

# KOSOVO: CURRENT AND FUTURE STATUS

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

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## KOSOVO: CURRENT AND FUTURE STATUS

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WEDNESDAY, MAY 18, 2005

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON INTERNATIONAL RELATIONS,  
*Washington, DC.*

The Committee met, pursuant to notice, at 10:40 a.m. in room 2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chairman of the Committee) presiding.

Chairman HYDE. The Balkans area has been a region of tremendous concern since the early 1900s. In subsequent years the attention of the United States has been diverted to other geostrategic priorities. However, 2005 is an exceptionally important year for the people of the Balkans.

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

This Committee has attempted to address the continuing and underlying inadequacies of international policies in the Balkans through a number of hearings since I have been Chairman. We are sensitive to the situation on the ground, 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, safe, and democratic.

Today this Committee considers the most critical issue in the Balkans, the question of Kosovo. In 1999, NATO intervened militarily in the former Yugoslavia. It is important and significant to ask why the final status of Kosovo was left undetermined at that time.

The current status of Kosovo, or Kosova as it is also known, is governed by UN Security Council Resolution 1244 passed in June 1999 at the end of the Kosovo conflict. The resolution authorizes an international military and civilian presence in Kosovo, the duration of which is at the discretion of the UN Security Council.

The NATO-led peacekeeping force, KFOR, is charged with maintaining a secure environment while the UN mission in Kosovo, UNMIK, is given the chief role of administering Kosova on a provisional basis.

The resolution provides for an interim period of autonomy for Kosovo of undefined length until negotiations on the future status of the province take place. UNMIK is tasked with gradually trans-

ferring its administrative active responsibilities to elected, interim, autonomous government institutions while retaining an oversight role.

In a future stage, UNMIK will oversee the transfer of authority from the interim autonomous institutions to permanent ones after Kosovo's future status is determined.

UN Security Council Resolution 1244 provides little insight into how the status issue should be resolved, saying only that it should be determined by an unspecified political process.

Through the leadership of the United States Administration, in close cooperation with our European allies, the political process resolving the status issue has been reenergized and reinvigorated over the past year. The international community will review the current situation and status of Kosovo this summer. A decision will be made about the prospects for final status negotiations, perhaps by the end of the year.

The purpose of this hearing today is to assess the current situation in Kosova and to consider United States Administration policies toward Kosova and its future status. Our witnesses will address important questions about United States engagement in the region, the role of the United Nations, the role of the European Union, the participation of the Kosovar people in elections and governing institutions, the relations between government officials in Belgrade and Pristina, the protection of minority groups, the relations between ethnic and religious groups, and the status of religious freedom.

Ultimately the hard questions have to be asked. Regardless of final status, how long will an international military presence be required in Kosovo territory? Even if Kosova becomes independent, will that really change the prospects for economic development and international investment in Kosova? Given the fact that Kosova does not exist in a vacuum, how would the potential independence of Kosovo affect the region? How will we achieve UN Security Council agreement on a final status resolution?

I think our goal is to ensure that all Kosovars create a future where they can live together in security and freedom. The question is, how do we get there?

I look forward to the testimony of our witnesses, and at this time I am pleased to recognize our distinguished Ranking Democratic Member, Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. Let me thank you for your continuing leadership on this very important issue. I also want to thank you for joining me in sponsoring House Resolution 24, which expresses the sense of the House that the House of Representatives should support the independence of Kosovo.

I firmly believe that the position our resolution advocates is the only way to bring lasting stability and prosperity to this region.

At the outset, let me also pay tribute to our extraordinary Secretary of State, Dr. Condoleezza Rice, and to Secretary Burns for their leadership on this issue. I had the privilege of reading Secretary Burns' statement, which he will come to in a few minutes. I find it extremely constructive, and I am sure this Committee, on a bipartisan basis, will look forward to working with you, Mr. Secretary, and Secretary Rice in achieving our common goal.

The basic issue that we are facing is simple. The current status quo of limbo is not sustainable. Unless it is changed, and changed clearly and resolutely, we will have renewed ethnic violence, and the integration of Kosova into Europe will be further delayed.

There is very positive outcome to this crisis, and that, of course, is the full integration of Kosova as an independent, democratic, multi-ethnic country into an integrated Europe. That is the goal we seek, and that is the goal we shall achieve.

There are few issues, Mr. Chairman, on which I have been as deeply engaged as the issue of Kosova. I am convinced that the only way to address the problem of the political, economic, and social instability that plagues the Balkans and to prevent renewed violence in the region is to grapple without delay with the issue of Kosova's final status.

Under Slobodan Milosevic, the Serbian Government dismantled Kosovo's political institutions. Before the breakup of the former Yugoslavia, Kosovo was an autonomous province. Under Milosevic, Kosovars were subjected to systematic persecution and discrimination. Ethnic Albanians were replaced by Serbs in most jobs. Serb-owned firms took over Albanian-owned companies, and Albanians were prohibited from purchasing or improving property.

I traveled to Kosova many times as this was taking place, so my knowledge of these facts is not book knowledge. It stems from personal, first-hand experience as Mrs. Lantos and I made repeated trips to Kosova.

I will never forget—and I spoke before on one occasion—a large group that spontaneously gathered in the main square of Pristina in May 1990. My wife and I were greeted with joy by the people because we represented the United States of America. The crowd chanted, "U.S.A! U.S.A.!", while the Serbian police were beating Albanians at the edge of the crowd.

Years later all of us watched in horror at the mass devastation of ethnic Albanians by Serb paramilitary forces with the support of the Milosevic Government. Kosovars were killed, their homes were burned and pillaged, and hundreds of thousands were made homeless.

All of us remember the scenes on CNN in 1999 as Albanians were forced out of their homeland. We watched old ladies with babies in their arms and pregnant women forced across the borders. It was one of the most horrific sights I witnessed since the Holocaust.

Since our successful military intervention, the international community has rejoined Kosovars in rebuilding their country, revitalizing their economy, establishing democratic institutions of self-government, and attempting to heal scars of war. Currently Kosova remains a United Nations protectorate, but further progress is hindered by the uncertainty of its final political status.

Unfortunately, Mr. Chairman, the problems continue to be extremely serious. Unemployment rate stands over 60 percent. The economic crisis increases the likelihood that Kosovars, 50 percent of whom are under the age of 25, will either enter criminal networks or will leave to find work abroad in order to survive. The perpetuation of these economic conditions heightens the potential

for continued instability in the region, and this undermines our vital interests in the Balkans.

Achieving genuine long-term political and economic stability requires more than reconstruction assistance. It demands a resolution of the political status of Kosova. International private investment and even loans from the World Bank are delayed or not even considered because of questions about the long-term status of Kosovar.

Mr. Chairman, you personally expressed the link with special eloquence in December 2002, when you said, and I quote, "There will be no jobs without peace and stability in Kosova, but there will be no peace and stability without independence." I could not agree more.

Under the Yugoslav Constitution of 1974, Kosova was the functional equivalent in most ways to Slovenia, Croatia, Bosnia, and Macedonia, the other Republics of the former Yugoslavia. As an autonomous province, Kosova exercised the same powers as a republic. It had its own Parliament, high courts, central bank, police force, and local defense elements.

Through constitutional change in 1968, Kosova was recognized as a constituent element of the Yugoslav Federal System. When Slovenia and Croatia demanded independence in 1991, Western European governments, including our own Department of State and the White House, opposed recognizing the right of those Republics to self-determination. I remember marching at Union Square with my Croatian friends demanding independence for Croatia, while the State Department and the White House indicated that Yugoslavia will persist forever.

Eventually our Government and the rest of the world acknowledged the independence of Slovenia and Croatia, and later the independence of Bosnia-Herzegovina and Macedonia as well. These four Republics are now members of the United Nations. Slovenia is a member of NATO and the European Union, and Croatia is on its way to entering the European Union and NATO. I am confident that the other constituent units of the former Yugoslavia will eventually all become members of both the European Union and NATO, so there is light at the end of this tunnel.

In the 1990s, we found that self-determination for Slovenia and Croatia 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 their status was upgraded from constituent republic within a federation to an independent nation. This has contributed to the stability and progress of these countries. Mr. Chairman, Kosova is entitled to precisely the same treatment. There must be no double standard.

When Slovenia and Croatia, Bosnia and Macedonia were admitted to the United Nations, there was no talk of standards before status. Unfortunately, this has become a slogan for delay and indecision as it relates to Kosova. The result is that for the past 6 years, there has been no serious discussion of the status of Kosova, and the United States and our European allies have watched as the economy has floundered and as ethnic tensions have escalated. This led to severe violence and bloodshed. The region hovered on



the brink of further bloodshed and conflict, and it still festers today.

As strongly as I was opposed to discrimination and persecution of Kosovar Albanians, I am equally as strongly opposed to discrimination against and persecution of Serbs and the Roma remaining in Kosova.

Anyone with any understanding of the region knows that there is no way that Kosova can return to the status of a province of Serbia. I can't emphasize this strongly enough. This is not an option. The overwhelming majority of the population of Kosova is ethnic Albanians who have vivid memories of Serb violence and atrocities just a few years ago.

Recognition of Kosova's independence must be done in such a way that the Serb population is fully assured that all their rights, all their rights, will be fully protected. There can be no compromise on that issue. This will require, for a while, a continued international presence. Such an international presence will also be helpful as Kosova's political institutions and political leaders achieve a greater degree of maturity.

Now is the time to take the next inevitable but crucial step and resolve the status of Kosova by recognizing it as an independent sovereign nation. This will not be easy for the Serbian people and for their government in Belgrade. Some of the most important events in Serb history have taken place in Kosova. But the ethnic make-up of the area has made dramatic and historic shifts.

Belgrade will now have to decide whether Serbia wishes to join the European Union and participate in Europe's prosperity and future, or whether Serbia will struggle to retain Kosova. If Belgrade chooses the latter course, it will end up without Kosova and with no possibility of joining Europe. We must help Serbia understand the choices it faces.

Mr. Chairman, the topic of our hearing today is not an interesting intellectual exercise. We are dealing with one of the most significant and volatile problems in Europe today.

Finally, solution is urgent and taking steps now to recognize the independent steps of Kosova is essential. I look forward to the testimony of our witnesses.

Chairman HYDE. Thank you, Mr. Lantos.

The Chair will entertain opening statements of 1 minute only, which will be sharply enforced, because we want to get to our witnesses. But we will experiment with giving Members an opportunity for an opening statement if they wish.

Mr. Burton, Indiana.

Ms. Ros-Lehtinen—is there anybody here who wants to make an opening statement?

Mr. Rohrabacher.

Mr. ROHRABACHER. Let me thank you, Mr. Chairman, and let me thank Mr. Lantos for the leadership that you two have provided on this issue. It is time to get on with it. We have wasted so much time while the lives of these people just go on and on. The young people in Kosovo feel helpless.

Unless we move and act to recognize that they have the rights, as everyone else, to control their own destiny through the ballot box, they are going to be just as angry as Americans would be in

the same situation. We shouldn't permit the rights of our young people ever to be violated such, and we should assure that the people of Kosovo—justice is on an equal level with our own people.

It is time to give them the jobs, give them their rights, give them the right to vote and control their own country and to have a democratically-elected government. This Administration, if it is serious about promoting democracy, which we hear from the President all the time, can start with Kosovo. It is a great place to start because we can do—

Chairman HYDE. The gentleman's time has expired.

Mr. ROHRABACHER. Thank you.

Chairman HYDE. Mr. Ackerman of New York.

Mr. ACKERMAN. Thank you for your leadership,

Mr. Chairman. The freedom-loving people of Kosovo deserve the same rights of self-determination as anyone else in the world.

I want to strongly associate my remarks with those of Mr. Lantos. I will put the rest of my statement in the record in the interest of saving time.

Chairman HYDE. Without objection.

Any further opening statements?

I am happy to see none, and we will see to our panel, our first panel.

I welcome Under Secretary of State for Political Affairs Nick Burns. As Under Secretary he oversees U.S. policy in each region of the world and serves in the Senior Career Foreign Service position at the Department. Prior to his service as Under Secretary, Ambassador Burns was U.S. Permanent Representative to NATO. During his tenure as Ambassador to Greece, the United States strengthened our partnership in the Balkans and increased trade, investment and people-to-people programs.

Thank you for being with us today, Mr. Ambassador.

Also on the first panel is Ms. Mira Ricardel, Acting Under Secretary for International Security at the Department of Defense. Ms. Ricardel brings to her position 20 years of experience on national security matters, both within the Executive Branch as well as the U.S. Congress. She is a principal advisor to the Secretary of Defense on many regions, including the Balkans.

Welcome, Ms. Ricardel.

Your full statements will be included in the record.

Ambassador Burns, please proceed with a 5- to 8-minute summary of your statement, which, of course, will be made a part of the record.

**STATEMENT OF THE HONORABLE R. NICHOLAS BURNS,  
UNDER SECRETARY FOR POLITICAL AFFAIRS, U.S. DEPARTMENT OF STATE**

Mr. BURNS. Mr. Chairman, thank you very much.

Mr. Lantos, thank you very much for your comments. Distinguished Members of the Committee, it is a pleasure to be back before you.

I have submitted a statement for the record. Mr. Chairman, I will not read that statement, but I would like to review the major outlines of our policy toward Kosovo.

Thank you, first, for the interest of this Committee in a vital issue. As you know, both President Bush and Secretary Rice believe that we need to proceed—yes, how is that, is that better? Okay. It is on now. The button shows the green light. Can you hear me, Mr. Chairman?

Chairman HYDE. Yes.

Mr. BURNS. Very good. Mr. Chairman, that is much better. I think we have a defective microphone.

Let me begin again by saying, again, Mr. Chairman, Mr. Lantos, Members of the Committee, I have submitted a statement for the record. I will not read that. I will spare you the full reading of the testimony.

I thank you for the interest of this Committee in Kosovo. It is a vital issue for the United States. Both the President and Secretary Rice have indicated that recently. We believe that 2005 is going to be a vital year for the Balkans itself.

On July 11th, the people of Bosnia and Herzegovina are going to commemorate a tragic event, the execution of 8,000 men and boys by General Ratko Mladic and his forces at Srebrenica on May 4, 1995. That was the worst war crime in Europe since the Nazi era.

From there, of course, we will also commemorate in November the 10th anniversary of the Dayton Accords, where the United States stepped in, ended the war in Bosnia, and negotiated—I think quite brilliantly, led by Richard Holbrooke—the peace there.

Of course, in 2005, the people of Kosovo have to turn their attention to their future. It is time to determine the political future of that region. President Bush and Secretary Rice have placed a very high priority on that. We understand that we need to finish the work in 2005 of bringing the Balkans into the democratic community of nations, into association with the European Union and with NATO, to end the divisive strife that has been so much a part of that region's history for the last 15 years.

We understand that the United States has a major role to play. We have credibility in the region because of our past leadership. We are indicating today in this testimony a renewed attempt now by the United States Government to be active in Bosnia, to be active in Kosovo, and active in convincing the Government of Serbia and Montenegro to do the right thing. That is to turn over General Mladic for prosecution at the Hague; to find Radovan Karadzic and turn him over for prosecution at the War Crimes Tribunal.

So we see 2005 as a year of renewed emphasis. As part of this, Secretary Rice has asked me, Mr. Chairman, to travel to the region in early June, to Bosnia-Herzegovina, to Kosovo, as well as to Belgrade, in order to advance the United States national interests in seeing progress made on all of these issues, particularly on the Kosovo issue, in 2005.

Kosovo is perhaps the most difficult issue remaining in the region. We believe, as Mr. Lantos has just said, that the status quo of Kosovo's undefined status is no longer sustainable, desirable or acceptable. It doesn't satisfy any of the parties or any of the people of the region. It does leave open the possibility of renewed ethnic violence. We believe that failure to address Kosovo's status in the near term risks undoing much of what we have achieved in the Balkans over the last 10 years.

We want to do that in a way that brings Serbia and Montenegro fully into the democratic community of nations. This is an Administration priority. So we do see 2005 as the year of decision.

We are going to be working with the United Nations and with our European allies to launch a process to determine Kosovo's final status. What that will essentially entail is that this summer the United Nations' Secretary-General, Kofi Annan, will appoint a senior European diplomat—we would very much like that to be Norway's Ambassador to NATO, Kai Eide—to conduct an assessment of whether or not the time is right for Kosovo to engage in final status talks, whether or not the standards that Mr. Lantos referred to have been sufficiently advanced that we think the province is ripe for negotiations.

Should that assessment be positive, and we have every reason to believe that it will be positive, then we would urge Secretary-General Kofi Annan to appoint a senior European negotiator this autumn assisted by a senior American deputy negotiator, whom President Bush and Secretary Rice would appoint, to conduct final status talks among the parties.

Now, the positions of the parties are poles apart. You will find on the Albanian side, of course, a great desire for independence. You will find on the part of the Government of Serbia and Montenegro an admittance that the people of the province deserve greater autonomy, but they do not support independence.

You will find in some of the excellent private studies that have been done—and some of the witnesses coming later in the day have participated in those—that other outside observers, NGOs, say there might be a phased avenue toward independence. The United States and our European partners have not taken a position on which of these avenues is the appropriate one, frankly because we believe that our credibility rests on being an independent arbiter and remaining objective, and using our influence to spur them on to these negotiations, and to see that done in such a way that the province does not return to violence or enter into ethnic violence. But it is clear to us that the desire of the majority of the community for a change in the status quo has to be met.

It is also clear to us that the rights of the minority population have to be respected. In March 2004, all of us saw despicable violence on the streets of Kosovo where the Albanian—elements of the Albanian majority undertook vicious attacks against the minority Serbs. People's homes were burned, churches were burned, 19 people lost their lives. Now, significantly, the government of the province has prosecuted some of the people responsible for those crimes. We thank them for that and congratulate them on that.

But there has to be an attempt, as I think many of the Members have said in previous statements, to make sure that the majority community protects the rights of the Serbs. The irony here is, of course, that the United States went into Kosovo in March 1999 to protect the Albanian population from the ethnic cleansing of Milosevic and his forces. We must not now permit a situation where the majority inflict that type of punishment on the minority population, because the only way forward is through ethnic reconciliation and ethnic harmony among the major population

groups. We are committed to that, Mr. Chairman, and committed to this political process that I have just noted.

I don't want to take too much of your time, because I know you have questions. I know you have my testimony, but just a few other points.

We are very proud of the role the United States has played over two of the Administrations, over the Administration of President Clinton and now over President Bush. It was NATO that ended that war in 1999. It has been NATO that has kept the peace, now, for 6 years.

We are proud of the fact that we still have 1,800 American soldiers in Kosovo. Mira Ricardel will talk about that in her testimony. They are doing an indispensable job of keeping peace and allowing for security over the next year and time for the parties to negotiate.

We are very grateful to our European allies who have contributed so much capital as well as troops—and the vast majority, I should say—to this effort. We think that NATO must remain there to finish this job, and President Bush has committed to the allies that we went into Kosovo together, we will come out together, we must keep the American troops there to finish this job. But we also have to look toward the day when they can depart with a job well done. We look forward to that day with great anticipation.

My final point, Mr. Chairman, and just summarizing my written testimony, would be to say this—the country that holds the key to this solution is clearly Serbia-Montenegro. It is a government that must now negotiate very seriously with the governing authorities in Kosovo and with the United Nations and with the United States and others to pave the way toward peace and to a better future for the people of the region.

We are counting on the Serbian Government to close the horrible chapter of the 1990s. We are counting on them to find Ratko Mladic, to extradite him to the Hague, and to make sure he is put on trial for war crimes. For our part, the United States will not fully normalize our position with Belgrade until that is done. At NATO we have denied entry of Serbia-Montenegro into the Partnership for Peace until Mladic is turned over.

We are placing enormous pressure on the Serbian Government as well as the Republic of Srpska Government in Banja Luka, Bosnia-Herzegovina, to find Mr. Karadzic and extradite him to the Hague.

We can't forget the 1990s. We owe it to the victims, the families of the victims, the women who lost 8,000 husbands and sons and brothers at Srebrenica to make sure these people are brought to justice, and that remains an abiding concern of our Government.

We do look ahead—and this will be my final comment—with some degree of anticipation and some degree of optimism that in 2005 the United States and our European allies and the United Nations can very aggressively push forward now a diplomatic process that will decide the question of the future status of Kosovo once and for all, 6 years after the United States fought a successful war to bring the ethnic cleansing to a close in Kosovo. That is the commitment that the President and Secretary Rice have brought to the

table. That is why they have asked me to go to the region in 2 weeks' time.

I very much thank the Members of the Committee, Mr. Chairman, under your leadership and your interest and support for all that we are doing.

Thank you very much.

[The prepared statement of Mr. Burns follows:]

PREPARED STATEMENT OF THE HONORABLE R. NICHOLAS BURNS, UNDER SECRETARY  
FOR POLITICAL AFFAIRS, U.S. DEPARTMENT OF STATE

*Introduction*

Chairman Hyde, Congressman Lantos, distinguished Members of the Committee, thank you for the invitation to appear before you to discuss the current situation in Kosovo and our vision for progress and peace there in the coming months.

2005 is an important year for the people of the Balkans. They and we will commemorate on July 11 the tenth anniversary of the horrible massacre at Srebrenica where nearly 8,000 men and boys were killed. In November, we will observe the tenth anniversary of the Dayton Peace Accords. In Kosovo, nearly all agree the time has come for progress in determining its political future.

President Bush and Secretary Rice place a high priority in having the U.S. help to lead international efforts to stabilize the Balkans, ensure that the evils of the 1990's are not repeated, and bring the perpetrators of these horrors to justice. We need to finish the work of ending the divisive strife that has prevented the countries of the Balkans from advancing politically and economically in line with their European neighbors. We and our Allies are entering a new stage in our policy toward the Balkans, one that will accelerate the region's integration into the European family and Euro-Atlantic institutions. Secretary Rice has asked me to travel to Serbia and Montenegro and Kosovo, as well as Bosnia-Herzegovina, early next month to reaffirm the U.S. commitment to help resolve the problems of the region and urge local leaders to make greater progress on outstanding issues.

To succeed in our overall efforts in the Balkans, we must work hard to help the people of Kosovo find greater security, ethnic reconciliation and peace in 2005. Kosovo is perhaps the most difficult remaining issue in the region. We believe, as the parties themselves do, that the status quo of Kosovo's undefined future is not sustainable or desirable. It satisfies no one and leaves open the possibility of renewed ethnic violence. Failure to address Kosovo's status in the near term risks undoing much of what we have achieved in the Balkans over the last ten years. Resolving Kosovo's future status in a way that also brings Serbia and Montenegro fully into the community of democratic nations is an administration priority that will allow us to advance our goals for the entire region, and put the legacy of the bloody break-up of Yugoslavia firmly in the past.

2005 is a year of decision for Kosovo. Together with the United Nations and our European partners, we hope to launch a process to determine Kosovo's future status. Getting there will depend on Kosovo's leaders continuing their progress on a set of UN-endorsed standards that are designed to ensure the presence of basic values of multi-ethnicity, democracy, and market-orientation while placing Kosovo decisively on the path to future integration with Europe. No matter what Kosovo's final status might be, these values are at the heart of our effort to move the Balkans back onto the path of reform and progress that most of the rest of the central and eastern European states have already so successfully navigated since the end of the Cold War.

Agreeing on a future status for Kosovo will not be easy. Belgrade has set forth a position of "more than autonomy, but less than independence" for Kosovo. Kosovo's Albanian population insists on immediate and unconditional independence. Finding common ground between these positions will be a major challenge, but we believe that with U.S. leadership and trans-Atlantic cooperation, we can achieve a solution that produces long term stability for the Balkans by moving the whole region into the Euro-Atlantic family of nations.

*Current Situation*

Six years ago, the United States led the NATO Allies in a successful campaign to end Slobodan Milosevic's reign of terror in Kosovo and halt his attempted ethnic cleansing of the Albanian population of Kosovo. Milosevic manipulated Serb history in Kosovo to support his rise to power and was convinced that the world thought as little of its Albanian population as he did. Only force could stop his murderous

plans, so NATO took action. Following the military air campaign and the forced withdrawal of Serb security forces, Kosovo was effectively made a ward of the international community—administered by the UN and secured by NATO—with its future status left to later determination. We believed that the divisions in the region would not permit a negotiation on Kosovo's future status at that time. Today the UN continues to administer Kosovo and NATO troops continue to provide security.

Having been freed of Milosevic's oppressive rule, in the aftermath of the air campaign, sadly too many in Kosovo's Albanian population decided to seek their own retribution against their Serb neighbors. According to some estimates, since 1999 over 100,000 Serbs and Roma have been driven from or fled their homes in Kosovo. The United States and our NATO Allies made clear then, and continue to reaffirm, that NATO did not go to war to save the Albanians from ethnic cleansing only to see them mete out the same fate to the Serbs. Failure to secure a multi-ethnic Kosovo would be a failure of our efforts over the last six years and indeed, the last decade.

