

The Pines of Cuska
By
Scott Mackay

Detective Barry Gilbert studied the victim through the cracked windshield of the crashed Unipar delivery truck. The deceased was in early middle age. His head hung over his left shoulder. The truck's crumpled front end pinned him to his seat. While the top half of his body looked intact, the hidden bottom half had to be nothing but jam. The victim's name was Petar Mestrovic. According to Unipar, he was single, and lived alone. Thank God there would be no next of kin to call – rarely did a victim have a body so mangled.

Police now blocked all twelve lanes of the 401. Traffic was backed up for miles. Overhead, the CFTO News Helicopter filmed the chaos for the six o'clock news. Thousands of drivers waited for Gilbert to let them pass, but he was damned if he was going to let any of those drivers drive over his crime scene before he had a good chance to analyze and process it. He walked away from the Unipar delivery truck. His partner, Joe Lombardo, scoured the debris in the eastbound express lanes looking for evidence. Fire Lieutenant Peter Rand approached Gilbert with a metal-cutting tool. Rand gestured at the backed-up traffic.

"Look at this," he said. "It was bad even before this thing happened. I think I'm going to transfer to Povungnituk."

"If your up in Povungnituk, see if they have an opening for a police officer," said Gilbert.

All the gridlocked traffic made Gilbert uneasy. His city – his hometown – had gotten out of control in the last few years. It was July. It was hot. There'd been nothing but smog advisories all week. Thousands of cars now crammed this stretch of highway pumping more crap into the air, making the smog thicker, the temperatures hotter. If that weren't bad enough, public sanitation workers had gone on strike. Garbage collection had been suspended indefinitely. Toronto stunk. He sensed short tempers everywhere. Right now, Povungnituk sounded good.

"Can we cut him out yet?" asked Rand. "The marshal tells me it's costing a million dollars a hour to keep this highway closed."

Gilbert lifted his brow. "How does he figure?"

"In lost work hours and retail revenues," said Rand.

Gilbert shook his head. "Everybody's just going to have to wait," he said.

Rand gestured with some skepticism at the badly damaged delivery truck and its dead occupant.

"Are you sure about this?" he said. "I mean, a bomb?"

Gilbert nodded. "I've done a color-spot test with my field kit," he said. "It came back positive for TNT." Gilbert sighed and put his hands on his hips. It wasn't his job to convince Rand, but under the circumstances, a million dollars an hour and so forth, he felt he had to. "Even without the color-spot test, we can tell it's a bomb. Look at the front of that truck. That's not impact damage. The marshal was right to call us. See the

debris? My partner's finding it six lanes away. That's blast debris. I've done car bombs before, and this is definitely a car bomb."

Ten minutes later, Detective Luke Jerome from the Bomb Squad appeared. He strode across the debris-strewn pavement toward Gilbert.

"Can you believe this?" he said, motioning at the gridlock. "This is surreal."

"You came along the side roads?" asked Gilbert.

"Yeah," said Jerome.

Lombardo came from the eastbound express lanes with a couple of Zip-Loc plastic bags in his hand.

"Look at this," he said. "A timer from Radio Shack, and some color-coded wiring." He looked at Jerome, a facetious smile on his face. "Can we go home now?"

Jerome shook his head. "This might take a while. Bombs always do."

Gilbert cast a nervous glance at the traffic. He felt like he was standing in front of the Hoover Dam, only now the dam had a big crack in it.

"How long?" he asked. He nodded at Peter Rand, who stood nearby with his metal cutter. "The fire guy says it costs a million dollars an hour to keep this highway closed."

Detective Jerome surveyed the scene one more time. "Five hours," he said.

"So five million dollars," Gilbert said glumly.

Jerome nodded. "Give or take," he said.

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The next day, before lunch, Lombardo came in with the case's first lead.

"Luke successfully identified a manufacturer's taggant in the explosives residue," he said. "He gave me a verbal on it. He'll fax the official report later this afternoon for our case file."

Gilbert smiled, pleased by this news: a taggant – a color-coded marker embedded into the explosive by the manufacturer for owner and buyer identification purposes.

"So you've found the TNT's last legal owner?" he asked.

"I have," said Lombardo. "Huronian Northpath Paving and Construction Ltd."

"Who are they?" asked Gilbert.

"They tendered the lowest bid on Highway 65 last year. It's all Canadian Shield up there. They had to blast through solid granite. They needed a lot of explosives. They reported a crate stolen in October. The Ontario Provincial Police haven't recovered the crate yet. Huronian Northpath is going to fax a list of employees."

Which they did, an hour later.

