

Policy or panic

By Patrick Ball

Executive Summary

Why did hundreds of thousands of ethnic Albanians leave Kosovo from late March to mid-May 1999? Were they fleeing conflict between Yugoslav troops and the Kosovo Liberation Army, were they moving to escape NATO air attacks, or was their departure the result of a campaign of ethnic cleansing?

This report is based on administrative records maintained by Albanian government officials who registered hundreds of thousands of Kosovar Albanians as they passed through the small border post near the village of Morina between March and May 1999. The report also examines other official records of refugee movements as well as surveys conducted in refugee camps in Albania, Macedonia, and Bosnia-Herzegovina. Unlike previous analyses which have relied exclusively on refugee testimonies, this study examines the causes of the refugee exodus by evaluating the statistical patterns of the exodus itself. Using innovative statistical methods, the study breaks new ground for human rights analysis by contextualizing the claims made by witnesses with analysis of objective administrative data.

The study found that refugee flows out of Kosovo occurred in three distinct phases. During the beginning of each phase, the flow of refugees was relatively light. Then the number of refugees leaving Kosovo would rise to a high point (a peak, group of peaks, or plateau) during the middle of the phase, before tapering off toward the end of the phase. During the first phase (24 March – 6 April), most of the refugees came from western and southwestern Kosovo. In the second phase (7 – 23 April), most of the refugees left their homes in the northern and central municipalities. During the final phase (24 April – 11 May), refugees came largely from the western and southern municipalities.

By considering the number of people who left each municipality over time, and comparing those patterns to the times when NATO bomb attacks and alleged mass killings occurred, the study concludes that only a small fraction of Kosovar Albanians fled Kosovo as a direct result of NATO bombing raids. It also concludes that the mass exodus of refugees from Kosovo occurred in patterns so regular that they must have been coordinated. In the context of qualitative accounts given by refugees, the most likely explanation for the migration is that Yugoslav authorities planned and implemented a centrally organized campaign to clear at least certain regions of ethnic Albanians.

The findings of this report suggest that the refugee flows do not necessarily follow sequences of mass killings. As with bombing, mass killings occasionally coincided with heavy refugee flows. However, there are many areas from which many refugees departed but where there were no massacres, and there are other areas in which mass killings were committed yet from which there were relatively few refugees. Finally, this report finds that NATO's bombing was tactically ineffective at stopping the forced eviction of Kosovar Albanians. While NATO bombing was not the cause of the mass migration, neither did the bombing stop Yugoslav forces from driving hundreds of thousands of Kosovar Albanians from their homes.

Introduction

This report describes the departure of ethnic Albanians from Kosovo from late March to mid-May 1999 during the armed conflict between the Federal Republic of Yugoslavia (FRY) and the North Atlantic Treaty Organization (NATO). The study is based on administrative records maintained by Albanian government border guards at Morina, other official records of refugee movements, and surveys conducted in refugee camps in Albania and Macedonia. Approximately half of all refugees who left Kosovo passed through Morina, and most of them were registered by the Albanian officials, making these border data central to the analysis of mass migration during the spring of 1999.

The study found that refugee flows out of Kosovo occurred in three distinct phases. During the beginning of each phase the flow of refugees was relatively light. Then the number of refugees leaving Kosovo would rise to a relative high point (a peak, group of peaks, or plateau) during the middle of the phase, before tapering off toward the end of the phase. During the first phase (24 March – 6 April), most of the refugees came from western and southwestern Kosovo. In the second phase (7 – 23 April), most of the refugees left their homes in the northern and central municipalities. During the final phase (24 April – 11 May), refugees came largely from the western and southern municipalities. By 11 May, more than 400,000 Kosovar Albanian refugees had entered Albania through the border crossing at Morina.

This report compares the refugee flows to the location and timing of NATO bombings and mass killings allegedly carried out by Yugoslav forces. It also considers whether bombing raids or mass killings were the proximate motivations for refugees' decisions to leave their homes. We conclude that bombing, mass killings, and mass migration were pervasive throughout Kosovo during this period, and that the three processes occasionally coincided. We found, however, that neither the bombing raids nor the mass killings occurred at times and places sufficient to be the primary motivation for Kosovar Albanians to leave their homes. Therefore, another process must have been at work to result in the exodus of hundreds of thousands of people in remarkably coherent waves.

Why did Kosovar Albanians leave their homes?

During the conflict many arguments were advanced about why the Kosovars were leaving their homes. Yugoslav officials contended that Albanian Kosovars were fleeing NATO bombs. Other analysts posited that people were escaping fighting between the Kosovo Liberation Army (KLA) and Yugoslav government forces. These explanations imply that Kosovar Albanians were motivated to leave their homes by their own fear or panic. Meanwhile, NATO officials argued that Yugoslav forces were subjecting Kosovar Albanians to a systematic policy of "ethnic cleansing," a euphemism for the forced eviction of an ethnic group.

There are several potential methods for adjudicating between these contending explanations. One would be to ask the Kosovars themselves why they left. In its survey of Kosovar Albanian refugees in Albania and Macedonia, Physicians for Human Rights (PHR) found that Kosovars reported leaving their homes either because they were forcibly expelled by Yugoslav regular or paramilitary forces (68%), or because they were afraid of those same forces (23%). None of the 1,180 individuals interviewed reported that they were fleeing NATO bombing.

Another method would be to examine the context of interpersonal and interethnic violence and civil war in an effort to determine what conditions might have driven the refugees from their homes. Human rights organizations have conducted extensive interviews with Kosovar Albanians to address this question. For example, the PHR study reported that between 48-60% of all survey respondents witnessed the destruction of documents, burning of homes, the looting or destruction of property, and/or robbery by Yugoslav regular or paramilitary forces. Numerous human rights reports quote Kosovar Albanians explaining how they were threatened in their homes by Yugoslav army or police officials, or how they were subjected to artillery fire.

Human rights reports on Kosovo

Among the many reports by non-governmental and inter-governmental organizations about human rights violations and grave breaches of the Geneva Conventions during March-June 1999, see *A Village Destroyed: War Crimes in Kosovo*. New York: Human Rights Watch (Oct. 1999); "Ethnic Cleansing" in the Glogovac Municipality. New York: Human Rights Watch (July 1999). See also *Kosovo Human Rights Flash* series, 1-51 (February-July 1999). *War Crimes in Kosovo: a Population-Based Assessment of Human Rights Violations against Kosovar Albanians*. Boston/Washington DC: Physicians for Human Rights & Program on Forced Migration and Health, Center for Population and Family Health, The Joseph L. Mailman School of Public Health, Columbia University (Aug. 1999) [cited hereafter as PHR 1999]. *Kosovo/Kosova: As Seen, As Told, An analysis of the human rights findings of the OSCE Kosovo Verification Mission October 1998 to June 1999*. Warsaw, Poland: Organization for Security and Cooperation in Europe (Dec. 1999) [cited hereafter as OSCE 6 December 1999].

Many refugees described being transported to the borders in trains or buses, or being forced by Serbian authorities to move themselves on tractors, in private cars, and on foot.

Unlike previous analyses which have relied on refugee testimonies, this study deduces the causes of the refugee exodus by examining the statistical patterns of the exodus itself. By considering how many people left each municipality over time, and comparing those patterns to the times when NATO bomb attacks and alleged mass killings occurred, we draw conclusions about the plausibility of competing explanations for the migration.

This study breaks new ground for human rights analysis by using objective administrative data to evaluate – to corroborate or to refute – the claims made by witnesses and survivors, as well as to compare the claims of the various political actors involved in the conflict. The goal is to establish a solid empirical basis for legal, political, academic, journalistic, and other analyses of the mass migration of Kosovar Albanians in this period.

Empirical overview of Kosovar refugee flow

From 28 March to 28 May 1999, the Albanian government border guards in Morina maintained entry records under difficult conditions. During this period they compiled 690 pages of records in which over 19,000 groups of Kosovar Albanians were registered. According to these records, the number of refugees entering each day was similar to independent counts of refugees entering at Morina maintained by the United Nations High Commission for Refugees (UNHCR) and later by the Albanian government's Emergency Management Group. When the estimates are not equal, the border guards' numbers are always lower. Examining the different estimates, it is clear that on days when tens of thousands of Kosovar Albanians crossed the border, the guards' registry system simply broke down as people streamed through the post, whereas on low-flow days, the estimates tend to coincide. The border guards managed to register groups including more than two-thirds of the more than 400,000 Kosovar Albanians who entered Albania through Morina.

With authorization from the Albanian Ministry of Public Order, representatives of this study copied the entire set of surviving border records in early June. Electronic images of the handwritten records were made in the nearby town of Kukës, and then brought to the Albanian capital of Tirana. The handwritten images were keyed into a simple database consisting of the name of the head of the household in the group, the home village or city of the group, the number of people in the group, and the date they entered Albania. All of the information was used for this study. A geographic code was assigned to each record in which the group's home village or city was reported. Using geographic information systems (GIS) references, each record was mapped to a specific point in Kosovo. These records, along with various surveys and refugee camp listings, comprise the basic data for this project.

