts enumerated above are not exhaustive and the Security Council may determine that other acts constitute aggression under the provisions of the Charter.

Art. 5. 1. No consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression.

2. A war of aggression is a crime against international peace. Aggression gives rise to international responsibility.

3. No territorial acquisition or special advantage resulting from aggression is or shall be recognized as lawful.

Art. 6. Nothing in this Definition shall be construed as in any way enlarging or diminishing the scope of the Charter, including its provisions concerning cases in which the use of force is lawful.

Art. 7. Nothing in this Definition, and in particular art. 3, could in any way prejudice the right to self-determination, freedom and independence, as derived from the Charter, of peoples forcibly deprived of that right and referred to in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, particularly peoples under colonial and racist regimes or other forms of alien domination; nor the right of these peoples to struggle to that end and to seek and receive support, in accordance with the principles of the Charter and in conformity with the above-mentioned Declaration.

Art. 8. In their interpretation and application the above provisions are interrelated and each provision should be construed in the context of the other provisions." (Explanatory notes on arts. 3 and 5 are to be found in par. 20 of the report of the Special Committee on the Question of Defining Aggression (A/9619 and Corr. (1)). Statements on the Definition are contained in pars. 9 and 10 of the report of the Sixth Committee (A/9890).)

LV Yearbook 1974, pp. 846-848

AGLINET. Union List of Serials, one of the information systems of the > FAO.

AGING. > Elderly and Aged

AGM. An abbreviation for air-to-ground missile.

AGRARIANISM. A doctrine claiming that agriculture constitutes the basis of national economy; developed in the interwar period in Central and East Europe, applied after World War II to colonial regions, and subsequently to the Third World countries.

AGRARIAN REFORM. The distribution of large private or state landownings among the landless and small-farm-holders in order to alter the agrarian structure; subject of international debates and UN recommendations. Res. 401/V of the General Assembly, Nov. 20, 1950 recommended that ECOSOC propose measures with a view to improving the living conditions of the rural populations and laid special emphasis on the institution of agrarian reform. ECOSOC studies gave rise to Res. 524/V of the UN General Assembly, Jan. 12, 1952, which acknowledged that the general program of agrarian reform requires large-scale investment and addressed all governments which wished to realize the reform program to pay special attention to the necessity of raising adequate funds. The UN General Assembly's further concern with the promotion of agrarian reform is reflected in Res. 625/VII of Dec. 21, 1952 and 826/IX of Dec. 11, 1954 as well as ECOSOC recommendations Res. 370/XIII of Sept. 7, 1951, 512/XVII of Apr. 30, 1954, 649B/XXIII of Dec. 2, 1957, and 712/XXVII of Apr. 17, 1961. Adopted on Dec. 5, 1959 on the initiative of Mexico was UN General Assembly Res. 1426/XIV recognizing the significance of changes in agrarian structure to many less-developed countries as well as Res. 1526/XV of Dec. 15, 1960 in which for the first time it recognized that agrarian reform very often is one of the basic factors of the general development of agriculture. Held in June-July 1966 was the First UN World Conference on Agrarian Reform which recommended

states, on Oct. 24, 1972 adopted Res. 2625/XXVII, prepared by the Special Committee in Geneva, Mar. 30-May 1, 1970. Declaration on the Principles of International Law concerning friendly relations and co-operation among states, in accordance with the UN Charter.

Recently, both regional and universal international organizations are growing in importance due to the fact that they have acquired numerous rights, which previously were vested only in states (e.g. the right to conclude international agreements).

Regional codification of international law forms a separate chapter in the development of international law in the second half of the 20th century, connected with processes of integration in Europe, Africa and Latin America, where the traditions of legal congresses held in 1877, 1883, 1888 are still vital and the treaties and conventions adopted by the International American Conferences between 1889 and 1948. The United Nations in its numerous publications keeps detailed documentation of the growth of international law, such as *UN Legislative Series*, *UN Treaty Series*, *Yearbook of International Law Commission*, *Reports of International Arbitral Awards* and others. An auxiliary publication is the *Cumulative Index of the UN Series*. These publications help to promote the dissemination of international law, a task entrusted to the Special Committee on Technical Assistance to Promote the Teaching, Study, Dissemination and Wider Appreciation of International Law, established in 1968 by UN Res. 1968/XVIII. At the same time, the UN General Assembly requested the Committee to keep a world register of experts and lectures in international law.

Q. WRIGHT, *International Law and the UN*, New York, 1960; J. ROBINSON, *International Law and Organization*, Leiden, 1967; U. THANT, "International Law and the UN", in *Monthly Chronicle*, August 1968; K. WOLFKE, *Rozwój i kodyfikacja prawa międzynarodowego. Wybrane zagadnienia z polityki ONZ*, Wrocław, 1972; H. BOKOR-SZEGO, *The Role of the UN in International Legislation*, Amsterdam, 1978.

INTERNATIONAL LAW COMMISSION. A UN Commission established Dec. 11, 1946, initiated its activity on June 17, 1948. The International Law Commission is an expert group involved in the progressive development of international law and its codification. The Commission seeks to make international law a more effective means of implementing the purposes and principles set forth in the Charter of the United Nations. Most of its work consists of drafting articles on various aspects of international law which could ultimately be included in international conventions of other legal instruments. The 34 members of the Commission serve five-year terms, which will expire on 31 Dec. 1986. The membership is as follows:

Richard Osulale A. Akinjide (Nigeria), Riyadh Mahmoud Sami Al-Qaysi (Iraq), Balanda Mikuin Lelhel Balanda (Zaire), Julio Barboza (Argentina), Boutros Boutros-Ghali (Egypt), Carlos Calero Rodrigues (Brazil), Jorge Castañeda (Mexico), Leonardo Diaz Gonzalez (Venezuela), Khalafalla El Rasheed Mohamed-Ahmed (Sudan), Jens Evensen (Norway), Constantin Flitan (Romania), Laurel B. Francis (Jamaica), Jorge E. Illueca (Panama), Andreas J. Jacovides (Cyprus), S.P. Jagota (India), Abdul G. Goroma (Sierra Leone), Jose Manuel Laclela-Muñoz (Spain), Ahmed Mahiou (Algeria), Chafic Malek (Lebanon), Stephen C. McCaffrey (United States), Zhengyu Ni (China), Frank X. Njenga (Kenya), Motoo Ogiso (Japan), Syed Sharifuddin Pirzada (Pakistan), Robert Quentin-Baxter (New Zealand), Edilbert Razafindralambo (Madagascar), Paul Reuter

(France), Willem Riphagen (Netherlands), Sir Ian Sinclair (United Kingdom), Constantin A. Stravropoulos (Greece), Sompong Suchantikul (Thailand), Doudou Thiam (Senegal), Nikolai A. Ushakov (Soviet Union) and Alexander Yankov (Bulgaria). Since 1949 the ILC issues annually the *Yearbook of the International Law Commission*, in two volumes, containing summary records of sessions and documents; also *Annual Report of the ILC to the General Assembly*.

"Commission Continues Broad Effort at Developing International Law" in *UN Chronicle*, October, 1983, pp. 23-26.

INTERNATIONAL LAW PRINCIPLES POSTULATED IN 1944. Early in 1942 a number of American and Canadian internationalists in a series of exploratory meetings in United States and Canada prepared Postulates, Principles and Proposals to aid in revitalizing and strengthening international law after World War II. The text of the Principles served as a basis for the American draft of the UN Charter. The text is as follows:

"Principle 1. Each State has a legal duty to carry out in full good faith its obligations under international law, and it may not invoke limitations contained in its own constitution or laws as an excuse for a failure to perform this duty.

Principle 2. Each State has a legal duty to see that conditions prevailing within its own territory do not menace international peace and order, and to this end it must treat its own population in a way which will not violate the dictates of humanity and justice or shock the conscience of mankind.

Principle 3. Each State has a legal duty to refrain from intervention in the internal affairs of any other State.

Principle 4. Each State has a legal duty to prevent the organization within its territory of activities calculated to foment civil strife in the territory of any other State.

Principle 5. Each State has a legal duty to cooperate with other States in establishing and maintaining agencies of the Community of States for dealing with matters of concern to the Community, and to collaborate in the work of such agencies.

Principle 6. Each State has a legal duty to employ pacific means and none but pacific means in seeking to settle its disputes with other States, and failing settlement by other pacific means to accept the settlement of its disputes by the competent agency of the Community of States.

Principle 7. Each State has a legal duty to refrain from any use of force and from any threat to use force in its relations with another State, except as authorized by the competent agency of the Community of States; but subject to immediate reference to and approval by the competent agency of the Community of States, a State may oppose by force an unauthorized use of force made against it by another State.

Principle 8. Each State has a legal duty to take, in co-operation with other States, such measures as may be prescribed by the competent agency of the Community of States for preventing or suppressing a use of force by any State in its relations with another State.

Principle 9. Each State has a legal duty to conform to the limitations prescribed by the competent agency of the Community of States and to submit to the supervision and control of such an agency, with respect to the size and type of its armaments.

Principle 10. Each State has a legal duty to refrain from entering into any agreement with another State, the performance of which would be inconsistent with the discharge of its duties under general international law."

The text of the Postulates is as follows:

"Postulate 1. The States of the world form a community, and the protection and advancement of the common interests of their peoples require effective organization of the Community of States.

Postulate 2. The law of the Community of States is international law. The development of an adequate system of international law depends upon continuous collaboration by States to promote the common welfare of all peoples and to maintain just and peaceful relations between States.

Postulate 3. The conduct of each State in its relations with other States and with the Community of States is subject to international law, and the sovereignty of a State subject to the limitations of international law.

Postulate 4. Any failure by a State to carry out its obligations under international law is a matter of concern to the Community of States.

Postulate 5. Any use of force or any threat to use force by a State in its relations with another State is a matter of concern to the Community of States.

Postulate 6. The maintenance of just and peaceful relations between States requires orderly procedures by which international situations can be readjusted as need arises."

"The International Law of the Future, A Statement of a Community of Views by North America", in *International Conciliation*, No. 399, April, 1944, pp. 251-373.

INTERNATIONAL LAW PRINCIPLES, UN DECLARATION, 1970. Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States, adopted unanimously by the UN General Assembly, Res. 2625/XXV, on Oct. 24, 1970. The text is as follows.

