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Feb 24th 2011, 16:17 by T.J. | TIRANA

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1 Mi piace

KOSOVO marked the [third anniversary](#) of its independence on February 17th in sombre mood. Only last July the country's leaders were riding high last year in the wake of an [advisory opinion](#) by the International Court of Justice that its declaration of independence had not been illegal. Now their reputations are in tatters.

First came allegations of fraud in last December's [elections](#), which angered its strongest supporter, the United States. Soon afterwards, a report produced by Dick Marty, a Swiss politician and former prosecutor, made [lurid claims](#) about the involvement of Kosovo's leadership in organised crime. In the last few days two new [documents](#) [PDF: download site] have come to light that appear to bolster the most nightmarish of those allegations.

First, a disclaimer. In Balkan politics, the dictum, "if you are not with us, you are against us" usually applies. Some readers have attacked this blog simply for reporting on the Marty affair. As a fog of confusion, claims and counter-claims swirls over the allegations laid against Kosovo's leaders, we lay out here what is already known about the issue, and what is new.

**The allegations**

Last December, Mr Marty delivered a [report](#) to the Council of Europe that alleged that Hashim Thaçi, who has just begun a [second term](#) as Kosovo's prime minister, was close to people who, after the 1999 Kosovo war, had kidnapped some 500 Serbs, Albanians and others, all of whom were eventually killed. Some of them, the report claimed, were murdered so that their organs could be harvested and sold. Mr Thaçi has vigorously denied the claims.

Mr Marty's allegations were not new. Their first public outing was in a 2008 [book](#) by Carla Del Ponte, the former prosecutor of the UN war crimes tribunal for the former Yugoslavia in The Hague ([ICTY](#)), and Chuck Sudetic, a former ICTY analyst.

Now, however, documents have been leaked to the Serbian press that appear to strengthen Mr Marty's claims. They contain transcripts of original interviews with witnesses gathered by a key source known to me and handed over confidentially in 2003 to the then UN administration in Kosovo ([UNMIK](#)). The witnesses in the documents are quoted as saying they believed kidnapped Serbs and others had been killed for their organs.

At the time there was no corroboration for these claims. But they did inspire UNMIK investigators and a team from the ICTY to visit, in February 2004, the now-infamous "yellow house" in rural north Albania, near the town of Burrel, where the witnesses said the killings had taken place.

A [forensic report](#) [PDF: download site] produced by UNMIK says that the team found traces of blood at the yellow house, but that these did not constitute "conclusive evidence" of criminal acts. Neither ICTY nor UNMIK undertook a search for bodies, and no full criminal investigation was ever undertaken. Yet the traces, as well as medical paraphernalia found outside the house, could have been considered to be corroborative physical evidence of the claims made in the witness statements we now know about.

Why did UNMIK shelve the case? Political expediency, basically. It had to work with the men implicated by the witnesses on a daily basis. The implications of what a criminal investigation might uncover horrified those in the UN charged with building a modern and stable administration in the post-

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war territory.

As for the ICTY, its prosecutors concluded that, even if crimes had been committed, they were beyond their jurisdiction because the had taken place after the Kosovo war had ended. Several years later, in a [mysterious and embarrassing move](#) for which it has never been properly taken to task, the ICTY destroyed the physical evidence collected at the yellow house. Had it been kept it might have yielded the DNA samples critical for a full criminal investigation.

As Mr Sudetic notes, because neither UNMIK nor the ICTY pursued the case, they were able to claim that they had no evidence to support the allegations. This was not, however, the case for Mr Marty, who conducted a much more thorough investigation. Albanians and others say that Mr Marty was opposed to Kosovo's declaration of independence, and claim his report is part of a campaign to smear the new state.

Mr Marty has also been attacked for not revealing details about his sources. He says their lives would be in danger if their identities were known. How convenient, retort the sceptics.

### The new evidence

But the new documents will dismay Mr Marty's critics. They make for sickening reading about what happened in Albania after the war (although it is important to acknowledge that the claims they contain have never been tested by a proper criminal investigation). They also include details of the witnesses' identities, although not their names.

The first document is dated October 30th 2003. It is an internal ICTY text containing an annex with the witness statements gathered by the external source that had been sent to it by UNMIK. The second, dated December 12th 2003, is from the director of UNMIK's department of justice.

A summary of the witness statements in the first document states that between June and October 1999, 100-300 people, mostly Serb men, were abducted and taken to Albania. Between 24 and 100 of them were then taken to secondary detention centres, from where they were moved again to a "makeshift clinic" where "medical equipment and personnel were used to extract body organs from the captives, who then died." The organs were then taken to Tirana airport and flown to Turkey and other destinations.