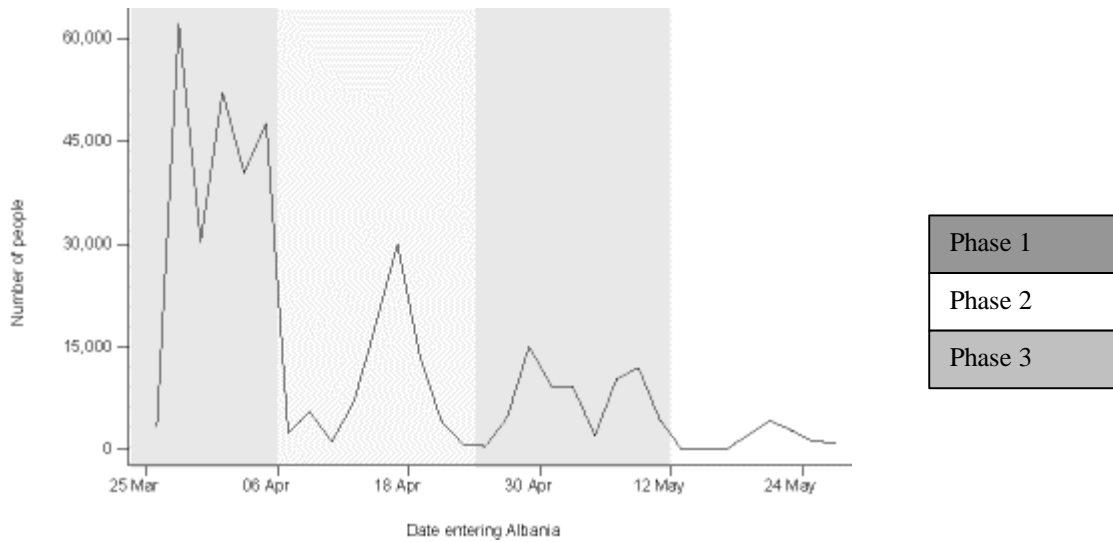
Leaving home and crossing the border

On any given day, slightly more than half of the people who crossed the border at Morina had left their homes earlier that same day. However, the other half of people crossing the border were in transit for longer times, in some cases for several weeks. The transit process was accounted for in the discussion of the refugee movement. In Part II, the analysis of refugee flow during the three phases looks at the patterns of people departing their homes, not the patterns of people crossing the border.

Refugees interviewed in camps reported when they had left their homes and when they crossed the border: the difference between these two dates is their time in transit. By using methods described in Appendix A (Section A3) and the data on transit times, the number of people who crossed the border were transformed into estimates of the number of people leaving their homes, over time and for each city and village of origin.

From late March – late May 1999, ethnic Albanians left their homes in Kosovo and entered Albania in three distinct phases. Approximately 95 percent of the Kosovar Albanian refugees who entered Albania did so during one of these three phases. The number of people crossing the border over time is presented in Graph 1.1.

Graph1.1: Number of Kosovars entering Albania and Morina, by two-day period

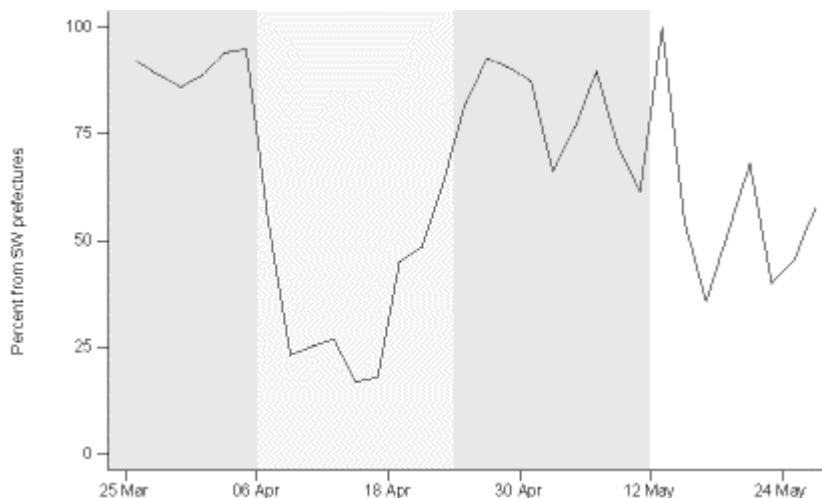


Graph 1.1 represents the number of Kosovar Albanians entering Albania for each two-day period from late March to late May. The first phase rises from 24-25 March to a plateau then declines precipitously after 6 April. The second phase continues at a low level until mid-April when it rises to a peak at 15-16 April, declines to a second smaller peak, and then declines to its lowest level during the whole period. The third phase picks up on 24 April, rising to two peaks in early May that represent the last surges in refugee flow. After 11-12 May, refugee flow remained low until the end of the conflict in June.

The three phases detailed here also correspond to substantial changes in the refugees' municipalities of origin. Refugee flows tended to be composed of people from similar regions during each phase, and so refugees from municipalities of the south and west are distinguished from refugees originating in municipalities of the north and east.

Graph 1.2 shows the proportion of all Kosovars crossing the border at Morina who originated in the southern and western prefectures of Kosovo, over time. The data are again smoothed as in Graph 1.1 by adding days together into pairs, called two-day periods. By aggregating the data into two-day periods, there are fewer but more stable data points. Disaggregating the data to the daily level does not affect the analysis.

Graph 1.2: Proportion of Kosovar Albanians entering Albania who originated from municipalities in the south and west, by two-day period



The three phases seen in the wave pattern in Graph 1.1 appear in Graph 1.2 as distinct mixes of places from which people are emigrating. During Phase 1, the first wave of people came overwhelmingly from the south and west. In Phase 2, a second large wave of people came, but this time from the north, east, and central regions, shown by the relative low point in the middle part of Graph 1.2. Then in Phase 3, another group exited. As in Phase 1, refugees entering Albania during Phase 3 came largely from the south and central areas.

The phases are defined by periods of relatively high and low flow and by periods during which refugees came from distinct regions. The discussion in Part II will examine the three phases for each of twelve municipalities in the context of NATO bombing patterns and alleged mass killings.

Generalizing from the Albanian data to all Kosovar Albanians who left their homes

The data in this report are based primarily on the records maintained by the Albanian government border guards at Morina. However, it might be possible that the patterns of people leaving Kosovo and entering Macedonia, Montenegro, or Bosnia-Herzegovina were substantially different from the patterns of people entering Albania. That is, the findings in this report could be an artifact of the choice of data sources.

The possibility that the findings were the result of using data only from Albania is examined in Appendix A (see Section A8). This analysis uses a number of sources of partial data on patterns of Kosovar migration to countries other than Albania. The conclusion is based on the following empirical observations.

Sensitivity analysis

The statistical techniques used in this report to manage missing data and to transform border crossing data into home leaving data were subjected to sensitivity analysis (see Appendix A, Sections A5 - A7). This method tests both whether the substantive findings are robust to potential weaknesses in the data, and whether the kinds of methods used may have influenced the results. All of the alternative analyses led to findings substantially the same as those reported in the main body of the report.

- a. The findings for Albania (presented in Part II) are strong and clear.
- b. The data available for Macedonia yield findings consistent with the findings for Albania.
- c. Preliminary evidence from refugees in Bosnia and Montenegro tends to support the Albanian analysis.
- d. An overall analysis that combines data from Bosnia, Montenegro, and Macedonia with data from Albania shows that the combined analysis is not substantially different from the analysis using the Albania data alone (see Appendix A, Section A8).

Based on these observations, we conclude that the findings presented in this report are generally applicable to the universe of all Kosovar Albanian refugees, within tolerances discussed in Appendix A.

Notes for Part I

1 On 27 May 1999, the Chief Prosecutor of the International Criminal Tribunal for Former Yugoslavia (ICTY) alleged that war crimes had been committed by five senior Yugoslav officials, including Slobodan Milosevic. The indictment is a legal instrument, not a finding of fact. The Chief Prosecutor herself noted that the accused are entitled to the "benefit of the presumption of innocence" until convicted (ICTY press release JL/PIU/404-E).

2 Only the Albanian border records are used. Appendix A, Data and Methods, outlines a number of conclusions as to why these data may be generalized, within limits, to the entire population of Kosovar Albanian refugees during this period, including those who exited to Bosnia-Herzegovina, Montenegro, and Macedonia. An important caveat:

internally displaced persons that remained in Kosovo are not part of the analysis because we have no data about them.

3 Counting only refugees who entered Albania after 23 March, more than 97% had entered Albania by 11 May: only 3% entered during the final five weeks of the conflict

4 These proportions have a 95% confidence interval of approximately $\pm 2.7\%$ and 2.5% , respectively (PHR 1999: 40; the calculation of the confidence interval is ours).

5 PHR 1999: p. 42. Proportions of Kosovar Albanians reporting that they witnessed the different listed violations vary within the stated range.

6 See Appendix A, Section A1 for a detailed discussion of these data.

7 See Appendix A, Section A2.1 entitled “Unregistered border crossers.”

8 Three days from mid-May were lost; in discussions, the border guards recalled that these were low-flow days, which the EMG estimates confirm. From sequences of page numbers, we believe that about five or six other pages were lost from days in early and mid-April. See Appendix A, Section A2 for a discussion of how these missing data were managed.

9 The original records were returned to the border guards in Morina. Copies of the electronic images and the resulting database were given to the Ministry of Public Order.

10 Measures to protect data confidentiality have been taken at each step: only three people have had access to the border data since they were keyed, and just four more people were involved in the keying and coding. The data were encrypted (using PGP) before being transferred from the team in Tirana to AAAS in Washington, DC.

11 Slightly more than 2% entered before the first wave; more people entered Albania in late 1998 and January to mid-March 1999 but were not systematically registered at the border.

12 The list of municipalities, with their Serbian and Albanian names and the region in which they are located is presented in Appendix C.