By this time, Lombardo had gone out to get some lunch. This gave Gilbert a chance to compare the Huronian Northpath employee list to the Unipar employee list.

When Joe came back with sandwiches and coffee, Gilbert showed him the two lists.

"A man named Emin Selmanaj worked for Huronian Northpath last October," said Gilbert. "He now works for Unipar." He nodded placidly. "I think we have our first suspect, Joe."

"Great," said Lombardo.

"Unfortunately, Justice Lembeck's not willing to sign a warrant on the basis of these employee lists alone. He needs something more concrete. Something that legitimately connects Selmanaj to the crime. That means we have our work cut out for us. Especially because I've already encountered some obstacles already. I phoned Huronian Northpath while you were out getting lunch, and they said Selmanaj had no particular expertise in explosives, was just a general laborer, and had no access to the explosives shed. Nor did

anyone at Northpath ever see Selmanaj anywhere near the explosives shed. I think we're going to have to dig up some background, Joe, before we actually approach Selmanaj. No point in scaring him before we actually have to."

Given the obviously foreign names of both suspect and victim, Gilbert thought a good place to start might be the Immigration Office. He phoned Immigration Canada and had them fax immigration records on both the victim, Petar Mestrovic, and their suspect, Emin Selmanaj. Copies of the immigration applications came with accompanying photographs. It turned out the victim and the suspect were both from the Balkans, from different towns in the former Yugoslavia, towns that were within easy driving distance of each other.

"This is promising, Joe," said Gilbert. "It establishes a preliminary link between the two men. They come from the same part of the former Yugoslavia. Petar Mestrovic comes from a town called Zahac. Emin Selmanaj comes from Cuška. I checked an atlas. Those two towns are five miles apart. And guess what? Both victim and suspect served in the military over there, but on opposite sides. Mestrovic fought with the Yugoslav Army. Selmanaj fought with the Kosovo Liberation Army. Those forces were in opposition to each other during that whole mess. So technically, our victim and suspect are former military enemies. That's a tantalizing piece of circumstantial evidence."

Lombardo came over and had a look at the military service spots on the immigration application forms. "I really don't know anything about that whole mix-up over there," he said.

"Neither do I," said Gilbert. "But I know someone who does. Korina Soldo, the occupational health nurse."

Gilbert went to visit the force's occupational health nurse, Korina Soldo, later that afternoon. She hailed from Bosnia and was a heavyset woman who, in spite of her perpetually tired eyes, had a great smile for Gilbert as Gilbert walked into the occupational health office.

"We hardly ever see you down here," she said.

"I try to stay healthy," he said.

He showed her everything he had.

"I need an education on the Balkan Conflict," he said. "I'm wondering if you know anything about it. Our victim looks like he was a corporal in the Yugoslav Army and our suspect appears to have been a regular in the Kosovo Liberation Army. It looks like they were operating in roughly the same area of the former Yugoslavia at roughly the same time. It seems like everybody was fighting everybody over there. I'm wondering if you can set me straight on it." He pointed at a Xeroxed map of the area in and around Zahac and Cuška. "Can you tell me anything about this particular region?"

She glanced over the case file. Her eyes narrowed.

"Zahac and Cuška," she said, her voice now melancholy with grief. "They're both in the south. In Kosovo. Poor farmland, mostly. My uncle and his family live in Pec, not too far from here. I visit them every two years. I know the area well. There was a lot of bad fighting there during the war. A lot of people died. And that's because in Zahac you have mainly ethnic Serbs, while in Cuška you have nearly all ethnic Albanians. The Serbs and Albanians hate each other. This fellow Mestrovic is a Serb. Selmanaj is an Albanian. I can tell by their names. There was a big massacre in Cuška in 1999, where this fellow Selmanaj comes from. I remember this. I was in Pec visiting my uncle when it happened. Serb units operating out of Zahac killed forty-one ethnic Albanian men in

Cuška. Zahac is where the other guy comes from. Your victim.” She raised her eyebrows. “Maybe your murder has something to do with that. Maybe not. It’s certainly something you should look at.”

Gilbert looked at the poster of the four essential food groups on the wall, thinking.

“Where could I get more information about this Cuška massacre?” he asked.

She tilted her head to one side. “I go to a community center,” she said. “The St. Alban’s Bosnian Community Center in the Dufferin Galleria. We keep files on everything back home. We do what we can for the prosecutors in The Hague. We might have something on Cuška. I could look for you if you like.”

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Lombardo, meanwhile, had dug up another possible lead.

