

THE KOSOVO REFUGEE CRISIS

JUL 26 2000

TRANSFER

HEARING
BEFORE THE
SUBCOMMITTEE ON IMMIGRATION
OF THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE
ONE HUNDRED SIXTH CONGRESS

FIRST SESSION

ON

THE CURRENT KOSOVO REFUGEE SITUATION AND THE SCOPE AND
ADEQUACY OF THE RESPONSE OF THE UNITED STATES AND THE
INTERNATIONAL COMMUNITY

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THE KOSOVO REFUGEE CRISIS

WEDNESDAY, APRIL 14, 1999

U.S. SENATE,
SUBCOMMITTEE ON IMMIGRATION,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The subcommittee met, pursuant to notice, at 9:11 a.m., in room SD-226, Dirksen Senate Office Building, Hon. Spencer Abraham (chairman of the subcommittee) presiding.

Also, present: Senators Specter, Grassley, Kennedy, Feinstein, Schumer, Hatch (ex officio), Leahy (ex officio), and Biden (ex officio).

OPENING STATEMENT OF HON. SPENCER ABRAHAM, A U.S. SENATOR FROM THE STATE OF MICHIGAN

Senator ABRAHAM. We will begin our hearing at this time, and I want to thank so many people who have been involved in helping to put together today's activities, to our ranking member, Senator Kennedy, and his staff, and to Chairman Hatch and the full Judiciary Committee staff.

Today's hearing, of course, is on the Kosovo refugee crisis. I will make a few opening remarks, and then I have asked Senator Hatch, who has had a long interest and involvement in these issues, to join us today and he will make some brief remarks, as will our ranking member of the Judiciary Committee, Senator Leahy. And we are also joined, of course, by subcommittee members Senators Kennedy and Feinstein.

Today, we will examine the Kosovo refugee crisis. The hearing will focus on what I consider to be a tragedy of epic proportions, a tragedy that constitutes the single largest humanitarian disaster in Europe since the end of World War II.

On March 24, just 3 weeks ago, NATO launched air strikes against Serb targets in Yugoslavia. Mr. Milosevic immediately raised to a new level his brutal campaign against the inhabitants of the province of Kosovo. He directed his forces to sweep through towns and villages, and target their residents, 90 percent of whom were ethnic Albanians.

"Ethnic cleansing" is a euphemism. What Slobodan Milosevic's forces did was to rape, murder and remove ethnic Albanians from Kosovo. It is said that one's home is the safest refuge, but for Kosovar Albanians this has not been the case. Across Kosovo, individuals, indeed entire families, were forced to leave their houses. Many were awoken in the middle of the night with a knock on the door or worse. Fathers and sons were removed from their families,

leaving women and children to wander toward the border, not knowing, and perhaps never knowing, the fate of their loved ones.

According to U.S. intelligence and other sources, the human rights abuses being committed in Kosovo are immense. In Arllat, Serb forces executed 200 ethnic Albanian men. In Dakovica, the bodies of 70 ethnic Albanians were found in two houses, and another 33 bodies were found in a local river. In Goden, on March 25, Serb forces executed 20 men, including school teachers. In Likovc, Malisevo and other towns and villages, they torched homes and burned shops to the ground.

And in town after town, in village after village, Serb forces expelled Kosovar Albanians, with the numbers soon climbing into the hundreds of thousands. It is difficult to fathom the horror of police and military forces surrounding entire neighborhoods and forcing those of a particular ethnicity to leave, but that is precisely what has happened.

There have been some who have questioned the extent of the atrocities being committed in Kosovo. I think that today's hearing and the testimony we are about to hear will help resolve any doubt. We will also be addressing the scope and the adequacy of the response of the United States and the international community, focusing on several aspects of this subject.

First, it is reported that last week Macedonian police removed refugees from a site there, separating people from their families and forcing them onto planes bound for Turkey. More than \$400,000 in U.S. taxpayer money was used for these flights which apparently removed many people against their will.

Second, food, shelter and other items needed by the refugees for their survival were not available for many days after the refugee flow began and are still in desperately short supply in some places. These shortages raise questions about the level of preparedness for the brutal campaign Mr. Milosevic began as soon as international observers had left Kosovo in anticipation of the air strikes.

Third, the administration announced last week that it might place up to 20,000 Kosovar refugees whom the United States has offered to accept at our naval base in Guantanamo Bay. This gives rise to some questions about what this plan involves and how it would work in practice. Finally, we will see what we can learn about what is happening and what is likely to happen to the internally displaced Kosovars who are still within Yugoslav territory.

This crisis has touched the lives of not only Kosovar Albanians, but also families right here in the United States and in my home State of Michigan. Many Americans are eager to help and have offered food, shelter and money to aid the refugees.

To give just one example, the Gerber Baby Products Company, based in Fremont, MI, has donated 21,984 cases of baby food products for the infants of refugees fleeing from Kosovo. Gerber informed our office yesterday that two truckloads had already arrived in Albania and that five to eight more truckloads were being readied for shipment. As Michigan's U.S. Senator, I want to commend this Michigan company, but all Americans who have made donations, for stepping in to help in this needy situation.

Of course, that is not the only way the crisis has affected Americans. In California, Texas and Michigan, and throughout the Na-

tion, the fate of Staff Sergeant Andrew Ramirez, Specialist Steven Gonzalez, and Staff Sergeant Christopher Stone is very much on our minds.

The numbers we are dealing with in this refugee crisis are enormous. Yet, with large numbers, it is often possible to lose the full picture of human tragedy, the human face, for behind every number and every statistic, there is a story that must be heard.

One of the goals of this hearing is to see to it that we do not lose sight of the human face of this tragedy. That is why I am pleased that we were able to help bring here three people forced out of Kosovo who will tell their stories. And I would like to thank the International Crisis Group, the Kosovo Action Coalition, Mercy Corps International and the International Rescue Committee for their help in locating these important witnesses.

At this time, I would like to also mention that not everyone who would have liked to tell their story could be with us here today. We will not hear from people like Eranda Rudari, a 28-year-old ethnic Albanian. A resident of Pristina, Eranda knew the Serbs were removing people from their homes in Kosovo, but she felt relatively safe. She was 9 months pregnant and could not imagine being evicted.

But 10 days ago, Serbian troops wearing masks barged into her apartment and ordered her and her family to leave. She told them she was about to have a baby. They said they didn't care. Her family drove for 4 days to reach the Macedonian border before they were forced to abandon their car. They soon entered a muddy field, where she was forced to sleep in the cold and the rain under plastic sheeting. The next day, she made it to a camp with tents, but she has yet to have her baby and can only hope that she will receive the medical care she needs to ensure the safe delivery of her child.

I hope that we will not forget about Eranda and her child as we consider what actions we as a Nation must take in regard to the refugee crisis in Kosovo. I look forward to hearing the stories of those witnesses who could be with us here today, as well as testimony from the administration and from refugee organizations involved in facing this tragedy. That testimony should be before the Congress as we continue to consider how we respond to this refugee crisis.

I want to thank everybody, as I said at the outset, who has helped us to prepare today's hearing.

At this point, I will turn to the chairman of the Senate Judiciary Committee, Senator Hatch, for his comments.

STATEMENT OF HON. ORRIN G. HATCH, A U.S. SENATOR FROM THE STATE OF UTAH

Senator HATCH. Mr. Chairman and members of the subcommittee, Assistant Secretary Taft, representatives of the humanitarian assistance community, and our guests from Kosovo, thank you all for being here. And I appreciate your courtesy in yielding to me, and also Senator Kennedy's courtesy, which he has always shown to me.

I commend Senator Abraham and Senator Kennedy for holding this important hearing so soon after we have reconvened from the spring recess. Senator Abraham and Senator Kennedy have been

voices for responsible and humanitarian refugee and immigration policies since both of them first came to the Senate. I was pleased we were able to work together on this very important matter.

I commend the State Department and the non-governmental organizations for everything they have done thus far. I believe I share with every member of this committee the conviction that Congress should assist in doing all it reasonably can to alleviate the suffering that has been caused by Milosevic's barbaric campaign.

Barbarism is how one might perhaps inadequately describe the deliberate and despicable policy Milosevic has unleashed in Kosovo. "Ethnic cleansing" has been another term used to describe depopulation of ethnic groups in the Balkans. But that term fails to capture the horror of systematic executions, rapes, and forced exodus of Muslims that we have witnessed in the past weeks. This is, ladies and gentlemen, quite starkly, genocide.

Applying the legal definitions in the Convention on the Prevention and Punishment of the Crime of Genocide, we are, in my view, confronting the most severe man-made humanitarian crisis in Europe since World War II. Another point on definitions. Having read Dr. Dobruna's powerless testimony early this morning, I think we should strictly accept her point and refer to the Kosovars as deportees rather than refugees.

For the purposes of this hearing, we need to adhere to a certain focus that limits our discussions to the deportee crisis at hand. We do not as of this day have a comprehensive view of the degree of devastation wrought by Serbian forces against the Kosovars. We have seen over half a million people on the borders of the contiguous nations, but we don't have any idea exactly how many are there.

We do not know today the fate of thousands of men and boys separated from their families. There are credible reports of mass rapes, of children's throats slit in front of their parents. We have no idea as to the dimension of this terror, and I hope that one of the first things today's hearing begins to articulate before the American public is the level of atrocities committed by Serbian military police and paramilitaries against this civilian population.

While this deportee crisis is inseparable from the broader foreign policy issues confronting this administration, Congress, and NATO today, we will have other forums to debate the broader policy. But two questions have been raised about this deportee crisis that should be addressed today. One has to do with the charges that NATO's intervention caused this crisis, and the other has to do with the question as to why the administration and its allies were unprepared for the level of humanitarian disaster that we face today.

Let me say here that I find the first suggestion, that NATO's bombings caused this crisis, to be completely without merit. We have plenty of evidence that these genocidal plans were already in place and, in fact, were already being slowly implemented before March 24. Further, we have a clear historical record that these types of barbarous policies are what Milosevic perpetrates. The attacks on civilian populations throughout the wars in Croatia and Bosnia are well-established. Therefore, I find it completely unfair

and wholly dishonest to accuse the administration and NATO of causing this crisis.

To assert this specious causation, however, raises a disturbing irony. I have a vivid and bitter memory of a dramatic discussion I had with then Bosnian Prime Minister Haris Siladzic in the summer of 1995, when he had come to the United States to plead for us to lift our arms embargo against his forces besieged by the well-armed Serbs.

He met with me moments after pleading unsuccessfully with Vice President Gore. President Clinton had refused to meet with him. When I asked the Prime Minister what was the Vice President's reasoning, I was told that the administration believed that lifting the arms embargo would cause the Serbs to attack the eastern enclaves of Zepa, Gorazde and Srebrenica. This is, of course, what the Serbs did anyway weeks later. Over 7,000 unarmed men and boys were herded out of town and massacred.

In retrospect, I do not know what is more astounding, the administration's completely fallacious logic then or the fact that, with the graves of Srebrenica as a glaring lesson, they were unprepared for Milosevic's campaign of genocide unleashed in the last 2 weeks. By looking at the number of deportees and learning of then new atrocities, I fear that many more Srebrenicas have occurred. If the administration learned the lessons of Srebrenica, then why were they unprepared?

Again, I thank you, Mr. Chairman, for your hard work, your leadership and your courtesy, and I thank my colleagues, Senator Kennedy and the other Democrats as well, for allowing me to go forward.

Senator ABRAHAM. Senator Hatch, thank you very much.

We will now turn to our ranking member on this subcommittee, Senator Kennedy, and again I thank you for your help in putting the hearing together, Senator.

STATEMENT OF HON. EDWARD M. KENNEDY, A U.S. SENATOR FROM THE STATE OF MASSACHUSETTS

Senator KENNEDY. Well, thank you, Senator Abraham. All of us are deeply appreciative of you to have this hearing this morning. And we thank our chairman and Senator Leahy, as well, giving the Senate of the United States an opportunity to hear from our friends. And we want to extend to them the warmest welcome.

We know it is never easy to relive these days of terror which each of you have gone through, but we want you to know at the very start how welcome you are and how important your presence here is and how the American people value, one, your extraordinary courage and, second, your commitment to your families and your loved ones, and for your willingness to share with us what is happening over in your homes and in your communities and in your country. So we thank all of you very, very much for being here.

Slobodan Milosevic's reign of terror has created the largest refugee crisis since World War II. Hundreds of thousands of Kosovar Albanian refugees have been forced to seek safe haven in other countries. From the testimony of refugees who have made it to

safety, we are beginning to learn the true dimension of the brutal atrocities that they have witnessed and suffered.

Serbian forces have terrorized villages and towns throughout Kosovo, forcing ethnic Albanians to flee their homes on a moment's notice. They have seen Serbs destroy all that they hold dear. They have seen family members, friends and neighbors tortured and murdered. As they fled to save their lives, they saw their homes destroyed. Those who could not run fast enough, like one handicapped man and his wife, were shot as they attempted to flee.

These refugees have traveled for days with only the clothes on their backs and with little food or water. They have endured every degradation we can imagine. They have been raped and beaten and stripped of valuables, including passports and documents to establish their identity. Families have been separated. Women and children worry about the fate of their husbands, fathers and brothers, who perhaps were rounded up and murdered by the Serb forces, or spared, only to be used as human shields.

Refugees who have reached the safety of camps have been forced to live and sleep in muddy open fields, exposed to cold winds and rain, in squalid conditions, with no sanitation or running water. They are the fortunate ones. An estimated 4 to 600,000 Kosovar Albanians are still trapped in Kosovo. Little is known about their fate, but the few reports we have received are deeply disturbing.

The Kosovo crisis has presented the United States and NATO with a monumental military and humanitarian challenge. We are meeting the military challenge by spending millions of dollars a day to assist NATO in the war against the Serb aggression, and it is a war we intend to win, and will as soon as possible.

Equally important is the humanitarian challenge we face. As a leader in refugee policy and the wealthiest country in the world, we must be in the forefront of international efforts to meet the humanitarian needs of the refugees and ease their suffering. We must be ready to provide humanitarian assistance on a scale commensurate with the crisis.

I commend the administration for its steps thus far in easing the plight of refugees, and I think we are all very grateful that Julia Taft is a leader in that whole effort, someone who brings enormous skill and talent and compassion to this position. We have provided thousands of tents and blankets and water containers, and over a million humanitarian daily rations to hundreds of thousands of traumatized refugees.

In the weeks ahead, we must be prepared to do more. The humanitarian needs in the region are enormous and will continue to grow. As Mrs. Orgata, the UN High Commissioner for Refugees, has recommended, and as the refugees themselves prefer, we are trying to relocate the refugees within the region. Albania is one of the poorest countries in Europe and has been very generous. The people of Albania have opened up their homes and shared what little they have with thousands of refugees, and we need to assist Albania with the high cost of caring for them and be prepared to do more to assist humanitarian efforts in Macedonia and Montenegro to make sure the refugees are treated well.

The Kosovar refugees have suffered enough. They have done nothing to merit indefinite detention and confinement in a refugee

camp. We can do better, and we should. To the greatest extent possible, we should give them a fitting respite from the violence in their homeland in a manner respectful of their dignity and their liberty until they can safely return to their homes. Refugee organizations in the United States have been flooded with telephone calls from Americans willing to open up their homes to these refugees, and I welcome the fact that the administration has given second thought to resettlement in Guantanamo Bay.

Finally, we must not forget the hundreds of thousands of internally displaced refugees. We have reports of anywhere from 400,000 to 600,000 that are really in desperate, desperate condition. And we are mindful that in a matter of hours, days, without water and food, there is a real danger to their lives.

There are, I think, three different options. One is the air drop, with all of the complexities and difficulties, and wondering whether you can get the food to the right people at the right time, and diversion of those resources and dangers to those who are involved in it; second, a humanitarian corridor, which is always difficult to establish, but has been established through a lot of leadership, actually, in the Congress. Years ago, we established it in Biafra and other circumstances. Third, we can work with some countries where at least their presence—perhaps the Greeks or Russians may be at this time more acceptable.

But we have to move, and time, hours—this isn't a decision for next week; this is a decision for today and tomorrow. And if we are serious, as I know we are, we have to take one of those three steps and we have to take it now.

I appreciate the Chair indulging me.

Senator ABRAHAM. Thank you very much, Senator.

We are also joined today by the ranking member of the full Judiciary Committee, Senator Leahy. We appreciate his presence, along with Senator Hatch's.

Senator Leahy, we will turn to you for a statement.

STATEMENT OF HON. PATRICK J. LEAHY, A U.S. SENATOR FROM THE STATE OF VERMONT

Senator LEAHY. Thank you, Mr. Chairman, and I know this is a matter of great concern to you. You have expressed this not just in this hearing, but in other meetings we have had, and I appreciate your doing this.

The Kosovo refugee crisis is the most significant humanitarian emergency in Europe in half a century. The number of Kosovar Albanians who have seen their loved ones brutalized or murdered before their eyes and who have been driven from their homes into a life of misery and uncertainty has shocked the conscience of the world. It has led to the first NATO military operation in 50 years.

We are fortunate to have with us today refugees who recently fled from Kosovo and who can talk about the relief operations there. As I said to them before the hearing started, I appreciate you being here. I am so sorry for the reason you are here.

Over 600,000 Kosovar Albanians have fled to neighboring countries. That is about the same population as my own State of Vermont. Another 700,000 are displaced inside Kosovo. Children have been lost, women and girls have been raped, men and boys

have been taken away, their fates unknown. Those alive are living in squalid camps with no idea of what the future holds.

The international community is struggling to respond, and the United States will do its part. I know we are going to be hearing from Julia Taft later and I appreciate her being here. I will do everything I can as a member of the Appropriations Committee, especially the Foreign Ops Subcommittee, to support supplementary funding for this relief effort.

We have to acknowledge the tremendous sacrifice Albania and Montenegro are making. They are poor countries, yet they have shared what they have. Private relief organizations in this country are already doing a great deal as we await the supplemental request from the administration. Vermonters, including Vermont school children, have been raising money and collecting and sending food and clothing.

We are fortunate to have the employees and volunteers of the Vermont Office of Refugee Resettlement and other groups helping all over this country. In 1996 I worked closely with those groups when we rewrote our political asylum law. I now wish more than ever we had prevailed, and I would compliment two Republican Senators who broke with a majority of their party to vote for my amendment to preserve political asylum and this Nation's place as a safe haven for oppressed people around the world.

We won in the Senate by 51 to 49. Senator Abraham and Senator Hatch voted with me on that. Unfortunately, our amendment was replaced in a conference with the House with provisions making it more difficult for people who have suffered political, religious, or other persecution, but who lacked proper documents, to obtain sanctuary in the United States. It is beneath a great country like ours.

If we are going to criticize Macedonia and others for not living up to international norms in the treatment of refugees, it is time we recognize that our own law, the U.S. law, as unfair and unworkable. What we did was wrong. Under our law, if Kosovar refugees reach our shores to escape persecution, they could find themselves quite possibly on the next plane home, wherever home might be. They could be expelled summarily without a hearing if they came here without the proper documents.

How many Kosovar refugees have a valid visa or passport? Yet, the law that Congress passed—a stupid law, a mean law—says that they have to have that. We have watched on television as the Serbian police have systematically confiscated and destroyed ethnic Albanians' identification papers, the papers that our law requires them to have. How likely would it be for these Kosovar refugees, not fluent in English, to ask for political asylum upon their first meeting?

We have spoken with refugees from Africa and Asia and we have recalled the refugees from Europe and World War II. Today, our attention is on Kosovo. We are united in this and, Mr. Chairman, we will do our part. If the United States, the most powerful, wealthiest nation on Earth, stands for anything—the dignity of people, the humanity of people, and democracy—we must help. We must help, first and foremost, immediately, on the refugee problem, and then we must help to get these people back to their homes.

Thank you.

Senator ABRAHAM. Thank you very much, Senator Leahy.

We also joined today by Senator Dianne Feinstein, of California. Senator Feinstein, thank you for being here as a member of our subcommittee. Would you like to make an opening statement?

**STATEMENT OF HON. DIANNE FEINSTEIN, A U.S. SENATOR
FROM THE STATE OF CALIFORNIA**

Senator FEINSTEIN. Thank you very much, Mr. Chairman. I just want to welcome the three people that are here and tell you that our hearts and thoughts are with you.

Although there have been many other places on Earth where we have seen man's inhumanity to man, there is one thing that the United States stands really firmly for. We are not going to be a part of a world that tolerates this kind of genocide and ethnic cleansing.

Particularly as a woman, I believe, beginning with Bosnia, it was the first time since I have been born that we have seen rape used as an instrument of terror, as an instrument of war. As far as the women of the world are concerned, we can't stand by and watch this happen.

I really look forward to hearing your testimony. What we do now is very important. How we help you and your people go home is very important, and whether there is a home there for you to go to is very important. I am hopeful—and I have suggested this to Mr. Berger—that the United States be the heart of a kind of Marshall Plan of the 1990's whereby we can, in two stages, beginning with Albania and Macedonia, the second stage with Kosovo as soon as it is possible for people to safely go home, launch a major effort of massive food relief, massive rebuilding of homes, and massive help to reestablish the economic infrastructure of your area and Albania and Macedonia. I hope this suggestion will be taken seriously because I think for many of us just solving this with bombs isn't an appropriate solution.

So I look forward to hearing what you have to say today, and I thank you very much, Mr. Chairman, for holding this hearing.

Senator ABRAHAM. Thank you, Senator.

We will now turn to our first panel which consists of three people who were recently forced out of Kosovo. We will hear from Dr. Vjosa Dobruna, who is the director and the founder of the Center for the Protection of Women and Children, in Pristina.

We will then hear from Ms. Aferdita Kelmendi, who is the editor of Radio 21, an independent radio station in Kosovo. And then we will also hear from Mr. Mentor Nimani, who is an attorney who helped gather evidence of atrocities for the International War Tribunal.

As everybody knows, all three of our witnesses were recently forced to flee Kosovo and we appreciate their willingness to come before us today, and share their experiences. And as I said in my statement, there have been some who have questioned the magnitude of the problem, both with respect to the condition of people who have had to flee, as well as to some of the atrocities that have been alleged. And we thought that this panel perhaps more than

anybody that we might hear in the Congress could help put to rest anybody's questions with regard to these issues.

So we thank you for being here. We appreciate very much how far you have traveled to be with us today. Thank you. We will start with you, doctor.

PANEL CONSISTING OF VJOSA DOBRUNA, KOSOVAR REFUGEE, AND DIRECTOR AND FOUNDER, CENTER FOR THE PROTECTION OF WOMEN AND CHILDREN, PRISTINA, KOSOVO; AFERDITA KELEMENDI, KOSOVAR REFUGEE, AND DIRECTOR, RADIO/TV 21, PRISTINA, KOSOVO; AND MENTOR NIMANI, KOSOVAR REFUGEE, AND COORDINATOR, HUMANITARIAN LAW CENTER, PRISTINA, KOSOVO

STATEMENT OF VJOSA DOBRUNA

Dr. DOBRUNA. Mr. Chairman, members of the committee, thank you for having me before this committee. My name is Vjosa Dobruna. As a pediatrician and human rights activist, I founded and I direct the Center for the Protection of Women and Children, in Pristina, which is a community clinic in Kosovo. The Center works with war trauma victims of former wars in the former Yugoslavia, families in need, and handicapped children. We also cooperate with international non-governmental and private organizations to monitor humanitarian and human rights violations.

I am here to discuss the humanitarian catastrophe in and around Kosovo. I would also like to share with you some of my experiences during the recent weeks of the massive and systematic Serbian campaign of attacks against civilians in Kosovo.

Over 1 million Kosovars have been forced from their homes and are now outside of Kosovo or stranded inside. As of now, at least 500,000 people, civilians, are trapped inside Kosovo without access to food, medical care, or even shelter. Only one region, for example, which is 20 miles northeast of Kosovo—there are 250,000 displaced persons, and these displaced persons are displaced all through the year since April 1998. And they are just searching for a safe haven and finally they reach this territory. Sixty-five thousand of them were without shelter for a year. These figures do not include the approximately 100,000 young men also believed to be missing.

Conditions inside Kosovo are completely desperate and full of terror. Children and the elderly are dying right now of starvation and exposure. In one village yesterday, three old men died, and a child. I want to make an important point here about the people who have left Kosovo. These people, myself included, are not refugees. We are deportees. We have been forced to leave our homes. We did not choose this. We did not run, even though conditions were very bad. We stayed until we were forced out. So I ask you to please refer to us as deportees, not refugees.

Now, something about my town. Pristina, which until recently, until 2 weeks ago, was a city of more than 250,000 inhabitants, now has a population of approximately 15,000 to 20,000, mostly Serbs. I was among those forced to leave Pristina by Serbian security forces. Before forcing us out of town, Serbian security troops demanded money and beat us, both my sister and I. They beat my

brother-in-law very badly, threatening his wife that they would kill him.

Even before I left Pristina, I had changed apartments every night for the previous 6 nights, since I was told by a friend that my name was on the list of targeted ethnic Albanians. Others on the list were not lucky. Human rights lawyer Bajram Keljendi, along with his two sons, one of 16 and another one of 29, were abducted by Serbian security or paramilitary forces in front of his wife and grandchildren. It was Tuesday and Wednesday, 10:00 to 1:00 a.m. in the morning. Serbian police told the family to kiss him goodbye; they would not see him again. Bajram's body was found 2 days later on the road next to a gas station. He had been shot in the head repeatedly. His sons were killed with him.

Security forces also targeted civilians who had worked with international organizations, local staff. Kujtim Dula, from Gjakova—Djakovica, in Serbian pronunciation—worked with an international organization. He was working with OSCE Kosovo Verification Mission, headed by U.S. Ambassador William Walker. Kudjim Dula was killed by Serbian security forces who called him a spy, then shot him when he came to answer his parents' door. There were widespread reports of attacks throughout Kosovo, and especially in Pristina, on those who assisted the OSCE monitors.

Another friend of mine, a doctor colleague of mine, Izet Hima, was a surgeon at the Gjakova hospital. Serbian paramilitary police executed him and burned his house down, and they did it in front of his two daughters and his wife. These were not spontaneous acts of anger; they were premeditated, and Serbian forces have clearly targeted those in positions of leadership and respect in the ethnic Albanian community in Kosovo.

I have only listed a few cases, a few incidents. Summary executions, mass killings, forced expulsion of civilians from their homes—these continue everyday throughout Kosovo. I am presenting to this committee a list of places where summary executions are believed to have taken place since the departure of the verification mission. I am going to present it to you after I finish my statement.

The idea that attacks on civilians began only after NATO began bombing is untrue. One night in late February, at 11:00 p.m., I received a phone call saying a woman was giving birth on the border between Macedonia and Kosovo. The woman was—her name was Abida Roshi and she was 29 years old and she was from the village of Dinza in the municipality of Kacanik.