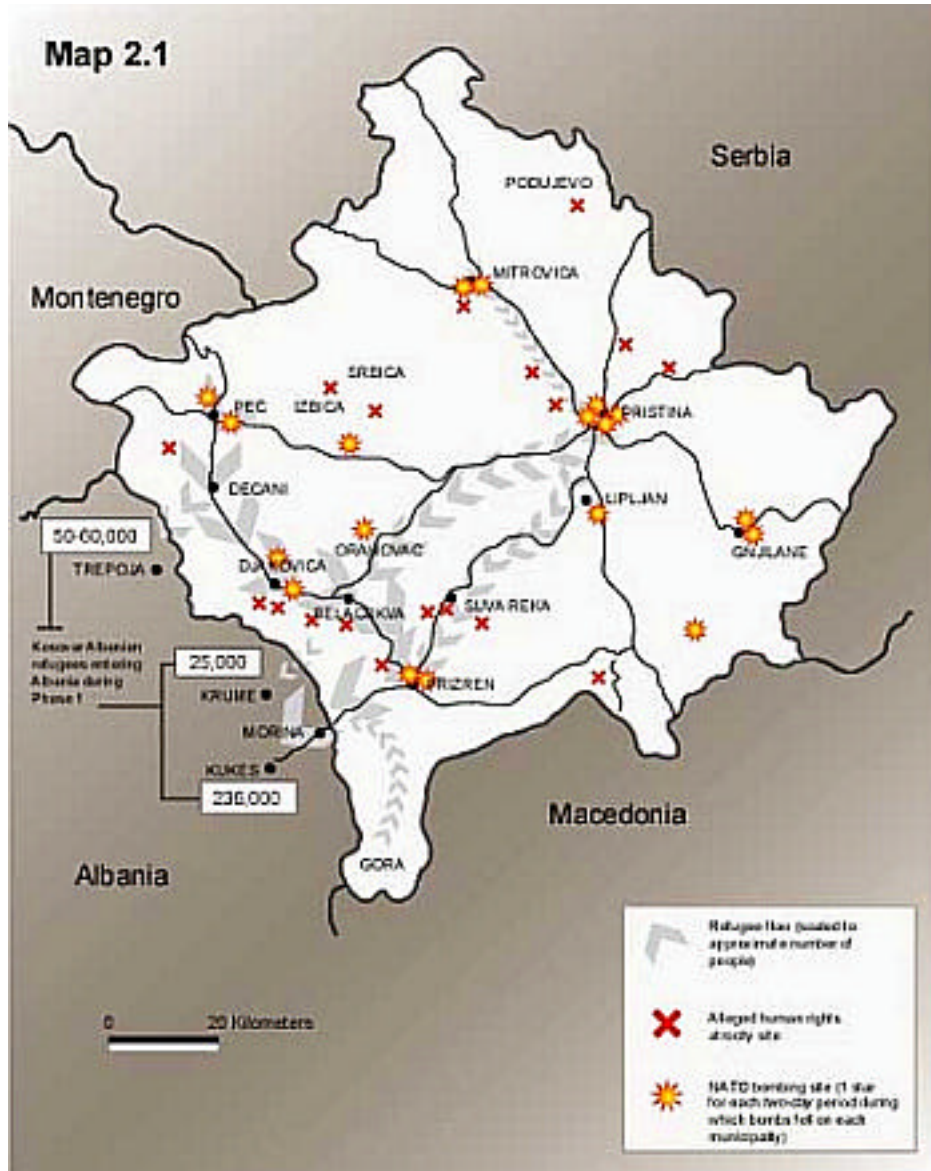
13 The data from Macedonia are from PHR’s survey; see Appendix A, Section A8.2

14 The Bosnian data are from a survey of Kosovar Albanian refugees in Bosnia-Herzegovina conducted by the Human Rights Center of the University of California-Berkeley in late-June early-July 1999

Phase 1: 24 March - 6 April

The largest number of Kosovar refugees of any point in the conflict entered Albania on 27-28 March when more than 62,000 people crossed the border in 48 hours. During the period between 26 March and 6 April, more than 236,000 Kosovar Albanians entered through Morina, according to the border records and other sources. These refugees originated largely from the cities and villages in southern and western Kosovo. As shown on Map 2.1, many of the municipalities from which refugees were leaving also suffered massacres of Kosovar Albanian civilians by Yugoslav police, army and irregular forces. Although some municipalities from which substantial numbers of refugees departed were subjected to NATO bombing attacks, there are also other reasons for their departure, perhaps more compelling, as the sequence described below makes clear.

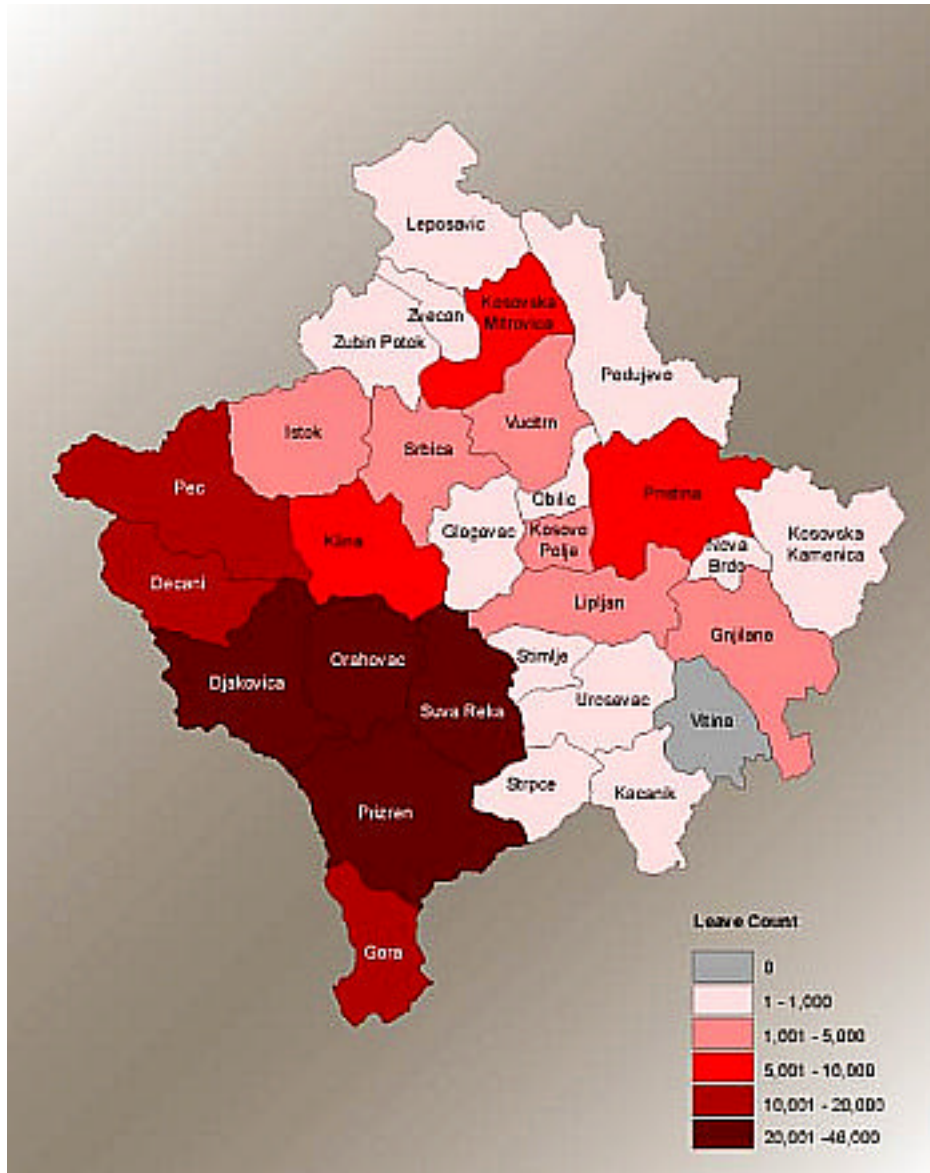
Map 2.1: Phase 1, 24 March-6 April



Map 2.1 shows refugee flows, and the approximate sites of NATO bombing and alleged Yugoslav massacres of Kosovar Albanian civilians. Map 2.1 is an interpretation of refugee flows in geographic context, and in the context of NATO bombing and alleged mass killings. More precise information about flows from each municipality for all of Phase 1 is presented in

Map 2.2. For the number of Kosovar Albanians departing from each of 122 mapped points over each two-day period in Phases 1-3, see the maps in Appendix B.

Map2.2: Refugee flow by municipality, 24 March-6April



The NATO bombing sites are represented with one star for each day that municipality was bombed. Greater detail - such as counting bombs or missiles - is impossible because there is no publicly accessible source of detailed information on the air campaign. The location of the stars is approximate. Any given star is located in the municipality in which it was reported, but it may not be exactly on the village in which one or more bombs fell; the greatest error of this mapping is about 10 kilometers.

The information about the bombing comes from official Yugoslav government sources and private Yugoslav media sources, in some cases supplemented by NATO briefings. We chose to rely primarily on the Yugoslav reporting on bombing for two reasons. First, the NATO data are in most cases vague. NATO briefing officers would say that targets were struck in Kosovo, and then they would name one or two more precise spots, leaving many more unspecified. Yugoslav sources generally name the municipality and sometimes the village where the attacks took place. Second, we are testing the hypothesis advanced by the Yugoslav government that the bombing was a cause of

Kosovar Albanians' departure. The strongest test of this hypothesis is to use the Yugoslav government's own claims about when and where bombing occurred.

Mass killings are noted with an "X" on Map 2.1. Information about killings was drawn from the OSCE report of 6 December 1999. Mass killings were defined as those in which more than five victims were reported. The OSCE report does not include all of the mass killings that occurred during the March-May 1999 period, but it is the most comprehensive source available at this time, and its findings have been corroborated by local and international non-governmental human rights organizations that documented specific incidents in some regions in Kosovo. Like the bombing locations, the locations for mass killings on Map 2.1 are approximate. The "X" markings are placed relative to the capitals of each municipality, following the village references made in the OSCE report. No placement error is believed to exceed 10 km.