The UN and NATO remain committed to the tasks we assumed in 1999, under UN Security Council Resolution 1244. Today, the very able and effective Special Representative of the Secretary General (SRSG) Soren Jessen-Petersen of Denmark leads the UN Mission in Kosovo (UNMIK). An equally able retired American Foreign Service Officer, Ambassador Larry Rossin, assists as his principal deputy. The troops of NATO's Kosovo Force (KFOR) have drawn down over time as the security situation has improved. From a peak of 40,000 troops in late 1999, today KFOR has around 18,000 troops on the ground, from 34 countries, who ensure a safe and secure environment for all of Kosovo's ethnic groups. From an original deployment of nearly 15,000 U.S. troops, today roughly 1800 Americans serve as an essential part of KFOR. President Bush has made clear that having gone in to Kosovo with our Allies, we will stay there with them until the job is done. We seek, of course, to hasten the day when peace is self-sustaining and our troops can come home.

Until that day comes, we will continue to lead efforts to ensure that KFOR is the most capable and effective force it can be. From my time at NATO, I well know SACEUR General Jones' commitment to this goal. We support General Jones' proposals to restructure KFOR to improve the tooth to tail ratio and are urging Allies to focus on capabilities, not numbers, in assessing KFOR strength.

Since 1999, Kosovo and the international community have made progress on constructing the foundations of lasting stability. Kosovo has held four successful elections, drafted a constitutional framework, established provisional governmental institutions, and created a professional and multi-ethnic police force. The UN has been able to hand over greater responsibility for governance to the provisional government. Last October, Kosovo held its second set of legislative elections, which were locally administered. The elections were assessed as free and fair by the international community, but were marred by the non-participation of Kosovo's Serbs, pressured by Belgrade not to join the democratic process. Following the elections, a coalition government was formed with Ibrahim Rugova as President and Ramush Haradinaj as Prime Minister. In its first 100 days, the Haradinaj government achieved significant progress on implementing the UN-endorsed standards.

In March, Ramush Haradinaj was indicted by the International Criminal Tribunal for the former Yugoslavia (ICTY) for crimes allegedly committed while a commander in the Kosovo Liberation Army (KLA). He surrendered peacefully, and voluntarily turned himself into the tribunal. The absence of violence and smooth transition to a new government led by his replacement Prime Minister Bajram Kosumi were encouraging signs of Kosovo's growing political maturity. Since March, Prime Minister Kosumi has worked to maintain much of his predecessor's momentum on standards implementation.

While this momentum was cause for optimism, the appalling violence of March 2004, which claimed 19 lives was deeply disturbing. Members of Kosovo's Albanian community largely targeted Kosovo's Serb community, demonstrating that we remained far from our goal of a stable and multi-ethnic Kosovo. The strong international condemnation and demand for action was a wake up call to many of Kosovo's Albanian leaders that the international community was serious about ensuring multi-ethnicity. Since the violence, we and NATO have reaffirmed our determination to protect the Serb community, its churches, monasteries, and historic sites. I had a chance to make this point directly to an impressive delegation from the Serbian Orthodox Church that I met last month, a group that included Father Irinej who will speak to you later today.

Since March 2004 Kosovo has made some progress in many of the technical aspects of developing a multi-ethnic society. For example, the Assembly passed an Anti-Discrimination Law and the government is now training judges and prosecutors on its enforcement. The government developed an action plan for the protection

of Kosovo's multi-ethnic cultural heritage and is completing an inventory of all its cultural heritage sites. The government set aside ten and a half million Euros of its own funds to support the return of displaced persons, focusing on those, mostly Serbs, displaced by the March 2004 violence. And, a majority of municipalities drafted local strategies to encourage returns and appointed municipal returns officers. These are encouraging initiatives, but they are only the beginning. Full implementation of the detailed work plan for the standards is a major undertaking that will take years, not months. We will continue to assist the people of Kosovo in this effort, which will contribute to their ability to meet the rigorous membership criteria of European and Euro-Atlantic institutions.

The key indicator of progress, however, will be the commitment of Kosovo's Albanians to create a multi-ethnic Kosovo that fully includes Serbs, setting the conditions for those who fled to return and live in safety. As our outstanding chief of mission in Pristina, Phil Goldberg, said, "The road signs will be in Serbian as well as Albanian. The question is whether they point the way for displaced Serbs to return to their homes, or direct them out of Kosovo." In recent months, Kosovo Albanian leaders have taken positive steps in this area. In February, then Prime Minister Haradinaj and municipal leaders issued a joint declaration urging the displaced Serbs to return and encouraging Kosovo Albanians to accept and implement their special responsibilities towards Kosovo's minority communities. The Minister of Local Government and the Minister of Returns, himself a Serb, traveled to displaced persons camps to encourage returns. Kosovo Serb leaders told Contact Group representatives visiting in April that there had been no major incidents threatening their freedom of movement in the preceding three months. The Albanian Minister of the Environment traveled to the Decani monastery, one of the most prominent Serbian Orthodox sites in Kosovo, on Orthodox Easter and addressed the church leadership in Serbian with a message of reconciliation.

Now Kosovo's leaders must institutionalize these efforts and ensure their continuation, most significantly by decentralizing government. By moving control of issues such as health, education, law enforcement and justice to the local level, local communities can have control of the elements of daily life most essential to preserving their identity and rights. Decentralization will benefit all of Kosovo's citizens, but will be especially important for advancing the rights of Kosovo Serbs as well as Roma and other minorities, and for encouraging returns. Displaced Serbs want to know that they will have a voice in the issues that matter to them most and the security to exercise their rights before deciding to return. At the same time, all of these local structures must be accountable to Pristina, not Belgrade. The parallel, Belgrade-funded institutions, most notably in Mitrovica, must be dismantled or integrated into Kosovo's structures.

As we urge Albanians and Serbs in Kosovo to take the hard decisions to create a multi-ethnic society, the United States has provided significant support to these efforts. The United States is providing roughly \$75 million in assistance to Kosovo under the Support for Eastern European Democracies (SEED) program. About half of that money goes to security through the UN civilian police mission and the other half is targeted to assist with implementing the standards, especially those focused on multi-ethnicity. We have offered to make \$1 million of those funds available specifically to support decentralization programs. We provide an additional three and a half million dollars to support returns in Kosovo. On May 13, the United States pledged \$1 million to a UNESCO effort to protect all of Kosovo's religious and historical sites, including especially Serb sites, to ensure the preservation of Kosovo's rich cultural and ethnic heritage.

The economy is a significant challenge for all the people of Kosovo, where unemployment runs at 60 percent or higher. Huge swaths of the economy are outside of formal structures, making them ripe targets for corruption and organized criminal activities. Investment and development are constrained by unreliable basic services that we take for granted, like electricity and telephone systems. Large and inefficient state enterprises are still not privatized and foreign investors are waiting for greater political clarity and decisions on Kosovo's sovereignty before investing. The UN, after much delay, promulgated rules on eminent domain and land tenure that will allow privatization and other essential economic programs to move forward. With its status unresolved, however, Kosovo is not eligible for the IMF or World Bank assistance that it so urgently needs to develop a stable economy.

Kosovo's unresolved status hampers not only the economy, but further progress on its core goals. Many displaced Serbs are unwilling to return to their homes until there is clarity about Kosovo's future status. Kosovo's Albanian population also will not wait idly by while Kosovo's status remains unresolved. As I've said, the status quo is neither sustainable nor desirable for all involved, including the United States—we have 1800 American troops assigned to the NATO-led KFOR and a UN



mission that cost us \$74 million last year. By defining a political framework for Kosovo's future, we believe more rapid progress can be made in building a stable, democratic, multi-ethnic and market-oriented Kosovo.

*The Way Forward*

Earlier, I characterized 2005 as a year of decision for Kosovo. In November 2003, my predecessor, Marc Grossman, laid out to the region a comprehensive strategy to move us beyond rote repetition of the UN-crafted slogan "standards before status." He outlined a process of regular reviews of progress on the standards, leading to a comprehensive review of progress in mid-2005. A sufficiently positive review would then lead to a process to resolve Kosovo's status. The UN Security Council endorsed this approach in a December 2003 Presidential Statement. Regardless of when we launch a status process, the work of Kosovo's leadership on the standards will continue. Further implementation of the standards is essential for all the people of Kosovo to live in the kind of society they deserve, and for Kosovo to meet the rigorous criteria for Euro-Atlantic integration. As my good friend, Ambassador Kai Eide of Norway, noted in his excellent report to UN Secretary General Annan last year, we are effectively moving to an approach of "standards with status."

We have been working actively with our fellow members of the Contact Group—the EU, France, Germany, Italy, Russia and the United Kingdom—to implement our vision for Kosovo. Together, the Contact Group brings significant political and diplomatic weight to bear on the issue. We regularly visit the region and meet on both sides of the Atlantic to plan the way forward. Ten years ago, the Balkans were a source of significant trans-Atlantic tension, but today the Balkans are one of the areas where we cooperate most effectively. I expect that the Contact Group will continue its activity on Kosovo and look forward to future meetings with my counterparts to advance our policy.

When I met with my Contact Group counterparts in London last month, I found unanimous agreement to move forward with the comprehensive review this summer. The UN Secretary General will appoint a person to conduct the review, we hope shortly after Mr. Jessen-Petersen's appearance at the Security Council on May 27. The Contact Group strongly endorsed Kai Eide for the job. The review will look not only at the technical fulfillment of the standards, but also at the larger political issues. It will be based on information from a wide range of sources, including visits to the region and discussion with key international actors in Kosovo. We expect it will take six to eight weeks to complete the review and several more weeks to draft the report, which we hope can be completed by late summer. While the result of the review is not a foregone conclusion, we are hopeful that Kosovo is on course to a positive review. Mr. Jessen-Petersen noted in recent reports to the Security Council this positive trend overall on standards implementation, but also that more work remains to be done, particularly on implementing the first stages of decentralization.

We expect the Contact Group and the UN to meet this fall to consider the results of the comprehensive review and to decide whether to launch a political process to determine Kosovo's final status. If the result of the review is sufficiently positive, the United States will advocate a swift launch of status talks. We believe a senior European political figure, appointed by the UN in consultation with the Contact Group, should lead the process. While some names have been mentioned, the United States has not yet decided to endorse a specific candidate. I have told the Contact Group that the U.S. will offer a senior American diplomat to serve as deputy to the status envoy and Secretary Rice is currently considering possible candidates for this role.

The exact shape of a status process remains undefined, in part to allow the envoy the flexibility to create a format that he or she believes will promote the most success. However, the Contact Group has already identified three essential elements for Belgrade and Pristina: status talks will involve dialogue between Belgrade and Pristina; Kosovo's Serbs and other minority communities will have a role in the process; and all parties are expected to refrain from obstructing the process.

The negotiations will be difficult. Passions run high on both sides and opening positions are likely to be diametrically opposed. Kosovo's Albanians continue to demand immediate and unconditional independence without any discussion of the modalities. Belgrade has a slogan of "more than autonomy, but less than independence" but has yet to define what that means. Think tanks and non-governmental organizations such as the International Crisis Group and the International Commission on the Balkans have placed ideas on the table, often advocating some type of phased and conditioned approach to eventual independence for Kosovo.

In order to preserve our role as facilitators of a negotiated solution, the United States and our partners in the Contact Group have not advocated any specific out-

come for status talks, but we have identified some basic principles that should guide a settlement of Kosovo's final status. We ruled out a return to the situation before March 1999 and made clear that Kosovo's final status must enhance regional stability and contribute to the Euro-Atlantic integration of the Balkans. Accordingly, Kosovo's final status must:

- Be based on multi-ethnicity with full respect for human rights including the right of all refugees and displaced persons to return to their homes in safety;
- Offer effective constitutional guarantees to ensure the protection of minorities;
- Include specific safeguards for the protection of cultural and religious heritage; and
- Promote effective mechanisms for fighting organized crime and terrorism.

Additionally, the Contact Group told the parties that we believe that Kosovo's final status must:

- Not be decided by any party unilaterally or result from the use of force;
- Not change the boundaries of the current territory of Kosovo, either through partition or through a new union of Kosovo with any country or part of any country after the resolution of Kosovo's status;
- Fully respect the territorial integrity of all other states in the region;
- Ensure that Kosovo continues to develop in a sustainable way both politically and economically; and
- Ensure that Kosovo does not pose a military or security threat to its neighbors.

We also made clear that we expect that the international civilian and military presences would continue in place past a status settlement to ensure its full implementation and to monitor the political and security situations for Kosovo's minorities. We are discussing with our friends in the European Union placing an EU focus on the international efforts following a status settlement, even while the United States remains an active partner in Kosovo and throughout the region. We have invested too much and have too important a stake in the success of Kosovo and the region—and in our partnership with Europe—to do otherwise.

Once agreement has been reached on Kosovo's final status, we would expect to return to the UN Security Council to seek a new resolution that moves us beyond 1244 and endorses the main results of the status talks. While we have not set a specific timetable for the process, we would hope to be able to bring a settlement to the Security Council sometime before the end of next year.

#### *The Role of Belgrade*

Belgrade's role in this process must be one of continued constructive engagement. Any undue delay or obstruction would require us to reevaluate Belgrade's role. We call on Belgrade to support Kosovo's Serbs taking their seats in the Assembly and resuming participation in Kosovo's institutions and political life, ending their Belgrade-imposed isolation. Kosovo Serbs should have a direct voice in decisions that affect their daily life. We welcome the resumption of the Belgrade-Pristina technical dialogue on missing persons, returns and other issues. These humanitarian concerns should not be hostage to politics. Serbian President Tadic offered to meet with President Rugova and we continue efforts to facilitate such a meeting, but stress that Belgrade should not see it as a way to circumvent status discussions.

Whatever Kosovo's final status, Belgrade will have to accept some change from the pre-1999 situation. The process to decide Kosovo's final status also affords us an opportunity to help Serbia move back into the European mainstream where it belongs. For over 15 years, first under the despotic rule of Slobodan Milosevic and then handicapped by his legacy, Serbia could not serve as a constructive agent for regional growth and stability. Kosovo is a burden weighing Serbia down.

Serbia and Montenegro wants to be part of Europe as President Marovic made clear when he said, "Our goal is to join the process for integration into the European Union as soon as possible as well as the Partnership for Peace. . . . Serbia and Montenegro will not let this chance for a European future go by." And indeed, Europe wants to welcome Serbia and Montenegro back into the fold. At the 2003 Thessaloniki Summit, EU leaders stated that they would welcome all the states of the Balkans as future EU members. Italian Foreign Minister Fini said recently, "Forging a common identity and outlook for the Balkans is a responsibility that Europe must accept if it wishes to measure up to its historic mission: that of offering continuous prospects for peace, prosperity and stability to the peoples of the entire

continent.” We support this reconciliation between Europe and Serbia and Montenegro and will do what we can to facilitate its success.

We have been explicit with Belgrade; constructive engagement in the Kosovo status process, full cooperation with the ICTY (especially in the apprehension and transfer to The Hague of Ratko Mladic and Radovan Karadzic), a continued cooperative attitude toward the state union with Montenegro, and a constructive regional role, notably in Bosnia, would help clear the path to EU and NATO membership. How fast Belgrade moves down that path depends entirely on how well it cooperates in these areas. Recent signs are encouraging: Belgrade has taken steps to effect the transfer of twelve indictees this year to the Hague, opening the way for the European Union to announce its willingness to pursue a Stabilization and Association Agreement as part of Serbia and Montenegro’s preparations to apply for European Union membership. We hope that these positive steps continue, particularly in relation to Belgrade’s efforts to locate and arrest Ratko Mladic.

Let me be clear, we are not rewarding Belgrade for doing what it should do in these areas. Rather, we are trying to define for government leaders in Belgrade what the international community expects from them and to show them the tangible benefits and opportunities that await them as they move forward towards the EU and NATO. We are examining what NATO can offer in this area, but we remain firm that Belgrade cannot join the Partnership for Peace until Ratko Mladic is in The Hague. However, we believe that the possibility of closer relations with the EU will be the bigger prize for the Serbian body politic. Therefore, we are encouraging our European partners to develop a bold and creative package that translates the benefits of advancing toward EU membership into terms understandable to the average person in Serbia.

#### *Conclusion*

Mr. Chairman, members of the committee, after the fall of the Berlin Wall, many in Europe believed that Yugoslavia would lead the former communist countries down the path of reform and would be the first to join the EU. The murderous policies of Milosevic and others prevented that and instead created Europe’s most divisive conflicts and worst human rights abuses since the Second World War. We have an opportunity this year to move past the legacy of the last 15 years and accelerate the integration of the Balkans into the great Trans-Atlantic community. Working closely with our Allies and the people of the region, we will help write a new chapter to a story that began with the breakup of Yugoslavia and a series of tragic wars—wars that ended only after the collective action of the world’s greatest alliance—NATO. A Kosovo solution coupled with a commitment to active engagement with a Serbia that fulfills its international obligations will move us closer to President Bush’s vision of a Europe whole, free and at peace—the great strategic objective of our policy in Europe.

Chairman HYDE. Thank you very much, Ambassador Burns.  
Ms. Ricardel.

#### **STATEMENT OF MS. MIRA R. RICARDEL, ACTING ASSISTANT SECRETARY FOR INTERNATIONAL SECURITY POLICY, OFFICE OF THE SECRETARY OF DEFENSE, U.S. DEPARTMENT OF DEFENSE**

Ms. RICARDEL. Mr. Chairman, Mr. Lantos, Members of the Committee, thank you for inviting me to testify on Kosovo. My first visit there was in 1990, as well with Senator Dole, and we have certainly come a long way from there. I will focus my brief remarks on the security situation there and U.S. and NATO operations.

This is a year in which critical decisions likely will be made about Kosovo’s performance on UN-endorsed standards and its final status. How these decisions are made can be expected to have a significant impact on security and stability in Kosovo and the region.

While the security situation in the region has changed, NATO’s commitment has not. NATO’s approach remains one of adjusting force levels in response to changing security needs. A key objective also is to enable Kosovo and its neighbors to transition from being

consumers of security to being genuine contributors to security and stability not only in the region, but beyond.

The overall situation in Kosovo remains fragile, but calm. I recently visited Pristina and was impressed by progress made to date. There is still work to be done to get the economy up and running and to facilitate refugee returns. The view of the political and military leaders is that the longer there is uncertainty about the future of Kosovo's future status, the more volatile security conditions could become.

UNMIK's relationship with KFOR is strong. Both are working together with the 6,000-plus multi-ethnic Kosovo Police Service, or KPS. Kosovo has come a long way since March 2004 when communication between security agencies, KFOR, and local authorities was weak and random. KFOR has been working with increasingly capable local security organizations to ensure that Kosovo does not become a safe haven for extremism, terrorism or criminal elements.

KFOR is tasked with building a secure environment to facilitate democracy, including deterring renewed hostility, ensuring public safety and order, supporting humanitarian assistance, and coordinating with UNMIK.

In 1999, KFOR's initial force totalled 40,000 troops. There are now less than 18,000, and as was mentioned, about 1,800 from the U.S. The California National Guard, under the command of Brigadier General William Wade, has been in charge of KFOR's Multi-National Brigade East Sector, or MNB-E, since March 1st of this year, and is on a 1-year rotation supported by units from Ohio, Indiana, Kansas, and Pennsylvania.

KFOR responded quickly to the outbreak of mob violence on March 4th of last year, but there was substantial room for improvement. A NATO "lessons-learned" study highlighted areas where KFOR could increase its effectiveness. In particular, it assessed that the KFOR troops needed to be less constrained by national controls and/or restrictions related to crowd and riot control. U.S. forces, unhindered by these limitations, performed admirably during the crisis.

Since then, SACEUR, General Jones, has made substantial progress in getting the United Nations to lift these caveats. Units have received civil disorder training and regularly exercised using more robust rules of engagement.

Also, as part of NATO's transformation efforts, it is addressing the usability of forces, as well as mobility, and improved tooth-to-tail ratios. About one-third of KFOR troops are deployable for key military tasks, with the rest in supporting roles such as logistics.

General Jones wants KFOR to become more proactive, more mobile, and more capable. He has proposed a task force structure where KFOR could become more responsive with more efficient command and control, less hindered by caveats, streamlined to avoid duplicative structures, more usable, and potentially leaner. We hope that allies will soon endorse this task force structure at the upcoming NATO defense ministerial in June.

Finally, it is important to note that we have adopted a regional approach to adopting a managerial force in the Balkans. All United States forces serving in the region are under the operational control of Admiral Michael Mullen, who commands the NATO's Joint

Forces Command based in Naples, Italy. This arrangement provides greater flexibility to move forces around the region as needed. Under the Joint Operations Area, or "JOA" approach, NATO conducts a periodic mission review, or "PMR," every 6 months to evaluate the security situation on the ground and make recommendations on force requirements. This review is then submitted to the North Atlantic Council for decision.

The JOA provides for the use of reserve forces at the tactical, operational, and strategic levels. For example, during last year's March riots, NATO was able to surge an additional 3,000 troops within a few days, the first arriving in less than 24 hours. Similar surges occurred before the elections in last October and recently during the time of former Prime Minister Haradinaj's indictment.

While future force requirements in Kosovo will ultimately be driven by the situation on the ground, the United States is working with allies to restructure KFOR to make it more effective so that it can meet the challenges that will arise during Kosovo's future status negotiations and beyond. We will continue to honor our alliance commitment.

To sum up, as Ambassador Burns has said, President Bush says that we will go in together and out together. At the same time, we wish to hasten the day when NATO can complete its mission in Kosovo, as it has in Bosnia. That means building in the capacities of local institutions, such as the Kosovo Police Service, to maintain law and order. All local institutions must have an increasing role in building a secure environment, especially as UNMIK turns over responsibility to the Kosovars.

Thank you very much.

[The prepared statement of Ms. Ricardel follows:]

PREPARED STATEMENT OF MS. MIRA R. RICARDEL, ACTING ASSISTANT SECRETARY FOR INTERNATIONAL SECURITY POLICY, OFFICE OF THE SECRETARY OF DEFENSE, U.S. DEPARTMENT OF DEFENSE

Mr. Chairman, Mr. Lantos and members of the Committee, thank you for inviting me to testify on Kosovo. I will focus my remarks on the security situation in Kosovo and U.S. and NATO operations there. This is a year in which critical decisions likely will be made about Kosovo's performance on UN-endorsed standards and its final status. How these decisions are made can be expected to have a significant impact on security and stability in Kosovo and the region.

As President Bush has repeatedly emphasized, we went into the Balkans together with our NATO Allies and we will go out together. The security situation in the region has changed, but NATO's commitment has not. NATO's approach remains one of adjusting force levels in response to changing security needs. A key objective is to enable Kosovo and its neighbors to transition from being consumers of security, to being genuine contributors to security and stability, not only in the region, but beyond.

*Developments in Kosovo*

The overall situation in Kosovo remains fragile, but calm. I recently visited Kosovo, and was impressed by progress made to date. There is still work to be done to get the economy up and running, and to facilitate refugee returns. The view of the military and political leaders I met with is that the longer there is uncertainty about Kosovo's future status, the more volatile security conditions could become.

I am encouraged by the capable leadership of Special Representative of the UN Secretary General, Soren Jessen Petersen, and his deputy Ambassador Larry Rossin. Also, a noteworthy level of political maturity has been demonstrated by some of Kosovo's leaders including Former Prime Minister Ramush Haradinaj who voluntarily turned himself over to The Hague.

The principal challenge in Kosovo has been to establish the rule of law and help the Kosovo government (Provisional Institutions of Self Government—PISG) rebuild

institutions capable of providing a safe, secure and prosperous environment for all of its inhabitants.

The UN Interim Administration Mission in Kosovo (UNMIK) is responsible for civilian administration in Kosovo, including the maintenance of civil law and order. UNMIK has taken a number of steps to strengthen its performance and accelerate turning over key functions to the PISG to reduce dependency and strengthen lines of accountability. Prime Minister Kosumi and his government appear to be taking the standards process seriously and recognize that the path ahead will be challenging.

UNMIK's relationship with KFOR is strong; both are working together with the 6,000 plus multi-ethnic Kosovo Police Service, KPS. It is the KPS that increasingly must take on responsibility for being the first responder in dealing with threats to law and order. Kosovo has come a long way since March of 2004 when communication between security agencies, KFOR and local authorities was weak and random. KFOR has been working with local security organizations as they build up their capacity to ensure that Kosovo does not become a safe haven for extremism, terrorism or criminal elements.

#### *KFOR*

KFOR is tasked with building a secure environment to facilitate democracy—including deterring renewed hostility, ensuring public safety and order, supporting humanitarian assistance, and coordinating with UNMIK.

In 1999, KFOR's initial force totaled 40,000 troops. There are now less than 18,000 troops on the ground—roughly 1,800 from the U.S. The California National Guard under the command of Brigadier General William Wade has been in charge of KFOR's Multi-National Brigade East Sector (MNB-E) since March on a one year rotation. The California Guard is supported by units from Ohio, Indiana, Kansas, and Pennsylvania.

KFOR responded swiftly to the outbreak of mob violence in March of last year, but there was substantial room for improvement. A NATO "lessons learned" study highlighted areas where KFOR could increase its effectiveness. In particular, it assessed that KFOR troops need to be less constrained by national controls and restrictions related to crowd and riot control. U.S. forces, unhindered by these limitations, performed admirably during the crisis.

