

THE FUTURE OF KOSOVO

HEARING
BEFORE THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTH CONGRESS
FIRST SESSION

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THE FUTURE OF KOSOVO

WEDNESDAY, MAY 21, 2003

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC. Wednesday, May 21, 2003
*House of Representatives, Committee on International
Relations, Washington, D.C.*

The Committee met, pursuant to call, at 1:47 p.m., Room 2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chairman of the Committee) presiding.

Chairman HYDE. The Committee will come to order.

Today, the Committee on International Relations holds a hearing on the future of Kosovo. Southeast Europe has been a region of tremendous geopolitical significance and concern over the past decade, and since 1991, the Balkans region has emerged as the defining security challenge in Europe in the post-Cold War era.

Today, although the attention of the United States has recently been focused on operations in Iraq and Afghanistan and the war against terrorism, the future of the Balkans remains a critical issue for both Europe and the United States.

United States officials have outlined three main objectives for United States policy in southeastern Europe: One, integrating the region into a Europe whole and free; two, creating a self-sustaining peace so that NATO can withdraw its forces from Bosnia and Kosovo; and three, ensuring that the region does not become a safe haven for global terrorism.

European objectives in southeastern Europe are similar to those of the United States. European leaders recognize and accept that Europe should play a leading role in the region. They emphasize they already supply most of the financial aid and peacekeeping troops in the Balkans. They also agree that the European Union should be the main engine of the region's integration into Europe.

Much has been achieved in the Balkans in recent years; however, much remains to be done. Sadly, the assassination of the Prime Minister of Serbia on March 12th of this year demonstrates how fragile the situation is in the Balkans. We are sensitive to the situation on the ground in the Balkans, and we must consider how actions of the United States Congress are perceived in the region. However, we must continue to ask the ultimate questions about the Balkans if we are to achieve the ultimate goal, which is a region that is free and safe and democratic and prosperous.

One of those ultimate questions is the future of Kosovo. U.N. Security Council Resolution 1244, adopted June 10, 1999, created a framework within which the future status of Kosovo will be ad-

dressed in a political process facilitated by the U.N. Mission in Kosovo, led by the Secretary General's Special Representative. Essentially, this resolution left the final status of Kosovo unresolved.

Today, the Committee considers the question of final status. Is independence the way forward? Does an overwhelming majority of the population have the right to self-determination? Is final status determination the only way to overcome an extremely critical economic situation? How can an economy and the rule of law develop if there is no certainty about final status? If there is no certainty about status, how can there be certainty about future laws on taxation or business regulation? And how can there be any investor confidence or economic development?

What is the U.S. Administration's position on final status and independence? Does the European approach to final status and independence differ from the United States approach? What are the consequences for the region?

These are questions that the Committee will consider today. I am pleased to recognize the former Congressman, Joe DioGuardi, who will be testifying today. Joe has done much work on this issue and was instrumental in the development of H. Res. 28, which Mr. Lantos, the Ranking Democrat, and I introduced. We have distinguished panels of witnesses who will be presenting a variety of views on this issue, and we look forward to this discussion.

And with great pleasure, I recognize our distinguished Ranking Democratic Member, Mr. Lantos.

[The prepared statement of Mr. Hyde follows:]

PREPARED STATEMENT OF THE HONORABLE HENRY J. HYDE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS, AND CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS

Today, the Committee on International Relations holds a hearing on "The Future of Kosovo." Southeast Europe has been a region of tremendous geopolitical significance and concern over the past decade. Since 1991, the Balkans region has emerged as the defining security challenge in Europe in the post-Cold War era. Today, although the attention of the United States has recently been focused on operations in Iraq and Afghanistan, and the war against terrorism, the future of the Balkans remains a critical issue for both Europe and the United States.

U.S. officials have outlined three main objectives for U.S. policy in southeastern Europe: (1) integrating the region into a Europe whole and free; (2) creating a self-sustaining peace so that NATO can withdraw its forces from Bosnia and Kosovo; and (3) ensuring that the region does not become a safe haven for global terrorism.

European objectives in southeastern Europe are similar to those of the United States. European leaders recognize and accept that Europe should play a leading role in the region. They emphasize that they already supply most of the financial aid and peacekeeping troops in the Balkans. They also agree that the European Union should be the main engine of the region's integration into Europe.

Much has been achieved in the Balkans in recent years; however, much remains to be done. (Sadly, the assassination of Prime Minister Zoran Djindjic of Serbia on March 12th of this year demonstrates how fragile the situation in the Balkans is.)

We are sensitive to the situation on the ground in the Balkans, and we must consider how actions of the U.S. Congress are perceived in the region. However, we must continue to ask the ultimate questions about the Balkans if we are to achieve the ultimate goal—which is a region that is free, and safe, and democratic, and prosperous.

One of these ultimate questions is the future of Kosovo. UN Security Council Resolution 1244, adopted on June 10, 1999, created a framework within which the future status of Kosovo will be addressed in a political process facilitated by the UN Mission in Kosovo, led by the Secretary General's Special Representative. Essentially, this resolution left the final status of Kosovo unresolved.

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self-determination? Is final status determination the only way to overcome an extremely critical economic situation? How can an economy and the rule of law develop if there is no certainty about final status? If there is no certainty about status, how can there be certainty about future laws on taxation or business regulation, and how can there be any investor confidence or economic development? What is the U.S. Administration's position on final status and independence? Does the European approach to final status and independence differ from the U.S. approach? What are the consequences for the region?

These are the questions that the Committee will consider today. I am pleased to recognize that former Congressman Joe DioGuardi will be testifying today. Joe has done so much work on this issue and was instrumental in the development of

H. Res. 28, which Mr. Lantos and I introduced. We have distinguished panels of witnesses who will be presenting a variety of views on this issue. I look forward to this discussion.

Mr. LANTOS. Thank you very much, Mr. Chairman.

Before we deal with Kosova, let me publicly pay tribute to you for your leadership on the \$15 billion AIDS bill that earlier today the House passed. This is milestone legislation which will save the lives of untold millions and which, without your leadership, would never have been possible. And I want to publicly recognize your principled and effective leadership on that issue.

Mr. Chairman, thank you for calling today's very important hearing, our first on Kosova in a number of years. I just want to say a few words because we have an illustrious list of witnesses and I am anxious to give all of them ample opportunity to present their views.

It was 13 years ago, Mr. Chairman, that my wife and I traveled to Pristina where we were greeted by tens of thousands of Kosovars in the center of the city as we focused attention on serious human rights violations. We went on to visit Albania, where we were the first official United States delegation to visit that country since the end of the Second World War in 1945.

Mr. Chairman, you and I are the authors of House Resolution 28 along with 14 of our colleagues. Our resolution expresses the sense of the House that the United States should declare its support for the independence of Kosova. I am convinced that the only way to address the problem of the political, economic and social instability that plagues the Balkans is to resolve the issue of Kosova's final status without further delay.

Since our military victory against the Federal Republic of Yugoslavia in 1999, the international community joined the Kosovars in rebuilding their country, revitalizing their economy, assisting them in establishing democratic institutions of self-government, and healing the scars of war.

However, progress in Kosova currently, a United Nations protectorate, is being held up by its inability to determine its own fate.

Under Slobodan Milosevic, the Yugoslav Government dismantled Kosova's political structures, replaced ethnic Albanians with Serbs in most good jobs, enabled Serb-owned firms to take over Albanian-owned companies, and forbade Albanians from purchasing or improving property in their own land. I have traveled to Kosova numerous times and personally witnessed that travesty.

As a result of the systematic persecution and discrimination against ethnic Albanians by the Milosevic government, today, the unemployment rate in Kosova is still over 60 percent, increasing the likelihood that Kosovars, 50 percent of whom are under the age

of 25, must find employment abroad or engage in other activities in order to survive.

The perpetuation of these economic difficulties heighten the potential for continued instability in the region. And it is detrimental to our national interests in the Balkans. Achieving genuine long-term political and economic stability in Kosova and in the Balkans requires much more than reconstruction assistance. It demands the resolution of the final status of the area and that means independence for the Kosovars.

Under the Yugoslav constitution of 1974, Kosova was equivalent in most ways to Slovenia, Croatia and the other republics of the former Yugoslavia. As an autonomous province, Kosova, in practice, exercised the same powers as a republic. It had its own parliament, it had its own high courts, it had its own central bank, police service, and defense force. Through its definition in 1968 as a part of the Yugoslav Federal system, it gained representation at the Federal level.

When Slovenia and Croatia demanded independence, similar arguments were made by Western governments against recognizing the right of those countries to self-determination. Eventually, however, the same Western governments recognized not only the independence of Slovenia and Croatia, but Bosnia-Herzegovina and Macedonia as well, having discovered that independence for those nations involved not so much a change of borders as a change in the status of existing borders. The lines on the map remain the same, but the status was upgraded from republican to national.

I am convinced, Mr. Chairman, that Kosova is entitled to precisely the same treatment. Those who argue that we must put standards before status in the case of Kosova are themselves applying a double standard. Kosova deserves independence for the same reasons as did the other constituent autonomous parts of the former Yugoslav Republic. Security, democracy, and pure justice demand it.

Persistent tensions in the Balkans cannot be resolved if we continue to procrastinate on Kosova's final status. To achieve a just and lasting peace in southeast Europe, a turbulent region if ever there was one, we must give Kosova its independence, and we should do it now.

I strongly urge all of our colleagues on both sides of the aisle to join us in cosponsoring the legislation. And I look forward to the day, not in the distant future, when Kosova will gain its full independence.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Lantos follows:]

PREPARED STATEMENT OF THE HONORABLE TOM LANTOS, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF CALIFORNIA

Mr. Chairman, thank you for calling today's important hearing—our first on Kosova in a few years. I want to say just a few words because we have an illustrious list of witnesses and I am anxious to give all of them an ample opportunity to present their views.

Thirteen years ago, my wife and I traveled to Pristina, and were greeted by tens of thousands of Kosovars in the center of the city as we focused attention on serious human rights violations. We went on to visit Albania, where we were the first official United States delegation to visit that country since 1945.

Mr. Chairman, you and I are the authors of House Resolution 28—which 14 of our colleagues have cosponsored. Our resolution expresses the sense of the House of Representatives that the United States should declare its support for the independence of Kosova. I am convinced that the only way to address the problem of the political, economic, and social instability that plagues the Balkans is to resolve the issue of Kosova's final status now.

Since our military victory against the Federal Republic of Yugoslavia in 1999, the international community joined the Kosovars in rebuilding their country, revitalizing their economy, assisting them in establishing democratic institutions of self-government, and healing the scars of war. However, progress in Kosova—currently a United Nations protectorate—is being held up by its inability to determine its own fate.

Under Slobodan Milosevic, the Yugoslav government dismantled Kosova's political structures, replaced ethnic Albanians with Serbs in most jobs, enabled Serb-owned firms to take over Albanian-owned companies, and forbade Albanians from purchasing or improving property in their own land. I have traveled to Kosova numerous times and personally witnessed that travesty.

As a result of this systematic persecution and discrimination against ethnic Albanians by the Milosevic government, today the unemployment rate in Kosova is over 60 percent, increasing the likelihood that Kosovars (fifty percent of whom are under the age of twenty-five) must find employment abroad or engage in other activities in order to survive. The perpetuation of these economic difficulties heightens the potential for continued instability in the region and is detrimental to U.S. objectives and interests there.

Achieving genuine, long-term political and economic stability in Kosova and in the Balkans requires more than reconstruction assistance. It also demands the resolution of the final status of the area, and that means independence for the Kosovars.

Under the Yugoslav constitution of 1974, Kosova was equivalent in most ways to Slovenia, Croatia, and the other republics of the former Yugoslavia. As an "autonomous province," Kosova, in practice, exercised the same powers as a republic. It had its own parliament, high courts, central bank, police service, and defense force. Through its definition in 1968 as a part of the Yugoslav Federal System, it gained representation at the federal level.

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Kosova is entitled to the same treatment. Those that argue we must put "standards before status" in the case of Kosova are themselves applying a double standard. Kosova deserves independence for the same reasons as did the other constituent, autonomous parts of the former Yugoslav republic. Security, democracy, and pure justice demand it.

Persistent tensions in the Balkans cannot be resolved if we continue to procrastinate on Kosovo's final status. To achieve a just and lasting peace in Southeast Europe, a turbulent region if there ever were one, we must give Kosova its independence and we should do it now.

Chairman HYDE. Thank you Mr. Lantos.

And as to your remarks about the AIDS legislation, the Republicans control this place, you are in the minority, and it wouldn't happen without you. It couldn't happen without your support, and I thank you for that.

Normally, in hearings we don't—we try to limit the opening statements because they can consume a lot of time, and the witnesses don't get the opportunity they should have. So I am going to ask the Members up here who have an opening statement if they would confine it to about 3 minutes.

And with that admonition, I am pleased to recognize the gentleman from New Jersey, Mr. Smith.

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Chairman, for that courtesy. Thank you for convening this very impor-

tant hearing on Kosovo. As Co-Chair of the Helsinki Commission, I was very aware of the great human suffering, as were members of our commission and the Members of this Committee, which took place there during Milosevic's brutal regime, as well as the humanitarian crisis which arose during the Kosovo conflict and war crimes which occurred at that time.

Through hearings and other initiatives, the Commission helped document the atrocities and debate policy options, including steadfast efforts to have Milosevic and all of his henchmen account for their crimes in The Hague. As members of the Commission, other Members joined me in consistently pressing for the release of Kosovar Albanians who are wrongfully languishing in Serbian prisons long after the conflict and Milosevic's ouster. I would also point out, we joined the chorus of criticism of local Serbs responsible for the continued division of the city of Mitrovica.

As far as Kosovo's future, first and foremost, our focus should be on developing a process for the people of Kosovo, and that is all of the people, to find their own consensus and to make it work. Rather than being strong advocates for one particular result or another, I believe we should be encouraging the crafting of a strategy which allows for a sustained stability in the region and gradual international disengagement.

We must also not overlook the absolutely horrendous treatment of the Serb Roma and other minorities struggling to survive in enclaves or in displaced communities, unable to return home. Less than 2 weeks ago, for example, the Serbian Orthodox Church of St. Nicolas in Pristina was stoned again by unknown attackers. Many windows were broken. This church, like so many others, has received no police or KFOR protection this year. While the police may come and take a report, like in dozens of other incidents, nobody cooperates with the investigation. "No wonder extremists are encouraged . . ." the local priest said, "to visit local villagers."

He adds,

"I make the sign of the cross, sit in my car and drive as fast as I can at my own risk."

I would appreciate our Deputy Assistant Secretary Bogue addressing this inadequate protection of Orthodox churches in Kosovo since 1979. During the questioning, I will be asking you some questions along those lines.

I do thank the Chairman for yielding this time to me.

Chairman HYDE. I thank the gentleman.

The distinguished gentleman from New York, whose interest in Kosovo has been intense and passionate, and a very valued Member of our Committee, Mr. Engel.

Mr. ENGEL. Thank you very much, Mr. Chairman, Mr. Ranking Member. It is very good to be here to talk about the very important issue of Kosovo independence.

I want to particularly thank you, Mr. Chairman, for working with me to add Martin Vulaj of the National Albanian American Council and former Ambassador Walker to the panel. As you know, I chair the Albanian Caucus here in the Congress; my Co-Chair is Congresswoman Sue Kelly, and we have worked very hard with the Albanian American community to highlight some of these issues.

I have been to Kosovo many, many times. I intend to go again this year.

I have said this many, many times: Of all the people all around the world that I have come in contact with, there are no people that are more pro-American than the Albanian people. And that is true whether it is Albanian people in Kosovo or Albania, Montenegro or Macedonia.

I think that it is so important to debate H. Res. 28. I certainly agree with the sentiments of the resolution. I have some reservations about the timing and some of the other things, but certainly when it comes to talking about independence for Kosovo, if one goes to Kosovo, everybody there is for independence. Everyone believes, all the Albanians in Kosovo believe that independence is the right thing to do. And while they may have differences of political opinion, everyone knows that independence is the only option.

I have often said that there are really three options, if you look at it, and two of them are not really options at all. One would be for a continuing presence, international presence, in Kosovo lasting many, many, many years, essentially occupation and running Kosovo by the international community. That certainly is unacceptable because it is not a viable solution over the long run.

Another potential that some people have floated, which I believe is also not acceptable, is somehow making Kosovo a third republic within what is today called Yugoslavia, but really isn't Yugoslavia anymore, it is simply a Serbia and a Montenegro. That is not acceptable, given the atrocities that happened against the Albanians in Kosovo. No Albanian would want to be any part of any regime or country led by Belgrade. That is just ridiculous.

So the third option, which is really the only viable option, is independence for Kosovo; and that should happen sooner rather than later.

As Mr. Lantos pointed out—and I want to compliment him for all the hard work that he has done, as well. And he told me the first time he went to Kosovo, it was way before I had ever been there—and I was one of the first people to go, so I think it is a tribute to Mr. Lantos that his interest in this region is really—has been legendary.

Let me say that when you look at the issue, you understand that the people of Kosovo have the absolute right to self-determination. And when you look at the international community and the European Community, dragging its feet again and again and again, it is so important that the United States remains active there and speaks forcefully and talks about independence. When we talk about independence, we mean all of Kosovo.

Mr. Smith pointed out about the continued division of Mitrovica, which is unacceptable. Kosovo is Kosovo. It includes all of Mitrovica, it includes the Trepca mines, and everything else.

Chairman HYDE. The gentleman's time has expired.

Mr. ENGEL. If I can sum up in 10 seconds, Mr. Chairman, I want to thank you for making this possible. I look forward to working with you to achieve an independent and free Kosovo.

Thank you.

Chairman HYDE. Mr. Rohrabacher.

Mr. ROHRABACHER. Yes, thank you very much, Mr. Chairman. I would like to express my appreciation to you, Mr. Chairman, to Mr. Lantos and to Elliot as well. He has been a champion over the years. I remember the many, many meetings he had with the people from Kosovo and the Kosovars who came there. He really has done so much.

Thank you, Elliot, for the lives have you saved with your activism.

U.S. policy has been held captive for these last few years, Mr. Chairman, and it has been held captive at the expense of the people of Kosovo. What we have got is an over-sensitivity and an over-concern for what the Serbians feel, an over-sensitivity for our European allies who will never be able to make up their minds on anything unless we provide the leadership.

What, instead, we should be doing is going back to fundamentals of what we believe in as Americans. And that is the right of all people everywhere to determine their own destiny through the ballot box, the rights of life, liberty and the pursuit of happiness, and, yes, independence. Those are the rights of people everywhere.

And we should be siding with the people of Kosovo, and unfortunately, our State Department seems to have gotten off track. They are concerned with people they shouldn't be concerned with. They are concerned about the oppressors, they are concerned about the people who would put their thumb down on other people and deny them their rights. It is time for us to stand up. It is long overdue. By recognizing the independence of Kosovo, we will bring about more stability in the region and peace in the region.

Thank you.

Chairman HYDE. Thank you. Mrs. Davis has been generous enough to waive her opening statement, for which the Chair thanks her.

And having put that pressure on Ms. McCollum, I now recognize her for an opening statement.

Ms. MCCOLLUM. Mr. Chair, I just informed staff I would like to waive also.

Chairman HYDE. Great, also.

Mr. Weller, are you going to be nice and waive as well? Thank you very much.

Our first witness is Ms. Janet Bogue, the Deputy Assistant Secretary for European and Eurasian Affairs at the State Department. She joined the foreign service in 1982 and has served in United States diplomatic missions in the United Kingdom, Yugoslavia, Austria, Pakistan, Kazakhstan, and Nepal. In Washington, she has previously served as Senior Desk Officer for the former Yugoslavia and as a speech writer for Secretary of State Warren Christopher.

We are very glad you are here, Ms. Bogue. Please tell us what you want to tell us.

STATEMENT OF JANET L. BOGUE, DEPUTY ASSISTANT SECRETARY, BUREAU OF EUROPEAN AND EURASIAN AFFAIRS, U.S. DEPARTMENT OF STATE

Ms. BOGUE. Thank you very much, Mr. Chairman and Members of the Committee. And mindful of the many witnesses today, I will

also—I won't go so far as to waive my statement, but I will make a very short statement and—

Chairman HYDE. Without objection, the full statement will be made a part of the record.

Ms. BOGUE. Thank you very much, Mr. Chairman. I am grateful.

Mr. Chairman and Members of the Committee, early next month it will be 4 years since the end of the Kosovo conflict. With strong support from the United States, Kosovo has steadily emerged from the devastation of war and has taken important steps toward becoming a democratic, multiethnic society. Kosovo has made real progress in governance, law and order, ethnic relations and the economy, although challenges remain in all these areas.

Provisional institutions of self-government have been created. The multiethnic Kosovo police service is quickly approaching its full capacity of 6,500 personnel. Crime is down, although organized crime remains a challenge. The United States is working very hard together with UNMIK and our partners in Kosovo.

Ethnic relations in Kosovo are improving. There is significant Serbian and minority representation in the Kosovo Assembly. There are several municipalities with significant minority participation. And that, not parallel institutions, is the proper way for Serbs and other minorities to participate in governance in Kosovo. However, there is still violence against Serbs and Serbian property, and there are remaining constraints on freedom of movement in some areas.

The United States continues to support the right of all refugees and internally displaced persons to return to their homes. We expect significant returns this year. And in order to encourage that development, the United States is increasing its contribution for Kosovo regional refugee returns to \$14.4 million in new assistance for 2003.

Mr. Chairman, the NATO-led Kosovo force, or KFOR, has been invaluable in establishing a safe and secure environment within which U.N. SCR 1244 can be implemented. KFOR currently consists of 25,000 troops, down from about 60,000 at the height of its deployment. The United States provides 2,250 of those troops.

We are very closely focused on the problem of Kosovo's economy, especially the very critical issue of unemployment, which is about 50 percent throughout Kosovo and spikes to 70 percent in some areas.

We have provided significant support to establish sound policies for economic recovery. Gross domestic product grew by 7 percent in 2002, while inflation dropped to about 7 percent. Privatization is at least beginning to move forward. We think this will be the real engine of economic growth.

The United States is also pushing for Kosovo's inclusion in regional state structures through the Stability Pact's Trade Working Group. We are seeking access for Kosovo to lending from international financial institutions, without prejudicing a status outcome.

This brings me to the important issue of Kosovo's final status, the focus of your hearing today. As you said, Mr. Chairman, President Bush has a vision of a Europe that is whole, free, and at peace. In south central Europe, including Kosovo, this means

peaceful, prosperous democracies on good terms with their neighbors, in which everyone enjoys fundamental human rights and freedom. The President's vision includes the integration of south central Europe into European and Euro-Atlantic institutions, particularly the European Union and NATO.

While the United States remains strongly involved with Kosovo diplomatically, financially and militarily, we welcome the European Union's strong financial assistance and involvement in Kosovo and throughout the region.

The United States supports the approach of the U.N. Secretary General's Special representative in Kosovo, Michael Steiner, who laid out in April, 2002, eight benchmarks that should be achieved before the question of final status is addressed. This approach is called "standards before status."

Regardless of the outcome of final status, Kosovo needs to meet the benchmarks if it is to be a functioning democracy with an operating economy. Kosovo needs to meet the benchmarks so that its institutions have the ability to deal with the challenges posed by unemployment and by organized crime. Kosovo needs to meet the benchmarks to be in a cooperative relationship with others in the region. And Kosovo needs to meet the benchmarks to participate in European integration.

In other words, Mr. Chairman, Kosovo needs to meet the benchmarks for its own sake. Many of Kosovo's elected leaders acknowledge that.

How long will it take to achieve the benchmarks? That depends largely on the success of Kosovo's institutions and on the determination of Kosovo's leaders and people to do so. It also depends on the international community's support, our support.

Mr. Chairman, the United States is strongly committed to helping Kosovo achieve the benchmarks. Our assistance is aimed at those benchmarks. In addition, we support transferring to Kosovo's institutions of self-government, by the end of this year, all remaining governing competencies not specially reserved to the U.N. and UNMIK. These will also help Kosovo to fulfill the benchmarks.

Mr. Chairman, there are those in Kosovo who seek immediate independence; there are those in Serbia who seek immediate partition. We oppose both moves. We believe that a decision today on final status would destabilize Kosovo in the broader region, which has only now emerged from a decade of crippling conflicts. An immediate decision on final status would inflame those in the region who seek violent solutions. This could lead to resumed fighting in Kosovo to renewed fighting in southern Serbia and Macedonia. Clearly this would be devastating to the region and to U.S. interests.

Final status for Kosovo should be a stabilizing factor in south central Europe. We believe it can be and will be, provided the benchmarks are achieved. But the benchmarks will not be achieved in the midst of a decision of final status. That subject brings to a halt discussion of anything else.

For these reasons, the Administration opposes the resolution before the Committee that calls for Kosovo's independence. Such a resolution could lead to confusion about the position of the United

States and could detract from the work of institution-building and ethnic reconciliation that still needs to be done.

Thank you again for your patience, Mr. Chairman. I would be happy to hear your questions.