Refugees did not always exit Kosovo on the same day that they leave their homes (see Appendix A, Section A3). The difference between when people left their homes and when they crossed the border meant that the total number of people leaving their homes was not the same as the number crossing the border in any period. Approximately 231,000 Kosovar Albanians left their homes during Phase 1, but 11% of these people remained in transit in Kosovo until Phase 2 or Phase 3.

To indicate the refugees' origins and movement, Map 2.1 uses chevron markings scaled approximately to represent the number of people moving from that place during Phase 1. The chevron markings are a qualitative interpretation of Map 2.2 and of the more precise time and location maps presented in Appendix B. We do not know the refugees' exact routes from their homes to Morina, so the paths marked by the chevrons are approximate. The paths were derived from testimony presented in the OSCE and other reports, and from interview data taken by this and other projects (see Appendix A, Section A1).

Maps 2.1 and 2.2 make clear that throughout late March and early April, the overwhelming majority of the refugees arrived at the Morina border crossing from the western cities of Pec, Djakovica, and Decani, and the southern areas of Orahovac, Suva Reka, and Prizren, as well as smaller towns and villages in western and southwestern areas of Kosovo. In addition, substantial numbers of people left Kosovska Mitrovica in northern Kosovo. At the peak on 27-28 March, especially heavy flows of people left Pec and Prizren (approximately 7,000 and 16,800 people, respectively).

In Map 2.2, the darker locations represent municipalities from which relatively large numbers of people left for Albania. The heaviest flows came from Djakovica, Orahovac, Suva Reka, and Prizren. Gora, Decan, and Pec have large numbers of refugees departing, although fewer than municipalities in the first group. All of these municipalities are in the west and south, as the observations made above for Graph 1.2 indicated. Other municipalities also suffered substantial outmigration, including Pristina and Mitrovica in the north-central region. Even accounting for the refugees from Pristina and Mitrovica (many of whom went to Macedonia), the overwhelming proportion of refugees who left their homes during this period were from the south and west.

The only exception to the concentration of refugees was in the middle of the phase. On 29-30 March, migration was more widely dispersed than in any other period in the first phase. More than 1,000 people left each of nine distinct villages and cities in western and southern Kosovo. Two areas in the north and east also experienced significant outflows (see Appendix B, maps for these dates).

Human rights monitors documented heavy flows of people from southern and western Kosovo during this period. According to testimonies, Kosovar Albanians often left under threat or after acts of violence committed by the Yugoslav authorities or Serb paramilitary units. Refugees crossing into Albania report that Yugoslav army and paramilitary units forced them onto the highway that runs from the northwest city of Pec via Djakovica and then to Prizren. In the testimony below, a refugee from Pec tells how he was forced to leave his home.

The Serbs made people leave [Pec] on Thursday [April 1] at 10:00 AM. They said: "Go to Albania." They went from neighborhood to neighborhood. They burned the houses as people left. There were trucks and busses waiting for us. We were treated like cows. Men and women together. They didn't allow us any

baggage, clothes. Just as we were. They slapped the men around a bit. They stole everything from the houses.

We drove straight to the border. Some 20 km from the border they stopped and said: "Walk. If NATO is helping you, why don't you go and ask them for some help."

We spent 6-14 hours on the busses. We left at 13:00, and arrived at 19:00. Then walked for about two hours. The windows were covered, it was very crowded.

According to numerous refugee accounts, Serb paramilitary forces gave them only a few minutes to pack their belongings and leave their homes.

During this first wave of refugees on 28 March, some Kosovar Albanians reported that Serb paramilitary units provided buses to transport them from Pec and Djakovica, while others relied on tractor-pulled wagons or cars. With the exception of refugees who crossed into Albania on foot at the unofficial border points at Tropoja and Krume the majority passed through the southwestern city of Prizren, which is 15 kilometers from Morina on the Albanian border. From Prizren the refugees - the majority of whom were women, children and elderly men - crossed into Albania by foot, car and tractor-pulled wagons. Kosovar Albanian refugees reported that the process seemed to them to be well-organized, as this testimony suggests:

We left Djakovica on 28 or 29 March, because we were afraid. There were burnings and killings in Djakovica. In my neighborhood, Lagje e Re, many people worked for the Mother Theresa Foundation, and their houses got burnt. [On 28 or 29 March,] the Serbian police went to [people's] houses, and told them to go. They [the Serbs] used stolen vehicles to drive around.

We left before they came to my house. The men left before the women, but later they left as well. We went to Moglice, where we stayed for four days. But there were thousands of people from Djakovica in Moglice, and the villagers told us to leave, they were afraid they would be shelled.

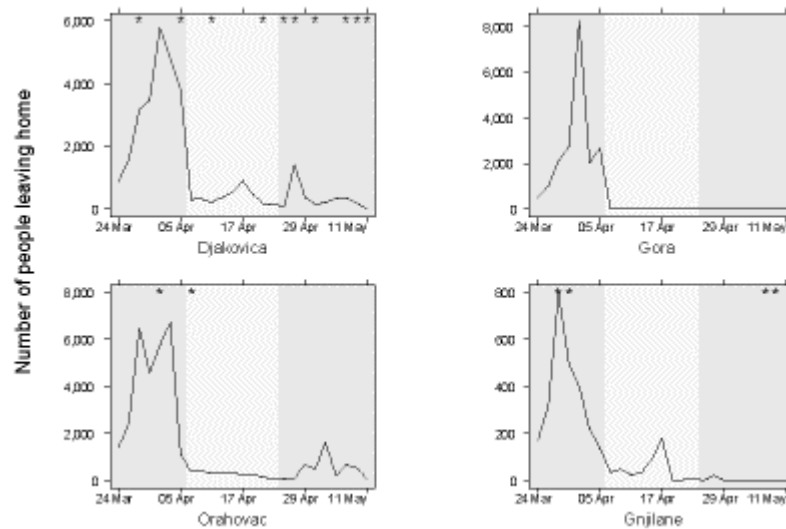
So we went back to Djakovica, where we stayed for about three hours. The Serbs were positioned [in] nearby houses. When the Serbs started cleansing nearby, these people told us we should leave. Most people gathered some 500 meters away from the hospital. I found a truck owned by an Albanian, went on it, and left. My wife was about to deliver, so I left her behind in the hospital. I heard we had a baby girl.

The Serbs didn't allow us to go to Qafa Prushit, so we went via Prizren to Morina. The Serbs guarded us all the way to Prizren with our own cars. In Bishtazhin, the police and army took our passports and other documents.

During Phase 1, mass killings were more frequent throughout the southwest than in other areas of Kosovo. The OSCE documented mass killings in the municipalities of Pec, Djakovica, Orahovac, Prizren, and Suva Reka. The route from Djakovica to Prizren was especially dangerous, with mass killings documented in many of the small towns along the road. Especially in the southern areas, these killings occurred early, before 30 March, although much of the refugee flow came about a week later. Mass killings also took place in Podujevo, Mitrovica, Izbica, Kacanik, and in areas around Pristina.

NATO's bombing efforts during this phase were concentrated in Serbia proper and in central Kosovo, especially Pristina, far away from the focus of the migration, although some NATO bombs did fall on southern and western municipalities. Graph 2.1 shows the pattern of bombs falling and people departing for four municipalities.

Graph 2.1: Number of Kosovar Albanians leaving their homes and bombing patterns, by two-day period, for four municipalities (Djakovica, Gora, Orahovac, Gnjilane)



In Graph 2.1, a small asterisk notes when an air attack occurred. For example, NATO attacks on Djakovica occurred throughout the period from late March to early May, but the great majority of all people departed Djakovica before 6 April. If the bombing that occurred on 27-28 March was the cause of people leaving, its effect was delayed: the number of people leaving actually declined slightly on 29-30 March before increasing to a peak on 3-4 April and declining thereafter. The second NATO attack on Djakovica, on 5 April, occurred just as the first big wave of refugee flow was subsiding from more than 5,000 to fewer than 500 in each two-day period. But the refugee flow from Djakovica did not increase after 5-6 and 10-11 April, the next periods when NATO attacked. NATO bombs continued to fall on Djakovica throughout Phases 2 and 3. The NATO attack on 10-11 April was followed a week later by a small surge in refugee outflow, and the attacks on 20-21 and 24-25 April were followed by another relatively small increase in the number of refugees leaving on 26-27 April. Three attacks thereafter seemed to have little relationship with smaller and smaller waves of refugees leaving. Thus in Djakovica, timing between bombing and refugee outflow varied widely.

The pattern of refugee flow out of Orahovac was similar to Djakovica, but the bombing occurred later. Many refugees left before 5-6 April, with peaks on 29-30 March and 2-3 April. One NATO attack occurred on 31 March-1 April, immediately preceding the municipality's highest outflow period on 2-3 April. But the NATO attack that occurred on 6-7 April was followed by low outflow levels until 2-3 May when more than 1,600 people left the municipality. In Orahovac, the single largest outflow preceded the first NATO bomb attack on 31 March-1 April. From 8 April - 11 May, approximately 7,000 people left Orahovac, mostly in relatively small groups of 75-100 people per day. In the middle of Phase 3 on 2-3 May, another peak outflow occurred as more than 1,600 refugees departed Orahovac.

In Gora, in the far south, people departed in the same patterns as Orahovac, with thousands of people leaving every day until about 6 April. However, no NATO bomb attacks were reported in either Yugoslav or NATO sources during or after this period. In the eastern municipality of Gnjilane, fewer people were leaving (note that the vertical axis is in the hundreds while the other graphs are in the thousands), but the bomb-departure connection was similar to that seen in Orahovac. The OSCE report noted that although there were many internally displaced people there, and despite four periods during which there was bombing in Gnjilane, relatively few people from the municipality itself migrated either as refugees or to other parts of Kosovo.