Since then, SACEUR (Supreme Allied Commander Europe), General Jones, has made substantial progress getting nations to lift "caveats" on use of forces. The Commander of KFOR is now a true commander—rather than a coordinator. Units have received civil disorder training, and regularly exercise using robust rules of engagement.

Also, as part of NATO's transformation effort, it is addressing the usability of forces as well as mobility and improved "tooth to tail" ratios. Only about one third of KFOR troops are deployable for key military tasks, while the rest serves in supporting roles such as logistics.

#### *Transforming NATO's Presence in Kosovo*

General Jones wants KFOR to become more proactive, more mobile and more capable of concentrating forces where they are required for operations. He has proposed moving to a Task Force structure where KFOR can become:

- More capable, effective and responsive with more efficient command and control;
- Less hindered by caveats;
- Streamlined to avoid duplicative structures;
- More usable with improved "tooth-to-tail" ratios; and
- Potentially leaner.

KFOR Commander, General Yves de Kermabon, has said that he would welcome a Task Force structure. We hope that all allies will soon endorse the KFOR Task Force structure at the upcoming NATO Defense Ministerial in June.

#### *Moving to a Regional Approach to Force Structure and Deployment*

Finally, it is important to note that we have adopted a regional approach to managing military forces in the Balkans. All U.S. forces serving in the region are under the operational control of ADM Michael Mullen who commands NATO's Joint Forces Command based in Naples, Italy. This arrangement provides greater flexibility to move forces around the region as needed. Under the Joint Operations Area (JOA) approach, NATO conducts a Periodic Mission Review (PMR) every six months to evaluate the security situation on the ground and make recommendations on force levels. The Review is submitted to the North Atlantic Council (NAC) for decision.

The JOA provides for the use of reserve forces at the tactical, operational and strategic levels. For example, during the March riots last year in Kosovo, NATO was able to surge an additional 3,000 troops within a few days, the first arriving in less than 24 hours. Similar surges occurred before the elections last October and in March of this year—the period of the indictment of former Prime Minister Haradinaj.

While future force requirements in Kosovo ultimately will be driven by the situation on the ground, the U.S. is working with Allies to restructure KFOR now to meet more effectively the challenges that could arise during Kosovo's future status negotiations and afterwards. We will continue to honor our Alliance commitments. At the same time, President Bush has stated we wish to hasten the day when NATO completes the military mission in Kosovo as it has in Bosnia. That means building the capacities of local institutions such as the Kosovo Police Service to maintain law and order. All local institutions must have an increasing role in building a more secure environment in Kosovo, especially as UNMIK turns responsibility over to the Kosovars.

Chairman HYDE. Thank you very much, Ms. Ricardel.

Now we will have the question period. Five minutes each person, hopefully.

Mr. Lantos.

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

I want to commend both of our witnesses for extremely valuable testimony. I want to commend Secretary Burns for his outstanding service as our Ambassador in Greece, and we are particularly fortunate now to have him in the position that he occupies with his unique knowledge of the Balkans.

I would like to just make two points and maybe ask you to answer one of them, because the other one really doesn't require an answer. I think it is self-evident that no parent is ever ready for parenthood, and no nation is ever ready for nationhood. Having said this, which I think is a statement of universal applicability, it is self-evident that the people of Kosova are every bit as ready to be an independent democratic republic as many, many other nations on the face of this planet, more ready than many members of the United Nations.

My question to you, Secretary Burns, relates to Serbia's interest in this whole matter, because it is my judgment that the faster Kosova becomes an independent republic, the faster Serbia's interests can be promoted.

As I stated in my opening remarks, Serbia will not be able to participate in any European or Euro-Atlantic entity until the break between Kosovo and Serbia is final and complete. So, while many posit this whole issue as one where Kosovos are interested in independence, and Serbia is not, it is opposed to it, it is my judgment that there is a coincidence of interest. There is a parallel partiality of interest. Namely, since Kosovo clearly will not permanently remain part of Serbia, this is self-evident, the sooner the break comes, the better it is for the Kosovo Albanians, but it is also better for Serbia in achieving its legitimate goals as a constituent part of Europe. I wonder if you could comment on this.

Mr. BURNS. Congressman Lantos, thank you very much. I agree with you that there is a coincidence of interest among the major parties to this drama, the people of Kosovo and the Government and people of Serbia and Montenegro.

It is that coincidence of interest that gives us a diplomatic opportunity in 2005 to produce a final status negotiation that would lead to a solution to the problem that has been apparent for 6 years,

and that is that the people of Kosovo don't know what their future is, whether it will be continued association with Serbia-Montenegro, whether it will be of independence, whether it will be of some kind of phased route to independence.

You are certainly right that people cannot be denied their future forever. I think Congressman Rohrabacher made his point in his statement that people have to know what their political future is, and that certainly the time is ripe for that.

There has been a lot of progress made over the last few years on the standards issue which you mentioned. There is a greater degree of democratization in the rule of law. There are many problems that remain, but they are certain the time is right for that.

Serbia's interest is to see itself delivered from the tragedy of the last 15 years, largely self-inflicted, because of the rule of Slobodan Milosevic. All of the neighbors of Serbia have taken their place in the European Union, NATO, and successful democracies and their growing economies. Serbia is none of that. So the interest that Serbia has if it can resolve the Kosovo question, and if it can take these two indicted war criminals and transfer them to prosecution, they might have a long-term association with the European Union, and they might have a long-term association with NATO.

If you think about our own national interest, going all the way back to President George H.W. Bush and President Clinton and now President George W. Bush, we have had one strategic goal in Europe that is overriding, and that is the creation of a Europe that is whole, free, and at peace.

There is a pocket in Europe, the Balkans, that is not united, it is not stable, it is not peaceful, justice has been denied. So the interest that Serbia has is to overcome its tragic history, join Europe, join—at least enlist an association with NATO, and get on with its future. But they have to make some hard decisions on the war criminals and on entering these negotiations on a good-faith basis to get that done.

I think you are exactly right. It is the same opening that we see, and that is why we are indicating today in this testimony our firm desire to help push this process forward.

Mr. LANTOS. I want to thank you, and also I want to thank Secretary Rice for her leadership, which is so apparent along so many lines.

Thank you, Mr. Chairman.

Chairman HYDE. Thank you.

Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much. And I join my colleagues in congratulating the Administration for, at long last, determining that it is time to do something.

My first reaction is this: You are late. But that set aside, it is time to get on with it, as I mentioned in my opening statement; and I am very pleased that this Administration has decided, Yes, let's get on with this and try to find a solution.

The solution, to me, seems very easy. I don't know why we have to set up this convoluted process of having a United Nations adviser down there. We have a senior UN diplomat determining if the final status talks are ready, and then a senior European negotiator. What is to negotiate? What is to determine? The people of Kosovo



have a right to determine their own future through the ballot box, just as every other group of people in this world. There is nothing to determine there. Either we are Americans and we believe that, or we don't.

The President talks about democracy as being an important part of his Administration and a very important goal, important value that we are putting forward—a priority value, let's say. Well, this is the way to prove it right here. Why should we be taking into consideration what the Serbs and the Montenegrins want to do about the political future of the Kosovars? It is the Kosovars who are the ones who need to determine that.

If we believe in democracy, it is time to let the people of Kosovo have an election to determine their own leaders. And Mr. Ambassador, if this is going to cause a problem with the Serbians or the Montenegrins, the worst that would happen is they would threaten to create, you know, a warlike situation again.

Do you believe that if the United States will guarantee that this new democracy that is being established will be protected, as we will join other European allies and do so against Serbian aggression, do you really believe the Serbs would commit an act of aggression and the war would start again?

Mr. BURNS. Congressman, thanks for your question.

We do believe in promoting democracy, and that is what the Administration is doing in all parts of the world, and that is why we are undertaking this initiative to push forward on Kosovo.

I think that the key aspect of this for us is this: Kosovo is administered by the United Nations, and we believe that the United Nations has to lead this process of a negotiation to determine a final status.

Now, why do we say that? Because in previous times, over the last 10 to 15 years, people have tried to decide things through the barrel of a gun, and it has ended disastrously. There has to be a negotiation, because the majority of the people have rights. But the minority Serb community has rights, too, and there has to be a negotiation where they all accept responsibility to construct a future where the borders are secure and defined, where the rights of the majority and the minority are protected—which is not currently the case—and where the political leaders commit themselves to a peaceful, negotiated solution.

If we imposed independence or if we imposed continued association with Serbia, we wouldn't be giving the responsibility to the people of the province to determine their future. So that is why we are in favor of negotiation as the best way to deter violence and lead to peace.

Mr. ROHRABACHER. Mr. Ambassador, with due respect, imposing independence through a democratic vote is not imposing anything on anybody. I mean, permitting somebody to have a free vote is not imposing anything on them, it is giving them the right to determine for themselves what their destiny is going to be.

And the United Nations—for this Administration to turn to the United Nations as a vehicle for actually accomplishing something in foreign policy is pretty mind-boggling. The fact is that we understood that the United Nations couldn't be trusted in Iraq, and we went into Iraq unilaterally. And being the Chairman of the Over-

sight and Investigations Subcommittee, and being on this Committee, and being involved in investigating the Oil-for-Food scandal, I think this is the last time that we want to put our faith in the United Nations to come up with a solution for something like what is going on in the Balkans.

So I would suggest, let's get unilateral about this and recognize that we are the ones who will make the policy, especially if we hold true to our principles of belief in democracy, which we are fighting for in Iraq, and if we go through—in Iraq, we are going to succeed, and it is going to be a lot easier for us to succeed and prove our beliefs in democracy in Kosovo.

Thank you.

Chairman HYDE. The gentleman's time has expired—saved you from having to answer that, Mr. Burns.

Mr. BURNS. Mr. Chairman, with your indulgence, I would like to say one thing. I think the UN has been an effective partner of the United States and the European countries, in Bosnia and Kosovo, since both wars ended. And we do have respect for the United Nations, and there is going to be a time for elections, but first, you have to have a civil construct about the future, and it has to be negotiated.

So negotiations first, they decide their future, and then they have elections; that is the process that we think is best for this province.

Chairman HYDE. Ambassador Watson.

Ms. WATSON. Thank you so much.

Mr. Chairman, I was at a conference in Qatar just recently, and there was a recurring theme that we heard. There were 600 participants from around the globe, and the theme was: Don't come imposing Western democracy externally on us, let it emanate from the people and the people's needs outward. And that stuck with me.

This is more of a comment than a question, and if we have time—we are going to go down for a vote—you can respond.

But I think going to the United Nations is the right thing to do because we have to have a balance. The Serbs and the Kosovars and so on have to talk about what their needs are, and what their posing needs are. And so in that frame, what do you see will be the stumbling blocks as you try to negotiate through the United Nations to set this Nation of Kosovo on an independent track?

So if you have time, fine; if not, I will take my answer in writing.

Chairman HYDE. If I may intervene, we do have a vote. We would like to continue as soon as the vote is over, if the Committee would return and you can give us about, I guess—is it one or two votes?

Okay, just one vote, so we will hurry back. We will stand in recess.

[Recess.]

Chairman HYDE. Ambassador, I have always thought that the Balkans would be a particular area of greater interest to Europe than to ourselves and that the presence of military, which we all understand is necessary at this time, would be a European concern.

The United States finds itself committing troops all over the globe, and sometimes to the dismay and disapproval of other countries. But it seems to me when you have an area that is uniquely

geographically and culturally Europe—or Balkan for that matter—there should be greater participation by the European countries in peacekeeping.

How cooperative have the European countries, any European countries, been in carrying the burden of peacekeeping in this area?

Mr. BURNS. Mr. Chairman, thank you for that question.

I can assure you that your view is our view, that in the future the Balkans, being a central part of the core of Europe, have to be the concern of the European allies themselves, or the European Union and of NATO.

The good news is that the European Union has now taken over responsibility for peacekeeping in Bosnia after the very successful 9-year effort by NATO, and the United States and NATO have a very small presence remaining in Sarajevo, mainly because we are still interested in the issue of war criminals and we are trying to apprehend them. And we are also interested in trying to help the Government of Bosnia and Herzegovina with counterterrorism.

But for the most part, the vast majority of soldiers now in Bosnia are European. The same is true of Kosovo. Of the 17,500 troops in Kosovo that make up the NATO mission there, only 1,800 of them are American. And the European governments are also supplying the vast majority of the funds to underwrite the United Nations civilian effort in Kosovo. So I think our European allies are contributing their fair share.

I would just say this: The United States has unique credibility in the Balkans because after the failure of the United Nations to end the war in Bosnia, it was the United States, NATO, and they ended it in the autumn of 1995. That led the way—with our military intervention in September, that led the way to the Dayton Accord. And it was the United States that led the effort in March 1999 to stop Milosevic's ethnic cleansing.

So the reason why we believe we should maintain our 1,800 American troops in Kosovo is because—as part of the credibility of the NATO force; and it is also the reason why, diplomatically, we now seek to have the United States play a leading role to push forward this issue of Kosovo final status talks, because of the unique role that we play there.

But I agree with the basis of your question, I just think the European allies have done a very good job of helping us.

Chairman HYDE. Are the 1,800 American troops over there so identified? Or are they NATO troops, or are they under NATO command? Or are they under UN command? Or are they under United States command?

Mr. BURNS. I would give a short response, but ask my good friend, Mira Ricardel, to give you the definitive response.

The 1,800 Americans are part of the NATO peacekeeping forces in Kosovo. Now they are under an American officer's command, Admiral Mike Mullen, who is the American commander at the NATO facility in Naples, in the south facility there, and ultimately, under our Supreme Allied Commander, General Jim Jones of the United States Marine Corps.

Ms. RICARDEL. Thank you. The actual United States Forces in Kosovo, Major General William Wade is the commander there, and he is from the California National Guard. He came in in March.

The United States is one of five lead nations; they have divided Kosovo up into sectors. And so just to further elaborate on the division of labor, the United States is not the largest troop contributor; in fact, the Italians, Germans, and French are. And then Finland is the other lead country that runs a sector.

So, yes, the forces there, it is a NATO operation; they are under U.S. command and within the NATO context. And, of course, General Jones is dual-hatted, both as Supreme Allied Commander, Europe, and also as the head of United States European Command.

We would be happy to provide you, if you are so interested, Mr. Chairman, with a list of contributing nations, which includes not only just NATO countries, but also certain Partnerships for Peace countries, such as Georgia and Ukraine, who are playing an increasingly important role in stability operations there and in other parts of the world.

Chairman HYDE. Well, I thank you very much.

Mr. Berman.

Mr. BERMAN. Thank you, Mr. Chairman.

I think it is good to get on the public record—I mentioned it to you briefly, and I thought about it. You, a couple of times in your testimony, Mr. Ambassador, raised the issue of Mladic and Karadzic being brought to The Hague as war criminals, and that our relationship and feelings about the position of the Serbian Government is affected by the failure for that to happen. We have been reading about some war criminals who have turned themselves in or have been apprehended and sent to The Hague, but these two, two of the most notorious of them, have not.

Is it the United States position that the Government of Serbia has the ability to apprehend and turn them over?

Mr. BURNS. Congressman, thank you very much.

It is our position that the government in Belgrade has the capacity to find General Ratko Mladic and to turn him over to the War Crimes Tribunal in The Hague.

Now, there are various reports as to where he has been for these past many years—he is a fugitive from justice—but our best sense is that he has been assisted by elements of the armed forces, not the leadership of the armed forces, but by elements of the armed forces of Serbia; that he obviously is someone who is on the run, so he has to go from safe house to safe house. But there has to be a network of people protecting him and giving him money and giving him assistance.

We believe he is in the territory, or close to the territory of Serbia and Montenegro, and we do believe that that government has the capacity, if it wants to take the step, of finding him, arresting him, putting him on a plane, sending him to The Hague where he can be prosecuted by the International Tribunal, much in the way that Milosevic has been prosecuted.

The case of Karadzic is a little bit different in the sense that there are various reports as to where he is and where he has been. And we believe that the authorities, the Bosnian-Serb authorities

in Banja Luka also have the capacity to help NATO and help the international community find him.

Both of these men must be brought to justice.

I would like to say, Congressman, just as a way of completing this answer, that the Serb Government in Belgrade has taken steps in recent months, more than they have in the past 10 years, to begin to right these wrongs. They have transferred 12 individuals from Serbia to The Hague for prosecution by the War Crimes Tribunals, including some very important and notorious criminals who, we believe, are guilty of war crimes committed during the Bosnia war.

And so we have been very pleased to see the government in Belgrade take these efforts. They understand that there will be no normalization of relations with the European Union and NATO and the United States until they do this. They have got to complete the job by turning over Karadzic and Mladic.

Mr. BERMAN. And what do they say publicly? And what do they say, if you can share it, to us through diplomatic channels about their failure to do this?

Mr. BURNS. The government in Belgrade—this is also true of the government in Zagreb, the Croatian Government, because their General Gotovina is also an international outlaw. Both of these governments tell us they don't know where these individuals are, and frankly, it is not credible; it is not credible to believe that governments in small territories, with the kind of networks that these governments have, cannot find very infamous individuals and arrest them.

There has to be political will to complete this, and we are simply not going to—10 years later, after these war crimes—give these governments a pass. They have to comply with international law and the will of the international community.

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

Chairman HYDE [presiding]. Mr. Engel of New York.

Mr. ENGEL. Thank you very much, Mr. Chairman, and thank you to both excellent witnesses.

Let me first say, unequivocally, that I whole-heartedly support independence for Kosovo. I support it because I think that is what the people of Kosovo want. And I do believe that Serbia needs to understand that that is something that is inevitable.

I think the Kosovars deserve independence, and with independence, I think the Serbian nation deserves full integration into the international orders both in terms of Europe and North America. And I would hope that that is what would happen.

I want to just make a couple of comments. First of all, I am very glad, Ambassador, that the Bush Administration now seems to be putting Kosovo on the front burner again; it was on the back burner for so long.

And you said the status quo is not acceptable. I couldn't agree with you more. And I think that Kai Eide is an excellent person, and I hope we work closely with him.

I want to say also that I have repeatedly said that minority rights need to be respected, and that is true no matter who is in the majority. But I don't think that we should equate what happened in March 2004 with what was necessitated in March 1999;

I don't think that we can equate the two at all. And perhaps if President Rugova had a little more power or authority, he could have prevented some of the things that happened in March 2004.

I am interested, Ambassador, in your statement you said that—I am quoting you—“full implementation of the detailed work plan for the standards is a major undertaking that will take years, not months.” If that is the case, is it clear that all of the standards—it is clear, as far as I am concerned—that all of the standards cannot be met by the mid-2005 review?

And given that, is “standards before status” still the policy of the international community, still the policy of the United States? Or, as I have repeatedly urged, are we now progressing on status along with standards? Because I think that the people of Kosovo have to see some light at the end of the tunnel, and if the “standards before status” is used and continuously used as a ruse or a means to push final status discussions back, then I think it is very, very damaging.

As far as I am concerned, the faster we let the Kosovars run their own affairs, the faster we let the Kosovars run their ministries, the sooner we can have final status and self-determination. So I am just concerned that “standards before status” is not used when you talk about years rather than months.

Mr. BURNS. Congressman, thank you. And may I just say, thank you for your long-standing interest in this issue and your support for what the U.S. has been trying to do.

We have had a policy of “standards before status,” and that has been a long-term policy. I think what we are indicating today, and what the United States and our contact group partners—the European Union, Britain, Italy, Germany, France, and Russia—want to do is get to final status negotiations in 2005. And that is why it is so important that the United Nations appoint Ambassador Kai Eide to undertake the review of standards this summer, and then General Secretary Kofi Annan can appoint a negotiating team to proceed with final status talks in the autumn of 2005. We hope those talks can be very brief; we hope they can be completed by the beginning of 2006.

And we agree with you, the status quo is not sustainable. The situation is a pressure cooker. You have got to allow the people to see a political vacation, a way forward for their future. And so we are effectively engaged in a process of standards and status. The standards review has to continue right through the final status negotiations.

It is always important to want to achieve democratization and a rule of law in a market economy, and sensible government policies; but we agree with you, it is now time to get on to the final status talks and to do that.

And I would just like to say to you—I want to assure you—we don't equate what happened in March 1999 with what happened in 2004. The scale—it is impossible to equate them when you imagine the scale of a million people being driven from their homes 6 years ago.

But what happened in March 2004 was very disturbing because Kosovo must remain a multi-ethnic place, and people's ethnicity and religion have to be respected. And in March 2004, people were

attacked, driven from their homes, they were burned, their churches were burned because they were Serbs. And so we think, as they go forward, they have got to assure protection of minority rights as a fundamental basis of any democratic system.

Mr. ENGEL. Thank you.

And, Ms. Ricardel, I want to ask you—first of all, I worked very closely with you when you were working with Senator Dole, and I want to commend you for your fine work and the work you continue to do.

The United States has been working with the KPC, the Kosovo Protection Corps, since they were created following the Kosovo war. The KPC has carried out public works and missions throughout Kosovo. I believe it was an important player in halting the violence that the Ambassador just spoke about, and I think it is time that the KPC's role is expanded.

I recently met with the head of the KPC, General—

Chairman HYDE. Mr. Engel, your time has expired. Mr. Burns has to leave at 12:30.

Mr. ENGEL. Can I wrap it up, Mr. Chairman? I would just like to ask Ms. Ricardel, is there a role for the KPC in helping with public works of humanitarian operations, possibly in Iraq or Afghanistan?

They are Muslims. They want to help. I think it would show the world that we have many Muslim friends, and it would be good for the United States and good for what we are trying to do in both Iraq and Afghanistan.

Ms. RICARDEL. Thank you, Congressman Engel.

I think that the KPC is providing some important services, is playing an important role. I think we would be happy to explore—rather than my thinking about it out loud here, we would be happy to explore what kinds of functions the KPC may be able to fulfill in these other areas and get back to you.

I think we wouldn't want to detract from what they are doing now in some very important areas. They have gotten some new tasks, including protecting unoccupied properties at the request of KFOR, for example, and transporting mortal remains of missing persons.

But we would be happy to look at it and get back to you.

Mr. ENGEL. Thank you, Mr. Chairman.

Chairman HYDE. Welcome, Mr. Pomeroy of North Dakota, a former Member of the Committee who has a great interest in this subject matter.

Mr. Pomeroy.

Mr. POMEROY. Thank you very much, Mr. Chairman. I miss my days on this Committee, and I have followed it under your leadership very closely.

I commend you for holding this hearing; I think the convening of this hearing has done a lot of good. And I commend the State Department for, in the words of Ambassador Burns this morning, seizing the moment and stating today definitive clarification of United States policy relative to Kosovo.

I have become convinced that this indeterminate period of undefined status and processes, that almost seem circuitous and not going anywhere, have actually—certainly exhausted whatever dip-

lomatic ends had initially been hoped for during this interim period, and we are indeed impairing the reconstruction of the economy and giving people of any ethnic group hope for a better life in the future.

I believe that the Administration's position, as articulated this morning, is a significant new development. Talks leading to status to begin this year and to be concluded within months, I think this is a very important clarification and will advance, I think, our hopes of peace and new hope and new economic opportunity for all people in that region significantly.

I wish you the very best of luck, and I am just pleased that I was able to have the opportunity at this hearing to congratulate you for this clarification of policy.

Thank you, Mr. Chairman. I yield back.

Chairman HYDE. Thank you.

Mr. Wexler.

Mr. WEXLER. Thank you, Mr. Chairman.

If I could ask Ambassador Burns just—I am trying to formulate this properly.

I entirely associate myself with the remarks of Mr. Lantos and others in terms of the need to acknowledge the legitimate rights, freedom, liberty—civil and otherwise—of the Kosovars, the Albanian-Kosovars. And rightfully so, you point out that this is a proud moment in American history, what we have accomplished thus far.

So in that vain, a proud moment in American history, we, the United States, have been on the right side of history, I think most of us would agree, in terms of stopping a horrific conflict with extraordinary, devastating consequences, in seeking to assist people questing for freedom and independence—which, innately, we would always want to do—and then analyzing what actually exists in Serbia.

And, in fairness, the Serbia of 2005, thank goodness, is not the Serbia of 1999 or 1996. And my impression, having been in Belgrade several months ago, on the one hand, we have President Tadic who, essentially, if he possessed all of the power—which, of course, he does not—I think it would be fair to say that his policies would very much implement most of what we would articulate should be implemented.

And the prime minister, when I was there, sometimes it is hard to read which direction he goes in. Of late, if I understand correctly, the prime minister has offered to hold direct talks with his Albanian counterparts, which would appear to be a positive motion.

So my question is this: At least from my perspective, hard-to-articulate formula, how do we do what is right in Kosovo? How do we win Kosovo without losing Serbia? Because if the end result is an independent Kosovo, and then a Serbia which is governed by the most ultra-nationalists, who would appear to be the most adverse to the very suggestions that you outlined, then did we win one and lose another? And how do we win both?

Mr. BURNS. Congressman Wexler, I think you put your finger on the essential international dilemma that we have and that the Europeans have in this region; and that is, on the one hand, we want to see justice done. We want to see the people of Kosovo achieve a future they can believe in and achieve a governing structure they



can believe in. We want to see the ethnic atrocities finally overcome.

At the same time, Serbia-Montenegro is an important country—it is the keystone country, if you will, of the Balkans—and we want to see the process of reform continue there.