[The prepared statement of Ms. Bogue follows:]

PREPARED STATEMENT OF JANET L. BOGUE, DEPUTY ASSISTANT SECRETARY, BUREAU OF EUROPEAN AND EURASIAN AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. Chairman and members of the Committee, I am pleased to meet with you to discuss the Administration's policy towards Kosovo and, in particular, the question of final status.

Early next month it will be four years since the end of the Kosovo conflict and the adoption of UN Security Council Resolution 1244. That created the United Nations Mission in Kosovo (UNMIK) and the NATO-led Kosovo Force (KFOR). Since then, with strong support from the United States and others in the international community, Kosovo has steadily emerged from the devastation of a brutal, ethnically-driven war, and has taken important steps toward becoming a democratic, multi-ethnic society. However, significant challenges remain. Kosovo's journey is not complete.

Mr. Chairman, Kosovo has made real progress in governance, law and order, ethnic relations, security, and the economy. Challenges remain in all these areas as well.

After three successful elections, including the Kosovo-wide elections in November 2001 that created the Provisional Institutions of Self-government (PISG), Kosovo has a government and developing democratic institutions. This is a major achievement. Understandably, the performance of the young institutions has been uneven. It will take additional time and training before the quality of Kosovo's civil service reaches a satisfactory plateau. Providing equal opportunities for minorities in the administrative structures of government is another challenge for Kosovo.

There is considerable progress in the establishment of law and order. Since June 1999, we have seen a steady drop in most major crime categories. The Kosovo Police Service (KPS) is assuming most police functions and is quickly approaching its full capacity of 6,500 personnel. At the same time, the number of UNMIK international civilian police is dropping. Approximately 10 percent of the Kosovo Police Service's officers and rank-and-file are ethnic Serbs, a composition well received by the force and the communities it patrols.

Unfortunately, there is less progress in establishing the rule of law, particularly in creating an integrated judiciary and closing the Belgrade-supported parallel courts that continue to exist in predominantly Serbian municipalities. The United States provides training to strengthen Kosovo's judiciary. Another challenge is organized crime. Kosovo needs greater capacity to tackle this problem, including in witness security. The United States contributes to the resolution of this problem financially. The head of UNMIK's Department of Legal Affairs, Paul Coffey, formerly headed the Department of Justice's organized crime efforts, bringing important expertise to this battle.

Ethnic relations in Kosovo are improving slowly but unevenly. The most positive development is the participation of Kosovo Serbs and other minorities in elections. This has resulted in significant Serbian and minority representation in the Kosovo Assembly. There are several municipalities in Kosovo with Serbian majority councils or significant Serbian participation. Tensions continue in many areas however, and while the number of incidents is down, there is still violence against Serbs and Serbian property. There are also remaining constraints on freedom of movement in some areas of Kosovo, alongside marked improvements in others.

We, together with the international community, continue to support the right of all refugees and internally displaced persons to return to their homes. Kosovo's security and political climate has improved and we expect significant minority returns this year. To support that, the United States is increasing its contribution for Kosovo regional returns to \$14.4 million in new assistance for '03. This is 30 percent more than last year's contribution. An improved partnership on the ground between UNMIK, NGOs and Kosovo governmental entities on returns is encouraging as well. Work remains, however, and we continue to urge Kosovo's political leadership to help create an environment in which returns are sustainable.

Mr. Chairman, the NATO-led KFOR has helped facilitate refugee returns and freedom of movement. Although the security situation remains fragile in Kosovo, KFOR's presence has been invaluable to establishing an overall safe and secure environment within which UNSCR 1244 implementation can occur. KFOR currently

consists of 25,000 troops from 36 nations. The U.S. provides 2,250 of those troops. Total troop levels in Kosovo are assessed every six months through NATO's periodic mission review (PMR) process. This includes a full review of NATO's military tasks and the security situation on the ground, and makes recommendations accordingly. NATO is currently completing a review that will lead to a formal decision by NATO ministers when they meet in early June. While I cannot speak for NATO, we expect that this review will recommend a further reduction in KFOR's troop level by year's end, reflecting improved security on the ground and a shift in the structure of KFOR's forces.

We are closely focused on Kosovo's economy. Unemployment remains at up to 50 percent throughout Kosovo and spikes to 70 percent in some areas. To address this and other serious economic problems, the U.S. has provided significant support to establish a sound macroeconomic and structural policies for economic recovery. This, combined with donor support and a high volume of contributions from the Kosovo Albanian diaspora, allowed gross domestic product to grow by 11 percent in 2001 and 7 percent in 2002. Inflation has also dropped in this same time period to roughly 7 percent. Agricultural production is approaching pre-war levels. Kosovo's governing institutions and UNMIK recently passed a series of laws that should pave the way for more foreign investment in Kosovo. Privatization is also beginning to move forward. We are encouraged by the enactment of telecommunications and land-use regulations. The latter was the last important piece of legislation necessary to launch privatization of Kosovo's former socially-owned enterprises. Tendering of the first six companies is slated to begin this month and an additional six have been identified for near-term privatization.

To spur economic growth, the United States has also encouraged Kosovo's inclusion in regional trading structures through the Stability Pact's Trade Working Group, which has been effective in linking South Central Europe together through a network of bilateral free-trade agreements. We are also seeking a creative solution for Kosovo to access lending from international financial institutions, such as the World Bank and the European Investment Bank, without prejudicing a status outcome. The International Financial Institutions are unable to extend credit to Kosovo because neither the UN administration in Kosovo nor the Kosovo institutions are able to provide a sovereign guarantee.

This brings me to the important issue of Kosovo's final status, the focus of the Committee's hearing today. Mr. Chairman, the President has a vision of a Europe that is whole, free, and at peace. We have all seen the consequences—including for the United States—when that is not so. In South Central Europe—including Kosovo—this means peaceful, prosperous democracies on good terms with their neighbors, in which everyone enjoys fundamental human rights and freedoms. The President's vision includes the integration of South Central Europe into European and Euro-Atlantic institutions, particularly the European Union and NATO.

While the United States remains strongly involved with Kosovo—diplomatically, financially, and militarily—we welcome the European Union's strong financial assistance and close involvement in Kosovo and throughout the region.

Mr. Chairman, United Nations Security Council Resolution 1244 created Kosovo's special circumstances, including its own institutions of government, UNMIK, and KFOR. Resolution 1244 also says that there will be a political process for determining Kosovo's future status that takes into account the Rambouillet accords.

The United States supports the approach of the UN Secretary General's Special Representative in Kosovo, Michael Steiner, who laid out in April 2002 eight benchmarks that should be achieved before the question of final status is addressed. This approach is called "standards before status." The eight benchmarks are:

- Functioning Democratic Institutions
- Rule of Law (Police/Judiciary)
- Freedom of Movement
- Returns and Integration
- Economy: Legislation, Balanced Budget, Privatization
- Respect for Property Rights (Clear Title, Restitution)
- Dialogue with Belgrade
- Kosovo Protection Corps (Size, Compliance with Mandate, Minority Participation)

Regardless of final status outcomes, Kosovo needs to meet the benchmarks if it is to be a functioning, multi-ethnic democracy with an operating economy. Kosovo needs to meet the benchmarks so that its institutions have the ability to deal with the challenges posed by unemployment and organized crime. Kosovo needs to meet

the benchmarks to be in a cooperative relationship with others in the region. And Kosovo needs to meet the benchmarks to participate in European integration. In other words, Mr. Chairman, Kosovo needs to meet the benchmarks for its own sake—and many of Kosovo's elected leaders acknowledge that.

How long will it take to achieve the benchmarks? That depends largely on the success of Kosovo's institutions and on the determination of Kosovo's leaders and people to do so. It also depends on the international community's support. Mr. Chairman, the United States is strongly committed to helping Kosovo achieve the benchmarks; we support refugee returns, economic development, training in governance, development of an independent media and an independent judiciary; equal opportunities for minorities and women in Kosovo's political and economic life; and the development, within Kosovo, of institutions that protect international recognized human rights.

In addition, we support transferring to Kosovo's institutions by the end of 2003 all remaining governing competencies under Chapter V of the Constitutional Framework Document; these will help Kosovo fulfill the benchmarks. (Competencies under Chapter VIII are vested exclusively in the Special Representative and UNMIK, and cannot be transferred.)

Mr. Chairman, there are those in Kosovo who seek immediate independence. There are those in Serbia who seek immediate partition. We oppose both moves. We believe that a decision today on final status would risk destabilizing Kosovo and the broader region, which has only now emerged from a decade of crippling conflicts. An immediate decision on final status would inflame those in the region who seek violent solutions. That could lead to resumed fighting in Kosovo, and to renewed fighting in Southern Serbia and Macedonia. Clearly, this would be devastating to the region and to the President's vision of the future.

Why would this be any different through the process of "standards before status?" Mr. Chairman, the standards, or benchmarks, deal with many of the issues that at present are major sources of political volatility and regional instability—like refugee return, unemployment, and lack of functioning institutions of local government. Final status for Kosovo should be a stabilizing factor in South Central Europe; it can be, provided the benchmarks are achieved.

But the benchmarks will not be achieved in the midst of a discussion of final status. That subject brings to a halt discussion of anything else.

For these reasons, the Administration opposes the Resolution before the Committee that calls for Kosovo's independence. Such a resolution could lead to confusion about the position of the United States; and could detract from the work of institution-building and ethnic reconciliation that needs to be done.

Thank you again, Mr. Chairman.

Chairman HYDE. Thank you very much.

Mr. Lantos any questions?

Mr. LANTOS. Yes, Mr. Chairman. Thank you very much. I want to thank the witness for her testimony, which I read in its full version.

Let me just say at the outset that, in my judgment, no parent was ever ready for parenthood and no nation was ever ready for nationhood, and Kosova is no exception. So it seems to me we have to go beyond the artificial criteria of establishing a perfect set of standards and measurements that we expect Kosova to reach before the Administration will support nationhood for Kosova.

Now, I made a quick review of some of the smaller members of the United Nations. These are full-fledged members of the United Nations. They have a vote in the General Assembly. They function as independent countries. Let me give you a quick list of 12 countries: Andorra, Dominica, Kiribati, Lichtenstein, the Marshall Islands, Monaco, Nauru, Palau, Saint Kitts and Nevis, San Marino, the Seychelles Islands, and Tuvalu.

Now, this is not a quiz, but let me ask you, Ms. Bogue, what, in your judgment, do these 12 countries have in common?

Ms. BOGUE. I will defer to you for the answer to that.

Mr. LANTOS. Let me tell you what the answer is. Every single one of these full-fledged nations, members of the United Nations,

have a population of less than 100,000. Less than 100,000. Kosova, as you well know, has a population of well over a million and a half. It has a clear-cut geographic profile. It has a long, proud, historic tradition. And I am really disappointed in your statement of the Administration's policy, particularly at a time when in a number of parts of the world today and in the recent past we moved for national independence.

So let me ask just one question. As one who held the first hearing in this body on the persecution of Catholics in East Timor, do you believe East Timor is better equipped to function as an independent nation than Kosova?

Ms. BOGUE. Mr. Congressman, if I may, I am—certainly, my colleagues who work on East Timor would be horrified if I even began to speak about something I know nothing about.

What I would like to do is turn back to Kosovo, if I may, for a moment and say that the—

Mr. LANTOS. But, you see, Kosova does not exist in a vacuum. We are dealing in a world society of almost 200 autonomous countries. I just gave you a list of 12 members of the United Nations, each with a population of less than 100,000.

I strongly favored East Timor's establishment as an independent country. As a matter of fact, my good friend from New Jersey, Mr. Chris Smith, had a very able staffer who is currently our Ambassador to East Timor. This is a very small, very poor, very tiny, wholly noncomparable entity to Kosova. And yet, we have a United States Embassy there, we have an Ambassador who is doing a fine job. And we view it as a country.

So I am merely asking for an equity of treatment by this Administration vis-a-vis these other tiny, insignificant countries which we designate as nation-states, countries with U.N. membership, while establishing utterly unreasonable criteria for Kosova.

Ms. BOGUE. I take your point, Mr. Congressman. I would like to come back to your statement of Kosovo not existing in a vacuum; and I think that is exactly what we have to work with.

There is a unique set of circumstances resulting from the intervention of the international community in Kosovo. That unique set of circumstances resulted in U.N. Security Council Resolution 1244, which sets out that there will be a process for deciding the final status of Kosovo. And that process says that it will take account of the Rambouillet accords, but otherwise does not specify what that process will be.

And I think that we all—the Administration very strongly supports the approach of Mr. Steiner, which says that the way to launch that process to work on these eight benchmarks or standards in order to get that process started. And the benchmarks and standards will do a number of things. One is that they will provide some stability and solutions to some of the difficult issues surrounding Kosovo today. And in our view, that would make the process of final status, and final status itself, a stabilizing thing rather than a destabilizing thing, which potentially could result in more violence.

And those benchmarks also are in cases of—in many cases, have to do with institution-building, institutions that had not existed and are only now just being formed, and in many cases, have to

do with reaching what are not to say “perfect standards,” because I don’t know that any country would have met perfect standards, but are international standards, internationally held standards, on issues such as human rights.

Mr. LANTOS. I hope you will be forthcoming in giving us an approximate time line that would reflect the position of the Department of State. I really wouldn’t like you to respond that you have no idea how long in the Department’s judgment these eight criteria will have been completed.

But can you give us a ballpark estimate of what we are dealing with—1 year? 5 years? 10 years? More?

Ms. BOGUE. I am afraid I will disappoint you again, Congressman.

Mr. LANTOS. Don’t disappoint me.

Ms. BOGUE. I can’t give you an exact time line and neither can Mr. Steiner, the Special Representative. As I mentioned in my oral testimony, as well as in the written statement, a lot of this depends on the speed with which Kosovar leaders and public can move on these and a lot depends on how much we can help them to move quickly on those. That is one of the reasons that so much of our assistance, our bilateral assistance is really keyed to achieving the standards and achieving the benchmarks.

I don’t think that any of us wants to see a lengthy, indefinite period. The Chairman, Congressman Hyde, referred to the President’s goal that sufficient stability be established in the region that would enable NATO-led forces to leave the region entirely. That is certainly a part of the President’s firm position and goal; and that means that we are not looking for an indefinite period.

But I cannot give you an exact time line for that.

Mr. LANTOS. I am not asking for an exact time line. I am asking you for a ballpark figure.

Ms. BOGUE. I am afraid I don’t have a ballpark figure.

Mr. LANTOS. Thank you, Mr. Chairman.

Chairman HYDE. Thank you, Mr. Lantos.

The gentleman from New Jersey, Mr. Smith.

Mr. SMITH OF NEW JERSEY. Thank you, Mr. Chairman.

And just a couple of questions, and let me just preface it by saying that I believe that violence or cruelty against any ethnic group—I know you share this, Madam Secretary—is absolutely unacceptable. And I have been concerned, and I spoke out and continue to speak out whenever ethnic Albanians are put at risk.

And Joe DioGuardi will remember that we had hearings, and he was a very prominent and a very effective spokesman on behalf of those who were being attacked and discriminated against.

But I would like to ask, and I said it in my opening comments, about these Orthodox churches that are being attacked. There are estimates of upwards of 100 churches. We in the Commission have repeatedly asked, where is KFOR, where is the police, why is there not sufficient protection for them?

We had, last week, a meeting, not a hearing, but a meeting with Chief Prosecutor Carla Del Ponte, who told our commission that her work investigating crimes by interviewing victims and witnesses is hampered by fear of retaliation in Kosovo. You might want to respond to that.

Finally, at the OSCE meeting on Roma issues that was held in Vienna last month, a number of participants, mostly human rights leaders, asserted that it is not safe for Roma to return to Kosovo.

If you could respond to those three, I would appreciate it.

Ms. BOGUE. On the first point, I think one of the great tragedies of the Balkan region in the last decade has been the attacks on cultural properties of all sides. These are part of not only a particular culture's heritage and, often, faith, but of the world's cultural heritage, wherever they are. And we certainly condemn any attacks on cultural and historic properties and sites.

In the case of Kosovo, KFOR does provide security as best it can throughout the region; obviously, they can't be everywhere at every moment. KFOR has been able to withdraw a number of its static posts in favor of mobile patrolling. In many cases, that has been extremely successful. In some places where there have been acts of vandalism or violence against cultural properties, KFOR has re-instituted static positions at those places in order to protect them.

Both the CIVPOL, the international police force there, and the Kosovo police service, the indigenous service, are also now beginning to play a greater role in protection of those kinds of sites. It is an issue that we are very alert to and talk to KFOR and UNMIK about all the time.

If I could talk about the question of witness security that Mrs. Del Ponte raised with you, this is again a problem in the entire region, as well as Kosovo. It is—one of the hardest problems in terms of getting at organized crime throughout the region is the lack of witness security or witness—what we would call “witness protection programs.” We have been working on that quite a bit with UNMIK and with the Europeans in order to try to find ways in which there can be, for instance, reciprocal witness protection arrangements.

Since many of the places in the Balkans are so small, there is no way a witness can be successfully relocated from their home territory. We provide a lot of support to UNMIK's effort and—together with KFOR and the KPS and CIVPOL, against organized crime, including financial assistance, assistance in developing witness security. And the UNMIK's head of the organized crime unit is actually an American, Paul Coffey, who used to be the head of the Justice Department's Organized Crime Division here in the United States. So he is bringing tremendous expertise and background to that issue.

The situation of the Roma is also one that is very important. And I want to emphasize that, in my statement, when I referred to minorities, we really mean all minorities in Kosovo, not just Serbs but also Roma, Ashkali, Egyptians and others who are there. We have actually seen among the 6,500, 6,700 or so minority refugee or IDP returnees to Kosovo, about a third of those have been made up of non-Serbs, that is, of Roma, Ashkali and others.

So we have seen successful examples of Roma returning to Kosovo. In some cases, Roma are seeking to be integrated locally where they went to when they became refugees or were displaced; in other cases, they seek to return. And the UNHCR is working closely with them and with us.

As I said, we have some of our own programs that are specifically targeted on these groups—Roma, Ashkali and Egyptian populations in order to make it possible for them to return.

Chairman HYDE. Mr. Engel.

Mr. ENGEL. Thank you, Mr. Chairman.

Secretary Bogue, I listened to your testimony where you talked about “benchmarks” and “standards before status.” My problem with that, and I think Mr. Lantos pointed it out, is that we are asking the Kosovars to do far more than we asked many other countries, which are already independent or aspire to independence, throughout the world.

What bothers me about it—in a vacuum it sounds great, but first of all, if we focus on benchmarks and say “standards before status,” we can be saying the same thing 2 years from now, 3 years from now, 5 years from now; and it becomes a self-fulfilling prophecy whereby the people of Kosovo never get independence because we are raising the bar too high.

There has also been a lot of criticism, and I have been one of those, of UNMIK for not turning over to the local and national Kosovar authorities enough powers or competencies to meet the standards demanded before discussions of status can proceed. So we are almost caught up in a web, and again, it becomes a self-fulfilling prophecy.

So I think that UNMIK has to move forward and turn over more authority to the Kosovars to govern themselves. And, again, I am deeply concerned that the overreaching focus on achieving benchmarks is causing the Kosovars to lose hope that there is an end point and that the end point is anywhere in their immediate future. I think it is a serious mistake to leave people without any hope, so I would like you to comment on that.

My third question is that the Kosovar Assembly passed a resolution which commended the KLA for its role in kicking out Milosevic. Mr. Steiner strongly condemned the resolution and removed the Kosovars from participating in several international meetings in Brussels. I believe that his reaction was far too strong. However, with the resolution out of the way, again there is hope that the Kosovar Assembly will move on to many of the substantive issues it needs to address.

But again, we need to have an end game, and the end game, in my estimation, is independence. If you can comment on all that, I would appreciate it.

Ms. BOGUE. Thank you, Congressman. I will try to comment on all of it. First of all, as I mentioned in my testimony, we also support the turnover of the nonreserved powers, the remaining non-reserved powers, to the provisional institutions of self-government by the end of this year, by the end of 2003. I am confident that that will take place. We very much want to see the institutions of local self-government operating in all of those areas except those few which are reserved to—under Resolution 1244, which are reserved to the U.N. Special Representative.

The benchmarking process—and I suppose we are in a little bit of a chicken-and-egg discussion with each other, sir. I suppose that you—I understand your concern that this might cause people to

lose hope about the future or to be nervous about what the future brings.

At the same time, I think—and I believe this was very much Mr. Steiner’s goal in establishing the “standards before status” process—was, in fact, to give people hope that there was a path, a “road map,” if you let me use that expression, to begin a process that would lead to a final status for Kosovo; and that the way to do it was by making progress on the eight benchmarks which he had laid out.

And the elected leadership, again, in Kosovo, has welcomed this kind of route, which is, I think, different from what it had before, which was the formulation that was in 1244. But this gave an actual process that would lead to the start of that determination.

Chairman HYDE. The gentleman from Indiana, Mr. Burton.

Mr. BURTON. Thank you, Mr. Chairman.

Rather than ask questions, I have a letter here from Michael Djordjevich, who is the President of the Studenica Foundation; and Mr. Djordjevich asked that I read this into the record. I am going to read a portion of it and the rest I will submit for the record.

He was very upset at the tone of the hearing. He feels like it is very biased and heavily skewed toward a pro-Albanian, pro-Kosovo independence stance. He wanted me to read a little bit of this. And as a friend of mine, I told him I would.

I do have a good friend in Joe DioGuardi out there, so I read this with trepidation; but nevertheless, I think it is something that needs to be said.

He says,

“To declare Kosovo an independent state would be incompatible with U.N. Resolution 1244. For Serbs, an outright grant of independence to Kosovo by the international community would establish an irredentist claim that would haunt the region for decades. It would also signal to Serbs and Croats in Bosnia that their demands for separate, ethically based sovereignties should be honored as well, thus putting further pressure on an already fragile situation in Bosnia.

“Regarding the Albanians, independence for Kosovo would suggest international endorsement of their long-held ambition, ambition of a greater Albania comprising Kosovo, parts of Serbia proper, Albania and parts of Macedonia, the southeastern parts of Montenegro and possibly Greece. The risks to regional stability are manifest.

“In addition, the province is riddled with crime and corruption and terrorism; extremists of all sorts freely roam and intimidate or kill their opponents, as they have ethnically and culturally cleansed Kosovo of non-Albanians; Kosovo Albanians have no democratic tradition nor institutions so indispensable for democracy to take hold and grow. Thus, Kosovo is far from being ready for independence. Aware of this, the United Nations and the international community have set forth two requirements which must be met before the matter of final status of Kosovo can be addressed. These are embodied in U.N. Resolution 1244 as a set of standards promulgated by Mr. Michael Steiner, head of the United Nations Mission in Kosovo.

“In the past 2 years, by UNMIK official numbers, there were 6,360 terrorist attacks in Kosovo. Not a fraction of the 250,000 Serbs, Romas and other minorities expelled and cleansed was allowed to return to their lands. Over 100 Christian churches and medieval monasteries have been destroyed. Even the non-Albanian dead were not left alone as cemeteries have been vandalized or wiped out.”

I quote:

“The fact that Serb return is being hampered by extremism, and in some cases, by attack on international security forces, illustrates that a number of Kosovo Albanians and their political representatives didn’t realize two facts—that UNMIK didn’t arrive in the province to give them independence and that there was a change of government in Belgrade requiring the opening of a new dialogue.”

This is from the UNMIK United Nations interim administration mission in Kosovo in August 2002.

“Indeed, the Clinton Administration left a host of intricate, but unresolved issues in the Balkans. Today, I believe, new circumstances in the region, together with a 10-year perspective of events and experience, offer promising prospects of self-sustaining democratization and reform. Nonetheless, the region is still in flux. Any support for independence of Kosovo, no matter how well disguised and sugar-coated, is a huge step backwards into the Balkan morass of yesteryear.”

That is signed Michael Djordjevich, who is the President of the Studenica Foundation. And he is a very fine Serbian American, who has been very conversant with what is going on over there.

And I submit the rest of his statement for the record.

[The information referred to follows:]

STUDENICA FOUNDATION

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May 19, 2003

The Honorable Henry J. Hyde
Chairman, House of Representatives
Committee on International Relations
2170 Rayburn House Office Building
Washington, D.C. 20515

URGENT

Dear Chairman Hyde,

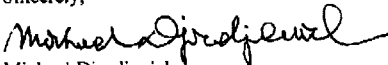
I understand that your Committee will hold an open hearing on "The Future of Kosovo."

Apparently, by selection of four witnesses on Panel II which include a married couple of Albanian lobbyists with extremist views, and a biased member of a non-governmental institution, the hearing is obviously heavily skewed to a pro-Albanian, pro-Kosovo independence stance.

We sincerely regret this.

At least, for the sake of fairness and a modicum of objectivity, I respectfully ask that the enclosed statement be read and entered into the official record of the Committee's session on "The Future of Kosovo."