NATO reported that they suspended air strikes due to bad weather on 2-4 April, and this claim was not contested by Yugoslav reports of bombing in Kosovo. The period without NATO bombing saw the highest sustained level of refugee movement of any period during the conflict.

The period 24 March - 6 April includes the heaviest refugee flow of the entire conflict, with the migration concentrated almost exclusively in the Pec-Prizren corridor. In the far west of Kosovo, people left their homes in Decani in rising numbers toward the end of the phase, with approximately 2,200 leaving on 31 March-1 April, 4,300 on 2-3 April, and 5,300 on 4-5 April. In Djakovica, the number of people leaving rose to a peak of nearly 5,800 people on 31 March-1 April, with slight declines after that. More than 5,000 people departed from Suva Reka 29-30 March, and these numbers continued to rise to a peak of 8,000 people 4-5 April. Human rights groups reported that Kosovar Albanians in Orahovac and Suva Reka were subject to gross violations as Yugoslav authorities ordered people to leave their homes. In early April, one refugee said of the southwest: “[e]verywhere you go, you only see burnt homes and Serbian police or army. All of [southwestern] Kosovo is empty of people.”

On 6 April, the Yugoslav Government announced a unilateral ceasefire on the occasion of the Orthodox Easter: “[a]ll actions by army and police against the terrorist organizations, the Kosovo Liberation Army, cease as of April 6th, at 20:00.” Unlike the NATO bombing suspension a few days earlier, this unilateral action did immediately affect refugee flow. Coincidentally with the suspension of Yugoslav government actions, the flow of refugees across the border at Morina dropped from more than 24,000 on 6 April to fewer than 1,000 on 7 April.

Notes

1 About 13% of the 236,000 refugees who entered Albania during Phase 1 had left their homes before 24 March.

2 This analysis only considers the relation of forced migration to mass killings, and does not examine the relationship of migration to other kinds of violence

3 As with Graphs 3.1 and 4.1 for Phases 2 and 3, respectively

4 And for Phases 2 and 3, in Graphs 3.2 and 4.2, respectively

5 The source information is only rarely more precise than the representation on Map 2.1, and so we coded bombing and massacre occurrences to the municipality, not to the village

6 For example, on 29 March in the daily NATO briefing Air Commodore David Wilby said “Most significantly we have begun our operations against field forces in Kosovo. Major attacks last night took place at Donja Semanja, where we struck a deployed combat group - the 243rd which participated in ethnic cleansing and other deplorable activities in south Kosovo.” He does not specify where other attacks may have been made

7 In the Organization for Security and Cooperation in Europe (OSCE) 6 Dec. 1999 report, Part 5

8 People from Mitrovica exited Kosovo to Albania (as reported here), but also to Macedonia and Montenegro. See OSCE 6 Dec. 1999 report, Part 5, chapter on Mitrovica.

9 See Appendix A, Section A8, for an analysis of the generalizability of these claims from the Albanian data to the entire universe of Kosovar Albanian refugees

10 Human Rights Watch (HRW) Kosovo Flash, #8, 9, 11, 16

11 There are relatively few paved roads in Kosovo, and in interviews with this project, Kosovar Albanians frequently described rural locations in terms of the nearest “asphalt” (as opposed to dirt) road.

12 Interview given to HRW, April 1999, Albania.

13 Interviews conducted in Albanian at the Morina border by Fron Nazi, 26 March - 5 April. Also see 29 March press conference by NATO Spokesman Jamie Shea and Air commodore David Wilby. The OSCE report (6 Dec. 1999) noted the pattern of people being told to leave immediately; see chapters on Klina, Orahovac, and Pec

14 The Albanian border officials at Krume reported to this project that in late March and early April, approximately 50-60,000 Kosovars had crossed at Trepaja and another 25,000 had crossed at Krume. No records of these entries were kept except for the raw counts, which were reported to the Albanian government and to the UNHCR.

15 "Long Lines of Refugees Hounded Into Albania," New York Times, 29 March 1999; also, testimonies received at the Morina border by Fron Nazi, 26 March - 5 April

16 Interview given to HRW, April 1999, Albania

17 See, e.g., HRW Kosovo Flash #14, #18, and #27.

18 OSCE 6 Dec. 1999, Part 5: chapter on Gnjilane

19 Briefing by Under Secretary DR Edgar Buckley and the Deputy Chief of the Defence Staff, Air Marshal Sir John Day, April 2. Our data from Yugoslav sources show no bombings on 2, 3, or 4 April, although four municipalities were bombed on 1 April, and three are bombed on 5 April

20 HRW Kosovo Flash #24.

21 HRW Kosovo Flash #24

22 Tanjug, 6 April 1999

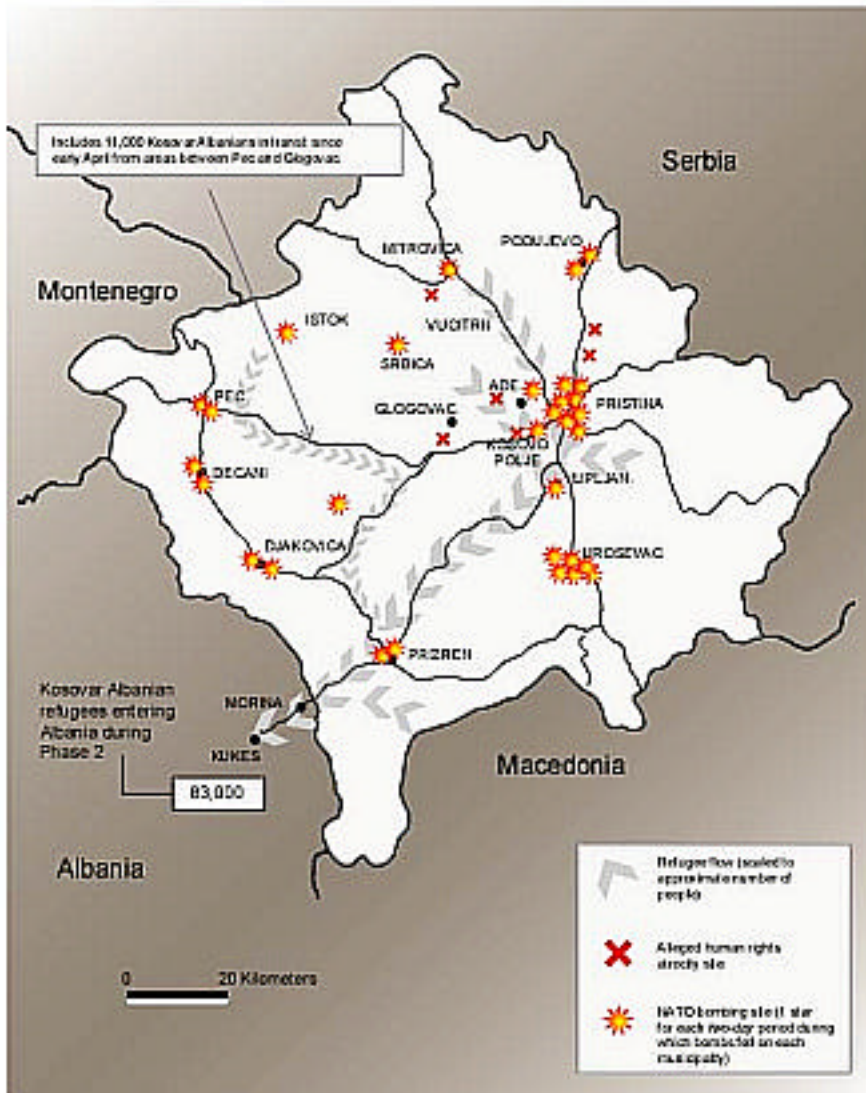
Phase 2: 7 - 23 April

From our analysis of the border records, we estimate that by 7 April approximately 236,000 ethnic Albanians had crossed into Albania via the Morina border, most of whom had come along the corridor between and including the cities of Pec and Djakovica, or from Suva Reka south to Prizren. Immediately after the announced cease-fire at 3:00 a.m. on 7 April, the Yugoslav authorities shut the Morina border point, and the daily number of refugees entering Albania fell from tens of thousands to under two thousand until the border reopened on the morning of 10 April. Approximately 83,000 new refugees entered Albania in the period from 7-23 April - less than one-fourth the rate at which refugees flowed into Albania during Phase 1

NATO bombing and mass killings in Phase 2 were concentrated in the north and east of Kosovo. Pec, Decan, Djakovica, and Prizren all suffered limited bombing, but the real concentrations of air attacks were in Pristina and Urosevac. Mass killings, too, are concentrated in the north-eastern part of the country, particularly in the area from Mitrovica in the north, through Pristina to Lipjan. It is from these areas in northern and central Kosovo that the heaviest refugee flows come during this period.