“I phoned the Yugoslav Consulate and spoke to their military attaché while you were downstairs,” he said. “A Serb by the name of Zlatko Pavelic. He says the Yugoslav Army keeps intelligence files on many Kosovo Liberation Army recruits. They might have a file on Emin Selmanaj. He’s going to look for me. Maybe it might yield something useful.”

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Korina came to Gilbert and Lombardo two days later with information on the Cuška massacre. She had several photographs printed from the Internet. These photographs, taken by eye-witnesses on the day of the Cuška massacre, chronicled the so-called racial cleansing of ethnic Albanians in Cuška. Korina shuffled through the sheets and found one photograph in particular.

“That’s him,” she said, tapping the sheet. “That’s Petar Mestrovic.” Gilbert indeed recognized the man as their victim. “I’ve reviewed our information,” continued Korina. “He was with the Serbian unit that did the killing. He was in charge that day. He gave the orders. He was the one who sanctioned the massacre.”

Gilbert and Lombardo had a closer look at the photograph. Greasepaint blackened the man’s face. A green cowboy hat sat on his head. He carried a submachine gun, and had two bandoliers of heavy-caliber ammunition criss-crossing his chest. His boot rested on the back bumper of a large Russian-made car.

“Our victim in his glory days,” he said to Joe.

Lombardo shook his head. “What a tragedy,” he said.

Gilbert flipped through more photographs, trying to build a better sense of the massacre. He found a picture taken through some pine trees on top of a hill overlooking the village. For some reason the image stuck. He had pine trees like these up at his cottage. Every summer he went to his cottage with his wife and two daughters. The pines around the cottage were a happy sight. But these pines above Cuška, with the village burning below, were anything but happy. Two worlds. The world of the cottage and the world of Cuška. With the pines meaning two different things.

He flipped again. He stopped, surprised, yet not surprised, when he found a photograph of Emin Selmanaj. He compared the photograph to the photograph from Selmanaj’s immigration application form. Yes, definitely the same man. Selmanaj stood in front of a burning house in Cuška with a woman. Selmanaj and the woman seemed to be together. They looked at something to their right, their eyes wide and scared. Selmanaj was out of uniform, in civilian clothes, watching the horrors perpetrated by Mestrovic and his Yugoslav Army thugs. The woman was pretty, wore

jeans and a white shirt, had dark hair tied back, looked frightened, her face slack, her eyes wide and dark, her rose petal lips pulled back in a rictus of fear.

Korina, meanwhile, dug through her purse. She pulled out a business card.

"We had this on file at the community center," she said. "Contact information for the Human Rights Watch officer who investigated the massacre at Cuška." She handed the card to Gilbert. "His name is Gavin Bright. He works out of their London office. He probably has more information than the center does."

When Korina was gone, Gilbert stared at the picture of Selmanaj and the woman again. They stood against a battered old armored personnel carrier. Some Serbian security forces carried cans of gasoline in the background. The street was strewn with rubble. A dead man lay on the sidewalk. He couldn't help looking at the woman. Where was she now? What had happened to her? And in what way was she connected to Emin Selmanaj? Behind, he saw the hill. And on top of the hill, he saw the pines, blurry in this image, as if they'd been sketched in by a charcoal crayon. A background. But somehow it resonated. Pines were commonplace. Yet here was murder taking place on a grand scale. And these common pines, otherwise a happy sight, made these war crimes seem all the more heinous.

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"Zlatko Pavelic got back to me from the Serbian Consulate," said Joe. "They have a file on Emin Selmanaj after all. Guess what he did in the army? He blew up bridges. Explosives was his thing."

This bit of information was just the thing they needed to get a warrant from Justice Lembeck to search Selmanaj's place of residence.

In less than two hours Gilbert, Lombardo, and Detective Luke Jerome of the Bomb Squad found themselves in Emin Selmanaj's basement apartment on Hallam Avenue. Emin Selmanaj, a wiry, well-muscled young man in tight blue jeans, a denim shirt, and cowboy boots, looked on, his hands shoved into his back pockets, his jaw jutting.

"I don't know why you are here," he said, in a heavy Albanian accent. "Petar is my friend. I would never blow up his truck with a bomb."

Despite this assertion, Luke Jerome continued his search for bomb-making tools and materials unabated.

Gilbert and Lombardo, meanwhile, scoured the apartment for receipts, hoping to uncover one from Radio Shack.

Unfortunately, it didn't take Luke Jerome long to come to a disheartening conclusion.

"There's nothing here," he said. "If he built a bomb, he didn't build it here."

"You see?" said Selmanaj. "I didn't blow up his truck."

Without any physical evidence, they couldn't arrest Selmanaj. They had nothing that linked him to the crime scene.

