## INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

### WITNESS INFORMATION

Mother's name: Theodora

Gender: Male

Last Name: PAPPAS

First Name: Achilleas

Nickname /Alias: None

Father's name: Chrisostomos

Date of Birth: 11.12.1968

Place of Birth: Ioannina, Greece

Ethnic Origin: Greek Religion: Greek Orthodox

Current Occupation: Captain in the Greek Air Force

Language(s) Spoken: Greek, English, French

Language(s) Written: Greek, English, French

Dates of Interview: Friday  $4^{th}$  of May 2007, Sunday  $6^{th}$  of May 2007, Monday  $7^{th}$  of May 2007

Places of Interview: Office of the Prosecutor, Room 483 (Friday 4<sup>th</sup> May, Monday 7<sup>th</sup> May 2007), Room 326 (Sunday 6<sup>th</sup> May 2007), Room 425 (Tuesday 8<sup>th</sup> of May 2007)

Interviewer: Gramsci Di Fazio

Interpreter: None

Language Used in Interview: English

Names of all persons present during interviews: Gramsci Di Fazio, Thomas Obruca, William Byrne on Friday 4<sup>th</sup> of May 2007 and Gramsci Di Fazio, Shahzada Sultan on Sunday, Monday and Tuesday the 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> of May 2007

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#### Witness Statement

- 1. I provide this statement to the International Criminal Tribunal for the Former Yugoslavia (ICTY). I have not been threatened or forced to come here, nor have I been offered any promises or incentives to do so.
- 2. I have agreed to provide a written signed statement.
- 3. I was born in the city of Ioannina, Northwest Greece in 1968. After graduation from the Lyceum I joined the Air Force Academy in 1989, where I graduated in 1993 with the rank of 2<sup>nd</sup> Lieutenant. I took up the position of a meteorologist and I worked in the national metrological centre in Athens until January 1998.
- 4. At the end of January 1998 I started my deployment with the ECMM (European Commission Monitoring Mission) in Bosnia & Herzegovina. I was posted first to Visoko, which is a town just outside of Sarajevo. After around 2 months I became the Team Leader of the Team Visoko. The main tasks of our deployment were monitoring and meeting with local authorities and reporting on a number of issues such as political matters, economics, refugees, displaced persons, religious matters, and military matters.
- 5. That involved a wide variety of tasks. For example, we studied media coverage of events in the area, we would meet people and sometimes their local representatives to see if they had any problems, visit areas where refugees were concentrated and try to ascertain specific problems applying to those refugees and we reported on the standard of medical care. We also monitored the use of funds by humanitarian organisations and in particular we monitored the use of funding from the European Union. We would receive notification from our headquarters in Brussels to focus upon certain issues at particular times. During this time I also was posted for about 1 month in the ECMM HQ in Sarajevo, being responsible for the "A-Desk", which dealt with humanitarian and economic issues for Albania, Serbia & Montenegro and FYROM.
- 6. Because of the political development in Kosovo I was deployed to ECMM Team 1 in Peć around 16 or 17 July 1998. I can say this by reference to a notation in my diplomatic passport which I received on 15 July 1998 (attached and Marked as Annex A to this statement, is the extract showing this date). We were formally placed under the authority of our Embassies; however, we were still working for the European Union. I joined Team Peć I in mid July 1998. At this point of time the team consisted only of two international monitors, namely Wolfgang Kaufmann, a retired German Air Force officer, who was the Team Leader and myself. In other words, Kaufmann and myself made up Team Peć I. Our station was located in Peć at the Hotel Dypon which was close to a disused railway station. In addition there were also 2 interpreters with our team, namely were an Albanian by the name of Kastriot, and a Serbian

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interpreter by the name of Jovana Bojić. Kaufmann was responsible for the selection of these interpreters.