More than 66,000 people left their homes during Phase 2, of whom 15% did not leave Kosovo until after 23 April (i.e., in Phase 3). Map 3.2 shows the number of people leaving their homes during Phase 2 according to the municipality from which they came. Mitrovica experienced the heaviest flows during this period, followed by its neighbors to the south, Vucitrn and Srbica. The large-scale departures from Mitrovica began on 12-13 April and peaked on 14-15 April at over 5,200 people leaving in this two-day period (see Graph 3.1, below). One man described the mid-April outflow to Human Rights Watch in the following words

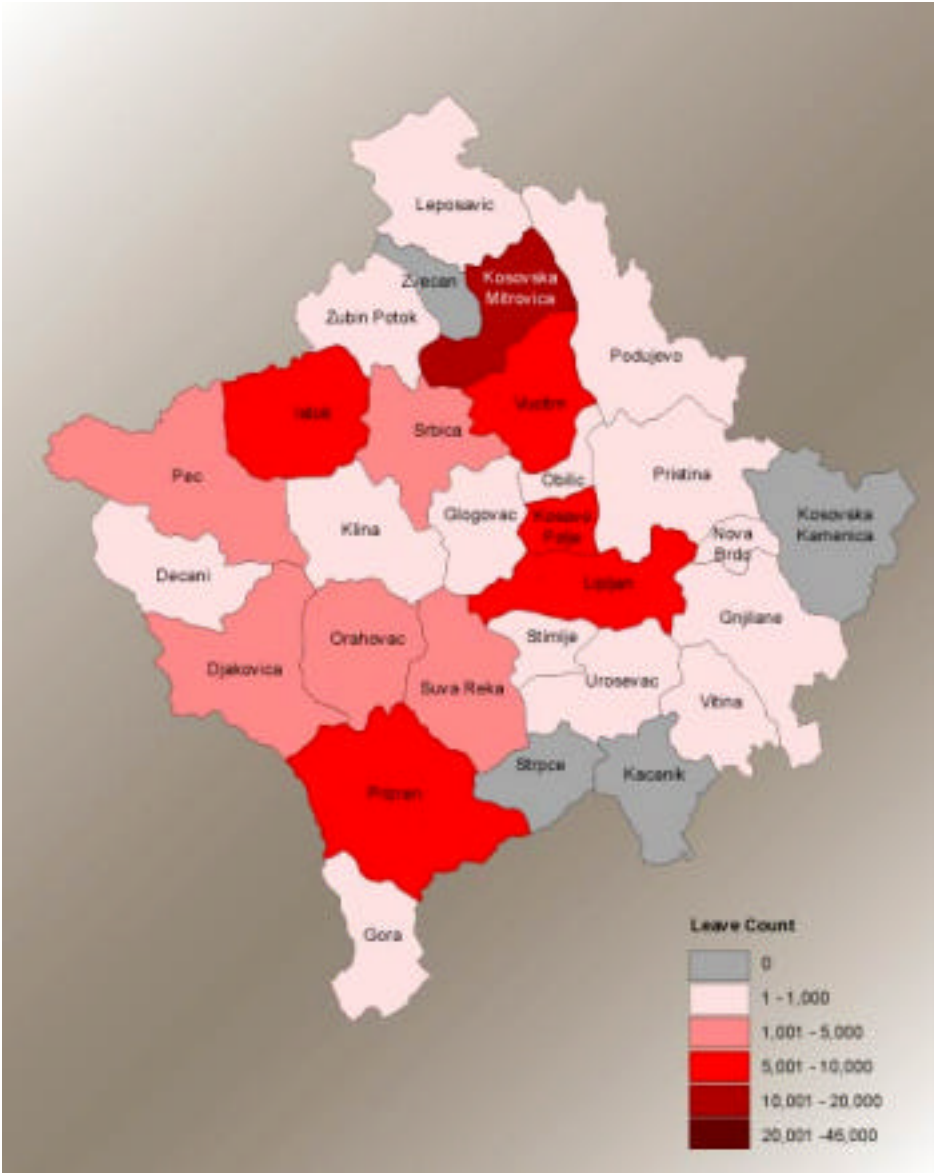
Map 3.1: Phase 2, 7 April-23 April



... we left Kosovska Mitrovica four days ago [i.e. 16 April]. At about 9 a.m., four or five policemen came to my house and one of them said: “Get out, go to Albania or America, You knew [that this was going to happen].” The police were wearing black camouflage uniforms, had masks, and had automatic guns. They told us we had to leave in a few minutes, otherwise we would be killed. We were told to gather near the mosque of Zhaborë, where there were thousands of people. From there we went to Shipol, then to Klina, Pec, [Prizren and then to Morina]. I didn’t see anything happening along the road, because our tractor was covered. My son was driving the tractor, and we got stopped, and they pointed a gun at him, and demanded money. But we didn’t have any money, only 25 dinars. We were lucky that they didn’t kill us.

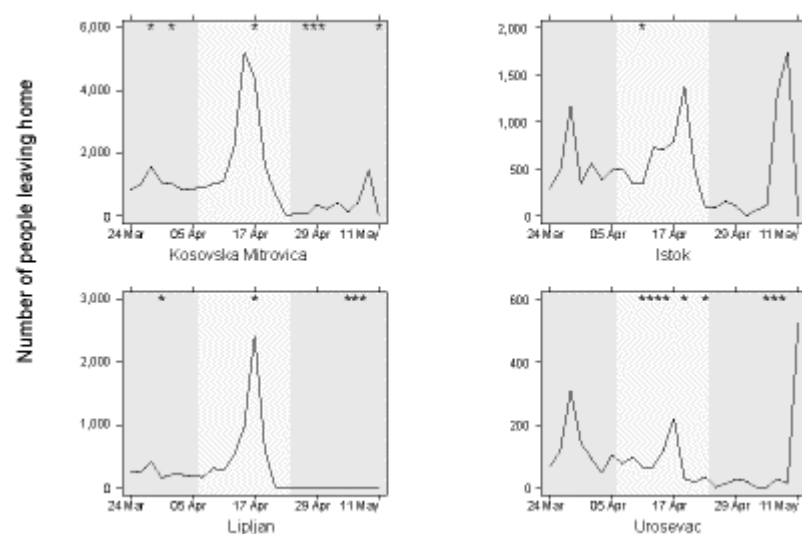
Civilian outflow from Mitrovica continued through the end of Phase 2.

Map 3.2: Refugee flow by municipality, 7 April-23 April



Kosovo Polje, Lipljan, and areas south of Pristina also had heavy outmigration flows. However, the sequences of bombing and migration in these areas are essentially unrelated, as shown in Graph 3.1.

Graph 3.1: Number of Kosovar Albanians leaving their homes and bombing patterns, by two-day period, for four municipalities (Kosovska Mitrovica, Istok, Lipljan, Urosevac)



The heaviest flow of people out of any single municipality in Phase 2 originated in Mitrovica, which during this Phase is bombed only on 17 April; note that the NATO attack came after the peak number of departures on 14-15 April. There was substantial refugee flow out of Mitrovica during Phase 1, and there was a small peak in Phase 3. However, most of the people who left Mitrovica did so during Phase 2. Earlier NATO strikes (during Phase 1) and later (during Phase 3) are out-of-sequence with refugee departures in those periods.

Other municipalities in north-central Kosovo suggest similarly disconnected patterns. In Lipljan, the bombings occurred in early April and in early May; during neither period were substantial numbers of people departing. Many people did leave in mid-April, and a NATO airstrike coincided with the two-day period in which the heaviest flow occurred, 17-18 April. Immediately after the NATO attack, refugee departures declined to zero.

Istok is a complicated region. Although it is classified as in the west (and therefore included among the south and west in the proportions in Graph 1.2), Istok is in a transitional area on northern and eastern edge of the south and west region. Appropriately for a transitional area, refugee flow patterns in Istok had similarities to both the patterns of the south and west and to patterns of the north and east. Large numbers of refugees left Istok in each of the three phases, with relatively fewer people leaving at the points between phases. The only reported NATO air attack occurred on 11 April, approximately ten days before the 18-19 April surge when more than 1,300 people left. The largest outflow from Istok occurred weeks after the early-April air attack when on 6-9 May more than 3,000 people departed.

Urosevac is presented to show the refugee pattern in an area of heavy NATO bombing. The municipality was hit on six two-day periods during Phase 2. Arguably the bombs hit a few days earlier than the Phase 2 departures, and so they could have been the motivation for the departures. At no point did the number of people departing in any two-day period rise above 500. There had been similarly scaled departures in early April (i.e., a few hundred people per two-day period) when no bombs fell. Thus it is implausible that bombs in mid-April motivated departures when similar numbers of people had left their homes in early April with no equivalent motivation.

The OSCE documented an event in Urosevac that is noteworthy by its uniqueness. About twenty minutes after the Yugoslav army began shelling an area in the municipality in early April, NATO hit a Yugoslav Army barracks, killing about a dozen soldiers. The survivors were apparently enraged by the bombing and began indiscriminately shooting Kosovar Albanians and escorting them to the train station (apparently for subsequent deportation out of Kosovo). This is the only reported event in which a NATO bombing triggered an immediate retaliatory reaction by local Serb forces that led to the forced migration of Kosovar Albanians.

On 14-15 April, more than 16,000 people crossed the border, followed by another 31,000 people on 16-17 April. The flows on these days included approximately 5,000 and 6,000 people, respectively, from the north-central municipalities of Klina and Srbica. Our analysis indicates that most of these people had been in transit for 10-14 days, having left their homes in early April. Usually, more than 75% of the refugees entering Albania on any given day had very recently left their homes - within the last day, or at most within the previous week. However, at this time the flow across the border reflected a much earlier process in which people left their homes. The cross-border flow on 16-17 April was somewhat different because it was not the product of recent evictions. Instead, the Phase 2 high-flow point reflects in part the migrants' delayed access to the border, or delayed willingness to leave Kosovo. The OSCE noted that thousands of internally displaced people had gathered in this area in central Kosovo, and that in mid-April, Yugoslav authorities rounded them up and transported them to Albania.

Phase 2 ends with a dramatic drop in the total number of Kosovar Albanians leaving their homes and crossing into Albania: the counts for each two-day period dropped below 1,000 on 22-23 April and again on 24-25 April for the first time since Albanian border officials began systematically recording refugee data in late March (see Graph 1.1 for total counts of Kosovar Albanians entering Albania). This low point defines the end of Phase 2.