So they had no choice but to start digging into background again.

This meant a call to Gavin Bright, the Human Rights Watch officer in London, England. As Gilbert talked to Bright, he discovered a telling detail. Emin's brother, Jashar Selmanaj, had been killed in the massacre at Cuška.

"We found him in the second house," said Bright, "the one that burned to the ground. We identified him through dental records."

"And you're sure he's Emin's brother?"

"Yes."

“And you have documented proof of Petar Mestrovic’s involvement?” asked Gilbert.

“We do,” said Bright. “He was the Serbian colonel in charge of the Cuška operation.”

Bright e-mailed his twenty-three-page report on the Cuška massacre to Gilbert. Gilbert read it over several times.

Certain sentences stuck out. Early on the morning of May 14, 1999, Serbian Security Forces entered the village of Cuška near the Albanian border. Serbian militia marched forty-one ethnic Albanian men to three different houses, took their valuables, destroyed their identification, then sprayed them with machine-gun fire.

The report quoted one witness, a man who’d actually survived the machine-gunning.

“We went into the living room and they opened fire with their machine guns. They killed everyone but me. Haxhi Dreshaj fell on top of me, and that’s what saved my life. The third time they sprayed, I was hit twice, once in the shin and once in the knee. I didn’t move. I heard the soldiers leave. After five minutes I opened my eyes. Arian Lushi was dead on my left, and Isuf Shala was dead on my right. I pushed Haxhi aside and crawled to the window. I saw soldiers outside. They stood around their cars and trucks smoking cigarettes. Some other soldiers walked toward the house with cans of gasoline. I knew they were going to burn down the house. I escaped out a back window and climbed to the wooded hill a mile away from the village. I watched the house burn. I finally fainted from blood loss under the pine trees.”

There were those pines trees again. Gilbert flipped through Korina’s Internet photos to the picture of the pine trees. The pines grew tall. They were a dark green, with the branches starting twenty feet up, the trunks themselves as straight as poles, the bark reddish and flaking away. Down the hill Gilbert saw great plumes of black smoke. Looking closer, he saw a tank outside the village, its grim silhouette blurry and menacing against a barn. Two women and three children fled around the foot of a hill, where a small stream splashed through the valley. The pines seemed to brood. The fire and smoke was sullen and intense behind them. The pines seemed to judge. A soldier, in sniper position, crouched on a church roof just outside the village. Half the stone cross on top of the church was blown away by mortar fire.

Gilbert flipped through some of the other laser-printed photos Gavin Bright had sent to him, trying to find another perspective. What he found instead was a duplicate photo, the one of Emin Selmanaj and the woman again, both of them looking at something to their right, their eyes wide and scared, the house burning behind them. Same photograph as Korina’s, only this one had their names in subscript underneath. Emin Selmanaj’s name was there. So was the woman’s. Danica Selmanaj, neé, Kelmendi. Another Selmanaj? Emin’s wife? Or Jashar’s wife? The lead was thin, tenuous, but it was the only lead he had.

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Gilbert participated in a three-way conference call between himself, Korina Soldo, and State Security Investigator Milo Botic of the Klinicka Police Department, the Pec Secretariat, the Ministry of Internal Affairs in Serbia two days later. Gilbert listened to Korina and Botic speak to each other in Serbian. The language sounded percussive and choppy to his ears. Botic spoke with great force. When Botic finished, Korina translated for Gilbert. Gilbert wrote it all down as Joe stood behind him.

“Thanks, Korina,” said Gilbert. Gilbert hung up and turned to Joe. “Here it is,” he said. “Danica Kelmendi married Jashar Selmanaj in Cuška on May 3rd, 1997. Emin is Danica’s brother-in-law.” Gilbert shook his head, feeling sad about the whole thing. “I checked with immigration. She’s been a naturalized Canadian citizen since last year. She lives over on Bathurst. Whether it’s a coincidence, or whether she and Emin followed Mestrovic to Canada on purpose to kill him, I don’t know. But maybe the reason we couldn’t find any bomb building stuff in Emin’s apartment is because it’s all over in Danica’s apartment. I phoned Justice Lembeck. He’s signed an addendum to our original search warrant. We can now search Danica’s premises, as well as its environs. If we find any bomb making equipment in her apartment, I think the Crown can reasonably prove Selmanaj and Danica acted in concert, that with Emin’s previous explosives experience, he did the actual killing while his sister-in-law acted as his accomplice.”