- 7. Our main tasks at this point of time were primarily to monitor the situation in the area in regard to Serb troop movements and the general development of the conflict, to meet with local representatives of the area, such as politicians, mayors, party leaders and religious leaders as well as with civilians, both of Serb and Albanian ethnicity. To receive information about KLA and their activities, for example, we talked to everyone we were able to identify as a member of KLA, as well as to the population in the different villages. At the beginning of my period of time in Kosovo, there was no obvious KLA presence. During our travel and monitoring activities, we often saw armed Albanians in civilian clothes and we asked them if they were members of the KLA, but they just said that they were armed and defending themselves against the Serbs. We were trying to establish contact with the KLA in order to find out about the structure and operations of the KLA. In order to do so, we would stop in villages and speak with the local Albanians and ask questions about the KLA, but they were not forthcoming in providing information and would sometimes identify a particular individual, in a casual manner, as being a member of the KLA. We were never sure if that was accurate or not. We were unable to establish contact with Serb military commanders nor did we gain access to Serb military areas, and throughout my time there I was never able to meet with military personnel, despite repeated attempts by Kaufmann to contact and meet such Serbian military commanders.
- 8. Also working alongside our team was Team Peć II, which consisted of 2 international monitors: Lars Larsen from Denmark and a French colleague, whose name I don't recall. Both teams divided up the area of responsibility so that Team Peć II was responsible for the area north of Peć, whereas Team Peć I (my team) covered the area towards the South. These divisions were decided upon with the teams and were informal divisions. The whole area of responsibility of Team Peć I and II was as follows: the southern border was the southernmost point of the municipality of Djakovica, the northern border was with Montenegro, the western border with Albania. To the east it was the municipality of Klina. For our patrols we used a white armoured Land Rover with big letters indicating our status as monitors, both in Albanian and Serbian script. The Land Rover that Team I used was an ECMM vehicle from Bosnia but on arrival in Serbia it was made a diplomatic car attached to the Greek Embassy. The same happened with the other vehicle we used, but I don't recall which country the other vehicle was attached to. The vehicle I used bore a small Greek flag, as well as large European Union stickers.
- 9. When I arrived in Kosovo around 16 or 17 July 1998 there were a lot of clashes between Serbs and KLA, but only in rural areas. In the main cities (such as Peć or Djakovica) the situation was quite calm, except during the nights, when you could hear sporadic gunshots and the detonations of hand grenades. We found a lot of abandoned villages or groups of houses, which were looted and most of them also burnt down. I would describe the situation as follows: the Serbs controlled all the major towns and the main roads connecting these towns, including Peć, Dećane, Djakovica, Klina and Mitrovica. My work required me to travel from Peć along the road to

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Djakovica. I sometimes travelled as far as Djakovica, but more often I travelled past Decane along the road to the area approximately midway between Decane and Djakovica. There were Serb checkpoints at approximately 5km intervals. The Serbs often warned us against travelling any further and informed us that they could not guarantee our safety. We were never stopped by KLA checkpoints on this main road. We saw Serb military and Serb police vehicles using this road from time to time. The same situation applied to the main Peć-Priština road on which we also travelled in respect of the Serb checkpoints and Serb traffic. I did not travel to Klina, but I can't comment about whether my colleagues in Team Peć 1 or Team Peć 2, did or did not.