Sincerely,



Michael Djordjevich
President
Studenica Foundation

Enclosure

cc: The Honorable Members of the
Committee for International Relations of
the United States House of Representatives

STUDENICA FOUNDATION

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May 19, 2003

The Honorable Henry J. Hyde
Chairman, House of Representatives
Committee on International Relations
2170 Rayburn House Office Building
Washington, D.C. 20515

COMMENTARY FOR THE RECORD

THE UNITED STATES OF AMERICA HOUSE OF REPRESENTATIVES
INTERNATIONAL RELATIONS COMMITTEE HEARING
ON MAY 21, 2003

"THE FUTURE OF KOSOVO"

In February of 2001, after two months of intensive work by 6 scholars and experts, our Foundation completed a study, "**The Balkans: A Road Map of American Interests.**" In it, we anticipated the current problems with the Albanian relentless quest for independence and eventually establishment of a "Greater Albania," and inevitable resulting threat to stability and peace in the entire region.

Personally, I have been intimately and seriously involved in the problems arising from the 1990 dissolution of Yugoslavia to the present. Together with a group of like-minded Serb-Americans, I first tried to help in preventing the civil war, and then to stop it once it broke out.

My knowledge of issues and contacts with leaders on both sides of the ocean strongly compel me to write to you now, and urgently caution you and the honorable members of the International Relations Committee to resolutely, and once and for all, resist the secessionist movement of Albanians in Serbia, Macedonia and eventually Greece as well.

The Balkan inheritance from the Clinton Administration is highly unsatisfactory. Its Balkan policy suffered from chronic indecision, confusion of motives, downright illogicality and appalling double-standards.

I regret to say that this hearing is now in effect perpetuating this policy.

To: The Hon. Henry J. Hyde, House of Representatives Committee on International Relations
 From: Michael Djordjevich, Studenica Foundation
 May 19, 2003

Page 2

To declare Kosovo an independent state would be incompatible with UN Resolution 1244. For Serbs, an outright grant of independence to Kosovo by the international community would establish an irredentist claim that would haunt the region for decades. It would also signal to Serbs and Croats in Bosnia that their demands for separate, ethnically-based sovereignties should be honored as well, thus putting further pressure on an already fragile situation in Bosnia. Regarding the Albanians, independence for Kosovo would suggest international endorsement of their long-held ambition of a Greater Albania, comprising Kosovo, parts of Serbia proper, Albania, and parts of Macedonia, a southeastern part of Montenegro, and possibly Greece (see Appendix I for a synopsis of the Greater Albanian question). The risks to regional stability are manifest.

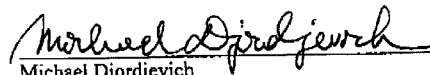
In addition, the province is riddled with crime and corruption and terrorism; extremists of all sorts freely roam and intimidate or kill their opponents as they have ethnically and culturally cleansed Kosovo of non-Albanians; Kosovo Albanians have no democratic tradition, nor institutions so indispensable for democracy to take hold and grow. Thus, Kosovo is far from being ready for independence. Aware of this, the United Nations and the International Community have set forth two requirements which must be met before the matter of the final status of Kosovo can be addressed. These are embodied in UN Resolution 1244 and a set of standards promulgated by Mr. Michael Steiner, Head of the United Nations Mission in Kosovo.

In the past two years, by UNMIK official numbers, there were 6,360 terrorist attacks in Kosovo. Not a fraction of the 250,000 Serbs, Romas and other minorities expelled and cleansed was allowed to return to their lands. Over 100 Christian churches and medieval monasteries have been destroyed. Even the non-Albanian dead were not left alone as cemeteries have been vandalized or wiped out.

"The fact that Serb return is being hampered by extremism, and in some cases by attack on international security forces, illustrates that a number of Kosovo Albanians and their political representatives didn't realize two facts - that UNMIK didn't arrive in the province to give them independence, and that there was a change of government in Belgrade requiring the opening of a new dialogue."

UNMIK/United Nations Interim Administration
 Mission in Kosovo - August 2002 - page 4.

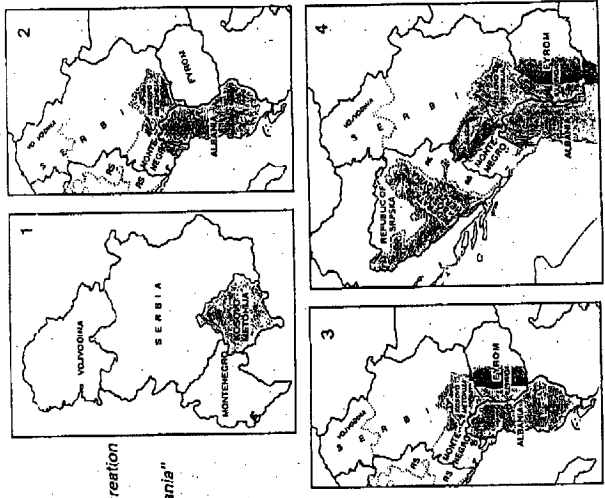
Indeed, the Clinton Administration left a host of intricate but unresolved issues in the Balkans. Today, I believe, new circumstances in the region, together with a 10-year perspective of events and experience, offer promising prospects of self-sustaining democratization and reform. Nonetheless, the region is still in flux. Any support for independence of Kosovo no matter how well-disguised and sugarcoated is a huge step backwards into the Balkan morass of yesteryear.


 Michael Djordjevich
 President
 Studenica Foundation

APPENDIX I

**The stages of creation
of the
"Greater Albania"**

There can be no serious and responsible discussion of the Kosovo problem without dealing with the issue of the "Greater Albania." Succinctly, the idea of a "Greater Albania" is essentially a nationalistic construct. Its driving energies spring from the Albanian vision of their ethnic borders and territories "Albanianized" by Albanian settlers during past century. The first successful implementation of this concept took place in 1941, when a "Greater Albania" was created as a fascist Italian protectorate and lasted until the defeat of the Axis forces. As in the recent case after the NATO intervention, the Albanians forcibly expelled the non-Albanian population from the areas of their control during the World War II. The current drive for an independent and a monoethnic Kosovo, therefore, is nothing but a phase in the process leading to fulfillment of a nationalistic dream. Since the Albanians will not accept the death of this dream, the problem seems to be insolvable.



- (1) Kosovo and Metohija ("Kosova") become the third federal unit in Federal Republic of Yugoslavia or an entity in Serbia
- (2) "Kosovo" (now "Kosova") unites with Albania
- (3) "Mydas" annexed to Albania, to definitely form a "Greater Albania"
- (4) "Greater Albania" becomes a segment of the Islamic "Green Transversal" in the Balkans

Source: "Greater Albania"
Concepts and Possible Consequences
Institute of Geopolitical Studies
Belgrade, 1998

Chairman HYDE. Without objection, it will be made a part of the record.

Do you invite comment?

Mr. BURTON. If Ms. Bogue has any comments, I would be happy.

Ms. BOGUE. No.

Chairman HYDE. We will put the letter writer down as leaning against independence.

Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much. I am sure the gentleman who wrote that letter is a fine man, but sometimes very good people have very strong prejudices.

I am not sure, did he ever write you a letter to complain about or to discuss the many violations of human rights conducted by the Serbs again the Kosovars and other people in that area?

Mr. BURTON. I think he commented there were enough violations of human rights on both sides to make—

Mr. ROHRABACHER. That is as close as he came to any condemnation of the Serbs.

Let me just note there are good people in this area; we understand that. It is a volatile area. That does not mean that a huge number of people who are in a given area of land, namely in Kosovo, a large majority of those people want to be free and independent, and their rights need to be respected. One of their rights is to organize a government as expressed in our own declaration of independence and to control their own destiny.

In terms of our State Department witness, if I could ask her, I have noticed your eight benchmarks here. How many of these benchmarks did the United States accomplish at the time of its independence?

Ms. BOGUE. As I mentioned before, we are in a very different situation, very unique situation, with the international community having intervened in this case.

Mr. ROHRABACHER. So it is not a consideration for the international community, not a basis of moral standards? So these benchmarks are political, not moral or otherwise legalistic?

Ms. BOGUE. Well, I think the benchmarks represent a number of things. Part of them are institution—the creation of institutions, democratic institutions; but part of them do reflect things that we might describe as moral in terms of human rights—

Mr. ROHRABACHER. But the United States doesn't, you know, meet your criteria. We shouldn't be independent of the British if we were waiting for us to meet these benchmarks.

Let me note that again, as I said in my opening statement, what we have is a government policy of the United States that reflects an overconcern for Serbia and for our European allies and not for the rights of these people who have every right like the rest of us to organize and have their own government and control their own destiny through the ballot box.

And how long has it been since—it has been 4 years. How many troops do we have in Kosovo?

Ms. BOGUE. We have the—the United States has about 2,250.

Mr. ROHRABACHER. Our European allies?

Ms. BOGUE. Our European allies make up about most—85 percent of the force there.

Mr. ROHRABACHER. So how many do they have?

Ms. BOGUE. You will see why I am not an economics officer here. But the total of—

Mr. ROHRABACHER. So we have?

Ms. BOGUE. They have about 24,000, then, or 23,000 and some.

Mr. ROHRABACHER. All right.

So we are occupying this country, and we have not been able to prevent any of these violations of human rights—again, the minorities there—with all of these thousands and thousands of troops? You expect us to believe that that is the case?

I mean, this is a large number of troops from outside. These reports of vast human rights violations on the minorities are just happening under the nose of all of these people?

Ms. BOGUE. I think the presence of KFOR has done a huge amount to help bring about a much more secure and stable environment for everyone in Kosovo.

Mr. ROHRABACHER. Let me note there is no excuse whatsoever for the violation of anybody's human rights, whether there are Kosovars on Serbs, or Kosovars on gypsies or whoever they are, there is no excuse for that.

But there also is no excuse, then, for not permitting people to then organize their own government and control their own destinies and to have to continue to be occupied. Because people are concerned not just about those human rights violations, but about the sensitivity of other people in the region. And again our position seems to be based on overconsideration for whether this will drive the Serbs mad—or maybe just be angry.

Ms. BOGUE. If I may respond to that, sir.

Mr. ROHRABACHER. Sure.

Ms. BOGUE. I would argue that our position, the position of President Bush, is not based on whether it will make someone in the region angry or upset on that, but strictly on the basis of what the U.S. interest is there. And the United States interest—as elaborated by the Chairman earlier, one of those interests is to have a stable region that is no longer in conflict and that is on its way to European integration, and another is to be able to bring to an end to the deployment of U.S.- and NATO-led forces.

Mr. ROHRABACHER. Stability comes with freedom. We have learned that. If we have learned anything, you have to make a decision, and it should be a decision based on the principles of liberty and justice that we believe in as Americans and that will bring stability.

Now, I realize our European allies don't believe in that, I realize that our Serbian friends don't believe in that. But we believe in that, and that is what has worked throughout the world. When we don't do it, it just elongates the conflict, and that is what we are doing right now is keeping this thing going.

It is time for a decision and to come to a conclusion, and it should be based on the principles that our founding fathers told us were important.

Chairman HYDE. The gentleman's time has expired in the nick of time, Ms. Bogue. We want to—Ms. Davis, do you have any questions or not?

Mrs. DAVIS. I will be glad to waive it for the next panel if you like.

Chairman HYDE. Thank you very much. Ms. Bogue, thank you. You have been instructive helpful and cooperative and we will get back to you in writing if we have any more questions.

Chairman HYDE. Now we will have our next panel consisting of former Congressman Joe DioGuardi, who was the first Member to bring the Kosova issue to the attention of Congress in 1987 and was responsible for the first legislation on behalf of Albanian rights in the Balkans and freeing Kosova from Serbian occupation. He has made more than 25 trips to the Balkans since 1989 in his capacity as the founding volunteer President of the Albanian American Civic League. The Civic League is registered as a grassroots lobby with the Federal Government representing the concerns of more than half a million Albanian Americans. Mr. DioGuardi, welcome and please tell us what you have to tell us.

**STATEMENT OF THE HONORABLE JOSEPH J. DIOGUARDI,
PRESIDENT, ALBANIAN AMERICAN CIVIC LEAGUE, FORMER
MEMBER OF CONGRESS**

Mr. DIOGUARDI. Thank you, Mr. Chairman. On behalf of freedom loving people everywhere, certainly those Albanians in America numbering about 500,000 and those in the Balkans numbering 7 million, of whom 2 million live in Kosova. Let me thank you for introducing H. Res. 28, so we can put on the table the most important issue for peace and stability in the Balkans, and therefore in Europe, and that is the status of Kosova. You know, in 1986, we introduced the first resolution for Kosova. It had one name on it in the House, Joe DioGuardi, on June 16, 1986. It had one name in the Senate, Senator Bob Dole. No one understood this issue back then.

I had just brought it to the Congressional Human Rights Caucus and Congressman Lantos had told me he knew about it because he was born in Hungary. He knew the history of the Albanian people and he was able to bring a lot of attention to this issue through that Caucus. In 1987, we managed to get 57 sponsors on the next bill. That was about the time that Slobodan Milosevic came into power. He has been there since 1987. No one knew who he was then. But I was informed by my Albanian friends, lobbied heavily, as to who this demon really was and tried to convince our State Department many times that there was going to be big trouble in the Balkans. You were on that resolution on 1987, Mr. Chairman.

Congressman Lantos, you were also on that resolution. And so was Congressman Gilman whose picture is up on the wall here. But there were 57. And that was the first resolution on human rights in Yugoslavia. By 1987, we realized the problem was going to be Kosova. Let me say, by the way, who I am. Not only am I a former Member, I am an ethnic Albanian. My father was born in Italy. He came here speaking Italian and Albanian. I am a volunteer. I have no interest that is financial with respect to anything Albanian. Neither do I have Albanian partners here or business interests there. I do not get any compensation. And there are no grants that I get from the State Department or anyone else. So what I say is coming from my experience, from my heart and from

the knowledge that I have gotten from the Albanian American community.

A lot has happened since that resolution in 1987. Milosevic waged four wars. We have had three Presidents. We have had seven Congresses convened. And in 1987 when the then Chairman Dante Fascell decided after I pleaded with him (on my mother's Italian side, I had worked with him in that community as well), he finally said, against State Department wishes, that we are going to have a hearing. And he got Subcommittee Chairman, Gus Yatron, to agree with it. So the first hearing was held in 1987. Now, here is the letter from the State Department, three pages, lobbying Yatron and Fascell not to support the resolution at that time. And if you read it, it is like you heard today from Janet Bogue. All these things have changed since 1987 except the State Department.

The State Department back then was saying we need to preserve peace and stability in the Balkans. Their position was: Don't, Mr. Chairman, support this resolution from DioGuardi because he doesn't understand what is really going on; and if we show any favoritism to the Albanians and, yes, there are human rights violations, we are going to offend our good friend Yugoslavia who has been with us for 50 years. Little did I know at that time the money that was made by Mr. Kissinger, Mr. Eagleburger on the Yugo Car company and on the Yugoslav bank Lubonsca, where they served—at least one of them did—with Mr. Milosevic himself. Little did I know as a junior Congressman that we had State Department operatives, friends of State Department operatives heavily involved making money with Serbs. And if you don't believe me, check some of the testimony by Mr. Eagleburger to Mr. Helms during the former's confirmation hearing when Helms relentlessly went after him to try to get him to show what he was making in Yugoslavia at that time.

Why do you think Mr. Kissinger didn't take this presidential commission? Because he would have to disclose many of these conflicts. Yes, Serbia has friends. Many have left the State Department and we have to look at that. Albanians don't have those kinds of friends. Here we have the State Department after all these years saying the same thing. Have they forgotten what Milosevic tried to do to the Albanian people? We are trying to create parity for human rights violations on both sides, Mr. Smith, Mr. Burton? It sounds good, but there is no parity here. The Albanian people were almost exterminated. They were subject to genocide. That is why Mr. Milosevic is in the Hague today. The charges are genocide! Are you going to try to tell me that a few isolated human rights violations by Albanians who felt victimized by their Serb neighbors are now going to be brought up to be compared with genocide?

Mr. Chairman, let me put on the record this statement, "The Expulsion of the Albanians," by Vaso Cubrilovic. This is a statement that shows where the Serbs got the brazen nerve to do what they did in Kosova and why today the Albanian people cannot still trust Serbian leaders. I have nothing against the Serbian people. They are very good people. Albanian people are good. But the Serbs have not been blessed with good leadership. In 1937, a rabid ultra nationalist academician, politician called Vaso Cubrilovic presented

this paper in Belgrade on March, 7, 1937. (Fifteen years ago we had this translated from the Cyrillic.)

Mr. Chairman, I am not going to read it all, but I would like to put on the record two sections of it. One is called the "Mode of Removal" of the Albanian people. And the other is "Organization of the Removal" of the Albanian people.

Chairman HYDE. Without objection, it will be made part of the record.

[The information referred to follows:]

EXCERPTS FROM "THE EXPULSION OF THE ALBANIANS," BY VASO CUBULOVIC

THE MODE OF REMOVAL

As we have already stressed, the mass removal of the Albanians from their triangle is the only effective course for us. To bring about the relocation of a whole population and the first prerequisite is the creation of a suitable psychosis. It can be created in many ways.

As is known the Moslem masses, in general, are very readily influenced, especially by religion, are superstitious and fanatical. Therefore, first of all we must win over their clergy and men of influence, through money or threats to support the relocation of the Albanians. Agitators to advocate this removal must be found, as quickly as possible, especially from Turkey, if it will provide them for us. They must describe the beauties in the new territories in Turkey, the easy and pleasant

life there, kindle religious fanaticism and awaken pride in the Turkish state among the masses. Our press can be of colossal help by describing the gentle removal of Turks from Dobruje and how well they have settled down in the new regions. These descriptions would create the necessary predisposition to shift among the mass of Albanians here.

Another means would be coercion by the state apparatus. The law must be enforced to the letter so as to make staying intolerable for the Albanians: fines, and imprisonments, the ruthless application of all police dispositions, such as on the prohibition of smuggling, cutting forests, damaging agriculture, leaving dogs unchained, compulsory labour and any other measure that an experienced police force can contrive. From the economic aspect: the refusal to recognize the old land deeds, the work with the land register should immediately include the ruthless collection of taxes and the payment of all private and public debts, the requisitioning of all state and communal pastures, the cancellation of concessions, the withdrawal of permits to exercise a profession, dismissal from state, private, and communal offices etc., will hasten the process of their removal. Health measures: the brutal application of all the dispositions even in the homes, the pulling down of encircling walls and high hedges around the houses, the rigorous application of veterinary measures which will result in impeding the sale of livestock on the market etc. also can be applied in an effective and practical way. When it comes to religion the Albanians are very touchy therefore they must be harassed on this score, too. This can be achieved through ill-treatment of their clergy, the destruction of their cemeteries, the prohibition of polygamy, and especially the inflexible application of the law compelling girls to attend elementary schools, wherever they are.

Private initiative, too, can assist greatly in this direction. We should distribute weapons to our colonists, as need be. The old forms of cetnik action should be organized and secretly assisted. In particular, a tide of Montenegrins should be launched from the mountain pastures, in order to create the large-scale conflict with the Albanians in Metohija. This conflict should be prepared by means of our trusted people. It should be encouraged and this can be done more easily since, in fact, the Albanians have revolted, while the whole affair should be presented as a conflict between clans and, if need be, ascribed to economic reasons. Finally, local riots can be incited. These will be bloodily suppressed with the most effective means but by colonists from the Montenegrin clans and the cetniks, rather than by means of the army.

There remains one more means, which Serbia employed with great practical effect after 1878, that is, by secretly burning down Albanian villages and city quarters.

THE ORGANIZATION OF THE REMOVAL

From the attached map it is apparent what regions must be cleared. They are: Upper Debar, Lower Polog, Upper Polog, Sar Mountain, Drenica, Pec, Istok, Vucitrin, Stavica, Lab, Gracanica, Neurodimje, Dalovica, Podgor, Gora, Podrimje, Gilan, and Kacanik. Among these regions which together comprise the Albanian wedge, the most important for us at present are: Pec, Dakovica, Podrimja, Gora, Podgor, Sar, Istok, and Drenica - north of the Sar Mountain, as well as Upper Debar and the two Pologs in the south and the Sar Mountain. These are border regions which must be cleared of Albanians at any cost. The internal regions such as Kacanik, Gilan, Nerodimje, Gracanica, Lab, Vucitrin, etc. must be weakened if possible, especially that of Kacanik and Lab, while the others should be gradually and systematically colonized over a period of decades.

The above-mentioned means should be used in the first place in the border regions, if we wish to clear them of Albanians.

During the resettlement the following must be kept in mind:

In the first place, resettlement should begin in the villages and then in towns. Being more compact, the villages are more dangerous. Then, the mistake of removing only the poor should be avoided: the middle and rich strata make up the backbone of every nation, therefore, they, too must be persecuted and driven out. Lacking the support which their economically independent compatriots have, the poor submit more quickly. This question has great importance, and I emphasize this because one of the main causes for the lack of success of our colonization in the south is that the poor were expelled while the rich remained, thus we were no further forward, because we gained very little land for the settlement of our colonists. During the creation of the psychosis for the resettlement, everything possible must be done to send off whole villages, or at least whole families. The situation that part of the family is shifted while others remain behind, must be prevented at all costs. Our state is not going to spend millions to make life easier for the Albanians, but to get rid of as many of them as possible. For this reason the purchase of the land of the Albanians who shift by those who remain behind must be absolutely prohibited. The shifting of individuals and whole villages must be linked with this question, if they want things made easy for them during the process of the relocation.

Once they agree to shift, all-round aid should be given them. The administrative procedure should be simplified, their property should be paid for on the spot, travel documents should be issued without the least formality, and they should be assisted to get to the nearest railway station; trains should be made available for them, as far as Salonica, and thence they should be

immediately shipped to Asia. It is very important, that the journey should be easy, comfortable and cheap. Possibly, the travel by train should be free and they should be assisted with food because whether or not large masses will shift, depends largely on this. The fear of difficulties on the journey will be a major obstacle to their moving. Therefore this must be combated by solving all the problems connected with the journey, quickly and energetically. Particular care must be taken to ensure that they have the fewest possible difficulties over the journey, because simple folk orientate themselves with difficulty, therefore it would be advisable to study the system of workers' transport by the big travel agencies and use that. The displaced person must pass from hand to hand without feeling the burden of this movement. Only in this way is it possible to create that flow of displaced Albanians which will empty our south of them.

Mr. DIOGUARDI. I would also like to submit my entire written testimony for the record as well.

Chairman HYDE. Your full statement will be made part of the record without objection.

Mr. DIOGUARDI. Look at what Cubrilovic said in 1937 and remember, Mr. Lantos, this was 2 years ago before Hitler wrote the final solution of the Jewish people. I am just going to read from one page, page 7, where he is telling his compatriots in Belgrade that:

“We must create a suitable psychosis among the Albanian people to relocate the whole population; we must use money or threats to win over their clergy and men of influence; we must also employ agitators, especially from Turkey, to trick Albanians about the benefits of moving to Turkey; and, if this doesn't work, we must use the State apparatus to coerce Albanians so that staying will be intolerable for them and we must employ ruthless application of all police tactics at our disposal.

“And if this doesn't work we must distribute weapons to our colonists from Montenegrin clans and Chetniks, not our Army (that would be too obvious), to incite local riots and suppress them brutally and bloodily.

“And, finally, if none of this works to drive out all the Albanian people from Yugoslavia, there remains one more means that Serbia and Montenegro employed with great practical effect after 1878 that is by secretly burning down Albanian villages and city quarters.”

Now, Mr. Chairman, this document survived 50 years. This is the mentor of Slobodan Milosevic. Two ultranationalist demons were spawned by this paper, Aleksandar Rankovic who killed many, many Albanians in the 1950s and 1960s, and the other, Milosevic. Mr. Milosevic had this memo, I'm sure, in his desk when he occupied Kosova in 1989. And from 1989 to 1999 up to the NATO bombing, this is exactly what he did. And our State Department worked against our resolutions in 1986, 1987, 1989, 1992 and now, saying that we have to keep peace in the Balkans. They said that we can't even discuss rights for the Albanian people since that would offend our “friends” in Belgrade. And what a green light this was for Milosevic to March into Slovenia in 1990, to march into Croatia in 1991, and Bosnia in 1992.

And then came the biggest prize of all, Kosova. And we had Secretaries of State, like Jim Baker (by the way this is not a Democratic or Republican issue) saying, "We have no dog in that fight. We have to keep Yugoslavia together at all costs." Then Eagleburger comes on the scene. (He almost didn't get confirmed because of the questions on his financial conflicts.) And he says that Yugoslavia is very important and we need to work with Mr. Milosevic. All kinds of waffling led to nothing but trouble. And then we get Mr. Holbrooke, the Special Balkan Envoy under President Clinton, who writes a book to end a war that he started himself by coddling Mr. Milosevic. He has the nerve to again bow to Mr. Milosevic in 1995 when Milosevic said if you want me at the Dayton Peace Accords to solve the problem, don't dare bring any Albanians to the table.

So because of Holbrooke, the third largest group in the Balkans, the seven million Albanian people, didn't have any representative at the peace talks in Dayton.

Chairman HYDE. Can you come to a summation, Joe.