And I think you are right to suggest that as we go through 2005 and as we support final status negotiations for the future of Kosovo, we also want the Serb people to believe that we are on their side, too, that we are willing to stand up to protect the rights of the Kosovar Serbs, which have been violated in the recent inter-ethnic violence.

And in Serbia, in Belgrade, I think to directly answer your question, the prize for Belgrade, the victory will be that they will be relieved of the historical burden of what happened in the 1990s in the two wars, and they have a future with the European Union and a future with NATO. But it is conditional; they can't have a future unless they overcome the war criminals issue and unless they make progress in these final status talks.

Mr. WEXLER. The way I see it—and I agree entirely with you—we have to take the leaders as they are. We can hope for change and transition, but the way I see it, if President Tadic succeeds, Serbia succeeds and we succeed.

If President Tadic—not to pin it on one individual—but if President Tadic fails, then it is hard for me to imagine another political dynamic where Serbia succeeds and America succeeds.

Mr. BURNS. Congressman, I would just say, I am going to be in Belgrade in a few weeks. I will meet with President Tadic, but also with Prime Minister Kosumi. He is a very powerful individual in that government.

Now, he has made a decision over the last several months to allow 12 indicted war criminals, to force them to go to The Hague and to present themselves for prosecution. That is very significant. We have been encouraged by that, and we would like to encourage further moves by Prime Minister Kosumi and his government.

But most of all, we would like him to encourage the Kosovar Serbs to participate in the political process. He advised them to stay out of the last elections. You can't have successful negotiations if a big part of Kosovo says, "We are not going to negotiate."

So we would hope for forward movement in Belgrade.

Mr. WEXLER. I couldn't agree with you more. And I think it is important to point out, if I understand it correctly, that President Tadic encouraged that participation.

Thank you very much.

Chairman HYDE. The gentleman's time has expired.

Mr. Crowley.

Mr. CROWLEY. I thank the Chairman. I know that time is of the essence, and I know you have to leave, Ambassador Burns.

Firstly, not to kill time, I just want to make the reference to the fact that Mr. Engel, who just left, celebrated his 25th wedding anniversary today, and I thought it was important to point that out, if the Chairman hasn't done that as of yet.

Chairman HYDE. I was saving that for the last.

Mr. CROWLEY. You missed him, and so did I.

Chairman HYDE. Like the wedding feast at Canaan, saving the best for last.

Mr. CROWLEY. I, too, like Eliot Engel and Members on this Committee, have been following this issue for quite some time. And there haven't been that many issues that I have had in these 7 years in Congress that I haven't been able to follow through the history, and to the present as well.

I have the great pleasure of representing both members of the Albanians, as well the Serbs, of multi-ethnic backgrounds. I am very much supportive of President Clinton's actions in 1999 to bring an end to what was developing into and turned out to be ethnic cleansing in Kosovo. And I believe that the only way forward is really for a fully independent Kosovo.

I am wondering what, since the UN's actions and some of the good news that—I missed your testimony in terms of what the United States is proposing putting forward. What other demands upon Kosovo from the international community need to be met before the next movement toward independence can take place?

Mr. BURNS. Congressman, thank you very much for your question.

We are entering a dynamic period in Kosovo over the next several months. This summer, the UN will send an experienced envoy to take account of all the progress that has been made in meeting the standards that we have set up, that the Kosovo authorities need to meet. We anticipate that that is going to be a successful process.

And then the key part of this dynamic will be the beginning of UN-inspired negotiations, final status negotiations among the parties.

What all the parties have to be responsible for is that they treat each other with respect, that they do not resort to violence to settle their differences. They commit themselves to a political negotiation where they have to share power and where they have to respect the religious rights of each other, and understand that the future of that province, whether it is independent or whether it is some other form—and we have not taken a position on that as a government—that all of them are a key in the success of that effort. It is as simple as that.

We saw a process in March 2004 of violence designed to drive the Kosovar-Serbs out, but the Serbs have been there for hundreds of years, they have a right to be there, they have a right to have their monasteries and churches there, just as the Christian—and other Christian and Muslim populations have a right to practice freely as well. So political will, tolerance, and determination to create a multi-ethnic future is the key to success.

We think it is important that the United States be very visible in support, participate in the process of pushing forward for these elections. And that is the signal that our Administration is sending today; we are ready to do that, and we are ready to play our role.

Mr. CROWLEY. Thank you. I know time is of the essence. I have other questions that I look forward to, and hopefully, get those responded to.

Thank you, Mr. Chairman.

Chairman HYDE. Thank you. We will release you from your bondage, but we thank you for a very instructive, helpful commentary. And we may have other matters we would communicate by mail or other methods, but thank you very much.

Mr. BURNS. Thank you, Mr. Chairman.

Chairman HYDE. The second panel consists of the Reverend Mark Sopi, the Reverend Lush Gjergji, the Honorable Ardian Gjini, and Ms. Shirley Cloyes DioGuardi. If you would take your place, the Committee will stand in recess for 5 minutes. So we will resume in 5 minutes, if you will get yourselves arranged.

[Recess.]

Chairman HYDE. The Committee will come to order. I would now like to introduce our witnesses for the second panel.

Our first witness of the second panel is the most Reverend Sopi, Apostolic Administrator of the Roman Catholic Diocese of Prizren. Bishop Sopi is effectively the Roman Catholic Bishop of Kosovo. Born in Kosovo, he began his studies in philosophy and theology in Croatia and completed his degrees in Rome.

In 1995, Monsignor Mark Sopi was nominated by the Holy See as Kosovo's bishop. During the conflict in Kosovo, Bishop Sopi played a major role in saving lives, and after the war, he participated in the reconstruction effort to rebuild schools, hospitals, and religious sites.

Our second witness is the Reverend Lush Gjergji, General Administrator Vicar of the Roman Catholic Diocese of Prizren. Father Gjergji is a Roman Catholic priest, a Franciscan, who serves the parish of Binca, Kosovo.

Born in Kosovo, he completed his studies in Rome with a Doctorate in Social Psychology, and a dissertation on The Role of Albanian Women in Family and Society. He is the author of numerous books, and is best known as the author of an authorized multi-volume biography on the life and work of Mother Teresa, which has been translated into 20 languages. Father Gjergji is the President of the Mother Teresa Society in Kosovo, which has achieved international recognition for helping war victims.

It isn't generally known, but Mother Teresa is Albanian. Other nations claim her, but she is Albanian.

Our third witness is the Honorable Ardian Gjini, Minister of Environment and Spatial Planning in the Government of Kosovo. Minister Gjini has been a member of the Alliance for the Future of Kosovo, Kosovo's third largest political party, since its establishment in the year 2000. He is a member of the Presidency of the AAK, and also the parting Secretary of Foreign Affairs. In 2001, he was appointed political advisor to Prime Minister Rexhepi. In 2004, he was appointed senior political advisor to Prime Minister Haradinaj.

Our fourth witness is Shirley Cloyes DioGuardi, Balkan Affairs Advisor to the Albanian-American Civic League. She has written and lectured widely about the Balkan conflict, and has made 30 trips to the region, including 13 to Kosova since the end of the war in 1999.

She has participated in several hearings before this Committee in the past, and proposed the first congressional hearing on the Albanian dimension of the Balkans conflict, which was held in Feb-

ruary 1995 with representatives from all of the Albanian lands in the former Yugoslavia. This was done in conjunction with the historic addition of Albania to the Righteous Among Nations section of the U.S. Memorial Holocaust Museum in a public ceremony in Washington, DC, the result of years of work to bring to international attention the story of how every Jew who made it to Albanian lands was saved during World War II.

We request our witnesses to limit their opening statements to between 5 and 10 minutes, if at all possible. Your full statements will be made a part of the record.

And we now turn to our first witness, Bishop Sopi.

**STATEMENT OF THE MOST REVEREND MARK SOPI, APOSTOLIC ADMINISTRATOR OF THE ROMAN CATHOLIC DIOCESE OF PRIZREN**

Bishop SOPI. Thank you, Mr. Chairman, and Members of the Committee, Honorable Members of Congress. I feel honored today to be here, and thank you very much for giving me this opportunity to speak before you and express my views on the current situation in Kosova.

As you know, Kosova is a country in the Balkans in southeastern Europe with an area of 11,000 square kilometers, and has a population of about 2 million people, with a majority of over 90 percent being Albanians, and the rest consist of Serbs, Bosnians, Romas and other minorities.

As far as religion in Kosova is concerned, we can say that most of the people belong to the Islam religion; and then, of course, some of them belong to the Orthodox Church and some to the Catholic Church.

Since the first introduction of Christianity, the Albanians were—at that time were Illyrians, and had, in fact, embraced the Christian religion delivered to them by St. Paul. But over the centuries the religion belonging of the Albanians in the region has changed, and today we have three major religions in the country—Islam, Orthodoxy and Christianity. But even though there are three main religious communities—you have the Islamic community, the Roman Catholic community and the Orthodox community—I can firmly say that never in the past or in the present have we ever had any conflicts, inter-religious conflicts.

In many cases, people compare the Islam in Kosova with the Islam in Bosnia, for example, but I have to say that these—the Islam in Bosnia and the Islam in Kosova are not compatible at all. They are so different from one another that comparing these two, comparing the Islam in Kosova and the Islam in Bosnia, would be just like comparing two different economical systems, capitalism and communism or socialism, for example.

In Bosnia, the Muslims were either of Croatian or Serbian backgrounds, and most of the time they did not actually know what ethnic background they came from. And because of this, they created the notion of the Bosnian people, because the only thing they could find in common between them was the religion; whereas in Kosova, there has never been a conflict between people of different religions, and the only problems that we have had have been because of differences in ethnicity rather than religion.

And one more thing I would like to mention is that there is not—it is not true that in Kosova there is this Islamic fundamentalism. We heard quite a lot about the March events of last year, but I am sure that no one in Kosova expected them to happen.

I want to mention that the riots that happened in March 2004 were not directed against the Serbs or against the religious sites, but they happened and they occurred because of the essential murder of three children in Metohija, and the blocking of the main road that connects Pristina and Skopje.

And we always remain firm that we want a peaceful process to get us to the final solution for the Kosova issue. And I do believe that the riots of March 2004 were mainly directed against Yingmi because of its failure to come up with a strategy that would guide Kosovars peacefully to what they had been requesting, and their right to self-determination sooner.

So when thousands of people were protesting—and these were mainly young people that were not organized or under the control of anyone, but obviously among these people were elements that do not want to see Kosova progress and develop further. And these were the elements, then, who committed—who attacked the Serbian Orthodox Church buildings in some cities.

But I do believe that the attacks against churches were not because they were churches and had to be destroyed, because if we think of the past and the history, especially during the Ottoman rule, all these churches could have been destroyed completely and nobody would ever ask why. But it was the Albanians at that time that did protect these churches and did not let the Ottomans or the Kurds destroy them.

I do believe that it is best for the religion to be always separate from politics because politics can only harm the religion. And I do believe that the engagement in politics of these Serbian Orthodox Churches in Kosova has, to some extent, caused the anger of the extremist elements during the riots to attack their buildings. It would be way better for the religious leaders to really deal with religion. Not only the Serbian Orthodox Church, but also the Serbian people in Kosova should finally accept the new reality in which Kosova lives today so that we can come to peace sooner. But for as long as the Serbian Orthodox Church is a frontrunner for the Belgrade's policies, then it may be considered a political enemy as well. It would not be—it would then suffer probably attacks that it did. Kosovo has witnessed and undergone many wars in the past as well. Most of the time the civilian population was never directly involved in creating the war.

Unfortunately, in the last Kosovo war, the Serb—local population was used to get involved and be committed, and that is what has created more enmity.

I do believe that we as a Catholic Church, the Serbian Orthodox Church and other religious communities, should be mainly concerned with the religious issues rather than politics and leave the politics to the politicians.

As the Catholic Church of Kosova, we have always been open to cooperate. We have cooperated with all other religious institutions. And we are ready to do so again now. But we hope that—and try-

ing to do this, we will reach some understanding from the other side as well.

We will do whatever we can for the good of everyone who lives in Serbia because we are obliged to do that by our faith. The best example of this would be the example of the work and life of Mother Teresa or the example provided by the now late Pope John Paul II.

In regard to the Kosovo final status, I would just like to express my opinion, finally. I do firmly believe that there is no other option for a final status for Kosovo other than full independence. Because I do strongly believe that the independence of Kosovo would put no one in danger. Rather, it would contribute to developing further peace, prosperity, and economic development for the entire region.

[The prepared statement of Bishop Sopi follows:]

PREPARED STATEMENT OF THE MOST REVEREND MARK SOPI, APOSTOLIC ADMINISTRATOR OF THE ROMAN CATHOLIC DIOCESE OF PRIZREN

Honorable Members of Congress,

I feel honored to be here before you and in the same time I thank you for giving me the opportunity.

Much has been spoken and written about Kosova and I feel the right time has come to finally solve the problem wishing for the happiest solution for the good of all the Kosovar citizens living in Kosova. This being a specific argument I believe you have made the right decision to give us the opportunity to present our views as we too are part and a consisting factor, not an irrelevant one, of the Kosovar reality.

As known, Kosova is situated in the Balkans, in the southeastern part of Europe, covering a surface of about 11.000 km<sup>2</sup> with a population of about 2 million. The overwhelming part of the population is Albanian (93%) with the remaining being Serbs, Montenegrins, and other small minorities, and their religious affiliation composes of 90% Muslim (Albanians), 6% Orthodox (Serbs), and 4% Catholic (Albanians).

Kosova's Catholic Albanians accepted Christianity since Saint Paul and his disciples. Kosova's Muslims too were Catholics before, but during the Ottoman-Turkish rule that lasted for five centuries, they gradually converted to Islam. The overwhelming part converted to that religion during the 17th and 18th century. Many of them today feel nostalgic for their ancestors' faith (Christianity) and it is not unlikely for them to get back to it, as today there are such cases of conversion and this phenomenon is on an increase. They should be supported in this religious awareness.

Here one may understand also religious tolerance as it has been noted by foreigners as well for centuries, and I may rightly say that today we represent and example in the region and beyond as how to live in peace with various faiths. During the last 1990–1999 war this harmony of co-existence has been disordered. Inter-ethnic enmities occurred as the regime used the local Serb-Montenegrin population to exercise violent acts against the Albanian population, not excluding heavy crimes as well.

Although many wars occurred in these areas, the population was never involved and good neighborly relations were always maintained. In numerous cases one side protected the other and vice versa. So, here is an excellent example!

What happened with the damages, destruction of religious objects or any other form of violence we have openly condemned but these grave occurrences of arson happened as a result of involvement of religion in politics. We believe that the assertion that religious objects have allegedly were and are being destroyed just because they happen to be churches cannot stand. If this were the case then the same fate would have begotten to the Catholic churches of Kosova. Yes, indeed. One should emphasize that religion has no place in the daily politics the same as the involvement of the clergy in state policies with their leaders. In brief, identification with politics has always brought great damages to the church, as happened in our case.

It should be pointed out that the assertion that the Orthodox churches are being targeted just because they are such cannot stand either. Many of these churches remained not only untouched for centuries but it was the Albanians who kept them as such.

As stated in the above, although there is a very high percentage of Albanian population of Islam faith one may not speak of Islamic fundamentalism in Kosova. One may not exclude certain individuals of that tendency, but generally such a think may not be used as a label.

I am sure that with the Orthodox Church distancing itself from authorities, at least when considering Kosova, will not be considered as a potential enemy against Albanians and their aspirations and religious objects would no longer be attacked.

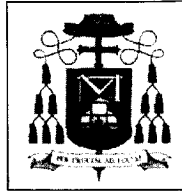
We, as a Catholic Church with all the necessary structures of a diocese were and continue to remain forever open to co-existence and co-operation, and we even wish to live together with all and as a token of mutual respect for the good of all the Kosovars regardless of religion or ethnicity. This is the principle stance of the Gospel, a good example of Mother Teresa of Calcutta, daughter of Kosova, and the inexhaustible deed of the great Pope John Paul the 2nd.

Now when we are at the threshold of settling the status of Kosova we strongly believe that there can be no other solution but independence! Kosova's independence endangers no person or country, but instead it serves for the good of all Kosovars, stability of the region and its prosperity.

Bishop SOPI. Finally, I would like to submit for the *Congressional Record* the statement of my colleague, Father John Zephi Bazri of the Catholic Church in Kosova, with your permission, Mr. Chairman.

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

[The information referred to follows:]



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**Don Shan ZEFI, PhD**  
**Bishopric Chancellor - President of Church Tribunal**

Wednesday, May 18<sup>th</sup>, 2005, at 10:30

**Congress of the United States -**  
**Committee on International Relations**  
Washington, DC

#### **THE PRESENCE OF (ALBANIAN) CATHOLIC CHURCH IN KOSOVA THROUGH CENTURIES**

I. The spread of Christianity to Kosova or to the territory of Shkup-Prizren Diocese must have begun as early as apostolic times. Although direct historical, archeological sources are scarce... one should still bear in mind the apostolic journeys and preaching by Saint Paul the Apostle, especially in the towns of these lands of Southeastern Europe crossing through famous communication and trade routes in the Illyrian-Roman-Greek world, such as *Heraklea Linkestris*, *Nicea*, *Stobi*, *Scupi*, *Ulpiana*... testifying to the fact that Christianity could have already planted its roots in the very first centuries. Indeed, at the Ecumenical Council of Nicea (*Nicaenum* 325) one finds, among others, the bishops of Dardania: Budius of Stobi (*Budius Stubiensis* - presently Pusto Gradsko) and Dacus of Dardania (*Dacus Dardaniae*), metropolitan of Dardanian provinces stretching at that time all the way to Naissus (the present-day Nis in Serbia) and Veles (in Macedonia).

This fact proves that the church of metropolis of Dardania was fairly well organized having its own metropolitan and bishops, and on the other hand one may say that in these parts of Europe Christianity must have had its origins as early as the first centuries, such as in the Adriatic Riviera at the first century. Saint Paul wrote on one occasion to the Romans that he had been spreading Christianity all the way to *Illyricum* (Rom 15, 19).

In a relation by the bishops sent to Pope Gelasio (-492) six bishops coming from these areas are signed. This period of the Church may rightly be called as the golden period. The Prizren Seat had already been established at the 5<sup>th</sup> century and at that time it was a suffragan of Durres. This assertion has been certified by yet another relation insert by bishops of Illyrian provinces or Illyria respectively where one finds the name the Prizren Bishop "*Paulus Prinatensis*". Following the



destruction of Justiniana Secunda the former *Ulpiana* (7.5 km in the southeast of Prishtina) by the mass immigrations by Barbarians and with the arrival of the Slavs, the bishopric seat and its titulars were transferred to Prizren. Similar to other centers of Christianity in Europe in the Church of this country too one finds the first martyred saints who sacrificed their lives for the Christ's testimony, such as Saint Floris and Saint Laurus and their many companions ("*plures socii*"). "*Acta Sanctorum*" makes mention of their country Dardania and the place of martyrdom Ulpiana, by the middle of the 2<sup>nd</sup> century or earlier in the same century. This testimony by these martyrs allows one to draw a conclusion that Christianity in the regions of Dardania was spread in the very first century.

The church organization blossoming in that period was often destroyed by various peoples of Huns, Goths, Avars and especially the Slavs, but also as a result of natural disasters and in fact an earthquake occurred (in 518) and as a result Shkup and some 24 cities of Dardania had been ruined.

With the Avar invasions and Slavic immigrations Christianity in these Illyrian-Albanian regions suffered great tragedies. Indeed the church organization must have been entirely ruined and for several centuries to come the dioceses of these Dardanian areas ceased to exist. Only when these invading peoples would begin to embrace Christianity by living in areas close to Greeks and being under the influence of Byzantine culture they were closer to Constantinople although they were by jurisdiction depending on the Holy Seat. In 732, Emperor Leo III *Isaurico* led the separation of these regions from Rome (the Apostolic Seat) submitting them to the Patriarchy of Constantinople. However, the Albanian people continued to remain loyal to the Roma Patriarchy (Holy Seat).

**II. The second period** of this Church or Christianity of the Prizren Diocese respectively is no doubt the period of insecurity and destruction. During this time it is submitted to the wishes of various foreign kings, especially Bulgarian and Serb ones depending on who was luckier in wars. In this period of Middle Age darkness bishops of Shkupi, Ohri, Manasatir, Strumica, Lipjan and Prizren are still mentioned. Seemingly bishops of these church centers must have been rather under the Byzantine influence of Constantinople.

For reasons of space we will be dealing in the following only with the latter (Prizren) seat. The Basilius Bulae (1020) mentions the Prizren Diocese being at that time under the jurisdiction of Ohri (*Ochrida*) and other data on the titulars of this seat are still lacking. During that century there were no definitive divisions yet between Rome and Constantinople so that one may not speak of a dual provision. During the union period of King Koloyan with the Holy Seat the bishop of Shkupi is mentioned, Marin (1204), and afterwards the bishopric seat remained vacant for several centuries to come.

By the end of the 12<sup>th</sup> century and the beginning of the 13<sup>th</sup> (1197-1207) the Byzantines had occupied Shkupi, Tivari, and Prizren and on that occasion the bishop of the latter (Prizren) diocese is mentioned by the name of Abraham, who together with other bishops of the province sent a letter to Pope Innocent III signed as "*humilis episcopus Sanctissimi episcopatus Prisdini Abrahami*". The duration of his canonic mission is not defined or what happened to him, but what we know for certain is that Prizren definitely fell in the hands of Serb invaders (occupiers) in

1214/16. Other sources prove that the Bishop of Ohri, Dhimiter Hamatian sent a Letter of Protest in 1220 to the Serb Bishop Sava, as this Serb prelate dismissed the Bishop of Prizren although he had been elected according to proper canonic norms (supposedly being of Greek origin) and replaced him by another who was a Serb. Therefore, ever since the Prizren bishopric seat must have remained vacant for two centuries and so far we have no other source that could throw light on the titulars of the same seat.

These are, among others, the reasons why the Serbs often refer to the territory of Kosova as "cradle of old Serbia", or "heart of Serbia" and lately even comparing it to the Holy Land, as "Serb Jerusalem". The truth, however, is quite different, as historical and archeological proof testifies in favor of the autochthonous Albanian people. Let us in the continuation why Kosova cannot be considered as the land of the Serbs?

Actually, they will occupy Kosova for many years and will compel her to submission for two centuries beginning from 1216 to 1450. Before that Kosova was under Bulgarian rule from the year 850 to the beginning of the 11<sup>th</sup> century, and Byzantine emperors dominate over the territory of Kosova till the end of the 12<sup>th</sup> century, meaning before the Serb ruling (invading) family of Raska came to the scene that will be ruling for two centuries. The first ruler of this clan was Stefan Nemanja, who succeeded in extending his territory in all directions, such as Dioclea and Northern Albania, and even to the northeast in Nish and during 1184/85 in some regions of Kosova. Only at the beginning of the 13<sup>th</sup> century (1208) they will occupy western Kosova, but excluding the areas of Prizren. In 1216 they occupy Prizren and now the entire territory of Kosova already belonged to the world of Serb Kingdom.

It should be pointed out that the first Serb churches (much propagated and mythicized even to this day) were built in the territory of Raska (north of Kosova). Thus, for example, there is the Church of Studenica built by Stefan Nemanja (existing to this day), "Sv. Djordje" Monastery near Novi Pazar, Monastery of Zica, near Kraljevo in central Serbia built by Sveti (Saint) Sava as the center of the Serb Orthodox Church. It was only when in the 13<sup>th</sup> century Zica was destroyed in a fire following an attack by Tartars and Kumans that the seat the Archdiocese moved to Peja (Pec) in the western part of Kosova. The Monastery of Milisevo, of special importance to the Serb church or for Serbs respectively, coming right after that of Zica, was built by Stefan I "Prvovencani" near the border area of Bosnia.

These Serb monasteries bring a clear and accurate idea that the cradle (heart) of the Serb Orthodox Church was not what it is being said without any scientific arguments in the present-day territory of Kosova, but it rather originated in the territory of Serbia. It would be right to state that the Serb Church Patriarchy was moved to Kosova for some time, and it may even be said for a long time too, but its origin remains within Serbia. Therefore, the Serb myths about the Orthodox churches as being the first ones in Kosova, before those of Catholic Albanians, continues to remain a myth which can hardly be de-mythicized, as the Serb politics, history and Orthodox Church have been constantly manipulating with this argument.

With the Turkish invasion and occupation of Albanian provinces in the 15<sup>th</sup> century, the Christian (Catholic) population suffered its darkest religious and national tragedy that dragged on till the beginning of the 20<sup>th</sup> century leaving deep consequences for Christianity: a forced imposition of Islam (including the other superficial form of Islamization - Laramanism (Crypto-Catholicism) among the 2/3<sup>rd</sup> of Albanian population which once was blossoming; the complete ruining of over 30 dioceses and numerous abbeys of the famous Benedictine, Dominican, Basillian, and Franciscan covenants (with only the latter somehow surviving) leaving behind but archeological testimonies in the magnificent ruins of the Middle Age Catholic vitality.