Serbian forces had expelled her and her family from a village in the border district of Kacanik. The next morning, after I located an internationally marked car, I drove to the border area where I found the woman. She had walked back to her home village to bury the child who had already died, and she was severely ill herself. So I did what I could to help her.

As soon as I left, Serbian security forces appeared at her family's house and demanded to know what they had been doing talking to foreigners. The family, including the mother, was forced to walk through a mine field and into Macedonia the next day. My Center and other non-governmental international organizations verified hundreds of such cases in the year before the NATO bombings, and

these cases were growing rapidly in the months before the bombing began. The new wave of these cases we documented starting with Christmas 1998.

After being ordered out of Pristina myself, I rode with my family to the border. I rode in the back of the car, covered by a sheet, so the police would not recognize me as a human rights activist. By the time we reached the long line of cars waiting to cross, we had seven adults and two children in the car.

While in line, we were forced by Serbian police to keep the doors shut and windows closed for at least 24 hours. We waited in line for some 56 hours. As we waited, we saw many trains passing on the railway beside us carrying thousands of refugees. People in this queue started recognizing members of their family, people who are really being deported like cattle. We can see their faces out of the windows of the train. There are thousands and thousands of them, and the trains were coming every 2 to 3 hours across the border.

We heard one man in the car behind us crying because he saw his elderly father in the crowded window of one passing train headed for the Macedonian border. Hours later, the train would return empty and new people were loaded and brought to that place.

When we finally reached the Blace border-crossing at the border with Macedonia, the situation was inhuman. The flow of deportees into Blace seemed to be well-coordinated between Serbian and Macedonian border guards. The deportees slept in the open, in an enormous muddy pit, with little or no water at all, no food for the first 2 days. There was no proper medical care, and international aid organizations were not permitted access to the camp by the Macedonian police. I personally was kept from providing immediate aid to a 17-day-old baby, a citizen from my town, an infant suffering from severe dehydration. The baby died in my hands.

The mother didn't want anybody to take the baby away. The mother was a 20-year-old citizen of Pristina and she had delivered the baby without any medical care in Pristina, and she was forced to flee and she spent 12 hours at the railway station in Pristina before she was deported. She was put on the train and deported in Blace.

Conditions for deportees outside Kosovo are now improving somewhat. However, the situation at the Radusa camp, which is still controlled by the Macedonian government, is appalling. Deportees are treated like prisoners, live in the open, have no access to clean water, and international aid agencies and journalists are denied access to the camp. In addition, the forcible relocation of deportees, as you probably know, by the Macedonian authorities last week has ripped hundreds of families apart.

Today, my information is that in one camp called Brajde, two persons, husband and wife, with their child, tried to escape from the camp through the wire. And they were caught by Macedonian police, who beat the woman and lacerated the throat of the man with a knife. And this case is being documented by human rights activists in Skopje, Macedonia.

As bad as this situation is, I am more frightened than ever about the situation inside Kosovo. We know that many terrible crimes are being committed there now. Mr. Chairman, we know from the reports that are getting out. We know because we have seen it day

after day, month after month, for a year in almost every village in Kosovo. We have seen it since 1990, practically, but not on a large scale. We know that people are starving, that they are being marched out of their homes, that the men are being separated from their families and that many of them are being killed.

As you can hear from my testimony, the facts about the situation in Kosovo and on the border in Macedonia speak for themselves. I cannot really add to these facts, but I must say again NATO bombs did not cause this situation. Milosevic did it, his politics, his regime. NATO bombs did not force me from my home. The Serbian forces did. I am grateful for the NATO bombs, really. They were our only protection when we were in Pristina.

Nevertheless, we must have more than bombs in Kosovo and bread in Macedonia. At this moment inside Kosovo, the majority of civilians are starving. They have had practically no food or medicine for weeks. The majority of civilians are not living in their own houses, but they are hiding in basements or dying in fields. Bombing is not protection enough for these people inside Kosovo; it will not stop the executions and it will not stop the starvation. Also, bombing will not change the situation in Macedonia or in Albania either.

Humanitarian aid for the camps is badly needed, but does the world expect to care for these people forever in border camps? Clearly, the only solution is for them to return to their homes, and that is what they want. We have talked to hundreds and hundreds of deportees and they all want to stay near their homes. We shouldn't cut their hope that soon they are going to go back home. To do that, they must be protected. They must be protected by a NATO force inside Kosovo.

I know this committee deals primarily with refugees, immigration, not with military matters. But immigration to Europe and the United States is not the answer for deportees from Kosovo. For us, there is only one answer—to go home in safety, to rebuild our lives, and to rebuild our homes.

Mr. Chairman, members, thank you for listening to me.

Senator ABRAHAM. Thank you very much.

Dr. DOBRUNA. And I will add this list also for your record.

Senator ABRAHAM. Thank you very much, doctor.

[The prepared statement and attachment of Dr. Dobruna follow:]

PREPARED STATEMENT OF DR. VJOSA DOBRUNA

Mr. Chairman, members of the committee, thank you for having me before this committee. My name is Dr. Vjosa Dobruna. As a pediatrician and human rights activist I founded and direct the Center for Protection of Women and Children, a community clinic in Pristina, Kosovo. The Center works with war trauma victims, families in need and handicapped children. We also cooperate with international non-governmental and private voluntary organizations to monitor humanitarian and human rights violations.

I am here to discuss the humanitarian catastrophe in and around Kosovo. I would also like to share with you some of my experiences during the recent weeks of the massive and systematic Serbian campaign of attacks against civilians in Kosovo.

Over one million Kosovars have been forced from their homes, and are now outside Kosovo or stranded inside. As of now, at least 500,000 civilians are trapped inside Kosovo, without access to food, medical care or even shelter. That figure does not include the approximately 100,000 young men also believed to be missing. Conditions inside Kosovo are completely desperate and full of terror. Children and the elderly are dying right now of starvation and exposure.

I want to make an important point here about the people who have left Kosovo. These people, myself included, we are not refugees. We are deportees. We have been forced to leave our homes, we did not choose this. We did not run, even though conditions were very bad. We stayed until we were forced out. So I ask you to please refer to us as deportees, not refugees.

Pristina, which until two weeks ago was a city of more than 250,000 inhabitants, now has a population of only 15,000–20,000, mostly Serbs. I was among those forced to leave Pristina by Serbian security forces. Before forcing us out of town, Serbian security troops demanded money and beat us, both my sister and I. They beat my brother-in-law very badly, threatening his wife that they would kill him.

Even before I left Pristina, I had changed apartments every night for the previous six nights, ever since I was told by a friend that my name was on a list of targeted ethnic Albanians.

Others on the list were not as lucky. Human rights lawyer Bajram Kelmendi, along with his two sons, was abducted by Serbian security or paramilitary forces in front of his wife and grandchildren. Serbian police told the family to kiss him good-bye, they would not see him again. Bajram's body was found two days later, on the road next to a gas station. He had been shot in the head repeatedly. His sons were killed with him.

Security forces also targeted civilians who had worked with international organizations. Kujtim Dula, of the western town of Gjakova [Djakovica] worked with the international staff of the OSCE Kosovo Verification Mission, headed by U.S. Ambassador William Walker. Kudjim Dula was killed by Serbian security forces who called him a spy, then shot him, when he came to answer his parents' door. There are widespread reports of attacks throughout Kosovo, and especially in Pristina, on those who assisted the OSCE monitors.

Another friend of mine, Izet Hima, was a surgeon at the Gjakova hospital. Serbian paramilitary police executed him and burned his house down. These were not spontaneous acts of anger. They were premeditated—and Serbian forces have clearly targeted those in positions of leadership and respect in the ethnic Albanian community in Kosovo.

I have only listed a few incidents. Summary executions, mass killings, the forced expulsion of civilians from their homes; these continue every day throughout Kosovo. I am presenting to this committee a list of places where summary executions are believed to have taken place since the departure of the verification mission.

The idea that attacks on civilians began only after NATO began bombing is untrue. One night in late February, at 11 PM, I received a phone call saying a woman was giving birth on the border between Macedonia and Kosovo. Serbian forces had expelled her and her family from a village in the border district of Kacanik. The next morning, after I located an internationally marked car, I drove to the border area, where I found the woman. She had walked back to her home village to bury the child, who had already died, and she was severely ill herself, so I did what I could to help. As soon as I left, Serbian security forces appeared at the family's house and demanded to know what they had been doing talking to foreigners. The family, including the mother, was forced to walk through a minefield and into Macedonia. My center and other non-governmental and international organizations verified hundreds of such cases in the year before the NATO bombing, and these cases were growing rapidly in the months before the bombing began.

After being ordered out of Pristina myself, I rode with my family to the border. I rode in the back of the car, covered by a sheet, so the police would not recognize me as a human rights activist. By the time we reached the long line of cars waiting to cross, we had seven adults and two children in the car. While in line, we were forced by Serbian police to keep the doors shut and windows closed for at least 24 hours; we waited in line for some 56 hours. As we waited, we saw many trains passing on the railway beside us, carrying thousands of refugees. We heard one man in the car behind us cry out, because he saw his elderly father in the crowded window of one passing train, headed for the Macedonian border. Hours later the trains would return empty.

When we finally reached the Blace border crossing at the border with Macedonia, the situation was inhuman. The flow of deportees into Blace seemed to be well-ordinated between the Serbian and Macedonian border guards. The deportees slept in the open, in an enormous muddy pit with little or no water or food for the first two days. There was no proper medical care, and international aid organizations were not permitted access to the camp by the Macedonian police. I personally was kept from providing immediate aid to a 17-day old infant suffering from severe dehydration; the baby died.

Conditions for deportees outside Kosovo are now improving somewhat. However, the situation at the Radusa camp, which is still controlled by the Macedonian government, is appalling. Deportees are treated like prisoners, sleep in the open, have no access to clean water, and international aid agencies and journalists are denied access to the camp. In addition, the forcible relocation of deportees by the Macedonian authorities last week has ripped hundreds of families apart.

As bad as this situation is, I am more frightened than ever about the situation inside Kosovo. We know that many terrible crimes are being committed there now. Mr. Chairman, we know from reports that are getting out. We know because we have seen it day after day, month after month for a year, in almost every village in Kosovo. We know that people are starving, that they are being marched out of their homes, that the men are being separated from their families, and that many of them are being killed.

As you can hear from my testimony, the facts about the situation in Kosovo and on the border in Macedonia speak for themselves. I cannot really add to these facts, but I must say again, NATO bombs did not cause this situation. NATO bombs did not force me from my home. Serbian forces did. I am grateful for the NATO bombs. They were our only protection when we were in Pristina.

Nevertheless, we must have more than bombs in Kosovo and bread in Macedonia. At this moment inside Kosovo, the majority of civilians are starving. They have had practically no food or medicine for weeks. The majority of civilians are not living in their own houses, but are hiding in basements or dying in fields. Bombing is not protection enough for these people inside Kosovo. It will not stop the executions and it will not stop the starvation.

Also, bombing will not change the situation in Macedonia or Albania, either. Humanitarian aid for the camps is badly needed, but does the world expect to care for these people forever in border camps? Clearly, the only solution is for them to return to their homes. To do that, they must be protected. They must be protected by a NATO force inside Kosovo. I know this committee deals primarily with immigration and not military matters, but immigration to Europe and the United States is not the answer for deportees from Kosovo. For us, there is only one answer—to go home in safety, to rebuild our lives and homes.

Mr. Chairman, thank you for hearing my testimony today.

REPORTS OF MASSACRES BY SERB FORCES IN KOSOVO, MARCH 27–APRIL 8

Re: Reports of massacres in Kosovo over the past two weeks.

To: Friends of Kosovo.

From: Holly Burkhalter, Physicians for Human Rights.

Date: April 8, 1999.

Physicians for Human Rights, Human Rights Watch, and other human rights and humanitarian groups are in Macedonia or Albania collecting information from refugees about atrocities, as are many news outlets. The U.S. Government is also making available on a daily basis a great deal of information about reported massacres. Because none of us is able to investigate within Kosovo, we have not been able to confirm most of these reports. However, in the interest of at least compiling a picture of how extensive killings by Serb forces appear to be within Kosovo, I have pulled out the reported incidents from the many sources that have crossed my desk to date. Again, PHR has not confirmed these cases, but if even a portion of the incidents are accurate, the situation within Kosovo is clearly perilous for the one million Kosovar Albanians who remain within the country at the time of this writing. I am afraid that we can say with confidence that thousands have been killed in the past two weeks.

Note: (1) Please forgive me for not using consistent Albanian or Serb spellings for these towns. This document was assembled in haste. (2) When I had several reports of an incident, I have included them all. They may or may not refer to the same incident. (3) In all cases the victims are ethnic Albanians. In all cases but one, where the perpetrators were thought to be Arkan's people, the perpetrators are Serb military or police. (4) I did not have dates for the actual incidents in some cases. All the incidents were reported to have occurred within the last two weeks, unless otherwise stated. (5) Final note: This is not exhaustive, by any means. It is simply a portion of the reports that have filtered out of killings over the past two weeks. I have not included in this list reports of detentions, rapes, or other abuses which have been reported.

Srbica: 115 ethnic Albanian males executed by Serb forces (Source: USIA report of 4/1 covering events of the previous week, based on U.S. intelligence sources.)

Pec: 50 ethnic Albanians killed and buried; Arkan's men thought to be the perpetrators. (Source: USIA report of 4/1.)

Drakovica: 70 bodies found in two houses, 33 bodies found in nearby river. (Source: USIA report of 4/1.)

Rogove: Serb forces execute 50. (USIA Report of 4/1.)

Landovica to Balla e Cerges, southern Kosovo: The KLA reported on 3/27 that 500 people had been massacred in southern Kosovo. Source: Kosovo Briefing #59, Open Society Institute.)

Srbica: 150 Albanians were reportedly shot dead in the Srbica sports stadium. (Source Sunday Telegraph, 3/28.)

Suka Reka: 100 civilians were killed in Suva Reka. (Source: Committee for the Defense of Human Rights and Freedoms, Pristina.) 50 were killed in Orahovic and Suva Reka. (Source: AFP, citing Albanian Television on 3/27.) The USIA report of 4/7 cited refugee sources as claiming that 40 men were killed at Suva Reka on April 4, and their bodies dumped into mass graves.

Krushe Evogel: 112 men were burned to death in a school house on April 1. (Source: The Times of London, 4/3.)

Velika Krusa/Mala Kruse: More than 100 killed by shelling. Witness Melaim Bellanica brought out a list of 26 names. (Source: Associated Press, citing the BBC.) Human Rights Watch reported that a massacre occurred at Velika Krusa with 40 adult male victims. Human Rights Watch indicated that there appears to have been a separate massacre at Mala Kruse, with 12 victims. CNN reported 112 victims at Mala Kruse.

Gjakove: There were large scale killings in Gjakove beginning on 3/24. (Source: Human Rights Watch, 4/3.)

Location? 500 men were marched into a field and killed. (The Times of London, 4/6/99, location not given.)

Location? 15 young men were massacred. (Source: Sunday Telegraph, 4/4/99. No location cited.)

Location? Four children were killed when their parents did not have money for bribes to get across the border. (Source: New York Times, 4/6. No location cited.)

Sopine Village: Serbe police killed 10 people at Sopine village. (Source: New York Times, 4/6/99.)

Ternse: Serb police killed 47 at Ternse. (Source: New York Times, 4/6/99.)

Izbica: 150 people, including women and children were killed at Izbica. (Source: The KLA, as cited by the Washington Post on 4/6. US Government sources report 270 killed since mid-March in Izbica, which were cited in the USIA's 4/7 report.)

Pusto Selo: 70 were killed at Pusto Selo. (Source: The KLA, as cited by the Washington Post on 4/6.)

Jovic: 34 people were killed at Jovic. (The KLA, as cited by the Washington Post, 4/6.) This incident was also cited in the 4/7 USIA document.

Pec-Prizren Road: 15 were killed on the Pec-Prizren road. (Source: Human Rights Watch 4/2.)

Location? 50 villages torched since 4/3, 22 reported atrocities, 3 mass graves in Dureka area in Malisevo and in the Pagarusa Valley. NATO seeking information on 27 incidents of atrocities. (Source: James Shea, NATO spokesman, 4/7.)

Gornje Obrinje: 12 killed in Gornje Obrinje. (Source: US Government sources, 4/7.)

Pristina: 6 paralyzed patients at Pristina hospital killed. (Source: Ambassador David Scheffer, War Crimes report, 4/1-2.)

Kuraz Village: 70 bodies were found in Kuraz village on April 1. (USIA report, 4/7.)

Bruznic: Serb forces reportedly burned down this village near Vucitrn last week. A Kosovar Albanian refugee also claimed that Serb forces have killed 100 ethnic Albanians (at Burznic?) Since the Rambouillet conference. (Source: USIA report, 4/7.)

Negrovce: According to refugee reports, Serb forces reportedly executed five ethnic Albanians on 5 April. (Source: USIA report, 4/7.)

Senator ABRAHAM. We will now turn to Ms. Kelmendi. Thank you very much for being here as well. We appreciate it.

STATEMENT OF AFERDITA KELMENDI

Ms. KELMENDI. Mr. Chairman, members of the committee, my name is Aferdita Kelmendi. I am the Director of Radio/TV 21, in Pristina, and I am honored to appear before you today.

I thank you for calling this hearing, and I hope that through my testimony you will understand, and those who are watching and listening will understand what a terrible thing has happened in Kosovo. I hope you will hear my story and ask yourself, how could this have happened? But more importantly, I hope you will ask, how can we stop it?

I wish it were over, but I know it is not over, especially for thousands of people still trapped inside of Kosovo. They are starving and they are afraid for their lives. I know this because I was starving, too, and I was afraid for my life and I was afraid so much for the lives of my children.

Before I tell you my story, I want to make one important point, the same point my friend Vjosa has made. I am not a refugee. I did not leave Kosovo by choice. I was forced to leave and my family was forced to leave. I am not running from a civil war. I am a deportee, as all my friends, my journalists and my people were deported. I was forced to leave by men with black caps and guns who came specifically to make me leave.

When I came to my radio station on the morning of March 29, before I arrived, I saw from a distance the police raiding the station. They broke down the door and destroyed the entire station and all of its equipment. I stayed back by the car and then I drove quickly to where my family was hiding. Three families were hiding in one house, 21 people in two rooms.

We were very afraid that they would come to find us, so we left in three cars, seven people in each car. We were going to hide in another flat. We did not want to leave Pristina. But as soon as we were on the road, we were stopped by two armed men in a green Mercedes. They demanded that we pay them 200 DM, deutschemarks, for each car or they would burn our cars with us inside. And, of course, we paid. These men then forced us to follow them. When we asked where we were going, they told us to shut up and threatened to kill us. They led us to the edge of the city on the road to Macedonia and they told the police at the checkpoint to let us pass, apparently because we had paid.

Once we were on the road, which is only 35 miles to the Macedonian border, we were stopped twice, each time by a group of armed men who demanded more money from us. And, thank God, we had money to give them. Both times, I was not sure whether we would be killed or allowed to go.

About one-and-a-half miles from the border, we reached the end of a long line of cars. We stopped there and we waited. We waited there for 3 days and 3 nights. We had no food. There were seven in our car and we were all starving. Everyone in all the cars around us were starving. You could hear children crying for lack of food. We had only a little bit of water, so we took small sips and stayed very still to conserve energy.

After 3 days, my son decided to walk to the border to see what was happening. He came back after 3 hours and he told us that the border was closed to cars. So we abandoned the car and we all got out and walked one-and-a-half miles. When we reached the border near Blace, we entered the field in "no man's land."

In that field, conditions were horrible. Everyone was exposed to the rain and cold. There was no food, no tents, no medical help.

There was only huddled people, some of whom were very, very sick, and some of whom were dying. We were there for 7 hours. Amazingly, by pure coincidence, I saw Vjosa across the field and we met together. Vjosa knew a physician from Doctors of the World who had come into the field to try to help the sick people.

When this physician was going out, she took Vjosa by the hand, and Vjosa took my hand and I took my child's hand, until we had a chain of seven people. We walked to the Macedonian police barrier. The police let out the doctor and Vjosa, but they stopped me and said, where are you going with them? I looked him in the eye and spoke in Macedonian, which surprised him, and I said I am a doctor and we are taking these people out. So he let me and my family out, and that was the 1st of April.

Although my story is horrible, I know many others whose stories are worse than mine. My own friend, Gazmend Berisha—he was a correspondent for my radio station in Suva Reka; he did not get out. They executed him in the street. I still cannot believe that I will never hear his voice again. I cannot even bear to think about it.

As terrible as that is, and as terrible as my situation has been, what is more terrible is that there are still people trapped inside Kosovo. We know they have no food. We know they are constantly afraid, saying to themselves maybe today they will come and kill my brother, my sister; maybe they will put my old mother on the train and force her to leave; maybe they will take my little son and I will never see him again.

We must help these people. Please, Mr. Chairman, I ask America to help. I want to thank NATO for the help you have already given. When we were in Pristina, we would say we wish we could have bombing 24 hours a day. Only when we hear the bombs dropping do we know they will not come for us.

But bombs cannot stop these men with guns and black masks. Bombs cannot make it safe for me and for my family to return to our homes. We must have protection. We cannot go back without the protection of NATO. If, and only if, NATO comes to protect us, then the killing will stop. Then the starvation will end. Then it will be safe to return to our homes; only after NATO comes, not before.

Mr. Chairman, I am a journalist. My good friend Gazmend Berisha was a journalist. We set up my radio station, Radio 21, to be a voice for the people of Kosovo, the first free, independent voice in Kosovo on the radio. We are a voice for peace and for democracy. We are a voice of moderation. But our voice has been silenced. Now, Kosovo has no voice. We hear nothing from Kosovo, only black silence.

So I want to go back to help give the people their voice back. I know we can start over, even though we have nothing, but we cannot do it without your help and the help of the United States. I hope you will help us. I hope you will give us protection so we can return and start again from the beginning.

Thank you very much for hearing my testimony today.

Senator ABRAHAM. Thank you. We all know how hard this has been and we appreciate what you have done today. Thanks a lot.

[The prepared statement of Ms. Kelmendi follows.]

PREPARED STATEMENT OF AFERDITA KELMENDI

Mr. Chairman, members of the committee, my name is Aferdita Kelmendi. I am the Director of Radio/TV 21 in Pristina, and I am honored to appear before you today. I thank you for calling this hearing, and I hope that through my testimony you will understand, and all those watching and listening will understand, what a terrible thing has happened in Kosovo. I hope you will hear my story and ask yourselves, "How could this have happened?" But more importantly, I hope you will ask, "How can we stop it?" I wish it were over, but I know it is not over, especially for thousands of people still trapped inside Kosovo. They are starving, and they are afraid for their lives. I know this because I was starving, and I was afraid for MY life, and my children's lives.

Before I tell you my story, I want to make one important point, the same point my friend Vjosa has made. I am not a refugee. I did not leave Kosovo by choice. I was forced to leave, and my family was forced to leave. I am not running from a civil war. I am a deportee. I was forced to leave by men with black caps and guns, who came specifically to make me leave.

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We were very afraid that they would come to find us, so we left in three cars, seven people in each car. We were going to hide in another flat, we did not want to leave Pristina. But as soon as we were on the road, we were stopped by two armed men in a green Mercedes. They demanded that we pay them 200 Deutchemarks for each car, or they would burn our cars with us inside. So of course, we paid. These men then forced us to follow them. When we asked where we were going, they told us to shut up and threatened to kill us. They led us to the edge of the city on the road to Macedonia, and they told the police at the checkpoint to let us pass, apparently because we had paid.

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After three days, my son decided to walk to the border, to see what was happening. He came back after three hours and he told us that the border was closed to cars. So we abandoned the car, and we all got out and walked one and a half miles.

When we reached the border near Blace, we entered the field in "no man's land." In that field, conditions were horrible. Everyone was exposed to the rain and cold. There was no food, no tents, no medical help. There was only huddled people, some of whom were very, very sick, and some of whom were dying. We were there for seven hours. Amazingly, by pure coincidence, I saw Vjosa across the field and we met together. Vjosa knew a physician from Doctors of the World, who had come into the field to try to help the sick people. When this physician was going out, she took Vjosa by the hand, and Vjosa took my hand, and I took my child's hand, until we had a chain of seven people. We walked to the Macedonian police barrier. The police let out the doctor and Vjosa, but they stopped me and said, "Where are you going with them?" I looked him in the eye and spoke in Macedonian, which surprised him. I said "I am a doctor" and we are taking these people out." So he let me and my family out. That was the first of April.

Although my story is horrible, I know many others whose stories are worse than mine. My own friend, Gazmend Berisha, he was a correspondent for my radio station in Suva Reka, he did not get out. They executed him in the street. I still cannot believe that I will never hear his voice again. I cannot even bear to think about it.

As terrible as that is, and as terrible as my situation has been, what is more terrible is that there are still people trapped inside Kosovo. We know they have no food. We know they are constantly afraid, saying to themselves, "maybe today they will come and kill my brother, maybe they will put my old mother on a train and force her to live in a field, maybe they will take my little son and I will never see him again."

We must help these people. Please, Mr. Chairman, I ask America to help. I want to thank NATO for the help you have already given. When we were in Pristina, we would say "We wish we could have bombing 24-hours a day." Only when we hear the bombs dropping do we know they will not come for us.

But bombs cannot stop these men with guns and black masks. Bombs cannot make it safe for me and for my family to return to our homes. We must have protection. We cannot go back without the protection of NATO. If, and only if, NATO comes to protect us, then the killing will stop, then the starvation will end, then it will be safe to return to our homes. Only after NATO comes, not before.

Mr. Chairman, I am a journalist. My good friend Gazmend Berisha was a journalist. We set up my radio station, Radio 21, to be a voice for the people of Kosovo, the first free independent voice in Kosovo on the radio. We are a voice for peace and for democracy. We are a voice of moderation. But our voice has been silenced. Now, Kosovo has no voice. We hear nothing from Kosovo, only black silence. So, I want to go back, to help give the people their voice back. I know we can start over, even though we have nothing, but we can not do it without your help and the help of the United States. I hope you will help us. I hope you will give us protection, so we can return and start again. Thank you very much for hearing my testimony today.

Senator ABRAHAM. Mr. Nimani, we appreciate your being here today and we will now give you the opportunity to give your testimony. Thank you.

STATEMENT OF MENTOR NIMANI

Mr. NIMANI. Mr. Chairman, members of the committee, thank you for giving me the opportunity to testify today. My name is Mentor Nimani. I worked for the Humanitarian Law Center, a non-governmental organization monitoring human rights violations in Yugoslavia. Our main office is in Belgrade. I worked as the coordinator of the Pristina office.