Mr. DIOGUARDI. Mr. Chairman, I just want to put something else on the record. In this small book is a good description of who the Albanian people are. I just described the Serbian communist regime. This is a book that shows the tolerance, Mr. Chairman, of the Albanian people. Every Jew who was in Albania or the Albanian lands and every Jew who was lucky enough to escape to there in World War II was saved. Albania and Kosova were the only places in Europe that had more Jews after the war than before. And it is this book, *Rescue in Albania*, that has an introduction written by Congressman Gilman and Congressman Lantos, two prominent Jewish Americans, and I would like to put this introduction on the record, not the entire book. But I would like to present the book to you, Mr. Chairman.

Chairman HYDE. Without objection.

[The information referred to follows:]

CONGRESSIONAL FOREWORD

ONE HUNDRED FIFTH CONGRESS
CONGRESS OF THE UNITED STATES
COMMITTEE ON INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

TELEPHONE: (202) 225-5021

Rescue in Albania -- written by Harvey Sarner, an American Jewish philanthropist -- relates the remarkable stories of how the people of Albania risked their lives to save foreign and Albanian Jews during the Holocaust.

The accounts of how Danes and Bulgarians took great risks to save their Jewish fellow citizens are well known through historical studies and popularized docudramas. The equally compelling story of the courage and humanity of many Albanians during the dark days of World War II, however, is one that is unfamiliar to most Americans, and virtually no scholarly research has been done on this topic.

But this is a story that deserves to be told and a story about which we need to learn a great deal more. Harvey Sarner has performed an important service in bringing together these stories of the sacrifice and humanity of the Albanian people in preserving the lives of Jews.

This book also depicts many instances in which Albanians demonstrated their commitment to justice and peace. Earlier in this decade, the people of Albania shook off the shackles of communism and embraced democracy. They, however, did not have experience in the ways of democracy and the workings of a free market economy, and Albania has faced serious political, economic and social turmoil in the post-Communist era.

Beyond the borders of Albania proper is a significant ethnic

Albanian population in the province of Kosova and in Macedonia. While these Albanians share the same language, culture, values and commitment to justice of their relatives who live within the boundaries of Albania, they have faced a far different situation in their own lands.

Albanians in Kosova have been denied the most fundamental of human rights. The autonomy, which they enjoyed earlier under the government of the former Yugoslavia, has been systematically restricted and destroyed under an increasingly nationalist Serbian regime over the past ten years. Albanians who seek to exercise their fundamental civil rights have been systematically arrested, beaten, and tortured, and more recently have been subjected to violent military action and ethnic cleansing by Serbian authorities.

Albanians in neighboring Macedonia have also faced discrimination. Attempts to open a university in Tetova with a curriculum taught in Albanian and attempts to raise an Albanian flag alongside the Macedonian flag in Gostivar were prevented by police action.

It is a tragic irony that the children and grandchildren of the Albanians who helped Jews in Albania to escape during World War II now face discrimination and violence in Kosova and Macedonia. It is important to understand the background of these Albanians, and it is for this reason we urge you to take the time to read *Rescue in Albania*. This is a compelling story, and one that all of us can benefit from reading. At the same time, we must commit ourselves to see that the children and grandchildren of the brave heroes whose story this volume tells do not become victims of the forces of evil and repression that in every age work to suppress human freedom.



Tom Lantos
Member of Congress
(California)



Benjamin A. Gilman
Member of Congress
(New York)

Mr. DIOGUARDI. I will finalize my comments. Where do we stand today? What do the Albanian people want? That is easy! They want freedom. They want independence. You talk about benchmarks. How are they going to achieve benchmarks when the electricity is on 2 hours off for 4 hours. And when the U.N. set up an electric agency, one of their German U.N. officials stole \$4.5 million. They only recently got him and are retrieving the money. The living conditions are so bad in Kosova, yet we talk about U.N. Resolution 1244. Why don't we talk about the violation of 1244 and that we allowed France to occupy Mitrovica and move all the Albanians out of their houses north of the Ebar River, so that today, in violation of 1244, you have Albanians sitting there in the southern part of Mitrovica looking at their houses in the north. Nobody talks about this.

Nobody talks about the three Albanian American brothers who were executed by the Serb police after the war in 1999. And thank you Mr. Lantos for having sent a letter to Colin Powell on this. Hopefully we will find the perpetrators of their execution. And we have here with us today their fellow Albanian American volunteer soldiers from the Kosovo Liberation Army. But to go back to their story—after the war 3 Albanian Americans, Mehmet, Agron and Ylli Bytyqi took a Roma neighbor (because they realized there might be some danger for that Roma neighbor), to safety, and they strayed across the Serbian border. They were picked up by the Serbian police. They were jailed. A Serbian court gave them a 15-day sentence. For some unknown reason, they were let out 5 days early, given to special police, and disappeared. It was only because their father Ahmet came to me, and I went to General Wesley Clark, that somebody leaked that they found a mass grave and the three brothers were in it.

Why were they killed? They were Albanian and they were American. Don't forget what happened on September 11, 2001. The people dancing with joy in the streets were in Belgrade, Athens and Moscow. If you went to all the places where Albanians were, Kosova, Skopje in Macedonia, and in Albania, they were crying. There were candlelight vigils all night long. Sympathetic posters were put up. Mr. Chairman, Albanians are the best friends that the United States has right now in the Balkans, maybe in all of Europe.

And we should make them our partner. We should give them the ability to become a state so they can join with Serbia as an equal. Let them work together as equals to become a part of an integrated European community. They are ready for it. They understand the work ethic. Look at what 500,000 Albanians have done in America with their families as refugees for the last 30 years. Let us give them that chance. They need it now. Let them become our full partner in bringing real peace and stability to the Balkans. Thank you Mr. Chairman.

[The prepared statement of Mr. DioGuardi follows:]

PREPARED STATEMENT OF THE HONORABLE JOSEPH J. DIOGUARDI, PRESIDENT,
ALBANIAN AMERICAN CIVIC LEAGUE, FORMER MEMBER OF CONGRESS

Mr. Chairman, Congressman Lantos, on behalf of all Albanians here and in the Balkans, and for freedom-loving people everywhere, a heartfelt thank you for introducing H.Res. 28 in support of statehood for Kosova and for following through with

this important hearing. As a former colleague who first brought the issue of Albanian repression in the former Yugoslavia and egregious human rights violations in Kosovo to Congress's attention in 1986 as a new Member, I am especially grateful for this opportunity to once again make the case for Kosovo's independence. And, I want to remind the Chairman and Congressman Lantos that they were among the first to cosponsor a resolution that I introduced for Albanian rights in the former Yugoslavia in July 1987, with more than fifty of our House colleagues joining us as cosponsors. Also, let me say at the start that I have no financial interest whatsoever in any outcome in Kosovo or any other Albanian area of the Balkans or with Albanians in America. I am an unpaid volunteer with my wife, Shirley. We have no investments with any Albanians here or in Europe. We have no political ambitions in Kosovo, Albania, or elsewhere in the Balkans. And, we have not applied for governmental grants to subsidize any of our activities or pay salaries. In short, we are not conflicted in any way. We are merely seeking peace with justice for the long-suffering Albanians of Kosovo.

Since leaving Congress in 1989, I have been making the case here in Washington, in the Balkans, and around the world for freedom and self-determination for the two million Albanians in Kosovo. I particularly remember the Congressional Human Rights Caucus hearing on Kosovo chaired by you, Congressman Lantos, and Congressman John Porter on April 24, 1990 in the large Hart Senate Hearing Room, at which Senators Pell, Dole, and Pressler also participated in support of Albanian freedom in Kosovo. It has been more than thirteen years since that historic hearing for the Albanian people at which our Civic League brought twelve leaders from Kosovo to make their case against Serbia for all the valid reasons that many questioned then, but now looking back have been revealed as factual truths with the advent of four Balkan wars and the indictment, incarceration, and trial of the Serbian leader Slobodan Milosevic since then. In these thirteen years, much has changed in the Balkans since Serbia invaded Slovenia in 1990, Croatia in 1991, Bosnia in 1992, and then tried to ethnically cleanse Kosovo *en masse* in 1999. We have elected three presidents, convened seven Congresses, saw more than 300,000 innocent people killed in Bosnia, at least 10,000 in Kosovo, and witnessed millions being expelled from their homes merely for their ethnicity or religion. On the broader scene, this period began with a war in Iraq and ended with another one in Iraq just recently. Saddam Hussein is now out, perhaps even dead. Milosevic is on trial in The Hague, and September 11, 2002, has changed our worldview as well as our personal attitudes about many things.

But, Mr. Chairman, one thing has not changed, and that is our State Department's steadfast policy of keeping Yugoslavia together in one form or another. I still have the three-page letter sent by the State Department in 1987 to then Chairman Dante Fascell, trying to convince him and Subcommittee Chairman Gus Yatron not to hold a hearing on the resolution you signed back in 1987 for many of the same reasons you have heard from the State Department and their surrogates today. That hearing was held in October 1987, and many were informed, as they will be today, on the desperate plight of the Albanian people and about the odds, once again, being stacked against them. And, if keeping some part of Yugoslavia together is not bad enough based on all that we have witnessed from Serbian and other Slavic Communist leaders over the past thirteen years, the State Department seems inclined to follow "Old Europe" voices in wanting to preserve some rump Slavic regime, again on the backs of the Albanian people. And, in particular, our diplomats at State seem to be listening to our dubious friends in France, Russia, Serbia, and Greece (not exactly four paragons of U.S. democratic values) and seem to be supporting a new incarnation of Yugoslavia called Serbia and Montenegro. Incredibly, they seem to be holding out hope that Kosovars will agree to be part of it, even though the Montenegrin people, who are blood brothers to the Serbs, are sending us every signal that they have no intention of joining their Slavic brothers and sisters in a new state. (They even recently elected a pro-independence president, who emphasized the point, as has Prime Minister Milo Djukanovic.) So why would anyone think that Albanians from Kosovo, who have been battered by Serbs and Montenegrins for generations, would willingly agree to become part of Serbia again when even fellow Slavs are opting out?

Mr. Chairman, it took thirteen years and another war to correct a failed foreign policy in Iraq. During that time, hundreds of thousands of innocent people there were killed, tortured, maimed, or forced to flee for their lives. How many more years will it take for our State Department to realize that the independence of Kosovo is the only way to peace and stability in the Balkans and, therefore, in Europe, which is in our vital national interests?

Let's look at the bleak record of Albanian and Serbian relations for a moment. I could go back five hundred years and amply demonstrate the Serbian betrayal

that left their fellow Christian Albanians (all Christian then) bearing the brunt of the Ottoman Turkish occupation for more than 400 years. But I won't take time to explore this somewhat ancient history. Instead, let's start with March 7, 1937, when the rabid ultranationalist Serbian academic and political leader Dr. Vaso Cubrilovic, whose evil philosophy and deeds spawned the likes of the satanic Aleksandar Rankovic and Slobodan Milosevic, presented his written plan in Belgrade to rid Yugoslavia, especially Kosova, of all Albanians. His paper was entitled "The Expulsion of the Albanians." Here it is, and I ask permission to put only two sections on the Record: "The Mode of Removal" and "The Organization of the Removal." Let me just turn to one page, page 7, entitled the "Mode of Removal," to demonstrate where Milosevic and his Serbian Communist compatriots, many of whom are still in Serbia and Montenegro today, got their wild ideas to ethnically cleanse Yugoslavia and push for a Greater Serbia. Without reading the entire text, let me just list a few of the ungodly, terrorist tactics proposed by Dr. Cubrilovic from his podium in Belgrade in 1937:

- We must create a suitable psychosis among the Albanian people to relocate a whole population.
- We must use money or threats to win over their clergy and men of influence.
- We must also employ agitators, especially from Turkey, to trick Albanians about the benefits of moving to Turkey.
- If this doesn't work, we must use the state apparatus to coerce Albanians so that staying will be intolerable for them, and use the ruthless application of all police tactics at our disposal.
- If this doesn't work, we must distribute weapons to our colonists from Montenegrin clans and Chetniks, not our army, to incite local riots and suppress them brutally and bloodily.
- And if none of this works to drive out all of the Albanians, "there remains one more means that Serbia (and Montenegro) employed with great practical effect after 1878, that is, by secretly burning down Albanian villages and city quarters" (something they did again in Kosova in 1999).

Mr. Chairman, it is hard to believe that this plan survives in writing today. We had it translated from the original Serbian Cyrillic script fifteen years ago and have distributed it widely, especially to the leaders of the Jewish community, which suffered unspeakably at the hands of another dictator we tried to appease, and the press after the failed Dayton Accords in 1995, in order to finally get the United States and NATO to understand that Milosevic was hell-bent on implementing, finally, the plan of his mentor, Vaso Cubrilovic. Incredibly, the plan preceded Hitler's written plan for the "final solution" of the Jewish people of Europe by two years. The Cubrilovic plan survived for fifty more years, and when Milosevic came to power in 1987, he immediately set his sights on implementing it in Kosova. His ultranationalist and Communist regime initiated massive police action against Albanian civilians in 1987 and 1988, total military occupation and police state repression of Kosova from 1989 to 1998 (creating another Warsaw Ghetto in the middle of Europe), and ethnic cleansing and genocide in 1999, for which he and his brutal regime are now on trial in The Hague. Because of the hard and effective work of our grassroots lobby, the Albanian American Civic League, and with the help of the Jewish community in the United States spearheaded by Congressmen Lantos and Gilman here in Washington, our State Department finally pushed NATO to do the right thing after ten years of coddling Milosevic—and that was to bomb Serbia into submission as we did with Saddam Hussein and Adolf Hitler.

But, Mr. Chairman, let us not forget that until the Rambouillet (France) process began in early 1999, in our desperation to avoid another Balkan war, this time in Kosova, our then-U.S. Balkan Envoy Richard Holbrooke and the State Department were doing everything possible to make Slobodan Milosevic our partner in peace, even after he caused three wars, killed 300,000 innocent Bosnians, and was threatening to implement the medieval Serbian dream of a Greater Serbia, connecting all Serbian populations in the Balkans into one state. I think, at the least, that this showed our poor judgment then and allows us to question any new deals with Serbia and other undemocratic Slavic regimes that could be put in a position, once again, to dominate the Albanian people and cause another war, which only U.S. troops and money would be able to stop, based on past experience with the Europeans.

A recent, tragic example of Serbian police and paramilitary brutality happened after the NATO conflict in July 1999, when three young Albanian Americans, the Bytyqi brothers (whose father, Ahmet Bytyqi, is with us today still looking for justice), were executed and thrown into a mass grave for merely straying across the

Serbian border by accident while helping a few ethnic Roma neighbors to safety. They were executed by special police operatives in Serbia just for being Albanian and American after serving their court-imposed term in a Serbian jail. This example clearly shows the ingrained racism that exists against the Albanian people and the animosity towards America for leading the NATO war there. (Let me take this opportunity to once again thank you, Congressman Lantos, for helping us pursue and bring to justice the murderers of Agron, Mehmet, and Ylli Bytyqi.)

Mr. Chairman, you might ask how our State Department could be seduced so readily by such brutal Serbian dictators from Rankovic to Milosevic and now, in Western garb, tone and style, by Vojislav Kostunica and Nebojsa Covic. For one, these "masters of deceit" and their predecessors used the controlled press in Belgrade to their advantage for fifty years, rewriting the history and image of the Albanian people, who were suppressed by the worst forms of totalitarian Communism since World War II in Albania and in Belgrade. For another, these new "masters of deceit" used monetary rewards for Western diplomats and politicians like Henry Kissinger and Lawrence Eagleburger, who worked with them as bankers, served on their government-owned corporate boards as paid outside directors and got huge consulting fees—still undisclosed as we have recently seen from Mr. Kissinger's demurral to head a national Presidential Commission once he realized that he would have to disclose his finances, which would, many believe, shed light on many past conflicts of interest involving government contracts steered to his patrons. Mr. Eagleburger, a former U.S. ambassador in Belgrade and partner of Henry Kissinger, played a major role in Global Motors, the company that made the Yugo car, served on at least one bank Board with Milosevic, and still became Secretary of State in 1992 after dodging relentless questioning by Senator Jesse Helms about his past financial dealings with Yugoslavia and Milosevic. No wonder there was a Serbian tilt in our State Department policy in the early 1990s, when then Secretary of State James Baker declared that we had to keep Yugoslavia together at all costs and that "we didn't have a dog in that fight," giving the green light to Milosevic to continue his wars and carry on with the brutal occupation of Kosova. That Serbian tilt showed itself again when Richard Holbrooke bowed once more to Milosevic in 1995 and allowed no Albanian leader to sit at the table at the Dayton Peace Accords, even though Albanians represent the third largest ethnic group in the Balkans (after Serbs and Croats), giving Milosevic another green light to continue his brutality. The final insult was delivered by Special Balkan Envoy, Ambassador Richard Gelbard, when he deliberately called the Albanian citizen army known as the Kosova Liberation Army (KLA) a "terrorist group," when they were merely trying to defend their families and property from the marauding Serb paramilitaries (many of whom were criminals let out of jail and put in uniform for the occasion) and when nowhere was the KLA listed as a terrorist group. This gave Milosevic exactly what he wanted and needed to march into Drenica in early 1998 and execute many innocent men, women, and children as terrorists, or for "hiding or supporting terrorists," as we looked the other way.

So, Mr. Chairman, with this short history of manifest hostile racism by Slavs against the Albanian people and our State Department's exceedingly bad judgment favoring the Serbs until it was almost too late, how can anyone expect the Albanian people of Kosova, which is comprised of two million people, 95 percent of whom are Albanian, to ever deal with Serbia unless it is as a partnership of independent states looking to work together for mutual benefit, leading to European integration?

Mr. Chairman, now that I have presented a gruesome picture of collective anti-Albanian behavior of the Serbian Communist regimes since World War II, let's talk about the Albanian people for a moment. Who are they? And what are they asking for today?

I believe that our deceased colleague, then Senate Foreign Relations Committee Chairman Claiborne Pell (whose first assignment as a young U.S. foreign service officer was to Albania in 1939), aptly described the Albanian people at a hearing in 1990 when he said:

"Albanians have a proud tradition of resisting foreign oppression. Their Illyrian ancestors were never fully incorporated into the Roman Empire, and the Turkish sultans were not more successful in subjugating the Albanian Ghegs and Tosks. In both cases, the nominal rulers of today's Albanian lands preferred to leave well enough alone and to accommodate a good deal of Albanian self-rule in those lands. The Romans and Turks learned a valuable lesson—don't stir up the Albanians; it doesn't pay.

"Today, however, the leaders of another multiethnic state have ignored that lesson.

The leaders of Yugoslavia—but particularly those of Serbia—have launched a brutal campaign of repression against the Albanians in Kosova. Mass arrests have taken place, killings and beatings have occurred, and the province's autonomous status has been revoked.

"It cannot be in Yugoslavia's or Serbia's or U.S. interests to deny in Kosova what is being exercised all over Eastern Europe. ...Albanians are a fiercely independent people, and they will resist repression with every ounce of their strength. But they need help and encouragement from other free societies, particularly from the United States. I want you to know that I will do what I can to support the just cause of the Albanians in Kosova."

(Claiborne Pell made this statement thirteen years ago, and yet it is still very much on point.)

And, Mr. Chairman, no statement can substitute for the historical fact that Albanians who share three religions—Catholicism, Islam, and Orthodox Christianity have shown great tolerance and understanding for others, especially for the oppressed Jews of the Nazi era, many of whom made it to Albania and Kosova, knowing that they would be protected by Albanian tradition from their Nazi tormentors. The great stories of Albanian heroism in the face of death are described in *Rescue in Albania*. Incredibly, every Jew already living in the Albanian lands and every Jew fortunate enough to escape to there was saved. These Albanian lands, in and around Albania and Kosova, were the only ones in Europe to have more Jews after World War II than before the war started. I would like to put on the Record the Congressional Foreword to *Rescue in Albania* by Congressman Lantos and former Congressman Ben Gilman, two prominent Jewish Americans, and give a copy of this wonderful book to you, Mr. Chairman.

One final point about the Albanian people—they are America's best friends in the Balkans. When the tragedy of 9/11 occurred, Albanians lit candles, held nightly vigils, displayed supportive posters and cried openly on TV in support of America and its 3,000+ victims of terror, while the Slavs of Belgrade and Skopje and their Orthodox brothers and sisters in Greece and Russia danced with joy in the streets over our tragic loss for all to see. Albanian soldiers in the KLA fought on the ground in Kosova during the NATO war and guided our pilots to their targets so that not one U.S. soldier or airman was killed during the NATO bombing of Serbia. (Many of them were Albanian Americans who joined the Atlantic Brigade to go to Kosova to save their families and neighbors, and are with us today.) And Albanian Americans proudly served our country during the recent Iraqi War, where one Albanian American in a recent interview said that he volunteered to go fight in Iraq because of what America did for Albanians in Kosova. Albania even sent a contingent of one hundred special forces to actively support our armed forces in Iraq.

Mr. Chairman, it is time for our State Department to realize who our friends are and to join them in building an independent state now so that Kosova can attract investment, secure loans, and employ its people. There are so many young people in Kosova (Kosova has the youngest population in Europe) and more than sixty percent of them are unemployed. Kosova needs its independence so that it can create jobs and build capital, as Kosovars have done so convincingly in America and in Western Europe in the last two decades.

So, Mr. Chairman, as to what the Albanian people of Kosova want. That's easy! It is complete freedom from those who have sought to exterminate them, expel them, and who until today, almost three years after the brutal Serbian war in Kosova which killed 10,000 innocent Albanians and maimed, raped, and tortured tens of thousands more, have not apologized for the horrible crimes that are being disclosed at the Milosevic trial in The Hague as we speak. Complete freedom for the Albanians of Kosova means independence from Serbia. Albanians have earned it with their blood, their friendship and loyalty to us, and their love of western democratic values. They have gone through three democratic and peaceful elections since the NATO war ended in 1999, have established a coalition government under UN authority and, in general, have shown their ability to live and work with others. The lack of final status is even preventing small, but important, things necessary to create a civil society. As you know, Mr. Chairman, an official Rotary Chapter in Gjakova, Kosova, was not authorized, even after you wrote a compelling letter because the district Governor of Rotary in Athens felt that Belgrade still had standing in this and they ruled against a Rotary chapter in Kosova so as not to offend Belgrade. What an insult this is to the Albanian people in Gjakova who are continuing to act as a Rotary club, helping their needy neighbors, but without an official charter or recognition.

In conclusion, Mr. Chairman, Albanians need investment, loans, and the freedom to engage in civic activities that will only come from final status as an independent

state. Jobs will then be created from the resulting investment and international loans to fuel the incredible work ethic of the Albanian people. Our choice is to develop a productive European partner in Kosova through investment and self-sufficiency, or to let Serbia, still an undemocratic state, whose reformist Prime Minister was recently assassinated, once again have its way. Choosing the latter will most surely lead, in my opinion, to another Balkan conflict, which clearly is not in the national interests of the United States. Thank you, Mr. Chairman.

Chairman HYDE. Thank you, Mr. DioGuardi. If you don't mind, we will have the other panels and then when we are all finished, we will take questions so we can expedite the matter.

The next panel begins with Dr. Daniel Serwer. He is the Director of the Balkans Institute and Director of Peace Operations at the U.S. Institute of Peace. He has worked extensively on democratization in Serbia and has been deeply engaged in facilitating dialog between Kosovo Serbs and Albanians. Before working for the U.S. Institute of Peace, he served a number of years in the State Department. From 1994 to 1996, he served as U.S. Special Envoy and Coordinator for the Bosnian Federation mediating between Croats and Bosnians and negotiating the first agreement reached at the Dayton peace talks.

Mr. Jim O'Brien is a Principal of the Albright Group. He was Special Presidential Envoy for the Balkans in the Clinton Administration and was previously Principal Deputy Director of the State Department's Office of Policy Planning. He participated in numerous high profile international negotiations, including leading roles in shaping the Dayton agreement for peace in Bosnia and in attempting to avert war in Kosovo.

Ms. Shirley Cloyes DioGuardi is the Balkan's Affairs Advisor to Albanian American Civic League. She is the author of numerous articles on the Balkan conflict. Has made 19 trips to the region since 1995. She has testified before this Committee on two previous occasions, in 1996 regarding the State of Albania and in 1998 expressing support for United States troop deployment to Kosovo.

Ambassador William Walker was a career Foreign Service Officer with the Department of State for 39 years. He completed a distinguished career serving as head of OSCE Kosovo verification mission, the first international presence placed between Milosevic's security forces and the Kosovo Liberation Army. Prior to this appointment in 1998, he served as the Secretary General's Special Representative and Head of Mission of the United Nations transitional administration in Eastern Slovenia, Croatia. Ambassador Walker retired in January, 2001 and presently is the honorary board member of the National Albanian American Council.

Mr. Martin Vulaj is the Executive Director of the National Albanian American Council. He was born in Montenegro and migrated to the United States with his family in 1971. He joined the National Albanian American Council in 1998 and has held positions as Secretary and Vice-Chairman of the organization. He is a lawyer by profession and practiced law in New York until August, 2002 when he assumed the Executive Directorship of the NAAC.