"The General Assembly,

Recalling its resolutions 1815 (XVIII) of 18 December 1962, 1966 (XVIII) of 16 December 1963, 2103 (XX) of 20 December 1965, 2181 (XXI) of 12 December 1966, 2327 (XXII) of 18 December 1967, 2463 (XXIII) of 20 December 1968 and 2533 (XXIV) of 8 December 1969, in which it affirmed the importance of the progressive development and codification of the principles of international law concerning friendly relations and co-operation among States

Having considered the report of the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States which met in Geneva from 31 March to 1 May, 1970,

Emphasizing the paramount importance of the Charter of the United Nations for the maintenance of international peace and security and for the development of friendly relations and co-operation among States,

Deeply convinced that the adoption of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations on the occasion of the twenty-fifth anniversary of the United Nations would contribute to the strengthening of world peace and constitute a landmark in the development of international law and of relations among States, in promoting the rule of law among nations and particularly the universal application of the principles embodied in the Charter,

Considering the desirability of the wide dissemination of the text of the Declaration,

(1) Approves the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, the text of which is annexed to the present resolution;

(2) Expresses its appreciation to the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States for its work resulting in the elaboration of the Declaration;

(3) Recommends that all efforts be made so that the Declaration becomes generally known.

Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations

Preamble

The General Assembly,

Reaffirming in the terms of the Charter of the United Nations that the maintenance of international peace and security and the development of friendly relations and co-operation between nations are among the fundamental purposes of the United Nations, Recalling that the peoples of the United Nations are determined to practise tolerance and live together in peace with one another as good neighbours,

Bearing in mind the importance of maintaining and strengthening international peace founded upon freedom, equality, justice and respect for fundamental human rights and of developing friendly relations among nations irrespective of their political, economic and social systems of the levels of their development.

Bearing in mind also the paramount importance of the Charter of the United Nations in the promotion of the rule of law among nations.

Considering that the faithful observance of the principles of international law concerning friendly relations and co-operation among States and the fulfilment in good faith of the obligations assumed by States, in accordance with the Charter, is of the greatest importance for the maintenance of international peace and security and for the implementation of the other purposes of the United Nations.

Noting that the great political, economic and social changes in scientific progress which have taken place in the world since the adoption of the Charter give increased importance to these principles and to the need for their more effective application in the conduct of States wherever carried on.

Recalling the established principle that outer space, including the Moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use of occupation, or by any other means, and mindful of the fact that consideration is being given in the United Nations to the question of establishing other appropriate provisions similarly inspired.

Convinced that the strict observance by States of the obligation not to intervene in the affairs of any other State is an essential condition to ensure that nations live together in peace with one another, since the practice of any form of intervention not only violates the spirit and letter of the Charter, but also leads to the creation of situations which threaten international peace and security.

Recalling the duty of States to refrain in their international relations from military, political, economic or any other form of coercion aimed against the political independence or territorial integrity of any State.

Considering it essential that all States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

Considering it equally essential that all States shall settle their international disputes by peaceful means in accordance with the Charter.

Reaffirming, in accordance with the Charter, the basic importance of sovereign equality and stressing that the purposes of the United Nations can be implemented only if States enjoy sovereign equality and comply fully with the requirements of this principle in their international relations.

Convinced that the subjection of peoples to alien subjugation, domination and exploitation constitutes a major obstacle to the promotion of international peace and security.

Convinced that the principle of equal rights and self-determination of peoples constitutes a significant contribution to contemporary international law, and that its effective application is of paramount importance for the promotion of friendly relations among States, based on respect for the principle of sovereign equality.

Convinced in consequence that any attempt aimed at the partial or total disruption of the national unity and territorial integrity of a State or country or at its political independence is incompatible with the purposes and principles of the Charter.

Considering the provisions of the Charter as a whole and taking into account the role of relevant resolutions adopted by the competent organs of the United Nations relating to the content of the principles.

Considering that the progressive development and codification of the following principles:

(a) The principle that States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

(b) The principle that States shall settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered.

(c) The duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter.

(d) The duty of States to co-operate with one another in accordance with the Charter.

(e) The principle of equal rights and self-determination of peoples.

(f) The principle of sovereign equality of States.

(g) The principle that States shall fulfil in good faith the obligations assumed by them in accordance with the Charter so as to secure their more effective application within the international community, would promote the realization of the purposes of the United Nations.

Having considered the principles of international law relating to friendly relations and co-operation among States.

1. Solemnly proclaims the following principles:
The principle that States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

Every State has the duty to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations. Such a threat or use of force constitutes a violation of international law and the Charter of the United Nations and shall never be employed as a means of settling international issues.

A war of aggression constitutes a crime against the peace, for which there is responsibility under international law. In accordance with the purposes and principles of the United Nations, States have the duty to refrain from propaganda for wars of aggression.

Every State has the duty to refrain from the threat or use of force to violate the existing international boundaries of another State or as a means of solving international disputes, including territorial disputes and problems concerning frontiers of States.

Every State likewise has the duty to refrain from the threat or use of force to violate international lines of demarcation, such as armistice lines, established by or pursuant to an international agreement to which it is a party or which it is otherwise bound to respect. Nothing in the foregoing shall be construed as prejudicing the positions of the parties concerned with regard to the status and effects of such lines under their special regimes or as affecting their temporary character.

States have a duty to refrain from acts of reprisal involving the use of force.

Every State has the duty to refrain from any forcible action which deprives peoples referred to in the elaboration of the principle of equal rights and self-determination of their right to self-determination and freedom and independence.

Every State has the duty to refrain from organizing or encouraging the organization of irregular forces or armed bands, including mercenaries, for incursion into the territory of another State.

Every State has the duty to refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts, when the acts referred to in the present paragraph involve a threat or use of force.

The territory of a State shall not be the object of military occupation resulting from the use of force in contravention of the provisions of the Charter. The territory of a State shall not be the object of acquisition by another State resulting from the threat or use of force. No territorial acquisition resulting from the threat or use of force shall be recognized as legal. Nothing in the foregoing shall be construed as affecting:

(a) Provisions of the Charter or any international agreement prior to the Charter regime and valid under international law; or

(b) The powers of the Security Council under the Charter. All States shall pursue in good faith negotiations for the early conclusion of a universal treaty on general and complete disarmament under effective international control and strive to adopt appropriate measures to reduce international tensions and strengthen confidence among States.

All States shall comply in good faith with their obligations under the generally recognized principles and rules of international law with respect to the maintenance of international peace and security, and shall endeavour to make the United Nations security system based on the Charter more effective. Nothing in the foregoing paragraphs shall be construed as enlarging or diminishing in any way the scope of the provisions of

the Charter concerning cases in which the use of force is lawful.

The principle that States shall settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered.

Every State shall settle its international disputes with other States by peaceful means, in such a manner that international peace and security and justice are not endangered.

States shall accordingly seek early and just settlement of their international disputes by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means of their choice. In seeking such a settlement the parties shall agree upon such peaceful means as may be appropriate to the circumstances and nature of the dispute.

The parties to a dispute have the duty, in the event of failure to reach a solution by any one of the above peaceful means, to continue to seek a settlement of the dispute by other peaceful means agreed upon by them. States parties to an international dispute, as well as other States, shall refrain from any action which may aggravate the situation so as to endanger the maintenance of international peace and security, and shall act in accordance with the purposes and principles of the United Nations.

International disputes shall be settled on the basis of the sovereign equality of States and in accordance with the principle of free choice of means. Recourse to, or acceptance of a settlement procedure freely agreed to by States with regard to existing or future disputes to which they are parties shall not be regarded as incompatible with sovereign equality.

Nothing in the foregoing paragraphs prejudices or derogates from the applicable provisions of the Charter, in particular those relating to the pacific settlement of international disputes.

The principle concerning the duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter.

No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. Consequently, armed intervention and all other forms of interference or attempted threats against the personality of the State or against its political, economic and cultural elements, are in violation of international law.

No State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind. Also, no State shall organize, assist, foment, finance, incite or tolerate subversive, terrorist or armed activities directed towards the violent overthrow of the regime of another State, or interfere in civil strife in another State.

The use of force to deprive peoples of their national identity constitutes a violation of their inalienable rights and of the principle of non-intervention.

Every State has an inalienable right to choose its political, economic, social and cultural systems, without interference in any form by another State.

Nothing in the foregoing paragraph shall be construed as affecting the relevant provisions of the Charter relating to the maintenance of international peace and security.

The duty of States to co-operate with one another in accordance with the Charter.

States have the duty to co-operate with one another, irrespective of the differences in their political, economic and social systems, in the various spheres of international relations, in order to maintain international peace and security and to promote international economic stability and progress, the general welfare of nations and international co-operation free from discrimination based on such differences.

To this end:

(a) States shall co-operate with other States in the maintenance of international peace and security;

(b) States shall co-operate in the promotion of universal respect for, and observance of, human rights and fundamental freedoms for all, and in the elimination of all forms of racial discrimination and all forms of religious intolerance.

(c) States shall conduct their international relations in the economic, social, cultural, technical and trade fields in accordance with the principles of sovereign equality and non-intervention.

(d) States Members of the United Nations have the duty to take joint and separate action in co-operation with the United Nations in accordance with the relevant provisions of the Charter.

States should co-operate in the economic, social and cultural fields as well as in the field of science and technology and for the promotion of international cultural and educational progress. States should co-operate in the promotion of economic growth throughout the world, especially that of the developing countries.

The principles of equal rights and self-determination of peoples

By virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and every State has the duty to respect this right in accordance with the provisions of the Charter.

Every State has the duty to promote, through joint and separate action, realization of the principle of equal rights and self-determination of peoples, in accordance with the provisions of the Charter, and to render assistance to the United Nations in carrying out the responsibilities entrusted to it by the Charter regarding the implementation of the principle, in order:

(a) To promote friendly relations and co-operation among States; and

(b) To bring a speedy end to colonialism, having due regard to the freely expressed will of the peoples concerned, and bearing in mind that subjection of peoples to alien subjugation, domination and exploitation constitutes a violation of the principle, as well as a denial of fundamental human rights, and is contrary to the Charter.

Every State has the duty to promote through joint and separate action universal respect for an observance of human rights and fundamental freedoms in accordance with the Charter.

The establishment of a sovereign and independent State, the free association or integration with an independent State or the emergence into any other political status freely determined by a people constitute modes of implementing the rights of self-determination by that people.