The Humanitarian Law Center worked closely with the International War Crimes Tribunal in The Hague gathering information for the prosecution of war criminals. I coordinated two projects. The first project investigated reports of missing persons. The second project monitored human rights in Kosovo after the OSCE, the Organization for Security and Cooperation in Europe, was set up in Kosovo.

As part of the second project, our office monitored the trials of persons falsely accused of terrorism. A number of these persons were represented by Mr. Bajram Keljendi, a highly respected lawyer and fighter for human rights. After the trials, we would meet in Bajram's office and discuss the cases, which were often political trials. Our office would publish reports discussing aspects of the trials which we considered unfair.

Two weeks before the NATO bombings started, Serb authorities came to our office in Pristina. Luckily, the only one there was a cleaning woman. We were in another city in Kosovo investigating a report of a missing person. The cleaning woman later told us that the Serb authorities searched the office to see what we were up to. This was a bad sign. After the visit, we copied important data onto disks and erased everything from the computers.

On March 25, the day after the bombings started, I received a call from my boss in Belgrade, whom I prefer to leave unnamed. She had received a call from Bajram Keljendi's wife informing her that Bajram and their two sons had been taken from their home in the middle of the night by a group of armed men in black uniforms with police insignias. Their bodies were found several

days after. They had been shot. Bajram's sons were my close friends.

When the bombing started, my coworkers and I knew that it would not be safe to return to the office. During the first 8 days of the bombings, I worked at home. People would call me at home to report information about what was going in Kosovo. I would type it up and send it to our office in Belgrade. I have brought a few of these reports with me today.

It was difficult to go out into the streets. I heard constant reports of buildings throughout the city being destroyed by Serb forces. One week into the bombing, I learned that our office in Pristina had been looted and destroyed.

On the ninth day of the bombings, my boss from Belgrade, who is a Serb, came to get me out of Kosovo. She feared for my safety. We tried to go to Macedonia, but there was a long line of cars and we could not get in. The border was closed toward Macedonia and there was no intention of opening it. We decided to go to Belgrade instead. My boss had a Serb taxi driver who drove us. She took me, another female coworker, and my coworker's brother to Belgrade. En route, we must have passed 20 checkpoints. Each time, the taxi driver, who was the only one who spoke to the authorities, managed to convince the Serb authorities that we were all Serbians.

I hid in my boss' apartment in Belgrade for 3 days. I did not feel safe there and decided to go into Montenegro. We made it to Montenegro without a problem, but as a young man I did not feel safe there as well. My co-worker's brother and I left for Albania. In Albania, I could continue my work.

In Tirana, I began to talk to other refugees and document their stories. They spoke to me of the ordeals they had suffered and the atrocities they had witnessed. I spoke to one group of refugees from Peja, or Pec, which is in Serbian. They told me that the Serbian authorities had expelled them from Kosovo and ordered them to walk to Albania. The men were separated from the women, and they were threatened with death if they did not come up with money. To spare the men, the group gave the authorities all their money.

On the way to Albania, two children and an elderly woman died. The group traveled without food or water, but their worst experience was when they reached the border. There, Serb authorities forced them to stay the night. While they were trying to sleep in the open, loud speakers played. On the loud speakers, they heard the voices of children screaming as they were being killed. They also heard continuous threats of atrocities that would be committed against them, including descriptions of how they would be killed. One woman I spoke with said that this was the worst experience of her life. She will never be able to recover from this.

Another man and woman from Gakova, another city in Kosovo, described their escape from that city. Soldiers shot at them as they fled. They believe that 80 percent of the city has been set on fire and destroyed. In one mosque they passed in Gakova as they fled, they saw as many as 300 bodies of people slain.

I thank you for the opportunity you have given me to tell the American people about what is going on in Kosovo. Everyone must

know what is happening. Now, if I may approach to give you the reports I have brought.

Senator ABRAHAM. Certainly. We are glad to enter them in the record. Thank you very much, Mr. Nimani.

[The prepared statement and attachment of Mr. Nimani follow:]

PREPARED STATEMENT OF MENTOR NIMANI

Mr. Chairman, Members of Committee, thank you for giving me the opportunity to testify today. My name is Mentor Nimani. I worked for the Humanitarian Law Center, a non-governmental organization monitoring human rights violations in Yugoslavia. Our main office is in Belgrade. I worked as the Coordinator of the Pristina office. The Humanitarian Law Center worked closely with the International War Crimes Tribunal in The Hague, gathering information for the prosecutions of war criminals. I coordinated two projects. The first project investigated reports of missing persons. The second project monitored human rights in Kosovo after the OSCE, the Organization for Security and Cooperation in Europe, was set up in Kosovo.

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In Tirana, I began to talk to other refugees and document their stories. They spoke to me of the ordeals they had suffered and the atrocities they had witnessed. I spoke to one group of refugees from Peja. They told me that Serb authorities had expelled them from Kosovo and ordered them to walk to Albania. The men were separated from the women and they were threatened with death if they did not come up with money. To spare the men, the group gave the authorities all their money. On the way to Albania, two children and an elderly woman died. The group traveled without food or water. But, their worst experience was when they reached the border. There, Serb authorities forced them to stay the night. While they were trying to sleep in the open, loud speakers played. On the loud speakers they heard the voices of children screaming as if they were being killed. They also heard continuous threats of atrocities that would be committed against them, including descriptions

of how they would be killed. One woman I spoke with said that this was the worst experience of her life. She will never be able to recover from this.

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[From the Humanitarian Law Center, Apr. 12, 1998]

YHRF #10—FROM MONTENEGRO TO PRISTINA

(By Natasa Kandic)

None of the Kosovo Albanian displaced now in Rozaje (northern Montenegro) and Ulcinj (Adriatic coast) have tried to return to Pec. Only local Muslims go to take food and medicine to the mostly elderly Albanians who are still in Pec. Albanians from Istok and surrounding villages started arriving in Rozaje on Friday, 9 April.

Though it seems as if all Kosovo is in Rozaje, no international humanitarian organizations have a presence here. Reporters come, take notes if the story is about a massacre, and then return to Podgorica to wait for a military coup. There are over 1,000 people in the mosque—children, elderly, sick. They have not had a bath since they came to Montenegro on 27 or 28 March. Younger men are seeking ways to get out of the country and find somewhere to make a living. They would all send their families back to Kosovo if their safety was guaranteed.

A teacher from Pec tells me the inhabitants of her neighborhood were driven from their homes and taken to the indoor sports stadium on 30 March. They were held for 12 hours and then the army returned them home. The next day, they were again driven out and ordered to go to Montenegro. The first men who drove them out and took them to the stadium had camouflage paint on their faces and wore black caps. The teacher said the soldiers who took them home said, "We have orders that you should return to your homes." Those who ordered them to leave for Montenegro, she says, wore police uniforms.

Here in Rozaje, I was told that several people were killed while the inhabitants were being driven from their homes. Five men were killed in the yard of the Kastrati house in the Brzenik II neighborhood. A woman whose son, Nevzat, was killed, says her son, two brothers with the last name Gega, and another three men were slaughtered in front of her. Some odd men in uniforms and caps on their heads came into their yard, she says. They seemed to be drunk and shouted and cursed. They told her she would not be killed, that they would let her live so she would pine for her dead son. They killed the men with knives. Nevzat bled to death in his mother's arms. One of the Gega brothers, whose belly had been slit open, lingered on for a few hours. Other uniformed men came the next day and took the bodies away in a truck.

When I said I was going to Pristina, everyone in Rozaje was astounded. As I was leaving the town, the police wished me good luck. The road to Pristina via Novi Pazar and Kosovska Mitrovica was deserted—not a single vehicle. My first impression was that Pristina too was deserted. The first block of apartment buildings in the Suncani Breg district, before Matican village, was empty. Cars stood in the parking lot. Friends of mine lived on the second floor of one of these buildings. I went up, rang the doorbell and knocked. Then I tried the knob and the door swung open. Everything inside was as it used to be, at least at first glance. I met only two women on the block. The residents were given 10 minutes to leave their apartments and go to the railway station.

On the next block, I saw children playing and found some friends. The police had not been there. But many people left nonetheless, fearing that they would be ordered out of their homes at any minute. Some returned on Sunday and Monday (3 and 4 April). They had waited several days at the border and, seeing that police were not preventing people from returning, they decided to go back home. Besides the residents, there are people from other neighborhoods in these buildings. Serbs and Albanians are keeping together. They lock the front entrance at night and no one can either leave the buildings or come in. People listen to the news until the power is cut. Only a few phones work. They are not in touch with their family members or relatives in other Kosovo towns and villages.

They keep talking about the events from 31 March to 3 April. By a quirk of fate, several people from the Taslidze neighborhood remained in Pristina—they were not there when the inhabitants were being driven from their homes. Pristina was

gripped by panic when the expulsions from the suburban areas started. Rumors of killings and disappearances ran round. Nobody dares report disappearances to the Serbian police. The bombings in fact do not scare Albanians as much as "those" who will come and slaughter them—"those" being paramilitaries, police or armed gangs.

Listening to the news on the BBC, Sky News, Tirana TV and Serbian TV, they gather that Pristina was not as badly hit as Pec, Djakovica or Prizren. The downtown cafes were blown up before the NATO intervention. Some civilian facilities were destroyed by the NATO attacks and there were civilian casualties. Everybody, myself included, is afraid of being accused of spying and we kept away from the ruins.

On the night of 6/7 April, I talked for a long time with my friends by candlelight. D. tells me it is the women who bring the news about local events and that they get their information while standing in line for bread. They tell the men when it is safe to go out or to visit with friends in neighboring buildings. Everyone watches the news and then talk it over. Another major topic is "what do our Serb neighbors say." These neighbors are ordinary people but a lot of importance is attached to their words. According to D., every half hour or so, a housewife comes to his apartment with new information from the Serbs: "They say the situation is better today," or "they say it will be a bit better tomorrow."

We were just leaving at about midnight when explosions were heard and continued until daybreak. The phones were all out in the morning and somebody said the main post office must have taken a hit. It was only when I came back to Belgrade that I learned that not only the post office but the Social Security Department building had also been hit and that there were civilian casualties.

Before I left for Belgrade, I went to check up on the HLC office. I had heard the police had been there. There was a police officer outside the building. He let me in but said I was not to touch anything as "something was found in here and the police will be investigating." As soon as I was inside, an elderly lady with a dog ran up, shouting "Call the State Security; I was told to report if anybody came to this office." The officer remained silent. "Well, I'll be on my way now," I said and left. I shook with fright as she shouted after me, and heaved a sign of relief once I had left Pristina.

On the way to Belgrade, I saw several large groups near Kosovska Mitrovica. They were on foot, with children, making for Vucitrn. I asked where they were going. "Home, but we're not sure if we can," was their reply. When I told them to go back home, they remained silent and just plodded on. "People are returning to Pristina; go back home," I cried out to them.

After Raska and about ten kilometers from Kosovska Mitrovica, I waited for hours near a bridge that had been destroyed by NATO, hoping to find some kind of transportation. A villager came up and warned me sternly that I was not to stand on their land. He said he had seen a Muslim woman under the bridge before it was bombed.

MONDAY AND TUESDAY IN KOSOVO, MARCH 29 AND 30, 1999

I reached Pristina before nightfall. I could not get to the HLC office. The building is opposite the Police Department and prison and the front entrance was locked. Someone inside said, "We don't know you and we won't open the door." By his accent, I knew the man was Serb and he must know by mine that I was Serb too. I knew that the residents were Serb and Albanian and I saw their determination to allow no strangers into the building as the good side of Pristina. I went round the back and saw guards at the entrance of the neighboring building. Several men were standing behind neatly stacked sandbags. I spoke with them and learned that they were Serb and Albanian residents of the building and that they were guarding their homes. They had agreed that Serbs would defend Albanians from the police, the Albanians would defend Serbs that the KLA and all would defend themselves from paramilitaries and other bands. When air raid warnings are sounded, everyone goes down to the shelter except those standing guard.

From there I went to Nora's. I had just arrived when a weeping neighbor rushed into the apartment: "They have taken our car." Three men in police uniform had come, she said, forced open the car door and drove it away. "Better the car than your son," said Nora's father. I dialed over 20 phone numbers. Most phones were not working. It was quiet until 4 a.m. Then there were explosions, followed by silence.

When day broke, I went to see some friends. The Keljendis phone was cut off. Bajram Keljendi's shingle was still on the door of his law office. Neighbors told me they hadn't seen his wife Nekibe since the burial of Bajram and their sons. I

asked them to give her my regards. Then, together with Nora, a relation of Fehmi Agani and a driver from Belgrade, I made my way to Dragodan, Fehmi Agani's neighborhood. When we reached it, we were stopped by police. They asked to see our papers and when they saw that Nora and Arsim were Albanian, the one in charge ordered them out of the car. I got out too, saying we all worked for the same organization and were looking for a friend. The officer replied that Albanians no longer worked in Serbia and should be on their way to Macedonia. I asked since when police had the authority to fire people and he yelled at me to get back in the car and shut up. I sat on the seat, leaving the door open and my legs outside the car. He slammed the door against my legs, saying Serbia was being ruined by such Serbs. The one in charge called someone over his Motorola. This lasted about 10 minutes and then he waved us on. We made our way back to the center, hardly believing that we had got off so lightly. We drove through side streets to the Suncani Breg district. On the way, we saw wrecked and looted stores and kiosks. We found Vjollca but she was determined to stay with her family in Pristina. We were driven away by her Serb neighbor. "What kind of gathering is this? No loitering! Albanians, inside your homes!" he said.

In all-Albanian districts, we encouraged groups of people discussing what to do: should they make their way to the border or stay until the police ordered them out of their homes? Some told me no more than 1,000 people were left in Pec, those who managed to get out of the column the police and military escorted to the Montenegrin border. None of them knew if it was true that Fehmi Agani had been killed, not even his relations. They had heard the report on CNN. Nor was there any reliable news of Baton Jakdziju, the editor of Koho Ditore. People kept to their homes. Only the bravest went to see relations who live near by. Only a few phones were working.

The streets of downtown Pristina were almost deserted. People were in their apartments or the stairways of their buildings. In one of these buildings, we spoke to residents and found Mentor. He was just about to leave for the border. Everyone we spoke to was in a panic. With one exception, an Albanian, who calmly repeated he would not leave his home until he was thrown out. An elderly Serb woman came in and stopped for a moment to chat with her neighbors. She too appears to be fearless.

We started out for Macedonia, in two cars, at about noon. It's 75 kilometers to the Djeneral Jankovic crossing. Several cars coming from side streets joined us. When we were on the road to the border, there were hundreds of cars behind us. The plan was to get to the border, wait until Ariana and Mentor had crossed and then Nora and I would make for Belgrade. Three kilometers from the border, the column stopped. Rumors flew around the border was closed, that police were taking cars, that they were separating out the men * * * The sight of police with masked faces in the column frightened us and we decided to return to Pristina. No one prevented us. People asked us what was going on and we tried to persuade them to go back home. But only a few cars followed us. As we drove back, we saw that there were more than 2,000 cars in the column. We also saw groups making their way on foot, all gripped by a terrible fear.

We got back to Pristina, dropped off Ariana and the others and I, Nora, her brother, and Mentor headed for Belgrade. I was afraid of what would happen at police checkpoints. The first was just outside Pristina on the road to Gnjilane. Our driver asked a policeman if the road to Gnjilane was open. "Depends on the name," was the reply. The officer checked the driver's papers and let us through. The driver's papers were examined at the other checkpoints too and we were allowed to continue. Soldiers at a military checkpoint 10 kilometers outside Pristina asked to see all our papers. There were no problems. We reached Belgrade at about 10 p.m.

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YUGOSLAVIA HUMAN RIGHTS FLASH #1

LAWYER BAJRAM KELJMENDI AND SONS MISSING—MARCH 25, 1999

Bajram Keljmendi, a leading Kosovo Albanian lawyer, and his two sons, Kastriot (30) and Kushtrim (16), were taken from their home in Pristina at 2 a.m. on 25 March. All trace of them has been lost. Keljmendi's wife, Nekibe, also a well known lawyer and Secretary General of the Democratic Alliance of Kosovo, informed the Humanitarian Law Center that her husband and sons were taken by a group of armed men in black uniforms with police insignia. The men broke down the heavy

front door of the Keljmendi home at 1:10 a.m., entered and shouted, "You have five seconds to come out of your rooms!"

Nekibe came out first, followed by Kastriot, Bajram and then Kushtrim. She saw two of the men strike her husband with rifle butts and demand that he produce his weapons. Keljmendi told them he was a lawyer, gave his name and said his family had no guns. Using flashlights, the men searched and ransacked the house and broke furniture, accusing the Keljendis of wanting "a republic and NATO" and said this is why "they" had sustained heavy casualties. After the search they left taking with them Keljmendi and his sons as well as two mobile phones and Keljmendi's Opel Vectra car (license plates PR 143-634). Before taking them out, they told the younger son, Kushtrim, to kiss his brother's children because he would not see them again.

While the men were searching the house, Nekibe Keljmendi phoned the police station and asked for help. She called again after her husband and sons were taken. At daybreak, she went to the Police Department where she was again told to report the case to NATO and the Kosovo Liberation Army, and that it was not a matter for the police.

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YUGOSLAVIA HUMAN RIGHTS FLASH #5

BODIES OF BAJRAM KELJMENDI AND SONS FOUND—MARCH 25, 1999

The Humanitarian Law Center has received a confirmed report that the Kosovo Albanian lawyer, Bajram Keljmendi, and his sons Kastriot and Kushtrim have been killed. Their bodies were found on 26 March at a gas station on the Pristina-Kosovo Polje road. According to a relative who discovered the bodies when he went to the station for gasoline, Keljmendi and his sons were shot dead.

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YUGOSLAVIA HUMAN RIGHTS FLASH #2

OSCE MISSION OFFICE IN PEC LOOTED—MARCH 25, 1999

The Humanitarian Law Center has received information from Pec that Yugoslav Army special units broke into the OSCE Mission office in Pec and took away computers and other equipment left by the international observers when they departed Kosovo. Police and military guards have been posted outside the privately owned Miranda Hotel in which the OSCE had its office.

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YUGOSLAVIA HUMAN RIGHTS FLASH #3—MARCH 26, 1999

The Humanitarian Law Center has been informed that Serb forces torched a large number of stores owned by Kosovo Albanians in Djakovica and Prizren on the night of 24/25 March during the first wave of NATO strikes on Yugoslavia. The HLC was unable to confirm a report that Camilj (75), Sadik (80) and Nedzmedin (40) Zherka were killed when they left their homes to check up on their stores.

In connection with the events in Djakovica, the HLC has been informed that Izet Hima, an Albanian medical doctor, was killed. No independent confirmation of the report was available.

During the night of 25/26 March, the HLC was informed of the release of Bajram Keljmendi, an Albanian lawyer. Since phone links are cut, the report could not be confirmed.

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YUGOSLAVIA HUMAN RIGHTS FLASH #4

SITUATION IN PEC—MARCH 26, 1999

At about 11 p.m. on 25 March, an unidentified paramilitary group entered the home of Ahmet Nimani, a Kosovo Albanian shopkeeper in Pec, and took away all valuable items as well as two vehicles—a four-wheel drive and a Fiat Punto car. The first floor of the house was until recently used by the local OSCE Human Rights office. Thanks to the intervention of local Yugoslav Army commanders, the paramilitaries released the nine-member Ahmeti family. According to HLC information, a paramilitary group driving vehicles without license plates has been active in Pec for some time. The HLC has reliable reports that this group is responsible for the recent disappearances of Albanians in this Kosovo town. It appears that both Serbs and Albanians in Pec know some members of the group but fear retaliation if they identify them.

YUGOSLAVIA HUMAN RIGHTS FLASH #7—MARCH 27, 1999

The expulsion of ethnic Albanians by Serbian police force is in full swing in the town of Pec, Kosova, this Friday. Several eyewitnesses called the Humanitarian Law Center to report lines of people forced by police in Pec to march down the road leading to Rozaje, Montenegro, past the town's bus station. Among them was the renown lawyer from Pec, Mustafa Radonici. He was recognized by his sister, who was looking from her window, as she lives in the part of the town which has not yet suffered the expulsions. The group of expelled Albanians consists mostly of the inhabitants of suburbs Kapesnica, Zatra and Karagac as well as from downtown Pec.

Senator ABRAHAM. At this point, if you will allow us, we have a few questions, I think, from some of the members of the committee here who would like to follow up. We will begin with our Judiciary Committee chairman, Senator Hatch.

Senator Hatch.

Senator HATCH. I would like to ask each of you how well-organized are the Serbs, and when they arrived in your town, did it appear like they were working from a well-established plan?

Dr. DOBRUNA. My understanding is that is so. I mean, they are organized and they have divided responsibilities. And to prove this is that there was a special group of people that were doing search of the houses and they were taking activists. We have the testimony of the wife of Bajram Keljmendi, the lawyer that was executed with two of his sons.

And then we saw that these other police who were evicting us from apartments or taking us from the road to direct us out of the country, they didn't recognize many activists that were there in the queue of cars in town. So they are working separately, but very well-coordinated with the orders that they were getting from one place.

Senator HATCH. Do you agree?

Ms. KELMENDI. I think that it was very well-coordinated in a way that there was a strategy how to empty the city of Pristina, for example. The first day, they were threatened by killings, as happened with Mr. Bajram Keljmendi and his family, and then it started with entering in the several neighborhoods in Pristina, entering by force and telling the people that they have to leave in 15 minutes if they want to stay alive, and then sending them in the direction of the railway station or a highway in the direction of Macedonia or filling the buses in the direction of the border with Albania. So this is not something which is happening during the night. This had to be organized.

Senator HATCH. Mr. Nimani.

Mr. NIMANI. Yes, I believe so. Everything that happened in Kosovo is in detail organized by the Serbian authorities, and especially the organization as far as my observation can go is done in that sort of a manner that it will make confusion to all the observers, and that that confusion will cause not knowing who is responsible for that sort of organization.

That's why they organized in one way the police. In the other way, they organized the civilian population by giving them arms and then by allowing different groups, which we call paramilitary groups. They had different names, starting from the group of Arkan and then continuing with the group named with "black hand" and other groups which could be gathered—I mean, formed from the ordinary criminals, because we had information that Milosevic has taken out of prison criminals and sent them to Kosovo to do whatever they wanted to do.

And other information is that kidnappings that were made, especially in Peja, were committed by the people which were in a strong link with politicians in Belgrade, and that the police have tolerated their activities in that city. This is the information.

Senator HATCH. One of the horrifying things that we have noticed about this is in the pictures of the deportees, there is a distinct absence of men. In fact, we know that the Serbs have been selecting men out of the groups that they eject at gunpoint. In the last few days, the British government has suggested that as many as 100,000 men could be missing.

So I would like to ask each of you where are the men. Do we have evidence that they have been taken prisoner or even worse?

Dr. DOBRUNA. We still don't have confirmed information about where the men are. We suppose that some of them—we have indications that some of them were made to wear Yugoslav army uniforms and they were walking in front of deportees, for example, near the border of Albania, through mine fields. Or there were open graves where they were burying the massacred people. But there is not confirmed information what is done with all that number of young men.

But I have this opportunity to say something else about the population of Kosovo that will help in this case. I mean, the population of Kosovo is a very young population. Fifty-seven percent of the whole population are younger than 19 and they are all young people that we are afraid are the ones that were taken and are now on the list of missing.

Another thing that I want to mention is that since the war started, the most vulnerable part of the population of Kosovo, as always, are women and children. But the number of women and children among the displaced is the greatest number ever heard. Sixty-three percent of all displaced persons in Kosovo last year were children younger than 18, and 25 percent were women. Every third woman that was in that group of displaced persons was either pregnant or the mother that was breast-feeding a baby. It is only when we recognize these data we see how large is the tragedy among displaced and deportees in Kosovo because it is targeting primarily the most vulnerable, unprotected population of Kosovo.

Ms. KELMENDI. Mr. Chairman, I don't have information where are these people, but I pray to God to be alive.

Mr. NIMANI. No, we don't have any information or confirmation of their whereabouts. The fear is that they might be somewhere in the cities of Rancovicevo or Paracin, but no confirmation.

Senator HATCH. Thank you. We are grateful for your testimony and we are grateful to have all three of you here with us today. And we are very concerned and we will do everything we can to help.

Senator ABRAHAM. Thank you, Mr. Chairman.

We will now turn to Senator Kennedy.

Senator KENNEDY. Thank you, Mr. Chairman. I think for anyone who has been listening to these stories, it is difficult to hear about it, let alone imagine living through it. We thank you again.

Mr. Nimani, let me ask you as someone who is a human rights attorney, do you think there is sufficient evidence to indict Milosevic as a war criminal?

Mr. NIMANI. Yes, it is.

Senator KENNEDY. Do you think we ought to be pulling that information together and presenting it to the authorities and pressing that forward?

Mr. NIMANI. Yes, I think so.

Senator KENNEDY. As a legal question—I mean, there is the political issue, and I know that there are those probably in the administration who say, well, we shouldn't do it because he can negotiate still, and maybe negotiate the peace. There are others that believe that if he is defined as a war criminal, maybe others in the army may find that that is just the final action, and that there may be some opportunity then within the army to develop some potential opposition that may be willing to work and see some kind of resolution.

You can express your view on that or not, but the point is just as a lawyer and as someone that has followed the human rights issues, do you think that there is sufficient kind of information that is available?

Mr. NIMANI. Yes. From the legal point of view, there is more than enough proof to indict Milosevic to war crimes.

Senator KENNEDY. And will you work with the tribunal to provide them information that you have available?

Mr. NIMANI. Yes.

Senator KENNEDY. I would hope, Mr. Chairman, that we would review the materials which we have gathered here today and make them available to those involved in that whole process. I haven't had a chance to examine that material carefully or closely, but this is certainly the kind of eyewitness information, as well as the accumulation of these documents, that is enormously powerful. And I think if the facts are there, I think myself that we ought to certainly move ahead with that process. I think it is a very clear continuation of what we are involved in, and that is basically this extraordinary humanitarian undertaking and involvement. So I would hope that we would work it out with the members of the committee and their staffs and perhaps with the State Department and Justice Department to make that available.

I want to thank you all again for your information. And I would hope, Mr. Chairman, that as far as these witnesses and perhaps others who are associated that we could leave the record open so that if there are others that want to be able to make submissions to us to tell their story, at least we would have an opportunity to collect that and it would be available to the members, and that we would be sort of a vehicle by which that information—there will be others as well, but we ought to at least have the chance to receive that kind of information. I think it would be very helpful.

Senator ABRAHAM. Senator Kennedy, I think that is an excellent idea. I think probably what we should do is work out a process by which we can accomplish a couple of objectives. First, we have distributed to everybody here the two submissions that were made to us today, and we will get them to the other subcommittee members' staffs. And I think probably our staffs can determine a method by which the full subcommittee could perhaps pass the relevant information along on all our behalfs to the appropriate authorities.