So we will start from this side, Mr. Serwer, and I would ask you folks, if you can, to try to limit your main statement to 5 minutes give or take. We won't have a heavy hand. And your full statements will be made a part of the record by unanimous consent.

And then we will question you and we will get Mr. DioGuardi back at the table. Thank you.

Mr. Serwer.

**STATEMENT OF DANIEL SERWER, DIRECTOR, BALKANS
INITIATIVE, U.S. INSTITUTE OF PEACE**

Mr. SERWER. Thank you, Mr. Chairman, I am delighted to be here. USIP has expended a good deal of energy on the question of Kosovo in the last year-and-a-half. And I would like to submit for the record not only my written testimony, but also three reports that we have prepared on that subject.

Chairman HYDE. Without objection.

Mr. SERWER. My personal bottom lines on Kosovo final status are these. First there is no alternative to a negotiated solution. Belgrade and Prishtina are going to have to agree because it is only by their agreeing that U.N. Security Council will be able to agree to pass a new resolution that will replace 1244. Second, a negotiated solution is going to be complicated. I don't think anyone's maximum demands will be met. Third, a negotiated solution is going to require careful preparation. Talks on practical issues are part of that preparation. Consultations between the U.S. and the EU are as well. Fourth, final status talks should be sponsored by the U.S. and EU jointly no later than 2005. And fifth, the United States is an indispensable partner in the process of deciding Kosovo final status and should spark the beginning of preparations by nominating an American as head of the U.N. Mission in Kosovo starting this summer.

Let me comment briefly on a few of these points. The opening positions in the negotiations are going to be incompatible. Belgrade is going to seek sovereignty, Prishtina independence. But underlying these opening positions are more complicated interests. Belgrade seems to have decided that it doesn't want to govern the Albanians but does want protection for Serbs and maybe some governing authority over them. Prishtina needs to figure out how the independent Kosovo that the Albanians want would ensure its own security with Serbia as its largest neighbor and trading partner.

So the results will be complicated, with all sorts of cross border arrangements made in advance not only between Kosovo and Serbia, but between Kosovo and Albania, and between Kosovo and Macedonia. They are going to have to resolve human and property rights questions, debt and compensation issues. There may be a need for a residual international presence in the courts of Kosovo and on the borders.

Preparation should begin now. It is going to take at least a year, I would say, maybe a bit longer. But in a year's time and certainly by the beginning of 2005, the U.S. and EU should be in a position to sponsor final status negotiations. This sponsorship would follow the successful pattern that was used to reach a peace agreement in Macedonia in the summer of 2001.

By 2005, Belgrade will have a new constitution, new parliament, and a new President. And Prishtina will have a new assembly and a new President. So it seems to me at that point the timing will be right. Though some people in the Administration would want to

put off this process indefinitely or even transfer the burden to Europe, that can't be done.

The United States has an indispensable role because of its role in the Yugoslavian war, because of its relationship with both Serbs and Albanians. Europe lacks the credibility and unity to carry this process forward. The Europeans are waiting for a signal that the United States is ready to do it.

We can send that signal by putting forward a United States candidate to lead the U.N. Mission in Kosovo. It is an anomaly that the Europeans have had the top jobs there for the last 4 years. The right American could convince Albanians to treat Serbs and other minorities correctly. The United States also needs to be involved in order to protect Macedonia and Bosnia. There should be no compensation in those two countries for anything people feel they lost in the negotiations over Kosovo. Once decided, we can consider what to do about further draw-down of our troops.

I would like to make some specific recommendations. The State Department should consult with Europe and outline a negotiating process by the fall. It should also put forward a United States candidate to head the U.N. Mission in Kosovo. Prishtina needs to begin its preparations by forming a coordinating center for dealing with Belgrade and ending hostility toward the Serbs. Belgrade needs to end hostility toward the U.N. and improve Serb involvement in the Kosovo assembly and end the division of Kosovo. And the U.N. should revive talks on practical issues by this summer.

I would like to add a word about the role of the U.S. Congress. The signals you send are heard loudly but not clearly in the region. I think it would have been useful to have a Serb perspective at this hearing, otherwise the Congress, or at least some of its Members may be misunderstood. And I think the Congress should clarify that status—Kosovo final status will not be decided on Capitol Hill, but by Belgrade and Prishtina, who need to accept their responsibilities to move toward Europe.

Mr. Chairman, some would say that Serbs and Albanians can't even talk with each other, much less negotiate, even with U.S. and EU support. My experience is different. The multi-ethnic group we trained 3 years in Kosovo has now formed a professional organization that is very active there in promoting multi ethnic activities. We have had 130 young Serbs and Albanians working together over the last year and a half in joint efforts: In getting out the vote, anticrime efforts and breaking the isolation of Serb enclaves. These young people, not their belligerent elders, are the future of Kosovo and the region. They merit our support and encouragement. Thank you, Mr. Chairman.

Chairman HYDE. Thank you, Mr. Serwer.

[The prepared statement of Mr. Serwer follows:]

PREPARED STATEMENT OF DANIEL SERWER, DIRECTOR, BALKANS INITIATIVE, U.S.
INSTITUTE OF PEACE

**The views expressed here are those of the author, not the US Institute of Peace, which does not take positions on policy issues.*

It is a pleasure for me to testify today on the future of Kosovo, a topic that the United States Institute of Peace has focused on a good deal for more than a year. In addition to my written testimony, I would like to submit for the record three USIP reports on the subject: *Kosovo Final Status: Options and Cross-Border Ar-*

rangements, Simulating Kosovo, and Kosovo Decision Time. These papers are based on extensive activities at USIP with a wide range of participants. I am pleased that Janet Bogue, Joe Dioguardi, Jim O'Brien, Martin Vulaj and Shirley Cloyes, who are appearing here today, have all been participants in USIP discussions, though our views on Kosovo are diverse.

My personal bottom lines on Kosovo final status are these:

- There is no alternative to a negotiated solution, one to which the authorities in both Belgrade and Pristina agree prior to UN Security Council approval.
- A negotiated solution will not correspond to the maximum demands of either Belgrade or Pristina and will include complicated conditions on both parties.
- Negotiations on final status require preparation, including talks on practical issues between Pristina and Belgrade and consultations between Europe and the US.
- Talks on final status should start under joint EU and US sponsorship by 2005, with a goal of completing them within two years.
- The United States is an indispensable participant in the decision on Kosovo final status and needs to begin preparing for its role now.

I would like to discuss each of these points briefly.

A NEGOTIATED SOLUTION

The day has clearly passed when either Serbs or Albanians could hope to force a solution in Kosovo by military means. Neither the increasingly democratic regime in Belgrade nor the UN-founded Provisional Institutions of Self-Governance in Pristina would want to endanger their own futures by threatening or using force. The NATO troops on the ground ensure continuing self-restraint and counter extremist activities. NATO will not be able to leave until Kosovo's final status is decided.

This can only be done with a new Security Council resolution, one that replaces Resolution 1244, which ended the NATO/Yugoslavia war in June 1999. For a new Security Council resolution to pass, Russia and China will at least have to abstain. Both of these permanent members have their own reasons not to want a province of Serbia to gain independence: it could be viewed as a precedent for Chechnya or Tibet. Only if Belgrade agrees will Russia and China allow a new Security Council resolution to pass. Only if Pristina agrees will the United States allow it.

NO ONE WILL BE COMPLETELY SATISFIED

Thus Belgrade and Pristina each holds a key to the future status of Kosovo. Their initial negotiating positions will be incompatible: Belgrade will claim sovereignty and Pristina will want independence.

Underlying these opening positions will be a more complicated set of interests. Belgrade shows no signs of wanting to govern the Kosovo Albanian population but does clearly want protection for the Serb population and monuments in Kosovo as well as some degree of governing authority over the Serbs living there. Pristina needs to figure out how the independent Kosovo it wants would ensure its own security with Serbia as its nearest and most powerful neighbor as well as its most important trading partner.

A solution to Kosovo final status needs to be constructed on the basis of these underlying interests. I do not know what that solution will be, but it will not be simple. There will need to be cross-border arrangements made in advance of any final status decision to fix the relationships not only between Serbia and Kosovo but also between Kosovo and Albania and between Kosovo and Macedonia. The human and property rights of Serbs and other minorities will need to be guaranteed and debt and compensation issues resolved. A residual international presence may be required, especially in the court system and possibly along Kosovo's borders.

CAREFUL PREPARATION SHOULD BEGIN NOW

Complicated arrangements of this sort require careful preparation. Immediate talks on Kosovo final status are not in my view possible or desirable. First all the main parties concerned need at least a year of hard work. For Pristina and Belgrade, the hard work needs to be accomplished in talks on practical issues hosted by the UN. While their postponement after Prime Minister Zoran Djindjic's assassination was entirely understandable, these confidence-building talks should begin by this summer.

Belgrade seems largely ready. The Serbs will come to the talks politically unified and technically prepared. Belgrade has been resolving difficult issues in the Presevo

area of southern Serbia, where Albanians are a large percentage of the population, but it has not established constructive relations with the UN Mission in Kosovo. Specific problems include failure of the Serbs to participate consistently in the Kosovo Assembly and continuing Serb control in the north.

The bigger problem at the moment is lack of Albanian preparation. Pristina still suffers from sharp divisions among the main Albanian political parties. It remains dangerous for a politician to meet with Serbs. Moreover, the Kosovo Albanians have done little technical preparation for talks with Belgrade, and the mistreatment of Serbs in Kosovo will put the Albanians at a serious negotiating disadvantage. The international community needs to help Pristina get ready—USIP intends to be active in offering negotiation training and other assistance.

The international community also needs to prepare itself. While the UN may be ready for talks on practical issues, the US and the EU continue to try to put off all discussion of Kosovo final status. This is a mistake, one that encourages the Albanians to think they need do nothing to prepare. The US and the EU should decide their own positions, talk with each other about how their interests can be protected, and design a negotiating process that will lead to an acceptable decision.

THE US AND EU SHOULD SPONSOR FINAL STATUS NEGOTIATIONS BY 2005

I will leave it to government officials to design the process in detail, but it seems to me that the US and EU should jointly sponsor Kosovo final status negotiations, following the successful pattern that led to the Ohrid framework agreement in Macedonia in the summer of 2001. While the Special Representative of the Secretary General who leads the UN effort in Kosovo—today Michael Steiner—can and should sponsor talks on practical issues between Belgrade and Pristina, he should not be alone in sponsoring final status talks. The US and the EU must be involved. Kosovo will eventually find its way into the EU, which will therefore need to be satisfied with the outcome. The US, having gone to war over Kosovo, will likewise need to be satisfied, especially as the precedent set there may find application elsewhere.

While there has been some slippage due to Djindjic's assassination, there are good reasons to begin final status negotiations by 2005. Belgrade by then should have a new Serbian constitution, a new president and a new parliament. Pristina will likewise have elected a new Assembly and President. It will then be important to show progress on final status in order to avoid unrest and open the road to Europe. No moratorium on discussing final status, as proposed recently in Pristina, can last past 2005.

THE US IS INDISPENSABLE

With all the issues the US confronts today, some would argue that Kosovo final status should be put off indefinitely, or the burden transferred to Europe. Neither proposition is viable. Because of its role in the NATO/Yugoslavia war and its relationship with both Serbs and Albanians, the United States is a vital participant in any decision on Kosovo final status. Europe lacks the credibility and unity to handle Kosovo on its own. My European friends do not disagree with this assessment—to the contrary, they are awaiting a signal that the US is ready to engage.

This signal could come with appointment of the next head of the UN Mission in Kosovo, a job held since 1999 by a European. If the US is serious about getting Kosovo ready for final status negotiations, it should put forward a US candidate to head the mission starting this summer. It is an anomaly that Europeans have held the top jobs in both the military and civilian operations in Kosovo. The right American chief of mission would be able to do what the Europeans have not done: convince the Kosovar Albanians that the only way to final status is by correct treatment of Serbs and other minorities.

The Americans are also needed to protect the sovereignty and territorial integrity of Bosnia and Macedonia from the consequences of a decision on Kosovo final status. We should allow no compensation in other countries for anything "lost" in Kosovo final status negotiations.

There is a silver lining for those who want US resources redeployed to regions where US national security is more directly at risk. With a solution for Kosovo will come an opportunity to draw down US troops and leave Balkans military tasks to Europe.

CONCLUSIONS

To those with responsibility for Kosovo, I would offer four suggestions:

- The State Department should begin consulting with Europe on Kosovo final status, with a view to outlining by the fall a process that the EU and US will lead.
- Pristina should prepare for final status talks, forming a coordinating center to deal with Belgrade and ending hostility towards Serbs and other minorities.
- Belgrade should end its hostility to the UN authorities in Kosovo and establish constructive relations, including in northern Kosovo and in the Kosovo Assembly.
- The UN should revive its proposal for talks on practical issues, with a view to opening them this summer.

Let me offer a word on the role of the US Congress. The signals you send—by holding this hearing or by introducing H. Res. 11 and H. Res. 28—are heard loudly, but not always clearly, in Belgrade and Pristina. It would have been useful to have a Serb perspective at this hearing, because otherwise the intent of Congress—or at least of some members—may be misunderstood. I would urge you to clarify that Kosovo final status will not be decided on Capitol Hill but rather by the authorities in Pristina and Belgrade, who need to accept their responsibility to negotiate a solution that will enable both Albanians and Serbs to look forward to a much better future within Europe.

Some will say I am unrealistic, that Albanians and Serbs cannot even talk with one other, much less negotiate their own future, even with US and EU support. My experience says they can. I recently heard from a multiethnic group we trained in Kosovo three years ago at the request of the US Army—they have founded a professional organization and initiated an impressive range of multiethnic activities. USIP has conducted for more than a year and a half, with State Department support, dialogues among more than 100 young Serb and Kosovo Albanian political and civil society leaders. In addition to gaining better mutual understanding, they have embarked on joint efforts to encourage voting, counter organized crime and break the isolation of Serb enclaves in Kosovo. These young people—not the belligerent voices of their elders—are the future of Kosovo and the region. They merit our support and encouragement as we move ahead.

Chairman HYDE. Mr. O'Brien.

**STATEMENT OF JAMES O'BRIEN, THE ALBRIGHT GROUP,
FORMER SPECIAL PRESIDENTIAL ENVOY FOR THE BALKANS
AND SENIOR ADVISOR TO SECRETARY OF STATE MAD-
ELEINE ALBRIGHT**

Mr. O'BRIEN. Thank you Mr. Chairman, Mr. Lantos and the Committee for inviting me here and calling this hearing. I would like to extend my thanks to all of you for your work on the HIV, AIDS bill that will soon be signed into law. I think it is a great accomplishment, and I am proud to see America taking leadership on this important issue. I spent much of the summer of 1998 in Kosovo working to avert a war. My car would often have to pull to the side of the road as the Serb military sent more troops and paramilitary units throughout Kosovo.

We weren't able to stop that war, but we were able to see that the people of Kosovo were able to return to their homes in safety, to live under a government that they control and today they remain staunch friends of the United States and Milosevic is where he belongs, in prison in the Hague.

Now I want to offer some perspective from 1999 of what we thought we were doing and how. In 1999, the core of our policy was we were trying to promote America's security, prosperity and values. By having NATO forces throughout the Balkans, we prevented the region from becoming a staging ground for terrorists and organized criminals who could affect our allies. But that by itself wasn't enough, and so we sought to take a few additional steps. First we

wanted the people of Kosovo to be able to return home in safety and with basic human rights protected. A million Albanians from Kosovo were able to return home because of our intervention.

Secondly, we wanted to have Kosovars develop democratic self-government. Since that time, there have been a series of successful elections. The Kosovo government this year will get increasing control of governmental powers and by the end of the year, three quarters of the budget in Kosovo will be under the control of democratically elected officials. The institutions are becoming more and more effective.

Also, we wanted to make sure that the people of Kosovo had confidence that the gains they had made would not be taken away when U.S. Administrations changed. They need the confidence to know that America will stand by them. One of the ways we did that was by securing agreement by the European Union that this region would have a future as a part of Europe, that it would no longer be considered a hinterland on the margins of Europe.

We also locked in Security Council Resolution 1244, the guarantee that the people of Kosovo would have democratic self-government and that there would be a process that would lead to resolving a final status—a process that couldn't take away those core guarantees. That by itself set an important ratchet up from where the process was when this Congress began considering this issue in the late 1980s.

What is happening today, I think today people are asking the question of Kosovo that they ask of any other state when it comes time for it to consider its independence, a question of not only of the technical legal issues of its ability to govern itself, but also how sustainable and stable is its independence in its region.

To be honest, Mr. Chairman, the negotiations on Kosovo's final status have already begun. All sides are indicating that they are unhappy with the current situation. They are all staking maximalist positions for the start of negotiations. And they are all hoping to prod the other interested parties into making some early concessions as a premium for rapid action on the issue.

Now in this negotiating environment, the international community has actually done a smart thing. It has realized that it gains leverage from the timing of when we formally discuss the issue of Kosovo's final status. What Michael Steiner, who is a very talented diplomat, has done, is say I want to use that leverage. I want to see improvements on the ground in Kosovo before I am going to formally put this issue on the table. That is his leverage. We can debate whether that leverage is effective or whether it belongs there, but certainly it is the tool that he has got. And I think an issue for the Committee is whether to pursue right now with essentially removing that leverage by deciding that there is a deadline by which an issue is going to be decided or there is a particular result we want.

A major mistake we in the international community made through the 1990s was that we handicapped ourselves. We set deadlines or standards, then changed them as reward to those who were just trying to wait us out. And I think it is something we should not be doing to ourselves now. A particularly important issue in all this is that there be improvement in the treatment of

the non-Albanian population of Kosovo. I think the crimes against the Serbs, the inability of the Roma, the Egyptians, the Turks, others to return home are a real stain on what is otherwise a tremendous record of the people of Kosovo. That is an area where I would like to see improvement over the next year.

So this negotiation that we are discussing has already begun. We will see negotiation intensify as the institutions of Kosovo take on more responsibility over the next months. How do we get ready for the next stage? And here, Mr. Chairman, I think the important points are to lay out a few procedural steps forward. The first thing is the people of Kosovo, all the people of Kosovo need to know that it is their voice that will matter as they go forward, that their decisions won't be vetoed by some decision made at a great remove from them.

I urge the Committee, as Dan Serwer did, to be sure to hear from all the peoples of Kosovo, from every group as you go forward. I think it is also important to speak with the people of Serbia and Montenegro and the government there. If they see the final status of Kosovo decided by a process in which multiple voices are heard and in which there has been progress on the ground, then the issue of Kosovo's status will be a sustainable one, not one seen as a defeat for the people who pursue reform in Serbia.

Mr. Chairman, I will close with this point. The human drive for freedom, for the ability to declare one's own government, is something that doesn't yield nicely to diplomatic talk about leverage, perspective or balance in the region. There is a basic demand for human dignity by all the people who want to live in Kosovo today. What we are seeing in the next month are the opening stages of a delicate negotiation that will see that we are able to have this drive for freedom and a drive for dignity coexist in a region that has been hostile to one or the other for too long.

Chairman HYDE. Thank you.

Ms. DioGuardi.

[The prepared statement of Mr. O'Brien follows:]

PREPARED STATEMENT OF JAMES O'BRIEN, THE ALBRIGHT GROUP, FORMER SPECIAL PRESIDENTIAL ENVOY FOR THE BALKANS AND SENIOR ADVISOR TO SECRETARY OF STATE MADELEINE ALBRIGHT

Mr. Chairman, Representative Lantos, thank you very much for the opportunity to testify today concerning Kosovo.

I understand that others on the panel are focusing their remarks on the situation in Kosovo and the region today. My purpose is to offer perspective from the standpoint of one who participated in the making of US policy when the UN Security Council adopted Resolution 1244 in 1999.

At the time of the war over Kosovo I was a career civil servant and the Principal Deputy in the Office of Policy Planning at the State Department. I participated in shuttle diplomacy concerning Kosovo throughout 1998 and 1999. I was in the chateau at Rambouillet, where Kosovo's Albanians for the first time were given the opportunity to represent themselves in a negotiation about their future. I was one of the last American officials to leave Belgrade after a final round of peace talks failed in March 1999.

We sought to promote America's security, prosperity, and values. To do that, we believed—as every Administration since 1945 believed—that a Europe whole and free provided the best security, the best multiplier for our efforts, and the best promoter of our values.

UN Security Council Resolution 1244, adopted at the end of the war in Kosovo, was an important milestone on the journey to a Europe whole and free. NATO forces helped ensure the safety of our allies and Europe from a vacuum that could

have become a terrorist base in Europe. But we set broader goals for Kosovo as well, to lock in the gains. What were those goals ?

First, of course, we sought to ensure basic human rights for all. Negotiations to achieve that goal failed, so we ended Milosevic's oppression militarily. The war over Kosovo happened because Slobodan Milosevic chose atrocities rather than democracy. He prepared and launched a major campaign of ethnic cleansing in March 1999 rather than peacefully answer the legitimate grievances of the Kosovo Albanians.

Throughout Milosevic's ascendancy the people of Kosovo, especially the majority Albanian population, showed courage and tenacity. In the decade of Milosevic's oppression, they had built their own parallel government. They expressed themselves in elections they organized themselves, and they repeatedly spoke of their desire for democracy. This is a testament to their perseverance, bravery, and commitment to values shared with the United States.

The war in 1999 demonstrated America's power, both in terms of our military and our values. For the first time a war was won from the air alone. Almost one million Kosovar Albanians returned home. Milosevic's security forces withdrew.

Second, we sought democratic self-government for all the people of Kosovo. From the start of the shuttle diplomacy in the summer of 1998, American policy pursued an overriding aim: the people of Kosovo must be able to govern themselves in peace and in a democratic manner that respected the rights of each person who wished to live in Kosovo.

Third, we hoped to lay the foundations for regional stability by establishing a future for the region in Europe. In Kosovo, Resolution 1244 offered peace, self-government, and stability to a region long torn by the crash of empires, domination, and political oppression. By the summer of 1999, the European Union had acknowledged that Balkans had a future in Europe.

This was an historic moment, the scale of which may not be measured accurately until we have more distance. Until then, too often European statesmen treated the Balkans as an area on the periphery of Europe, as hinterlands just remote enough to be romantic but too distant to be neighbors. Seen that way, the Balkans could become a source of crime, even terrorism for all of Europe.

Today, however, the entire region is on a path that can lead it to membership in the EU and NATO, the institutions that define post-World War II Europe. This has unleashed European resources and leadership on a scale unimaginable when we negotiated the Dayton Agreement on Bosnia in 1995. Our European allies accounted for more than 80% of the military and civilian contributions in Kosovo.

We continued our work throughout the region. In 2000, democratic governments took office in Zagreb and Belgrade, ending regimes that threatened security throughout the region.

Fourth, we sought to give confidence to the Kosovo Albanians that the gains of 1999 could not be taken away from them. The people of Kosovo have deep historical experience of promises made and broken, of new issues seizing international attention, and of changes in governments elsewhere affecting their fate.

We did this with a UN Security Council Resolution. Resolution 1244 was personally crafted by foreign ministers, and the NATO-led military structure in Kosovo was assembled by defense ministers. These understandings are reflected in decisions of the UN Security Council.

This has been especially important in Kosovo. Since September 2001, America's attention has properly turned to direct threats against us. But the people of Kosovo know that the institutions and standards applied to them derive from an agreement among all interested countries and leaders. The standards applied in Kosovo have not changed as Administrations change or as new issues rose to the fore.

Resolution 1244 was not, however, intended to be the final word on Kosovo. It requires that the people of Kosovo assume control of their own government. It calls for further consideration of Kosovo's status.

The goal of encouraging democratic self-government in Kosovo is being met. Kosovo has had a series of successful, peaceful elections. It has democratic governments at the local and Kosovo-wide levels that are taking on more and more responsibilities of government. 2003 will be critical in this process. Kosovo has a large and ever more effective policy force that, for example, solves more than two-thirds of all murders.

But we have to acknowledge that the work in Kosovo is not done. Economic growth is slow. Cross-border, organized crime threatens all institutions. Kosovo's political parties seem stuck and have not developed a competition of ideas and policies. This creates a politic that is diverse but too often it is the thin whistling of slogans and posturing rather than substantive debate.

Above all, Kosovo under Resolution 1244 has failed to deliver the basic goal of safety for all people who want to live in Kosovo. Kosovo's Serbs in particular are subjected to cantonment, harassment, and violence. The murder of a Serb teacher by the so-called Albanian National Army is a disgrace and insults all who hold civilized standards. It is, sadly, only one of too many examples.

It is increasingly difficult to see that the question of Kosovo's status can remain unsettled. Kosovo Albanians, on the streets and among the leaders, favor independence almost to a person. Belgrade's political leaders argue that Kosovo has become a handy tool to whip up support for Serbian nationalists. Reformers in Belgrade argue that they cannot deliver reforms at home—while meeting strict international scrutiny on human rights—when the international community cannot provide basic human rights in Kosovo. Many are also aware that Kosovo is an economic burden.