They got Detective Luke Jerome, and the three detectives drove to Danica’s apartment on Bathurst. They knocked on her apartment door. She answered a few moments later. She was in her mid-thirties, slight, attractive, with recognizably Balkan features. She wore a white uniform and a hair net – she was obviously just home from work. The uniform and hairnet suggested she worked in a bakery, cafeteria, or food-processing plant.

Gilbert produced his badge and I.D. “I’m Detective-Sergeant Barry Gilbert from Metro Homicide,” he said.

Her shoulders sank when Gilbert produced the search warrant for her home.

“I just worked overtime,” she told them. “I’m tired. I want to go to bed. Please. Can you come tomorrow?”

This would of course defeat the point of the search warrant – by morning she’d have had the opportunity to destroy or hide any incriminating evidence.

“No,” said Gilbert. “We have to do it now.”

She relented. She opened the door and let them inside.

“Please do not try to be so long,” she said. “I need to sleep.”

Luke Jerome used his ultraviolet wand.

“Most explosives manufacturers use light-reactive materials in their formulas,” he explained. “It helps us find trace evidence a lot more quickly.”

Frustratingly enough, even with the use of the ultraviolet wand, nothing showed up in Danica’s apartment.

“You see?” she said. “You are wasting my time. You are wasting Emin’s time. We had nothing to do with Mestrovic’s murder.”

“Why don’t we search her car?” suggested Lombardo. “The warrant says environs. I think we could interpret that as meaning her car.”

At the mention of her car, Danica sank to the sofa, put her elbows on her knees, her face in her hands, leaned forward, and sighed. This bit of body language could mean only one thing: they’d hit paydirt.

“Danica,” said Gilbert, trying to be kind now. “We need your keys, okay?”

She pointed without looking up. “On the hook,” she said.

“Thanks,” he said. “Is it parked outside?”

“Yes.”

“In the back parking lot?”

“Yes,” she said.

“Which one is it?” asked Gilbert.

“The gold LeBaron.”

Gilbert, Lombardo, and Jerome went down to the parking lot and popped the trunk of the Chrysler LeBaron. Jerome took out his wand.

Light-reactive taggants no bigger than dust specs immediately made themselves visible, showing up hot white under the black-light’s glow. Over and above the light-reactive taggants, they found a toolbox. And in the toolbox, they found coils of color-coded wire, stuff that matched the wire recovered from the crime scene. They discovered three sticks of TNT wrapped in paper, the paper with the words “Huron Northpath Paving” in big black letters along the side. A strong thread of evidence now connected the events in Cuška on that tragic day back in 1999 to the blown-up Unipar truck on the freeway a week ago. Case closed. Gilbert felt sorry for Danica. He didn’t want to arrest her, knowing her husband Jashar had died in that massacre, but he knew he had no choice.

They went back upstairs. He explained things to Danica.

“If you don’t cooperate with us, Danica,” he said, “the judge is going to go hard on you. Look at all this stuff we found. Three sticks of TNT. Wire. A toolbox. And lots of trace evidence besides. You don’t want to take the fall for this all by yourself. If you share blame with Emin – and that means you have to turn him in – things will be easier for you. We know about Cuška. We know about Jashar. And I’m sure the judge will sympathize with you. But you’ve got to go for a plea bargain. So save yourself some grief. Emin will understand. He won’t want you to suffer more than you already have.”

She sat motionless for several moments, her eyes clouding with tears, her chin resting on her fist – a thin woman, a tired one, a woman who had been burdened with an unfair share of tragedy. She rocked on the edge of the sofa.

Finally, in a soft voice, she said, “We waited for you.” She swallowed, trying to get control of herself. “But you never came.” She shook her head. “My heart was breaking every day. Emin’s heart was breaking every day.” She looked at Gilbert as if she were now holding him personally responsible for what had happened to her husband in Cuška. “You never came,” she said. “You just looked the other way. So we had to do something ourselves.”

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A couple days later, at headquarters, Gilbert looked at the picture of the pines again. The arrests had been made, and plea bargains struck. Danica was going to jail for six years. Emin was going for eight. Those pines still mesmerized him for some reason. A May morning in 1999. Pines standing there on that hill like silent sentinels while the sound of small arms fire crackled in the valley. A different world over there, he decided. He took too much for granted. He heard the whisper of flames rippling up the house roof, accelerated by gasoline. He looked at the two women and three children running along the stream. The sniper crouched on the church roof behind the broken cross. The tank by the barn turreted its cannon gently in search of prey. Crisp brown needles littered the forest floor. The morning sun looked baleful in the smoky sky. The pines cast shadows on the poor dry earth of Kosovo. Dark shadows. Long shadows. Tragic shadows. Shadows that in the end had stretched all the way to Canada. Yes, he took way too much for granted.

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