And in terms of the record, I think this is certainly not a topic we are going to leave today and not return to. So let's develop a process we are all comfortable with for receiving additional information as we go forward. Thank you.

Senator Leahy.

Senator LEAHY. Mr. Chairman, I don't have questions. I just want to again thank all three of these witnesses. It has been difficult even to keep one's composure listening to what each of you have said. You see the pictures, you wonder how anything could be worse, and then you see more, you hear from people like yourselves.

I want to compliment Julia Taft. We have changed our normal way of doing things. Usually, a Government official like Ms. Taft would testify first. I think it is an indication of her own sensitivity to your plight that she offered to let you go first so that we would hear you. And I have heard her comments from the refugee camps.

As a child I heard stories of those coming back from World War II who had gone to refugee camps and talked about the terror, and wondering why people didn't move quicker, why more things weren't done. And you have to think, Mr. Chairman, that we wouldn't see this today, but we are, just as we have in other parts of the world.

As I said in my opening statement, I wanted to be here not just because of my feelings about our own immigration laws and changes that should be made, changes in those laws that have been supported by other members of this committee, but also as a senior member of our Appropriations Committee, where we find the money, if it is there, for refugee aid.

I can't think of anything that the committee could do that is more important right now than getting aid to the refugees, to work with the church groups and private groups and others who are getting aid over there, to work with those who are trying to make life better for those who are there, people who have suffered, who have seen family members killed, and others, to help meet not only their physical needs, but their psychological needs. None of us here can begin to realize how terrible that must be.

And so if the Congress is to show responsibility here, it must act very quickly to get that aid to them. We can find the money to support the bombing. We are talking about far less money, to help those who have been displaced.

So, Mr. Chairman, wearing both hats as a member of this committee—and I applaud you for having the hearing, and Senator Kennedy, who has had a longer interest in these problems than I or any of us here from his first day as a member of the Senate—but also as a member of the Appropriations Committee, we will work closely on this.

Senator ABRAHAM. Thank you very much, Senator Leahy.

I understand Senator Schumer would like to go next. We would normally go to you, Senator Feinstein.

Senator SCHUMER. I just want to ask a question after Dianne.

Senator ABRAHAM. Yes, we will. I assure you we will have time. Please go ahead, Senator Feinstein.

Senator FEINSTEIN. Thank you, Mr. Chairman.

You have made, for me, three important points, very important. The first is—and I think you speak for the Kosovo people—that you want to go home. You made the point about being deportees. You don't want to go to Guantanamo Bay or France or Belgium or Italy, or anywhere else. You want to go home. That is important for this committee and the U.S. Senate to hear. The second point is that you need help and you need protection to go home. And the third point is that the war crimes should be documented and they should be prosecuted.

I am very interested in the men with the black masks, who they take their orders from, and where they come from, and the kind of evidence we can get as to their identity, we need to bring these people to justice, because no military allows their people to go into people's homes wearing black masks. And I gather the masks are all the same; they look like they are government-issued.

Can you give us any information as to what branch of the service they belong to, where they get their orders? Have you ever directly seen them yourselves, anything that could be documentation on those who wear the masks?

Dr. DOBRUNA. I have seen them myself. They are coming during the night, the first night that we were waiting to cross the border on the Kosovo side, and they were knocking on the windows of the cars, and we had to get out. Usually, the one who was driving was the one to get out, and if there were women who were driving, they were just stripped from their clothes and if they didn't give money right away—

Senator FEINSTEIN. You saw this?

Dr. DOBRUNA. I saw it. And then if there were men—in my car there was a man driving, so they just told us, you have 15 seconds to give 1,000 German marks because that is how much it is worth your life. So we had to do it. And they didn't have any other sign. The colors of the uniform were dark blue, very dark blue, and the masks were the same color. They go more on black, but they were not really black. They were dark blue-black, that kind of color, because I have seen them during the day and during the night when they are extorting money and jewelry or anything that was of worth in our cars.

And they didn't have any sign, but those who went to arrest Mr. Keljmendi and his two sons, they had, some of them—they were not always masked. Some of them, they had masks, but the uniform was the same one, the same as others that didn't have masks. And it was a uniform, dark color, and they had on their right shoulder the white eagle, which is a sign that they keep for special forces, special police forces in Yugoslavia.

Senator FEINSTEIN. The white eagle—

Dr. DOBRUNA. White eagle on the right shoulder.

Senator FEINSTEIN. The people who had the white eagle wore the masks?

Dr. DOBRUNA. Yes, when they arrested Bajram Keljmendi. In cases where we waited in this queue to cross the border, we didn't see those signs, and the uniform was different. It was darker and they didn't have those lines, but the marks were the same.

Senator FEINSTEIN. Thank you very much. Does anyone else have anything to add on that?

Ms. KELMENDI. I cannot say that I can identify some of them. I remember the face of the guy who stopped us. I am seeing his face every night, but I don't know to whom he belongs. Maybe he is an ordinary civilian who has taken a gun and who is an ordinary criminal. But the most interesting is that he had Motorola in his hand. It is something which can be carried only by police or by some authorities who are talking between each other. And maybe this civilian was linked with police because in every checkpoint they talk to each other and then release us to go. So it is organizing, but I cannot say that I know every one of them.

Senator FEINSTEIN. Those who have committed the rapes, do they wear the black masks?

Dr. DOBRUNA. We don't have yet information about that.

Senator FEINSTEIN. You don't have any information. Do you, sir?

Mr. NIMANI. Before the bombing started, I was on a fact-finding mission in the town of Peja because of the masked people. They would go in the cities in the evening, driving the car without registration. And after the first day of bombing, of NATO bombing, the first house to be looted was the house in which the OSCE mission was situated. And in that house was an Albanian family and they have identified one of those masked people, which during the day works as an ordinary police officer and during the night works with the mask.

He was a member of a special police force, and in Peja he organized a group with other ordinary policemen. And we discovered that the group was named Flash.

Senator FEINSTEIN. Could you spell that?

Mr. NIMANI. That is F-l-a-s-g, like flash from camera.

Dr. DOBRUNA. H.

Senator FEINSTEIN. Oh, H.

Mr. NIMANI. H, yes. They are very fast; they act very fast. And the policeman's name who heads that group of masked people is known. I know that name. But like 2 or 3 days ago, I got information that that policeman was killed, but I did not have a confirmation of that.

Senator FEINSTEIN. Thank you very much. Thank you, Mr. Chairman.

Senator ABRAHAM. This is the first hearing we have had in the new Congress of the Immigration Subcommittee, so it is the first opportunity I have had to welcome to the subcommittee Senator Schumer, of New York, and we welcome you and look forward to working with you during this Congress. And now we will turn to you for your opportunity to ask questions.

Senator SCHUMER. Thank you, Mr. Chairman. I look forward, as well, having served on the immigration committee in the House for a long time, and I am glad to be here and sad that our first hearing has to be on a subject as awful as this one.

My question is going to focus on a particular subject, and that is the 700,000 or so Kosovars who were rooted from their homes, were coming over the borders, and then abruptly Milosevic didn't let them go to the borders. And to me probably the most urgent question we can face in the next few days is where are these people, are they starving, do they have any means of eating and preventing death.

I have asked this question of some of the highest-level people in our Government and, in fact, one of them is coming over to our office in a little while to tell us what can be done. And I will ask the Assistant Secretary that, but I would like to ask each of you because I think this problem is so pressing.

It would be utterly awful if, after 3, 4 weeks, our Air Force has accomplished what they hope to accomplish, and we all pray that they do, and yet hundreds of thousands of people starve to death, or whatever, within the borders. And so can each of you tell me—I know the knowledge is rudimentary. I met with a bunch of Kosovars in New York, in my office, on Monday and they were pleading. They said, before anything else we would like food to get to these people, because they have talked to some of them.

Can you tell me what you know? I know it would be anecdotal and piecemeal, but I think this is of such immediate urgency that we ought to know as much as we can about what is going on to those approximately 700,000 people who face such terrible tragedy now.

Would anyone like to—maybe, Dr. Dobruna, you might start.

Dr. DOBRUNA. We have some sources of information there, and now there are two questions here. One question is 700,000 people that are there that are dislocated in different parts, and another question is about these people that are returned back from the borders.

Senator SCHUMER. Right.

Dr. DOBRUNA. That number is different. I mean, what we saw from across the border, there were some 10,000 there that would not be allowed by the Macedonian government to enter Macedonian territory. At one moment—it was the 3rd and 4th of April—they were just forcefully returned back. We have some information from some women who were in the cars with families. They managed to go through wires, through the small river, and to pass to the Macedonian side with their children, and their husbands were made to go back.

We have only one information from that group. They said that they didn't have any problem until they reached Pristina. When they reached the city of Pristina, most of them they didn't go back

to their homes because they were expelled from their homes, but they went to other neighborhoods that are not ethnically cleansed yet. So, afterwards, telephone lines were cut even in those neighborhoods, so we don't have information.

Senator SCHUMER. What about the refugees, not the people whom Macedonia returned, but the people who were heading over the borders to Albania, to Montenegro, and then Milosevic stopped them from coming on his side of the border, on the Kosovo side of the border?

Dr. DOBRUNA. The region of Peja, where most of the people who are being deported to Montenegro, is ethnically cleansed. That is that borderline of 10 kilometers that was cleansed during all this month, so it was only a corridor. During the last days of March, that was in function and most of the population were cleansed already. So there is no large number; there is no big expectation that they are going to cross to Montenegro. That is the territory of Debar, which is some 100 kilometers northwest of Pristina, and the territory of Peja.

But on the Albanian side of the border, most people that are being deported are from the municipality of Djakovica; municipality of Klina Malisevo, which is completely cleansed; and the suburb of Prizren. Prizren is one of the towns that is not yet burned, just some neighborhoods. Djakovica is a town, and Peja, that are 70 to 80 percent burned down completely. And, of course, the population was deported, and some of them that remained are in hiding or most probably they went in the mountains in order to find a new chance to escape.

So in this situation, these territories were under siege for many months before. So they were lacking food and medical care long before even January. And to give an example, in the mountains of Djesenice, 25 kilometers northwest of Pristina, there were displaced persons that were staying there for weeks without any food. UNHCR, Pristina office, arranged 11 times to go to that territory in order to deliver relief to these displaced—and they are mostly women, up to 90 percent women and children. And they were not allowed access to those displaced persons.

Senator SCHUMER. So they haven't gotten food in weeks and weeks?

Dr. DOBRUNA. No. What I am saying now is 3 weeks before the first NATO air strikes happened.

Senator SCHUMER. And it is continuing now, I would imagine.

Dr. DOBRUNA. It is continuing.

Senator SCHUMER. Anybody else?

Mr. NIMANI. Well, the same information can be confirmed as well. Another information is that the people which have been expelled from Kosovo to Montenegro, they are in need for help and aid. And no organization is going there to check them to see what are their needs.

Senator SCHUMER. Ms. Kelmendi.

Ms. KELMENDI. The same information we have already—also at the radio station, we had already from before.

Senator SCHUMER. So there is starvation on mass levels going on?

Ms. KELMENDI. Yes.

Senator SCHUMER. And the food can't get through right now that is being done locally?

Ms. KELMENDI. No. They are also under the siege of Serbian forces, so it is impossible to get there.

Senator SCHUMER. And this number grows all the time, I imagine, because the borders are now more or less closed? All the borders are closed?

Dr. DOBRUNA. Probably, those towns that are under attack or they are targeted several neighborhoods, the only way that they can escape, especially after the mass executions that appeared, they are going to escape in the mountains, and so the number of displaced persons is growing rapidly.

Senator SCHUMER. One thing, Mr. Chairman, I think we ought to try to focus on in terms of refugees is how immediately we can get them the basic necessities, particularly rudimentary food, to prevent mass starvation, which is what at least I am told could happen if we don't move within the next week or two.

I thank you, and I understand what you are going through. We want to do all we can to try and help.

Senator ABRAHAM. Senator, thank you.

I note we have been joined by our friend, Senator Biden, who is on our full Judiciary Committee, and also is the ranking member of the Senate Foreign Relations Committee.

Would you like to ask some questions?

Senator BIDEN. I would like to ask just two questions, and I appreciate the indulgence of the committee. I am not a member of the subcommittee, as has been pointed out, but I thank you, Mr. Chairman.

I have actually three very short questions for any of you, maybe starting with you, doctor. Is it your testimony that the ethnic cleansing we are reading so much about and the world is now seeing on a mass scale—that cleansing began before the NATO bombing? It was already underway on a smaller scale before NATO began to use air strikes. Is that your testimony?

Dr. DOBRUNA. Ethnic cleansing was going on since the strip of autonomy in Kosovo. Data from the EU Commission shows that starting with 1990, up to 1995, 330,000 Kosovar Albanians had to flee Kosovo because of the repression, different forms of repression. One of that repression was mass firing of 170,000 workers from their jobs, and I have to remind the committee that at that time private enterprises didn't exist. So when 170,000 people were expelled from their jobs, that means that the only way of living or earning any money and having a decent life was to work for the state.

And taking into consideration that the average Kosovar family has 7.3 members, you just now can have a picture how many people were left at one moment without any meaningful life. So this is one of the things that were done to Kosovar citizens, and other abuses of their rights were done on a very systematic, daily basis. And 330,000 had already fled Kosovo before 1995.

In 1995, up to the start of the war, February 28, an additional 170,000 Kosovars had fled Kosovo. So ethnic cleansing was done systematically and it was organized a long time ago. It was propa-

gated by several politicians, very high-ranking politicians and governmental officials in this so-called Yugoslavia.

Senator BIDEN. Now, years ago I went early on to Bosnia and came back and wrote a report for the President and others that no one really believed at the time saying that rape camps that had been set up there, actual camps that were rape camps, and talked about mass graves. And it all turned out to be true in Bosnia.

Do you have any evidence that you can present to us today, any of you, not that there is rape and pillaging going on, because it is, but that there is any systematic, as there was in Bosnia, organizational structure for camps where women are sent for the purpose of being used or abused physically? Do you have any evidence of that, not speculation?

I believe it occurs, but I come to this, I admit, with a prejudice that I think Slobodan Milosevic is a war criminal. I have thought that for 9 years, and so on. So I don't need to be convinced, but what I am looking for is if you have any information, hard information or even anecdotal information, that there is a systematic, not a random although frequently occurring raping and pillaging, but is there any systematic organizational structure that you are aware of or have heard of where women are being herded into camps and/or sent off to military bases for purposes of being sexually abused? Do you know of any?

Dr. DOBRUNA. At the Center, we tried all last year to gather facts about alleged mass rapes, but we didn't come to the conclusion that those appeared. But we had very strong indication that it happens and the pattern of how it happens in three sites of Kosovo. But we didn't manage to document it because of several reasons. One was a very strong patriarchal society. Second was that most men that were witnesses of those had made their wives or daughters leave Kosovo, paid high prices to take them out because of the honor of the family, and especially if it is done by the enemy, it is ruined. So we didn't succeed to document. Now, we have information and we believe that it is true, but nobody can yet document that.

Senator BIDEN. I appreciate your candor. And I am afraid we are going to be able to document it later, but I appreciate your candor.

My last comment—and my time is up, but one of the things Americans will often say, and many people here think is that this has been orchestrated by a rabid nationalist named Milosevic and guys like Arkan and others who are—let me ask you this simple question, all three of you, if you would give me some sense.

Although in the last 10 years, the proportion of Serbs in Kosovo is less than it was 25 years ago, you probably had neighbors or coworkers, ordinary people, who were Serbs, not Kosovars, not Albanian Serbs, not Muslims, but Orthodox Christians. What is your sense of how those—if you had any coworkers or friends or neighbors whom you had lived with in some peace and harmony, what is your sense of their attitude toward what is going on in Kosovo now, if you can characterize it? I understand you may not be able to.

Ms. KELEMENDI. I will tell you their behavior in some cases. For example, there is a neighbor of a friend of mine, a Serb who—for example, for many years they were neighbors and they go to each other to drink coffee. And they were in ordinary life very good

neighbors. But when everything happened in those days, this neighbor says to his neighbor, you have only 5 minutes to leave. And my friend couldn't believe that that is happening because he thought that his neighbor was something who knows him very well.

But there is another case. For example, there is a Serbian neighbor who is caring about his Albanian neighbor who is closing the doors of the building, caring about the old building and saying to Albanians, don't worry, I am here and I will try to protect you.

There is another case in one place, in a neighborhood in Pristina, where only three Albanian families are left there and one Serb family. When these paramilitary forces came there, this Serbian neighbor goes out with a gun and says to them, this is my zone, you cannot enter here.

Senator BIDEN. It varies.

Ms. KELMENDI. Yes. So these are the cases, but these are only cases. You cannot say that this is something which is usual.

Senator BIDEN. I thank you, Mr. Chairman. I have gone over my time. I would like to ask unanimous consent that a statement I have entered in the record.

Senator ABRAHAM. Without objection.

Senator BIDEN. I thank the witnesses here for your courage, and I am confident we will be of courage and we will not relent in our effort to see to it that this is righted. Thank you.

Senator ABRAHAM. Senator Biden, thank you for joining us and we will include your statement.

[The prepared statement of Senator Biden follows:]

PREPARED STATEMENT OF SENATOR JOSEPH R. BIDEN, JR.

I would like to begin this morning by thanking Senator Abraham for holding this hearing on the issue of the Kosovo refugee crisis.

I would also like to welcome Assistant Secretary Julia Taft, and each member of our panel of private witnesses who have agreed to testify before us here today. The human emergency that has developed in the region as a result of massive outflows of refugees is staggering.

Assistant Secretary Taft, I know that you have been actively involved in relief efforts in the Balkans for some time now, first focusing aid on alleviating the plight of internally displaced in Kosovo, and now attempting to respond to the needs of the enormous number of refugees scattered throughout Kosovo's neighboring states. I understand that you visited the Balkans at the beginning of the month, and have recently returned from a conference in Geneva at which donor nations gathered to coordinate an international response to meet the needs of those who have fled Kosovo. I look forward to hearing your testimony today.

As you are all aware, there are now over six-hundred thousand ethnic Albanian Kosovars scattered across borders in the Balkans. Approximately half a million of them fled Kosovo after March 24 of this year. Not due to the commencement of NATO air strikes, as the Serb propaganda machine would have the world believe, but as a result of Slobodan Milosevic's policy of ethnic cleansing.

Let us not forget that Milosevic had forty thousand troops massed at the Serbian border, waiting for the order to wipe the ethnic Albanian presence from Kosovo. He alone is responsible for the massive exodus of the past three weeks.

Though the blame for the present level of human suffering lies squarely on the shoulders of Milosevic, the United States and our allies are absolutely correct in responding with all of our resources to provide for those who left of their own volition or were driven at gun point from their homes.

Unfortunately, the places they have fled are not wealthy. Albania and Macedonia are among the poorest countries in Europe. They lack the resources to respond effectively to the rapid influx of refugees. In addition to being materially difficult, it is politically difficult for some states to accept refugees. Macedonia is a fledgling democracy where potentially de-stabilizing ethnic tensions lie just beneath the surface.

And we have a system of justice which will require, notwithstanding what Milosevic has done, that we are able to prove these cases in court. So to the extent that you are able to provide any information along that line, it would be very, very helpful.

Again, we thank you for your courage. Thank you for coming and we will do our very, very best to help you. Thank you. Thank you, Mr. Chairman.

Senator ABRAHAM. Senator Specter, thank you.

I want to, in conclusion, rather than more questions—I think you have very effectively addressed the questions that all of us have—thank you again for what you have done and the courage of coming here. I hope as many of our colleagues who are not here today as possible will have the opportunity either to see the C-SPAN coverage of this or to hear and learn more about what you have told us.

I hope those who have been skeptics about the nature and degree of the atrocities that have taken place will, because of this hearing, have a better and fuller understanding of exactly what has happened and continuing to happen. And I hope that people who have had some doubts about exactly what you have gone through will appreciate better what you have, and also appreciate your desire to be able to go back home.

There is a tendency, I think, often when refugee situations or deportation situations or expulsion occurs like this—people jump to quick conclusions that somehow people want to be somewhere else, whether it is the United States or it is Germany or other places where resettlement temporarily occurs. But as I think we have learned, most people are alike in the world; they want to be back home. And I think you have all very eloquently made that case, and I hope that we can do as a Congress and as a country as much as possible to make that happen, but also in the interim make sure that as many people as possible who are still suffering can be protected and in as humanitarian a way as possible be taken care of during the period of time before it is possible for them to go home.

So on behalf of our committee and on behalf of the U.S. Senate, I want to thank each of you for your courage and for taking a little time to share your experience with us. We are deeply appreciative and we will do our best to follow up in the ways we have already indicated. Thank you.

We will now ask our Assistant Secretary of State to join us, and this panel is certainly welcome to stay with us if you would like, or if you have other commitments to move on to those at this time.

On our second panel today, we will hear from Julia Taft, who is the Assistant Secretary of the State Department's Bureau of Population, Refugees, and Migration. I too want to thank you for being with us and for agreeing to allow the refugee panel to appear first. I think it probably puts in context all of what you plan to say and all of our thoughts here today probably as eloquently as it could.

Assistant Secretary Taft is the person who is in charge of refugee matters at the Department of State, which is a serious responsibility even in the best of times, and obviously an extraordinarily challenging job at the moment.

You have served with distinction in this administration and in others, and we all have appreciated working with you over the last

couple of years and look forward to working together as we confront now probably the most serious challenge not only that we have had recently but, as we have discussed, in a very long period of time. So thank you for being here and we will turn to you for your testimony.

STATEMENT OF JULIA V. TAFT, ASSISTANT SECRETARY OF STATE, BUREAU OF POPULATION, REFUGEES, AND MIGRATION, DEPARTMENT OF STATE, WASHINGTON, DC

Ms. TAFT. Well, thank you very much, Mr. Chairman. During the past 3 weeks, the world has witnessed one of the most sustained and cruel crimes against humanity during this century. It is a very somber note to be leaving this millennium on and one that I hope that we can work together to try to remediate as soon as possible.

The calculated dislocation of hundreds of thousands of Kosovars during this past year by Serb forces has reached devastating proportions in recent weeks. Since March 24, almost half a million refugees have been forced from Kosovo, and many thousands more may yet flee. I think all of us today have been profoundly moved by the testimonies of the three persons that we have heard. They have really put the human face on this tragedy and I am pleased to have been able to hear them.

I am also pleased that the NGO's were able to find them and that your committee wanted to have them be here, and that the State Department, in spite of all the things that are going on in Skopje and Tirana, was able to get the visas in a matter of just days.

I would like to take this opportunity to give you an update of the situation as we see it in Macedonia and Albania, and our efforts in other countries to provide protection and assistance and what we see ahead. I will be glad to answer questions. You have set some forward in your remarks, Mr. Chairman, and I want to make sure that we cover all of those.

The U.S. and its NATO allies are working with humanitarian organizations to alleviate as much of the crisis as we can. We will do whatever is necessary to ensure that Milosevic's current campaign of ethnic cleansing does not stand and that refugees can return to their homes, villages and towns and rebuild their lives.

What we have watched ever since the Rambouillet process is a systematic expulsion of the Kosovar Albanians. I want to emphasize here that this expulsion was well underway before NATO bombing commenced. We have already heard from the previous witnesses. I won't go into detail, but I would like to make a point about the issue of the expulsion and whether they are called deportees or whether they are called refugees.

A deportee connotes the method in which people left and, in fact, the pernicious way and terrifying way in which these people were expelled from their country does make them deportees. However, as refugees, that connotation should not be diminished either. These people are deportees and they are refugees because they are afraid to go back home, for fear of persecution. So I hope that we can use both of those references.

While over 680,000 Kosovar Albanians have been forced to flee, hundreds of thousands are believed to be still displaced. The fig-

ures that we are operating on in the State Department are between 700,000 and 800,000. After a short lull when borders with Macedonia and Albania were closed by the FRG, and after large numbers of refugees seemed to have disappeared on the FRY side, we saw that this past weekend there was a resumption of small movements into Macedonia and Albania.

We haven't talked enough about Montenegro. Montenegro, as the chart that Senator Biden has shows, has received 36,000 refugees. But over the weekend and in the last 24 hours, they got 1,700 more. These are coming up from the area of Pec and they are now in Montenegro, so that border is opening.

Senator BIDEN. Mr. Chairman, if I can make a point, I didn't mean to interrupt by putting this up, but this is only current as of 48 hours ago.

Ms. TAFT. Yes, sir, that is right.

Senator BIDEN. Thank you.

Ms. TAFT. I have it as of 6:00 a.m. this morning, but—

Senator BIDEN. My point is your figures are more accurate than mine. That is the point I was making.

Ms. TAFT. But the point I wanted to make, sir, is that there is still some movement out, not enough as far as I am concerned, but there still is movement out. And in Montenegro, at the port of Bar, there are tens of thousands of World Food Program commodities, some of which are being able to be processed within Montenegro by the ICRC, by World Vision, by Mercy Corps International, to use to get access to the people in Montenegro who have been affected by this.

The refugees tell of extreme violence—people forced to leave their homes at gunpoint; women and children forcibly separated from their husbands, fathers and sons; homes and villages torched. Even more serious are the reports of arbitrary and summary executions, of mass graves, and most recently of the rape of young women and girls. We are extremely concerned about the fate of the 700,000 to 800,000 who remain in Kosovo, and are exploring a variety of ways to meet these people so that they can be given life-sustaining support.

Senator Kennedy, you mentioned earlier about the three options. I assure you all three options are being pursued, and I would be delighted to share—and that is very sensitive—the modalities for how we might be able to reach these people, and we will be glad to give a briefing to you and your staff.

The biggest problem we have is that the Serb authorities have not provided the security assurances needed for any of the modalities to ensure access by ICRC or other international organizations. Last week, Deputy Secretary Strobe Talbott and I visited Albania and Macedonia and other countries in the region to thank them for their support, particularly Albania and Macedonia, but also urge very strongly an open-borders attitude. This was particularly difficult in Macedonia because of all of the doubling—day after day, the influxes were doubling for Macedonia, and they were very politically concerned about the destabilization.

In fact, Milosevic's plan is to destabilize Albania and Macedonia and other front-line states. So it was very important for us to go and try to do whatever we could to reassure them that we and the

allies stand by them. But we stressed very firmly with the government of Macedonia the importance of getting that border open and keeping it open. And I am pleased to be able to say that having worked all night long with them a week ago Saturday, decisions were made to open up the NATO camps, get them ready for opening on Sunday. They were opened up Sunday night and the people from the border area in no man's land all were processed into those camps by morning of Tuesday, so that the muddy, awful, terrible valley of death that was out there—there wasn't death; there were 11 deaths, but it was just a terrible humanitarian mess. That has now been cleared out, very much thanks to NATO and the willingness of the Macedonians to let these people come forward.