But it is equally hard to see that Kosovo's status can be resolved well now. The options today are poor. A return to the past would inflame popular opinion and is simply inconceivable. Some urge a simple, quick severing of ties—independence for Kosovo, independence for Serbia. Today in Belgrade this would be seen as a defeat that would weaken Serbian leaders who have supported reform.

Others urge a grand bargain, but today this would leave those who make the deal open to charges of coercion or bribery. And some, following Milosevic, urge partition in Kosovo—but Kosovo would bleed at the torn edge.

We need, Mr. Chairman, to create a wider set of options and greater comfort among those who will live with the consequence of this decision. That process is underway, and it should not be tied to specific deadlines; nor can the precise outcome or process be decided now. There is real work to be done in the region, and it will require hard choices by political leaders willing, in many cases, to deliver tough messages to their own constituencies. The international community will have a crucial role to play in clarifying which issues must be addressed—in the case of Kosovo, especially the ability of Serbs to live there safely and freely—and in supporting leaders willing to make hard choices.

What we know about processes like these is that deadlines or premature decisions strip the international community of leverage. When the international community sets a time it is leaving or defines the outcome it will accept, hardliners on all sides prop the exit door open and wait to usher us out. Constructive voices are drowned out and driven from the debate.

What can happen now are talks that will shape the decisions on status. Michael Steiner, the talented German diplomat who serves at the head of the UN Mission has called for talks between Pristina and Belgrade this year on issues other than status. These practical issues, of travel, governmental cooperation, and other issues, will shape the agenda for status discussions.

Also, there must be discussions among all those with an interest in Kosovo. First and foremost, the people of Kosovo themselves of course must be able to speak. There should be an assurance that their voice will not be vetoed by decisions elsewhere, but there cannot be a guarantee that only one voice will be heard. The dialogue must include all the people who want to live in Kosovo, and I hope the Committee, as it considers this issue, will hear from representatives of all communities in Kosovo, including Serbs, Roma, Turks, Egyptians, and others.

The people of Serbia and Montenegro will ask for the opportunity to speak about a territory that the Security Council has said is part of their country. The governments of Kosovo's neighbors need to participate in a process. The non-status discussions encouraged by the UN Mission are a good start in those discussions. If the citizens of Serbia and Montenegro feel that an agreement is achieved through talks and negotiations—not outside pressure—that may help lay the ground for popular acceptance of a solution. This, in turn, will be a sharp departure with the past.

Perhaps more importantly, the European Union will have an ever louder voice about governing arrangements throughout the Balkans. The future of the Balkans hinges on its becoming a part of Europe's economic network. As the EU looks at the Balkans, some competencies will be sent to the local governments, others raised to regional or European jurisdictions. Europe's own internal governing arrangements are evolving, and Europe's voice will change over time.

At Rambouillet, the Kosovo Albanians acknowledged the complexities of the process by which Kosovo's future would be decided. They demanded that the "will of the people" be considered but agreed that it would not be the sole factor. In other words, they wanted a referendum but agreed that the referendum would be only one factor in an international process that be shaped over several years.

This provision of Rambouillet, referred to in paragraph 11(e) of Resolution 1244, does not give the answer. It does, however, lay out the range of elements that need to be part of any answer. We are entering a period in which the international community and the people of Kosovo can shape the process that will decide Kosovo's

final status. It is important that those responsible for it use the non-status discussions to build confidence between the parties and open space in which Kosovo's status can be resolved.

Mr. Chairman, the human drive for freedom, fueled by fear for security, is too strong to be denied by abstractions and too important to be put off by diplomatic appeals to security, balance, and perspective. Our respect for human dignity also compels the international community to remain engaged in Kosovo so that everyone who wants to live there will be able to live in a democracy that respects their rights.

Four years ago the international community made a promise, in the form of Security Council Resolution 1244, that the people of Kosovo would be able to govern themselves in safety and with respect for all their rights. The people of Kosovo who want more have the security of knowing that the ratchet will not turn back, that they will not lose those basic rights. But the international community has not yet kept its promise. Some who want to live in Kosovo cannot do so safely, and the region is starting an historic journey toward Europe. The international community must stay engaged, with every tool it has, to encourage the right result.

**STATEMENT OF SHIRLEY CLOYES DIOGUARDI, BALKAN
AFFAIRS ADVISER, ALBANIAN AMERICAN CIVIC LEAGUE**

Ms. CLOYES DIOGUARDI. Thank you, Mr. Chairman. I want to thank Chairman Hyde and Congressman Lantos for your leadership in calling this hearing and both of you for introducing H. Res. 28. I address this body today with the same convictions I had 10 years ago when I decided to devote myself to helping to resolve the Balkan conflict; namely that the United States shares a moral imperative with the world after the Nazi Holocaust to prevent the resurgence of fascism and ultranationalism in the heart of Europe, and that it is in the vital interest of the United States to further peace and democracy in the context of a united Europe.

My position and the position of the Albanian American Civic League is that there will be no lasting peace and stability in the Balkans until the Albanian dimension of the conflict is resolved, and that begins, first and foremost, with recognizing the independence of Kosova. Until that happens, I believe that we are going to continue to recycle the failed foreign policy of the past—risking renewed conflict in the region at a time when we can least afford to face it—with a full blown crisis in the Middle East, the turmoil in Iraq and Afghanistan, etcetera.

My point of departure for evaluating United States foreign policy in the Balkans is its impact on the reality that Albanians have faced for 125 years, and that reality is arrest, torture, imprisonment, occupation, ethnic cleansing, forced expulsion and genocide. This is the reality that has been repeatedly obscured and concealed first when the Great Powers carved up Albanian lands after the Balkan wars in 1913, then through 4 decades of communism, finally leading to the rise of Slobodan Milosevic, who, we all know, rose to power on the backs of Albanians and Bosnians through racism. When all is said and done, the United States and Europe stood and sat by and watched while Milosevic occupied Kosova and waged 4 years of aggression in the Balkans and committed genocide, slaughtering more than 300,000 people, displacing 4 million.

And I believe the United States never intended to intervene in Kosova. It was finally forced to, in one year when the Kosova Liberation Army rose up to defend the innocent citizens of Kosova and our own diplomatic maneuverings failed. Once the Clinton Administration decided to lead NATO against the Serbian military and paramilitary death squads, we proclaimed the doctrine of humani-

tarian intervention. And for a short period of time, as the world watched Albanians shot, put on cattle cars and thrown out of their homeland and packed into squalid refugee camps, the century-long reality of Albanians came into the international spotlight.

But the spotlight has dimmed, and it dimmed right after the war ended when the Serbian propaganda machine kicked in, and Kosova as a not-yet-sovereign entity under the control of the U.N. Security Council had no control over the process. I believe that Albanians in post-war Kosova are back to exactly where they were in 1913, at the mercy of external powers, this time the United States, as well as Russia and Europe, and they are wrongly being depicted by Serbia, the originator of the genocide, as the principal source of violence in the Balkans and wrongly as a threat to regional stability.

I hope that your Committee will ask the main question which, for me (and which Dana Rohrabacher raised), is: Why is U.S. foreign policy focused on the oppressors? Why is it so Belgrade centered? And why are we refusing to confront what I believe is the main issue, which is the need to de-Nazify and democratize Serbia? I am aware that there were many Serbs that were part of an opposition, an opposition that we did not help for a long time, and who are anti-racist, but this has been the issue since Milosevic came to power. And it can no longer be concealed in the wake of Zoran Djindjic's assassination, which was the result of a massive and longstanding collusion in Serbia between war criminals, organized crime and the ruling establishment.

I believe this is the main question. And there are others that I set forth in my statement for the record. But there is one underlying answer to all of these questions that I think we should also look at, and that is that the United States and Europe have continued to operate according to Belgrade-engineered myths about the Serbian-Albanian conflict that serve to demonize Albanians and rationalize their destruction.

The primary myth is that Albanians are a violent, potentially fundamentalist Muslim force in the heart of Europe. This myth enabled Europe to stay neutral during the Milosevic wars. It has enabled us to take a back seat to Europe, which doesn't want to take responsibility for complicity in Milosevic's wars. That is why we are constantly hearing about parity between the victims and the perpetrators. I think the U.S. Government has found it all too easy to accept this myth and not look at the legacy of Serbs, Macedonians and Montenegrins in the region and Albanians who never waged wars of aggression.

And I think the tragedy now in post-war Kosova is that the anti-Albanian propaganda machine is, to some extent, succeeding in establishing a false parity between state-sponsored terrorism by Serbia and individual acts by psychologically shattered Albanians after the war and a few who have entered some of the shadowy extremist groups. The reality is that Albanians fear being put back under Serbian domination. They fear being killed again.

Now we have all talked a lot today about standards before status. This is the mantra of the State Department. It is the mantra of almost every government and multilateral institution. I believe that this mantra perpetrates the myth in a new guise. It has less

to do with democracy building than it does with Europe's desire to postpone final status.

I agree with Congressman Lantos' statement on this point and with Chairman Hyde, who on December 20 said that,

“Standards before status is a cart-before-the-horse approach. That with 70 percent of the people in Kosova under the age of 30, and at least 60 percent unemployed, you will have another Gaza Strip, this time in the heart of Europe. There will be no jobs without peace and stability, but there will be no peace and stability without independence.”

If Kosova is to thrive, it has to be part of the Stability Pact. It has to have International Monetary Fund and World Bank lending. So if we delay this, we are only undermining our own interests, the political and economic viability and stability of the region. Kosova, in fact, will be turned into a dumping ground for organized crime.

And then there are two other mantras I won't go into at length, but they are related. Kosova is a multiethnic society and we must have the return of a substantial number of Serbs. Kosova is not a multiethnic society. It is 95 percent Albanian with minority groups—Serbs, Bosniaks, Turks, Roma, Ashkali. By the way, I want to add, many of whom are integrated into the society. And what we should be focusing on is the respect for the rule of law and protection and respect for minority rights. But too often the cry for multiethnicity has nothing to do with concern about these rights. It has to do with blocking—Belgrade's blocking—the integration of Kosovar Serbs into Kosova and also in the final instance calling for, wanting partition, wanting a rationalization for partition or the return of Serbs—I mean, of Kosovar Albanians under Serbian domination.

And by the way for the record, with your permission, Mr. Chairman, I would like to submit a statement from Bob Churcher who works for the British Foreign Ministry, formerly head of the International Crisis Group in Prishtina on this very issue. His contention is that most Serbs will actually not return except to sell their homes and leave, and that there is no discussion of, I would add, the reciprocal return of Albanians to their homes in the north and Serbs to their homes in the south.

Chairman HYDE. Without objection the letter will be received and made a part of the record.

[The information referred to follows:]



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The Solution for Kosova: Independence

Kosova has been under UN administration since it was freed from Serb domination by the NATO intervention of 1999, following the widespread massacres of many resident Kosovar Albanians by Serb paramilitaries, and the expulsion of almost a million Kosovar Albanians by Serbian forces. The subsequent UN administration has, by UN standards, been reasonably effective, but it is not a long-term solution. There is no clear rule of law and no stability. This will only come when Kosovars rule themselves. The cry of the United Nations and Europe has been "standards before status". This has really been interpreted as more rights for the remaining Serbs in the province. However, this is unlikely to happen yet when those Serbs were recently both dictators and oppressors, and might well be so again if the province is returned to Serbian rule. People can only feel comfortable with minorities if they are sure the minority, in this case the Kosovo Serbs, are not going to be given the government of Kosova again.

Equally Kosova cannot develop a rule of law, or an economy, when there is no certainty under the UN about what law or status it will have in the future. How can anyone be a judge or a police chief if they do not know what law will be applicable in the future, or even what State they will be working for. Status, in other words independence, is the key to standards – only states can have standards, since only states can be sure of their future and who will rule them.

It is often forgotten that the rise of Milosevic started with his speeches in favour of returning to extreme Serbian nationalist solutions, which were given in Kosova in 1989. It is equally easy to forget that the break-up of Yugoslavia started when Milosevic used force to abolish the Kosova Parliament. This caused both Slovenia and Croatia to take note and to start moves to leave the then Yugoslav Federation.

Kosova speaks a different language from Serbia, being more than 90 percent inhabited by ethnic Albanians¹. The territory which is now called Kosova was taken over by Serbia in 1913, and it has been a continual problem for Serbs, rebelling over and over against Serb domination and land confiscations, in the

¹ Serbs of course claim that Kosova was Serbian dominated 700 hundred years ago. This is very questionable, but of what relevance is what may or may not have been 700 years ago. What matters is who votes for what today.

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1920s, 1940s, and now again in the 1980s and 1990s. The sensible way to solve this problem is to make Kosova independent, perhaps albeit with strong safeguards for minority rights.

More intelligent and less nationalist Serbs have always recognised that holding Kosova was an expensive and pointless exercise. The great majority of Kosovar Albanian inhabitants simply do not want to be ruled by Serbs, and have particularly difficult and unpleasant memories of the injustice and brutality of Serbian government. The solution is obvious, let the Kosovars rule themselves.

The problem with the obvious solution, independence for Kosova, largely revolves around European objections to it. Most European countries are believers in the idea of one large state in the Balkans (i.e., Yugoslavia) somehow creating stability in the Balkans, although the experience of the last ten years should have ruled against this. Equally most European states are against the creation of new states in Europe, in some cases because they are afraid that their own minorities will wish to separate. Others think that Kosova will be too small to be viable or may develop into a criminal state. [The example of the criminality of the Serbian state itself, with its ability to use state organisations to murder Presidents and Prime Ministers, should rule against this last argument.] Another objection is that an independent Kosova might encourage the Albanian population of Macedonia to secede [FYROM remains a completely unstable state], although the present lack of status for Kosovars would appear to be more likely to encourage other separated Albanian populations to try to join with it. A defined status for Kosova would seem to be capable of settling this issue if properly framed.

Another problem is that some countries in Europe, especially France and UK, Greece and perhaps Italy, see Serbia, or rather some reconstituted Yugoslavia, as some wonderful future financial opportunity for some reason. They forget that the only financial resources Belgrade ever had came from skimming off taxation and contributions from the massive loans the West used to keep Yugoslavia afloat during the Cold War. It was the financial collapse of Yugoslavia that caused its break-up, as both the cold war and the loans ceased, and Belgrade tried to grab many more resources for Serbia from a rapidly diminishing pot. As is only too apparent to both Serbs and present day donors, there is no real Serbian economy at all.

There are other problems. The north of Kosova, now often known as Mitrovica, has become inhabited by a Serbian majority, and most of those people would very much like to remain under the rule of Belgrade. Equally, an area of southern Serbia inhabited by Albanians, now known commonly as Presheva, and previously part of Kosova, voted overwhelmingly in 1990 to re-join Kosova. There might seem to be an obvious solution, by exchange, of creating two real states, Serbia and Kosova, where people actually want to live together, but Europe is of course utterly against any form of border changes, even by mutual agreement. It has gone so far as to use enormous pressure and threats to keep Serbia and Montenegro together, despite it now

being obvious that there is a majority of Montenegrins who wish to separate, and quite a number of Serbs who would be happy to see them go.

The advantage of creating two states is that once confident in their own existence, and removed of the nationalist desire to rule others², they might well wish to develop cross border agreements, and ultimately proceed to reform under the pressure of a desire to join a border-less Europe.

A final problem that should be mentioned is the question of the return of Serbs to Kosova. This would of course best be done in the context of a defined status for Kosova, in which fears of domination by a Serb minority had been removed. However, some aspects of this issue of returns are not widely understood. The United States has given very large sums of money to facilitate this, and yet it remains questionable how many Serbs will wish to return. UNHCR is alleged to have registered 250,000 people who have been displaced from Kosova. UN agencies are of course well known for greatly exaggerating numbers elsewhere in the world, since more numbers mean more resources and more money for the UN. In Serbia, however, the numbers are slightly easier. There are widely thought to be around 70,000 to 100,000 Serbs left in Kosovo. The 1991 census, which Albanians boycotted, and may be assumed to have had an interest in exaggerating the numbers of Serbs in Kosovo, recorded around 200,000. Given the fact that Serbs, especially rural Serbs, were leaving Kosovo for factory or city jobs in Serbia proper over the last decades, the figures simply don't add up. The numbers are simply Belgrade propaganda, accepted by both Europe and USAID for political reasons.

Regrettably, given the under investment in Kosova under Serbian rule, and the lack of status there is today little or no viable economy in Kosova. With no status, there is no knowledge of what will be the future law on taxation or business regulation and consequently no investor confidence. As a result, there are no jobs, either for Kosova Albanians or Serbs. Most Serbs who are thinking of returning are planning to coming back to get grants to rebuild their houses in order to sell up and leave. Those who remain are the social cases.

The solution is clear: In the end an independent Kosova, with clear laws and a defined investment climate will be the best solution for both the Kosovars and the Serbs. With status will come defined laws, investment, and progress for both ethnicities. To achieve this, however, help will be needed from the United States. Unfortunately Europe is still a region where the solution is that of inertia, that of the lowest common denominator, and regrettably to me as a "Britisher" it will require the vision of the United States to drive a solution. Without this impetus none of us will find a way out of the Balkans, since the present mess is simply not sustainable.

² Both states would of course still have minorities, but these would be discrete or dispersed minorities, rather than large geographically compact areas of one people being ruled by another. It should be possible to develop mechanisms to safeguard the rights of minorities in both Kosova and Serbia, once those minorities were no longer so large as to threaten the very existence of the state.

Ms. CLOYES DIOGUARDI. There is a reason we don't have that discussion because of the concern that all Albanians have which is that Albanians need the U.S. Government—yes, they need a clear signal, but that clear signal to me and to the Civic League is that they need to know that they will be granted independence, that their legitimate fears of genocide will be put to an end. And contrary to what the State Department has said today, I believe the American endgame is not that, and I wish they would come out and say it. It is granting Kosova “substantial autonomy” under Serbia, an act that would simply reinforce the Western European economic and political ties to Belgrade that have been cemented for more than a century in anti-Albanian racism and with anti-Albanian blood.

Chairman HYDE. Could you conclude?

Ms. CLOYES DIOGUARDI. I will conclude my remarks. The strategy of continuing to prolong the life of a doomed Yugoslav federation will not work. Montenegro, as we know, is going to go independent. The key to lasting peace and stability in Southeast Europe is an independent Kosova secure in its own borders and able to accept its minority groups without viewing them as some kind of Trojan horse. Thank you very much, Mr. Chairman.

[The prepared statement of Ms. DioGuardi follows:]

PREPARED STATEMENT OF SHIRLEY CLOYES DIOGUARDI, BALKAN AFFAIRS ADVISER,
ALBANIAN AMERICAN CIVIC LEAGUE

Mr. Chairman, I want to begin by thanking you and Congressman Lantos for your leadership in holding this hearing and for the opportunity to speak here today.

I address this body as I am about to make to my tenth trip to postwar Kosova and with the same convictions that led me almost a decade ago to devote myself to working to resolve the Balkan conflict; namely that the United States shares a moral imperative with the world after the Nazi Holocaust to prevent the resurgence of fascism and ultranationalism in the heart of Europe, and that it is in the vital interests of the United States to further peace and democracy in the context of a united Europe. As Senator Joe Biden, the ranking Democrat on the Senate Foreign Relations Committee, stated in a speech to the Albanian American Civic League's Illinois Chapter last September, “the naked self-interest of the United States rests on the 21st century beginning with a whole, undivided, and unified, Europe,” because every time Europe plunges into chaos “our sons and daughters die, our economy falters, and we pay the price.” He added that the fate of seven million Albanians in the Balkans is also “critical to our naked self-interest. If the “ethnic legitimacy of the Albanian people is not recognized and protected,” Biden said, “all of the pieces in the region will fall apart, and if we do not stabilize the Balkans, we will pay dearly.”

I believe that there will be no lasting peace and stability in Southeast Europe apart from resolving the Albanian dimension of the Balkan conflict, which begins first and foremost with recognizing the independence of Kosova. Until such time as our government affirms Kosova's right to self-determination and independence, I believe that we will continue to recycle the failed foreign policy of the past at our peril—risking renewed conflict in the Balkans at a time when we can least afford such an outcome amid a full-blown crisis in the Middle East, dangerous instability in Iraq and Afghanistan, and the threat of a nuclear North Korea.

My point of departure for evaluating U.S. foreign policy in the Balkans is its impact on the reality that Albanians have faced for 125 years—namely, arrest, torture, imprisonment, occupation, ethnic cleansing, mass expulsion, and genocide at the hands of hostile Slavic regimes. This reality was obscured and concealed by the so-called “Great Powers” of Austria-Hungary, Britain, Germany, France, Italy, and Russia, when they began carving up Albanian lands at the Conference of London in December 1912—a process that was formalized at the end of the Balkan wars in 1913 and left the Albanians artificially divided in six jurisdictions.

This reality was completely submerged through four decades of Communist rule in the post-World War II era, which subsequently led to the reign of Serbian dictator, now indicted war criminal Slobodan Milosevic. As we know, Milosevic rose to

power on the backs of anti-Albanian and anti-Bosnian Muslim racism. Although President George Herbert Walker Bush stands out for sending his famous “Christmas warning” letter to Milosevic in December 1992, admonishing him that the United States would use military force against Serbia in the event that it produced a conflict in Kosova,” Milosevic was allowed to wield state-sponsored terrorism against non-Serbs for a decade because the U.S. government pursued a policy of appeasement and containment through the Bush and Clinton administrations.

Both the war in Bosnia from 1992 to 1995 and the occupation of Kosova from 1989 to 1999 were met with much diplomatic hand-wringing, finger-wagging, and shuttle diplomacy on the part of the U.S. government and the European Union. When all is said and done, the West essentially watched and waited while Milosevic occupied Kosova, waged four wars of aggression in the Balkans, and committed genocide against Bosnian Muslims and Albanians, slaughtering more than 300,000 men, women, and children in the Balkans and displacing four million before NATO finally intervened in March 1999.

I believe that the U.S. government never intended to intervene in Kosova. It was simply forced to in the space of one year after the Kosova Liberation Army rose up to defend the Albanian people from persecution and death at the hands of the Serbian military, after the bogus October agreement between Slobodan Milosevic and then U.S. Balkans Envoy Richard Holbrooke gave way to the Racak massacre of innocent Albanian civilians that shocked the world, and after the subsequent Rambouillet peace talks collapsed because Milosevic, unsurprisingly to any Albanian or Bosnian, opted for war over peace.

However, once the Clinton administration decided that it would launch NATO airstrikes against the Serbian military and paramilitary death squads in Kosova, a new doctrine of “humanitarian intervention” was proclaimed. For a short period of time—while the world witnessed Kosovar Albanians shot to death, forcibly deported from their homeland in cattle cars, and packed into squalid refugee camps by the thousands on the Macedonian and Albanian borders—the century-long Albanian reality of arrest, torture, imprisonment, occupation, ethnic cleansing, mass expulsion, and genocide in the heart of Europe was catapulted into the international spotlight.

But the spotlight dimmed soon after the war ended, when the Serbian propaganda machine kicked in, with its huge advantage over a not-yet-sovereign Kosova, a Kosova under the control of the UN Security Council, which includes three staunchly pro-Serb nations (France, Russia, and China) among its permanent members. Albanians in postwar Kosova are now back to where they were in 1913, at the mercy of external powers, this time the United States as well as Europe and Russia, and wrongly depicted by Serbia, the originator of the genocide, as the principal source of violence in the Balkans and threat to regional stability. I think that this hearing is the appropriate place to ask ourselves why—after Serbia brutally and illegally occupied Kosova for a decade, exterminated thousands of Bosnians and Kosovar Albanians, and forcibly expelled millions more—is U.S. foreign policy still Belgrade-centered? Why are we refusing to confront the main issue—which is the need to de-Nazify and democratize Serbia? This has been the issue ever since Milosevic came to power, and it can no longer be concealed in the wake of the tragic assassination of former Prime Minister Zoran Djindjic, which was the result of a massive and longstanding collusion in Serbia between war criminals, organized crime, and the ruling establishment.

I believe that this hearing is also the appropriate place to ask a number of other interrelated questions: Why did the United States allow Milosevic to occupy Kosova and then try to kill and expel the Albanian majority there in the first place, a population that was committed to nonviolence until it was forced to defend itself and remains to this day deeply pro-American? Why did we make Milosevic, one of the worst war criminals in the modern era, into a peacemaker at the Dayton Accords in 1995, assenting to his wish to keep the Albanian issue out of the negotiations and awarding him a near-sovereign territory in the form of Republika Srpska in exchange for his signature to end the war in Bosnia? Why did we support the Kosova Liberation Army during the war in 1999 and then in the postwar period join Western Europe in branding the liberators as “terrorists?” And, finally, why, after acknowledging the lessons that we had supposedly learned from our deadly waiting game in Bosnia and our near-fatal delay Kosova, are we endangering the postwar reconstruction of Kosova? By our actions and our inaction, why are we leaving Kosova in a social, economic, and political limbo and risking war in the process?