- 10. We also travelled away from the main roads in order to speak to villagers and try to make contact with the KLA. Almost every day, we drove off the main Peć-Djakovica road and visited Albanian villages located both to the east and west of the main road. This continued between the time of my arrival and 11 August 1998 when I was abducted along with my colleagues. Places we visited included Rznić, Donje Ratis, Babaloć, Ljubarda, Glodjane, Dećane, Kruševac, Junik, Loćane and the rural area west of Dećane where the monastery was located. We never encountered Serb checkpoints once we left the main Peć-Djakovica road. It was surprising for me to see how quickly we encountered KLA checkpoints once we had left the main road, often within 50 to 100 metres. Such checkpoints were often located at junctions. I recognised these checkpoints as KLA checkpoints because some of the men who manned them wore military uniforms and had KLA insignia.
- 11. When I first arrived and started working in the area, we travelled southwards from Peć on the main Peć-Djakovica road. We travelled inland but did not encounter KLA checkpoints. This area, however, was in the area south of Peć, but before Dećane about half way down the road. We did sometimes encounter checkpoints manned by young men, and when we asked if they were KLA, or if they knew where the KLA was, they did not offer concrete information. They did not have KLA uniforms. The same situation applied to the main Peć-Priština road. In other words, when we left the main road, there was an absence of KLA checkpoints. However, as one went further south, beyond Dećane on the Peć-Djakovica road, and particularly eastwards of that road, KLA checkpoints could be found.
- 12. The Albanians were therefore operating in the rural areas, away from the main roads. The KLA was occupying big areas and villages, but didn't allow the local population to leave these areas and villages. I spoke several times to villagers asking them why they are not leaving these places. Their answers were always the same, namely that they were not allowed by KLA, otherwise they would be killed. Shelling and firing happened sporadically, but not every day. The Serbs were operating in order to keep away KLA from main roads and the main towns, but on the other side they didn't try to enter and occupy villages in the rural area. I knew this from what villagers told me and I heard from the villagers that the Serbs used loudspeakers and leaflets (although I never saw any leaflets) to encourage the villagers to leave their villages. They informed the villagers of escape routes, for example to the north of the village. I heard about this type of Serb tactic 4 or 5 times in the first month I was there.

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My impression of this Serb tactic was that it was designed to inspire fear in the local Albanian populations but not to take over the villages.

- 13. During my time there, the Albanian population considered the KLA to be heroes. We were informed of this during our visits to the villages. During our visits to Albanian villages, we would be invited into homes and would discuss the local situation. They would inform us that the KLA were fighting for them, but when we asked them what would happen if they did not support the KLA they told us that they might get into trouble. We never heard such sentiments when we were talking to a crowd in a village, but we did hear such sentiments in private homes. We constantly asked about the identity of KLA leaders or commanders but were given no information.
- 14. During the time I was in Kosovo, I heard about killings by each party to the conflict. Serbs and Albanians accused each other of killing their own people. I remember an incident at the beginning of August 1998 when I saw the dead body of an Albanian man lying next to the street, at the entrance of a village. I don't recall the name of the village, but I do recall that it was south of the Peć-Priština road and that there were strange, utterly deserted villages. The body was found during our patrol of the area and was already decayed and mutilated by animals. The village itself was abandoned and it seemed that the villagers as well as the KLA had retreated from there (although I should point out that this was an area where we did not see armed, uniformed KLA soldiers with KLA insignia, manning checkpoints). On the same day, I recall, we drove down a small road towards a village (also in the same area where the body was found) and suddenly saw a Serb tank on the road with its gun barrel pointed towards us. We approached slowly and were given permission to continue in to the village and in the village we saw Serb soldiers looting houses and burning them. Surprisingly, they did not seem anxious that we were there. This was the first and only time that I saw Serbian forces away from the main roads during my time in this posting.
- 15. When I arrived in the Dukagjini zone I wasn't aware about any structure or command of the KLA. In fact, that was one of the main things that we wanted to find out and we had not been briefed on the groups operating in the areas. We only noticed some small groups of KLA in the villages during our patrols, but there were never more than 50 KLA members at one place together. This would occur when we left the main Peć-Djakovica road south of Dećane and travelled inland eastwards. We would see 5 or so KLA men manning the checkpoints, but never more than that. However, once we got into the villages we often saw armed men, some of whom were in KLA uniform and they would gather to speak to us. I stress, however, that this occurred in calm situations, where normal village life was happening.
- 16. The first time when I heard something about the organisation and structure of KLA was in middle of August 1998, after our team was kidnapped by members of the KLA and to which I will refer later on in more detail. It was somewhere near the village of Brolić, when we were introduced to an Albanian, about 50 years of age, who was a General of the KLA. He told us that he was a member of the JNA for 20 years. He said that he was the commander of about 70 per cent of KLA and that he is one of several

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commanders in Kosovo. During this discussion he also mentioned that there is only one person, who is able to give a general command or call to all of them and his nickname was "Commander Çeliku". We tried to get more out of him in this regard, though he didn't give us more details. I didn't know this Commander at this point of time by name; he was only introduced by his nickname "Toni". I remember that during this conversation he also told us that there are several extremist groups within the KLA in the area, which are out of control. He said that they are necessary now for fighting the war, but once the war was over they would have to be killed in order to stop them from continuing fighting.