In spite of the forced expulsions of the Serbs and the stories that we have all heard, I have not, nor have any of the relief agencies or NATO people, heard anyone blame the NATO bombings on their plight. In fact, everybody has been very supportive of the efforts that have been made to stop Milosevic's aggression.

On my way back from the region, I joined my counterparts and other major donors in countries in the region for an UNHCR conference to see how we can improve the coordination of the response on a multilateral basis, and I think that was a useful thing to do. Operation Sustain Hope was announced by President Clinton on March 5 to coordinate our own humanitarian response to the refugee crisis, and we have committed \$150 million in financial and material assistance since the crisis began.

This includes \$50 million recently authorized to help address the urgent needs of the refugees, \$25 million, of course, which is from our emergency account, and \$25 million from the Defense Department.

The limited capacity of Albania and Macedonia to cope with this enormous number of refugees has really overwhelmed them, and while I would like to pay special tribute to the generosity of the people of these countries, you know, the first flows—80,000 of the first people who went into Albania went into families, and 60,000 that went into Macedonia went into families. The challenge now is making sure those families don't get overwhelmed and to make sure that the assistance that is directed for the refugees also goes to support the families.

I would also like to commend Turkey for stepping forward on this issue of the absorptive capacity in Macedonia. Macedonia was really getting overwhelmed and they did not believe that they could sustain the constant influx of people, unlike Albania which, of course, is all Albanian. There is a different ethnic balance in Macedonia.

For this reason, we offered to try to get other countries to give temporary asylum to these people to help take the burden off Macedonia, and the first country to come forward was Turkey and they had offered to take 20,000. We offered to assist in the financing of their program, as well as to offer temporary asylum to 20,000 for the United States.

Many other countries have come forward. I have got a whole list of those that have expressed willingness to provide temporary asylum. But at this point, we think that the Turkish offer, the numbers that are going to Germany, those that are going to Norway,

and the ability of Albania to absorb more has gotten us a respite right now, so that the United States is not actively transporting any of the 20,000 that we said that we would give temporary assistance to.

NATO, I must say, throughout the entire effort has been wonderful. They have established air cells and air bridges, and there are over 50 flights a day which are coming into Albania and 50 flights a day coming into Macedonia. It is getting very crowded, as you can imagine, in the warehouses and the airstrips, but the relief program to undergird the UNHCR is making great progress.

From the United States side, of course, we have been providing tens of thousands of HDR's already, and we are sending in a million. Those are humanitarian daily rations. We have been underwriting the World Food Program, a third of its costs. We have about 600 military personnel working on the humanitarian program. In addition, we have just given ICRC \$3 million to really launch a major tracing program and they have established a hotline in Geneva, as well as processing in the various countries of asylum so that they can work very closely on family tracing.

Let me just spend one minute clarifying exactly what the status of Guantanamo is. Guantanamo is prepared to receive 500 people when we need them to come out of the region. They are ready in the facility, which does not have concertina wire, which would be humanely managed. But right now, we have not asked DoD to activate this request, but if it is required—and we still have 700,000 people still inside of Kosovo. If they all come out, we are really going to be overwhelmed and we will have to do a major airlift.

We all are aware of the problems of Guantanamo. You all are as aware as anyone. Fortunately, at the State Department, the colleague Assistant Secretary, Harold Coe, was the lawyer in the private sector who sued the U.S. Government in terms of the treatment of Haitians and Cubans on Guantanamo. So he and I have been working very closely on this and we know the constraints on Guantanamo. We have talked with the NGO's and the human rights groups, and that is why it is a—you know, it is there, but we really do not expect to have to use it.

I know that a number of your constituents may have been calling you about processing of refugees or their relatives as refugees. I think I can say no more about this at this point except that we believe that most of the people want to stay in the region. They want to go back home to their homes. Right now, our focus is trying to provide care and feeding and security and safety for those that are in the locations of Albania and Macedonia, and we do not at this time have a program that we would process any of these candidates for refugee status. However, we are working to try to collect as much information as we can, and should it be appropriate, we stand ready to come back to you and talk to you about refugee numbers and how we might proceed.

On that, sir, those are the highlights that I wanted to share with you and I am glad to answer any questions.

[The prepared statement of Julia V. Taft follows:]

PREPARED STATEMENT OF JULIA V. TAFT

Thank you, Mr. Chairman. During the past three weeks the world has witnessed one of the most sustained and cruel crimes against humanity during this century. The calculated dislocation of hundreds of thousands of Kosovars during this past year by Serb forces reached devastating proportions in recent weeks. Since March 24 almost half a million refugees have been forced from Kosovo and many thousands more may yet flee.

I am honored to have the opportunity of testifying before you today on the U.S. government's efforts to assist and care for the refugees. I would like to give you an update on the situation of the refugees in Macedonia and Albania, our efforts and those of other countries to provide protection and assistance, and what we see ahead. I will then be happy to answer any questions you might have.

The U.S. and its NATO allies are working with humanitarian organizations to alleviate the humanitarian crisis. We will do whatever is necessary to ensure that Milosevic's current campaign of ethnic cleansing does not stand and that refugees can return to their homes, villages and towns and rebuild their lives in Kosovo.

What we have watched ever since the Rambouillet process is the systematic expulsion of Kosovo Albanians. I want to emphasize here that this had begun before the NATO bombing commenced. While over 680,000 Kosovo Albanians have been forced to flee Kosovo in the past year, the majority during the last three weeks, hundreds of thousands more are believed to be displaced within Kosovo. After a short lull, when borders with Albania and Macedonia were closed by the Federal Republic of Yugoslavia and after a large number of refugees on the FRY side disappeared, we saw this weekend the resumption of small movements of refugees out of Kosovo.

The refugees tell of extreme violence: people forced to leave their homes at gun point, women and children forcibly separated from their husbands, fathers and sons, homes and villages torched, passports and other identity documents confiscated. Even more serious are the reports of arbitrary and summary executions, of mass graves, and most recently of the mass rape of young women and girls.

We are extremely concerned about the fate of between 700,000-800,000 ethnic Albanians who remain in Kosovo, many of whom are displaced. We are exploring ways to reach these people with the humanitarian assistance they so clearly need but as you can imagine there are many security constraints. The FRY government has not provided the security assurances needed nor the authorization for ICRC or other international agencies and NGO's to operate in Kosovo.

Deputy Secretary Strobe Talbott and I visited Albania and Macedonia and other countries in the region from April 3 to 5 to thank them for supporting NATO operations and for receiving the refugees and to underscore our commitment to providing the assistance needed to address the impact of the unfolding humanitarian, economic and security crises.

Witnessing the masses of people who have been stripped of their dignity, identity cards and worldly possessions was a profoundly moving experience. In spite of their forced expulsion by the Serbs, many herded into box cars and transported to borders, all the refugees expressed support for NATO and the effort of the Allies to stop Milosevic's aggression. On my way back, I joined with my counterparts from other major donors and countries in the region at a conference hosted by UNHCR to map a coordinated multilateral strategy for the humanitarian response.

Operation "Sustain Hope" was announced by the President on April 5 to coordinate our own humanitarian response to the refugee crisis in the region. The U.S. has committed over \$150 million in financial and material assistance since the crisis began just over a year ago. This includes the \$50 million recently authorized by the President to help address the urgent needs of the refugees. We are sending over 1 million humanitarian daily rations to the region, as well as tents and other relief supplies. Other countries are also mobilizing large relief efforts.

The limited capacity of Albania and Macedonia to cope with these enormous numbers of refugees was completely overwhelmed. I would, however, like to pay tribute to the enormous generosity of the people of these two countries who have so generously opened their countries and their homes to refugees. In Albania, approximately 80,000 refugees are being housed in private homes. Macedonian families are hosting about 60,000. I would also like to commend Turkey for stepping forward immediately to take 20,000 refugees and help alleviate the pressure on Macedonia—a gesture which the USG has volunteered to help finance.

Because of the enormity of the effort required and despite the best efforts of UNHCR and the other relief organizations on the ground, NATO was asked to take a role in undergirding the humanitarian assistance infrastructure.

NATO, with its logistical and operational expertise, is working closely with UNHCR and other aid agencies to build refugee camps, distribute aid and assist

with transportation and the organization of relief efforts. In Albania, thirty camps are being built throughout the country. While UNHCR remains the lead humanitarian organization this cooperation is an example of the excellent coordination between NATO and UNHCR. We are now beginning to see the situation for the refugees improve although much still needs to be done to ensure that all receive the full range of assistance they need.

The President has also directed that additional U.S. forces be deployed in Albania and Macedonia to support the relief effort. We anticipate the deployment of at least 1,000 airlift, medical, engineering, logistics and security personnel. About 600 U.S. military personnel are already in the region to support the humanitarian operation.

ICRC has begun efforts to trace and locate missing persons to help reunite families. It has established a hot line in Geneva to receive calls from around the world and has sent tracing personnel to Macedonia and Albania. Many other relief organizations from around the world are assisting in this mammoth effort. We are supporting our U.S. NGO's with funding and supplies.

As part of a multi-nation effort to relieve the effects of the refugee outflow on neighboring countries, especially Macedonia, we have stated that we are prepared to accept up to 20,000 refugees. We are prepared to implement this commitment when necessary. However, as in other refugee crises, our preference has been to ensure safe and humane refuge in the region, as close to Kosovo as possible so that people may return home when it is appropriate to do so. Based on a recent visit to the region of the UN High Commissioner for Refugees, UNHCR has advised us, as well as other countries that have made commitments to offer temporary refuge to Kosovars, that it would not be appropriate to relocate refugees far from the region at this time. Thus, we are focusing most of our efforts at present on making asylum in the region possible. Nevertheless, the situation remains fluid and we believe that we—as well as other governments—must remain prepared to take refugees if the situation requires it.

I know that many of your constituents, particularly those with relatives among the refugees, are asking why we do not bring refugees to the United States. Our first priority is to ensure the safety and the care of over half a million people. This is an emergency situation and, we hope, a temporary one. Therefore, we do not anticipate a general U.S. refugee resettlement program at this time. The aim of our military and political action is to enable the Kosovo Albanians to return to their homes when conditions permit. In the meantime, we are committed to doing everything possible to work with other countries to ensure that the refugees are provided with temporary asylum and with care and assistance. I must underscore that everything we are doing and planning for is geared to the safe return of the refugees to Kosovo which we hope will be possible in the near future.

Senator ABRAHAM. Thank you very much.

We will turn immediately to Senator Kennedy. I know he has a conflict of schedule here.

Senator KENNEDY. Thank you very much, and thank you. Julia Taft has had a long career in working on refugee matters and I think all of us are very fortunate to have her services now. I join with others in commending your typical courtesy in letting the others speak and then responding to questions now.

A few matters, because we have a number of our colleagues here, just quickly. I am sure it has been the experience of other members here—we have a strong Albanian population in my own State of Massachusetts. We have many there that have relatives, they believe, in the refugee camps and they are in touch with us. We are trying to be in touch with you, but they are interested in if there are going to be the movements of people at least being considered, rather than going to an interim step down in Guantanamo.

The object of our policy is for safe return, but as we have seen, picturing the worst kind of case possible, I think having someone think of how we can facilitate the movement of people and whether we can not go through a transition in Guantanamo Bay, but have some other kind of way which they may be joined either with families or relatives or settled here—I think having someone in your

Department that is working with these would be helpful, and we would obviously want to cooperate in that.

I would always hope—and this is a long way down the road—NATO troops have been great in setting up these matters, the tents. I mean, it is unbelievable how well and fast—I mean, it is miraculous; it is the one great hope that has happened out there, what has been done when we finally got to it. But we want to hope that they are not going to transition out.

You know, we let these other groups who are inundated with these kinds of challenges and doing so well and have done well in the past and all the rest of it in this transition period—I don't see it coming up right now, but it is something that we have all learned about. When they transition out, they have in the past, when it has not been done well, left these agencies up in the air, and I would hope that that would not be the case.

I see Senator Schumer, who has been enormously interested, as I and others have about the conditions of these other individuals who are displaced and are facing extraordinary human tragedy. But let me mention three quick areas.

We have a wonderful friend from Vietnam refugee days named Tom Durant, who works up at Mass General. He has just been over there for 2 weeks and I have been in touch with Tom, and he feels that there is an enormous need for vaccinations over there. We have been free from these contagious diseases almost miraculously, but there is an enormous need in terms of vaccinations, and particularly the spread of diseases like measles. They are going to come back and make some recommendations. I am just giving you a heads-up.

First, the help and assistance for children. So many of the children are separated from parents, and the degree of trauma that children have been going through and what we can do in terms of help and assistance in terms of getting people that, you know, obviously are going to be able to communicate with language and culture and, you know, their chance to do so. You are not going to have, I suppose, an enormous pool, but this is an area of special need.

And then a second area of concern that he had was what you mentioned in your testimony about the people in his instance of a small, tiny cottage in Macedonia where they had 51 people living there, which you pointed out in your testimony were the first refugees that came there were settled in these various houses. And they have enormous kinds of pressures, and we are dealing with the humanitarian needs we want to be able to help and assist people who have really been attempting to—they are enormously poor people in any kinds of events and they have been opening up their homes, and we want to try and do this.

I will make sure that some of these ideas that Tom has will get to you in a timely way very quickly. But if you could take a look at those and then we can follow up with staff with you to see how those measures would be going on.

Ms. TAFT. Fine.

Senator KENNEDY. Just finally—and I know there are communications, and you mentioned earlier when Senator Schumer wasn't here the delicacy of these negotiations between air drops, between

mercy corridors which we have done. Biafra was a case, but we have done it in other humanitarian areas as well with some success, and sometimes it has been impossible, or otherwise working with the Russians or the Greeks as being more acceptable to try and get that in.

As I understand it, it is better to get that in a situation which is sensitive, and therefore would welcome the chance to be able to do that. And I respect your limitations to be able to talk about it. I think you have gathered the sense yourself of urgency that many of us have about the hours that are going by and the importance of the immediacy of trying to deal with the issue. It is just one of enormous kind of dimension and incredible need, and I think we really have to take risks for assistance on this.

I don't think we can play this with a safe dimension. There is just too much at risk now. So I would hope that we are really going to be as forthcoming as we possibly can. That is certainly at least this individual's hope and expectation on it, and I will look forward to hearing from you and others about what the state of play is on it.

Thank you, Mr. Chairman.

Ms. TAFT. If you have just a minute, I know you have to leave, sir, but let me just say really quickly you talk about the miracles here. It was just 3 weeks ago that the Serbs started, and I am amazed that we don't have outbreaks of disease. Three instances of measles; 11 people died in Macedonia. This is really amazing, as tragic as any of this is. There is a vaccination campaign that is getting started with UNICEF and WHO in Albania, and will start in Macedonia.

On the issue of the separation of children, there is a wonderful story I have to just tell you of our ambassador in Albania, Marisha Lino, who was out at one of these camp sites and she saw a mother with several children who was crying. And she goes and she talks to her and puts her arm around and says, you know, I am so sorry for you, but at least you have your children here. And she said, no, I don't. And she had four young children, and she said, I have triplets, 6-year-old triplets that got separated from me in Pec and they ended up on one bus and I ended up on another bus and I am in Albania and I don't know where they are.

So our ambassador got in touch with the ICRC, in Geneva, and said the mother thinks these children went to Montenegro. Can you see if you can find them? And in very short order, they did find these children in one of the camps in Montenegro, because ICRC is still there. They are not reunited, but at least they know where each other belongs. And I think we are going to find many, many more stories like that as it proceeds.

With regard to the issue of air drops, you know, we are talking about really dangerous, life-threatening interventions either for NGO's or for the military that fly an air drop or for agencies who are unarmed. And in all of these instances going in in a non-permissive environment is really very dangerous. But we are working on the details with all of the interlocutors that you have mentioned.

And the thing that has been very helpful is we have gotten calls from many Members of Congress who have been in touch with

their constituents who have helped us pinpoint and map out where these pockets of people are, in addition to some of the surveillance we have been able to gather. So we can pretty much figure out where these people are and, in terms of corridor, trying to find very targeted ways to get them.

But it is very dangerous and it is really a question of how much further is Milosevic going to go in this war against his own people. You know, I mean if he and his troops will not allow even humane access, it just further underscores the fact that this man—you know, he wants his land, but he hates his people. And we have got to figure out who else can get to him on these life bridges because, as you say, every minute is perilous there.

Senator KENNEDY. Well, we appreciate it, Ms. Taft, and we obviously can tell from your own reaction and response your deep desire to try and get some resolution of this. We will look forward to working with you.

I thank you very much, Mr. Chairman, for this hearing, and I look forward to working with you. I think that we are going to have a great deal of work to do over the period of these next days and months, and I think it has been enormously reassuring to have the breadth of interest and support that you have brought through this committee on these issues.

In this area of humanitarian concern, there is no question about the uniformity of interest of all the American people. There may be some differences in other aspects of policy over there, but there is absolutely none in this area, and we are going to do everything we possibly can to work with you and all of those groups, independent groups, church groups, and other international groups that can possibly help and assist the children, the women, the families and the people that have been so terribly abused.

We thank you.

Senator ABRAHAM. Senator Kennedy, thank you, and thank you for working with us on this hearing. We appreciate it and look forward to continuing this effort.

Senator Schumer.

Senator SCHUMER. Thank you, Mr. Chairman, and I again want to thank you. Some of us didn't have a chance for an opening statement, but I want to thank you for your efforts and leadership, and Senator Kennedy as well over the years. This is an example of Congress working at its best, the Senate working at its best, in a bipartisan way.

I also want to say, Ms. Taft, I appreciate the obvious compassion you show. You are doing a job that is a huge logistical job, but your feelings are strong. I would just like to dwell a little bit more on the area I talked about with the refugees. In fact, the NSC is going to brief a few of us on this issue, so there are probably some things that you can't say, but just in general, because to me we do have this immediate crisis on our hands.

You are right. Within 3 weeks, the refugee assistance that we have led and NATO has done is nothing short of remarkable. There is a strain on resources. We need more tents, more food, more blankets, but it is amazing what has been done. The place that we haven't been able to do anything yet and has the greatest immediacy and which relates to this immediate crisis is the 700,000 in-

ternally displaced Kosovars who are in a desperate race against time.

We don't know much about their fate because they are internal. We know some, but not enough. But word is beginning to trickle out—more massacres, rapes, possible starvation. And I have heard some of these from own constituents who are in touch with people. Fortunately, we have cell phones and you can actually hear some of the anecdotal, awful evidence about what is going on. So it seems to me that this calls for immediate action.

Yesterday, I talked to Sandy Berger about this and he said this was the most immediate, pressing problem we face at the moment in any sphere. And so I would like to ask you the same questions, and I know you might be somewhat constricted in how you can answer—that I will ask the NSC people at our meeting in a little while.

The first is how much do we know about these however many hundreds of thousands of people within Kosovo who were cleared from their homes, tried to come over the border, but then were stopped and are somewhere in Kosovo? How great are the risks—you mentioned the risks—of each particular type of plan? The obvious one is drop food, and the obvious answer is the C-130 is sort of a sitting duck and the food wouldn't get there anyway, so then the question of safe havens; third-party assistance, which, as you say, has been done in part through your efforts in other places. Getting a neutral third party to be involved in this and then maybe having some kind of relief through the air, preferably, or the ground is probably the best way to go, but one fraught with many difficulties.

Can you comment on these things and give us whatever you are at liberty to disclose about what can be done, because I think all of us feel the angst of these people, particularly when you meet with their relatives who are here and just day by day, minute by minute, hanging by a thread when they don't know what will happen within the next 10 minutes to their relatives, their friends, their family.

Ms. TAFT. The last food deliveries that were made by the network of NGO's and UNHCR, et cetera, inside of Kosovo was March 23, and then people left. So from then on, the normal food deliveries, which were always pretty meager anyway, from Serbia down to Kosovo—those stopped and it was a question of what was remaining in the pipeline or inside of the various stores in Kosovo.

All of the UNHCR facilities were ransacked and a warehouse of WFP's was ransacked, so we believe there is virtually no externally supported—so this is what has prompted us—I mean, well, not only, but this is a very sad commentary on what these people are able to have. We have had reports that they are eating berries. In Africa, we call it famine foods when you find different ways to cope for the time being. But this is a big problem, and particularly for the elderly and the children.

So in terms of trying to get at these people, we do have a pretty good idea. And I wouldn't say it is just the people who were turned away from the border. There was always a lot of internal displacement, and this is what happened even long before the bombing started, where the Serbs were displacing people from the villages

and sending them to the cities. And the cities like Pristina ended up with 150,000 more people than they had had before the war. So a lot of these people were displaced. Not all of them had tried to get out and then come back in. We have aerial photos, which you will no doubt be able to see, of where we know there are clusters of people who are out in the open.

Senator SCHUMER. Do you have any idea how many?

Ms. TAFT. We have estimates, yes, sir.

Senator SCHUMER. Can you tell us?

Ms. TAFT. It ranges from a few hundred to several thousand.

Senator SCHUMER. In each cluster?

Ms. TAFT. Yes. We can't count them.

Senator SCHUMER. Obviously not.

Ms. TAFT. And then there is a particular area in the Drenica triangle where we have had some very good reports via constituents of Congressman Engel and probably you and others where we are trying to piece together on-the-ground estimates. But, you know, estimating populations of displaced persons—

Senator SCHUMER. Very hard.

Ms. TAFT [continuing]. Is almost a science. And after I finish answering your questions, I want to get back to this because this has been a plaguing problem we had in Macedonia and I would like the record straight on that. But, anyway, on the issue of where the people are, we can find them.

In terms of interventions, the first one everyone thinks of is air drops, which have worked in some places sometimes, but certainly did not work in Turkey when the Kurds were in the mountains in Turkey, have not really worked in the Sudan and other places because they are very unwieldy and if you have to drop them from 15,000 feet on pallets with parachutes, you never know who is going to get hit on the ground or whether they will be diverted. And 15,000 feet off the ground is very dangerous for any aircraft going in a non-permissive environment.

Senator SCHUMER. And to go much higher, you would risk—just the food would be gone.

Ms. TAFT. Right. So our military has said if anyone is able to do air drops, a neutral country or a UN agency, we will provide guarantees in terms of our air space for access.

Senator SCHUMER. Right.

Ms. TAFT. But that does not enable permissiveness on the part of the Serbs. That has to be done.

Safe havens require ground troops. Third-party neutrals I have talked about in terms of air drops. We also are working with some NGO's to see if they can't negotiate a way to get in. And, finally, an area that you didn't mention, but I keep on trying to push, is the smugglers' routes. The area between Albania and Kosovo has for centuries had various routes, and this is where the KLA has been able to come in and out. I don't think there is enough structure there, but we stand ready to anyone who is able to get their pack animals or go inside to try to assist, and that is another feature.

So I hope that answers some of your questions. You will get more specifics, I am sure, from the NSC, but this is on a very urgent—let's look at all sides.

Senator SCHUMER. I don't know what the answer is and there are no good answers, obviously, as there are no good answers in this whole region right now. But let's just make sure we do everything we can because we would rue the day, as I mentioned earlier, if our air war succeeded 3, 4 weeks from now and then we saw that tens of thousands of people had died and maybe didn't have to.

Ms. TAFT. Well, I am afraid we are going to find that anyway because of the way they have been treated and displaced so brutally for so long.

Senator SCHUMER. Do we have reports of—I mean, what is the food level of the people? I guess it is different in many of the different places. How imminent is starvation for some of these folks?

Ms. TAFT. Obviously, individuals' metabolism operates in different ways. I mean, for a real famine in an African context, it takes about 2 months where the body—but you have to have water and you have to have some famine foods. I am not a nutritionist, so I can't really answer that, but let me just say that I am sure the situation is dire.

Senator SCHUMER. Thank you. And again, Mr. Chairman, thank you, and I thank you for your herculean efforts under the most difficult of circumstances.

Ms. TAFT. We have got a lot of people working very hard in a good way, and I want to thank the bipartisan nature of this because I guess I am lucky in Government because I get to do the humanitarian activities that everybody has a very strong non-partisan and humane approach to. And I have always felt that, and I am really pleased that you are having this hearing. We have a lot of work to do together and I appreciate this.

Senator ABRAHAM. Secretary Taft, we appreciate you being here. I also want to thank you and the State Department for helping actually to facilitate the participation today of our refugees, deportees, or whatever term they choose or we choose to use. Getting the visas in time for their appearance made, I think, this hearing more helpful and meaningful, so thank you for that.

I want to just ask a couple of questions. In the testimony we heard earlier, there were some concerns raised about very recent actions in the Macedonian camps that sounded obviously very concerning. That kind of comes on the heels of something I raised in my opening statement, the concerns that have been expressed with respect to the perhaps in some instances involuntary removal from the Macedonian refugee areas of people on planes, which was actually reported in the media and how we came to hear about it.

I just wondered if, in your judgment, these situations—well, let's just start with some of the things mentioned this morning. Are these problems that you are hearing about or is this information that is new? And if it is in the latter category, is it something that we can try to address immediately?

Ms. TAFT. Let me start with what I know and then what was new to me.

Senator ABRAHAM. Sure.

Ms. TAFT. When we were in Macedonia last weekend—no—the weekend of the 3rd and the 4th, it was very clear that the Macedonians were not able to open that border. There was no place for them to go. When we got the camps operational, in just a matter

of 24 hours, a decision was made that they could open to receive people from no man's land and from the rest of Blace if there was some movement out.

The president on down in Macedonia said that we have to have an evidence that somebody else is going to help share our burden. At that point, Turkey came in and they sent in two flights; they sent in two relief flights, and then they processed out people before IOM and the UNHCR had fully documented them. They say that they didn't force anybody on a plane, and I have to believe them because after the flurry came up, they said, listen, we are not taking anybody out unless IOM and UNHCR processed them.

At the same time, 300 buses of people from Macedonia—the government put on 300 people and sent them to the south, to what ended up being Albania, and that was pretty messy. But the people are all under shelter now and there is a UNHCR presence and they are now being documented, as are the Turks. I think about 1,000 people, in total, went out in these unregulated ways.

I got a telephone call in Geneva saying, Julia, the whole thing is going to collapse if you don't authorize some payment for the Macedonian aircraft to transport people to Turkey. And I said, is somebody watching this? And they said yes, so they put people on the planes. The ambassador swears that there were not people who were forced and ripped apart from families and put on planes. But you never can tell.

I mean, I was involved in the Vietnamese airlift, you know, 24 years ago and these things tended to be not according to any regime or voluntary or structured way that the UNHCR or the U.S. Government or IOM wanted. So we said we would not pay any more money until there was a process. So I must say about 1,000 people did get out in an irregular process. Now, it is in place. No flights are going to any of these countries, whether it is Germany, Norway or Turkey, that have not been registered by IOM. We have launched tracing services to pick up all the families that were in these other places, and anyone that is split, we have an agreement they will be reunited in the same location.