Every State has the duty to refrain from any forcible action which deprives peoples referred to above in the elaboration of the present principle of their right to self-determination and freedom and independence. In their actions against, and resistance to, such forcible action in pursuit of the exercise of their right to self-determination, such peoples are entitled to seek and to receive support in accordance with the purposes and principles of the Charter. The territory of a colony or other Non-Self-Governing Territory has, under the Charter, a status separate and distinct from the territory of the State administering it; and such separate and distinct status under the Charter shall exist until the people of the colony or Non-Self-Governing Territory have exercised their right of self-determination in accordance with the Charter, and particularly its purposes and principles. Nothing in the foregoing paragraphs shall be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples as described above and thus possessed of a government representing the whole people belonging to the territory without distinction as to race, creed or colour.

Every State shall refrain from any action aimed at the partial or total disruption of the national unity and territorial integrity of any other State or country.

The principle of sovereign equality of States

All States enjoy sovereign equality. They have equal rights and duties and are equal members of the international community, notwithstanding differences of an economic, social, political or other nature.

In particular, sovereign equality includes the following elements:

(a) States are juridically equal;

(b) Each State enjoys the rights inherent in full sovereignty;

(c) Each State has the duty to respect the personality of other States;

(d) The territorial integrity and political independence of the State are inviolable;

(e) Each State has the right freely to choose and develop its political, social, economic and cultural systems;

(f) Each State has the duty to comply fully and in good faith with its international obligations and to live in peace with other States.

The principle that States shall fulfil in good faith the obligations assumed by them in accordance with the Charter.

Every State has the duty to fulfil in good faith the obligations assumed by it in accordance with the Charter of the United Nations.

Every State has the duty to fulfil in good faith its obligations under the generally recognized principles and rules of international law.

Every State has the duty to fulfil in good faith its obligations under international agreements valid under the generally recognized principles and rules of international law.

Where obligations arising under international agreements are in conflict with the obligations of Members of the United Nations under the Charter of the United Nations, the obligations under the Charter shall prevail.

General Part

2. Declares that:

In their interpretation and application the above principles are interrelated and each principle should be construed in the context of the other principles. Nothing in this declaration shall be construed as prejudicing in any manner the provisions of the Charter or the rights and duties of Member States under the Charter or the rights of peoples under the Charter, taking into account the elaboration of these rights in this Declaration.

3. Declares further that:

The principles of the Charter which are embodied in this Declaration constitute basic principles of international law, and consequently appeals to all States to be guided by these principles in their international conduct and to develop their mutual relations on the basis of the strict observance of these principles."

UN Yearbook 1970; UN Monthly Chronicle, November, 1970.

INTERNATIONAL MARITIME ORGANIZATION. > IMO.

INTERNATIONAL MARITIME SATELLITE ORGANIZATION. > INMARSAT.

INTERNATIONAL METEOROLOGICAL ORGANIZATION, IMO, 1878-1947. One of the oldest intergovernmental organizations; its successor is the > WMO. The acronym > IMO in the UN system, since 1982 means International Maritime Organization.

INTERNATIONAL MILITARY TRIBUNAL. > Military Tribunal, International, IMT, for Germany, 1945-46.

INTERNATIONAL MILITARY TRIBUNAL CHARTER. > Charter of International Military Tribunal, IMT, 1945.

INTERNATIONAL MILITARY TRIBUNAL FOR FAR EAST. > Military Tribunal, International for Far East, 1946-48.

INTERNATIONAL MONETARY FUND. > IMF.

INTERNATIONAL ORGANIZATION. > Organizations International.

INTERNATIONAL PEACE BUREAU. Bureau international de la paix. Internationales Friedensbureau, f. 1892 in Rome, with headquarters in Berne until 1919, afterwards in Geneva. Nobel Peace Prize 1910. Promotes consultation and co-operative action among international and national peace organizations. Members: national committees in Austria, France, the FRG, Japan, Norway, Switzerland and the UK.

A.H. FRIED. *Handbücher der Friedensbewegung*, 2 Vols., Berne, 1911-1913, *Yearbook of International Organizations*.

INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT. > Red Cross.

INTERNATIONAL RESEARCH AND TRAINING INSTITUTE FOR THE ADVANCEMENT OF WOMEN, INSTRAW. A UN institute est. 1976, Teheran, by the ECOSOC as an autonomous body under the auspices of the UN. The Institute will give special attention to the needs of developing countries.

Yearbook of International Organizations.

INTERNATIONAL TRADE ORGANIZATION. > ITO.

INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA. The Tribunal was est. on Dec. 10, 1982, by the Sea Law Convention, 1982. Art. 1 of the Statute of the ITLS read as follows:

"1. The International Tribunal for the Law of the Sea is constituted and shall function in accordance with the provision of this Convention and Statute.

2. The seat of the Tribunal shall be in the Free and Hanseatic City of Hamburg in the Federal Republic of Germany.

3. The Tribunal may sit and exercise its functions elsewhere whenever it considers this desirable.

4. A reference of a dispute to the Tribunal shall be governed by the provisions of Parts XI and XV."

UN. *The Law of the Sea, United Nations Convention on the Law of the Sea*, New York, 1983, pp. 140-152.

INTERNATIONAL WATERS. > Waters, International.

INTERNATIONAL WORKING MEN'S ASSOCIATION, 1864. The first international organization *sensu stricto*, est. Sept. 28, 1864 in London during a meeting of solidarity with the uprising in Poland by representatives of the revolutionary movements of England, France, Italy, Germany, Poland and Switzerland; beginning of a workers' movement organized on a world-wide scale; commonly known as the > International. For 8 years the headquarters were in London, then from 1872 to 1876 in New York. The Association was dissolved by a motion of Marx and Engels at a conference held in Philadelphia in Sept., 1876.

La première Internationale, Recueil de documents publiés sous la direction de J. Freymond, 2 Vols., Genève, 1962.

INTERNATIONAL YEAR OF PEACE, 1985/1986. The UN General Assembly adopted on Dec. 7, 1983 Res. 38/56 proclaiming on the fortieth anniversary of the UN on Oct. 24, 1985 the International Year of Peace. One of the main objectives of the Year would be to stimulate effective action to promote peace on the part of the UN system and its member States, disarmament and the prevention of the nuclear catastrophe. The Year would also encourage reflection on peace as a pre-condition for security, national independence, justice, human rights, development and social progress.

Charter (art. 2, item 7) and is a generally accepted rule of international law. Individual or collective self-defense provided for under UN Charter is not considered intervention; states taking measures to effect their right to self-defense are obliged to notify the UN Security Council to this effect. Intervention was widely used as an instrument of foreign policy in ancient times, particularly by the Roman Empire. In the Middle Ages intervention was used in the context of the competing imperial and papal rules. In the 19th century, international law adopted the principle of intervention as a Pan-European principle, which was expressed by the Holy Alliance, it was to be used against revolutionary governments of Europe in defense of legitimate governments and systems "pour conserver ce qui est légalement établi" (the Ljubljana note of Austria, Prussia and Russia of May 12, 1821). On the basis of this principle interventions were undertaken, e.g. by Austria in Naples (1821), by France in Spain (1823), by the Western Powers during the Turkish-Russian war (1853-56) and by France in support of the Pope (1867). Stipulations were included in treaties concerning "the right to intervene", such as the Berlin Treaty of 1878 allowing European powers to interfere into internal affairs of Turkey and Africa. In the late 19th century, under the influence of Latin American states endangered by intervention not only on the part of European powers but also by the USA, there was a departure from the principle of intervention in favor of non-intervention. Nevertheless, there were still numerous cases of intervention, e.g., the provisions of treaties between the USA and Cuba and between the USA and Panama of 1903 authorizing US intervention. Intervention was undertaken by the Entente in Soviet Russia during 1919-20.

After World War II the Truman Doctrine confirmed the principle of intervention, which intensified the struggle within the UN in favor of non-intervention and non-interference into internal affairs of states. After World War II in both East and West various forms of intervention have been recorded, military intervention consisting of attempts at or actual occupation of a part or whole territory of an alien state, diplomatic intervention which may take the form of direct diplomatic pressure through diplomatic channels or diplomatic conspiracy to exert pressure by a group of states; economic intervention which may take the form of a boycott, customs barriers or waging customs wars, refusing to implement contractual provisions, economic embargo, economic blockade; and intervention "on humanitarian grounds" consisting of diplomatic pressure or threats of economic intervention to induce a country to abandon a policy of discrimination - racial, religious or political - against a group of its citizens (e.g., the Republic of South Africa in the context of its policy of apartheid). In the 1980's the UN General Assembly and the UN Security Council discussed the case of Afghanistan 1980 and the case of Grenada 1983 as problems of intervention.

E.C. STOWELL, *Intervention in International Law*, Washington, DC, 1921; P.H. WIENFIELD, "The History of Interventions", in: *The British Yearbook of International Law 1922-1923*; Ch.G. FENWICK, "Intervention", in: *American Journal of International Law*, No. 39, 1945; T. KOMARNICKI, "La intervention en droit international moderne", in: *Revue générale du droit international public*, No. 55, 1955; A. VAN WYNNEN, A.J. THOMAS, *La No-Intervención*, Buenos Aires, 1959; *UN Chronicle*, March, 1980, pp. 5-17 and January, 1984, pp. 4-8.

INTERVENTION, UN DECLARATION ON THE INADMISSIBILITY OF, 1965. The UN Declaration on the Inadmissibility of Intervention

in Internal Affairs of States and on the Protection of their Independence and Sovereignty, was adopted on Dec. 21, 1965 by the UN General Assembly. Res. 2131, XX and reads as follows:

"The General Assembly, deeply concerned at the gravity of the international situation and the increasing threat to universal peace due to armed intervention and other direct or indirect forms of interference threatening the sovereign personality and the political independence of States,

Considering that the United Nations, according to their aim to eliminate war, threats to the peace and acts of aggression, created an Organization, based on the sovereign equality of States, whose friendly relations would be based on respect for the principle of equal rights and self-determination of peoples and on the obligation of its Members to refrain from the threat or use of force against the territorial integrity or political independence of any State.