- 17. I have been shown a report from ECMM Team Peć I&II, dated 11 August 1998, bearing the number R025-5254-R025-5256 and I can confirm that this is a daily report from our team, mentioning the abduction. The report was drafted by our Team Leader Kaufmann. I also drafted a personal report to the Greek Embassy in Belgrade and Sarajevo about this incident, which was more detailed than this daily report.
- 18. I obtained my first impression about the real involvement of the KLA into killings when I heard about the finding of a mass grave in the area of Donje Ratiš, next to the concrete channel. I had never been to Lake Radonjić before. Glodjane was the closest I had been to the lake. It was on the 17<sup>th</sup> of September 1998, when I visited the Court in Peć and met the President of the Court, Mr. Zivojin Cvejić, and the Prosecutor Rade Gojković (I obtained the date of the visit by reference to another report I made to my Greek Embassy on October 5<sup>th</sup> which is the date I wrote the report. They were very friendly and after a small chat they mentioned the mass grave site found near the village of Donje Ratiš, which is only 1,5 km away from the village of Glodjane. This mass grave was discovered by the Serb Police few days after the successful attack by Serb forces and the KLA was pushed back from this territory. So I went with the Serb interpreter Jovana Bojić to meet with Prosecutors to speak about matters such as prisoners and mistreatment of Albanians and it was the Prosecutors who raised the matter of the bodies at the lake. The Prosecutors invited us to visit the area where these bodies were found, as well as the morgue in Djakovica, the following day. I needed to speak to Kaufmann first before making any decision about such a visit. The morgue was installed in the basement of a Hotel, which was located in the centre of the town. I visited the crime scene and the morgue the following day the 18<sup>th</sup> of September 1998.
- 19. The next day I visited the morgue together with Kaufmann. We went to the morgue first and then later to the scene at Lake Radonjić. At the morgue, we saw the remains of 24 bodies; however we were told that in the surrounding area of the mass grave site they found additional parts of human bodies, such as hands and feet, which led to the conclusion that there were more victims than these 24 bodies in the morgue. We were introduced to a pathologist by the name of Branimir Aleksandrić. The causes of death of those people were classified in three categories, according to Aleksandrić. The first was execution by machine guns; the second was strangulation with ropes, cables and barbed wires, the third was due to the fall from great elevation. He informed us that most of the second was were tortured before they died. This was

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established by the fact that they have found ropes, barbed wire and cables around their necks and bodies of almost all the victims. As demonstration he showed us a piece of scalp where you still could see the barbed wire attached to the hair. That demonstration occurred in the morgue. Also at the morgue the pathologist showed us a video tape of the crew collecting the bodies. This was apparently recorded during the exhumation. It was a crew consisting of doctors and nurses that were escorted by Serb Police Officers. It was only a brief part that we saw as Kaufmann said we didn't have much time. The video was shown to us upstairs in the hotel where the morgue was located.