I believe that there is one, underlying answer to all of the questions that we should ask ourselves today—namely, that the United States and Europe have operated and continue to operate according to Belgrade-engineered myths about the Serbian-Albanian conflict that serve to demonize Albanians and rationalize their destruction. The primary myth—that Albanians are a violent, potentially fundamen-

talist, Muslim force in the heart of Europe-enabled Europe to remain “neutral” during the Milosevic’s genocidal wars. This myth allowed the United States to write off the Balkans for years as unimportant to our vital interests so that we would not have to put American lives at risk. This myth now enables us to justify taking a backseat to Europe in the region’s future—a Europe that does not want to take responsibility for its complicity in Milosevic’s wars against Bosnians and Kosovar Albanians, a Europe that erroneously thinks that Serbia holds out the promise of riches (when the breakup of the former Yugoslavia was triggered by its financial collapse), a Europe that fears the specter of a “Greater Albania,” when the only hegemonic force in the Balkans has been the quest for “Greater Serbia,” and a Europe that believes that completing the dissolution of the former Yugoslavia through an independent Kosova will somehow set a precedent for other self-determination movements that it is not prepared to recognize.

The U.S. government has found it all too easy to accept the myth that Albanians, not Serbs and Macedonians, are the perpetrators of violence in Southeast Europe, even though Albanians have never waged wars of aggression in Europe. Sadly, part of the Bush administration has accepted the myth that the Kosova Liberation Army is a terrorist group. In reality, UCK was a people’s defense force that rose up to defend innocent Albanian civilians against the Serbian army, the largest military power next to Russia in the former East Bloc. The greatest tragedy now, in postwar Kosova is that the anti-Albanian propaganda machine, led by Serbian Deputy President Nebojsa Covic is succeeding in creating a false parity between Serbian state-sponsored terrorism, which left thousands of Albanians dead and millions displaced, and individual acts of revenge by psychologically shattered Albanians after the war, as well as acts of violence by some Albanians who have joined the ranks of organized criminal syndicates and shadowy extremist groups. In reality, you will be hard pressed to hear Kosovar Albanians talking about wanting to kill Serbs. But you *will* hear Kosovar Albanians talking about Serbs wanting to kill *them*. You will find an Albanian population filled with fear about being placed back under Serbian domination. You will also hear Kosovar Albanians, as well as Albanians around the world, asserting correctly that Slobodan Milosevic is in The Hague today *not* because he tried to exterminate Albanians and Bosnians, but because he *failed* to do so, and hence was rejected by his people.

Sadly, part of our government has found it all too easy to accept the myth that Albanians are Muslims, even fundamentalists, who pose a threat to Christian Europe. In reality, they are secular Muslims, Roman Catholics, and Orthodox Christians who have lived together harmoniously for centuries. Finally, part of our government has been all too willing to embrace the myth that Serbia is a democratic society. But, as we now know, Belgrade was for months busy selling weapons to Iraq, has refused for years to turn over indicted war criminals to The Hague, was jubilant on 9/11, and is closer to a gangster society than a newly minted democracy. By the way, I say this in full awareness that there is a courageous, anti-racist and anti-war opposition in Serbia that the West failed to support for years until it was convenient to do so. Nevertheless, progressive Serbs are currently in the minority, and it is time for the U.S. government to recognize that Albanians in the aggregate are the western-oriented, democratic force in Central Europe.

In response to Kosova’s call for independence, the UN Security Council has called for “standards before status.” “Standards before status” has become the mantra of almost every government, every multilateral institution, and every international NGO. It has even become the mantra of one of Kosova’s leading political parties. But this mantra simply perpetuates the myth in a new guise. It has less to do with democracy building than it does with Europe’s desire to postpone final status resolution in Kosova. Biden said in introducing his resolution on “Self-Determination for Kosova” floor on May 15 that, “Some argue that foreign capital is hesitant to invest in Kosova as long as its future political status remains undefined.” He believes, however, that “this line of argument confuses cause and effect” and that “Kosova’s final status remains in limbo because conditions on the ground there do not yet allow the international community to allow a final status to be chosen.”

I respectfully disagree with the esteemed Senator from Delaware and concur instead with you, Mr. Chairman, when you stated on December 20 that, “The ‘standards before status’ approach of our State Department and of UNMIK is a cart-before-the-horse attitude” and that, with 70 percent of the population under the age of thirty and more than 60 percent unemployed, “we are paving the way for another Gaza Strip, this time in the middle of Europe.” You rightly concluded, in my opinion, that “there will be no jobs without peace and stability, but there will be no peace and stability without an independent Kosova.”

It is becoming increasingly impossible to meet most of the “standards” that the UN Security Council has set forth for Kosova without a resolution of final status.

Foreign investors simply will not bring their businesses to Kosova (which has a young, highly educated, and motivated workforce) if, in the absence of sovereignty, no one can legally buy or sell “state property” and if, as a result, corruption and organized crime are allowed to flourish. If you go to postwar Kosova today, you will also find a society that is in the main highly educated, multilingual, hard-working, entrepreneurial, and motivated by a strong cultural identity and hope for the future in spite of the wounds of war. Kosovar Albanians do not want to remain dependent on foreign aid, which is quickly dwindling in any case. But if Kosova is to thrive, it must be integrated into the Stability Pact and given access to the World Bank and the International Monetary Fund. There will be no large injections of capital from Europe and the United States until Kosova is a sovereign state. Therefore, delaying final status is a recipe for undermining the economic and political viability of the region. It will turn Kosova into a dumping ground for organized crime and inferior products emanating from other states.

In addition to “standards before status, there are two other mantras that the international community has used to postpone final status resolution. These are the demand that Kosova must first become a “multiethnic state” and that it must guarantee the return of substantial number of Serbs who fled or were driven out at the end of the war. Kosova is not a multiethnic society; it is close to 95 percent Albanian with minority populations of Serbs, Bosniaks, Roma, Ashkali, and Turks. The international community should be focused on establishing the rule of law and respect for and protection of minority rights. To some extent it has succeeded, through admirable work by local NGOs such as the Council for the Defense of Human Rights and Freedoms and U.S. government agencies, such as USAID.

But the cry for “multiethnicity” and “Serb returns” has too often been a propaganda tool used by Serbia to block the integration of the Kosovar Serb minority into a majority Kosovar Albanian state. Nebojsa Covic gave an interview in Serbia’s *Beta* in the fall of 2001, in which he said that there “could be no solution until the international community deals with the issue of the violence, terrorism, and ethnic cleansing visited on the Serb community in Kosova.” In casting the Kosova Serbs primarily as victims of Albanians violence, he asks the world to forget what Serbia did in Kosova, to look the other way as he and his colleagues in Belgrade work to destabilize Kosova and to make the de facto partition of Mitrovice and northern Kosova a permanent reality.

Belgrade continues to inflate the number of Serbs who were in Kosova to begin with and who now want to return. Most of young and able-bodied Kosovar Serbs do not want to return except to get grants to rebuild their houses, sell them, and then leave for good. On this point, I am submitting, for the Record, with your permission, Mr. Chairman, an excellent statement from Bob Churcher, former head of the International Crisis Group Office in Prishtina and currently a consultant to the British Foreign Office. Meanwhile Belgrade and its allies are mute on the need for reciprocal returns of Serbs to their homes in the south and Albanians to their homes in the north of Mitrovice. There is a reason for this. The ultimate goal of those who make Kosova’s future contingent on the return of Serb refugees is *not* making respect for the human and civil rights of Serbs and for the rule of law the order of the day, but in partitioning Kosova along ethnic lines or giving it “substantial autonomy” under “Serbia and Montenegro.”

The Kosova parliament and the Albanian people are not against the return of Serbs, but they need assurance from the international community, led by the United States, that independence will be granted in order to surmount their legitimate fears of the renewal of Serbian state-sponsored terrorism. But I do not believe that the Bush administration is prepared to give their assurance. On the contrary, I believe that the American endgame is “granting” Kosova “substantial autonomy” under Serbia, an act that would simply reinforce Western European economic and political ties to Belgrade that have been cemented with more than a century of anti-Albanian racism and with Albanian blood.

Mr. Chairman, this strategy of continuing to prolong the life a doomed Yugoslav federation, will not work. Now that Montenegro (with only 650,000 people compared to Kosova’s two million) has announced its intention to vote for independence in a national referendum in 2005, and the international community has accepted this, the argument that granting Kosova its independence will lead to chaos in the Balkans will not hold up. The key to lasting peace and stability in Southeast Europe is an independent Kosova, secure within its own borders, and able to accept its minority groups—without viewing them as some sort of Trojan horse. Mr. Chairman, the key to accomplishing this is sustained American engagement in the Balkans and willingness to make clear to Western Europe that Kosova’s independence is the only way to prevent renewed war in the region.

Chairman HYDE. Ambassador Walker.

**STATEMENT OF THE HONORABLE WILLIAM WALKER, FORMER
AMBASSADOR AND FORMER DIRECTOR, OSCE KOSOVO
VERIFICATION MISSION**

Mr. WALKER. Mr. Chairman, Mr. Lantos many thanks for the opportunity to appear before the Committee this afternoon. I want to stress at the outside that despite the title up in front of me here, I appear as a private citizen, but one with perhaps the unique experience of having led two international missions in the Balkans just prior to my 2001 retirement from that much maligned institution this afternoon, the State Department.

The question before us is the future status of Kosovo. I am a firm advocate of full independence now or as soon as humanly possible to attain. I realize this is easy to say, much less possible to accomplish, but let me state my case. First to continue to view Kosovo as a nondetachable part of what little remains of the former Yugoslavia, however that relationship might be constructed in terms of local autonomy is, in my opinion, a recipe for disaster. The citizens of Slovenia, Croatia, Macedonia and Bosnia all wanted out from under the Belgrade dominance and they achieved it. Why not the citizens of Kosovo?

Belgrade, in my opinion had more than ample opportunity during the 1990s and for many decades before to demonstrate by its methods of governance what the Albanian Muslim majority population in Kosovo could expect under its control. And Belgrade totally missed its chance. As head of the OSCE's Kosovo verification mission from 1998 to 1999 which, as was mentioned earlier, was the first international presence that Milosevic allowed to enter and observe in Kosovo, I and 1,400 other international observers witnessed the final 8 months of Belgrade's governance. And that governance consisted of brutal repression, of unadulterated racism, a denial of the most basic civil and human rights to the Albanian majority.

It fostered hatred, ethnic strife and violence whenever that suited the regime's needs. As I testified as recently as a few months ago before the War Crimes Tribunal in the Hague, I would state as a witness for the prosecution, that was precisely the policy that was carried out by Milosevic and his henchmen. And sad to say, I believe it is an attitude that still resonates and has advocates in today's Belgrade. I for one am not confident that the present Serb leadership fully learned the lessons of the Milosevic years, that is, if you wanted people to belong to your nation, you do not do everything possible to humiliate, to repress and to exterminate them.

In my opinion, any attempt by the international community to reconnect Kosovo with Serbia, however thin that connection, however loose the federation, however ample the conditions of autonomy, stands no chance of success. And to do so would only bring far greater risk of renewed ethnic conflict. Three years of working with Kosovars convinced me that the vast majority of the values, the aspirations and the attitudes expressed here this afternoon in this Chamber are shared by them. They want employment; they want decent living conditions; they want freedom from crime and violence; they want the rule of law and opportunities for their chil-

dren and they want that all in a Democratic western style, open and tolerant society.

I personally believe that the Clinton Administration made a mistake in the aftermath of NATO's liberation of Kosovo by ceding to the United Nations the pro consul role in Kosovo. Being the pro consul is an intoxicating role to play. I know. I was the American pro consul in El Salvador for 3½ years as the United States tried to mentor to push the government of another small war-torn nation toward peace, democracy and reconciliation.

As you mentioned, I was later a U.N. proconsul in Eastern Slavonia, Croatia as the Special Representative of the Secretary General administering a large United Nations peacekeeping mission, protecting, in that case, a Serb enclave from Zagreb. Believe me, once that sort of power is obtained, once that authority is put in your hands, it is extremely hard to relinquish. For some it is intoxicating, for others, I am afraid, it is lucrative. There are four possible paths or strategies that might be pursued to move Kosovo toward final status.

Congressman Engel mentioned three. I vote four. The first would be reintegration with Serbia-Montenegro. The second would be continuation of UNMIK administration with no timetable or discussions of final status until certain standards are met. The third would be partition with the Serb majority portion sliced off and joined to Serbia. And the fourth which I have said I support is independence. I think I have described why that first, reintegration with Serbia Montenegro is unworkable. The second, continuation of the present UNMIK occupation with no clear indication of what comes next, when or how only prolongs the uncertainty that has led to no investment either domestic or foreign, no building of a political class with experience in decision making and governance, and the risk of yet another entity forever dependent on the whims and the follies of the international donor community. The third path, partition, is perhaps the most insidious of all for it would put international blessing on the concept of redrawing national borders based solely on ethnicity and such would have immediate negative impact, I believe, on Bosnia and perhaps lend encouragement to those seeking to carve out a greater Albania and Serbia and might even stimulate a host of others with similar ethnic dreams. Only the fourth path offers the possibility and I repeat only the possibility, not the certainty of a Balkans moving away from the tragic ethnic religious, linguistic legacies of the past. I have confidence that the aspirations, the talents and the will of the people of Kosovo, Albanians, Serbs, Romas and all, once unleashed, once unfettered, stands the best chance of bringing peace and stability to a region where all too little of these have been evident in the recent past.

Chairman HYDE. Thank you, Mr. Ambassador.

[The prepared statement of Mr. Walker follows:]

PREPARED STATEMENT OF THE HONORABLE WILLIAM WALKER, FORMER AMBASSADOR
AND FORMER DIRECTOR, OSCE KOSOVO VERIFICATION MISSION

HOUSE COMMITTEE ON INTERNATIONAL RELATIONS

May 21, 2003

STATEMENT of AMBASSADOR WILLIAM G. WALKER

Mr. Chairman – Many thanks for the opportunity to appear before the committee. I stress at the outset that I appear as a private citizen, but one with the perhaps unique experience of having led two international missions in the Balkans just prior to my 2001 retirement from the State Department.

On the question before us, the future status of Kosova, I am a firm advocate of full independence, now or as soon as humanly possible to obtain. I realize this is easy to say, less facile to accomplish. But let me very briefly state my case.

First, to continue to view Kosova as a non-detachable part of what little remains of the former Yugoslavia, however the relationship might be constructed in terms of local autonomy, is – in my opinion – a recipe for disaster. The citizens of Slovenia, Croatia, Macedonia, and Bosnia all wanted out from under Belgrade dominance. They achieved it. Why not the citizens of Kosova?

Belgrade had more than ample opportunity during the 1990s – and for decades before – to demonstrate by its methods of governance – what the Albanian/Muslim majority population could expect under its control. Belgrade totally missed that chance!

As head of the OSCE's Kosovo Verification Mission (1998–99), the first international presence Milosevic allowed to enter Kosova, I (and 1400 other international observers) witnessed the final eight months of Belgrade's governance. It consisted of brutal repression, unadulterated racism, denial of the most basic civil and human rights to the Albanian majority, and fostered hatred, ethnic strife and violence whenever it suited the regime's needs.

As I testified to recently before the War Crimes Tribunal in The Hague, that was precisely the policy carried out by Milosevic and his henchmen. And, sad to say, it is an attitude that still resonates and has advocates in today's Belgrade. I for one am not confident that the

present Serb leadership fully learned the lessons of the Milosevic years, i.e., that if you want a people to belong to your nation, you do not do everything possible to humiliate, repress, and exterminate them. In my opinion any attempt by the international community to reconnect Kosova with Serbia, however thin that connection, however loose the federation, however ample the conditions of autonomy, stands no chance of success. To do so would bring the far greater risk of renewed ethnic conflict.

Three years of working with Kosovars convinced me that the vast majority share the values, aspirations, and attitudes represented in this chamber. They want employment, decent living conditions, freedom from crime and violence, the rule of law, opportunities for their children – all in a democratic, western-style, open and tolerant society.

I believe the Clinton administration made a mistake in the aftermath of NATO's liberation of Kosova, by ceding to the UN the pro-consul role in Kosova. Being the pro-consul is an intoxicating role to play. I know. I was the American pro-consul in El Salvador for 3 ½ years as the United States tried to mentor, to push the government of another small, war-torn nation towards peace, democracy and reconciliation. I later was a UN pro-consul in Eastern Slavonia, Croatia – the SRSG – as administrator of a large UN peacekeeping mission protecting a Serb enclave from the Croat regime in Zagreb. Believe me, once obtained, such power and authority is hard to relinquish. For some it is intoxicating, for others it is lucrative.

There are four possible paths, strategies that might be pursued to move Kosova towards final status: (1) reintegration with Serbia-Montenegro; (2) continuation of UNMIK administration, with no timetable or discussions of final status until certain "standards" are met; (3) partition, with a Serb majority portion sliced off and joined to Serbia; and (4) independence.

I have described why the first option, reintegration, is unworkable.

The second, continuation of the present UNMIK occupation -- with no clear indication of what comes next, when or how -- only prolongs the uncertainty that has led to virtually no investment, either domestic or

foreign, no building of a political class with experience in decision making and governance, and the risk of yet another entity forever dependent on the whims, the follies of the international donor community.

The third path, partition, is perhaps the most insidious of all, for it would put international blessing on the concept of redrawing national borders based on ethnicity. Such would have immediate negative impact on Bosnia, and perhaps lend encouragement to those seeking to carve out a "greater Albania", a "greater Serbia", and stimulate a host of others with similar ethnic dreams.

Only the fourth path, that of independence, offers the possibility – repeat the possibility, not the certainty -- of a Balkans moving away from the tragic ethnic, religious, linguistic legacies of the past. I have confidence that the aspirations, the talents, the will of the people of Kosova – Albanians, Serbs, Roma, and all – once unleashed, once unfettered, stand the best chance of bringing peace and stability to a region where all too little of these has been evident in the recent past.

Ambassador (R) William G. Walker
william_g_walker@yahoo.com

Chairman HYDE. Mr. Vulaj.

**STATEMENT OF MARTIN VULAJ, EXECUTIVE DIRECTOR,
NATIONAL ALBANIAN AMERICAN COUNCIL**

Mr. VULAJ. Thank you, Mr. Chairman. I want to thank you for the opportunity to testify before you and this fine Committee on this distinguished panel. I want to also thank Congressman Lantos, who has been a staunch supporter of the long suffering people of Kosovo. Congressman Lantos, you have the gratitude, respect and support of not only all the people of Kosovo, but the entire Albanian American community and for this we are eternally grateful.

Finally, I want to thank Congressman Engel, whose tireless work on this issue is not just a credit to himself and this Committee, but has elevated the stature of the United States in the eyes minds and heart of millions in the region.

Mr. Chairman, you opened today's session with a series of questions. Very valid questions. Amongst other questions that we have and we are talking about today are what is Kosovo's past? What should its future be? Whether benchmarks should be required as a precondition to final status talks and if so, what they should consist of? Who will judge them and based on what standard. What is irrefutable however is that Kosovo is an unqualified success of United States foreign policy. Just 3 years ago, Kosovo has been subjected to the most brutal form of repression witnessed on the European continent in half a century. The, by then, well-honed weapons of murder, rape, pillage and terror were being executed with chilling efficiency as a means of effecting political change through an engineered shift in demographics. The ruthlessness with which this was executed transformed a decade long, peaceful resistance movement of the Kosovars into an armed struggle for survival and liberation.

The depraved indifference to human life and civility meted out by Milosevic's killing machine so shocked the conscience of the United States, that it mobilized its nation and allies to stop the genocide and reverse ethnic cleansing. This alone, Mr. Chairman, would qualify as a resounding success for the United States and their foreign policy, but the success goes much further and is indeed more profound. The true success of the United States in the region is that the seeds of the very ideals upon which this country was founded, built upon is defined and guided by were planted and have taken root in Kosovo. The ballot in the promise of tomorrow have replaced the dark abyss of hopelessness and oppression.

While Kosovo's state, political, economic and societal development remains short of western standards, we need only look back to the summer of 1999 to realize how far Kosovo has come. In looking at Kosovo today, we see that she has a government and institutions albeit still in the early stages of development. We see the rule of law steadily being established, civil society structures coalescing and we have seen the best series of free and fair democratic elections held anywhere in the Balkans since the fall of communism in the eastern block. On the other hand, we have continued to witness elements of instability, both indigenous and artificial, a stagnant economy, unemployment in the mid-double digits, sharp decreases

in aid, slow progress on ethnic relations and waning political will and international circles to tackle these tough issues.

Having seen where Kosovo came from and where it is today, the question then remains what is Kosovo's future? The lack of final status has been a principal source of instability in Kosovo. It fosters fear and distrust on the part of Albanians and false hope on the part of Serbs. It discourages foreign investment and provides oxygen to the simmering embers of nationalism. To put many of these issues to rest, Kosovo must move on to final status. The question then remains what should that status be? The national Albanian American Council resolutely believes that the only option that will enable Kosovo to capitalize on its progress, face its challenges, overcome its obstacles and not only enjoy stability, but become a factor of regional stability, is to become an independent state that will be integrated into Europe and Euro-Atlantic structures.

While an independent Kosovo will continue to present challenges, any other option will surely result in continued internal and regional instability. In terms of economic progress, a Kosovar state would be eligible for access to international monetary institutions such as the World Bank and the IMF.

Currently, Kosovo is denied the privilege of such access by these institutions charters that limit access to their own members. An independent Kosovo would eliminate the reservations that foreign investors have regarding many issues involving future status and enable the Kosovars to concentrate on fostering an attractive, internal environment for investors. An independent Kosovo would foster an environment for improved ethnic relations. The International Crisis Group released a report last year where they cited Mitrovica in northern Kosovo to be one of the single greatest sources of instability due to the ethnic division of the city and the parallel structures that exist in the Serbian community there.

The report went on to state that Belgrade was continuing to fund and promote these destabilizing elements. A sovereign Kosovo state would terminate this. Not only would the Kosovars be in full control of their own borders, but actions of this sort would have more profound ramifications if perpetrated against a sovereign state.

And the likelihood that Belgrade's interests would remain at this level would be low. Additionally, the level of fear and mistrust by Albanians would diminish. Finally Kosovar Serbs would have to be looking toward Prishtina rather than Belgrade and a steady process of meaningful integration would result. An independent Kosovo would be a factor of stability. Such a result would put to rest much of the nationalism that exists in the region. Kosovo would have a stabilizing effect on Albanian issues in the surrounding areas and would be a key partner in any discussions involving issues in the region.

Additionally, Kosovo, with its complete and unwavering support for the United States, would be a key regional ally on the war against terrorism.

Mr. Chairman, the United States must take the lead on resolving the final status of Kosovo. The United States has a strategic interest in Balkan security as well as maintaining regional influence as the Balkans move ever closer to Brussels' orbit. Additionally we have most recently witnessed with the war on the Iraqi regime that

Europe lacks the will and ability to bring leadership to difficult questions.

One immediate step that can be taken in this direction is to have an American appointed to head the U.N. Mission. This would better enable the United States, who is the largest single donor nation, to drive the agenda forward by providing an opportunity for the Europeans, particularly France and Germany, who have had mission heads to continue to demonstrate their continued friendship with the United States. For all of these reasons and others that we will be discussing, Kosovo must become an independent state. Any other option would only be an invitation to continued regional instability.

In closing, Mr. Chairman, I would like to submit into the record a document that is a product of a conference that was held between ourselves, the Center for Strategic and International Studies, and the Dayton Peace Accords Project. This document is a scholarly product that lays out a road map with concrete steps on how to go about achieving Kosovo's independence.

Chairman HYDE. Without objection, it shall be made a part of the record.

Mr. VULAJ. Thank you Mr. Chairman. I look forward to answering any questions that you or the Committee may have.

[The prepared statement of Mr. Vulaj follows:]

PREPARED STATEMENT OF MARTIN VULAJ, EXECUTIVE DIRECTOR, NATIONAL
ALBANIAN AMERICAN COUNCIL

THE FUTURE OF KOSOVA

Mr. Chairman, I would like to thank you for the opportunity to testify before you and the fine members of this committee on this crucial issue. I would also like to thank Congressman Lantos who has been a staunch supporter of the long-suffering people of Kosova. Congressman Lantos you have the gratitude, respect and support of not only all of the people of Kosova but also the entire Albanian-American community. Finally I would like to thank Congressman Engel who's tireless work on this issue has elevated not only his name but also the stature of the United States in the eye, mind and heart of millions in the region.

Mr. Chairman there are a myriad of differing opinions on Kosova. What is it's past?. What should it's future be? Whether "benchmarks" should be required as a precondition to final status talks, and if so what they should consist of and who will judge them? What is irrefutable however is that Kosova is an unqualified success of U.S. foreign policy.

Just three years ago, Kosova was being subjected to the most brutal form of repression witnessed on the European continent in half a century. The, by then, well honed weapons of murder, rape, pillage and terror were being executed with chilling efficiency as a means of affecting political change through an engineered shift in demographics.