Recognizing that, in fulfillment of the principle of self-determination, the General Assembly, by the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in Res. 1514(XV) of 14 December 1960, stated its conviction that all peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory and that, by virtue of that right, they freely determine their political status and freely pursue their economic, social and cultural development,

Recalling that in the Universal Declaration of Human Rights the Assembly proclaimed that recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, without distinction of any kind,

Reaffirming the principle of non-intervention, proclaimed in the charters of the Organization of American States, the League of Arab States and of the Organization of African Unity and affirmed in the Conferences of Montevideo, Buenos Aires, Chapultepec and Bogota, as well as in the decisions of the Afro-Asian Conference in Bandung, the Conference of Non-Aligned Countries in Belgrade, in the 'Programme for Peace and International Co-operation' adopted at the end of the Cairo Conference of Non-Aligned Countries, and in the Declaration on subversion adopted in Accra by the Heads of State or Government of the African States,

Recognizing that full observance of the principle of the non-intervention of States in the internal and external affairs of other States is essential to the fulfilment of the purposes and principles of the United Nations,

Considering that armed intervention is synonymous with aggression, and as such is contrary to the basic principles on which peaceful international co-operation between States should be built,

Considering further that direct intervention, subversion, as well as all forms of indirect intervention are contrary to these principles and, consequently, a violation of the Charter of the United Nations,

Mindful that violation of the principle of non-intervention poses a threat to the independence and freedom and normal political, economic, social and cultural development of countries, particularly those which have freed themselves from colonialism, and can pose a serious threat to the maintenance of peace,

Fully aware of the imperative need to create appropriate conditions which would enable all States, and in particular the developing countries, to choose without duress or coercion their own political, economic and social institutions,

In the light of the foregoing considerations, the General Assembly of the United Nations solemnly declares:

(1) No state has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. Consequently armed intervention as well as all other forms of interference or attempted threats against the personality of the States or against its political, economic and cultural elements, are condemned;

(2) No State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights or to secure from it advantages of any kind. Also, no State shall organize, assist, foment, finance, incite or tolerate subversive, terrorist or armed activities directed to the

violent overthrow of the regime of another State, or interfere in civil strife in another State;

(3) The use of force to deprive peoples of their national identity constitutes a violation of their inalienable rights and of the principle of non-intervention;

(4) The strict observance of these obligations is an essential condition to ensure that the nations live together in peace with one another, since the practice of any form of intervention not only violates the spirit and letter of the Charter but also leads to the creation of situations which threaten international peace and security;

(5) Every State has an inalienable right to choose its political, economic, social and cultural systems, without interference in any form by another State;

(6) All States shall respect the right of self-determination and independence of peoples and nations, to be freely exercised without any foreign pressure, and with absolute respect for human rights and fundamental freedoms. Consequently, all States shall contribute to the complete elimination of racial discrimination and colonialism in all its forms and manifestations;

(7) For the purpose of this Declaration, the term 'State' covers both individual States and groups of States;

(8) Nothing in this Declaration shall be construed as affecting in any manner the relevant provisions of the Charter of the United Nations relating to the maintenance of international peace and security, in particular those contained in Chapters VI, VII and VIII."

On Dec. 19, 1966 the UN General Assembly Res. 2225/XXI adopted an appeal to all states to respect unconditionally the UN Declaration on Inadmissibility of Intervention by 114 votes to 0, with 2 abstentions

The text is as follows:

"The General Assembly, Deeply concerned at the evidence of unceasing armed intervention by certain States in the domestic affairs of other States in different parts of the world and at other forms of direct or indirect interference committed against the sovereign personality and political independence of States, resulting in increased international tension,

Reaffirming all the principles and rules embodied in the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty, contained in its Res. 2131, XX of Dec. 21, 1965,

Deems it to be its bounden duty:

(a) To urge the immediate cessation of intervention, in any form whatever, in the domestic or external affairs of States,

(b) To condemn all forms of intervention in the domestic or external affairs of States as a basic source of danger to the cause of world peace,

(c) To call upon all States to carry out faithfully their obligations under the Charter of the United Nations and the provisions of the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty and to urge them to refrain from armed intervention or the promotion or organization of subversion, terrorism or other indirect forms of intervention for the purpose of changing by violence the existing system in another State or interfering in civil strife in another State."

UN Yearbook, 1965 and 1966.

INTERVISION. Intergovernmental organization of Bulgaria, Czechoslovakia, Finland, the GDR, Hungary, Poland, Romania and the USSR set up by the OIRT on Jan. 28, 1960 in Budapest to organize exchange of TV programs between member countries and > Eurovision and other continents by means of telecommunications satellites.

Yearbook of International Organizations.

INTERVODOCHISTKA. A specialized CMEA agency, f. Feb. 8, 1978 in Sofia by intergovernmental agreement to organize co-operation of member states in the field of rational utilization and protection of water resources.

Notitie

Aan Minister BZK	Afdeling
Van mr. M.J.F. Stelling <i>MJS.</i>	Afdeling DGMP/AO
Doorkiesnummer (070)3027303	Kamer H910
Gesteld door	Doorkiesnummer (070)302
Via DAO DGMP SG	Afdeling
Iaa wnd. DCZW DGCZK	Afdeling
Kenmerk AB1999/N75978	Datum 5 juli 1999

Onderwerp

ongrondwettigheid en misdadigheid NAVO-aanvallen op Joegoslavië/
aangifteplicht ingevolge art. 162 Wetboek van Strafvordering

1. Inleiding

Bij notitie d.d. 27 april 1999, nr. AB1999/N67198 (een afschrift daarvan is bij deze gevoegd), heb ik u geïnformeerd omtrent het feit dat de luchtbombardementen van luchtstrijdkrachten van NAVO-lidstaten op de Federale Republiek Joegoslavië strijdig waren met het geweldsverbod en bovendien, voor zover deze bombardementen doelbewust waren gericht tegen civiele objecten, onverenigbaar het humanitair oorlogsrecht. Als zodanig vormen deze luchtbombardementen misdrijven tegen de vrede en tevens, voor zover zij gericht zijn tegen civiele objecten, oorlogsmisdaden in enge zin. Hiermee is dan tevens art. 90 van de Grondwet geschonden.

Ik heb in mijn vorenbedoelde notitie tevens aangegeven dat, indien Nederland een rechtsstaat wenst te zijn, het niet anders kan dan dat de ministers die verantwoordelijk zijn voor de Nederlandse deelname aan de luchtaanvallen op Joegoslavië daarvoor worden berecht.

Ik teken hierbij aan dat ik als uw ambtenaar in dezen heb gehandeld op grond van mijn persoonlijke achtergrond en deskundigheid. Als gewezen luchtmachtofficier ben ik diep doordrongen van het belang van het geweldsverbod en het dwingendrechtelijk karakter van zowel dat verbod als het internationale oorlogsrecht (de wetten en gebruiken van de oorlog, bedoeld in art. 8 Wet Oorlogsstrafrecht). Evenzeer ben ik doordrongen van de juistheid en algemene geldigheid van de beginselen van het internationale recht die tot uitdrukking zijn gebracht in het vonnis van het Internationale Militaire Tribunaal van Neurenberg, waaruit ik hier het volgende citeer (H.M. Attorney-General (ed.): The Trial of German Major War Criminals, Part 22, HMSO, London 1950):

"To initiate a war of aggression, therefore, is not only an international crime; it is the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole." (p. 421)

STAATSBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN.

(No. G 5.)

BESLUIT van 4 Januari 1946, bepalende de bekendmaking in het Staatsblad van de toetreding van Nederland tot de te Londen op 8 Augustus 1945 onderteekende Overeenkomst tussen de Regeering van het Vereenigd Koninkrijk van Groot-Britannië en Noord-Ierland, de Regeering van de Vereenigde Staten van Amerika, de Voorloopige Regeering van de Franse Republiek en de Regeering van de Unie van Socialistische Sowjet-Republieken voor de vervolging en bestrafing van de groote oorlogsmisdadigers van de Europeesche As.

WJ. WILHELMINA, BIJ DE GRATIE GODS, KONINGIN DER NEDERLANDEN, PRINSES VAN ORANJE-NASSAU, ENZ., ENZ., ENZ.

Gezien de te Londen op 8 Augustus 1945 onderteekende Overeenkomst tussen de Regeering en het Vereenigd Koninkrijk van Groot-Britannië en Noord-Ierland, de Regeering van de Vereenigde Staten van Amerika, de Voorloopige Regeering der Franse Republiek en de Regeering van de Unie van Socialistische Sowjet-Republieken voor de vervolging en bestrafing van de groote oorlogsmisdadigers van de Europeesche As;

Overwegende, dat Nederland tot genoemde Overeenkomst is toetgetreden en dat die toetreding op 25 September 1945 ter kennis van de Regeering van het Vereenigd Koninkrijk van Groot-Britannië en Noord-Ierland is gebracht;

Overwegende mede, dat die toetreding op 25 September 1945 is van kracht geworden;

Op de voordracht van Onze Ministers van Buitenlandse Zaken a.i. d.d. 8 December 1945, Directie van het Protocol

an Afdeling Politieke Zaken, No. 22485, en van Justitie van 27 December 1945, 2e Afdeling A, No. 1108;

Hebben goedgevonden en verstaan:

bovenbedoelde toetreding te doen bekendmaken door de plaatsing van dit besluit in het *Staatsblad*.

Een afdruk en een vertaling van genoemde Overeenkomst, almede een opgave van de landen, die tot vermelde Overeenkomst zijn toegetreden, zijn bij dit besluit gevoegd.

Onze Ministers, Hoofden van Departementen van Algemeen Bestuur, zijn, ieder voor zooveel hem aangaat, belast met de uitvoering van hetgeen ten deze wordt vereischt.

Am-Gravenhage, den 4den Januari 1946.

WILHELMINA.

De Minister van Buitenlandse Zaken a.i.,

J. H. VAN ROYEN.

De Minister van Justitie,

KOLFSCHOTEN.

Uitgegeven den vijf en twintigsten Januari 1946.

De Minister van Justitie,
KOLFSCHOTEN.

Agreement by the Government of the United Kingdom of Great Britain and Northern Ireland, the Government of the United States of America, the Provisional Government of the French Republic and the Government of the Union of Soviet Socialist Republics for the Prosecution and Punishment of the Major War Criminals of the European Axis.

London, 8th August, 1945.