Senator ABRAHAM. So you feel pretty confident that at least going forward—

Ms. TAFT. Well, you know, this is—I can't—

Senator ABRAHAM. Let's put it this way, that there are as many safeguards as can be reasonably put in place for the future. That is kind of where we are at?

Ms. TAFT. Absolutely, and I must say the first couple of days were not done according to any standard that we would want. But we are remedying it and getting on with how we really need to do it in the future.

Senator ABRAHAM. Well, I think the tone of all of us here should be, recognizing the emergency nature, that we can probably, in post-mortem, talk about preparedness, and so on. But right now at least this Senator is mostly interested in going forward in terms of whether or not we feel we have got a sufficient now oversight situation where we can provide those assurances that are reasonable.

I recognize we are not going to be able to operate in this situation the way we would in the context of a non-warlike circumstance, and so on. But I just want to make sure that you feel

comfortable that you have been given the help to do what you need to do in that respect.

Ms. TAFT. Yes, sir, and we have invested the resources. We have given \$3 million now to make sure that the systems are working and in place. Let me just say that even during the early hours of this negotiation, there was a concern that Macedonia was going to say if 1,000 leave, we will let 1,000 more in from no man's land. And our position was that is inhumane; you can't do it. We are showing we are moving people out. You have got to move all these people into shelter which was being put up.

Senator ABRAHAM. Right.

Ms. TAFT. And I said to them, I said, you know, if you want countries to give temporary asylum, they will only give temporary asylum to healthy refugees, and they are not going to be healthy if they are out in the rain and the mud. And they then immediately started allowing them to come forward, so I think it is in hand now.

Senator ABRAHAM. Well, let us know, too. I think this is a situation where, if we are going to have the kind of congressional involvement that I am sure you want and support, if there are problems developing it is probably better that on the front end we try to address them or give you help if it is needed.

Back to the earlier panel—and you were going to address that as well—were some of the reports that we heard from our first panel about ongoing problems ones that are consistent with the reports you have been getting or is this something new?

Ms. TAFT. I hadn't heard about the two people that had left Brajde camp, sort of escaped and gotten beaten up. That was news to me. My colleague said that she had read a report. I am going to find out about that. The issue that we have there is what do we want NATO to do, what do we want the host country security forces to do, police forces to do, and what do we want the UN system and NGO's to do. And these are starting to get mixed up.

NATO has put the infrastructure in; they are trying now to turn it over to the UNHCR and to NGO's. We are trying to make sure that there is no gap and there is no precipitous hand-over. NATO has done an incredible job in doing these camps virtually overnight, but there needs to be a seamless transfer here and a lot more involvement of the UN to help that happen.

The question then comes, what do you use the NATO forces for? Would they do perimeter security or internal camp security? And this has not been resolved. In the meantime, since they are in—and I am mostly talking about Macedonia—since these camps in Macedonia are really in the jurisdiction of Macedonia, their police have a responsibility. But I must say they were quite heavy-handed and not well-trained for this, and we are aware of that and we are trying to work out a way to make sure that they just do perimeter security and we have some other ways to deal with inside the camp.

Senator ABRAHAM. Good. Well, I think it is important to convey that concern to—I am sure you are trying to—obviously the Macedonian officials because we have had visits just yesterday from—the Macedonian ambassador to the United States came up to the Hill, and I know they are interested in securing some support and

help in their efforts. And that is harder to obtain if the information we are getting is of the sort we have heard this morning.

Now, the transfer, as you described it, sort of from NATO to voluntary agencies in terms of running these camps—do you have a timetable on when that is expected to be happening?

Ms. TAFT. It is different for each camp, and I find this quite concerning. Each of the various NATO troops on the ground have been helpful in setting up a camp. So the Germans put up a camp and the Turks put up a camp and the Brits put up a camp, and they are now negotiating with certain NGO's that are active in Macedonia that we are supporting to do pieces of services in those camps.

My feeling is—and we have been talking with the UNHCR about this—these should all be UNHCR camps and there needs to be a clarity of which NGO's are going to be the partners to do what services in each of those camps. We can't go around this region having an Italian camp here, a USA camp here. I mean, this is not rational.

I think the biggest challenge—and I am going to have to go out there again this week—is to see if we can't come up with a proper, organized way to deal with the military on this and to have a system which is accountable to the international community and have the NGO's provide those services. NATO has told us they are not going to pull out their support until there is a proper turnover, but I think it has to happen fairly soon.

Senator ABRAHAM. I agree. Back to just the general question of the population still within Kosovo and the possibility that if somehow the opportunity for them to leave occurred and they in larger numbers did so, I know everybody, and I am sure your office more than anyone, is shuddering at the possibility of having to deal with another surge of that sort. Are we prepared, in your judgment, to deal with that or do we have to do more, given the potential numbers. And if so, what can we do?

Ms. TAFT. Well, given the difficulty it is to reach these people inside of Kosovo, I really pray they can get out. I don't care if we have to work harder than we are working now.

Senator ABRAHAM. Sure. Well, everything I have heard today, I think, indicates that—

Ms. TAFT. Well, let me just say that Macedonia is probably at its absorptive level. Turkey will take more. We are working on some camp sites in Albania. Albanians politically want to have these people stay there, and we are trying to figure out how we can make it an asset rather than a liability. I am sure Italy will take more. We have pledges from many countries to take more who come out, if they are able to get out.

One of the unknowns here also that we haven't talked enough about is Montenegro and whether or not only the 65,000 refugees that are in Montenegro might go out through Croatia or to Bosnia. We don't know, but we are ready for those. I don't know. I think we will be because we now know who our partners are. We now know where every tint in the world is. We now have a sense of the magnitude of this, and that is one of the reasons in Albania we are trying so desperately to move the people from the mountain side, Kukes, where they have come across the border, down into the

other parts of Albania because if there is another influx, that is where they are going to come in and they are going to need to be taken care of.

In Macedonia, that no man's land in Blace is all cleaned out and they are sanitizing it and putting up another area to be able to receive more people. We will be, I think, in OK shape, but the people who come across will not be, and so we may need to identify real field hospital sources and things like that if they are to come out, and I am sure contingencies are working on that.

Senator ABRAHAM. Well, I think that is reassuring information, though, because, as I say, there will be time for post-mortems, but I think the concern I am getting from some of my constituents—and we have large populations of people from these areas in our State—is just that given the tenor of things leading right up to the initiation of the bombing, the sense that this might happen seemed at least to a lot of people in the communities in my State as a very real possibility.

And they are deeply concerned now that there wasn't more preparation. Whether that was proper or not in terms of assessment, the concern now is now that we are there, now that we have got this potential, are we getting ready and will we be ready if something additional happens.

Ms. TAFT. Just to disabuse your constituents and to set the record straight, UNHCR was in Albania, for instance, working on contingencies for outflows. We had expected 60,000 people last June into Albania. Only 18,000 came, so that they still had a process where they could absorb 60,000 there and about 20,000 in Macedonia. We also had prepositioned or in the procured pipeline enough food for 400,000 people for 6 months. We, of course, thought that was going to feed the people inside Kosovo, but it still was available for redirecting for them outside.

I think that everybody was surprised at the intensity and the unbelievable inhumanity of the expulsion of these people so dramatically. But, you know, if you think about being able to serve 500,000 people without the incredible problems that you could anticipate in very inhospitable areas, particularly in Albania, I think it really is amazing how well it has gone. But we have a lot of work to do in contingency, but I don't think it was because we were so unprepared; also, very fortunate to have NGO's that had been working in Kosovo, knew the people, had really good systems in place. They evacuated to Macedonia and then Albania, and they are the ones we are going to have to rely on in the next months ahead.

Senator ABRAHAM. So one of the problems is that while we had food, it was in Kosovo?

Ms. TAFT. Some was; 1,000 metric tons was in Kosovo. Some was in Serbia. We had a lot in Bar, the port of Bar, and it is still there or in Montenegro, plus we had food on the high seas and call forwards around the world, the World Food Program did. So, that has not been the problem. Right now, it is just how do you get enough food up one road going up into Albania, which is the same road that you need to bring people down on to get them away from the border. So it is going to be probably more difficult if we don't have NATO around to construct yet again lots more tents, but I have

been assured that if we need them for another surge, they will do whatever is necessary.

Senator ABRAHAM. The last question I am going to ask is just sort of a follow-up on your comments with regard to Guantanamo and the possibility of temporary resettlement there to meet America's commitment. You indicated that you don't foresee the likely need for that at this point. If there was an overflow from people who have been prevented from leaving, is it likely that would trigger the need to—

Ms. TAFT. I think it would. I mean, depending on how big an overflow it is, I do believe it would. Now, what we need to do right now—and I really do need guidance from the committee here, and the House Judiciary Committee, too. There are a variety of ways to bring refugees in. There are a variety of ways to protect refugees offshore, you know, whether it is parole, whether it is temporary protective status, whether it is bringing people in as refugees with a round-trip ticket to go back home. We have a variety of options.

The bottom line is how do we process—whatever we are going to do, how is the best way to process it. And I come out right now that we will probably need to process people closer to home. We certainly can't do it in Albania; it is too dangerous. You don't have the infrastructure. Macedonia would be difficult, so we might have to bring them to Guantanamo and process them in for whatever status they might have in the United States. We really need to think through this and what would make the most sense.

In the meantime, we are going to try to collect as much data and information we can about people who do have relatives. And if we find these people, we will be ready to move with those that would more likely want to come to the United States, but I don't think we are there yet. I really think we have to talk about it. We want to have these contingencies. That is why we have Guantanamo as a contingency, but let's hope we don't need it.

Senator ABRAHAM. Well, hopefully, that is true. The other issue I know that may be raised in the next panel is the question of whether or not it is more cost-efficient, as opposed to the costs that would be involved in bringing people to Guantanamo and housing them there in a humane way, to perhaps support the housing of people closer, perhaps in Albania or other places where right now they may have reached a limit, but with assistance perhaps less expensive costs than would be incurred if—

Ms. TAFT. We are doing that, we are doing that.

Senator ABRAHAM. How much do we have? I mean, in other words, do we—

Ms. TAFT. We have identified the sites. We have identified the sizes of the encampments we would have. DoD just needs to figure out how they are going to pay for it, and I need to have money to pay for the social services of the NGO's inside of it. But we have planned to go ahead with that, and so anything—

Senator ABRAHAM. Would that be an option for the 20,000?

Ms. TAFT. Yes, sir; yes, sir. But, you know, if 700,000 more come out, 20,000 is a drop in the bucket.

Senator ABRAHAM. Sure.

Ms. TAFT. So we really have to have broader contingencies. But what we are doing now is responding to the interests of the Alba-

nians, the plea of the UNHCR, and the plea of the refugees themselves that they want to stay close to Kosovo.

Senator ABRAHAM. I agree.

Ms. TAFT. So we are going to do this 20,000—well, it is not a big camp of 20,000, but several locations, and we will pay for it and we will get that up and running. It is in process of the design and hopefully will be up in just a few weeks.

Senator ABRAHAM. Well, I am going to end questions at this time. I am certain we will continue to work together with your office and our committee, and also perhaps follow up with additional hearings at appropriate points, if that is called for. But we appreciate what you are dealing with right now, and I think frankly having this hearing was in part for us at least an opportunity to catch up a little, but also to expose people here to exactly the magnitude of the challenge you confront.

So what I will do is leave the record open, since a number of our colleagues had to leave, for additional questions they may want to submit to you in writing, although perhaps some of that will happen just as a matter of our ongoing relationship.

Ms. TAFT. Thank you.

Senator ABRAHAM. Thank you very much.

We have a third panel, so what we are going to do is adjourn at this time and return at 1:30 p.m., and then we will start up again at that time so people can have an opportunity to make some lunch plans, as well as other accommodations, and then we will begin again.

The meeting is temporarily adjourned.

[The subcommittee stood in luncheon recess from 12:10 p.m. to 1:42 p.m.]

[The subcommittee reconvened at 1:42 p.m., Hon. Spencer Abraham presiding.]

Senator ABRAHAM. The hearing will resume at this time, and I must begin by welcoming our audience here who stayed with us, or perhaps just arrived. We have one panel remaining, and I appreciate and want to thank the panelists for the patience they have shown both to stick it out this long and also to agree to this interruption for the break we took.

I stressed, I think, in the last panel that this is an issue that certainly is not going to consume only 1 day of attention from this subcommittee. I expect we will be on this issue or the issue of the refugees here from Kosovo for some time, and so we may well be inviting people back on other occasions. But right now we will hear from panel, which includes two representatives from organizations that have been very important with respect to this crisis.

We will hear first from Bill Frelick, who is Senior Policy Analyst for the U.S. Committee for Refugees. And then we will hear from Maureen Greenwood, who is the Advocacy Director of Amnesty International for Europe and the Middle East.

Again, I think that in light of the fact that there aren't a lot of other Senators likely to attend, we are not going to put the lights on here. We would ask you to keep the length of your remarks reasonable, but we are not going to keep you to the 5-minute limit if there is important information we should share.

So we will start with you, Mr. Frelick. Thank you for being with us.

PANEL CONSISTING OF BILL FRELICK, SENIOR POLICY ANALYST, U.S. COMMITTEE FOR REFUGEES, WASHINGTON, DC; AND MAUREEN GREENWOOD, ADVOCACY DIRECTOR FOR EUROPE AND THE MIDDLE EAST, AMNESTY INTERNATIONAL USA, WASHINGTON, DC

STATEMENT OF BILL FRELICK

Mr. FRELICK. Thank you. I will submit my written remarks for the record.

Senator ABRAHAM. Without objection, that will be included.

Mr. FRELICK. And what I would like to do is to just make a few highlights, bearing in mind especially the testimony that you have already heard today. And I think we were all very impressed with that and note that.

The situation has been incredibly fluid and what I might have said here last week when we were first planning this session and what I say today could be very different. Our priorities have shifted throughout. I think that the real turning point was the unilateral declaration of the cease-fire by Milosevic, accompanied by the absolute closure of the border at that point.

If there was ever any doubt prior to that that this was a mass expulsion, that this was a spontaneous movement based on the bombing campaign alone, those doubts were laid completely to rest. And I think that we can mark that as a changing point in terms of the improvement of the situation for those people who had managed to escape up to that point, but it also presents a grave warning for the safety of the people who are still left inside Kosovo today. So I would like to address both of those groups.

First, looking at the refugees outside the country, as has been mentioned earlier today and I would reiterate, because the situation is so unstable and so unpredictable, we need to be preparing now for the next influx. And one issue that we have heard addressed is the prepositioning of aid and assistance and the pipeline of aid to these very inaccessible areas, but the other that I think we really need to underscore is the issue of protection at the border so that we don't have a repeat of the conduct of Macedonia when they were treating refugees, traumatized people, in a completely summary fashion, in a deplorable fashion really, given the conditions.

I would take issue, although I agreed with most everything that Julia Taft said earlier, when she used the word "processing" to describe the herding of these people in the dead of night, without UNHCR, without any transparency, and splitting up families. I think that was a poor choice of words.

What we need to do now beyond focusing on the camps—I think we have put a great deal of focus on the camps this week and getting assistance to the camps. That is fine, that is one thing. And the camp that was mentioned to you, in particular, that is the Macedonian government-run camp is a cause of great concern. However, I would like to draw your attention to the critical need to support refugees who are staying in private homes.

It is the culture of the Balkans not to keep people in camps and to get them into private homes as quickly as possible. We have seen that in Croatia, we have seen that in Bosnia. And, yes, we have seen it in Serbia as well, Serbs opening their homes to Serbian refugees.

In Macedonia, according to the latest figures that I have, 60 percent of the refugees are actually staying in people's homes. And in Albania, even more remarkable, in this short period of time it is up to 80 percent now that are actually in people's homes. I myself have slept in the private homes along the northern Albanian border—extremely poor people, houses filled with refugees. They made a little more space available for me coming up there.

I know the kind of hospitality, I know the ethnic solidarity for this region, and what we need to do is to facilitate that and to promote that. We are getting enough food into the camps. We don't have enough food going into these people's homes so they can keep them open, and that is something that I think is extremely important.

I also want to simply mention that—and I think the Government has come around on this—the idea of having a massive evacuation to third countries, including to the United States, really puts the cart before the horse in the way that you approach a refugee emergency. And I don't want to dwell on that, but I do want to say, in particular, that Guantanamo is still on the table.

Whatever improvements they are talking about making to it, which would certainly be welcome, it is still a rights-free zone. A baby born there is still a stateless person. We are taking people who are traumatized, who need succor, who need healing, who need support, and you isolate them out there, and I think that that is the wrong way to treat people. It is not a humane thing to do. No matter how you sugar-coat Guantanamo, it is still Guantanamo, and I have been there as well.

So I think the emphasis has to be the traditional emphasis in a refugee emergency. It is providing safe asylum in the region, getting assistance there as quickly as possible, and then helping the local community to try to build the infrastructure. They need sewage lines, they need water piping, they need roads, electricity, you name it. We could be putting a great deal of money into that.

If the people are able to return home quickly, which you heard from all the refugees here and that I have heard from refugee testimonials as well—that is what they want to do; they want to return home—then, fine. Then you have rewarded Albania and possibly Macedonia for their good behavior, for their generosity. But if this becomes an even more protracted conflict and if they can't go home soon, you want now to begin creating the opportunity for local integration so that people will be able to remain in the region where they share the same culture.

I would like to turn my attention now to the question of internally displaced people. I was heartened to hear the questions that Senator Schumer was asking earlier today. These are the same questions that we have been asking ever since that border was closed.

What we see are all the signs of a genocide, an impending genocide or a genocide that is ongoing. Genocide does not have to be

massacres in gas chambers, although we may well hear quite a bit of evidence about massacres. And, again, speaking from personal experience I was outside of Srebrenica and Zepa when they fell. I was interviewing refugees as they came out of the woods. I interviewed the women who were separated from their men just hours before and, of course, they have never seen those men again. I remember that very clearly. There is a track record here, and in tracking genocide we have to be aware of the willingness, the intent, as well as the capacity to commit genocide, and we are seeing both occurring now.

So one thing is massacres; the other is expulsion. Milosevic has already succeeded in expelling 25 percent of the population. But what I want to focus on today is the question of starvation, using food as a weapon. In Bosnia, we saw a tactic, and we saw it again and again and again, where Serb forces surrounded areas, besieged them, shelled them, and cut them off from food. That was the strategy. Rarely did troops engage each other in direct battle. That is not the way the war in Bosnia was fought. The targets were civilians, they are not combatants, and the tactic was to besiege them and to starve them out.

What I saw last year when I was in Kosovo was a systematic campaign to deprive and to deplete the food resources in Kosovo, and I want to just highlight four or five of the points very quickly that were used at that time, and we can see the effects today.

First, there were severe restrictions on basic commodities moving into Kosovo from Serbia proper. I went in on an International Rescue Committee vehicle. It was thoroughly searched; every box was opened. We had humanitarian daily rations. They opened up every single box and examined every one of them. Commercial trucks had a very, very difficult time getting through, and on page 8 of my written testimony there is a list of the controlled commodities, which includes just about everything that you need to live.

Second, there was a scorched earth campaign pretty well-documented, but most people were focusing on the direct atrocities that were committed against people. I would like to draw your attention to the burning of fields, the destruction of crops, burning of haystacks, burning of food stores themselves, killing of livestock. Paramilitaries went through, killed livestock, and dropped their carcasses into wells to contaminate the water.

Next was a sniping campaign. Serb snipers prevented ethnic Albanian farmers from harvesting their crops. So even if aerial photography was showing the crops were full, the crops couldn't be harvested. And for the spring planting—for the crops that should be coming up soon, they were not able to do the planting for the same reason, fear of snipers and the actual shooting of farmers when they went onto their fields.

And, finally, there was the creation of 300,000 internally displaced people last year. And what those people did was they stayed in the private homes of other people and they ate their winter stocks. So between destruction of food, consumption of food, and the prevention of production of food, we had a systematic campaign to deplete the food resources of Kosovo, such that Kosovo became completely dependent on the provision of humanitarian aid from

outside sources. And we have gotten some indication from Julia Taft about what that pipeline looked like.

The situation now is that that pipeline has been completely and utterly destroyed. Those food warehouses have been looted and burned. None of the agencies that were operating there, including the International Committee of the Red Cross, the UNHCR, all of the non-governmental organizations that are international, plus very importantly the local NGO's that did heroic work there last year—they have all been either removed from the country, or in the case of the local ones completely decimated.

So now we are faced with a critical food situation, and this brings the question of the fatal miscalculation that we are still seeing today, that we saw in President Clinton's remarks yesterday about grinding down the Serbs, and that we saw in the lead editorial in the New York Times yesterday about wearing out the Serbs. This is a war of attrition. We are hitting the supply lines of the Serbs, but in the time it is going to take through a bombing campaign to grind down the military machine, these people will be dead.

The discussions about the decision to deploy these helicopters—even after the decision was made, we are told that it will take another month for them to come in. We don't even have a decision on ground troops yet, and we were told in that same New York Times editorial that for just 70,000 troops—and I have heard talk of 200,000 before they would enter—that that would take another 6 weeks before they could be deployed.

So the military time line is completely out of sync with the humanitarian needs in Kosovo, and I think that is the reality that we are staring in the face right now. Civilians will starve before men with guns, before soldiers. So what do we do about it? We are all grappling with this question, and as I say, I appreciate Senator Schumer's concern. I have heard all the reasons for not doing food drops. However, I think that we need to bust food in there through the air, through the ground, however we can do it to get food in as quickly as possible.

I would caution against the creation of safe havens, and I do this because we have a very unhappy history with safe havens, per se. They have been a half-measure, they have been death traps. They have been used to prevent people from seeking asylum abroad. And what we have seen, whether it be in Srebrenica in eastern Bosnia, or Kibeho in southwestern Rwanda, or Erbil in northern Iraq, is that people there are not genuinely protected and they can actually be subject to massacres as well.

But time is not on our side, and I think that what we have to do is a rapid deployment of troops to come to the rescue of starving people and people that are on the executioner's block in Kosovo. Julia Taft said one other thing that sort of caught me the wrong way. She talked about the responsibility of Milosevic for his people.

The fact of the matter is Milosevic does not see the ethnic Albanians as his people. If we keep maintaining the fiction that these are his people and we keep assigning responsibility and expect him to act responsibly toward them, we are going to be faced with an immense tragedy. We have to make the decision that they are not his people. They don't want to be his people, he doesn't want them

to be his people, and we need to draw the line and realize that Serb police and ethnic Albanian civilians don't mix.

Thank you very much.

Senator ABRAHAM. Thank you, Mr. Frelick.

[The prepared statement of Mr. Frelick follows:]

PREPARED STATEMENT OF BILL FRELICK

THE KOSOVO REFUGEE CRISIS

Thank you, Chairman Abraham, for the opportunity to testify regarding the humanitarian needs of Kosovar refugees and displaced persons.

The U.S. Committee for Refugees is a nonprofit, nongovernmental organization, which for 40 years has defended the rights of refugees, asylum seekers, and displaced persons in this country and throughout the world. Our organization has been documenting the conditions of refugees and displaced persons in former Yugoslavia since the beginning of the conflict, as indicated, in part, by our publications devoted to this issue:

"Yugoslavia Torn Asunder: Lessons for Protecting Refugees from Civil War" (1992).

"Croatia's Crucible: Providing Asylum for Refugees from Bosnia and Herzegovina" (1992).

"'Preventive Protection' and the Right to Seek Asylum: A Preliminary Look at Bosnia and Croatia," *International Journal of Refugee Law* (1992).

"Human Rights and Humanitarian Needs of Refugees and Displaced Persons in and outside Bosnia and Herzegovina," Helsinki Commission testimony (January 25, 1993).

"Civilians, Humanitarian Assistance Still Held Hostage in Bosnia," *Refugee Reports* (February 1993).

"Voices from the Whirlwind: Bosnian Refugee Testimonies" (1993).

"Last Ditch Options on Bosnia" (1993).

"East of Bosnia: Refugees in Serbia and Montenegro" (1993).

"No Escape: Minorities under Threat in Serb-Held Areas of Bosnia," *Refugee Reports* (November 1994).

"War and Disaster in the Former Yugoslavia: The Limits of Humanitarian Action," *World Refugee Survey* (1994).

"The Death March from Srebrenica," *Refugee Reports* (July 1995).

"Bosnian Refugees," Hearing before the Subcommittee on International Operations and Human Rights of the Committee on International Relations, House of Representatives (September 25, 1995).

"Germany to Begin Returning Bosnians," *Refugee Reports* (September 1996).

"Bosnian Minorities: Strangers in Their Own Land," *Refugee Reports* (October 1997).

"State Department Welcomes, Then Backs Off, Serbian 'Humanitarian Centers' in Kosovo," *Refugee Reports* (September 1998).

"Shaky Ceasefire in Kosovo; Displaced People Come Out of Woods, Fears Remain," *Refugee Reports* (November 1998).

"Fighting Heats Up Kosovo Winter," *Refugee Reports* (February/March 1999).

Today, we come to you at perhaps the darkest hour we have seen since these human tragedies began six years ago. In the past, we have testified about the possibilities for humanitarian action. Today's testimony will reflect the marginalization of the humanitarian community in this conflict.

I thought long and hard about what recommendations to make to you today. I have considered every angle I can think of. Recommendations that would adhere to principle seem to hold little hope for the rescue of people who are now in immediate danger. I can and will decry how we have come to the present juncture, but I fear that the recommendations I would want to make are limited by the presuppositions and miscalculations that have gone before.

The refugee situation in and around Kosovo remains extremely fluid and unpredictable. However, at this moment, NATO and the humanitarian arms of the international community working with local Albanians and Macedonians have managed to bring a modicum of order to the chaotic disaster that overwhelmed Macedonia and Albania during the first two weeks of the air campaign. The primary reason for an improved refugee situation, however, the closing of the borders with Macedonia and Albania by Serb forces on April 7, raises even more serious concerns about the welfare and safety of those now trapped within Kosovo itself.

Outside Kosovo, the stopped refugee flow provides what might only be a short breather before the next influx. The international community must attend to the needs of those who have already arrived. It also needs, however, to prepare for the next influx so that we do not repeat recent mistakes. This includes improvement of the infrastructure and logistical capacity of Macedonia and Albania to receive and care for sudden and large refugee influxes. It also includes the need for the international community to be clear about its expectations regarding Macedonia's treaty obligations as a signatory to the UN Refugee Convention, so that we do not witness a repeat of Macedonia's harsh and shabby treatment of vulnerable and traumatized people last week.

At the same time, the international community must remain seized and sharply focused on the civilians outside our reach: those who remain inside Kosovo, among them perhaps a half million internally displaced persons in dire need of food, shelter, and other relief assistance. Refugee testimonies tell us that those left behind are in grave danger and that the threat of genocide is real and immediate. The international community, and the United States in particular, bears a heavy moral responsibility for their safety, perhaps for their very survival.