Notes

23 Of the 83,000 Kosovar Albanian refugees who entered Albania during Phase 2, approximately one-third left their homes before 7 April

24 Interview given to HRW, April 1999, Albania

25 HRW Kosovo Flash #35.

26 This probably occurred between 10-13 April, according to Yugoslav reports about when NATO air attacks occurred in that area

27 OSCE 6 Dec. 1999, Part 5: chapter on Urosevac.

28 OSCE 6 Dec. 1999, Part 5: chapter on Urosevac

29 See Appendix B, the maps from 7-17 April, in the areas between Pec and Glogovac

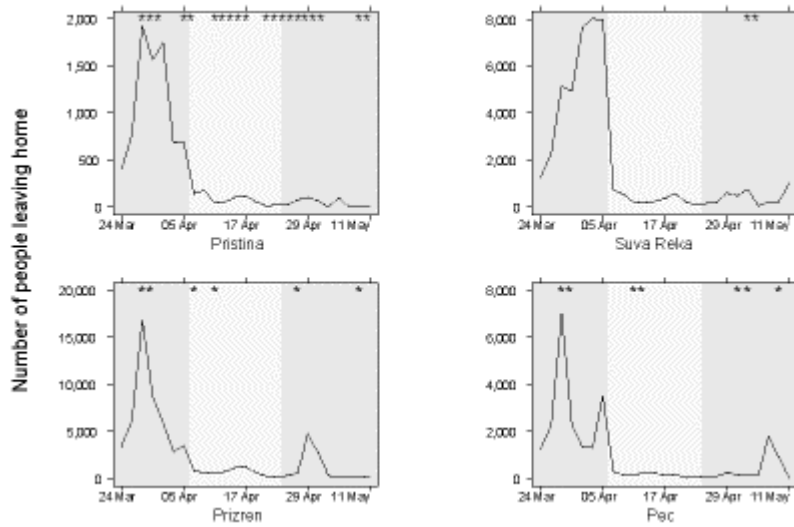
30 OSCE 6 Dec. 1999, Part 5, Chapter on Srbica

Phase 3 - 24 April to 11 May

More than 67,000 Kosovar Albanians entered Albania during this phase, a rate approximately two thirds that of the previous period. On average during Phase 3, fewer people were crossing the border into Albania and they had been in transit longer, compared to Phases 1 and 2: 48% of the refugees entering Albania during Phase 3 had left their homes before 24 April. The daily flows tended to be more even and consistent than the previous Phases (see Graph 1.1). Most of these new refugees departed from the southern region of Kosovo, especially from Prizren.

Mass killings documented by the OSCE and human rights organizations declined slightly during Phase 3, but nonetheless massacres were documented in Gnjilane, Suva Reka, and around Pristina. Human Rights Watch reported that there were mass killings in around Glogovac and other acts of violence against civilians in Djakovica and Vucitrn. As the weather improved, NATO attacks increased substantially relative to Phases 1 and 2, with heavy bombing in Pristina and Djakovica, and lower intensity in Prizren, Mitrovica, Lipljan, Pec, and Gnjilane (see Map 4.1).

Graph 4.1: Number of Kosovar Albanians leaving their homes and bombing patterns, by two-day period, for four municipalities (Pristina, Suva Reka, Prizren and Pec)



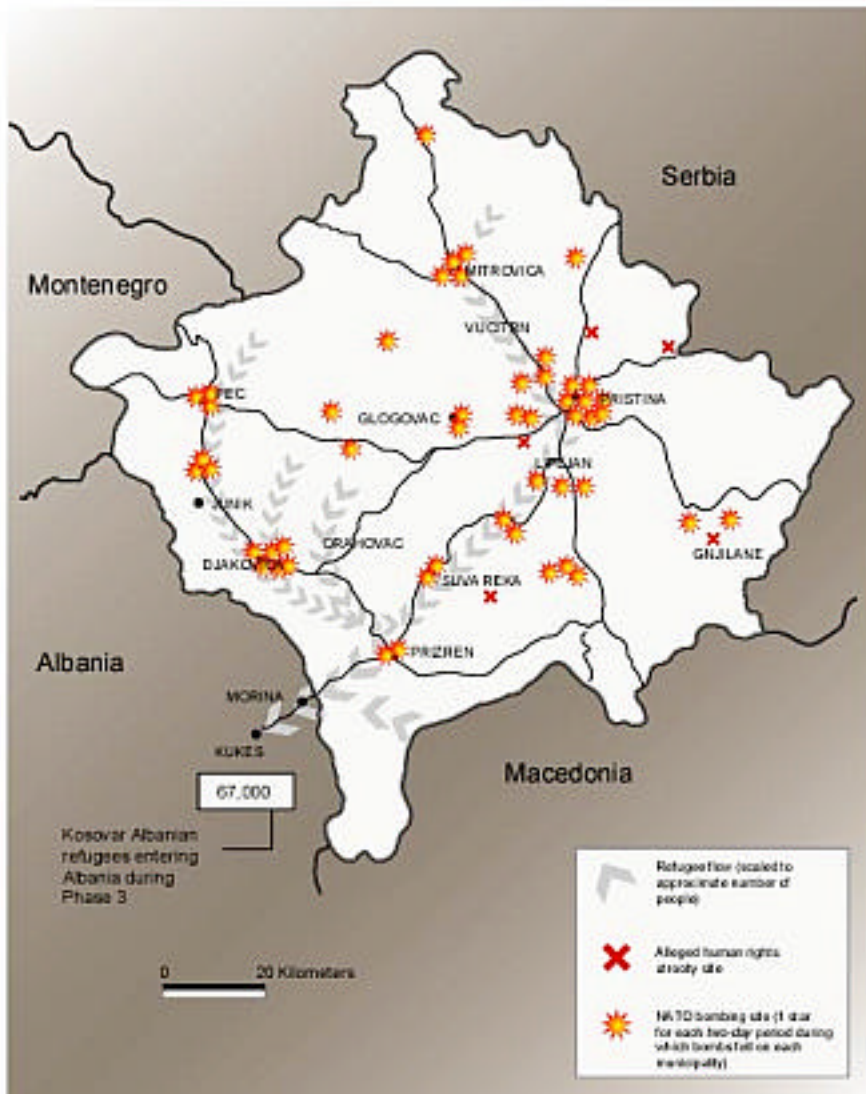
About 36,000 people left their homes during Phase 3, and nearly all of them exited Kosovo during this same period. The relationship between people leaving home and people crossing the border is more complicated in Phase 3 than at earlier times. People who left their homes during Phase 3 tended to exit Kosovo more quickly than people who left their homes at earlier times. While 88% of the people who left their homes during Phase 1 exited Kosovo during Phase 1, the corresponding proportion for Phase 3 is 96%.

This difference between leaving home and crossing the border during Phase 3 is partly a result of so many people having left their homes during Phase 1. Even though a relatively small proportion of the people who left home in Phase 1 were still in transit during Phase 3, the absolute numbers of these refugees were still sufficient to dominate the border-crossing flow during Phase 3: half of the people who crossed the border in late April and early May had left their homes much earlier. It may also be that some of the people who left home during Phase 3 were still in transit in Kosovo when the border registry ended on 28 May (very few people entered Albania during June). Such people would obviously have never been registered as crossing an international border, and so they would not have influenced the analysis of transit times, thereby artificially depressing the estimated transit times for Phase 3. Notwithstanding these limitations, it seems that conditions that were detaining refugees from being able to exit Kosovo during Phases 1 and 2 were reduced during Phase 3, allowing people to exit more expeditiously.

The preponderance of new refugees came from southern municipalities, with Prizren contributing the largest number. After Prizren, the two municipalities immediately to its north -- Suva Reka and Orahovac -- had the heaviest outmigration, followed by Mitrovica (see Map 4.2).

As in previous phases, the bombing did not correspond to migration patterns in sequences that would support the claim that the bombing had motivated people to leave (see Graph 4.1). Mass killings and bombing seem to have occurred in significantly different areas from migration.