Whereas the United Nations have from time to time made declarations of their intention that War Criminals shall be brought to justice;

And whereas the Moscow Declaration of the 30th October, 1943, on German atrocities in Occupied Europe stated that those German officers and men and members of the Nazi Party who have been responsible for or have taken a consenting part in atrocities and crimes will be sent back to the countries in which their abominable deeds were done in order that they may be judged and punished according to the laws of these liberated countries and of the free Governments that will be created therein;

And whereas this Declaration was stated to be without prejudice to the case of major criminals whose offences have no particular geographical location and who will be punished by the joint decision of the Governments of the Allies;

Now therefore the Government of the United Kingdom of Great Britain and Northern Ireland, the Government of the United States of America, the Provisional Government of the French Republic and the Government of the Union of Soviet Socialist Republics (hereinafter called "the Signatories") acting in the interests of all the United Nations and by their representatives duly authorised thereto have concluded this Agreement.

Article 1.

There shall be established after consultation with the Control Council for Germany an International Military Tribunal for the trial of war criminals whose offences have no particular

geographical location whether they be accused individually or in their capacity as members of organisations or groups or in both capacities.

Article 2.

The constitution, jurisdiction and functions of the International Military Tribunal shall be those set out in the Charter annexed to this agreement, which Charter shall form an integral part of this Agreement.

Article 3. Each of the Signatories shall take the necessary steps to make available for the investigation of the charges and trial the major war criminals detained by them who are to be tried by the International Military Tribunal. The Signatories shall also use their best endeavours to make available for investigation of the charges against and the trial before the International Military Tribunal such of the major war criminals as are not in the territories of any of the Signatories.

Article 4.

Nothing in this Agreement shall prejudice the provisions established by the Moscow Declaration concerning the return of war criminals to the countries where they committed their crimes.

Article 5.

Any Government of the United Nations may adhere to this Agreement by notice given through the diplomatic channel to the Government of the United Kingdom, who shall inform the other signatory and adhering Governments of each such adherence.

Article 6.

Nothing in this Agreement shall prejudice the jurisdiction or the powers of any national or occupation court established or to be established in any Allied territory or in Germany for the trial of war criminals.

Article 7.

This Agreement shall come into force on the day of signature and shall remain in force for the period of one year and shall continue thereafter, subject to the right of any Signatory to give, through the diplomatic channel, one month's notice of intention to terminate it. Such termination shall not prejudice any proceedings already taken or any findings already made in pursuance of this Agreement.

In witness whereof the Undersigned have signed the present Agreement.

Done in quadruplicate in London this 8th day of August, 1945, each in English, French and Russian, and each text to have equal authenticity.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

JOWITT.

For the Government of the United States of America:

ROBERT H. JACKSON.

For the Provisional Government of the French Republic:

ROBERT FALCO.

For the Government of the Union of Soviet Socialist Republics:

I. NIKITCHENKO.

A. TRAININ.

CHARTER OF THE INTERNATIONAL MILITARY TRIBUNAL.

I. Constitution of the International Military Tribunal.

Article 1.

In pursuance of the Agreement signed on the 8th August, 1945, by the Government of the United Kingdom of Great Britain and Northern Ireland, the Government of the United States of America, the Provisional Government of the French Republic and the Government of the Union of Soviet Socialist Republics, there shall be established an International Military Tribunal (hereinafter called "the Tribunal") for the just and prompt trial and punishment of the major war criminals of the European Axis.

Article 2.

The Tribunal shall consist of four members, each with an alternate. One member and one alternate shall be appointed by each of the Signatories. The alternates shall, so far as they are able, be present at all sessions of the Tribunal. In case of illness of any member of the Tribunal or his incapacity for some other reason to fulfil his functions, his alternate shall take his place.

Article 3.

Neither the Tribunal, its members nor their alternates can be challenged by the prosecution, or by the Defendants or their Counsel. Each Signatory may replace its member of the Tribunal or his alternate for reasons of health or for other good reasons, except that no replacement may take place during a Trial, other than by an alternate.

Article 4.

- (a) The presence of all four members of the Tribunal or the alternate for any absent member shall be necessary to constitute the quorum.
- (b) The members of the Tribunal shall, before any trial begins, agree among themselves upon the selection from their number of a President, and the President shall hold office during that trial, or as may otherwise be agreed by a vote

of not less than three members. The principle of rotation of presidency for successive trials is agreed. If, however, a session of the Tribunal takes place on the territory of one of the four Signatories, the representative of that Signatory on the Tribunal shall preside.

(c) Save as aforesaid the Tribunal shall take decisions by a majority vote and in case the votes are evenly divided, the vote of the President shall be decisive: provided always that convictions and sentences shall only be imposed by affirmative votes of at least three members of the Tribunal.

Article 5.

In case of need and depending on the number of the matters to be tried, other Tribunals may be set up; and the establishment, functions, and procedure of each Tribunal shall be identical, and shall be governed by this Charter.

II. Jurisdiction and General Principles.

Article 6.

The Tribunal established by the Agreement referred to in Article 1 hereof for the trial and punishment of the major war criminals of the European Axis countries shall have the power to try and punish persons who, acting in the interests of the European Axis countries, whether as individuals or as members of organisations, committed any of the following crimes.

The following acts, or any of them, are crimes coming within the jurisdiction of the Tribunal for which there shall be individual responsibility:

(a) *Crimes against peace*: namely, planning, preparation, initiation or waging of a war of aggression, or a war in violation of international treaties, agreements or assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing;

(b) *War crimes*: namely, violations of the laws or customs of war. Such violations shall include, but not be limited to, murder, ill-treatment or deportation to slave labour or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity;

(c) *Crimes against humanity*: namely, murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the

war; or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated.

Leaders, organisers, instigators and accomplices participating in the formulation or execution of a common plan or conspiracy to commit any of the foregoing crimes are responsible for all acts performed by any persons in execution of such plan.

Article 7.

The official position of defendants, whether as Heads of State or responsible officials in Government Departments, shall not be considered as freeing them from responsibility or mitigating punishment.

Article 8

The fact that the Defendant acted pursuant to order of his Government or of a superior shall not free him from responsibility, but may be considered in mitigation of punishment if the Tribunal determines that justice so requires.

Article 9

At the trial of any individual member of any group or organisation the Tribunal may declare (in connection with any act of which the individual may be convicted) that the group or organisation of which the individual was a member was a criminal organisation.

After receipt of the Indictment the Tribunal shall give such notice as it thinks fit that the prosecution intends to ask the Tribunal to make such declaration and any member of the organisation will be entitled to apply to the Tribunal for leave to be heard by the Tribunal upon the question of the criminal character of the organisation. The Tribunal shall have power to allow or reject the application. If the application is allowed, the Tribunal may direct in what manner the applicants shall be represented and heard.

Article 10

In cases where a group or organisation is declared criminal by the Tribunal, the competent national authority of any Signatory shall have the right to bring individuals to trial for membership therein before national, military or occupation courts. In any such case the criminal nature of the group or organisation is considered proved and shall not be questioned.

Article 11.

Any person convicted by the Tribunal may be charged before a national, military or occupation court, referred to in Article 10 of this Charter, with a crime other than of membership in a criminal group or organisation and such court may, after convicting him, impose upon him punishment independent of and additional to the punishment imposed by the Tribunal for participation in the criminal activities of such group or organisation.

Article 12.

The Tribunal shall have the right to take proceedings against a person charged with crimes set out in Article 6 of this Charter in his absence, if he has not been found or if the Tribunal, for any reason, finds it necessary, in the interests of justice, to conduct the hearing in his absence.

Article 13.

The Tribunal shall draw up rules for its procedure. These rules shall not be inconsistent with the provisions of this Charter.

III. Committee for the Investigation and Prosecution of Major War Criminals.

Article 14.

Each Signatory shall appoint a Chief Prosecutor for the investigation of the charges against and the prosecution of major war criminals.

The Chief Prosecutors shall act as a committee for the following purposes:

- (a) to agree upon a plan of the individual work of each of the Chief Prosecutors and his staff,
- (b) to settle the final designation of major war criminals to be tried by the Tribunal,
- (c) to approve the Indictment and the documents to be submitted therewith,
- (d) to lodge the Indictment and the accompanying documents with the Tribunal,
- (e) to draw up and recommend to the Tribunal for its approval draft rules of procedure, contemplated by Article 13 of this Charter. The Tribunal shall have power to accept, with or without amendments, or to reject, the rules so recommended.

The Committee shall not in all the above matters by a minority vote and shall appoint a Chairman as may be convenient, and in accordance with the principle of rotation: provided that if there is an equal division of vote concerning the designation of a Defendant to be tried by the Tribunal, or the crimes with which he shall be charged, that proposal will be adopted which was made by the party which proposed that the particular Defendant be tried, or the particular charges be preferred against him.

Article 15.

The Chief Prosecutors shall individually, and acting in collaboration with one another, also undertake the following duties:

- (a) investigation, collection and production before or at the Trial of all necessary evidence,
- (b) the preparation of the Indictment for approval by the Committee in accordance with paragraph (c) of Article 14 hereof,
- (c) the preliminary examination of all necessary witnesses and of the Defendants,
- (d) to act as prosecutor at the Trial,
- (e) to appoint representatives to carry out such duties as may be assigned to them,
- (f) to undertake such other matters as may appear necessary to them for the purposes of the preparation for and conduct of the Trial.

It is understood that no witness or Defendant detained by any Signatory shall be taken out of the possession of that Signatory without its assent.

IV. Fair Trial for Defendants.

Article 16.

In order to ensure fair trial for the Defendants, the following procedure shall be followed:

- (a) The Indictment shall include full particulars specifying in detail the charges against the Defendants. A copy of the Indictment and of all the documents lodged with the Indictment, translated into a language which he understands, shall be furnished to the Defendant at a reasonable time before the Trial.
- (b) During any preliminary examination or trial of a Defendant he shall have the right to give any explanation relevant to the charges made against him.
- (c) A preliminary examination of a Defendant and his Trial shall be conducted in, or translated into, a language which the Defendant understands.

(d) A Defendant shall have the right to conduct his own defence before the Tribunal or to have the assistance of Counsel.

(e) A Defendant shall have the right through himself or through his Counsel to present evidence at the Trial in support of his defence, and to cross-examine any witness called by the Prosecution.

V. Powers of the Tribunal and Conduct of the Trial.

Article 17.