NATO's military time-line is out of sync with the humanitarian needs of the civilian population inside Kosovo. Essentially NATO has opted to wage a war of attrition. Unfortunately, such a military strategy presupposes a long stretch of time to accomplish its objectives. However, before such objectives can be achieved, before the bombing campaign can succeed in degrading Yugoslavia's military capacity to operate, Yugoslav military and Serb police and paramilitary forces will already have succeeded in accomplishing their objectives: the death, burning, terror, and displacement of the ethnic Albanian population.

We have witnessed NATO debate about whether to deploy AH-64D Apache helicopters capable of attacking tanks and armored personnel carriers and watched NATO arrive at a decision to deploy them, only to be told that the U.S. military cannot make them operational in Kosovo for another month. Extend this process to the larger and pertinent question about deploying NATO ground troops into a non-permissive environment in Kosovo. How long will such a decision take? How soon after such a decision will NATO be able to mount an invasion force? By the time the first invading NATO soldier sets foot inside Kosovo, will there still be a civilian population inside the province to be saved?

In Bosnia, humanitarian agencies operated throughout the conflict, often providing what came to be known as the "humanitarian alibi" that covered the failure of the international community's political and military wings to take responsibility to rectify the causes of the human misery that the humanitarians were trying to treat.

The conflict in Kosovo has taken a different course. With the bombing campaign of March 24 all organized humanitarian actors have been removed from the scene: There are no international human rights monitors operating in Kosovo; the International Committee of the Red Cross (ICRC) and the UN High Commissioner for Refugees (UNHCR) are out; international NGO's, which distributed food and other relief supplies, are sidelined outside Kosovo; and the local humanitarian organizations that have done heroic work inside Kosovo during the last year have themselves been decimated by the onslaught of the Serb forces. I recently received a message from a young Kosovar who had worked as an interpreter for American aid workers before he became a refugee last week. He said that all local activists were targeted, and that Mother Theresa Society warehouses were looted and burned and that all Mother Theresa Society activities inside Kosovo have stopped. The Mother Theresa Society was the largest of the local humanitarian agencies operating within Kosovo.

In summary, humanitarian agencies cannot bring assistance to those in need inside Kosovo. Human rights organizations cannot directly monitor abuses. For the time being, this is a military operation that leaves little room for any other form of intervention. However, the military has a responsibility to assist and protect those made even more vulnerable by the onset of all-out war, particularly in the absence of any space for humanitarian agencies, including the ICRC, which has a specific mandate under the Geneva Conventions to operate in wartime.

We are left, however, with strange, ironic, and tragic discord between the military and humanitarian realities. NATO embarked on the bombing campaign purportedly to stop the slow ethnic cleansing of Kosovo and to prevent the destabilization of the region that could be caused by mass refugee flows. Tragically, but predictably, it had the opposite effect. This was because the opposing military forces didn't actually engage each other. NATO planes and missiles struck at targets—such as buildings, bridges, fuel depots, and air defense—only indirectly connected to the perpetrators of ethnic cleansing. Serb police and paramilitary units, unable to strike back at

NATO planes, retaliated against their easiest, and favored, target—unarmed civilians. A high-tech war conducted from high altitudes was completely ineffective in thwarting a low-tech war being conducted with small arms, truncheons, and arson against civilians on the ground.

In criticizing U.S. and NATO policymakers, I don't in any way mean to suggest that I am absolving Milosevic and his henchmen of their responsibility for war crimes. The blame and responsibility for killing and terrorizing civilians and for looting and burning their homes and properties rests squarely on them. Nevertheless, whatever NATO's intentions and goals, its bombs provided a cover under which ethnic cleansing accelerated both in swiftness and brutality. Nongovernmental organizations predicted the retaliatory attack on civilians that a bombing campaign would precipitate. On January 22, two months before the start of the air campaign, one of our colleague agencies, Physicians for Human Rights, wrote to President Clinton saying: "A bombing campaign alone might open Kosovar civilians and international humanitarian workers to reprisals by the thousands of Serb forces that remain in Kosovo. The deployment of ground forces across Kosovo is needed to protect the human rights of civilians living in the region."

In fact, the bombing campaign precipitated such reprisals, and the consequent refugee flows and regional destabilization that they were intended to prevent. Had President Milosevic intended to ethnically cleanse Kosovo all along? It certainly was a wish, but not necessarily a plan. He is the consummate opportunist, and will take what he can get away with. Last year, his strategy did not appear to be ethnic cleansing per se—the magnitude of that task and its prospects for success too daunting. So, he followed a classic counter-insurgency strategy, in the process of which his forces displaced about 300,000 people within Kosovo.

We can debate whether this would have become ethnic cleansing by slow bleeding in the absence of NATO bombing, instead of the hemorrhage that occurred after March 24. My guess is that it may well have happened. However, I also think that the hemorrhage could have been avoided if a significant number of NATO troops had been deployed in the region during the Rambouillet negotiations such that Milosevic would have had to consider the credible threat of a NATO ground incursion before embarking on his campaign of accelerated ethnic cleansing. As it was, Milosevic proceeded, confident of President Clinton's loud assurances that he had no intention of committing ground troops.

INTERNALLY DISPLACED PEOPLE AND OTHER AT-RISK CIVILIANS INSIDE KOSOVO

Amnesty International and others today will testify regarding the reports of atrocities and other human rights abuses occurring inside Kosovo. But, I want to add a few words based on our previous experience with refugees on how to interpret what we are seeing from the sidelines. Refugee testimonials about Serb police and paramilitary units separating men and boys from their families as they were being expelled are credible, plentiful, and chilling. I was on the frontline in Bosnia in 1995 when Srebrenica and Zepa fell. I interviewed the women who had just seen their husbands and fathers taken away. They never saw them again.

The closing of the border on April 7 represents the loudest and clearest warning of the dangers these people face. From Nazi Germany to Cambodia, we have seen the significance of closed borders for regimes that have demonstrated the will and capacity to commit mass murder. Genocide has many tools. It does not require gas chambers or even mass graves. Milosevic is using a combination of tools:

- Expulsion is one. Make no mistake. The estimated 418,000 refugees who appeared in Albania, Macedonia, and Montenegro between March 24 and April 7 were not spontaneous arrivals fleeing falling bombs. They were expelled. When it suited Milosevic's purposes to declare a unilateral ceasefire and stop the refugee flow, he stopped it on a dime, and ordered the displaced who were still heading toward the border to make an about-face return into the hands of their persecutors. That demonstration of power and control is truly frightening.

- Massacre is another tool. Amnesty International and others, I am sure, will give credible testimony today of killings. We have already seen a pattern of atrocities taking place, such as the Racak massacre on January 15, and can only imagine how many such acts may have been repeated since the international human rights monitors left.

- The final tool of genocide that I want to focus on, however, is a campaign of calculated starvation. We have seen this used in most of the major genocides or attempted genocides of this century, including the Nazis, the Khmer Rouge, and, most recently, the current Sudanese regime. The victims are denied an avenue of escape and are denied food. Whether or not they are detained by the state authorities perpetrating genocide, they are at least confined to an area where they have little or

no access to food. Eventually they starve or, weakened by malnutrition, succumb to disease.

Last year, the U.S. Committee for Refugees began documenting the use of food as a weapon in Kosovo. I traveled to Kosovo, and was struck by the Serb authorities' concerted and systematic efforts to limit Kosovo food imports and production. Here is the pattern that I saw and documented at that time:

(1) Serb authorities imposed local "control" of basic food items into Kosovo. I entered Kosovo from the Belgrade road in a clearly marked and UNHCR-licensed International Rescue Committee vehicle. Serb police thoroughly checked the humanitarian daily rations (HDR's) we were carrying, opening and examining every box. After arriving in Kosovo, I discovered that local commercial trucks carrying essential food stuffs had much greater difficulty. Here is the list of "controlled" commodities that I obtained during my visit: wheat flour; rice; oil; margarine; butter; sugar; salt; meat and meat products; milk and milk products; all kinds of cheeses; canned fruits; canned vegetables; canned fish; mashed potatoes; pasta; corn; unprocessed wheat; livestock; animal feed; detergent liquid and powder; soap, shaving cream, tooth paste and shampoo; all kinds of lubricants; diesel fuel, heating fuel; gas; medicines and medical equipment. Local markets in Pristina showed significant price increases and commodity shortages. In addition to my first-hand observation of this, *Newsday* reported August 2: "Serbian police have seized shipments of essential food-stuffs on the main road into Kosovo. * * * A Kosovo transport company that had two shipments seized in the past two weeks said the prohibited goods include: sugar, flour, milk and milk products, edible oils, animal feed, grains, meat and live animals. Random checks in Pristina, Kosovo's capital, show that such goods are not widely available, and certainly not in private shops run by Albanians. They are available in limited quantities at state-owned stores run by Serbs, but prices in Kosovo are double elsewhere in Yugoslavia."

(2) Serb forces engaged in a scorched earth policy to destroy last year's food stocks and to cripple Kosovo's capacity to produce food this year. During attacks on ethnic Albanian towns and villages, Serb forces looted houses and stores of goods and food. Serb forces also deliberately burned agricultural fields, haystacks, winter food stocks, and firewood. Serb paramilitaries killed livestock, sometimes dropping their carcasses into wells to contaminate the water.

I have the honor today of testifying today with the director of the Center for Protection of Women and Children in Pristina. This heroic NGO, whose reports we have closely followed during the past year, reported on August, "Hundreds of houses are in flame. Grain fields are in flame too. Targets of the constant shelling are mostly innocent civilians * * * animals, houses, and food." On August, Reuters cited a World Food Program official in Kosovo saying that the area around Malisevo was "a wasteland of destroyed villages and burned fields littered with dead cattle." The scorched earth policy was unconnected to military strikes. On August 5, the *Washington Post* reported on U.S. Ambassador Christopher Hill's visit to central Kosovo, saying, "He [Hill] noticed several villages and towns that were burning today in areas where there was no fighting."

(3) Serb snipers prevented ethnic Albanian farmers from harvesting their crops last autumn or from planting seeds for the crop due this spring. Such sniping was reported by Catholic Relief Services on July 16. In the Drenica area, in particular, ethnic Albanian farmers reported that they were not able to harvest their wheat crop because of Serb snipers.

(4) The Serbian police harassed and persecuted local humanitarian aid workers in Kosovo who distributed food and other humanitarian aid to displaced civilians. On July 11, Serb police arrested the vice president of the Djakovica regional Mother Theresa Society, Fatime Boshnjaku, and two other Mother Theresa Society workers, for delivering food to a town under KLA control. Local independent media also reported that Serb snipers "positioned in the vicinity of the open pit coal mines in Bellaqevc shot and wounded two humanitarian workers while they were distributing aid." (Reported by the Open Society Institute on July 17.) On August 24, three Mother Theresa Society aid workers were killed while delivering three metric tons of food parcels and stoves that they had received from a USAID-funded convoy. Shortly after passing through a Serb checkpoint, and while in an open field in mid-afternoon, their vehicle, piled high with white boxes marked with the blue emblem of Doctors of the World, came under direct shell fire. There were no uniformed KLA soldiers reported in the area.

(5) Serbian forces raided food warehouses. On Sunday, July 26, Serb police raided the Mother Theresa Society warehouse in Vucitrn and confiscated 12.5 metric tons of wheat. The raid occurred during food distribution to the needy, causing additional fear among would-be beneficiaries. (Reported by Mercy Corps International on July 28.)

During the winter, food stocks were depleted. More than 200,000 internally displaced persons were in Kosovo at the time. They were not accommodated in camps or collective centers. In some cases, they were in the woods without shelter. In many other cases, internally displaced people found shelter with local host families, consuming their food stocks. In any case, the displaced were usually in inaccessible areas or fearful of coming to central locations for food distribution.

Kosovo is not a self-sufficient food producer in the best of times. With planting and harvesting brought to a halt last year, with food deliveries cut, and with food stocks consumed or destroyed, there are no reserves at the present time.

Serb and Yugoslav military strategy in Kosovo will follow the pattern of Bosnia: They will avoid direct confrontation with opposing armed forces, but will prefer to encircle, shell, and besiege targeted civilian populations.

What is the present situation for internally displaced people in Kosovo? On Sunday, April 11, British Foreign Secretary Robin Cook said, "They lack the basic elements of relief and are particularly short of food. The weather currently is against them. It is snowing today in western Kosovo."

The American and world public are not aware of the calculated steps Milosevic has taken over the course of the last year to use food as a weapon. Few are aware that, after a year of squeezing Kosovo of its last food reserves, starvation can now be used as a tool of genocide. Because there are no television cameras inside Kosovo, because we no longer see images of hungry, desperate refugees (and because those we do see are now being fed and cared for), the public is not yet aware, let alone roused, by the looming threat of starvation inside Kosovo.

NATO's war of attrition is ill suited for these circumstances. Those least able to hold out are the very people this campaign is supposed to protect. They are likely to succumb before it has a chance to succeed. NATO military planners may think that time is on their side. In humanitarian terms, this is a fatal miscalculation.

WHAT NOT TO DO

For persons displaced within Kosovo: An internal safe haven is a bad idea

On Monday, April 12, the former director of the State Department's Bureau for Refugee Programs, Princeton Lyman, wrote an op-ed piece for the Washington Post arguing in favor of creating a safe haven for ethnic Albanians inside Kosovo modeled on the safe haven for the Kurds in northern Iraq in 1991. The northern Iraq model is flawed in a number of respects. First, the Kurds in northern Iraq were unwelcome in both neighboring Turkey and Iran, and essentially had nowhere to flee. As previously mentioned, Albania has welcomed these refugees; refugees needing to flee Kosovo have a place of refuge outside the country. Second, in 1991, Saddam Hussein was already beaten by coalition forces at the time the safe haven was declared. He was in no position to resist, and coalition ground troops did not have to fight their way into northern Iraq. Milosevic has not been beaten and his troops are in Kosovo. Prior to Milosevic's defeat, if the international community set its sights on defending only a patch of Kosovo territory as a haven for persecuted civilians, it would signal its willingness to concede control of the rest of Kosovo to Serb forces and, in effect, give the green light to cleansing those areas of their ethnic Albanian population.

Lyman quickly brushes past the international community's unhappy experiences with safe havens in Bosnia, Rwanda, and elsewhere. As I mentioned previously, I was near Srebrenica and Zepa as the survivors of those safe areas straggled out. Srebrenica and Zepa stand as monuments to the international community's failure to resist ethnic cleansing. They represent the international community's timidity in the face of aggression and brutality. Finally, they represent a false promise that has undermined the international community's credibility and encouraged despots to test its resolve. The promise of safety has too readily lured innocent people into death traps. Furthermore, the very existence of such safe havens has often been used as the excuse to deny asylum to would-be refugees. People who are frightened, people who seek refuge outside their borders are told to remain in places where the international community continues to recognize the sovereignty of the very powers that have been persecuting them. Safe havens are an invitation to ethnic cleansing. To say that one particular area of a country is safe, concedes that the surrounding area is not. It invites the ethnic cleansers to herd people into the safe areas. At that point, whether in Kibeho in southwestern Rwanda or Srebrenica in eastern Bosnia, international forces who were present at the time did not prevent massacres of people whose safety they were there to ensure.

For refugees outside Kosovo: Now is not the time for a resettlement operation, temporary or permanent, to Guantanamo or to the U.S. mainland

With tens of thousands of refugees stranded in the no man's land between Kosovo and Macedonia last week, Macedonia threatened to close its borders if NATO did not remove the refugees from its soil. Under this blackmail, and seeing mass misery and suffering on the Albanian and Macedonian borders, and a tide of incoming refugees, the United States and allied countries agreed to resettle the refugees on a temporary basis. The U.S. agreed to take 20,000 refugees and to house them at the U.S. naval base at Guantanamo Bay, Cuba.

At the height of a refugee emergency, the primary concerns ought to be quickly providing clean water, adequate sanitation, food, shelter, medicine, and clothing. Just as important is the issue of protection—ensuring that refugees are not forced back to their country or prevented from fleeing violence and persecution, and that they are not mistreated in the country to which they have fled.

As a general rule, the complex logistical task of delivering humanitarian assistance in refugee disasters dictates bringing the aid to the refugees where they are. The exception to this rule is if security concerns require refugees to be moved away from border areas.

The ideal solution to a refugee crisis is for refugees to be allowed to return to reclaim their homes and property. Resettlement is normally used as an option after time has elapsed, for refugees who cannot return to their homeland. It is used after other options have been exhausted, and after refugees have been registered and screened. Resettlement should never be imposed on refugees against their will, and families should always be kept together. Until now, resettlement has always been considered as a permanent solution.

In making the offer of "temporary" resettlement, the United States and allied countries were well intentioned. They were responding to the Macedonian threat to close its borders. The offer was made to prevent refoulement and to preserve first asylum, and, for that, the motive behind it is praiseworthy. But, the temporary resettlement decision was hurried and ad hoc. The allies committed themselves to a course of temporary resettlement before fully considering other alternatives more in accord with the wishes of the refugees themselves.

After the evacuation policy was announced, Kosovar refugees were dragged, man-handled and forced onto planes against their will. It was heartbreaking to watch news footage of traumatized refugees being treated this way.

As noted previously, Serb police and paramilitary forces separated many men and boys from their families during the expulsion. Others have joined the KLA. Intact refugee families in Albania or Macedonia have been the rare exception. Especially in a society as traditional as that of the ethnic Albanians, women, children, and the elderly do not want to be taken long distances from their husbands, fathers, brothers, and sons.

The logistical difficulties and cost of transporting tens of thousands of refugees out of the region at the height of the emergency is a misuse of resources and further complicates an exceedingly difficult relief aid pipeline. Choosing which refugees are in greatest need of resettlement, which countries are most appropriate to resettle them, and registering and tracking them as they move is time and labor intensive. Failure to plan resettlement properly results in chaos, including splitting families.

We were pleased to learn that the U.S. government does not appear to be rushing forward to bring Kosovar refugees to Guantanamo. However, construction of the camp reportedly continues and if the United States sees fit to evacuate refugees from the region, it is still committed to holding them there. This is a bad idea. The U.S. courts have essentially declared Guantanamo a "rights-free zone" as far as refugees are concerned. Refugee children born there would be stateless; any rights would be severely limited. Several years ago, Haitian refugees sent to Guantanamo were put in tents on a tarmac, surrounded by barbed wire and watchtowers. I was there. It was isolating and intimidating—not a place for traumatized guests of our country in need of succor and healing.

Some have suggested bringing the refugees to the U.S. mainland, certainly a preferable alternative to Guantanamo. In due time, if Kosovar refugees cannot return to their homeland, the United States may well have good reason to offer permanent resettlement to some, particularly those with family connections in the United States. At the present time, however, this is premature, unnecessary, logistically complicating, wasteful of resources, and sends the wrong message to the ethnic cleansers inside Kosovo. It does not take into account other alternatives that support the refugees' preference to return to Kosovo as soon as they can do so in safety and dignity. If Macedonia, indeed, cannot be persuaded to allow refugees to remain on its soil, the wishes of the refugees ought to be taken into account, and they

should be relocated in the most humane manner possible to Albania, where they would be welcome.

Although poverty stricken and overwhelmed with refugees already, Albania is willing to take in refugees threatened with expulsion from Macedonia. Despite their poverty, Albanians have shown remarkable solidarity and hospitality toward the ethnic Albanian refugees from Kosovo. In many cases, they have opened their homes and have shared what little they have.

Temporary resettlement outside the region should be considered as a last resort. Not now. Both the wishes of the refugees and the goals of the international community are for the prompt and safe return of the refugees to their homes. The focus on resettlement—at Guantanamo or the U.S. mainland—at this time, is ill-advised and unnecessary.

WHAT TO DO

Needless to say, it's easier to say what not to do and what has been done wrong than to give the prescription for "solving Kosovo."

Regarding refugees outside Kosovo

This is largely a question of timing and staging. I would have made very different recommendations last week at the height of the sudden, chaotic mass influx than I am making today.

Obviously, we need to be better prepared in the event of another mass influx. Reception camps on the immediate borders need to have adequate sanitary facilities, sources of potable water, food, tents, blankets, vaccines, etc.

As essential as assistance needs are, there is also a need to protect the principle of first asylum. In Macedonia, especially, the UN High Commissioner for Refugees—perhaps with emergency assistance from OSCE monitors stranded outside Kosovo—should be an active and visible presence on the border, receiving and registering refugees, and preventing the kind of summary treatment of refugees by the Macedonians that caused gratuitous suffering and hardship last week.

Every effort should be made to assist the ICRC, the UNHCR, and other agencies involved in the tracing and reunification of split families.

Resources should be poured into Albania, especially, and Macedonia as well, to build their capacity to host large refugee populations. It is remarkable at this early stage of the refugee crisis, that 60,000 of the 98,000 refugees estimated to remain in Macedonia (as of April 11) are living in private homes. Although I do not have this week's figures on the percentage of the 300,000 refugees in Albania who are living in private homes, on April 7, the Washington Post reported that more than 130,000 were being hosted in private homes ("Albanians Share What Little They Have," by Peter Finn, Washington Post, April 7, 1999, p. A1 and A16).

Despite the large number of people who have been displaced in the Balkans since 1991, relatively few have remained in camps within the region. Whether the hosts are Croats, Bosniaks (Bosnian Muslims), Serbs, or Albanians, they have opened their homes to the displaced. The international community should encourage and facilitate such hospitality and generosity.

Rather than build a refugee camp in Guantanamo that should and likely will remain empty, the U.S. government and military ought to be building Albania's infrastructure—sewage lines, roads, electricity, water pipes, to enable it to support this huge surge in its population. The cost of maintaining 20,000 refugees at Guantanamo would be about \$1 million per day, \$180 million if they were to remain there for six months. Instead of squandering enormous resources on massive relocation schemes, those resources should be poured into Albania. In addition to emergency relief aid, Albania's infrastructure should be improved—roads, housing, sewage, electricity. If the Kosovo crisis is resolved and the refugees are able to repatriate, such improvements will be a permanent benefit to Albania after the crisis is over, a reward for its generosity of spirit and a contribution to regional stability. In the event the refugees are not able to return to Kosovo, building up Albania's infrastructure would enhance its ability to absorb and integrate this massive increase in its population. If the conflict is protracted and return delayed, this would help refugees to integrate into Albania and to contribute to its economy rather than be a drain on it.

Regarding internally displaced people and other at-risk civilians

To be honest, I don't feel that I have the answers. I am not a military expert and at this point in time, this is a military question. I can't tell the military how to do its job. But I think we need to agree on what its job ought to be.

On April 7, UN Secretary-General Kofi Annan said, "Of all gross violations, genocide knows no parallel in human history. Though we have no independent observers

on the ground, the signs are that it may be happening once more in Kosovo." This is a remarkable statement by the UN Secretary-General who has a history (during Rwandan genocide, for example) of exercising extreme caution in characterizing an ongoing situation as genocidal. In the meantime, the U.S. government has been uncovering evidence of mass graves and gathering other information indicating that mass killings might be taking place. But genocide can be perpetrated without mass executions. As we have already established, above, the Serbs are denying food to the displaced, itself a grave breach of Protocol II, Article 14 of the Geneva conventions.

The retired generals now serving as pundits for the television networks tell us all the reasons air drops of food parcels will not work. I concede that they might not. Food dropped from planes might fall into the wrong hands and feed Yugoslav soldiers and Serb police. However, one rule of war I do know is this: men with guns do not starve; civilians do. We are not going to beat the Yugoslav military by starving them out, and if we did, the civilians would perish long before them. This is a risk we have to take. Until the military can secure territory and deliver food and other relief aid overland, there is no choice but to try dropping food in as an emergency interim measure to keep people alive. Will it feed all who are hungry? Of course not. It is no panacea. Not remotely. But in the absence of any other means to deliver food, it needs to be tried.

Humanitarian assistance is one side of the coin. Protection is the other. I don't want to be simplistic. But I don't understand the U.S. government. On the one hand, our government is busy documenting and publicizing evidence that genocide is happening. On the other, it is saying that it has no intention of introducing ground troops until Milosevic has agreed to their arrival (the "permissive" environment). If the U.S. government believes what it is saying about genocide, how can it wait for the perpetrators of genocide to give their permission for it to introduce the ground troops that are supposed to protect people from those same perpetrators?

Bolstered by the evidence of genocide that the U.S. government itself has collected, its failure to suppress genocide will be all the more forgivable. It is already too late to prevent the onset of a genocidal campaign. It is too late to suppress its completion? The military time-line is utterly out of sync with the moral imperative to suppress genocide. I don't want to sound cavalier about the lives of American and other allied servicemen. But the people on the executioner's block cannot wait for a risk-free, soldier-friendly environment for invasion. They can't wait for the massing of 200,000 troops, if that will take months of build up and field support.

Can the military respond quickly enough? If we take them at their word, the answer is no. Frankly though, I don't know if they should be taken at their word. How quickly could the U.S. armed forces respond if their Commander in Chief gave clear, unambiguous orders for their rapid deployment in Kosovo? Needless to say, they haven't heard such an order. In the meantime, NATO seems shy about massing troops and armor in the event of such an order.

It may not be the time to talk about the political settlement of this conflict. Sufice it to say, if ever there was a chance of muddling through with a compromise "autonomy" foisted on both unwilling Serbs and ethnic Albanians, that point has passed. It is time for the United States, leading the international community, to jettison that approach and to revise the presuppositions and goals for Kosovo and the region.

Even at this juncture, no government has challenged the international presupposition of preserving the existing borders of the six republics that made up the former Yugoslavia, thereby maintaining Serbian sovereignty over Kosovo. The international community's goal of maintaining the status quo on borders stems largely from the Helsinki principles of 1975, which affirm the territorial integrity of all existing states. But the Helsinki principles embrace a quid pro quo; for their borders to be respected, states must respect the rights of minorities within those borders.

Serbia does not. It has been as exploitative and repressive as any colonial power. For years, Serbia has brutally suppressed even modest expressions of ethnic Albanian rights. Serbs living in Kosovo, less than 10 percent of the population, have overwhelmingly worked in the security apparatus or in controlling the region's rich mining and energy reserves. Long before the current rupture, the Serb and Albanian communities of Kosovo—with no common language, religion, or culture—have been segregated and at loggerheads.

How can the U.S. maintain its position of restoring Kosovo's autonomy within Serbian (or Yugoslav) sovereignty? It can't have it both ways; it can't accuse the Serbs of committing genocide against ethnic Albanians and then require the ethnic Albanians to remain in Serbia. The United States needs to reassess its policy. It needs to support an independent Kosovo, internationalizing the border between Kosovo and Serbia.