The document states that the witnesses were all ethnic Albanians who had served in the Kosovo Liberation Army (KLA). Four of them had been involved in the transport of at least 90 Serbs to central and northern Albania. Three of them delivered captives to the "house/clinic" near Burrel (the yellow house), the document states, two of them said they had helped dispose of human remains near the house, and one said he delivered body parts to Tirana airport.

The document also notes that none of the sources claimed to have witnessed the medical procedures. But they all claim that the operations and the transport of body parts took place with at least the knowledge, and in some cases the active involvement, of mid- to senior-level KLA officers.

At one point, the document quotes the sources as saying that: "The operation was supported by men with links to Albanian secret police operatives of the former government of Salih Berisha." Mr Berisha is, again, Albania's prime minister today.

### The names

Significantly, the new documents do not mention Mr Taçi's name. But they mention Ramush Haradinaj and his brother Daut. Mr Haradinaj is a former KLA commander and prime minister of Kosovo. In 2008 he was [acquitted](#) of war crimes by the ICTY, but he is now being retried on some counts after the prosecution successfully alleged [witness intimidation](#).

Mr Haradinaj is a political foe of Mr Taçi. The details revealed in the new documents might cheer the prime minister, as they appear to shift responsibility from his shoulders to Mr Haradinaj's.

But as the evidence they contain was not used in Mr Haradinaj's original war-crimes trial, it seems likely that prosecutors felt they were unable to stand up the claims. Moreover, Mr Haradinaj's name does not appear in Mr Marty's report. The situation remains murky.

The EU's police and justice mission in Kosovo, EULEX, is to investigate Mr Marty's claims, which go far beyond those of organ trafficking. But the new

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documents are unlikely to help in the search for justice. One well-placed source says that the hunt is already on in Kosovo to identify the witnesses.

After the leaks, anyone with knowledge of these events is unlikely to testify unless they receive guarantees of protection for years to come, including new identities and relocation abroad. That is a tragedy.

Everyone needs to know, once and for all, where the truth lies in this story, not least the families of the disappeared, as well as Kosovars whose leaders are now increasingly isolated internationally—in part thanks to these allegations.



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**prestwick-uk** wrote: Feb 24th 2011 5:19 GMT  
 Before we hear the hysterical cries of anger and outrage from those in the region lets just remind them that we have this thing called "freedom of speech" where publications can do this little known thing called "speaking ones mind"? Not sure if you've all heard of that.

In the UK there is no such thing as "with us or against us" and the idea is absolutely absurd. Grow up and get over it if someone doesn't agree with you.

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**Automatically Generated** wrote: Feb 24th 2011 5:35 GMT  
 Wow Tim, not even a note on how Dick Marty said that 'organ extraction' didn't happen at the 'Yellow House' but at another house (4-5 hours away and full of refugees and Red Cross workers). So these 8 'reliable witnesses' lied through their teeth, and then totally disappeared. I hope the invested the Serbian BIA money wisely though. Dick Marty's 'witnesses' are supersecret too, they supposedly trusted someone that came to Kosova one day and was

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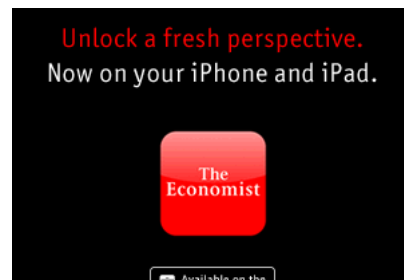
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followed by 4 huge SUVs but didn't trust EULEX. Regarding Thaci vs Haradinaj and why they are mentioned: When Serbia decided to invent this Haradinaj was the man, now with Dick Marty, Thaci was it, so he needed to be linked to this. But Serbs have accused the CIA, Kouchner, UNMIK and everyone else of participating in this.

Very lame post, I have to say, but it will get pageviews. And please stop deleting comments you don't agree with.

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**Automatically Generated** wrote: Feb 24th 2011 5:44 GMT  
"Yet the traces, as well as medical paraphernalia found outside the house, could have been considered to be corroborative physical evidence of the claims made in the witness statements we now know about."

Hahaha. The found a couple of retail size valium like medication, some pill wrapper, gauze and syringes. Last year Paul Lewis went there and asked about the syringes, the kids went in a room and came up with 4-5 other ones. Almost every farm in Albanian has them, along with meds that you can buy without a prescription.

