

The 1999 Racak Massacre: KLA had been planning to fabricate “Serbian Crimes”

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3 days before Racak: OSCE/KVM personnel reported that the KLA was planning to fabricate “Serbian Crimes” in the area

The trial of Slobodan Milosevic resumed after a 5-week recess in Courtroom 3 of The Hague Tribunal on Monday.

Col. Milan Kotur took the witness stand on behalf of the defense. He served as head of the Yugoslav Army (VJ) team for cooperation with the OSCE Kosovo Verification Mission (KVM) during 1998 and 1999.

Col. Kotur began his testimony by describing the structure of the OSCE/KVM and describing the agreement that the KVM had with the Yugoslav government.

He testified that most of the KVM staff behaved in a professional manner. However, he said that there were exceptions to this rule. He described several incidents where KVM verifiers acted outside of their mandate. Most of these incidents had to do with unauthorized KVM intrusions into the border belt and army barracks.

While Col. Kotur testified favorably about much of the KVM’s lower level staff, he did offer some serious criticisms of the KVM’s leadership.

He described the KVM leadership as unfair and nonobjective in its reporting. He explained that the KVM’s reports were always benevolent towards the KLA and overly critical of the Yugoslav side. The KLA’s version of events was believed without question, while the Yugoslav side always had to provide proof and evidence to substantiate claims about what it did or did not do.

Col. Kotur testified that the presence of the KVM had a destabilizing effect on Kosovo. Prior to the KVM’s arrival the KLA was disorganized and weak, but by the time the KVM withdrew the KLA was well organized and much stronger.

Col. Kotur, based on his experience as an active duty officer in Kosovo, testified that most of the KLA’s weapons came from Albania. He said that the KLA managed to loot weapons from the depots of the Albanian army when civil unrest broke-out in Albania during 1997. He said that the KLA’s primary victims were disloyal Albanian civilians, non-Albanian civilians, and finally Yugoslav state security forces.

As the man in charge of cooperation with the KVM, Col. Kotur testified that the verification

mission was kept fully informed about the activities of Yugoslav security forces. To bear this point out the witness exhibited a complete record of daily and weekly reports that he had submitted to the verification mission. These reports included details on all troop movements, incidents of fighting as well as general observations.

These reports showed the development of a pattern of fighting in Kosovo. The KLA would always attack first, and then the state security forces would be forced to respond. Col. Kotur testified that the response was always proportionate, and that the state security forces always treated Albanian civilians humanely.

Col. Kotur said that the most severe dispute with the KVM surrounded the events at Racak. The Yugoslav Government and the KVM had an agreement that neither side would talk to the media until a proper investigation was carried out and the facts were established.

However, KVM head William Walker held a press conference where he accused Serbian troops of carrying out mass-executions in Racak. Subsequent investigation has proven that there was no massacre in Racak. Forensic science has shown that the people who died in Racak were definitely killed while participating in armed combat – not massacred.

Col. Kotur testified that the KVM commander Gen. Drewienkiewicz called him late on the night of January 15th (the day of the Racak anti-terrorist operation). During that conversation Gen. Drewienkiewicz said that the verifiers — who had witnessed the anti-terrorist operation first hand — reported that 5 or 6 people had been killed in combat.

The very next morning Gen. Drewienkiewicz contacted the witness again. During this conversation Gen. Drewienkiewicz accused the Serbian police of massacring “women and 8-year-old children” in Racak. In reality, no 8-year-old children were killed and the only woman to lose her life was a known member of the KLA.

During the second conversation Gen. Drewienkiewicz threatened to tell the media about the alleged deeds of the Serb police. The witness urged him to wait until an investigation could be carried out in order to determine the facts. He even offered that the KVM should participate in every step of the investigation.

Gen. Drewienkiewicz refused to wait for an investigation and told Col. Kotur that William Walker was already on his way to Racak with a group of journalists.

According to a January 12, 1999 report compiled by OSCE/KVM verifiers in Stimlje, the KLA was planning to fabricate “Serbian crimes” in order to falsely place blame on the army and police. It is worth noting that Racak is in the Stimlje municipality, and that January 12th was just three days before the Racak operation. Ironically, this document was given to Milosevic by the prosecution.

These internal KVM documents also showed that William Walker tried to suppress reports that the KLA had kidnapped MUP and VJ personnel serving in the Racak area. The documents showed that Walker was furious at the KVM staff when word reached Washington that the kidnappings had occurred.

In addition to Racak, the witness gave testimony about his dealings with senior KVM staff. He described Gen. Drewienkiewicz’s behavior as arrogant. On one occasion Drewienkiewicz accused the Yugoslav Army of shooting at KVM verifiers even though the KVM officers who

were targeted in the shooting insisted that the KLA were the ones who had shot at them.

When Drewienkiewicz testified as a prosecution witness he boasted of how he selflessly slept on the floor of his office for three nights by the telephone in order to arrange the release of Serbian police that were being held hostage by the KLA.

Col. Kotur explained that Drewienkiewicz did no such thing. The hostages were released when the Serbian authorities agreed to exchange captured KLA terrorists for them.

Another KVM official, the Canadian Gen. Maisonneuve, also testified for the prosecution. He testified that Gen. Krsman Jelic had refused to meet with him after the events in Racak.

Col. Kotur explained that Jelic and Maisonneuve met without any problem. In fact, as the man in charge of cooperation between the VJ and the KVM, Col. Kotur personally arranged the meeting himself. He even attended the meeting - and contrary to the testimony of Maisonneuve, both Gen. Jelic and Col. Petrovic insisted that the VJ had not taken part in the operation at Racak.

Another KVM official, Col. Richard Ciaglinski, also testified for the prosecution. During a closed-session hearing he told the tribunal that Col. Kotur had shown him a map and told him that the Yugoslav Army was going to cleanse Kosovo of its entire Albanian population.

Col. Kotur denied that he said any such thing to Ciaglinski. He said that the prosecution's witness was a liar and that the state security forces never had any plan to cleanse Kosovo of its Albanian population. With that Milosevic ended his examination-in-chief.

Mr. Nice spent the last 15 minutes of the day cross-examining the witness. The cross-examination will continue when the trial resumes tomorrow

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