An independent Kosovo need not create a precedent for every minority's claim to self determination. The Helsinki principles would remain the valid framework for assessing such claims. But Milosevic's abuse of minority rights has disqualified Yugoslavia from the Helsinki guarantee for territorial integrity. To uphold those same Helsinki principles, however, the price of Kosovo's independence would be guarantees from the ethnic Albanian authorities that they will respect the rights of the Serb minority living there. Based on prior experience in Croatia and Bosnia, I am not sure how many Serbs would want to remain in a non-Serb-controlled Kosovo, but those who would want to should have the opportunity to stay or to return.

Regardless of the political solution, NATO has clearly stated its objective to be the withdrawal of Milosevic's police and army from Kosovo. I am convinced that they will not leave unless they are forced out. That, frankly, at this point, is the only way to protect the civilian population. Serb police and ethnic Albanian civilians don't mix. Any autonomy that envisions such a mixture is doomed to tragic, bloody failure. The international community cannot keep a peace predicated on holding them together. But it can enforce a separation. And that enforcement can and should devolve to the Kosovars themselves. Ultimate success hinges not only on arming and training the citizens of Kosovo to defend themselves, but on reconstructing war damaged properties and infrastructure as well as promoting civil society and democratic institutions. Aligning nationality and statehood would enable the people of Kosovo to become the masters of their own fate and, in time, the guarantors of their own security.

Senator ABRAHAM. We will now turn to Ms. Greenwood. Thank you for being here, and again I apologize for the delay in getting this panel started.

STATEMENT OF MAUREEN GREENWOOD

Ms. GREENWOOD. Mr. Chairman, thank you for inviting me here today to discuss the Kosovo refugee crisis. I think it is so important that you are paying attention to this issue.

For the last 3 weeks, we have all watched the images of these refugees flash across our TV screens—a lost child, a mother's tears, an exhausted man's blank face. Each of these pictures is a fleeting glance at a very dark nightmare come to life.

We have already heard extensive details about what is happening actually to the refugees. Many of the points that I wanted to make have already been mentioned and they are in my written testimony, which I submit for the record.

Senator ABRAHAM. We will put it all in the record.

Ms. GREENWOOD. But I did want to focus on international norms for treatment of refugees and U.S. responsibilities. The refugees in northern Albania currently have eyewitness tales of systematic extra-judicial executions carried out by Yugoslav and Serbian security forces and paramilitary groups. In short, Yugoslav security forces and paramilitary units are conducting a calculated campaign of mass expulsion, and the refugee crisis is a direct result of these policies.

Now, while Kosovo has mainly just come to American attention in the last few weeks, Amnesty International for the last 10 years has been calling it a human rights crisis and trying to alert the world about its potential to explode. Ever since Yugoslav President Slobodan Milosevic dissolved the autonomy of Kosovo and disbanded the parliament in 1990, Amnesty has been talking about systematic human rights violations, including torture, ill treatment by police, death in police custody, unfair trials for political prisoners. The frustration and anger built up in Kosovo, and it is pre-

cisely because of these long, unaddressed grievances have erupted in this kind of anger that has led to the violent conflict.

None of the abusers for the past 10 years in human rights violations in Kosovo have yet been brought to justice. Amnesty International has people in the field right now directly taking testimony from refugees. We are also going to be monitoring the treatment of refugees in Europe and if they go to any other places.

One thing about the terminology. Yes, the refugees said that they would prefer to be called deportees. But we are also calling them refugees, as Assistant Secretary Taft noted, because "refugee" means that they have certain legal rights according to the 1951 United Nations Convention on Refugees.

The treatment of refugees is governed by clear legal standards, all of which the U.S. has accepted. These are the following principles. Macedonia, Albania and Montenegro are obligated to allow all refugees at their border to enter, and to provide them with protection at least until other solutions are found, such as voluntary resettlement to a third country or voluntary repatriation, when it is safe to do so.

Refugees must be accorded basic rights, such as access to a determination procedure for status and respect for the principles of family unity, reunification and choice. No refugee can be moved to a third country involuntarily. Other countries must share in the responsibility for protecting refugees. The principle of non-refoulement is the cornerstone of refugee protection. Refugees should not be returned to their country if they have a well-founded fear of persecution.

From the outset of the crisis, Amnesty International has called on the international community to provide adequate assistance for countries neighboring Kosovo, including offering resettlement opportunities. But the wishes of the refugees must come first. They need to be respected and must be foremost in any consideration of what happens.

We are keenly aware of the enormous stress that the refugee crisis has placed in Kosovo's neighbors, and we welcome the offers that have come from third countries to assist in relocating some of these refugees. However, we strongly condemn the involuntary nature of a significant number of these relocations, carried out by the Macedonian authorities, as well as the fact of family separation. This topic has already been discussed today.

Other governments are expected to admit Kosovar refugees under a temporary protection agreement. We are troubled by the lack of international consensus regarding the meaning of "temporary protection." For instance, in Bosnia-Herzegovina, temporary protection was used as an excuse in some cases to forcibly return Bosnian refugees before it was safe for them to go home. We believe that any temporary protection status should not be used as a means of circumventing full refugee status, and the U.S. Government has an important role to play in standard-setting in terms of influencing its European partners in the treatment of refugees.

We also have related concerns about the suggestions that have been advanced about Guantanamo. I understand that the plans are currently on the back burner, but Amnesty representatives have visited Guantanamo on several occasions when it housed Cubans

and Haitians the last time in November 1994. Rather than being a place of welcome, and despite the best intentions of the military, Guantanamo had many of the attributes of a prison camp, with concertina wire and restrictions on movement.

It is unacceptable to confine these refugees for the duration of their stay in the United States to Guantanamo. They should have the right to full and fair U.S. asylum determination procedures once they are under the control of the U.S. authorities. Neither Guantanamo nor Guam nor any other U.S. territory should be used as a dodge to evade U.S. obligations under its own and international law. While in most major displacements, most refugees prefer to go home, the international community has a responsibility to offer these refugees protection, if that is what they choose.

Finally, the terrible cost of this human rights and humanitarian catastrophe demands once again that we seek more effective ways to address chronic abuses of universally recognized human rights before they explode into civil wars, uncontainable hatred, or genocide. For many years, Amnesty has been documenting the human rights abuses in Kosovo. We can't help but wonder how things might have been different if the U.S. Government and its allies in Europe had devoted a little bit more sustained and serious attention to these abuses over the last 10 years.

What if Western governments had spoken more strongly and more consistently against the repression of the Serb independent media, non-governmental organizations, and Serb dissidents, and against the repression of Albanian institutions and culture in Kosovo? Perhaps this crisis could have been avoided. If NATO governments had promoted peaceful resolution to the conflict in Kosovo much earlier, perhaps the ethnic Albanians would not have been persuaded to join the KLA and resort to violence.

If the U.S. and its allies had denounced the atrocities committed by Croatian forces against Croatian Serb civilians in 1995 and 1996 and had pressured the Croatian government to pursue justice for the victims, perhaps the Serbs would cling a little less ardently to the conviction that they have been victimized by the West. If the international community had embraced more vigorously the work of the International Criminal Tribunal for War Crimes in the former Yugoslavia, perhaps some of those now conducting some of the human rights violations, such as Arkan, would now be arrested. We will never know for sure about these "what ifs," but I urge the U.S. Government to ensure that we consider questions like these before they turn into crises.

What can the U.S. Government do now? One thing that the U.S. Government can do is to share all intelligence, including satellite photos and Yugoslav security force radio communications, with the International Tribunal. And Senator Kennedy mentioned the need to share information with the Tribunal. The Tribunal has told Amnesty, and it has been reported, that they are greatly disappointed with the amount of intelligence that they are receiving, which is what Graham Bluett, the deputy prosecutor, said last week.

Second, NATO forces need to arrest indicted war crime suspects. Third, we need sufficient financial support for the Tribunal. In addition, U.S. support for an international criminal court would also be a factor in deterring abuses, and the lack of such support is re-

grettable. The U.S. Government needs to take the lead in refugee protection and in human rights throughout the world.

Thank you.

[The prepared statement of Ms. Greenwood follows:]

PREPARED STATEMENT OF MAUREEN GREENWOOD

Thank you for inviting me here today to discuss the Kosovo refugee crisis.

For the last three weeks, we've all watched the images of these refugees flash across our TV screens—a lost child's bewildered gaze, a mother's anxious tears as she ponders the fate of the husband she left behind in Kosovo, an exhausted old man's vacant stare as he faces the prospect of spending his remaining days in exile. Each of these pictures is a fleeting glimpse of a very personal, unfathomable nightmare come to life.

Amnesty International has received consistent and credible reports that members of Yugoslav security forces and paramilitary units have arrived at houses and apartment blocks of Kosovar Albanians and forced the inhabitants to leave. Some refugees describe seeing houses and apartments in flames as they left the city. Some refugees expelled have been ordered on trucks or busses, some transported to the border in sealed trains, and others have made their way on foot. The men were either detained or rounded up and taken away while women and children were ordered to continue their journey. Refugees in Northern Albania have eye-witness tales of systematic extra-judicial executions carried out by Yugoslav and Serbian security forces and para-military groups. The vast majority of those who have succeeded in fleeing the country are women, children, and elderly men. Many of the refugees have been in appalling condition—weak from lack of food and exhaustion. In short, Yugoslav security forces and paramilitary units are conducting a calculated campaign of mass expulsion and the refugee crisis is a direct result of these policies.

NATO nations must be galvanized by their responsibility to help ensure that no further harm comes to these people, who have suffered more than most of us can imagine. NATO nations, including the United States, must be absolutely committed to fulfilling these international obligations. The U.S. government has spoken, and rightly so, of the international national obligations being violated by Yugoslavia. But these will be significantly weakened if we now fulfill international norms in a half-hearted way, or worse, violate them. Amnesty International will be watching carefully to see whether all those expelled from Kosovo by the Yugoslav government—wherever they end up—receive the full legal protection they are afforded under international law.

These refugees have already experienced numerous violations of their rights. They have been uprooted from their homes and brutally expelled from their own country. Some have been forcibly returned, while others have been denied entry at borders because of delays and closed border crossings. Many have been forcibly relocated, separated from other family members, and placed in temporary refuge schemes rather than accorded their rights under the 1951 United Nations Convention on Refugees. In addition, refugees have been forced to remain for days at borders, without any of the necessary assistance to maintain even the most basic of their needs, including food, water, sanitation and shelter. In too many instances, those responsible for giving these people immediate refuge have cast aside standard procedures designed to ensure that refugees are given the protection they are due under international law.

While the full dimensions of the refugee crisis unfolded, Amnesty International dispatched researchers to Macedonia and Albania to take detailed testimonies from refugees about the human rights violations they have witnessed and experienced. Amnesty International has been documenting and publishing the systematic violations for a decade, since Serbia dissolved Kosovo's parliament in 1990. For the past ten years Amnesty has been denouncing a human rights crisis, including systematic torture, ill-treatment by police, death in police custody, and unfair trials for political prisoners. Frustration and anger built up in Kosovo because those responsible for these abuses have never been brought to justice. These long un-addressed grievances contributed to the violent eruption of the conflict today.

Today we face a situation that changes day-to-day. Amnesty International is very worried about the internally displaced people inside Kosovo, as we have little information about their welfare. Meanwhile, as the situation for many of the refugees begins to stabilize, Amnesty International is preparing an increased presence in the field. In addition to documenting refugees' accounts of human rights crimes, we will be monitoring the standards of protection they are receiving in host countries, both in the region and in host countries outside the region.

According to the United Nations High Commissioner for Refugees Washington Office as of yesterday, there are currently 65,500 refugees and displaced in Montenegro, 116,500 in Macedonia, and 314,300 in Albania. Humanitarian evacuations from Macedonia have reached 9,351 people. According to UNICEF there are between 400,000 and 750,000 internally displaced persons.

Those fleeing the current conflict are refugees under the 1951 United Nations Convention on Refugees, an international treaty, which the U.S. is subject to. The treatment of refugees is governed by clear legal standards, all of which the U.S. has accepted.

Our monitoring of the protection of refugees will be guided by the following principles:

- Macedonia, Albania, and Montenegro are obligated to allow all refugees at their border to enter and to provide them with protection, at least until other solutions are found, such as voluntary resettlement to a third country or voluntary repatriation when it is safe to do so.

- Refugees must be accorded basic rights, such as access to a determination procedure for status, respect for the principles of family unity, reunification and choice.

- No refugee can be moved to a third country involuntarily.

- Other countries must share in the responsibility for protecting refugees.

- Kosovar refugees should not be treated differently from other refugees.

- The principle of non-refoulement is the cornerstone of refugee protection. Refugees should not be returned to their country if they have a well-founded fear of persecution there.

From the outset of this crisis, Amnesty International has called on the international community to provide adequate assistance for countries neighboring Kosovo, including by offering resettlement opportunities. The wishes of the refugees need to be respected and must be foremost in any consideration of what happens, whether that is resettlement or return. We are keenly aware of the enormous stress the refugee crisis has placed on Kosovo's neighbors, and we welcome the offers that have come from third countries to assist in relocating some of the refugees. However, we condemn the involuntary nature of a significant number of these relocations—carried out by Macedonian authorities—as well as the fact that these forced relocations resulted in many family members being separated from each other. We hope we have seen the last of such callous and unacceptable treatment.

Some governments are expected to admit Kosovar refugees under a temporary protection arrangement. We are troubled by the lack of an international consensus regarding the meaning of temporary protection. In Bosnia-Herzegovina, for instance, temporary protection was used as an excuse in some cases to forcibly return Bosnian refugees before it was safe for them to go home. Consequently, we strongly believe that any temporary protection status should not be used as a means of circumventing full refugee status for those expelled from Kosovo. This includes allowing all refugees meaningful opportunity to have their individual asylum claims considered before being returned.

We have related concerns about some of the suggestions that have been advanced for accommodating refugees in third countries. For instance, we would be very concerned about the use of facilities like the U.S. military base at Guantanamo, Cuba, to house refugees beyond whatever brief period may be necessary for their initial reception into the United States. Amnesty representatives visited Guantanamo on two occasions when it housed Cubans and Haitians, the latter time in November 1994. Rather than being a place of welcome, and despite the best efforts of the military, Guantanamo had many of the attributes of a prison camp, with concertina wire and restrictions on movement. It is unacceptable to confine these refugees for the duration of their stay in the U.S. Kosovar refugees should not be denied their rights to seek and enjoy asylum, that is, have access to a full and fair U.S. asylum determination procedure once they are under the control of U.S. authorities. Neither Guantanamo, nor Guam nor any other U.S. territory or base should be used as a "dodge" to evade U.S. obligations under its own and international law. While in most major displacements, most refugees prefer to go home, the international community has a responsibility to offer these refugees protection as long as they need it and offer them access to asylum processing procedures if they so choose.

Finally, the terrible cost of this human rights and humanitarian catastrophe demands once again that we all seek more effective ways to address chronic abuses of universally recognized human rights before they fester and explode into civil wars, uncontrollable ethnic hatred, or genocide. For many years, Amnesty International has been documenting a systematic pattern of arbitrary arrests, unfair trials, torture, and extrajudicial killings directed against Kosovar Albanians by the Yugoslav government. We can't help but wonder how things might have been dif-

ferent if the U.S. government and its allies in Europe had devoted more serious and sustained attention to these abuses over the last ten years.

If Western governments had spoken out more strongly and more consistently, in unison, against the repression of the independent Serb media, non-governmental organizations, and Serb dissidents—and against the repression of Albanian institutions and culture in Kosovo—perhaps this crisis could have been avoided. If NATO governments had promoted a peaceful resolution in Kosovo much earlier, perhaps the ethnic Albanians who formed and joined the KLA would not have decided to use violence. If the U.S. and its allies had denounced the atrocities committed by Croatian forces against Croatian Serb civilians in 1995 and 1996, in the retaking of areas occupied by Croatian Serbs, and pressured the Croatian government to pursue justice for the victims instead of a blind eye to these terrible crimes, perhaps Serbs would cling a little less ardently to their conviction that they have been victimized and vilified by the West. If the international community had embraced more vigorously the work of the International Criminal Tribunal for the former Yugoslavia, including by pursuing and arresting all war crimes suspects indicted by the Tribunal, perhaps the Tribunal could have served as a more effective deterrent to war crimes in Kosovo.

We will never know for certain the answers to these “what ifs.” But I urge the U.S. government to help ensure that, in other emerging human rights crises, we consider questions like these long before we are left only to ponder them in hindsight.

One thing the U.S. government can do now is to urge NATO to share all intelligence with the Tribunal now and arrest indicted war crimes suspects. U.S. support for the International Criminal Court would also be a factor in deterring abuses, and the lack of such support is regrettable. The United States government should take the lead in refugee protection and in supporting human rights throughout the world.

Senator ABRAHAM. Thank you both. I guess there are a lot of questions. We may submit some in writing and we will keep the docket open for other members as well, but let me just ask one question before we adjourn here and you leave us.

Each of you I think has expressed great concern about the possibility of trying to bring people to Guantanamo or some other location far removed from Kosovo. Succinctly, what do you think would be a more sensible approach for us to take which would at the same time maybe meet the commitments that have been made by the United States, yet at the same time be more humane and more perhaps appropriate for the people who are refugees?

Mr. FRELICK. Well, Albania, I think we need to understand, has made an offer with no ceiling, no upper limit, that they would take as many refugees as come, including refugees that would be expelled from Macedonia. So there is a remarkable offer that you don't often find in a refugee crisis of this magnitude of a neighboring country that shares the culture, that is in very strong solidarity with the refugees themselves, that says just give us the wherewithal and we will do it, we will double up, triple up, quadruple up.

So I think what we really need to do is to help the Albanians build their infrastructure, give them building materials, if it comes to that; give them all the support we possibly can. I was very gratified to hear Julia Taft talk about the actual plans now for building a camp, which I think we should think of in terms of a transit camp with transitioning people into private homes to the extent possible. That is where I would put my emphasis entirely.

If it comes to a more protracted issue, because I think even on an emergency basis we can keep them there—we can manage to do that particularly now that we have got the kind of presence that we have there. But if it comes to a protracted situation where people cannot return home, at that point I think we can talk about

various avenues for bringing them to the United States through our refugee resettlement program, which you are very familiar with; parole authority, if that is the appropriate vehicle to use on an emergency basis for medical evacuations and that sort of thing.

I would just reiterate we are not at that stage now. It complicates the issue incredibly to try to do this kind of a mass evacuation when you are really trying to get the assistance on the ground.

Senator ABRAHAM. Yes. I also just have to say it seems to me if you begin the process of taking people and displacing them far away from Kosovo that you almost, it seems to me, encourage the continued forcing out of people and make it more and more difficult to produce a situation where anybody ever goes back.

Mr. FRELICK. It certainly seems to me to send the wrong signal to Milosevic.

Senator ABRAHAM. Yes, that is my sense, but I don't want to preempt you. So, please, Ms. Greenwood, if you would comment on that as well.

Ms. GREENWOOD. I would say the Amnesty position is similar, but not entirely the same as what Bill said. Essentially, although it is preferable probably both from the refugees' point of view and for other reasons that they be in neighboring countries, we also believe that the refugees have a right to choose, and also that there is responsibility-sharing in terms of the entire international community in terms of resettlement.

So we would see Guantanamo as an option for extreme short term, as well as options to the U.S. mainland. But we would just object to Guantanamo if it was over an extended period and they were not allowed access to asylum processing procedures.

Senator ABRAHAM. Were you surprised at that proposal when you heard it, given the previous experiences with Guantanamo?

Mr. FRELICK. I would have to say that when I first heard it, which was—again, the situation has changed so greatly.

Senator ABRAHAM. Right, I understand.

Mr. FRELICK. When I first heard it, there was a huge mass of people at the border. There were more people behind them that we knew about. It didn't look like there was going to be a stop in the flow. We didn't know about the clarity of the Albanian offer. We thought they had reached their capacity, and the Macedonians were blackmailing the international community at that point, to put it frankly.

So it was an ad hoc response. It was a hurried response, for understandable reasons, and I think that we need to be—again, as you indicated in your questioning of Julia Taft, we have to be somewhat charitable in second-guessing what they were doing at that time. But I think we are in a different situation now, and I applaud the flexibility of people in the NSC and State Department and what not who didn't feel that they had committed themselves, painted themselves into a corner and felt that they had to just go on auto pilot here and are willing to reconsider this. So I think that we need to applaud that flexibility.

Ms. GREENWOOD. Yes, we were surprised. Most of our European allies don't have Guantanos where they can bring refugees in, and if we are trying to model good behavior with our colleagues for

the treatment of refugees, Guantanamo is certainly a strange option.

Senator ABRAHAM. Well, I want to thank you both again for helping us with this. We will be obviously continuing the process of both monitoring what is happening and trying to help in the crafting of solutions. With the uncertainties obviously that exist in any time of war, it is very hard, as you both have said, to ascertain today where we are going to be in another week or 2 weeks, and a lot of views may change. I think we should in some sense establish for the record that there has to be a lot of flexibility here because we really can't prejudice things too far down the road.

Hopefully, as I have said, and maybe in just sort of summary remarks about today's hearing, we have sent a strong signal to people who had doubts about the extent and the depth of the problems and the atrocities that have been committed that, in fact, today we have established clearly that no one should be in the dark any longer.

I think we have established that there is a strong bipartisan willingness on the part of this committee, and I think probably the broader Judiciary Committee and the Senate certainly to try to work together to provide assistance, to find solutions. But we will need the ongoing involvement and ideas of people who are interested in and have experience with these refugees issues and other issues that pertain to this type of tragic condition.

Certainly, as the chairman of the subcommittee, I am very interested in reaching out to as many people as possible who want to help. I am hopeful that we will see the generosity of our country on display here not just in terms of what Government can do, but, as we have already begun to see, what individuals can and will do.

So with that, I thank this panel, as I thank the audience and our earlier panels as well, and we will adjourn the hearing at this time.
[Whereupon, at 2:15 p.m., the subcommittee was adjourned.]

APPENDIX

QUESTIONS AND ANSWERS

RESPONSES OF JULIA V. TAFT TO QUESTIONS FROM SENATOR LEAHY

Question 1. The lack of information about the numbers and fate of internally displaced people in Kosovo makes it difficult for relief workers to prepare for a new flood of refugees should Milosevic decide to reopen the border. Relief agencies have urged the administration to release relevant aerial and satellite photography of Kosovo. What is the Administration's position with regard to this request? Is the United States dedicating photo interpretation resources to gather evidence in Kosovo so people who have committed atrocities may be brought to justice?

Answer 1. With the opening up of Kosovo and the deployment of NATO troops, the needs of internally displaced people in Kosovo are being addressed. NATO and UNHCR relief operations are moving quickly to locate and provide aid to IDP's throughout the region. Relief efforts to IDP's are being aided by information gathered from various intelligence sources including imagery taken by U.S. satellites of possible IDP locations. Additionally, using the latest GIS technology, the USG has been working with UNHCR and others to develop a comprehensive mapping system of Kosovo which will combine maps with databases to provide valuable information on road systems for humanitarian operations, numbers and locations of IDP's, and possible damage assessments of housing in urban and rural areas.

On the issue of bringing the perpetrators of atrocities to justice, the USG is working very hard to support the Tribunal. We have contributed substantial resources to this effort, including a voluntary contribution to the Tribunal for the Kosovo investigation, a team of FBI personnel to assist with the investigation, and the use of national technical means.

Question 2. In an April 3rd New York Times article an Administration official was quoted as saying that, "while it would be difficult to persuade Congress to raise the overall ceilings for refugees, the Administration could admit several thousand Kosovar Albanians to the United States by cutting the number of refugees admitted from other parts of the world." The fact is, the administration, and not Congress set the refugee ceiling at 78,000. Both the Senate and the House have issued bipartisan requests to increase the ceiling without success. In light of the recent crisis, and the prospect that the situation may continue to deteriorate, shouldn't the Administration raise this ceiling?

Answer 2. Section 207(b) of the Immigration and Nationality Act provides a mechanism to increase refugee admissions levels during the fiscal year if the President determines, after appropriate consultations with the Congress, that (1) an unforeseen refugee emergency exists, (2) the admission of additional refugees is justified by grave humanitarian concerns and is in the national interest, and (3) the admission of these refugees cannot be accomplished under the regular refugee admissions program for the current fiscal year.

On April 21, after careful review of the situation of Kosovar refugees and in response to an appeal by the U.N. High Commissioner for Refugees (UNHCR), the Administration announced that the United States would participate in the multi-national Humanitarian Evacuation Program initiated by the UNHCR. The President authorized the Secretary of State to consult with the Senate and House Judiciary Committees about the need to increase the fiscal year 1999 refugee admissions ceiling by 20,000 to accommodate the admission of ethnic Albanian refugees from Kosovo. The Administration is currently in the process of carrying out the Congressional consultation process.

Question 3. How much is left in the Emergency Refugee Migration Assistance (ERMA) Fund? What is the Administration going to request in supplemental funding for refugees, and how much of this will go to the UNHCR and how much for other NGO's?

Answer 3. Prior to the enactment of the supplemental appropriation, \$7,857,659 was available in the ERMA Fund. The current balance is \$172,857,659, which includes funds from the supplemental.

The Administration's final request for supplemental funding was \$266,000,000 for the Migration and Refugee Assistance (MRA) account and \$165,000,000 for the ERMA Fund.

As programming decisions are made in response to events and on the basis of who can address the needs of the population, figures regarding fund allocations between organizations are not available at this time. We based our budget on providing the traditional U.S. share of 20-25 percent to the major humanitarian international organizations, including UNHCR, but will monitor for effectiveness of programming before making particular funding decisions. (In compliance with legislation, the Administration will notify Congressional committees before contributions to UNHCR are made.) Funds will also support directly the programs of non-governmental organizations that complement international assistance efforts.

Question 4. The UNHCR reports that several cases of measles have been confirmed among refugee children in Albania. Do relief agencies have the necessary medicines and medical supplies to deal with the acute health needs of the refugees?

Answer 4. The only significant outbreak of measles reported among refugees in Albania and Macedonia was in the Kukes area in April. UNICEF and WHO immediately began a series of immunization programs for refugees in that area. Additional immunization programs have been conducted in refugee camps and public centers in Macedonia and Albania since April. Immunization campaigns are also being planned for IDP's in Kosovo.

Question 5. The Administration planned to use Guantanamo naval base to temporarily shelter Kosovar Albanians should it be necessary. Refugee groups have expressed concern about this decision. What is your view?

Answer 5. Initially, the Administration considered providing temporary protection for several thousand Kosovar Albanians at Guantanamo naval base. However, after further review the Administration determined that resettlement in the United States, under the auspices of the refugee admissions program, was a more appropriate means of providing protection for these individuals. Persons resettled in the U.S. as refugees are legally eligible to work and to receive assistance, such as medical care, as needed.

The United States remains steadfast in its determination to establish peace in Kosovo and ensure conditions which will permit the refugees to return to their homes. We expect most of the Kosovars resettled in the United States will want to return to Kosovo once it is safe to do so. The U.S. Government will assist those who wish to when conditions permit.