- 20. We then all drove off to the Lake. Kaufmann, the Serbian interpreter Jovana Bojić and myself went to the Lake in our own vehicle, and there was a team of policemen in an armoured vehicle accompanying us. Aleksandrić stayed at the morgue and I think, but I'm not sure, that Gojković also came with us. Cvejić came with us.
- 21. At the area where the bodies were found, there was a small canal made of concrete around 3 metres in depth, which ended at this point into a natural canal or creek, which was around 25 metres deeper. It looked like a small waterfall. This creek ends up at Lake Radonjić. On the channel walls one could clearly see the marks of bullets, which obviously killed these people. I say that because of common sense and what I was told but I of course did not conduct any forensic examination. The pathologist informed us that during the first days of exhumation at this site they had found 19 bodies in front of the wall outside of the channel. He also informed us that some of them were buried and the rest were lying on the surface, and that another 5 bodies were found in the natural creek. He informed us that because of the weather conditions during the first days of exhumation, heavy rain, they couldn't search the whole surrounding area further down the creek. Further the pathologist estimated that the time of the killing of these victims was one to one and a half months before. This was based on the level of putrefaction of the bodies.
- 22. When I was visiting the mass grave site for the first time, which was on the 18 September 1998, I didn't personally witness any exhumation. All the remains of the victims I saw, were at the morgue in Djakovica. When I was at the morgue I counted 24 body bags containing the remains of victims. I got that detail from the report I wrote on 5th of October 1998. I saw one skull and some more backbone remains. The decayed bodies I was able to see were in an advanced stage of putrefaction, which clearly showed me the fact that they had been lying there at the site for a longer period of time. I say that from common sense, but of course I am no forensic expert on the appearance of decayed bodies nor can I comment with any authority on how long a body has been decaying. I was further informed that the victims were of Serb and Albanian ethnicity, both male and female gender. Based on the information we received from the doctors this was established through remains of clothing and through information obtained from relatives of the missing persons. A few days later, around 26 September 1998, we read in an Albanian newspaper that the total number of recovered bodies were thirty six. That information came from Kastriot who read the Albanian newspapers. Thirty (30) of them were Albanians and six of them were Serbs, all identified, according to the

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information obtained by Kastriot from the newspapers. I make absolutely clear that I did not see a single body or human remain during my visit to Lake Radonjić and the canal area.

- 23. There was no doubt that the mass grave was directly linked to the KLA presence in this area. I point out however that that is my opinion, and the opinion of Team Peć 1. My opinion is based on the following considerations. The mass grave was located in an area which was controlled by the KLA until they had to retreat due to the Serb attack at the end of August - beginning of September 1998. Based on the level of the putrefaction of the bodies it was clear that they were killed some time before they were found, which indicates that the killing happened during the time the KLA controlled this area. There was no single Serb presence in this area until the Serbian attack. The KLAcontrolled area started east of the main Peć - Djakovica road. I said before the main road was controlled by the Serbs, however a few meters away towards the east the KLA-dominated area started. It went far beyond Lake Radonjić. In fact the KLA-controlled area until this time was framed by the main roads. Firstly by the main road connecting Peć with Djakovica, secondly by the main road connecting Peć with Priština. Everything inside of it was KLA held area. The same situation remained after the Serb offensive in September 1998, when the HQ in Glodjane was destroyed. The only difference was that their territory was pushed further back from the Peć - Djakovica road. Even when we went to Lake Radonjić we needed a heavy police escort.
- 24. After the discovery of the mass grave site the Serb Police started to explore the surrounding area. I was informed of this by Cvejić. At a distance of about 500 metres they found an empty stable used for cattle. It looked as if it was part of a farm and there were a few other smaller buildings in the immediate vicinity. Inside this stable they found evidence showing that persons were detained there, chained with cables on iron bars that were part of the feeding pens. I visited the scene together with Kaufmann and Serbian Police escort. I personally could see the remaining cables, which were still hanging from the iron bars. I remember that one of the cables had head hairs on it, which to me appeared to be human hair. This was not pointed out to me by any of the Serbs accompanying me rather I saw it independently. I recall that I was looking at the cable loops to see if they fitted a human wrist or ankle and they did. It was while I did that that I saw what I believed was human hair. Team Peć 1 assumed that the persons detained there were most probably the victims who were found at the mass grave site in Donje Ratiš. A body was also found outside the stable in a small ditch with barbed wire around his neck; however I was not present when this body was found. I stress that I saw no body or human remains at this farm area.
- 25. Right next to the stable there was a kind of training compound. This was an open area, grassed, and had fences or borders like hedges. It seemed that the area was used for shooting and other training, as there were some shooting targets still visible. The targets had the classic round circles on a white background and had bullet holes in them. There were also other fixtures that may have been part of a military obstacle course for training. When we reached this stable we came from Donje Ratiš heading towards the East. We

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arrived at this stable area after our visit to the canal area and we got to the stable area by vehicle.