Map 4.1: Phase 3, 24 April-11 May

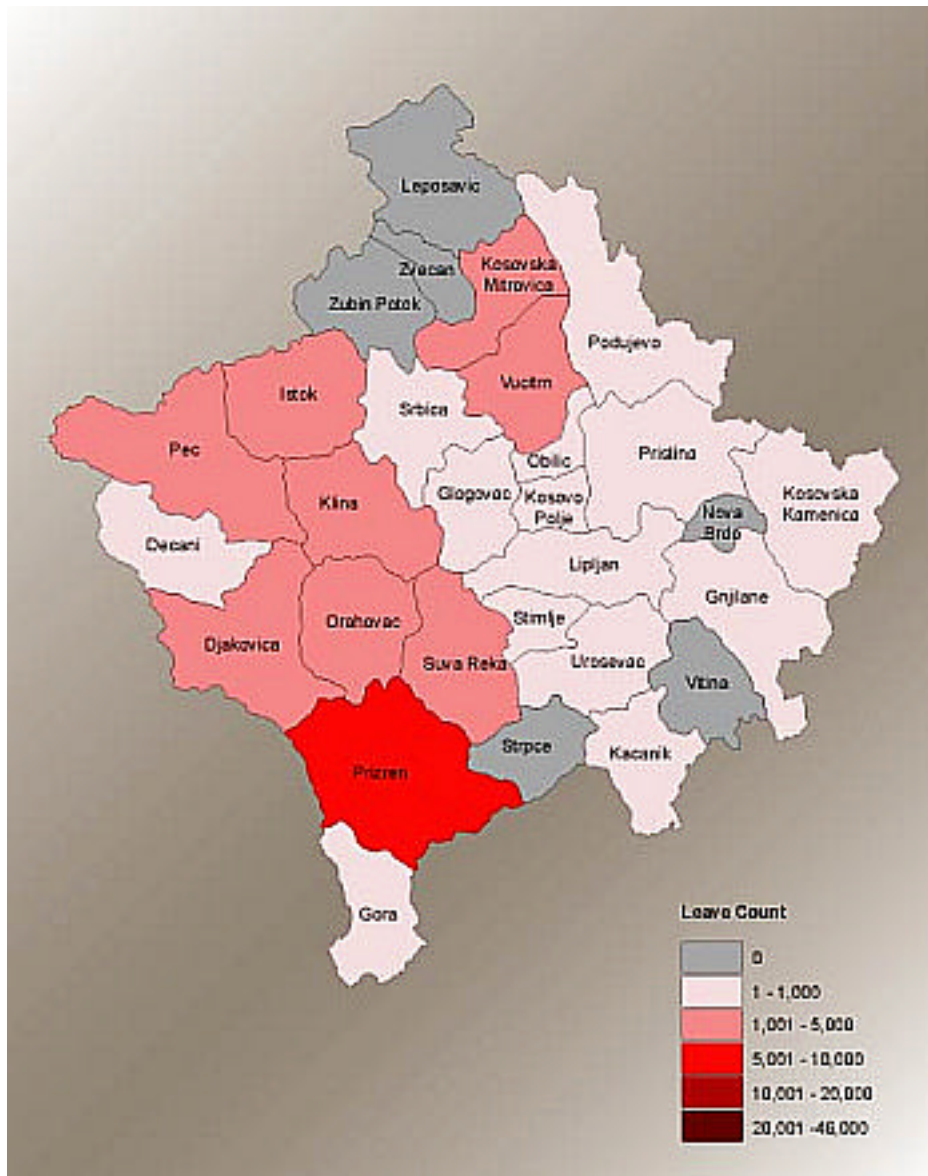


Since the beginning of the conflict, Pristina had been bombed more often than any other area. Nonetheless the bulk of migrations out of the municipality had occurred in Phase 1, and nearly constant bombing throughout the rest of the conflict does not seem to be related to ongoing exodus. Thousands of people chose to remain in Pristina throughout the war.

In Suva Reka, another location of major outmigration, nearly all of the refugees departed long before the first bombs fell in early May. In Pec, NATO attacked in the middle of the period of heavy outflow during Phase 1, then again during a relatively low flow in mid-April, and then before and after the early May peak in Phase 3.

Considering all of Kosovo, Prizren was the municipality with the heaviest outmigration during the conflict, and it was here that the bombing-migration pattern is perhaps most closely linked. The first bomb attack occurred on 27-28 March at the peak of Phase 1, a two-day period when more than 16,800 people left Prizren. Although more than 9,400 people had left in the four days prior to NATO's attack, many more people left in the days following.

Map 4.2: Refugee flow by municipalities, 24 March-11 May



NATO hit targets around Prizren immediately after the bad-weather break in early April. This attack came slightly after the end of Phase 1 and during a period of relatively low outmigration flows. NATO attacks occurred on 5, 7, and 11 April, but flow levels during 7-13 April remained less than 1,000 people leaving Prizren per two-day period. After a very small increase in refugee departures in mid-April, refugee movements peaked again at the end of the month, 28 April-1 May. These flows could have been motivated by NATO attacks that occurred just prior, on 25 and 27 April. We are not sure. If the mid-April flows had increased with the coincident bombing attacks, it would be clearer that bombing was motivating refugee departures.

Given the lack of connection between the mid-April NATO attacks and subsequent refugee departures, a better explanation of refugee departure from Prizren is that departures followed the same pattern in Prizren as in other southern and western municipalities. In the broad terms suggested by the Phases presented in this report, Prizren's pattern was similar to the patterns found in its neighbor to the north, Suva Reka, and to Pec in the far west, and to a lesser extent, Pristina. These municipalities (like others shown in Graph 2.1) had their heaviest flows in Phase 1 before 6 April, followed by a weeks-long period of relative calm, and then a renewed surge of refugees departing

during Phase 3 in late April and early May (Pristina does not show this later increase). This pattern was different from the pattern of refugee outflow found in Mitrovica and Lipljan (shown in Graph 3.1). Other municipalities in the north-central region showed the same pattern as Mitrovica, including Srbica, Vucitrn, and Kosovo Polje. In these north-central municipalities, the heaviest outflow occurred in the middle period of Phase 2.

After 11 May, total refugee flows through Morina never rose above the low thousands, and most days numbered in the dozens. Both Macedonia and Albania developed interim structures to manage the enormous numbers of refugees in those countries, and massive international assistance kept the situations from becoming desperate. Although the conflict between NATO and the Federal Republic of Yugoslavia continued until late June, by mid-May the refugee crisis had stabilized.

Notes

31 “Ethnic Cleansing” in the Glogovac Municipality, New York: Human Rights Watch, 1999; also HRW Kosovo Flash #34 & #40

Conclusion

An analysis of the sequences of NATO bombing and patterns of refugee departures from their homes leads to the conclusion that only a small fraction of Kosovar Albanians fled Kosovo as a direct result of NATO bombing raids. The data also suggest that NATO bombs falling in a specific locale were neither a motivation for Kosovar Albanians to flee, nor were they a significant impetus for local Serbs to evict their ethnic Albanian neighbors. Explaining the pattern of refugee flight in distinct phases—first primarily from the west and south, then from the north and east, and then again from the south—requires something other than local or tactical reactions to the NATO air campaign.

The findings in this report suggest that the Yugoslav military, police, and paramilitary apparatus may have used the bombing as a broad political excuse to conduct a previously prepared operation to evict ethnic Albanians.

Only a small fraction of Kosovar Albanians fled Kosovo as a direct result of NATO bombing raids.

In less than three days after the NATO air campaign began, tens of thousands of people were forced from their homes. The operation to expel Kosovar Albanians was sustained at a high level for over seven weeks. During this period, the Yugoslav authorities maintained a force of more than 50,000 soldiers, police, and paramilitary irregulars inside Kosovo and conducted a complex operation to evict more than 850,000 people. A campaign on this scale required detailed advance planning. It is our conclusion that the evictions were not spontaneous: mass migration on this scale and in this pattern could only have been driven by a centralized policy, not by individual decisions or emotions of either Kosovar Albanians or local Yugoslav military or police officials.

Refugee movements occurred in periodic surges. Over time, the flow of people leaving their homes emanated from different regions of Kosovo, and the flows occurred in peak periods separated by relatively calmer periods. The phases—periods during which many thousands of people left their homes separated by periods when relatively few people left their homes—correspond closely to the shifts in regional origins of the departing refugees.

Mass migration on this scale and in this pattern could only have been driven by a centralized policy, not by individual decisions or emotions of either Kosovar Albanians or local Yugoslav military or police officials.

The coherence of the phases, and their apparent coordination across broad regions of Kosovo suggests that Yugoslav authorities devised and implemented a policy to attempt to clear at least certain regions of ethnic Albanians.

On 27 May 1999, the International Criminal Tribunal for the former Yugoslavia (ICTY) announced the indictment of five Yugoslav leaders for war crimes, including deportation.

Refugee flows do not follow patterns of mass killings.

The statistical analysis presented in this report supports the allegation by the Chief Prosecutor of the International Criminal Tribunal for former Yugoslavia (ICTY) that senior Yugoslav officials are guilty of individual or “superior criminal” responsibility for these crimes. We find that the migration patterns of Kosovar Albanians are consistent with the hypothesis that there was a coordinated and organized effort to drive them from their homes. The organization required to coordinate this action had to have been so great that it is implausible that the accused Yugoslav officials did not, at a minimum, know what was happening.

In the data presented here, refugee flows do not follow patterns of mass killings. As with bombing, massacres occasionally coincided with heavy refugee flows. However, there are many areas in which many refugees departed but there were no massacres, and there are other areas in which mass killings were committed yet from which there were relatively few refugees. Qualitative sources provide

While NATO bombing was not the cause of the migration, neither did the bombing stop Yugoslav forces from driving hundreds of thousands of Kosovar Albanians from their homes.

substantial and consistent evidence that Yugoslav authorities used terror and brutality to force Kosovar Albanians from their homes. However, findings from this report support the hypothesis that the conditions which led to mass killings were more locally specific than the generalized policy which directed forced evictions. For example, Yugoslav forces executed groups of Kosovar Albanians, primarily men, in retaliation for KLA attacks or because the victims lived in villages or towns thought to be KLA strongholds.

Finally, this report finds that NATO’s bombing was tactically ineffective at stopping the forced eviction of Kosovar Albanians. While NATO bombing was not the cause of the migration, neither did the bombing stop Yugoslav forces from driving hundreds of thousands of Kosovar Albanians from their homes.

Notes

1 The OSCE reported that there were 15,000 - 20,000 regulars from the Yugoslav Army and approximately 30,000 police and irregulars in Kosovo during this period (6 December 1999: ch. 3). Police and regular army units coordinated closely with each other; see “Report on Serious Violations of International Humanitarian Law in Kosovo in 1998,” (Feb. 1999), New York: No Peace Without Justice (www.radicalparty.com)

2 The OSCE’s estimate is 863,000 (6 Dec. 1999: ch. 14).

3 See the ICTY 27 May 1999 press release (JL/IPU/403-E)

4 Mass killings committed by Serb authorities retaliating for KLA attacks or against civilians in areas alleged to be KLA strongholds were seen in many areas, but especially in the Drenica region. Human Rights Watch documented this pattern before the war (A Week of Terror in Drenica, February 1999; “Humanitarian Law Violations in Kosovo,” October 1998) and during the war (“Ethnic Cleansing” in the Glogovac Municipality, July 1999). The OSCE report describes how Serb authorities subjected areas under KLA control to a “high level of mass killing of men with utmost brutality” (6 Dec. 1999: ch. 5)