The Tribunal shall have the power

- (a) to summon witnesses to the Trial and to require their attendance and testimony and to put questions to them,
- (b) to interrogate any Defendant,
- (c) to require the production of documents and other evidentiary material,
- (d) to administer oaths to witnesses,
- (e) to appoint officers for the carrying out of any task designated by the Tribunal including the power to have evidence taken on commission.

Article 18.

The Tribunal shall

- (a) confine the Trial strictly to an expeditious hearing of the issues raised by the charges,
- (b) take strict measures to prevent any action which will cause unreasonable delay, and rule out irrelevant issues and statements of any kind whatsoever,
- (c) deal summarily with any contumacy, imposing appropriate punishment, including exclusion of any Defendant or his Counsel from some or all further proceedings, but without prejudice to the determination of the charges.

Article 19.

The Tribunal shall not be bound by technical rules of evidence. It shall adopt and apply to the greatest possible extent expeditious and non-technical procedure, and shall admit any evidence which it deems to have probative value.

Article 20.

1. The Tribunal may require to be informed of the nature of any evidence before it is offered so that it may rule upon the relevance thereof.

Article 21.

The Tribunal shall not require proof of facts of common knowledge but shall take judicial notice thereof. It shall also take judicial notice of official governmental documents and reports of the United Nations, including the acts and documents of the committees set up in the various Allied countries for the investigation of war crimes, and the records and findings of military or other Tribunals of any of the United Nations.

Article 22.

The permanent seat of the Tribunal shall be in Berlin. The first meetings of the members of the Tribunal and of the Chief Prosecutors shall be held at Berlin in a place to be designated by the Control Council for Germany. The first trial shall be held at Nuremberg, and any subsequent trials shall be held at such places as the Tribunal may decide.

Article 23.

One or more of the Chief Prosecutors may take part in the prosecution at each Trial. The function of any Chief Prosecutor may be discharged by him personally, or by any person or persons authorised by him.

The function of Counsel for a Defendant may be discharged at the Defendant's request by any Counsel professionally qualified to conduct cases before the Courts of his own country, or by any other person who may be specially authorised thereby by the Tribunal.

Article 24.

The proceedings at the Trial shall take the following course:

- (a) The Indictment shall be read in court.
- (b) The Tribunal shall ask each Defendant whether he pleads "guilty" or "not guilty".
- (c) The Prosecution shall make an opening statement.
- (d) The Tribunal shall ask the Prosecution and the Defence what evidence (if any) they wish to submit to the Tribunal, and the Tribunal shall rule upon the admissibility of any such evidence.
- (e) The witnesses for the Prosecution shall be examined and after that the witnesses for the Defence. Thereafter such rebutting evidence as may be held by the Tribunal to be admissible shall be called by either the Prosecution or the Defence.
- (f) The Tribunal may put any question to any witness and to any Defendant, at any time.
- (g) The Prosecution and the Defence shall interrogate and may cross-examine any witnesses and any Defendant who gives testimony.

(h) The Defence shall address the court.

(i) The Prosecution shall address the court.

(j) Each Defendant may make a statement to the Tribunal.

(k) The Tribunal shall deliver judgment and pronounce sentence.

Article 25.

All official documents shall be produced, and all court proceedings conducted, in English, French and Russian, and in the language of the Defendant. So much of the record and of the proceedings may also be translated into the language of any country in which the Tribunal is sitting, as the Tribunal considers desirable in the interests of justice and public opinion.

VI. Judgment and Sentence.

Article 26.

The judgment of the Tribunal as to the guilt or the innocence of any Defendant shall give the reasons on which it is based, and shall be final and not subject to review.

Article 27.

The Tribunal shall have the right to impose upon a Defendant, on conviction, death or such other punishment as shall be determined by it to be just.

Article 28.

In addition to any punishment imposed by it, the Tribunal shall have the right to deprive the convicted person of any stolen property and order its delivery to the Control Council for Germany.

In case of guilt, sentences shall be carried out in accordance with the orders of the Control Council for Germany, which may at any time reduce or otherwise alter the sentences, but may not increase the severity thereof. If the Control Council for Germany, after any Defendant has been convicted and sentenced, discovers fresh evidence which, in its opinion, would found a fresh charge against him, the Council shall report accordingly to the Committee established under Article 14 hereof, for such action as they may consider proper, having regard to the interests of justice.

VII. Expenses.

Article 30.

The expenses of the Tribunal and of the Trials, shall be charged by the Signatories against the funds allotted for maintenance of the Control Council for Germany.

Overeenkomst tussen de Regering van het Vereenigd Koninkrijk van Groot-Brittannië en Noord-Ierland, de Regering van de Vereenigde Staten van Amerika, de Voorloopige Regering van de Fransche Republiek en de Regering van de Unie van Socialistische Sowjet-Republieken voor de vervolging en bestraffing van de groote oorlogsmisdadigers van de Europeesche As.

Londen, 8 Augustus 1945.

Aangezien de Vereenigde Naties van tijd tot tijd verklaringen hebben afgelegd omtrent haar bedoeling, dat oorlogsmisdadigers zullen worden berecht;

En aangezien de Verklaring van Moskou van 30 October 1943 met betrekking tot Duitse wredeheden in bezet Europa bepaalde, dat die Duitse officieren en manschappen en leden van de Nazi-partij, die verantwoordelijk zijn geweest voor of door hun toestemming te geven hebben deelgenomen aan wredeheden en misdrijven, zullen worden teruggezonden naar de landen, waar hun afschuwelijke daden werden verricht, opdat zij overeenkomstig de wetten van deze bevrijde landen en van de vrije Regeringen, die aldaar zullen worden opgericht, zullen worden berecht en gestraft;

En aangezien vastgesteld werd, dat deze Verklaring geen inbreuk zou maken op de zaak van de groote misdadigers, wier misdrijven niet aan een bijzondere aardrijkskundige plaats gebonden zijn, en die gestraft zullen worden door de gezamenlijke beslissing van de Regeringen van de Geallieerden;

Zoo is het, dat de Regering van het Vereenigd Koninkrijk van Groot-Brittannië en Noord-Ierland, de Regering van de Vereenigde Staten van Amerika, de Voorloopige Regering van de Fransche Republiek en de Regering van de Unie van Socialistische Sowjet-Republieken (hieronder genoemd „de Ondertekenaren”), die in het belang van alle Vereenigde Naties handelen, door tusschenkomst van hun van-behoorlijke volmachten voorziene vertegenwoordigers, deze Overeenkomst hebben gesloten.

Artikel 1.

Er zal na overleg met den Raad van Toezicht voor Duitschland een Internationale Militaire Rechtbank worden ingesteld voor de berechting van oorlogsmisdadigers, wier misdrijven niet aan een bijzondere aardrijkskundige plaats gebonden zijn, hetzij zij beschuldigd worden individueel, hetzij in hun hoedanigheid van leden van organisaties of groepen of wel in beide hoedanigheden.

Artikel 2.

De samenstelling, rechtsmacht en functies van de Internationale Militaire Rechtbank zullen zijn als uiteengezet in het Handvest, dat aan deze Overeenkomst is toegevoegd, welk Handvest een integreerend deel van deze Overeenkomst vormt.

Artikel 3.

Ieder van de Ondertekenars zal de noodige stappen doen om voor het onderzoek van de beschuldigingen en de berechting de groote oorlogsmisdadigers ter beschikking te stellen, die door hen in lichtenis worden gehouden, en die door de Internationale Militaire Rechtbank zullen worden berecht. De Ondertekenars zullen eveneens al het mogelijke doen om voor het onderzoek van de beschuldigingen en de berechting voor de Internationale Militaire Rechtbank zoodanige groote oorlogsmisdadigers, die zich niet bevinden op de grondgebieden van een van de Ondertekenars, beschikbaar te stellen.

Artikel 4.

Niets in deze Overeenkomst zal inbreuk maken op de bepalingen vastgesteld door de Verklaring van Moskou betreffende den terugkeer van oorlogsmisdadigers naar de landen, waar zij hun misdrijven hebben begaan.

Artikel 5.

Iedere Regering van de Vereenigde Naties kan tot deze Overeenkomst toetreden door middel van een kennisgeving langs diplomatieken weg aan de Regering van het Vereenigd Koninkrijk, welke Regering de andere ondertekenende en toetredende Regeringen in kennis zal stellen van iedere zoodanige toetreding.

Artikel 6.

Niets in deze Overeenkomst zal inbreuk maken op de rechtsmacht of de bevoegdheden van een nationale rechtbank of van een rechtbank van een bezetter, welke voor de berechting van oorlogsmisdadigers opgericht is of opgericht zal worden op Geallieerd grondgebied of in Duitschland.

Artikel 7.

Deze Overeenkomst zal in werking treden op den dag van ondertekening en zal van kracht blijven voor den termijn van één jaar en zal daarna blijven gelden, behoudens het recht van iederen Ondertekenaar om langs diplomatieken weg met een opzeggingstermijn van één maand zijn voornemen te kennen te geven deze Overeenkomst te beëindigen. Deze beëindiging zal geen inbreuk maken op een proces, dat reeds is begonnen, of op een uitspraak, die reeds krachtens deze Overeenkomst is gegeven.

Tot oorkonde waarvan de ondertekenaars deze Overeenkomst hebben ondertekend.

Gedaan in viervoud te Londen op dezen 8sten dag van Augustus 1945, ieder van deze in het Engelsch, Fransch en Russisch, met dien verstande, dat ieder van deze teksten gelijkelijk authentiek zal zijn.

Voor de Regeering van het Vereenigd Koninkrijk van Groot-Britannië en Noord-Ierland:

JOWITT.

Voor de Regeering van de Vereenigde Staten van Amerika:

ROBERT H. JACKSON.

Voor de Voorloopige Regeering van de Fransche Republiek:

ROBERT FAICO.

Voor de Regeering van de Unie van Socialistische Sowjet-Republieken:

I. NIKITCHENKO.
A. TRAININ.

HANDVEST VAN DE INTERNATIONALE MILITAIRE RECHTBANK.

I. Samenstelling van de Internationale Militaire Rechtbank.

Artikel 1.

Krachtens het Verdrag, dat op 8 Augustus 1945 door de Regeering van het Vereenigd Koninkrijk van Groot-Britannië en Noord-Ierland, de Regeering van de Vereenigde Staten van Amerika, de Voorloopige Regeering van de Fransche Republiek en de Regeering van de Unie van Socialistische Sowjet-Republieken is ondertekend, zal worden opgericht een Internationale Militaire Rechtbank (hieronder genoemd „de Rechtbank”) voor de rechtvaardige en snelle berechting en bestrafing van de groote oorlogsmisdadigers van de Europeesche Aa.