The ruthlessness with which this was executed transformed the decade long peaceful resistance movement of the Kosovars into an armed struggle for survival and liberation. The depraved indifference to human life and civility meted out by Milosevic's killing machine so shocked the conscience of the United States that it mobilized its nation and it's allies to stop the genocide and reverse ethnic cleansing. This alone would qualify as a resounding success for U.S. foreign policy but the success goes much further and is much more profound.

The true success of the United States is that the seeds of the very ideals upon which this country was founded, build upon, is defined and guided by, were planted and have taken root in Kosova. The ballot and the promise of tomorrow have replaced the dark abyss of hopelessness and oppression. While Kosova's state of political, economic and societal development remains short of western standards, we only need to look back to the summer of 1999 to realize indeed how far Kosova has come.

In looking at Kosova today we see that she has a government and institutions albeit still in the early stages of development. We see the rule of law steadily being established, civil society structures coalescing and we have seen the best series of

free and fair democratic elections held anywhere in the Balkans since the fall of communism in the eastern block. On the other hand we continue to witness elements of instability both indigenous and artificial, a stagnant economy, unemployment in the mid double digits, sharp decreases in aid, slow progress on ethnic relations and waning political will in international circles to tackle the tough issues.

Having seen where Kosova came from and where it is today, the question that remains is what is Kosova's future? The lack of final status has been a principle source of instability in Kosova. It fosters fear and distrust on the part of Albanians and false hope on the part of Serbs. It discourages foreign investment and provides oxygen to the simmering ambers of Nationalism. To put many of these issues to rest Kosova must move on to final status. The question then remains, what should that status be?

The National Albanian American Council resolutely believes that the only option that will enable Kosova to capitalize on its' progress, face its' challenges, overcome its' obstacles and not only enjoy stability but be a factor of regional stability is to become an independent state that will be integrated into Europe and Euro-Atlantic structures. While an independent Kosova will present challenges, any other option will surely result in continued internal and regional instability.

In terms of economic progress, a Kosovar state would be eligible for access to international monetary institutions such as the World Bank and IMF. Currently Kosova is denied the privilege of such access by these institution's charters that limit access to their members. An independent Kosova would eliminate the reservations foreign investors have regarding many issues involving future status and enable the Kosovars to concentrate on fostering an attractive internal environment for investors.

An independent Kosova would foster an environment for improved ethnic relations. The International Crisis Group released a report last year where they cited Mitrovica in northern Kosova to be one of the single greatest sources of instability due to the ethnic division of the city and the parallel structures that exist in the Serbian community there. The report went on to state that Belgrade was funding and promoting these destabilizing elements. A sovereign Kosovar state would be in a position to terminate this. Not only would the Kosovars be in full control over their own borders but actions of this sort would have more profound ramifications if perpetrated against a sovereign state and the likelihood that Belgrade would maintain this level of interest would be low. Additionally, the level of fear and mistrust by Albanians would diminish. Finally, Kosovar Serbs would have to begin looking toward Prishtina rather than Belgrade and a steady process of meaningful integration would result.

An independent Kosova would be a factor of stability. Such a result would put to rest much of the Nationalism that exists in the region. Kosova would have a stabilizing effect on Albanian issues in the surrounding areas and would be a key partner in any discussions involving issues in the region. Additionally, Kosova, with its complete and unwavering support for the United States would be a key regional ally in the war against terrorism.

The United States must take the lead on resolving the final status of Kosova. The U.S. has a strategic interest in Balkan security as well as in maintaining regional influence as the Balkans move ever closer to Brussels' orbit. Additionally, as we have most recently witnessed with the war on the Iraqi regime, Europe lacks the will and ability to bring leadership to difficult questions. One immediate step that can be taken in this direction is to have an American appointed to head the U.N. Mission in Kosova. This would better enable the United States, who is the largest single donor nation, to drive the agenda forward while providing an opportunity for the Europeans, particularly France and Germany who have had Mission heads, to demonstrate their continued friendship with the United States.

For all of these reasons and others that we will be discussing today, Kosova must become an independent sovereign state. Any other option will only be an invitation to continued regional instability.

In closing Mr. Chairman, I would like to have submitted into the record this document that is a result of a conference we co-hosted with the CSIS and DPAP outlining a roadmap for resolving the final status of Kosova. I thank you and all of the members of this Committee and look forward to answering any questions you may have.

Chairman HYDE. Thank you very much. I am delighted we got through all the testimony before we were interrupted by a vote. So that is a stroke of great luck. Mr. Lantos.

Mr. LANTOS. Mr. Chairman, I don't have any questions but I want to commend all of our witnesses. This is a singularly enlightening and thoughtful and serious panel as well as the previous panel with Congressman DioGuardi, and I want to express my personal appreciation to all six of our witnesses.

Chairman HYDE. Thank you very much. Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much. We need to take seriously the charges in Kosovo that there has been violations of human rights among the Serb population and the Romas. If we do, would incentives after independence be as effective as laying down a demand for a prerequisite for independence for a change in behavior? Do we have to say that this has to be a perfect situation or a near perfect situation as a prerequisite to independence or can we provide pressures afterwards to provide incentives that those violations not—

Ms. CLOYES DIOGUARDI. Congressman Rohrabacher, even before we do that, I think the U.N. (you stated it before) has thousands of troops there. Why is it we can't seem to find the perpetrators in most instances? So we need to ask that question, and we need to do something about it. I would argue that the international community has set up a situation where we have enclaves when we shouldn't have them. It is the international community (and French KFOR, although we shouldn't just gang up on them, since no one else wanted the job) that allowed the north to go under de facto partition. If they want to talk about support for 1244, it isn't there. So we need to go to our own law enforcement apparatus from the international side first and correct what is happening.

Secondly, if you look at the reports, Amnesty International came out with a report saying that most of the violence against minority groups and crime in general had dropped dramatically.

I believe that, yes, we should go ahead and declare at least that we are going to be having an independent Kosova. And once that happens, and the fear of being killed (which is the reality of the Albanian population, it is not the desire to kill minority groups) is driven away, the fear of being killed has to be taken away. And also the transfer of "competencies," not the unreserved ones, the reserved powers too. Once you do that and allow the Kosovars to be involved in law enforcement, you will see a completely different shift inside the community to handle that.

Mr. ROHRABACHER. Let me ask this question. The crimes that are being committed, these acts of violence that are committed against Serbian citizens of Kosovo, are these—are the allegations that these are crimes that are committed by the government, by the leadership approved of the Kosovar's leadership, or are these just acts of violence that are people becoming angry and just individual acts of violence? What do we have here? Honestly I don't know. Someone in the panel understand that? Are there charges that this is an organized, systematic thing by the leadership of the Kosovars against the Serbian people?

Mr. DIOGUARDI. This is what is referred to as the Serbian propaganda machine. And the Greek lobby, along with the Serbian lobby, has done a great job in now equating 13 years of ethnic cleansing and genocide—against Albanians with isolated crimes against

Serbs—to now create this parity. Where is the documentation for their allegations against Albanians?

Mr. ROHRABACHER. So the answer is, yes, there are some charges that are coming down in an organized fashion from Kosovo leadership. Do we have any reports from our troops or from the United Nations, from our State Department that this is happening?

Mr. VULAJ. If I could just jump in. To answer your questions, the charges are not specifically levied against the government. They are levied against the Albanian population in an effort to demonstrate that this is a lawless land. But just to put these things in perspective, as Secretary Bogue indicated, that crime has been on a steady down trend since 1999. To put it even further into perspective, there are reports that there has only been one Serb killed this year in Kosovo, one. Just to put things in perspective.

Mr. ROHRABACHER. So we have had more people killed in Orange County then. All right. So the most important thing that we have to make sure we understand is that the civil rights and human rights of all people of a new country would need to be respected. And that would be—right now, they are talking about a prerequisite of having a certain level of activity. Perhaps there would be instead incentives for people after independence to make sure those rights are protected.

If I could very quickly ask this, if those people's rights aren't protected—and a group of people who live next to a border of another country by large majority would like to be part of that other country, meaning if these Serbs would like to be part of Serbia, by the same principles they should be able to vote to be part of Serbia, if after independence they decide they no longer want to be part of this new country. So just a thought.

Thank you.

Chairman HYDE. Mr. Engel.

Mr. ENGEL. Thank you, Mr. Chairman. I want to follow what Mr. Rohrabacher was asking. I wanted to ask Ambassador Walker, your service as head of the Kosovar Verification Mission gave you an excellent window on how Milosevic governed Kosovo. I have often said there should be no reprisals against Serbs because the Albanians have a higher moral ground. And Albanians should not treat Serbs the way Serbs treated Albanians. Can you contrast what went on during the Milosevic era in terms of what happened against the Albanians, and contrast that with what is going on now? I think it is night and day, but you have a better, you perhaps can give us some enlightenment on that.

Mr. WALKER. I would say in one or two words that there is really no equivalence between the two situations. In the first case, under Milosevic's governance, you had a government with all the forces in its command, security forces, the courts, the regulatory agencies, everybody doing everything they could to deprive the Albanian population of their livelihood, of their ability to get education, of their very lives. In the final instance, trying to push all the Albanians out of Kosovo. You had a concerted effort by a sovereign government to use all its powers to do very, very bad things to the Albanian community.

On the other hand, with what is happening for the last 3 years, this sporadic violence that, you know, to answer your question, Mr.

Congressman, I don't think anyone knows exactly who is doing what to whom. Yes, there are allegations that some of this is organized by the Kosovar officials, there are also allegations that some of it is caused by agents of Belgrade who are in there trying to stir things up and make the Albanian community look as bad as they possibly can make them look. I don't know what the truth is behind either of those allegations, but I would say the following: I think the international community, the United Nations, with all the countries that participate going in and the aftermath of the bombing campaign, certainly, in my opinion, did not pay attention to a fundamental process, which is the rule of law.

At the very beginning and for an awful long time after the international community took over, there was no real knowledge as to what the rule of law meant in Kosovo. It did not surprise me that individuals in the Kosovo community, Albanian community coming back and seeing their villages burned, their parents disappear, other things happening to them that maybe individuals unable to go to a policeman or to a soldier and ask for justice, unable to get justice under the system, resorted to sort of a private justice system. I think that has greatly declined, if it ever happened in the first place. But it would be understandable if some of them coming back took the law into their own hands. That is nothing like what was happening under Mr. Milosevic and the regime in Belgrade.

Mr. ENGEL. Thank you. Mr. Vulaj, in my estimation, the excellent work of your organization, NAAC, is well known in the Albanian-American community in the United States and throughout the Balkans. You mentioned the road map for the future of Kosovo. We entered it into the record, that NAAC work done with CSIS and the Dayton Peace Accord project. I wonder if, very quickly if, you could summarize what is in that report in about a minute?

Mr. VULAJ. It is effectively a 2-year process that would begin by the end of this year. The process would effectively finish by the end of next year with a declaration of independence in early 2005. But it would take Kosovo through stages of political integration, if you will, in dealing with regional neighbors, developing relationships, making assurances, border assurances to neighbors, for example, to Macedonia that Kosovo is looking only to its own existing borders and no others. It does not support border changes anywhere else. These are assurances that are made both to the region and to the international community that Kosovo can play a mature role as a regional ally toward stability.

Mr. ENGEL. Thank you.

I have one quick question for Mr. Serwer.

USIP has run several important programs where it has brought together Serbs, Albanians and other Kosovars to promote inter-ethnic dialogue. I think they are very important programs. But I have noticed that the United States Government resources for the Balkans are dropping. My question is will you have enough funding from AID or elsewhere to continue this wonderful program and other USIP programs in the region?

Mr. SERWER. Mr. Congressman, the State Department has been quite generous with us in the past and provided extensive support for Serb-Albanian dialogue projects. We have, however, received no

funding this fiscal year. We are anticipating funding of about \$150,000. We have been told that we can expect none next year.

So I think the answer is that there has been a good deal of support in the past, but I don't see that emerging in the future.

I wonder if I could add a remark about this question of mistreatment of Serbs in Kosovo. I think the Committee should be under no illusions. There is mistreatment of Serbs in Kosovo. The important thing about it, from the Albanian perspective I think is this: That they can't get to final status with that mistreatment continuing. It is hindering their progress toward final status. It really ought to stop. As I see it, final status can only be decided in the Security Council. I don't see how you can convince the Russians to allow a new Security Council resolution to pass if Serbs are being mistreated in Kosovo. It is just not going to happen. So it seems to me that Albanians have to realize that they are hindering their own goals with this mistreatment of Serbs.

Chairman HYDE. It is your time. Your time has expired.

Mr. ENGEL. Thank you, Mr. Chairman.

Chairman HYDE. Mr. Nick Smith is next.

Mr. SMITH OF MICHIGAN. Thank you very much, and thank the witnesses for being here to join us.

It is sort of interesting that last week we were talking about some of the problems and failures of the United States in the rebuilding of Iraq after about 3 weeks after the war, and now, we are talking about some of the problems of the U.N. after 4 years. I think, probably, the message that at least conveys to me is that nation rebuilding is a very difficult task. When you come out from under a strong dictator that organizes by force and you try to implement some form of democracy, it is difficult.

Now, of course, we are faced with the decision of how much of the U.N. to use in the rebuilding of Iraq.

Let me ask a question, if anybody wants to comment on that I would appreciate it, how does most of Europe react to the possibility of Kosovo being independent?

Mr. DIOGUARDI. The tradition in Europe has been to work against the self-determination of the Albanian people. This is how the State of Albania, that came out of Turkish occupation on November the 28th, 1912, got carved up into six different jurisdictions. Europe, led by France, Russia, Greece and Serbia, has always done whatever it could do to divide the Albanian people. And that is why you have today seven million Albanians divided into six jurisdictions, but all living contiguous, believe it or not. If you drew a line around the seven million Albanians, you will have the original country of Albania that was declared as an independent state in 1913, the last country to come out of the Turkish Ottoman Empire before it collapsed. Today you have the same inclinations by Russia, Greece and Serbia. In fact, the racism that I pointed out from the memo of Vaso Cubrilovic continues today. Today 4 years after the NATO war and the genocide, not one Serb in authority has said, I am sorry. Now, it did take the German people 11 years to apologize to the Jews but not one Serb has said, I am sorry for 10,000 Albanians being killed in their homes. These were not the KLA soldiers. I am talking about innocent civilians.

So you have today this anti-Albanian attitude in Europe. That is one of the reasons we are here today. We are trying to convince this body to push our State Department to take the lead as they did in Iraq. Did we go to the U.N. on Iraq? We tried. But did we stop there? No. We did the right thing. We need to do the right thing again. Peace and stability in Europe depends on the United States taking the lead.

Mr. SMITH OF MICHIGAN. I don't want you to go into too much of a speech, Joe. You know, our problem here is like it is the rest of the world. But what I would be interested in, is the comparison or any suggestions based on some of the mistakes that the U.N. might have made over the last 4 years that we can apply some of that experience to maybe where we are going in Iraq today? And how do you make the transition from a militant powerful dictator to what we think should be the way people should live with freedom and some kind of democracy? So what you have sort of said, some of the mistakes we have made, would any of you be willing to suggest how we might make some decisions about Iraq that might make it easier in that transition? Mr. Serwer.

Mr. SERWER. Mr. Smith, the U.S. Institute of Peace has spent a good deal of time looking at this question, so I dare attempt an answer.

I think the first answer is, rule of law is job one. You can't do anything without it. You simply have got to establish rule of law. It should have come in with the troops. It didn't come in with the troops. It should come in now with Jerry Bremer, I guess. I hope it will come in with Jerry Bremer.

Governance is job two, but you don't get to governance unless you have law and order on the streets of Baghdad, it seems to me.

Mr. SMITH OF MICHIGAN. Are you comfortable with the law and order that came in Kosovo?

Mr. SERWER. Absolutely not. I think that in this case one can blame, if you like, the United Nations, because the United Nations was given the responsibility for putting together police in Kosovo, and, frankly, they didn't assemble a significant police force for almost a year after the Nato troops had deployed. I am afraid we are in that same situation in Iraq, but with an absolute need this time for the troops to take on the responsibility.

Chairman HYDE. The gentleman's time has expired, and all time has expired.

Mr. DIOGUARDI. May I make one comment, Mr. Chairman, because we have a father here who lost three sons. If those sons who were U.S. citizens were Serbian, you would never hear the end of it. We talked about crime, Serb and Albanian. But what about three U.S. citizens who went to Kosova? The war was over when they were helping a Roma neighbor, and they were executed after serving their time and found in a ditch with blindfolds and hands tied behind their backs, and our State Department has yet to push to find the perpetrators. Don't you think it is time justice is served?

I would like you, Mr. Chairman, to join with Congressman Lantos in some kind of a push to get our State Department to bring justice to this family.

Chairman HYDE. Well, now we are not ending our hearing, we are continuing. Mr. O'Brien.

Mr. O'BRIEN. I would like to second the request for an investigation. I was the U.S. Presidential Envoy, the most senior official into Belgrade immediately after the fall of Milosevic. This was one of the first two issues I raised with the new democratic leaders, the need to determine the fate of these U.S. citizens. I think it is vital that we find out what happened to them.

Chairman HYDE. I will ask our staff to take cognizance of that and take appropriate action.

I want to thank every one of you. Every one of you has been excellent and has added to the sum knowledge, the sum total of knowledge of this very complicated and volatile situation.

We had this hearing at Mr. DioGuardi's insistence because he said there isn't adequate focus on this part of the world, and he is right. You have educated us to the criticality of what is going on there and the problems and how precious independence is. I am convinced we have to have independence first. We try to move the immovable if we can, but I think these have been successful hearings, and you are all to be congratulated for your time and your input.

Thank you very much. Thank you gentlemen. The Committee stands adjourned.

[Whereupon, at 4:05 p.m., the Committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE CHRISTOPHER H. SMITH, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Mr. Chairman, thank you for convening this hearing on Kosovo. As Co-Chairman of the Helsinki Commission, I was very aware of the great human suffering which took place there during Milosevic's brutal regime, as well as the humanitarian crisis which arose during the Kosovo conflict and the war crimes which occurred at that time. Through hearings and other initiatives, the Commission helped document the atrocities and debate policy options, including steadfast efforts to have Milosevic and all his henchmen account for their crimes in The Hague. As members of the Commission, other Members joined me in consistently pressing for the release of Kosovar Albanians who wrongfully languished in Serbian prisons long after the conflict and Milosevic's ouster. Members of the Commission also joined criticism of local Serbs responsible for the continued division of the city of Mitrovica.

As far as Kosovo's future, first and foremost, our focus should be on developing a process for the peoples of Kosovo—all the peoples—to find their own consensus and make it work. Rather than being strong advocates for one particular result or another, I believe we should encourage the crafting of a strategy which allows for sustained stability in the region and gradual international disengagement.

Second, just as we called for action to stop Milosevic's nationalist rampage of hatred in Croatia, Bosnia and Kosovo throughout the 1990s, we must not overlook the absolutely horrendous treatment—at the hands of Kosovar Albanians—of the Serb and other minorities struggling to survive in enclaves or as displaced communities unable to return home. We must stand firm against those who violate the rights of others.

Less than two weeks ago, on May 10, the Serbian Orthodox Church of St. Nicholas in Pristina was stoned again by unknown attackers. Many windows were broken. This church, like so many others, has received no police or KFOR protection this year. While the police may come and take a report, like in dozens of other incidents, nobody cooperates with the investigation. "No wonder extremists are encouraged," the local priest has said. To visit local villagers, he adds, "I make the sign of the cross, sit in my car and drive fast at my own risk."

Last November, a church near Istok was blown up after KFOR protection was removed.

The State Department's Human Rights Report states that, in 2002, "Kosovo Serbs, Roma, and other minorities were victims of murder, kidnaping, assault, and property crimes, particularly arson." Ethnically-motivated violent crime has dropped, but even as the report seeks to highlight the positive effects of international control and engagement, it must honestly admit that part of the reason for this is "the fact that Kosovo Serbs and Roma drastically restricted their movements. . . . Kosovo Serbs and Roma continued to report that they were afraid to leave their enclaves due to fear of intimidation and attack by ethnic Albanians." At an OSCE meeting on Roma issues held last month, a number of participants continued to assert it is not safe for Roma to return to Kosovo.

This year, certain Kosovar Albanian militants indicted by the International Criminal Tribunal for the former Yugoslavia were apprehended and transferred to The Hague. Last week, Chief Prosecutor Carla del Ponte told the Helsinki Commission that her work investigating crimes by interviewing victims and witnesses is hampered by fears of retaliation in Kosovo. Some Kosovar leaders have said what needs to be said: that justice should be allowed to take its course. Mr. Chairman, atrocities against Serbs can under no circumstances be justified.

In a Helsinki Commission hearing on the prospects for ethnic harmony in Kosovo which I chaired last year, I recognized the repression and hardship which the Kosovar Albanians had faced. Their best response—for themselves as well as for the many innocent Serbs, Roma and others in Kosovo—would be to demonstrate in word and deed that they refuse to employ the tactics of Milosevic's murderous minions. Vandalizing or bombing churches is wrong. Revenge is not justice. The ethnic diversity of Kosovo must be respected.

PREPARED STATEMENT OF THE HONORABLE NICK SMITH, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF MICHIGAN

Mr. Chairman, it has been almost 4 years since the end of Operation Allied Force to remove Serbian forces bent on genocide from the province of Kosovo. Since that time, massive amounts of European, American, and international aid have been poured into a UN-led effort to rebuild Kosovo and give it a stable, viable political system. Those four years give us an excellent indication of how this international bureaucracy addresses the needs and interests of liberated peoples entrusted to its care.

Of course, we have heard enthusiastic support for a central UN role in administering Iraq as well. I have serious reservations about giving an organization that so actively obstructed efforts to liberate the people of Iraq a leadership role in rebuilding their institutions, but perhaps the example of Kosovo can better illustrate what is to be gained or lost. The degree of enthusiasm and intensity of lobbying on behalf of a central role for the UN in Iraq would seem to hinge on the institution's track record in situations like Kosovo. Unfortunately, the reports I've seen do not seem that exemplary.

Four years and \$2.4 billion dollars into the UN administered recovery, unemployment still stands at 60%, electrical power is still frequently interrupted, and violence against minorities—including drive-by shootings and grenade attacks—is still common. School children must still be escorted by peace-keepers to school, corruption and prostitution are rampant, and the province is still used as a base for human trafficking, money laundering, drug and weapon smuggling, and other criminal operations.

I realize that progress has been made in structuring provincial government, rebuilding homes, and imposing an artificial stability, but do these accomplishments rise to the level we would expect from a force of 6,000 bureaucrats and 4,000 international police officers, all under the protection of a 30,000 troop NATO force?

Mr. Chairman, last week, this committee explored missteps and inadequacies in the US and Britain's process of rebuilding Iraq though the endeavor was just three weeks old. Today, however, we get to explore accomplishments of the United Nations Mission to Kosovo after 4 years. I thank the witnesses for coming today and I look forward to weighing the experiences they relate with criteria every bit as stringent as those applied to our budding operations in Iraq in last week's hearing.

In the end, I suspect the case study of Kosovo illustrates the burden, the expense, and other problems inherent to the UN's ability to manage the rebuilding of a nation. I urge the administration and this committee to keep this in mind as operations in Iraq continue to take shape.

Thank you, Mr. Chairman, and I yield back the balance of my time.

QUESTIONS SUBMITTED FOR THE RECORD TO JANET L. BOGUE, DEPUTY ASSISTANT
SECRETARY, BUREAU OF EUROPEAN AND EURASIAN AFFAIRS, U.S. DEPARTMENT OF
STATE, BY THE HONORABLE BETTY MCCOLLUM, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF MINNESOTA

Any nation that seeks to create a successful, democratic government protective of all its citizens must address the issue of human rights. Rule of law, religious freedom and an independent media, among others, cannot be successfully achieved unless the people of any given nation feel secure that their human rights will not be violated.

As you are aware, in Kosova, the Organization for Security and Cooperation in Europe (OSCE) has taken the lead role in addressing human rights violations, and they are making progress. They have provided assistance and support to victims of high-risk crimes, reduced discriminatory practices, served as a policing force and raised awareness of human rights throughout this region. It is important that their mission continue.

Despite OSCE's progress, however, significant human rights violations in Kosova continue. According to the U.S. State Department's Country Report for 2003 on the

Federal Republic of Yugoslavia, violence against women and children in Kosova remains a serious problem. Kosova serves increasingly as a transit point and destination for trafficking in women for the purpose of prostitution, and traditional gender roles continue to subject women to discrimination.

The rights of the disabled also remain a significant challenge in Kosova. In August of 2002, the NGO Mental Disability Rights International published a report based on a two-year investigation of the treatment of persons with mental disabilities in Kosova. The report found extensive evidence of neglect, physical violence, sexual assault and arbitrary detention at the main mental health care facilities in Kosova. According to the State Department, at the end of 2002, "there had been no improvement in treatment options and physical protection of residential patients was still inadequate." These are only a few of the many human rights violations that continue today in Kosova.

Can you please explain to the committee what steps the United States is taking, working in conjunction with the United Nations Mission in Kosova, to address these and other human rights violations? In addition, can you please explain what additional efforts are needed from the United States, the United Nations and the international community to ensure the human rights of the Kosova people are protected?