- 26. My impressions about the KLA during my time in western Kosovo were three fold. There were many armed Albanian men I saw during my time in western Kosovo. They can be described in the following way. Firstly, there was a type who was disciplined and well equipped and who seemed to have a military background. Secondly there was a type who seemed to be persons who just had received a gun to fight. They had no discipline and were not organised. Thirdly there was a group that I would describe as the extremists; here I refer only to that group that abducted us. They acted separately within a certain area, which they had totally under their control. They had their leader, whom they were following in an obedient manner, without questioning his person or orders. By saying this I refer to the person of Ramush HARADINAJ. Before HARADINAJ appeared the other soldiers were rude and behaving in a bad way. Once he appeared they started to calm down and behaved in a more normal way. I point out however that I only saw Ramush HARADINAJ issue an order twice. The first order was given when he was searching the car and the group of soldiers including the woman arrived and saluted him. On that occasion he said something in Albanian and they immediately drove off in the direction of the shelling. The second time was when he ordered the three black uniformed men who had abducted us, including Idriz Balai, to escort us away.
- 27. I would describe Ramush HARADINAJ as a clever and controlled person. He seemed to be cool-headed although the frontline was very close to our building. During our interrogation, despite the heavy shelling and rifle fire, he remained calm and balanced. I think he was a smart person and well trained in military terms. This opinion I base on his behaviour during my meeting with him. He had total control of the KLA members, who were present at the compound. His orders were followed straight away, there was no discussion.
- 28. Up until I finally left the area of Peć I had no further meetings with any of the Commanders of the KLA. I left Team Peć at the end of October 1998, beginning of November 1998, when I was transferred back to ECMM Bosnia.



# U0161184

## Statement of Achilleas PAPPAS



# **Declaration**

I have been advised that my statement may be provided to other law enforcement agencies and /or judicial authorities. I do not agree to my statement being provided to those authorities at the discretion of the Office of the Prosecutor of the International Criminal Tribunal for the Former Yugoslavia.

## WITNESS ACKNOWLEDGEMENT

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I have read this statement and it is true to the best of my knowledge and recollection. I have given this Statement voluntarily and I am aware that it may be used in legal proceedings before the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Law Committed in the Territory of the Former Yugoslavia since 1991, and that I may be called to give evidence before the Tribunal.

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πάσαν δυνατήν βοήθειαν καί ένίσχυσιν. καί άνάγκης τυχούσης να παράσχωσιν είς αύτο άπερχόμενον είς τό έξωτερικό Δημοκρατίας ν' άφήσωσιν έλευθέραν την διέλευσιν τών Φίλων Κρατών καί καλούμεν τός της Έλληνικής καλούμεν τός Πολιτικός καί Στρατιωτικάς Άρχάς YNOYPREION ENI TON EEDTEPIKON Ήμείς, Ύπουργός ἐπί τῶν Ἐξωτερικῶν, παραş ΕΛΛΗΝΙΚΗ ΔΗΜΟΚΡΑΤΙΑ 8 ::: 2 1998 2 2 0 X et de lui preter, en cas de besoin, toute aide et se rendant à l'étranger, " ssaiatance qui dépendent d' Elles. quêrons celles de la République Hellénique de les Autorités Civiles et Militaires des Pays Amis et re-MINISTERE DES AFFAIRES ETRANGERES Nous, Ministre des Affaires Etrangères prions 2 **≮** ` REPUBLIQUE HELLENIQUE brement 10010 Imsieur. ..... epenar -Zec. . . . . . . . . (99P : ing s Sec is 06005370 × 5. 1. 1. 1 \* <sup>32</sup>2

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