Artikel 2.

De Rechtbank zal bestaan uit vier leden, ieder met een plaatsvervanger. Eén lid en één plaatsvervanger zullen door ieder van de Ondertekenaars worden benoemd. De plaatsvervangers zullen, voor zoover zij daartoe in staat zijn, tegenwoordig zijn bij alle zittingen van de Rechtbank. Ingeval van ziekte van een lid van de Rechtbank of indien een lid om een andere reden niet in staat is zijn functies te vervullen, zal zijn plaatsvervanger zijn plaats innemen.

Artikel 3.

Noch de Rechtbank noch haar leden noch hun plaatsvervangers kunnen door het Openbaar Ministerie of door de vertegenwoordigers of hun raadslieden worden geraakt. Iedere Ondertekenaar kan zijn lid van de Rechtbank of diens plaatsvervanger om redenen van gezondheid of om andere geldige redenen vervangen, met dien verstande, dat tijdens de terechtzitting geen andere vervanging mag plaats hebben dan door een plaatsvervanger.

Artikel 4.

(a) De aanwezigheid van alle vier leden van de Rechtbank, of van den plaatsvervanger voor een lid, dat afwezig is, zal noodig zijn om het quorum te vormen.

(b) De leden van de Rechtbank zullen, voorlat een proces begint, met elkander tot overeenstemming komen omtrent de verkiezing tot Voorzitter van een van hen, en de Voorzitter zal gedurende dat proces deze functie vervullen, tenzij met de stemmen van niet minder dan drie leden anders zal worden overeengekomen. Het beginsel van rouleering van het voorzitterschap voor opeenvolgende processen wordt aanvaard. Indien echter een zitting van de Rechtbank plaats heeft op het grondgebied van één van de vier Onderteekenaars, zal de verlegenvoorder van dien Onderteekenaar in de Rechtbank presidenten.

(c) Behoudens hetgeen hierboven is bepaald zal de Rechtbank haar beslissingen nemen met gewone meerderheid en indien de stemmen staken, is de stem van den Voorzitter beslissend, met dien verstande evenwel, dat schuldigbevindingen en vonnissen alleen kunnen worden uitgesproken, indien minstens drie leden van de Rechtbank zich hiervoor uitspreken.

Artikel 5.

Ingeval van noodzaak en naar gelang van het aantal zaken, die berecht moeten worden, kunnen andere Rechtbanken worden ingesteld; de oprichting, functies en procedure van iedere Rechtbank zullen identiek zijn en zullen door dit Handvest worden beheerscht.

II. Rechtsmacht en algemeene beginselen.

Artikel 6.

De Rechtbank, die door de Overeenkomst bedoeld in art. I wordt ingesteld voor de berechting en bestraffing van de groote oorlogsmisdadigers van de landen van de Europeesche As, zal de bevoegdheid hebben personen te berechten en te bestraffen, die, handelende in het belang van de landen van de Europeesche As, hetzij individueel, hetzij als leden van organisaties, een van de volgende misdrijven hebben begaan.

De volgende handelingen, of een van deze, zijn misdrijven, die vallen binnen de rechtsmacht van de Rechtbank en waarvoor individuele aansprakelijkheid zal bestaan:

(a) *Misdrijven tegen den vrede*: namelijk het maken van plannen voor, het voorbereiden van, het nemen van initiatief tot of het voeren van een aanvalsoorlog of een oorlog in strijd met internationale verdragen, overeenkomsten of verzekeringen, of deelneming aan een gemeenschappelijk plan of samen-zwering voor het verrichten van een van de bovengenoemde handelingen;

(b) *Oorlogsmisdrijven*: namelijk schendingen van de wetten of gebruiken van den oorlog. Zoodanige schendingen zullen omvatten, doch niet beperkt zijn tot moord, mislandeling, of deportatie, met het oog op slavenarbeid of voor eenig ander doel, van de burgerbevolking van of in bezet grondgebied, moord of mishandeling van krijgsgevangenen of van personen op zee, het doodenvan van gijzelaars, plundering van openbaren of particulieren eigendom, wilkeurige vernietiging van steden, plaatsen of dorpen, of verwoesting, welke niet door militaire noodzaak gerechtvaardigd was;

(c) *Misdrijven tegen de menscheitheid*: namelijk moord, uitroeiing, het in slavenrij voeren, deportatie en andere onmenscheitlijke handelingen, die vóór of gedurende den oorlog bedreven zijn tegen burgerbevolking; of vervolgingen op grond van politiek, ras of godsdienst ter uitvoering van of in verband met eenig misdrijf behoorende tot de rechtsmacht van de Rechtbank, onverschillig of deze geschiedden al dan niet in strijd met het nationale recht van het land, waar deze daden werden bedreven.

Leiders, organisatoren, zij die hebben uitgelokt en medeplichtigen, die hebben deelgenomen aan het opstellen of het uitvoeren van een gemeenschappelijk plan of samenzwering om een van de bovengenoemde misdrijven te begaan, zijn aansprakelijk voor alle daden, die door personen ter uitvoering van dit plan zijn verricht.

Artikel 7.

De officiële positie van de verdachten, hetzij als Staats-hoofden, hetzij als verantwoordelijke ambtenaren in Regeerings-departementen, zal niet geëcht worden deze personen te bevrijden van hun aansprakelijkheid of als een reden tot verlichting van hun straf gelden.

Artikel 8.

Het feit, dat de verdachte heeft gehandeld krachtens een bevel van zijn Regeering of van een boven hem gestelden, zal hem niet bevrijden van zijn aansprakelijkheid, doch zal kunnen worden beschouwd als reden tot verzachting van zijn straf, indien de Rechtbank beslist, dat de rechtvaardigheid zulks vereischt.

Artikel 9.

Bij het proces van een individueel lid van een groep of organisatie kan de Rechtbank verklaren (in verband met eenige handeling, waaraan de persoon kan worden schuldig bevonden), dat de groep of organisatie, waarvan de persoon lid was, een misdadige organisatie was.

Na ontvangst van de telastelegging zal de Rechtbank op de wijze als zij gewenscht oordeelt bekend maken, dat het Openbaar Ministerie het voornemen heeft aan de Rechtbank te verzoeken, een zoodanige verklaring te geven en ieder lid van de organisatie zal alsdan bevoegd zijn aan de Rechtbank toestemming te vragen om door haar gehoord te worden omtrent de vraag van het misdadige karakter van de organisatie. De Rechtbank zal de bevoegdheid hebben deze aanvraag toe te staan of af te wijzen. Indien de aanvraag wordt toegestaan, kan de Rechtbank bepalen, op welke wijze de aanvragers zullen worden tegenwoordigd en gehoord.

Artikel 10.

In gevallen, waarin een groep of organisatie door de Rechtbank wordt verklaard misdadig te zijn, zal de bevoegde nationale autoriteit van ieder der Ondertoekeenaars het recht hebben, personen voor nationale of militaire rechtbanken of rechtbanken van een bezetter te doen berechten op grond van hun lidmaatschap van zoodanige groep of organisatie. In ieder zoodanig geval wordt het misdadige karakter van de groep of organisatie geacht te zijn bewezen en zal niet meer betwist kunnen worden.

Artikel 11.

Een persoon, die door de Rechtbank is schuldig bevonden, kan voor een nationale of militaire rechtbank of een rechtbank van een bezetter als bedoeld in art. 10 van dit Handvest worden beschuldigd van een ander misdrijf dan dat van lidmaatschap van een misdadige groep of organisatie, en deze laatste rechtbank kan hem, na hem schuldig te hebben bevonden, een straf opleggen, die onafhankelijk is van en wordt toegevoegd aan de straf, waartoe de Rechtbank hem heeft veroordeeld wegens deelneming aan de misdadige handelingen van een zoodanige groep of organisatie.

Artikel 12.

De Rechtbank zal het recht hebben de strafzaak tegen een persoon, beschuldigd van misdrijven als aangegeven in art. 6 van dit Handvest, in zijn afwezigheid te behandelen, indien hij niet gevonden is of indien de Rechtbank om een of andere reden het in het belang van het recht noodzakelijk oordeelt om het verhoor in zijn afwezigheid te doen plaats hebben.

Artikel 13.

De Rechtbank zal regelen opstellen voor haar procedure. Deze regelen zullen niet in strijd zijn met de bepalingen van dit Handvest.

III. Comité voor het onderzoek en de vervolging van de groote oorlogsmisdadigers.

Artikel 14.

Iedere Ondertoekenaar zal een Hoofdaanklager voor het onderzoek van de beschuldigingen tegen en de vervolging van de groote oorlogsmisdadigers benoemen.

De Hoofdaanklagers zullen als Comité optreden voor de volgende doeleinden:

- (a) om een plan vast te stellen voor het individueele werk van ieder van de Hoofdaanklagers en zijn staf,
- (b) om de definitieve aanwijzing te doen van de groote oorlogsmisdadigers, die door de Rechtbank zullen worden berecht,
- (c) om de telastelegging en de daarbij over te leggen stukken goed te keuren,
- (d) om de telastelegging en de daarbij behorende stukken bij de Rechtbank in te dienen,
- (e) om ontwerp-regelen voor de procedure als bedoeld in art. 13 van dit Handvest te ontwerpen en ter goedkeuring aan de Rechtbank aan te bevelen. De Rechtbank zal de bevoegdheid hebben, de aldus aanbevolen regelen, met of zonder amendementen, aan te nemen of te verworpen.

Het Comité zal bij alle bovenvermelde aangelegenheden met gewone meerderheid beslissen en een Voorzitter aanwijzen, zooals geschikt zal voorkomen en in overeenstemming met het beginsel van rouleering, met dien verstande, dat, indien de stemmen staken omtrent de aanwijzing van een verdachte, die door de Rechtbank moet worden berecht, of omtrent de misdrijven, waarvan hij zal worden beschuldigd, dat voorstel zal zijn aangenomen, dat gedaan is door de partij, die voorstelde, dat de betrokken verdachte zou worden berecht of de bedoelde beschuldigingen tegen hem zouden worden ingebracht.

Artikel 15.