Not only the dioceses and monasteries will be ruined but also many towns and villages will be deserted and the population will be submitted to long Ottoman slavery. Those who were able to survive (if they could resist the conversion to Islam) the Ottoman invasions were forced to take the road of exile to Venice, Sicily, Dalmatia, and more compactly to the Kingdom of Naples, or take up the cliffy heights of mountains far from any civilization but also free to preserve their faith and nationhood.

Under strong and violent pressure that the Turks exercised against the defenseless Albanian people, a rare phenomenon occurred - that of *laramans* which has survived to these days. So, in the period of grave Ottoman persecution during Islamization among Albanians initially foreign phenomena of religious syncretism or the phenomenon of *laramanism* (Crypto-Christianity) or as a symptomatic expression in the Albanian - *laramans* to describe the Christians (Catholic and Orthodox) who continued to remain in still in life.

Numerous sources published and manuscripts, especially relations edited by (arch) bishops and missionaries through sufficient light on the overall religious and moral situation among Albanians during the Turkish occupation of the Christian provinces. It may be pointed out that Christian Albanians were compelled to hide their outer Christian life, however in the same time a degeneration of their customs, laws, and religious convictions began... Their conscience of simulation was extinguished almost entirely and for the first time a phenomenon of apostasy and later that of schism appeared dragging on to our own days. In other words, Christianity not only risked being vanished forever from the Albanian soil but the language, laws, customs were also in danger... In 1584 a relation found in Rome mentions also centers of Christianity that were able to survive Ottoman destruction and violence and they were the following: Shkupi, Prishtina, Krusevac, *Montenegro di Scopia*, Trepca and other sources add also Prizren, Peja and some other minor places.

**III. the Third Period** begins with the establishment of Gospel Congregation (*Propaganda Fide-1622*) in Rome. Actually, from that time on special attention was paid to the Diaspora and missionary countries among which was ethnic Albania (Albania, Kosova, Macedonia and Tivari Diocese). Pope Paulus (1605-1621) had appointed a bishop called Pjeter Katic (1618) to the bishopric seat of Prizren and in 1624 Pjeter Mazreku was appointed bishop of the same seat, holding the position for only three months, as he will be appointed bishop of Tivari. As the bishop of Tivari was remembered "*fra Giovanni da Poseggha Bosnense*", appointed bishop in 1642, but data are lacking if had been ordained bishop as supposedly he was killed by the Turks.

In 1650, Pope Innocent X (1644-1665) appointed another bishop in Prizren, a certain Franjo Sojmirovic, and a year later, in 1651, the Congregation appointed Andre Bogdani as archbishop of Oher, but he will soon take over the archbishopric seat of Shkupi, while Franjo Sojmirovic will move over to Oher. The jurisdiction of Andre Bogdani at that period stretched as far as the territory of Tivari and all the regions of Serbia. At that time, the seat of Prizren diocese came to an end so that her titulars were missing, but with the appointment of P. Bogdani as archbishop of Shkupi a unification of the two dioceses in a single church territory occurred. Till 1914 the diocese of *Scopiensis* was not adjoined to the (Catholic) diocese of Belgrade. The same seat in 1969 (by a decree dated 2 October no. CXXXIII/n.53) is reorganized in those regions and denominated as *Scopiensis-Prisrianensis* (Shkup-Prizren) covering Kosova, Macedonia and the northern Sanjack (in Serbia) while on the other hand the territory of the southern Sanjack is granted to the archdiocese of Tivari (Bar in Montenegro).

Following the war in Kosova (1999), the Holy Seat was soon to recognize the political-geographic territory of Kosova (in the meaning of ecclesiastical competencies) as ADMINISTRATO APOSTOLICA PRISRIANENSIS (Decree: Prot. No. 4588/00), and the bishop of Kosova was given all the competences of a residential bishop for Kosova (Decree: Prot. No. 4589/00). By this, Kosova was ecclesiastically divided from Macedonia.

And, finally, one may point out that the Catholic Church had among the Albanians of Kosova its historical continuity despite short or long interruptions during the centuries of Christianity and it tells us that the presence of Albanians of Kosova was there permanently, while the Serb Orthodox Church was forcefully dislocated from Serbia to Kosova in the same way the Turks were installed with their mosques at a later date, ruining and occupying together with Serbs the earlier Albanian churches. Only full independence for Kosova could bring a positive impact on Albanians to ketch once again with the western tradition, culture and civilization, what they indeed were through the centuries.

Bishop SOPI. Thank you.

Chairman HYDE. Thank you.

Next, Father Gjergji. Would it be possible to encapsulate your speech in 5 minutes? We won't be too strict. We are running out of time. Father Gjergji.

**STATEMENT OF THE REVEREND LUSH GJERGJI, PH.D., GENERAL ADMINISTRATIVE VICAR OF THE ROMAN CATHOLIC DIOCESE OF PRIZREN**

[The following testimony was delivered through an interpreter.]

Father GJERGJI. Thank you, Mr. Chairman, thank you Members of the Committee. I will try to be as brief as possible and save time.

We, as Albanians, are always happy to have had a mother, a daughter like Mother Teresa who in the best possible way showed to the entire world our tradition of kindness, respect, and love for each other and for the people of the entire world. She has always been an idol for us and especially during the worst times that we have experienced in Kosovo from 1991 and even today. She is one of the best-loved daughters our nation has ever given birth to.

Following her example, we did agree to be patient and be peaceful and resist the suffering at all expense, so that we would avoid greater conflict. Regardless, the war happened, and I do want to thank the United States and Europe as well for stopping the extermination of the entire Albanian people of Kosovo.

With the international community's intervention, Kosovo was liberated, and that marked a rebirth for Kosovo—but that, as Kosovo now, just like a child has been born and needs some advice and needs some caring until it is completely grown up, and we are on our way to being grown up and becoming independent just like a child would.

In Kosovo, we do have a wonderful experience for over centuries of inter-ethnic and inter-religious and inter-church dialogue.

And the case of Kosovo would probably be one of the very few examples in the world where two main religions co-exist. Not only do they co-exist, but they do cooperate together very sincerely, because we are, as Christians and as Muslims, we are brothers, and because we belong to the same nation, and we are brothers because we do believe in God.

Of course, we are also willing to further extend our cooperation and further our cooperation with the Serbian Orthodox Church, because the two churches, we believe, can co-exist and cooperate together, and this has been difficult, not because of religious issues but because of political issues.

Therefore, Kosovo, as an independent country, would provide the best example and the Balkans as a country where inter-ethnic, inter-religious, and inter-church dialogue would be possible and implemented. We hope that with your help we will come to be a country where everybody will be free and respected, and that would be a good example of co-existence, not only for the region where we are but for the entire world, and we believe that, with the help of United States, and with the help of God, that would be achievable.

This would crown the success of those who sacrificed to bring Kosovo to this point and to the international community of Kosovars as well so that we could show the entire world how unity

and diversity could be possible. The people of Kosovo have suffered so much. The families of the victims and especially the young generations of that region deserve to be independent and deserve to live peacefully.

Thank you very much for your attention.

[No prepared statement received by the Committee at time of printing.]

Chairman HYDE. Thank you, Father.

Minister Gjini.

**STATEMENT OF THE HONORABLE ARDIAN GJINI, MINISTER OF ENVIRONMENT AND SPATIAL PLANING, GOVERNMENT OF KOSOVO**

Mr. GJINI. Thank you, Mr. Chairman.

It is a great privilege and honor to testify before you today. My country, Kosovo, and its people owes and indeed pays the greatest appreciation and respect for America, for your democracy and people. What you have done for Kosovo is something that is unique for us in our long and difficult history. Your soldiers fought the war to liberate Kosovo, and today there are schools, hospitals, roads, and courtrooms rebuilt by the contribution of the American people and Government. This is the reason why, today, in each house in Kosovo, in each office, or even the smallest coffee shop, the American flag appears alongside our national one.

Because of the long struggle and tremendous suffering of Kosovar people and because of the tremendous support that we have received from the Western democracies led by the United States during and after the war in the late 1990s, Kosovo has progressed considerably. In 1999, we started from scratch. Today, we have democratically-elected mayors and local councils in all municipalities. They were elected twice in municipal elections that were proved to be free and fair, and were recognized as such by all political parties and international observers. We held two general elections. They were also conducted in the same spirit. The change of government after the October 2004 elections was one of the most dignified changes of power between prime ministers in southeast Europe. For the first time, many people in the region could witness a former and the future prime minister congratulate each other for their good work and wish each other success in the future.

Other important institutions characteristic of a democratic society have developed very fast as well. We have a vibrant civil society and an independent media that do not hesitate to criticize the government on any count. The Kosovo Police Service is recognized widely to be among the best law enforcement services in the region.

The justice and court system is up and running; it is multi-ethnic and independent. The economy is still poor, but there are strong reasons for believing that it will improve dramatically as soon as the most important obstacles to economy growth, especially the lack of final status, are removed. The great entrepreneurial spirit of Kosovars, our very fertile farmland and other vast natural resources, and most importantly, the strong determination of the government and the society to have a free-market economy based upon private investment are among the reasons for the optimism about Kosovo's future economy.

We have made significant strides in integrating minorities. Today, one can see all across Kosovo street signs and institution logos in three languages: Albanian, Serb, and English. There is one Serb and one Bosnian minister in the government of 12 ministers. In the last year, there was no inter-ethnic violent incidents whatsoever. We have moved ahead with cooperation in the region as well. Free trade agreements are being prepared with neighbors such as Macedonia, Croatia, and Bosnia Herzegovina. An agreement with Albania has already been signed.

We have high-level bilateral and multilateral contacts at all levels with our counterparts in the region. We have had visits of the Macedonian prime minister, Greek prime minister, which proved to be very good visits of very good, friendly neighbors. We have had the Italian deputy prime minister very recently, and foreign ministers of Slovenia and many other neighboring countries.

The dialogue with Serbia is already taking place at technical levels on matters such as energy, such as missing persons, and we strongly believe that in the near future, we will have contacts and dialogue at the highest political level, too.

Now we are approaching the time when the status of Kosovo needs to be determined. For the vast majority of the people in Kosovo, final status means independence. This is why any other status risks not being final. For almost a century, there has been a struggle for freedom and independence. The intensity of the struggle has varied over time, but it culminated in the war of 1988 to 1999. The solutions like partition or union with any other country are of course rejected by the Kosovars and by their political representatives.

The government and people of Kosovo understand that there is a need for strong guarantees for human rights, freedom of movement, religious freedom, and all other rights that a human being should enjoy in any democracy. Here I am referring especially to a Serb minority living in Kosovo.

As I mentioned above, a lot has been achieved, but there is a lot yet to be done. The most important thing I would say is to build trust among Kosovo Serbs that they can live in freedom and dignity without any fear in their own country, Kosovo. This is not an easy task. There are two main difficulties that must be overcome to achieve this.

First, the unresolved status of Kosovo hinders the possibility of the government to adopt policies that will give concrete guarantees. For now, we are left only with the ability to verbalize our vision, but not implement it.

Second, there is a lack of support of any kind from the Government of Serbia. Belgrade has refused to help both the international community and us so we could help Kosovo Serbs. In fact, they continuously have obstructed our efforts.

The violence that occurred in March 2004 was a serious setback to inter-ethnic relations. No argument can justify the loss of human lives and the destruction of Orthodox churches and monasteries. The government has since allocated money, and programs are being developed for the reconstruction of all holy sites in Kosovo. In relation to these efforts, there is very generous support from the international community as well.

Regrettably, the process has come to a standstill because of the refusal of the Serb Orthodox Church to cooperate with the government and UNMIK so that they could start the rebuilding process. A few weeks ago, however, we received some very positive signals from the Serbian Orthodox Church, and I am confident that the rebuilding processes will start very soon.

Last year's violence created the opinion that Kosovar Albanians are against the Orthodox Church. It is my obligation here today to say that is not true. Two weeks ago, I visited the Decan Monastery, together with the SRSJ Soren Jessen-Petersen, the head of the United States office in Pristina, Philip Goldberg, and other international friends who serve in Kosovo. It was my pleasure to be there for Orthodox Easter and also to hear from an Orthodox priest, Father Teodosije, that throughout history, there were Muslim and Catholic Albanians who lost their lives protecting the monastery. We Kosovars know it. It was never a surprise for us because religion is something that we respect. We view these churches as a very important part of the heritage of our country.

Finally, Mr. Chairman, I would like to say something about what kind of independence we want. First of all, we want a democracy that will respect the will of the people, that will create a condition for every single citizen to live in peace, freedom, dignity, and well-being, regardless of their religion, ethnicity, race or gender identity. We want to be part of the European Union, NATO and other Euro-Atlantic institutions.

We strongly believe that this is our destiny. We want NATO to have a permanent mission in Kosovo because it has proven to be the best guarantor of peace and stability in the region. We will work hard to have good relations with all our neighbors, and we want to continue our permanent and very close relationship with the United States.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Gjini follows:]

PREPARED STATEMENT OF THE HONORABLE ARDIAN GJINI, MINISTER OF  
ENVIRONMENT AND SPATIAL PLANING, GOVERNMENT OF KOSOVO

Thank you Mr. Chairman and members of the Committee. It is a great privilege and honor to testify in front of you today. My country, Kosova, and its people owes and indeed pays the greatest appreciation and respect for America, for your democracy and people. What you, Honorable Members of Congress and your country and people have done for Kosova is something that is unique for us in our long and difficult history. Your soldiers fought the war to liberate Kosova, and today there are schools, hospitals, roads, and courtrooms rebuilt by the contribution of the American people and government. This is the reason why today, in each house in Kosova, in each office, or even the smallest coffee shop the American flag appears alongside our national one.

Because of the long struggle and tremendous suffering of Kosovar people and because of the tremendous support that we received from the western democracies led by the United States during and after the war in the late 1990s, Kosova has progressed considerably. In 1999 we started from scratch. Today we have democratically elected mayors and local councils in all municipalities. They were elected twice in municipal elections that proved to be free and fair, and were recognized as such by all political parties and international observers. We have held two general elections. They were also conducted in the same spirit. The change of government after the October 2004 elections was one of the most dignified changes of power between prime ministers in Southeast Europe. For the first time many people in the region could witness a former and the future prime minister congratulate each other for their good work and wish each other success in the future.



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We have moved ahead with cooperation in the region as well. Free trade agreements are being prepared with neighbors such as Macedonia, Croatia and Bosnia Herzegovina. An agreement with Albania has already been signed. We have high-level bilateral and multilateral contacts at all levels with our counterparts in the region. The dialogue with Serbia is already taking place at technical levels on matters such as energy or missing persons, and we strongly believe that in the very near future we will have contacts and dialogue at the highest political level.

I do know that there are people in the region who view the perspective that I have just articulated with suspicion. However, Kosova's achievements are not minor when we think back only five years ago to the war and the crimes that were committed by Serbian dictator Slobodan Milosevic and his henchmen. Many of the achievements that I mentioned were not even imaginable among the strongest optimists in 2000.

Now we are approaching the time when the status of Kosova needs to be determined. For the vast majority of the people in Kosova, final status means independence. This is why any other status risks not being final. For almost a century there has been a struggle for freedom and independence. The intensity of the struggle has varied over time, but it culminated in the war of 1998–1999. The solutions like partition or union with any other country are rejected by the Kosovars and by their political representatives.

The government and people of Kosova understand that there is a need for strong guarantees for human rights, freedom of movement, religious freedom, and all other rights that a human being should enjoy in any democracy. Here I am referring especially to the Serb minority living in Kosovo. As I mentioned above, a lot has been achieved, but there is a lot yet to be done. The most important thing I would say is to build trust among Kosovo Serbs that they can live in freedom and dignity without any fear in their own country, Kosovo. This is not an easy task. There are two main difficulties that must be overcome to achieve this. First, the unresolved status of Kosova hinders the possibility of the government to adopt policies that will give concrete guarantees. We are left only with the ability to verbalize our vision, but not to implement it. Second, there is a lack of support of any kind from the government of Serbia. Belgrade has refused to help both the international community and us help Kosovo Serbs. In fact, they continuously obstructed our efforts.

The violence that occurred in March 2004 was a serious setback to interethnic relations. No argument can justify the loss of human lives and the destruction of Orthodox churches and monasteries. The government has since allocated money, and programs are being developed for the reconstruction of all holy sites in Kosovo. In relation to these efforts, there is very generous support from the international community as well. Regrettably, the process has come to a standstill because of the refusal of the Serbian Orthodox Church to cooperate with government and UNMIK to start the rebuilding process. However, a few weeks ago we received some very positive signals from the Serbian Orthodox Church, and I am confident that the rebuilding process will start very soon.

Last year's violence created the impression that Kosovar Albanians are against the Orthodox Church. It is my obligation here today to say that that is simply not true. Two weeks ago I visited the Decan Monastery, together with the SRSG Soren Jessen-Petersen, the head of the US Office in Prishtina Philip Goldberg, and other international friends who serve in Kosovo. It was my pleasure to be there for Orthodox Easter and also to hear from an Orthodox priest, Father Teodosije, that throughout history, there were Muslim and Catholic Albanians who lost their lives protecting the Monastery. We Kosovars know it. It was never a surprise for us be-

cause religion is something that we respect. We view these churches as a very important part of the heritage of our country. Interreligious respect is at the core of the Albanian reality. Albanian Muslims, Catholics, and Orthodox people have coexisted, often intermarried, and respected each other for almost 500 years. Relations between religions among Albanians are so relaxed that the re-conversion of Muslims to the religion of their grandparents, Catholicism, is happening fast. This is not a problem for Albanians; it is perceived to be something normal and a matter of individual choice.

Finally, Mr. Chairman, I would like to say something about what kind of independence we want. First of all, we want a democracy that will respect the will of the people, that will create conditions for every single citizen to live in peace, freedom, dignity, and well being, regardless of their religion, ethnicity, race or gender. We want to be part of the European Union, NATO and other Euro Atlantic institutions. We strongly believe that this is our destiny. We want NATO to have a permanent mission in Kosovo, because it has proven to be the best guarantor of peace and stability in the region. We will work hard to have good relations with all our neighbors, and we want to continue our permanent and very close relationship with the United States.

Thank you,

Chairman HYDE. Thank you very much, Minister.  
And now Ms. DioGuardi.

**STATEMENT OF MS. SHIRLEY CLOYES DIOGUARDI, BALKANS  
AFFAIRS ADVISER, THE ALBANIAN AMERICAN CIVIC LEAGUE**

Ms. DIOGUARDI. Yes. Thank you very much. I want to thank you for your leadership and holding this hearing and also you and Congressman Lantos for introducing House Resolution 24, supporting the United States recognition of Kosovo's independence now.

I think, in order to address Kosovo's current economic and political status and United States foreign policy in the region, looking at final status in particular, we have to talk a little bit about the history for the last few decades of our Administration.

With all due respect to Ambassador Burns, I cannot share his pride in the 20 years of activity on the part or—I should say—perhaps inactivity on the part of the Administration.

As Congressman Rohrabacher said earlier, we are a little late. It is very good what is happening now in terms of returning to the issue of the Balkans, but when we talk about pride, I think we have to talk about the House International Relations Committee.

The House International Relations Committee can be proud because it has consistently responded to the conflict in southeast Europe in the last century, in the current century, consistently supported separations for freedom and democracy on the part of peoples in the region who suffered from almost 50 years of communism, and in the case of Albanians, from racism and genocide.

If you go back 18 years when this really began, the initiative in the House, it was Congressman Lantos and then-Congressman DioGuardi who introduced, with 57 colleagues, H. Con. Res. 162, which exposed the egregious abuse of human rights of Kosovo's Albanians and called for justice.

Now, unfortunately, at that time, the State Department, under pressure from former colleagues and American friends of Slobodan Milosevic who worked in the region, opposed every initiative by the House.

Ultimately, Congressmen Lantos and DioGuardi prevailed in getting a hearing. But what we see from 1989 on, after Milosevic invades and occupies Kosovo, we see a pattern that continued for a

decade. The consequences were really quite terrible. I mean, Vucovar gets attacked. House opposes it. The International Relations Committee opposes it. The Administration doesn't act. Kosovo is occupied brutally. House opposes. Congressman Lantos introduces another resolution. The Administration doesn't act. Bosnia is attacked. Concentration camps were concealed. Five members of our State Department resigned in opposition. Nothing happens.

The only time that there was an exception was when President George Herbert Walker Bush announced his Christmas warning in 1993, warning Slobodan Milosevic that: "If you start to move in on Kosovo in a military way, if you wage a war, then you are going to be in trouble. There will be dire consequences." But for the most part, State has just, you know, embraced a policy of appeasement and containment.

And then, in February 1998, the Christmas warning was violated. The Serbian military and paramilitary troops attacked Kosovo, raped, pillaged and murdered their way across the country so that by the time the United States was forced to lead NATO air strikes against Serbia in March 1999, Serbian military and paramilitary forces had killed more than 300,000 men, women, and children in Bosnia, at least 10,000 in Kosovo. A couple thousand are still missing, and they displaced more than 4 million people in southeast Europe.

Now, there was a short period of time from March until June 1999, when the air strikes were being conducted, that Congress and the Administration came together at this point and realized they were going to have to bring down Milosevic and his henchmen. The American people broadly supported the government in that, especially as they saw Albanians being herded in cattle cars to the border and thrown into camps.

However, when the war came to an end with the capitulation of Milosevic, the United States agreed to defer any decision regarding Kosovo's final status. What you see at that point is a reemergence of a State Department's embrace of its historical Belgrade-centric attitude.

I think that the evidence, though, of the past 6 years is that delaying final status has been a mistake. It is time for the Administration to look at House Resolution 24 as the blueprint for going forward.

The worst thing that has happened, I think, in the post-war period is that reaction anterior forces in Belgrade and in Washington have succeeded—and we heard some of this today in part—succeeded in creating in the international media and in the minds of some of our government officials that there is a false parity between the perpetrators of state-sponsored terrorism and the Albanian and Bosnian victims of genocide, between the perpetrators and some individual Albanians who retaliated against individual Serbs.

So, in this period, we see that the sovereign State of Serbia has been able to miscast Albanians of the Balkans as a source of violence in the region. One of the reasons they have been able to do it—and my colleagues, Bishop Sopi in particular, spoke about this—they have been able to portray Albanians as Muslims in the heart of Europe. In a post-9/11 world, they have gone further and

said, “Well, these Muslims are a potential terrorist force in the heart of Europe.” It is easy to convince Westerners of this who are largely untutored in the realities of Eastern Europe.

So, Belgrade’s efforts to portray Kosovar Albanians as unworthy of their right to freedom then came to a culmination with the tragic events of March 2004. I won’t go into that. Other members of this panel already have. I only want to say two things: Nineteen people died, yes. But 11 of those 19 were Albanians; 8 were Serbs.

It is a tragedy, but it wasn’t orchestrated. In my opinion, the world should be surprised not that there was any violence in Kosovo in 6 years, but that there has been so little, with 70 percent of the population under the age of 30, more than 60 percent unemployed.

In the post-war period, and notably, after March 2004, it again has only been the House International Relations Committee that grasped the danger of delaying Kosovo’s final status and keeping it on life support. As we all know, you and Congressman Lantos introduced House Resolution 28, then 24. You did it, in my opinion—and I think it is important for people to realize this—not just because you are interested in respecting the dignity of Kosovars and the human rights of all peoples; you also did it—and this is what our Administration has to know—because you realized it was in the vital interest of the United States—I will just make, summarize my testimony totally—vital interest not to create a seeming contradiction between calling for free and fair elections and democracy in Iraq and the Ukraine on the one hand and then denying the democratic process in Kosovo, something about which Congressman Rohrabacher has spoken so eloquently.

It is in the vital interest of the United States to have a progressive Muslim Albanian majority in the heart of Europe. It is in the vital interest of the United States that Albanians are the most pro-American, pro-Western ethnic group in southeastern Europe and maybe all of Europe. When America was attacked on 9/11, many countries danced in the streets while Kosovar Albanians lit candles, had vigils and said, “We are with you.”

It is in the vital interests of the United States to provide genuine support for the democratization of all societies emerging from communism and ultra-nationalism. This means that it must come to grips with the fact that United States policy in the past 15 years has failed to de-Nazify and democratize Serbia.

It is not enough simply to pick up Mladic and Karadzic; to come to grips with the situation in which Serbia continues to be a quasi-Mafia state that destabilizes its neighbors, and Serbs are being hurt by that. They have historically—I know there are improvements, but there are a lot of Serbs that have been held hostage, along with the Kosovar Serbs.

My last statement would be that it is the Kosovar Serbs that need to be at the negotiating table in the fall with Kosovar Albanians, not Belgrade.

Thank you very much, Mr. Chairman.

[The prepared statement of Ms. DioGuardi follows:]

PREPARED STATEMENT OF MS. SHIRLEY CLOYES DIOGUARDI, BALKANS AFFAIRS  
 ADVISER, THE ALBANIAN AMERICAN CIVIC LEAGUE

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. 24, calling on the United States to support the independence of Kosova now.