Tim, why didn't you go to the 'Yellow house,' see how far it is from other houses and how close it is to Tirana? Go Tim, they probably build a road to the that area now, before there was no road. Once there, ask yourself questions, maybe take a surgeon with you and see if it's doable in that house, that far away and that close (100 or so yards) from other houses.

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**LaContra** wrote: Feb 24th 2011 6:52 GMT  
So here is what we actually need to know about Kosovo:

That Kosovo never was and never will be a viable independent State.

That the West unravelled 40 years of international norms (in promoting constitutional protections within an existing federal State rather than recognising sovereignty claims of separatist and splittists) by agreeing to encourage Kosovan independence based on ethic or religious affiliation.

That the KLA were always terrorists and always the intransigent obstacle to peace and thus became intrinsic to the exit strategy of the West if NATO were to disentangle itself. So in the interests of political expediency the KLA were included as partners in the peace.

That the West in its rush to recognise Kosovo opened a Pandoras's Box of troubles from Transnistria to Abkhazia and from Catalonia and Kurdistan to Somaliland.

That this basketcase of a so-called State will remain a suckhole on EU finances and a festering wound in the Balkans for generations to come.

....That it may or may not be run by murderers, illegal organ traders, war criminals, or organised crime is the least of the problems.

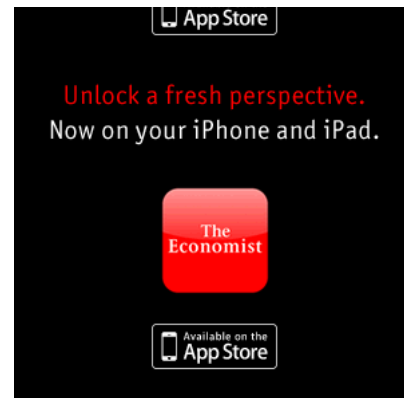
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**pgriffin** wrote: Feb 24th 2011 8:10 GMT  
Yes, yes, Fatos Nano and Salih Berisha and Hashim Thaci, Xhavit Haliti and Agim Ceku and a network of dozens of KLA and Albanian high level officers, soldiers, politicians were all complicit in trading organs in 1999. Few quick bucks. NATO and EU and UN all knew about it, but kept silent because they feared Albanian mafia. I mean, this is in a nutshell, Dick Marty's report. Now, I'm sure one will be able to find enough insinuations and secondary evidence or, so-called "mud" on anyone who was anything in 1999. Djindjic cooperating with mobsters to overthrow Milosevic, Djukanovic, well... Djukanovic. However, that doesn't mean it's open season on Kosovo politicians.

From what I see now, after one layer of UN courts, and another layer of local courts and a third layer of EU courts, and hundreds of millions of dollars spent on trying to build a credible justice system, Mr. Marty is asking for a fourth layer of "independent prosecutors" to spend some more dough on trying to somehow balance what is not to be balanced.



For there is only one truth in Balkans: certain people went berserk with nationalism and racist, klerofascism. They brought havoc and misery and genocide upon Bosniaks, Croats and Kosovan Albanians. This is well recorded, well documented and a truth beyond dispute, as we know from Hague Tribunal proceedings. Any version or report on the events of that time that doesn't have this fundamental truth as an underlying premise, may inadvertently support revisionist, seseljst version of history, and thus hamper any real hopes to establish what really happened in Balkans and true reconciliation. I don't think Council of Europe wrote reports in 1955 on the atrocities of Allied commanders in quite the same language or lack of referential framework, barely mentioning Holocaust or Hitler, as mr. Marty did with his "organ harvesting" report.

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**David Duluth** wrote: Feb 25th 2011 3:30 GMT  
I don't understand how this can go on for so long. Even as early as the 1980s (See even a plethora of NYT articles), there were issues with the concerted efforts of ethnic Albanians running an ethnic cleansing campaign in Kosovo. They organized rapes, poisoning wells of Serbian farmers, killings and assaults-- all documented. That was the original springboard if you recall for Milosevic...screaming at the Serbs that no one will hurt you anymore!

And now 30 years later when they accomplish their goals and through corruption of slight of hand, try to create a country- we start seeing the light shone on this mafia state? (BTW - look up mafia state and Kosovo anywhere within BBC reports- comes up alot!)

Come on these guys are criminals, that is uncomfortable for the U.S. to fit into their Foreign Policy painting of a disney movie -'a new state coming to life', when it is a nightmare not a fairytale. Ridiculous.

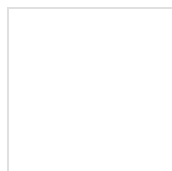
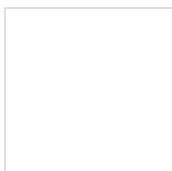
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