De Hoofdaanklagers zullen individueel en in samenwerking met elkander voorts de volgende functies op zich nemen:

- (a) het onderzoek, het verzamelen en het produceeren vóór of tijdens de terechtzitting van alle noodzakelijk bewijs,
- (b) het voorbereiden van de telastelegging ter goedkeuring door het Comité overeenkomstig art. 14, sub (c), van dit Handvest,
- (c) het voorloopige verhoor van alle noodige getuigen en van de verdachten,
- (d) als aanklager optreden in de terechtzitting,
- (e) tegenwoordigers aanwijzen ter uitvoering van zoodanige functies als hun kunnen worden toegewezen,

(f) zoodanige andere zaken verrichten als hun met het oog op de voorbereiding en het houden van de terechtzitting noodzakelijk zal voorkomen.

Het is wel te verstaan, dat geen getuige of verdachte, die door een der Onderteekenaars in hechtenis is gehouden, zonder diens toestemming aan de rechtsmacht van dezen Onderteekenaar zal worden onttrokken.

IV. *Rechtsvaardige berechtiging van de verdachten.*

Artikel 16.

Tien einde aan de verdachten een rechtvaardige berechtiging te verzekeren, zal de volgende procedure worden gevolgd:

(a) De telastelegging zal volledige gegevens bevatten, die in bijzonderheden de beschuldigingen tegen de verdachten zullen aangeven. Een afschrift van de telastelegging en van alle stukken, die met de telastelegging worden ingediend, zullen, vermeld in een taal, welke hij verstaat, een behoorlijken tijd vóór de terechtzitting aan den verdachte worden verstrekt.

(b) Gedurende een voorloopig verhoor van een verdachte of in een terechtzitting zal deze het recht hebben, alle gewenschte verklaringen te geven met betrekking tot de tegen hem ingebrachte beschuldigingen.

(c) Een voorloopig verhoor van een verdachte en de terechtzitting zullen in een taal, die de verdachte verstaat, worden gevoerd of daarin worden vertaald.

(d) Een verdachte zal het recht hebben voor de Rechtbank zijn eigen verdediging te voeren of den bijstand te hebben van raadslieden.

(e) Een verdachte zal het recht hebben, hetzij zelf hetzij door tusschenkomst van zijn raadslieden, bij het proces bewijs aan te brengen tot steun van zijn verdediging, en iederen getuige, die door het Openbaar Ministerie is opgeroepen, aan een kruisverhoor te onderwerpen.

V. *Bevoegdheden van de Rechtbank en het voeren van het proces.*

Artikel 17.

De Rechtbank zal de bevoegdheid hebben:

- (a) getuigen op te roepen voor de terechtzitting en hun aanwezigheid alsmede getuigenverklaringen te verlangen en vragen tot hen te richten,
- (b) iederen verdachte te ondervragen,
- (c) het overleggen van stukken en ander bewijsmateriaal te verlangen,
- (d) getuigen den eed te doen afleggen,

(e) ambtenaren aan te stellen voor de uitvoering van een of andere opdracht, die door de Rechtbank is omschreven, met inbegrip van de bevoegdheid om bij rogatoire commissie bewijs te verkrijgen.

Artikel 18.

De Rechtbank zal:

(a) de terechtzitting strikt beperken tot een snel verhoor omtrent de punten, die door de beschuldigingen zijn opgeworpen,

(b) strenge maatregelen nemen om iedere actie te voorkomen, die onredelijk uitstel zou veroorzaken, en niet ter zake dienende punten en verklaringen van wolken aard ook buiten de orde stellen,

(c) snel recht doen met betrekking tot iedere weerspanning, waarbij een passende straf kan worden opgelegd met inbegrip van het uitsluiten van een verdachte of zijn raadslieden van eenige of alle verdere zittingen, maar zonder dat inbreuk wordt gemaakt op het beslissen omtrent de beschuldigingen.

Artikel 19.

De Rechtbank zal niet gebonden zijn aan technische regelen inzake bewijs. Zij zal in de grootst mogelijke mate een snelle en niet-technische procedure aanvaarden en toepassen en zal ieder bewijs toelaten, waarvan zij oordeelt, dat het bewijswaarde heeft.

Artikel 20.

De Rechtbank kan inlichtingen vragen omtrent den aard van ieder bewijs, voordat dit wordt aangeboden, zoodat zij kan beslissen omtrent de vraag of het ter zake dienende is.

Artikel 21.

De Rechtbank zal geen bewijs vragen van feiten, die algemeen bekend zijn, maar zal daarvan van rechtswege kennis nemen. Zij zal eveneens van rechtswege kennis nemen van officiële regeringsstukken en rapporten van de Vereenigde Naties, met inbegrip van de akten en stukken van de comité's, die in de verschillende Geallieerde landen zijn ingesteld voor het onderzoek van oorlogsmisdrijven, evenals de processen-verbaal en uitspraken van militaire of andere Rechtbanken van een van de Vereenigde Naties.

Artikel 22.

De permanente zetel van de Rechtbank zal zijn te Berlijn. De eerste bijeenkomsten van de leden van de Rechtbank en van de Hoofdaanklagers zullen gehouden worden te Berlijn op een plaats, die door den Raad van Toezicht voor Duitschland zal

worden aangewezen. Het eerste proces zal gehouden worden te Neurenberg en alle volgende processen zullen worden gehouden in zoodanige plaatsen als de Rechtbank zal beslissen.

Artikel 23.

Een of meer van de Hoofdaanklagers kunnen deelnemen aan de vervolging in iedere terechtzitting. De functie van een Hoofdaanklager kan door hem persoonlijk worden vervuld, of door een persoon of personen, die daartoe door hem gemachtigd zijn.

De functie van raadman voor een verdachte kan op verzoek van den verdachte worden vervuld door een raadman, die beroepsinhive bevoegd is voor den rechter van zijn eigen land te pleiten, of door eenig ander persoon, die daartoe door de Rechtbank in het bijzonder kan worden gemachtigd.

Artikel 24.

De procedure tijdens de terechtzitting zal zijn als volgt:

- (a) De telastelegging zal ter terechtzitting worden voorgelezen.
- (b) De Rechtbank zal iederen verdachte vragen, of hij zich „schuldig“ of „niet schuldig“ acht.
- (c) Het Openbaar Ministerie zal een inleidende verklaring afleggen.
- (d) De Rechtbank zal aan het Openbaar Ministerie en aan de verdediging vragen, welk bewijs zij eventueel aan de Rechtbank wenschen aan te bieden, en de Rechtbank zal beslissen omtrent de toelaatbaarheid van zoodanig bewijs.
- (e) De getuigen, die door het Openbaar Ministerie zijn opgeroepen, zullen worden verhoord en daarna de getuigen van de verdediging. Vervolgens zal hetzij door het Openbaar Ministerie, hetzij door de verdediging zoodanig tegenbewijs worden aangebracht als de Rechtbank toelaatbaar acht.
- (f) De Rechtbank kan te allen tijde aan iederen getuige en aan iederen verdachte iedere vraag stellen.
- (g) Het Openbaar Ministerie en de verdediging zullen iederen getuige en iederen verdachte, die getuigenverklaringen aflegt, ondervragen, en hem aan een kruisverhoor kunnen onderwerpen.
- (h) De verdediging zal ter terechtzitting het woord voeren.
- (i) Het Openbaar Ministerie zal ter terechtzitting het woord voeren.
- (j) Iedere verdachte kan een verklaring afleggen tegenover de Rechtbank.
- (k) De Rechtbank zal een oordeel uitspreken en een vonnis vellen.

Artikel 25.

Alle officiële stukken zullen worden overgelegd en de geheele procesvoering zal worden gehouden in het Engelsch, Fransch en Russisch, almede in de taal van den verdachte. Het proces-verbaal zal in de taal van het land, waar de Rechtbank zitting heeft, worden vertaald voor zoover als de Rechtbank dit in het belang van het recht en de openbare meening wenschelijk acht.

VI. Oordeel en vonnis.

Artikel 26.

Het oordeel van de Rechtbank betreffende de schuld of de onschuld van een verdachte zal de redenen angeven, waarop het is gegrond; het zal definitief zijn en niet vatbaar voor herziening.

Artikel 27.

De Rechtbank zal het recht hebben een verdachte, wanneer deze schuldig wordt bevonden, de doodstraf of een zoodanige andere straf op te leggen als zij zal beslissen, dat rechtvaardig is.

Artikel 28.

Boven iedere straf, die door de Rechtbank wordt opgelegd, zal de Rechtbank het recht hebben aan den schuldig bevonden persoon gestolen goederen te ontnemen, en te bevelen, dat deze goederen worden afgeleverd aan den Raad van Toezicht voor Duitschland.

Artikel 29.

Ingeval van schuld zullen de vonnissen worden ten uitvoer gelegd overeenkomstig de bevelen van den Raad van Toezicht voor Duitschland, die te allen tijde de vonnissen kan verzoeken of anderszins wijzigen, maar die niet de gestrengheid daarvan kan vermeerderen. Indien de Raad van Toezicht voor Duitschland, nadat een verdachte schuldig is bevonden en een vonnis over hem is uitgesproken, nieuw bewijs ontdekt, waarop naar zijn oordeel een nieuwe beschuldiging tegen hem zou kunnen worden gegrond, zal de Raad dienovereenkomstig rapporteren aan het Comité, dat ingesteld is krachtens art. 14 van dit Handvest, opdat dit Comité zoo zal optreden als het, in aanmerking genomen de belangen van het recht, gewenscht zal oordeelen.

VII. Kosten.

Artikel 30.

De kosten van de Rechtbank en van de processen zullen door de Onderteekeenaars worden geboekt op rekening van de fondsen, bestemd voor het in stand houden van den Raad van Toezicht voor Duitschland.

OVERZICHT VAN DE TOETREDINGEN.

Australië	13 October 1945
België	5 October 1945
Denemarken	10 September 1945
Ethiopië	9 October 1945
Griekenland	10 September 1945
Haïti	3 November 1945
Honduras	17 October 1945
Luxemburg	1 November 1945
Noorwegen	20 October 1945
Panama	17 October 1945
Polen	1 October 1945
Tsjechoslowakije	12 September 1945
Zwitserland	29 September 1945

STAATSBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN.

(No. G 6)

Niet verschenen.

Amsterdam, 1 Maart 1947.

De Minister van Justitie,
J. H. VAN MAARSEVEEN.

Staatsblad 1946.