In order to address Kosova's current political and economic status and U.S. policy in relation to final status, I think that it is beneficial to briefly review the record of the U.S. government in responding to the conflict in Southeast Europe in the latter part of the 20th century and at the beginning of the 21st century. When we do this, we see that the House International Relations Committee has consistently exercised leadership by throwing its support behind the aspirations for freedom and democracy on the part of the peoples in the region who suffered from almost fifty years of Communism after World War II and, in the case of Albanians, who have been the victims of racism and genocide much longer. Eighteen years ago, in June 1987, Congressman Lantos and then Congressman Joe DioGuardi introduced, with fifty-seven of their colleagues in the House, a resolution (H.Con.Res 162) exposing the egregious abuse of the human rights of Kosova's Albanian majority and calling for justice. A month later, in July 1987, Serbian dictator Slobodan Milosevic came to power on a platform of anti-Albanian racism.

Unfortunately, the State Department, under considerable pressure from former colleagues and American friends of Milosevic who got to know him when he was a banker in Washington, worked hard behind the scenes to promote Serbian dominance in Yugoslavia, a federation in the process of dissolution. In a letter to then Chairman of the House International Relations Committee Dante Fascell, State opposed H.Con.Res. 162 as an affront to Yugoslavia, America's "friend and ally." State also opposed the Committee's intent to have a hearing on H.Con. Res. 162, but Chairman Fascell and Congressmen Lantos and DioGuardi prevailed and the hearing was held. The hearing and the subsequent high-level meeting that Congressmen Lantos and DioGuardi held with State Department officials and the Ambassador from Yugoslavia to discuss human rights abuses in Kosova led Milosevic to recall his ambassador to the United States in a show of contempt.

A pattern was established in 1989 that continued for a decade with terrible consequences for the peoples of Southeast Europe. In 1990, the House Committee on International Relations called on the administration to end Milosevic's occupation of Kosova and to stop his military march across Southeast Europe after his forces attacked Vucovar and Dubrovnic in Croatia. In 1992, Congressman Lantos introduced the first resolution calling on the U.S. government to recognize the independence of Kosova. That same year Milosevic invaded Bosnia-Herzegovina. Not long afterward five members of the U.S. State Department resigned over their superiors' concealing of Milosevic's concentration camps in Bosnia. The photographs of emaciated Bosnian Muslim men, so reminiscent of the Nazi era, flashed across television screens throughout the world. Apart from President George Herbert Walker Bush's "Christmas warning" in 1993, admonishing Milosevic that there would be dire consequences if he waged war in Kosova, the State Department embraced a policy of appeasement and containment in the Balkans. State opposed the dissolution of the former Yugoslavia, wanting to, in the words of then Secretary of State James Baker, "keep it together at all costs."

At the end of February 1998, the "Christmas warning" was violated, when Serbian military and paramilitary forces attacked Drenice and began to rape, pillage, and murder their way across Kosova. Milosevic's invasion was enabled State Department Balkan Envoy Robert Gelbard, when he publicly called the Kosova Liberation Army (the people's defense force that had risen up to defend Kosovar Albanians against the Serbian army) as a "terrorist" organization. Less than a month later, on March 12, 1998, Gelbard was forced to retract his statement in a hearing convened by then House International Relations Committee Chairman Ben Gilman. In May of that year, former Congressman Joe DioGuardi testified at a full committee of the Senate Foreign Relations Committee chaired by Gordon Smith and Joe Biden, calling for military intervention to save the lives of Kosovar Albanians who were facing extermination.

By the time the United States was forced to lead NATO air strikes against Serbia in March 1999, with the collapse of then Balkan envoy Richard Holbrooke's weak-kneed diplomacy and under the moral suasion of then U.S. Secretary of State Madelyn Albright, Serbian military and paramilitary forces had killed more than 300,000 men women and children in Bosnia, at least 10,000 in Kosova (2,400 people are still missing), and had displaced more than four million.

For a short period of time, from March until June 1999, the Congress and the administration were united in bringing down Milosevic, and the American people

broadly supported their government, especially as they watched Albanians forced out of their homes in Kosova on cattle cars and herded into camps on the border of Macedonia and Albania. But when the war came to an end with the capitulation of Milosevic, the United States agreed to defer any decision regarding Kosova's final status. This was the first indication that the State Department would re-embrace its historical Belgrade-centric orientation. In agreeing to put Kosova's final status on hold, the United States was also bowing to Western Europe, which it expected to shoulder primary responsibility for ending conflict in the Balkans. But if history in the Balkans has shown us anything, it has shown us that a divided Europe will not act without U.S. leadership.

The evidence of the past six years is that delaying final status has been a mistake. In the postwar period, Belgrade has consistently attempted to destabilize Kosova by opposing the integration of Kosova's Serbs. Just this past week, UN head of Mission in Kosova Soren Jessen-Petersen publicly expressed his disappointment with reports in the press that "Belgrade has once again discouraged Kosovo Serbs to be part of dialogue and part of Kosovo institutions." Kosovar Serbs have been intimidated into non-participation.

Above all, in the postwar period reactionary forces in Belgrade in Washington have succeeded in creating in the international media a false parity between the perpetrators of state-sponsored terrorism and the Albanian victims of genocide, some of whom have retaliated against individual Serbs. Even as it was discovered that withdrawing Serbian troops took Albanian corpses in refrigerated trucks across the border to be reburied in Serbia in an effort to conceal the scope of Milosevic's crimes and, even as it was discovered much earlier, that Serbian paramilitaries had burned Albanian corpses in the Trepca mines, the sovereign state of Serbia has been able to miscast the Albanians of the Balkans as the source of violence in the region.

It has accomplished this amazing feat (I consider it amazing because it runs totally counter to my experience in thirteen trips to postwar Kosova) solely because the majority of Kosovar Albanians are Muslims. In a post-9-11 world, it has been easy to convince Westerners, largely untutored in the history and realities of Eastern Europe, that Albanians are a potentially Muslim terrorist state in the heart of Europe. In reality, and as you have heard from my Kosovar colleagues today, Albanians are secular Muslims, Catholics, and Eastern Orthodox Christians who have lived side by side in harmony for centuries.

Belgrade's effort to portray Kosovar Albanians as unworthy of their right to freedom and self-determination was made easier by the tragic events of March 2004, in which nineteen people (eleven Albanians and eight Serbs) lost their lives and thirty Orthodox churches and religious sites were either damaged or destroyed. The Serbian propaganda machine immediately depicted the violence that erupted a year ago as "reverse ethnic cleansing" of the Kosova Serb minority and as an orchestrated "anti-Christian" act on the part of Albanian Muslims. But neither was the case. Most Albanians deplored the violence that took place between March 17 and 19, 2004. A few incidents, including the UN's refusal to end a Serbian demonstration that made Kosova's main arteries impassible for three days and the drowning of an Albanian child in northern Kosova allegedly by Serbian adults, ignited a spontaneous eruption of pent-up anger and frustration on the part of beleaguered Albanians who had lost trust in the international community's intentions. The world should be surprised not that violence erupted in Kosova, but that it has happened so rarely in a society whose political and economic future has been held hostage to lack of final status for the past six years. Seventy percent of Kosovars are under the age of thirty, and more than sixty percent of the population is unemployed. In a February 2005, meeting, Congressman Dana Rohrabacher rightly captured the reality of U.S. policy in Kosova when he said that we are "stealing the lives" of Kosovar Albanians.

In the postwar period and notably after the events of March 2004, only the House International Relations Committee grasped the dangers of delaying Kosova's final status and keeping it on life support. At the start of the 108th Congress, Congressman Lantos and Chairman Hyde introduced House Resolution 28, calling on the United States to recognizing the independence of Kosova now, and held a full committee hearing on the independence of Kosova in May 2003. They reintroduced the resolution, now House Resolution 24, at the start of the 109th Congress. They did this not just because they are supporters of the human rights and dignity of human beings everywhere, but because they recognize that it is in the vital interests of the United States to have lasting peace and stability in Southeast Europe, which can only begin with ending the de facto partition of Mitrovice and recognizing an independent Kosova.

It is in the vital interest of the United States not to create a seeming contradiction between calling for free and fair elections and democracy in Iraq and in the

Ukraine, affirming the wholesale transition from Communism to democracy in the Baltic states, supporting the inclusion of Turkey, a moderate Muslim state, into the European Union, and then opposing the will of the people in Kosova who first voted for their independence in a national referendum in 1990. In the summer of 2004, more than one million Kosovar Albanians and hundreds of Kosovo Serbs, as well as thousands more Albanians in Macedonia, Albania, Montenegro, Croatia, Slovenia, Chameria, the Presheva Valley, America, England, Germany, Switzerland, France, Scandinavia, Australia, and New Zealand signed a petition calling on President Bush to support the passage of House Resolution 28, now H.Res. 24. (Parenthetically, the White House has not yet expressed a willingness to receive their signatures, either privately or publicly.)

It is in the vital interest of the United States to have a progressive Muslim Albanian majority in the heart of Europe. Albanians totally oppose the kind of reactionary and oppressive Muslim forces that have emerged in the Middle East, and have rebuffed their attempts to make incursions into the Balkans. It is also in the vital interest of the United States to support the freedom and democratic development of Albanians, who are the most pro-Western, pro-American ethnic group in Southeast Europe and in fact in all of Europe. When America was attacked on 9-11, Albanians lit candles and held an all-night vigil with posters emblazoned with the words "We are with you," while all too many Serbs, Macedonian Slavs, Greek, and Russians danced in the streets with joy at America's pain.

It is in the vital interest of the United States to provide genuine support for the democratization of all societies emerging from Communism and ultranationalism. This means coming to grips with the fact that U.S. policy in the past fifteen years has failed to de-Nazify and democratize Serbia. While the Albanians of Kosova are at greatest risk because of this, it is also the case that Serbs in Serbia proper and in Kosovo are also suffering from our failure to dismantle the Milosevic system. Until the standards that have been applied to Kosova as a tactic for delaying final status are applied to Serbia first and foremost, Serbia will continue to be a quasi-Mafia state that destabilizes its neighbors. At a time when the United States is confronting a prolonged crisis in Iraq, Afghanistan, and the Middle East and the prospect of a nuclear North Korea, it is in the vital interest of the United States to end the prospect of war in Southeast Europe once and for all. President Bush's decision to focus on final status resolution is a welcome one. House Resolution 24 will provide him with a blueprint for action.

Chairman HYDE. Thank you very much, Mrs. DioGuardi.  
Mr. Rohrabacher.

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

First of all, I would like to congratulate Joe and Shirley DioGuardi for the hard work that they put out on this issue and this cause over the years.

Ms. DIOGUARDI. Thank you.

Mr. ROHRABACHER. It has been vitally important that a group of people in desperate situations in another part of the world were given direction on how to state their case and how to make sure people understood what was going on through a very complicated democratic process in the United States. So I think Joe and Shirley have done a tremendous job in making sure that we got the picture of what was going on, instead of a blurred picture of what was going on there.

I would like to make one note for the record, Mr. Chairman. That is, when we do talk about the United Nations, the Administration seems to believe that the United Nations now should play a role in this process, and we are going to have the United Nations representatives there as negotiators or reconciliators, democratic reconciliators. I just wonder, Mr. Chairman, if those United Nations representatives will be from democratic countries or not. I am sorry that I didn't have our representative here from the Administration.

It seems that perhaps a large number of countries in the United Nations are not democratic. Sending, perhaps, people from China or North Korea or, you know, any of these other great countries,

Burma, to come to help the Kosovars negotiate for democracy wouldn't really be of a great service.

That is why the United States has to make decisions rather than leaving it up to the United Nations. Because in the United Nations there is a tremendous, let us say, influence of people who do not believe in democracy and the value of liberty and justice.

With that said, let me ask the panel about some of the objections that people have. Ms. DioGuardi just mentioned the bugaboo of radical Islamic center right there in Europe.

Let me ask. We have some Christian leaders here with us. Are you worried—you know what is going on among your fellow Kosovars, and you know they are of another faith. Many of them are Muslims. Are you worried about radical Islam taking over in Kosovo and your faith in some way being jeopardized by radical Muslims like you see in Iran or with bin Laden?

Bishop SOPI. We are absolutely not worried that it will come to the point where we will be overtaken by radical Islam. But I do think that if the status quo is prolonged forever, then small extremist groups could emerge, and that could threaten to some extent. But I still do not believe that it will ever come to the point that Islam, radical Islam will—

Mr. ROHRABACHER. So his answer is, the longer that we refrain from letting the people of Kosovo have their rights to run their own country, the greater the chance that radicalism will rise up among Muslims.

Bishop SOPI. That would be true. I would agree with you, and I would also add that the people of Kosovo have always believed in democracy, especially in the American democracy.

But the strong belief they have had in the American democracy may vanish as time goes on and nothing happens, because our hopes have been so great that there will come a time that is free and democratic, the way that other Americans or the way other Western Europeans live.

That is why we do believe it is you. I don't think Europe can solve our political problem, but I do believe it is the United States that is a democracy, that the United States can step in and solve the problem, that our hope comes true, we do get to be democratic.

Mr. ROHRABACHER. For the record, Mr. Chairman, we have Christian leaders here with us. People who should, if anyone fears radical Islam in their country, it should be these people because they represent their congregations, and they are here telling us that an independent Kosovo is the way to go to thwart radical Islam. Thank you very much, Mr. Chairman.

Chairman HYDE. I thank you very much, Mr. Rohrabacher.

We will thank this panel for your great contribution to this important subject, and we will stay in touch with you. I am sure we will be hearing more from each other.

Thank you, Shirley.

Ms. DIOGUARDI. Thank you.

Chairman HYDE. Give our best to Joe.

Ms. DIOGUARDI. I will do that.

Chairman HYDE. Thank you, you are excused.

I would like to introduce our witnesses for panel three. Our first witness is Daniel Serwer, Vice President and Director of Peace and



Stability Operations and the Balkans Initiative at the U.S. Institute of Peace. He has worked on preventing inter-ethnic and inter-religious conflicts in Iraq and has been deeply engaged in facilitating dialogue between Kosovo, Serbs, and Albanians. As State Department Director of European and Canadian analysis in 1996 and 1997, he supervised the analysts who tracked Bosnia and Dayton implementation as well as the deterioration of the security situation in Albania and Kosovo. Mr. Serwer served in 1994 and 1995 as United States Special Envoy and Coordinator for the Bosnian Federation, mediating between Croats and Bosnians and negotiating the first agreement reached of the Dayton peace talks.

Our second witness is Ambassador Alex Rondos, former Greek Ambassador-at-Large and member of the International Commission on the Balkans. Ambassador Rondos is a Greek national, born in Tanzania, and has had an extensive career in journalism, relief development work, and diplomacy. He served as the Foreign Minister of Greece, has worked extensively throughout the Balkans region as a diplomat for the Greek Foreign Ministry.

Our third witness is Vuk Jeremic, Senior Advisor to the President of Serbia, Boris Tadic. As a student and young professional in England during the Milosevic area, Mr. Jeremic organized Serbian students and expatriates to coordinate information campaigns and establish international contacts for the democratic opposition.

Following the democratic changes in Belgrade in October 2000, he worked as an advisor to the Minister of Telecommunications of the Federal Republic of Yugoslavia and later to the Prime Minister of the Republic of Serbia.

Following the completion of his advanced degree at Harvard University, he joined the Ministry of Defense of Serbia and Montenegro in the capacity of the Special Envoy for Euro-Atlantic affairs. He is currently serving as the Senior Foreign Policy Advisor to Boris Tadic, President of Serbia.

Our fourth witness is the Reverend Irinej Dobrijevic, a Hieromonk of the Serbian Orthodox Church. He is currently consultant to the Holy Synod of Bishops of the Serbian Orthodox Church on International and Interchurch Affairs, and Editor-in-Charge of the Information Service of the Serbian Orthodox Church. He has recently been appointed coordinator of the newly-created Kosovo and Metohija Office of the Holy Assembly of Bishops of the Serbian Orthodox Church headquartered at the Serbian Orthodox Patriarchate in Belgrade. Father Irinej has spent most of his career in the field of education, lecturing at the Loyola University of Chicago and the theology faculty of the Serbian Orthodox in Belgrade. Previously, he was the Executive Director of the Office of External Affairs of the Serbian Orthodox Church in the U.S.A. and Canada, located in Washington, DC.

Our fifth witness is Harry Bajraktari, President of Bajraktari Management and member of the board of the National Albanian Council. Born in Kosovo, he is a successful businessman and has been extensively involved in privatization and economic development programs in Kosovo. He is the single largest investor in the Kosovo Privatization Program and has worked extensively with the Kosovo Trust Agency, which administers the privatization process in Kosovo.

We would respectfully request our witnesses to limit their opening statements to between 5 and 10 minutes, and your full statements will be made a part of the record. I admire your patience, and we will look forward to your statements.

Dr. Serwer.

**STATEMENT OF DANIEL P. SERWER, PH.D., VICE PRESIDENT  
AND DIRECTOR, PEACE AND STABILITY OPERATIONS AND  
BALKANS INITIATIVE, U.S. INSTITUTE OF PEACE**

Mr. SERWER. Thank you, Mr. Chairman. It is a great pleasure to have this opportunity to offer you my personal views at this critical moment in contemporary Balkans history. With your permission, I will submit my written testimony for the record and summarize briefly, maybe within 5 minutes. The final status of Kosovo, Mr. Chairman, is all too clear. Like the rest of its neighborhood, Kosovo will become part of the European Union (EU).

The issue is how it will get there, starting from its current status as a UN Protectorate, and will it get there in one piece or in two?

The first thing to be said is that Kosovo is not going to enter the EU soon. Serbia can enter the EU many years before Kosovo, and failure to resolve Kosovo's status can only delay Serbia's membership.

The EU negotiates membership only with sovereign states. Serbia would not want to be the sovereign state with which the EU would negotiate Kosovo's entry, and the Kosovars would not put up with it. Serbia will want to be on the EU side of this negotiation, avoiding responsibility for Kosovo and wielding a vote, a veto over its succession.

The issue is therefore not whether Kosovo will ever be a sovereign state, but rather how it will become one. Some have proposed that Kosovo remain a protectorate under the EU, if not the UN, until just before its succession. This is not viable. Europe will want to know that the Kosovo authorities can regulate a free-market economy and government and democracy, including respect for minority rights.

But if Kosovo must some day be a sovereign state, it will want for some time to continue an international military presence on its territory. Kosovars welcome international prosecutors and judges in their international system. Kosovo accepts restrictions that make greater Albania or greater Kosovo impossible.

Once the UN Protectorate is ended, Kosovo will still live under a regime of limited sovereignty, which will allow it to govern itself, send diplomats abroad, and enter as a full member of the UN and other organizations.

This brings us to the present challenge, how to end the UN Protectorate. This will require a new Security Council Resolution to replace 1244, which established the protectorate in June 1999. The Contact Group has been pointing in the direction of limited sovereignty by saying that Kosovo will not be returned to Belgrade, so will not be allowed to unify with neighboring Albanian territory.

The International Commission on the Balkans went further by suggesting that Kosovo's de facto independence be accepted. The former Serbian foreign minister who concurred has been much criticized and even threatened in Serbia, but no one contests the

facts. Albanian-controlled Kosovo cannot be governed from Belgrade and will have to make its own way to the EU.

Where will the incentives for a negotiated agreement come from? For Serbia, the EU will have to provide early candidacy as well as a strong message that no better offer is possible. From Kosovo, the United States will have to deliver the Albanians by making it clear there is no better offer and prospect and by agreeing to continue the NATO presence.

Thus, we can imagine the process that takes Kosovo from the current protectorate to a regime of limited sovereignty, to sovereignty of eventual EU membership. But can we imagine this happening to the whole of Kosovo, Serbs and Albanians together, or do they need to be separated, each group on their own territory?

The Contact Group has made it clear that Kosovo will not be partitioned. But underlying this rejection, formal partition is growing acceptance of ethno-territorial separation. Many expect that most Serbs will end up concentrated in the few areas where they will live de facto with Serbian citizens on Serbian soil and governed by Belgrade.

This is called decentralization in UN-speak, but here we should be more forthright. It is ethno-territorial separation just one step short of partition. The Dayton Agreement attempted a decentralized system of this sort in Bosnia. That experiment failed, and we have spent the past 10 years trying at great expense to build up the central government. To avoid repeating that mistake, the northern Kosovo municipality should be put under international administration until a solution is found.

In concluding, I would like to ask, who can make a negotiated solution in Kosovo happen? My answer is unequivocal: Only the U.S. and the EU working in tandem. This basic idea is generally accepted. We heard that today from Mr. Burns. But some variance, including variance that he put forward, give me pause.

The UN should give the U.S. and EU negotiators their mandate, but they should not work for the Secretary-General. Nor is it wise to have a senior EU envoy and a more junior U.S. deputy. A U.S.-EU tandem could begin work after the July standards review, initiating contacts with Belgrade and consulting with Kosovo's neighbors. In September and October, the Security Council would define the parameters within which the negotiators would work. Actual negotiations would be starting in November 2005. I would imagine they would go to March 2006, with proximity talks convened if necessary.

The United States and EU envoys would then craft a solution, present it to Belgrade and Pristina and conclude the process with the Contact Group and Security Council endorsement by a year from now. This is a somewhat longer schedule than Mr. Burns put forward. But if it could be done in a shorter period of time, I would welcome it.

Now, however, is the time to begin the process. It will end—as I said at the outset—at some distant date with Kosovo's entry into the European Union.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Serwer follows:]

PREPARED STATEMENT OF DANIEL P. SERWER, PH.D., VICE PRESIDENT AND DIRECTOR, PEACE AND STABILITY OPERATIONS AND BALKANS INITIATIVE, U.S. INSTITUTE OF PEACE

It is a great pleasure to have this opportunity to offer you my personal views at this critical moment in contemporary Balkans history. The international community is now preparing—as it must—to resolve the last remaining issue of war and peace in the Balkans: the status of Kosovo. More than 15 years after its loss of autonomy helped to precipitate the break-up of former Yugoslavia, Kosovo is back at the top of the agenda.

The “final status” of Kosovo is clear enough: like the rest of its all too troublesome neighborhood, Kosovo will eventually become part of the European Union (EU). The issue is how it will get there, starting from its current status as a protectorate administered by the United Nations Mission in Kosovo (UNMIK). And whether it will get there in one piece, or in two.

A great deal has been written and said about this subject: everyone has heard that Kosovo Albanians want independence and that Belgrade would like to preserve Serbian sovereignty. I do not expect these positions to change, but neither Pristina nor Belgrade is likely to get all it wants. The range of viable options is narrowing.

But rather than offer you a magical solution to the problem of Kosovo’s status, I would like to approach the issue by talking about the process, working backwards from the final step: the entry of Kosovo into the EU. One of the great achievements in the Balkans in recent years is the consensus both in Europe and the US that all of the Balkans belongs in the EU. So if this is where Kosovo is going, how does it get there?

#### *Kosovo Enters the European Union*

The first thing to be said is that Kosovo is not going to enter the EU any time soon. Even an aggressive effort to meet the standards developed by UNMIK, establish good governance, increase competence in the Provisional Institutions of Self-Government (PISG), crack down on organized crime, treat minorities well and implement the 80,000 pages of regulations required of an EU member would make Kosovo a candidate in 2015 and a member in 2020. More realistic estimates might be 2020 and 2025.

Serbia itself has far better prospects. Serbia, if it continues to clear up its record on harboring war criminals, could reasonably hope to be a candidate by 2008 and a member by 2012, or even earlier. Whatever the specific dates, it is clear that Serbia minus Kosovo can enter the EU earlier than Kosovo can. As part of the negotiations over Kosovo’s status, Serbia might even be able to become an immediate candidate. Failure to resolve Kosovo’s status can only delay Serbia’s EU membership.

The EU negotiates membership only with sovereign states, though it has made provisions for sovereign states that do not control all of their own territory (Cyprus, for example). It is difficult to imagine that Serbia, a member of the EU for perhaps a decade before Kosovo, would want to be the sovereign state with which the EU would negotiate Kosovo’s entry, or that the Kosovars would put up with it. Serbia, to the contrary, will want to be on the EU side of this negotiation as a full-fledged member, avoiding responsibility for Kosovo’s governance and wielding a veto over Kosovo’s accession.

#### *From Limited Sovereignty to Sovereign State*

The issue is therefore not so much whether Kosovo will ever be a sovereign state, but rather how it will become one before accession to the EU. Some have proposed that Kosovo remain a protectorate—under the EU if not the UN—until just before accession. This is not a viable proposition. While the EU might begin to deal with Kosovo as a candidate before it achieves full sovereignty, Europe will want to know that the Kosovo authorities can regulate a free market economy and govern a democracy, including respect for minority rights. It would be folly for the EU to allow accession of a state that had not met this test over a period of years, if not a decade or more.

But if Kosovo—in order to become an EU member—must some day be a sovereign state, it is clear that Kosovo does not seek, and will not in the near future have, full sovereign control over its own security, judicial system and foreign affairs. Kosovo will want for some time to continue an international military presence on its territory. Kosovars welcome international prosecutors and judges in their judicial system to carry the burden of dealing with inter-ethnic crime. Kosovo will accept restrictions on its relations with Albania and Macedonia that make Greater Albania or Kosovo impossible.

Thus Kosovo, once the UN protectorate is terminated, will still live under a regime of limited sovereignty. Foreign troops will guarantee its security, international

judges and prosecutors will handle inter-ethnic cases in its courts, international police will monitor the Kosovo Police Service, and its relations with its neighbors will be governed in part by the international community. Limited sovereignty would still allow Kosovo to govern itself and to send diplomats abroad and enter as a full member the UN, the World Bank, the IMF and other international organizations.

*From Protectorate to Limited Sovereignty*

This brings us to the present challenge: how to end the UN protectorate and establish a regime of limited sovereignty, including conditions for both Kosovo and Serbia. This will require a new Security Council resolution to replace 1244, which established the protectorate in June 1999. For a new resolution to pass, Russia and China will at least have to abstain. The US will have to be prepared to vote in favor. All three permanent members have their own reasons for not wanting a former province to gain independence: it could be viewed as a precedent for Chechnya, Tibet or Kurdistan.

The Contact Group has been pointing in the direction of limited sovereignty by saying that Kosovo will not be returned to Belgrade's rule and not be allowed to unify with neighboring Albanian territory. An International Commission on the Balkans went further in its April report by suggesting that Kosovo's de facto independence be accepted. The former Foreign Minister of Serbia and Montenegro who signed on to this report has been much criticized, and threatened, in Serbia, but no one in Belgrade contests the facts: Albanian-controlled Kosovo cannot be governed from Belgrade and will have to make its own way to the European Union.

Where will the incentives for a negotiated agreement come from? For Serbia, the EU will have to provide early candidacy, as well as a strong message that no better offer is possible. This may not be as difficult as EU officials like to make out, because Serbia has the technical capacity required to move quickly towards qualifying on the merits. Candidacy can last a substantial period of time, and brings with it large assistance benefits. For Kosovo, the US will have to deliver the Albanians, by making it clear there is no better offer in prospect and by agreeing to continue the NATO presence.

It is important to note what is not necessary to achieve a negotiated solution at this stage: there is no need for an agreement to be signed by Serbia or by Kosovo. Nor is there need for Kosovo and Serbia to agree; they need only allow others to abstain. Only if Belgrade is prepared to accept will Russia and China allow a new Security Council resolution to pass. Only if Pristina accepts will the United States allow it.

*One Piece, or Two?*

Thus we can imagine a process that takes Kosovo from the current UN protectorate, to a regime of limited sovereignty, to sovereignty and eventual EU membership. But can we imagine this happening to the whole of Kosovo, Serbs and Albanians together, or do they need to be separated, each group on their own territory?

This is the single most vexing question facing Kosovo. The Contact Group has made it clear that Kosovo will not be partitioned, i.e. it will not be formally divided, with one part going to Serbia and the Albanian part becoming independent. The international community does not want to set a precedent in Kosovo that could threaten the territorial integrity of Macedonia and Bosnia as well as countries in other parts of the world.

But underlying this refusal to consider formal partition is growing acceptance of ethno-territorial separation. The UN has been unable to end Belgrade's control of the three and a half northern municipalities in Kosovo, as well several Serb enclaves south of the Ibar River. It has been unable to get more than a few Serbs to participate in the Provisional Institutions of Self-Government, or even to vote in Kosovo elections.

The internationals seem to be getting ready to accept a solution in which Kosovo Serb communities govern themselves, run their own schools and health systems, and choose their own police, without reference to Pristina. Many internationals expect that most Serbs will sooner or later end up concentrated in very few areas in Kosovo, where they will live de facto as Serbian citizens on Serbian soil.

This is called "decentralization" in UN-speak, but here in the US Congress we should be more forthright: it is ethno-territorial separation, segregation or apartheid in different places and times, with Serb "local control" being a euphemism for Belgrade's control. It is one small step short of the partition that internationals say they do not want. I have to wonder whether it would be better to allow partition on to the negotiating table—to be accepted or rejected on the merits—rather than reject it in word and allow it in deed.

The Dayton agreements attempted a “decentralized” system of two entities in Bosnia. That experiment failed, and we have spent the past ten years trying at great expense to build up the central government and end separate governance of Serbs, Croats and Bosniaks. To avoid repeating that experience, the northern Kosovo municipalities should be put under international administration during Kosovo’s regime of limited sovereignty, or until a solution is found.

Many Serbs and Albanians have little hope of living together, but we should not fool ourselves: decentralization along ethnic lines could easily slip into partition. Sooner or later lines drawn inside Kosovo between Serbs and Albanians could become borders, or the front lines of the next war.

*Only the US and EU Can Negotiate a Solution*

In concluding, I would like to consider the question of who can drive the process outlined above? Who can make a negotiated solution in Kosovo happen? My answer is unequivocal: only the US and the EU, working in tandem, can drive the process to a successful conclusion. The UN has a role to play, both through the Security Council and through the Special Representative of the Secretary General in Pristina. The Contact Group has a role to play as well, ensuring close consultation with the Russians as well as the British, French, Germans and Italians. But only if the EU and the US make decisions on Kosovo’s status a joint enterprise will there be enough political and economic weight to ensure a win-win solution.

This basic idea of a joint US/EU effort is generally accepted, but some variants I hear discussed give me pause. The UN should give the US and EU negotiators their mandate, consistent with UNSC resolution 1244, but they need not work for the Secretary General. Nor is it wise to have a senior EU envoy and more junior US deputy. Both should be senior figures, though the European may well be a former high official and the American might be someone connected to the current Administration.

Working together, such a tandem could begin work immediately after the July standards review, initiating contacts with Belgrade and Pristina and consulting with the Contact Group and Kosovo’s neighbors. In September or October, the Security Council would define the parameters within which the negotiators would work, including both the process and unacceptable end-states. Actual negotiations would be staged November 2005 to March 2006, with proximity talks convened if the negotiators deem it necessary. The US and EU envoys would then craft a solution, present it to Pristina and Belgrade, and conclude the process with Contact Group and UN Security Council endorsement by a year from now.

Now is the time to begin the process. It will end, as I said at the outset, at some distant date with Kosovo’s entry into the European Union.

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

Chairman HYDE. Thank you, Doctor.  
Ambassador Rondos.

**STATEMENT OF THE HONORABLE ALEX RONDOS, MEMBER,  
INTERNATIONAL COMMISSION ON THE BALKANS**

Mr. RONDOS. Mr. Chairman, Congressman, thank you very much for this opportunity to address you. As I keep reminding many of my own compatriots in Europe, I wish we could also set this example of openness in inviting people from other countries to come and help us in our own deliberations. I wish to pay respect to that.

We have a very difficult set of choices before us. I speak to you as someone who has been deeply involved in the policymaking of my own country, in the Balkans, and also as deeply involved in trying to resolve a historic enmity with another neighbor, Turkey. So I try to bring some experience into some of the opinions that I offer. I agree completely with Dr. Serwer and along with the members of the International Commission on the Balkans, on which I have been privileged to serve.

The situation is unsustainable. We cannot continue to exist under the legal mandates of the decisions which were designed to end the conflict, but not necessarily to create lasting conditions of

democracy, rule of law, and eventually full proper membership of the international community. That applies to the entire region.

Second, it is absolutely clear that the future of this region is in Europe and eventually the transatlantic structure, NATO and much else. How do we get from here to there?

Europe—let me disabuse anyone who may think it is sort of a cheap ticket to a B-movie theater. It is like going in a monastery. It is tough, and you have to totally convert yourself in order to behave by the rules of that monastery called Europe. It takes time.

Now that we have forced all of these countries to become democratic, it actually becomes—this is the paradox—even tougher. They will have constituencies. Every politician, every government—you know what I am talking about—has to address constituencies with difficult, difficult changes. Nevertheless, the vision has to be Europe and transatlantic.

Structures—the third important reason, and it is vital in the United States' interests, I believe, that this occur, is that, until the Balkans are part of Europe, which in turn is one of the greatest peace projects we have had, globally—we are democratic and peaceful. Consider where we were 60 years ago. The Balkans must be part of that. When they become part of that, the final block and important edifice in the international security architecture is established. That is important to the United States. It is important for Europe, because then we no longer have a problem in our own backyard and can begin to get genuinely serious about true international security issues.

That said, where do we stand now on Kosovo? I cannot share the enthusiasm and optimism that I have heard in the course of today. Kosovo, unfortunately, for all sorts of reasons is a country in which—under our province, a part of our region—in which there are still enormous difficulties, economic and political.

Where eventually their destiny lies is not my concern. Everyone has got so many opinions. My concern is the process by which we get to that, so that we are smart and we are strategic. Because my major point I want to leave you with is that Kosovo is part of a region. We cannot make decisions that are floating free over regional context.

I would like to see leaders in Kosovo make clear, clear statements that they will respect their boundaries. We have neighboring countries which already suffer from—or feel that they will suffer from potential irredentism, coming from Kosovo's interests, call it nationalism.

I would like to add something. Albanian nationalism is a reality, as every one of our countries has nationalism. The question is, can that nationalism be steered in such a way that it doesn't end up with the consequences with which we others, like we Greeks and others, have suffered in our own history, when we have gone too far and too zealously?

Secondly, we must address the issue of the economy. I am glad to hear that there are improvements. The fact remains that the Balkans have become a beachhead for international organized crime. Kosovo is a vital part of that beachhead. That must be addressed.

The third is we must address clearly, how effective will democracy be? I am not impressed by fig leaf democracy in our region, where we pretend to believe in constitutions, but in fact, everyone is bought out.

That applies in a lot of the region. In Kosovo, it comes in relatively concentrated doses. These are all, if you will, viruses that can mutate. I wish well for the Kosovo citizens. They are going to be part of our neighbors, our neighborhood. I also wish the same for the Serbs.

In conclusion, Mr. Chairman, I simply want to make one vital point, having been involved in negotiations. It is very, very important that these negotiators be given a mandate which does not leave them dancing on the head of a pin, sitting in quiet rooms cutting deals which ultimately would risk undermining a democratic process.

We have to set up a negotiation which begins to get a public debate and a buy-in throughout the entire region in order to arrive at a solution that will give us real stability. I believe the European Union has to take a lead in this. It must be fully accompanied by the United States. Others can follow. They must be endowed with the means to create the incentives and the framework within negotiations so that we get buy-in. If we don't get buy-in, people will start to buy out and opt out, which is part of our history. We have got a historic opportunity to change this.

Thank you very much. I wish to leave my full testimony for your perusal.

[The prepared statement of Mr. Rondos follows:]

PREPARED STATEMENT OF THE HONORABLE ALEX RONDOS, MEMBER, INTERNATIONAL COMMISSION ON THE BALKANS

Mr. Chairman,  
Honorable Members of the International Relations Committee of the House of Representatives.

My name is Alex Rondos. I served as Ambassador of Greece and Adviser to the Foreign Minister of Greece until March 2004. In the last six years, I have been intimately involved in the diplomacy concerning the Balkan region. In the course of the last year, I have been privileged to be a member of the International Commission on the Balkans, whose report was recently published.

This hearing is timely and I am grateful for the opportunity you have given me to testify.

The situation throughout the Western Balkans is fraught with both danger and opportunity. Along with my fellow members of the International Commission on the Balkans, I subscribe fully to the view that the status quo in the region is not sustainable. We have countries and entities that live in a constitutional limbo. This has stunted economic growth, leading to alarmingly high levels of unemployment and to the penetration of the region by organized crime. The result is that the democracy we seek for the Balkans is still fragile.

Our view, if I may loosely and more forcefully paraphrase my fellow Commissioners, is that the time has come for the political leadership of the region and of the European Union to rise to their historic responsibilities. Together, they must consolidate that grand vision of peace and prosperity that is the European Union. When all the peoples of all the Balkans cease to be mere inhabitants of geographical Europe and become fully fledged citizens of the European Union, we will have placed a vital block into the edifice of global peace and stability.

This is not easy, but it is certainly possible. Hard, politically costly reforms are necessary to attain membership in the European Union. The EU is a club to which entry is only achieved by total conformity with its rules and practices. To achieve this, therefore, requires the highest level of political will and political skill. This applies to both the region's politicians and to those of Europe.



For us to fall short now on the European destiny of the Balkans would be to trip over the last hurdles of a long and well-run race. I believe that we in the region must move beyond the politics of the “winner takes all” and ask, instead, how all can be winners. In the European Union, we must find it in ourselves to gaze less at our navels and more into the future. It is not possible to imagine and believe in the security of Europe and of a constructive European role in global security, as I do, if we have not taken the essential steps to resolve the status and fate of an entire region that is part of our continent.

This brings us to the question of Kosovo’s status. It is a challenge too often addressed as a short-term policy issue, in the absence of a regional and a global strategic context.

The fixation on the final outcome, before a political process has been engaged, has sucked many into a debate that is almost theologically absolute, precluding room for flexibility, negotiation, and compromise. Moreover, the more extreme the positions taken, the less the attention that is paid to the regional implications of any solution.

The present impasse is shaped by a deeply felt dispute over independence and sovereignty. One side argues that until there is substantial evidence of a sovereign capacity to exercise the rule of law democratically, the very notion of independence cannot be contemplated. The other argues that only when independence is granted can sovereign attributes be developed and implemented. In very practical political terms, this means that both sides have retreated into a corner from which they will only extricate themselves at considerable political cost. Thus, the temptation for some, in and out of the region, to argue that the Gordian Knot of Kosovo needs to be sliced by an imposed decision.

I would argue that such approach would be a denial of both diplomacy and democracy. It would have dangerous consequences in a region that in fact urgently needs a concentrated dose of diplomacy and democracy. Furthermore, this type of approach will not address overnight what has not been achieved in the six years since Serbian forces withdrew from Kosovo and the area came under the control of the United Nations.

Allow me to paint a picture of the conditions that pertain in the region. The youth of Kosovo, who represent a very high proportion of the population, are unemployed. A significant proportion of the revenue that flows in Kosovo is illegal, controlled by highly organized groups that frighten their co-citizens into compliance and that are very well connected beyond Kosovo’s frontiers. Kosovo cannot even borrow money to invest in its economic growth. Administration has shifted gradually into Kosovar hands, but major decisions ultimately remain with the international authorities. Respect for the law, the judiciary, and the police is tenuous. I cannot feel anything but the deepest sympathy for the average citizen of Kosovo. Who, after having had a war fought on their behalf by the West, would believe that they still had to live in circumstances that would be unacceptable in any of our societies and political systems?

Special sympathy and concern should be reserved for minority populations in Kosovo. The Roma, who suffer from lack of representation internationally, are isolated and ignored. But the treatment meted out to those Serbs who have remained in Kosovo defies logic, imagination, and any political apology. Apart from Mitrovica in the north of Kosovo, the Serbs live in village communities, few of them contiguous. But these are not really villages, since that would imply a semblance of normal life. These are ghettos. Survival within them depends on supplies brought from outside. Movement beyond these ghettos requires armed escorts. The desecration of churches reached a tragic apogee in March 2004. Serbs have been excluded from employment in key public-sector corporations. Under these circumstances, there is no future for these populations. On the contrary, for those of us who know the history of our region, one can detect the symptoms of a calculated effort to separate, swamp, and asphyxiate a community into disappearance.

These, regrettably, are the primary characteristics of Kosovo today. It should come as no surprise, then, that some might wonder whether this entity would be a welcome independent neighbor. But this merits further elaboration. The fate of Kosovo is inextricably intertwined with the future stability of the region and its immediate neighbors. It is not enough to argue that Kosovo is emblematic of what is least desirable in the region—that is an injustice to much of the population which, if led responsibly, would aspire to all those good things in life that any one of us seek for ourselves and our children.

The problem for us lies elsewhere. Kosovo, to use a biological analogy, is host to more than one virus that the region has struggled to contain and eliminate. Nationalism, organized crime, and abused democracy, when not contained, mutate into ir-

redentism, terror, and oppression. The region has paid a high price for the last three and it does not want more.

The proverbial elephant in the room of southern Balkan politics is Albanian nationalism. Of all the peoples of the Balkans, the Albanian populations are the only ones that have not yet had their crack at national unification. In the last 80 years or so, with a hiatus for communism, all of the rest have had their chance, invariably with tragic consequences. Can this very natural force among Albanians, and especially those of Kosovo, be steered away from the trap of irredentism and violence? Can it be steered towards a natural place in the European order, where it is possible to celebrate one's identity and freedom with less care for independence and all the attendant trappings? The journey from where we are now to that special place will be long and filled with opportunities to be tempted by the less savory aspects of nationalism.

Central to the management of Kosovo's status will be the establishment of secure frontiers. Until a mere 15 years ago, the people of Kosovo were one with the Albanian communities in the Tetovo region of the Former Yugoslav Republic of Macedonia. Now, however, a trip between neighboring villages that once took minutes has been transformed into an odyssey that consumes hours. The cost is great, the economic isolation is crippling. The survival of FYROM has occupied the attention of many a policymaker in recent years. It should continue to do so. But let us not allow desire to blind us to reality. The country's majority populations are busy unmixing themselves. The non-Albanians, looking warily at the demographic expansion of the Albanian population, wonder who will be the majority and who the minority within a generation or two. Kosovo's eventual status cannot be considered absent a parallel concern for the fate of the unity of FYROM. Indeed, the process that will eventually determine the status of Kosovo should involve Skopje as much as it will do Belgrade. Anything less than total commitment from the international community—and especially from the European Union—for the integrity of FYROM as it is today would be profoundly and irresponsibly destabilizing.

Meanwhile, violence has occurred in Albanian villages of south Serbia in the last few years. There is a significant Albanian population in Montenegro. It is a worrying feature of the current electoral campaign in Albania that the Kosovo independence issue has become a prominent part of the rhetoric. This is relatively new. The government in Tirana has behaved, in recent years, very responsibly with regard to this issue. In the current climate, however, the candidates will have to spend the coming weeks carefully avoiding campaign promises that lock them into commitments with dangerous consequences for regional stability. Greece, for instance, has been subjected to claims by a group representing those Albanians in northern Greece forced to leave after World War II because of their active collaboration with the Nazi occupation of my country.

One waits, so far in vain, for an unequivocal and unanimous commitment—from all Albanian leaders of all entities—that there will be no destabilization of existing boundaries, as one proceeds along the path to Kosovo's final status. Likewise, one awaits from the international community an equal commitment to a process that incorporates guarantees for the entire region in the status talks on Kosovo. Anything less, on current experience, should suggest to any seasoned participant in the region's politics that the option of violence or irredentism cannot be excluded.

There are different types of nationalists in our region. There are genuine patriots, for instance, who draw on the traditions of their nations to build something new and vibrant. But there is another, more nefarious category: It features gangsters who cloak themselves in patriotism. They are the ones who use nationalism to promote their own greed or their own narrow institutional or partisan interests.

We have in the Balkans an alarming rise in the penetration of organized crime into the economy and into politics. To make matters worse, international organized crime has now made links with the Balkan mafias. In one sense, parts of the economies of the Balkans have become part of an international criminal franchise. In another sense, international organized crime seems to want to turn the Balkans into a beachhead for the penetration of the lucrative markets of Europe. It has become a daily battle among honest policemen, judges, politicians, and businessmen to hold at bay the encroachment of the black market, the illegal trader, the money launderer. Numerous international officials are deeply involved in this fight. It is central to the security of Europe.

Kosovo is no exception to the plague of organized crime. In fact, it seems to be an aggressive example of the disease—which is all the more embarrassing given that Kosovo is an international protectorate. This is not the work of the majority of citizens, but rather of a very few who manage to coerce others into collaborating or silently complying. These criminal networks already cross frontiers. So far, they

have managed to operate with relative impunity. Curtailing the liberties taken by these groups is a key to the future role that Kosovo will play in the region.

Ultimately, though, we are confronted by the paradox of democratic politics in the region. Throughout the last decade, much blood has been spilt to create democratic governments. The quality of democracy might need a good deal of improvement. But constituency politics, lobbies, interest groups, and media all now play their full role in the politics of the region. It should be no surprise, then, that when confronted by an issue as commanding as the fate of Kosovo, politicians are cornered by their own electoral politics and instincts. This is true in any democratic system. Courage, vision, skill, and careful timing are required to break out of the accepted truths of a society in order to forge a strategic change of direction. In short, sacrifices are ultimately necessary—and sacrifices do not win votes. Yet the solution to Kosovo will require sacrifices. Such visceral issues as acknowledging killing, deciding on returns of refugees, attacking corruption, and settling financial debts are just some of the ingredients of a solution that will one day have to win public backing.

To avoid the task of negotiation and persuasion is to diminish the potential for democracy and to arouse deep and lasting resentment. Both in Kosovo and in Serbia, an honest and protracted public debate will be necessary. It is surprising how such an effort can gradually bring change. One has to acknowledge the recent efforts of the government of Serbia and its President to introduce some flexibility into the discussion on Kosovo. When Serbian officials now talk of “something more than autonomy and something less than independence,” I see a creative effort to introduce an ambiguity that offers room for discussion. Likewise, impressive moves were being made by the recent Prime Minister of Kosovo—now indicted—to find ways to build confidence for flexibility in talks with Serbia.

These efforts should not be viewed through the prism of a foreign diplomat, but rather through that of a local democrat who is trying to build a constituency. It may seem more complicated and time consuming, but at least it is democracy creaking into gear. To short circuit this process would be to restrict democracy and create tensions in the neighboring democracies that are affected by Kosovo’s fate. Imposing a solution too rapidly in Kosovo will prevent the very debate that is necessary to help it acquire the attributes of sovereignty. Likewise, in Serbia, it will be the fodder for those who wish to play the politics of resentment and victimhood.

What does the future hold? The body politic of the Balkans does not need another trauma. It needs therapy. Kosovo can provide this. It is an issue in which so many have a vested interest in an outcome that is successful for all. This means that the political leadership of Kosovo, Serbia, the region, Europe, members of the Security Council, and the Contact Group are all involved in a process that does not preclude any outcome but that is rigorous, disciplined, and comprehensive.

The issues of rule of law and democracy are fundamental to the European Union and have been core criteria for Union membership. These are the very values and practices that are now needed in Kosovo and must be secured in the region. I believe that the European Union is presented with an historic opportunity to assume leadership for the resolution of the Kosovo status question and to guide the process from negotiation to eventual accession of the region into the European Union.

This political process will begin soon. By autumn, the review of the standards process will have occurred. Thereafter, negotiations are expected to begin under the aegis of an internationally organized negotiator.

There are some rules of the game that might help frame the process and guide it to a successful conclusion.

1. It is a matter of urgency that the current impasse is broken and that efforts be made to find those few areas of common ground that exist between Belgrade and Pristina. There is no reason why this should wait until the start of formal negotiations at the end of this year. Small breakthroughs can alter the atmosphere and dynamics of the larger process. It is in the interests of Kosovo Albanians to pursue such breakthroughs because they must demonstrate progress on the issue of standards. It is also in the interests of Belgrade, assuming that the Serbian government wishes to show it wants a palpable improvement in the living conditions of Kosovo Serbs. One particular area that merits attention and support concerns the protection of the Orthodox Churches. This should not be treated as an exercise in monument preservation, but rather as an acknowledgement of a living Orthodox Christian Church with its community.
2. The framework for the negotiations should ideally be the European Union, with the full cooperation of other states that have a vital interest in the issue. It is anomalous to be asking Europe to take the lead on the issue and not to expect it to assume full responsibility. The EU is the eventual destina-

tion of all the peoples of the region, and the EU should be authorized to proceed now by providing its lead forcefully. This should be done in cooperation with those members of the Contact Group that are not members of the EU, namely the USA and Russia.

3. The negotiations and the negotiator should be endowed with sufficient authority and means to address all the regional implications of the status talks. A budget, with a quick disbursing mechanism, should be made available to carry out activities and projects that will serve as incentives to the successful outcome of the status talks. The purpose is to provide a tangible momentum to the negotiations.
4. The discussion on status must not be limited to political and constitutional matters. The economic crisis of the region feeds discontent. It is imperative that the negotiations address a comprehensive plan for the economic progress of all the affected regions and countries.

Mr. Chairman, Congressmen:

I would like thank you for having taken the initiative to hold this hearing. In closing, I would like to stress that it is only through the combined efforts of the peoples of the region, the United Nations, the United States, and the European Union that a secure, just, and hopeful settlement can be imagined and implemented. Our commitment to a peaceful solution must be sustained. It will require boldness, creativity vision, and resources. Your support is essential to this endeavor.

Chairman HYDE. Thank you, Ambassador. Your statement, as well as statements from all of the witnesses will be made a part of the record.

Mr. Jeremic.

**STATEMENT OF MR. VUK JEREMIC, FOREIGN POLICY ADVISOR  
TO THE PRESIDENT OF SERBIA**

Mr. JEREMIC. Thank you very much, Mr. Chairman. I want to thank you for the opportunity to appear before this very Distinguished Committee to discuss a matter that is of vital importance for all of us in Serbia. I will summarize my remarks, and I would kindly request that the full text of my testimony is entered in the hearing record.

I am serving as a foreign policy advisor to the first democratically-elected President of Serbia, Boris Tadic. A year ago, he soundly defeated his radical nationalist opponents in a direct Presidential election. He did it by campaigning in a very strongly pro-EU and pro-Euro-Atlantic platform. He received a direct majority of the vote and became the President of our nation.

This was a very significant victory for the democracy in Serbia, but not the only victory since the year 2000, when we managed to overthrow Slobodan Milosevic, the dictatorship of Slobodan Milosevic.

Five times since then, Serbs went to the polls and every single time, Serbs voted for democratic candidates. This is not very usual in most transitional countries in Eastern Europe after the fall of communism. Serbia is a very positive exception in that sense.

Mr. Chairman, my introduction was such that I want to underline that Serbia is a very, very different country than it used to be in 1999 and the year 2000. The Governments of Zoran Djindjic and Boris Kostunica have done a lot to do extensive reforms in all fields, in defense and economy, political reforms and so on.

Cooperation with the Hague Tribunal—which is a very, very vital issue for our government, and it has been since the demise of Slobodan Milosevic—has immensely improved. There is only one single person out of the 36 Serbian entities that is still out there.

My government is doing everything that is in their power to arrest him and extradite him in the Hague.

This commitment was repeated in a letter by Prime Minister Kostunica to Secretary Rice that was sent out to Washington today. I am very optimistic of the anniversary of Srebrenica. Mr. Milosevic will be where he belongs, and that is in The Hague. Serbian democracy is developing. It has been flourishing, as a matter of fact, over the past 5 years.

But there is a thing that has the capacity to kill the democracy in my country. It can undercut all democratic institutions and reverse all the democratic gains that have been made in the past 5 years, and that is the issue of Kosovo.

Six years after the arrival of the international forces, the situation in Kosovo is extremely difficult and particularly so for the minority, Serbs in particular who live in Kosovo. The picture that we now have is very much reversed from the picture from the situation that Congressman Lantos was describing for us earlier today. I don't think it would be an exaggeration to say that the Serbian minority lives in the most horrendous conditions imaginable in Europe today.

Many enclaves where Serbs currently live are very, very reminiscent of the ghettos of the Second World War. They live behind a barbed wire that is protected by KFOR troops. Everyone who visited Kosovo recently could have been the witness of such a reality.

Since 1999, about 200,000 Serbs have been forced to leave Kosovo. Less than 5,000 have gone back. This was a move that came to its crescendo, I would say, at the end of March 2000 when we witnessed the violent destruction of several Serbian villages and also Serbian Orthodox Churches ranging back 5 or 6 centuries or so; 35 or 36 churches were burned in only 2 days. I am sad to say that not a single perpetrator of these crimes was convicted to a single day in jail since March 2004.

As we approach the crunch time—and Secretary Burns told us that the special community expects this status negotiation to begin, and this is something that Serbian leadership is aware of—I would like to say here for the record for this Committee that there isn't a single Serbian politician, and especially a democratic politician who has to address his constituency, that finds independence of Kosovo, which is an outcome that many people advocate as acceptable.

Next to the immense historical and religious and emotional importance of Kosovo to Serbs, that I think can only be compared to Jerusalem to the nations in the Middle East, such as the historical importance that we have when it comes to Kosovo. I would mention only three important reasons—and a myriad of other reasons are included in my full testimony—why we believe that independence is unacceptable.

We believe it would severely endanger the stability of the region by setting a very dangerous precedent. It has never been the case that the border of the Yugoslav Republic, since the breakup in 1990, was changed by means of a referendum.

It is different from Slovenia. It is different from Croatia. They were Yugoslav republics. Kosovo has never been a Yugoslav Republic. If we create such a precedent, we are opening up a Pandora's

box of similar appetites for Serbs in Bosnia, for Albanians in Macedonia, and we are setting a precedent throughout the world. What would the Kurds say in Turkey? What would Kurds say in Iraq? Catalans and Basque in Spain? Corsicans in France? And so on and so forth.

Secondly, such an outcome would certainly destroy Serbian democratic institutions, politicians who have won their democratic battles campaigning on a pro-West, pro-reform, pro-Euro, Atlantic platform.

Thirdly, I strongly believe, and so does my government, that an independent Kosovo would result in a more ethnic Kosovo. Because the Serbs that are still there, the few Serbs that have remained, would feel completely insecure and decide to leave the territory. What incentive would the Albanians have to behave any differently from the way they behaved in the past 6 years?

They are now in the position where they are trying to win their case for independence, and they behaved like that. If they win this independence, and Serbs in Kosovo find it very hard to believe, why would they behave any differently?

In conclusion, Mr. Chairman, I would say that what Serbia proposed is a direct dialogue between leaders of Serbs and Kosovo Albanians. My President has invited President Rugova for direct talks. President Kostunica has done the same, inviting Kosovo's prime minister for direct talks. Unfortunately, they declined our direct offers.

What we are offering to the international community in regard to Kosovars can be summed up in a mantra: Less than independence but much more than a common autonomy. We would like to give—we are prepared to negotiate giving as a final solution to Albanians complete self-governance short of independence.

Thank you, Mr. Chairman. I am open for further questions. Thank you.

[The prepared statement of Mr. Jeremic follows:]

PREPARED STATEMENT OF MR. VUK JEREMIC, FOREIGN POLICY ADVISOR TO THE  
PRESIDENT OF SERBIA

Mr. Chairman,  
Honorable Members of the International Relations Committee,  
Ladies and Gentlemen,

I thank you for the opportunity to appear before this Committee. I am here today to present to you President Boris Tadic of Serbia's new deal for Kosovo and Metohija.

The situation in Kosovo and Metohija represents a regional, a European, and a Euro-Atlantic challenge. At the same time, it is a challenge that concerns the relationship between Serbs and Albanians, especially between those who reside in Kosovo and Metohija. It is also a problem for the State Union of Serbia and Montenegro, given that Kosovo and Metohija is an integral part of it.

It is President Tadic's duty to view this challenge in all its dimensions, and to do all in his power to advance a negotiated and just solution to this unique situation. Indeed, President Tadic is committed to moving forward in a way that does not result in permanent winners and permanent losers in one of the most volatile regions of all of Europe. If recent Balkan history has taught us anything, it is that maximalist claims, at the end of the day, harm all sides, especially those who advance them.

Serbia cannot do this alone. Only by working together—Serbs and Albanians, Americans and Europeans—can we make the Western Balkans a symbol of how a difficult past can become a hopeful future.

It is in this spirit that President Tadic has repeatedly invited the political leader of the Kosovo Albanians, Ibrahim Rugova, to meet with him bilaterally in Belgrade

or Pristina, so as to begin direct political dialogue at the highest level. Sadly, the other day, President Tadic received a letter from the current SRSG, Soren Jessen-Petersen, informing him that he had been unable to persuade Mr. Rugova to accept such an offer.

President Tadic deeply regrets this turn of events. As the prophet Amos asks, "can two walk together without having met?" And without such dialogue, the likelihood of two vital long-term strategic goals being met would diminish. First, coming to an agreed upon solution that would be acceptable to both sides; and second, opening a way toward an accelerated EU accession process.

But this afternoon, I wish to discuss President Tadic's creative and just vision for the future of Kosovo and Metohija. A vision that will consolidate the region's democratic gains for good. A vision that takes seriously the legitimate interests of both Belgrade and Pristina. A vision that leads to regional stability and prosperity. A vision that allows the entire region to gallop toward Europe. A vision that leads to peace, security and multiethnic tolerance and cohabitation.

Mr. Chairman,

Before addressing the heart of the issue, I would like to say a few words about the political situation in Belgrade. It relates directly to the matter at hand.

Since the citizens of Serbia peacefully overthrew Slobodan Milosevic on October 5th, 2000, we have demonstrated time and again our firm and unconditional commitment to democracy and the free market. We have gone to the polls five times, and five times our citizens have reaffirmed their dedication to repudiate the policies of Milosevic.

In October 2000, we elected Vojislav Kostunica to the presidency of Yugoslavia. In December 2000, we elected Zoran Djindjic Prime Minister of Serbia. Following his assassination in March 2003 and the eight months of a democratic caretaker government, a clear majority of the citizens of Serbia once again voted for democratic parties, and the government of Prime Minister Kostunica was formed. In June 2004, Boris Tadic, our country's former Minister of Defense and Zoran Djindjic's successor as president of the Democratic Party, soundly defeated his Radical Party opponent and became Serbia's first-ever non-communist President. Finally, in September 2004, candidates representing pro-Western, democratic parties such as Boris Tadic's DS and Vojislav Kostunica's DSS were elected as mayors and attained solid majorities in most of Serbia's cities, small towns, and villages.

Thus, unlike most other transition democracies since the fall of communism, the citizens of Serbia have never turned their backs on the forces of freedom and democracy. In Serbia, freedom, democracy and stability go hand in hand.

And now that we have received a positive feasibility study by the European Commission and the EU Council of Ministers, the process by which we will surely enter the European Union has begun.

Mr. Chairman,

The President of Serbia is dedicated to the proposition that democracy cannot flourish without a full and open account of the past. All must face this recent past honestly, and call things by their proper terms: men who committed atrocities in the name of any nation ought to be termed war criminals.

Reconciliation is in the national interest of all. For that to take place, all those who committed crimes on all sides must be held accountable.

That is why President Tadic has maintained such a strong and principled stance with regard to the necessity for full and immediate cooperation with the Hague Tribunal. For President Tadic, the Hague challenge is one that Serbia must confront, not only because it is our international obligation, but because it is necessary for Serbian society to confront its difficult past.

Individual Serbs committed atrocities against Croats, Bosniaks and Albanians. They must be held accountable. Many have been tried in Serbia—some in military courts—and are serving jail-time for their deeds. Individual Croats and Bosniaks did as well, and so did Albanians from Kosovo and Metohija. In this context, President Tadic welcomed the voluntary surrender of the former KLA leader, Ramoush Haradinaj, who is accused of committing war crimes and other atrocities against Serbs and Roma in Kosovo and Metohija.

In Kosovo and Metohija, the situation remains blurry because while the Hague Tribunal's authority to prosecute ends with the secession of hostilities in June 1999, crimes continued to be committed. And the judicial system set up by UNMIK has largely failed to live up to the challenge of investigating, prosecuting and convicting those who committed crimes after the arrival of the international community. The rule of law has not rooted itself into the soil of Kosovo and Metohija.

In Serbia, on the other hand, building upon the remarkable success of the Djindjic and Kostunica governments in extradicting ICTY indicted war criminals, and the comprehensive advancements we have made in defense sector reforms, Serbia,

through the State Union, is one man—one indictee, Ratko Mladic—away from being offered membership in Partnership for Peace, and eventually NATO. Serbia is dedicated to capturing Mladic. As President Tadic has stated clearly, if Mladic is in Serbia, we will find him, and we will extradite him to the Hague.

First as Defense Minister and now as President, Boris Tadic is firmly committed to full and swift European and Euro-Atlantic integration, and is doing all in his power to advance these vital national interests. And the people of Serbia firmly support his strategic vision, for he ran on a strongly pro-Western platform during the presidential campaign. Serbia sees itself as a strategic regional partner of the United States.

Mr. Chairman,

The UN Charter makes a clear distinction between self-determination and independence.

Today, some regional leaders argue that the future lies in European and Euro-Atlantic integration, but at the same time advocate the disintegration of the countries of which they are citizens.

This way of thinking is not European. Worse, it contradicts our common goal of building a safe and prosperous future for the Western Balkans.

The paradoxical approach to the future in which the only way forward lies in first achieving a maximalistic outcome, is outdated. In the twenty-first century, no regional leader can allow himself to be guided by nineteenth-century ideologies.

The way out of this paradox is the clear European perspective that is on offer to the entire region. This perspective should encourage all of us to work more diligently to establish mutually-beneficial ways to cooperate and integrate.

This is why Serbia's position on the future status of Kosovo and Metohija is a constructive one. And why an agreement on its future must take into consideration the legitimate interests of both sides.

Mr. Chairman,

President Tadic called on the Serbs from Kosovo and Metohija to vote in the provincial Assembly elections in October 2004. The President did this despite knowing that there was internal political opposition to this constructive approach. He did so because of his conviction that it is important for the Serb community to be represented in the PISG. And I am pleased to add that in the months following the provincial Assembly election, many throughout Serbia who opposed President Tadic's decision have since embraced his position, as well as his longstanding policy of constructive engagement.

At the same time, President Tadic clearly stipulated what it would take for those representatives to enter into the Assembly. The reason for this stipulation was simple: despite the importance of representation, a people cannot participate in an institution that has done little to ensure that their fundamental human and civil rights, even their security, are adequately protected. On this point, there remains complete unanimity in Serbia.

President Tadic remains firmly committed to the process of engagement, and is actively working on establishing the momentum necessary for the elected Kosovo and Metohija Serb representatives to take their rightful place in the Assembly.

As President Tadic saw for himself when he visited Kosovo and Metohija in mid-February 2005, the vast majority of the province's Serbs live in enclaves or ghettos. The conditions in which they live are reminiscent of a regime whose defeat 60 years ago all of us celebrated recently as a victory of civilization over barbarism.

Today, the Serbs of Kosovo and Metohija live in conditions that bring shame to all who celebrate the victory against the evil that had occupied Europe at that time.

Before his historic visit to the province, President Tadic chose an itinerary that allowed him to see personally the full spectrum of conditions in Kosovo and Metohija, and that enabled him to speak to as many people throughout the various regions of this province.

Thus he spent significant time talking to the often forgotten residents of the town of Priluzje, administratively divided into two separate municipalities. Their disenfranchisement was clearly in evidence, and their plight was clearly desperate.

President Tadic also visited the village of Belo Polje, a once thriving community of around 1000 homes. Belo Polje was attacked twice, once in June 1999, and then again during the March 2004 pogrom. The second time, the Kosovo and Metohija extremists took care to burn down the UNMIK-financed rebuilt houses, as well as a 14th-century Serbian Orthodox church. Today, fewer than 30 Serbs live in a collective center, while the rest of Belo Polje—hundreds and hundreds of homes—lies in ruins. Ironically, its geographic position enables it to overlook the thriving city of Pec, entirely ethnically cleansed of Serbs. Furthermore, President Tadic saw for himself how access to the village is restricted, as heavily-armed NATO troops, aided



by barbed wire and observation posts, stand guard—the only guarantee against a renewed effort to permanently expel the few Serbs that valiantly remain.

President Tadic also visited the village of Cernica, where more than half the Serb population was ethnically cleansed after the arrival of international forces. Those who remain live on one side of a long, narrow street, surrounded by a hostile Albanian population.

They live in the most horrendous conditions in Europe. Their only zone of freedom is a schoolyard behind a makeshift two-room school house. It is surrounded by barbed wire. To get to the graveyard and the church at the top of a hill—about 200 yards away—the locals must risk their lives. They regularly have insults shouted at them, and almost every resident of Cernica has had rocks or bricks thrown at him or her since the arrival of UNMIK. Several have been killed by the bullets of murderers who freely walk the streets of Kosovo and Metohija, including a 3 year-old boy—the son of the school principal.

These killers have freedom of movement, while their victims live behind barbed wire. And all that under the watchful eye of UNMIK and the PISG.

During President Tadic's visit, the international police in charge of his security at first refused to allow him to walk from the schoolyard to the graveyard, arguing that it was too dangerous. He replied that if children and their parents took the risk, he would do the same. And he did, acting against the advice of the thousand or so men and women—including about a dozen Americans—designated as his security force during his historic visit.

Mr. Chairman,

Serbia seeks the establishment of European values and practices in Kosovo and Metohija—without these and other Standards, the rule of law cannot be entrenched. A vital issue in the political Standards evaluation process is decentralization. For the Kosovo and Metohija Serbs, a comprehensive decentralization plan is not simply an issue of better governance. It is an issue fundamentally related to security and IDP returns—both key Standards as well.

When President Tadic called on the Serbs of Kosovo and Metohija to exercise their right to vote in the provincial Assembly elections, he stipulated that their elected representatives would not take their seats in the Assembly until UNMIK and the PISG presented a comprehensive decentralization plan.

This plan, he stated in an Address to the Nation, would have to adequately address five fundamental aspects of decentralization:

1. local judiciary
2. local police
3. local health care
4. local education
5. adjusted municipal borders, in line with the European Charter of Local Self-Government

President Tadic argued for engagement because it was the right thing to do, and he remains firmly committed to engaging the process at all levels. This is why he has encouraged the various working groups to meet, and why already we are seeing positive results.

For example, the inaugural Working Group on Returns meeting that took place in Belgrade a few days ago has resulted in UNMIK and the PISG accepting in principle Belgrade's strategy on establishing the conditions for returning the 228,741 IDPs to Kosovo and Metohija—a breakthrough that could have been achieved years ago had there been more willingness on the part of Pristina to listen to the needs of those expelled from their homes. But without a comprehensive decentralization plan, it seems unlikely that even the acceptance of Belgrade's return strategy will produce a critical mass of actual, sustainable returns.

(And we still have to change the views of those in Pristina who argue that the IDPs will never return, and so discussing ways to improve the conditions necessary for them to choose whether to do so, is futile. But President Tadic believes in the multiethnic future of Kosovo and Metohija, and refuses to accept the legitimacy of that defeatist way of thinking.)

So far, President Tadic's clear stipulations on the decentralization process have been ignored, to the detriment of all residents of Kosovo and Metohija. Instead, the UNMIK and PISG-driven decentralization process has begun work on five pilot projects that have a testing period of 18 months.

This way of implementing decentralization is difficult to accept for two main reasons. First, because even these five pilot projects do not address adequately President Tadic's clear and non-controversial stipulations. Second, because the 18-month testing period means that decentralization is being transformed from a Standards

issue to a Status issue. This is unacceptable to President Tadic, and it goes against UNMIK's own Standards schema.

For President Tadic—and for the international community as well—comprehensive decentralization must be implemented as part of the Standards process. Foot-dragging has prevented that from taking place. The failure to implement across-the-board decentralization close to 6 years after the UN began to administer Kosovo and Metohija signals that we have a long way to go before we can say that this key Standard has been met.

It bears repeating, Mr. Chairman: the Serbs of Kosovo and Metohija live worse than any other community in Europe. Barely 10,000 of the 228,741 ethnically cleansed Serbs and other non-Albanian IDPs have returned to their homes. Many of those who have courageously remained are being pressured to sell their property, and some have been compelled to leave.

This is not freedom. This is not multiethnicity. This is not democracy. It is a kind of tyranny exercised by an arbitrary, anarchic and violent majority.

With the exception of those who reside in the northern tip of Kosovo and Metohija, practically all the Serbs who remain live in constant fear, without elementary security considerations having been met, and without freedom of movement.

Notwithstanding the exception of the northern part of Kosovka Mitrovica, Serbs are absent from the cities and towns of Kosovo and Metohija. The level of disillusionment among the people is high. Their unemployment level is at a staggering 95 percent. With few exceptions, they have lost hope.

President Tadic is concerned by the misleading picture many well-meaning visitors to Kosovo and Metohija get when their visit to the province centers on Pristina. Between meetings with UNMIK and PISG officials, they drive through a seemingly thriving provincial capital enjoying a construction and population boom. What they do not see is the origin of the capital used to re-build the economy. And what they do not see are the close to 40,000 Pristina Serbs who have been cleansed from the city since June 1999. And this in a city with the highest per capita foreign civilian and military presence of anywhere in the Western Balkans, perhaps anywhere in Europe.

And one cannot blame the oppressed for the failures of those who should have done more, much more, to help them to be empowered.

Mr. Chairman,

Things can, and must, get better.

It is not too late.

President Tadic is committed to continue to constructively engage the process. He is committed to working toward a positive political evaluation of the Standards review.

But President Tadic cautions at the same time that this review must be accomplished in a comprehensive, fair and transparent way. It must accurately reflect the reality on the ground, which remains far from being even minimally adequate.

Time is running short, but it has not run out. There is a danger that for reasons of expediency, the political evaluation of the Standards review will paint a false picture of progress. It is in no one's interest that this be allowed to happen.

We must not reward failure because of the fear of more violence. The main argument in favor of moving the process forward despite the lack of readiness on the part of the PISG, is the fear of further violence, terrorism, and regional instability initiated by Kosovo's Albanians—unfortunately the region's leaders in organized crime, weapons and human trafficking. This cannot be acceptable to the United States and the rest of the international community. It cannot be acceptable to the members of this Committee, Mr. Chairman.

In order to move forward on the Standards process, a new impetus must be given to President Tadic's five across-the-board decentralization process stipulations. UNMIK and the PISG must embrace them as a minimum requirement for multiethnicity to have a real chance to succeed.

Should UNMIK and the PISG move forward on President Tadic's proposal, the pro-Western, democratic parties in Belgrade would respond with further positive signals of their own, opening the door to comprehensive dialogue and across-the-board constructive engagement, and empowering all the Kosovo and Metohija Serbs to do the same.

Only in this way can the legitimate security and IDP return concerns be adequately addressed. And only by adequately addressing them before the political Standards evaluation process is complete can the non-Albanian communities acquire the necessary confidence that the whole process has not already been pre-determined.

Mr. Chairman,

The time of Kosovo and Metohija's destiny draws near. President Tadic and the rest of the democratic leadership in Belgrade is keenly aware of this. We are afraid that the pieces are being put in place for the international community to declare enough of a victory to move Kosovo and Metohija toward a future status for which it is clearly not prepared.

We are troubled by the fact that the Albanian leadership of Kosovo and Metohija is singularly dedicated to securing full and immediate independence, while Belgrade and the Contact Group emphasize the vital importance of a comprehensive implementation of the Standards. Only by fully and comprehensively implementing Standards can the lives of all the residents of Kosovo and Metohija improve.

And thanks to President Tadic's leadership, Belgrade has adopted a constructive and cooperative stance toward resolving the Kosovo and Metohija challenge. At the same time, we are committed to defending our legitimate national interests. Significantly, these interests are driven by the very values the United States and the European Union consider to be foundational. Thus we share the same strategic goal.

In part this inability to swim in the main current of European values is the result of the Milosevic era's repressive tactics against all the citizens of Serbia—tactics that brutally assaulted the civil rights of the Albanian community of Kosovo and Metohija as well. Milosevic chose not to attempt to reasonably and peacefully resolve the political conflict, while extremists within that community chose to take up arms against the regime. The Kosovo Liberation Army (KLA) was formed and was financed by criminal enterprises that took root in cities like the Bronx and Brussels, Hamburg and Geneva, Rome and Chicago. The KLA engaged in terrorist activities whose cause the international community took up. The end result was a bombing campaign that resulted in the withdrawal of Serbian military, civilian, and administrative personnel from Kosovo and Metohija and the establishment of an international administration in the province.

And so President Tadic has made it clear that he does not envision the future status of Kosovo and Metohija in a pre-1999 way. It is not in Serbia's interest to look back to the Milosevic legacy of brutally assaulting the civil rights of Serbia's citizens—policies that tragically affected the Albanian community of Kosovo and Metohija most of all. At the same time, it seems to him that many in Pristina have failed to understand the significance of this strategic choice to fully embrace European values. Serbia today is a fundamentally different place than it was before the day we overthrew Milosevic on October 5th, 2000.

And President Tadic has made it equally clear that the status quo is also unacceptable. For the non-Albanian communities of Kosovo and Metohija, the period beginning from June 1999 to the present has been catastrophic: 228,741 Serbs and other non-Albanians ethnically cleansed, more than 3,000 murdered or missing, over 150 Orthodox churches and monasteries burned, looted or destroyed, and so on. The March 2004 pogrom took place during this period. Less than 5 percent of those expelled from Kosovo and Metohija since 1999 have returned. This figure speaks for itself.

Thus, for us, the UNMIK-PISG period largely has been a failure, despite some genuine and committed efforts by the international community, and by the United States in particular.

This position is shared not only by the Belgrade political establishment, but also by the United States and the rest of the Contact Group. The Contact Group has indicated to us that full and immediate independence and sovereignty for Kosovo and Metohija is not in the cards either.

But we are disappointed that the United States has not forcefully taken the lead in clearly repeating what Secretary of State Madeleine Albright stated in 1999: the result of the war will not be independence.

Mr. Chairman,

For President Tadic and the entire democratic political leadership of Serbia, the unconditional or conditional independence of Kosovo and Metohija is unacceptable. The reasons for this are numerous. I have already touched on some of them. I will enumerate 10 others, all of which mutually reinforce each other while standing on their own as well.

First, granting independence to Kosovo and Metohija would lead to generational instability for the metropolitan power of the Western Balkans. The only ones who would benefit politically would be the extremists in my country—including the criminals-turned-politicians in Kosovo and Metohija. It would brutally destabilize the very order we have been trying to establish in the Western Balkans for more than a decade. Serbia's sustained commitment to democracy would be likely dealt a fatal blow. Radical demagogues and ultranationalists would likely come to power, and Serbia would once more become the black hole of the Balkans, as it was during the Milosevic decade. This would set back the political, social and economic develop-

ment of the region's focal point. Granting independence would mean, in other words, allowing the minimal demands of a country of 10 million to be sacrificed for the maximalist demands of less than 2 million Albanians in Kosovo and Metohija. This cannot be in the strategic interest of the United States.

Second, granting independence to Kosovo and Metohija would likely produce more IDPs for Serbia. Most Serbs in Kosovo and Metohija—almost all south of the Ibar river—would not remain. The reason is simple: the Albanians of Kosovo and Metohija have done little to demonstrate through concrete deeds their firm commitment to meaningful multiethnicity. And this will not likely change fundamentally in the event of independence. What incentive would they have? This new wave of IDPs would not only pose a significant financial and social burden on Serbia—home to more refugees and IDPs than any other country in Europe—but would produce up to 150,000 radicalized voters and thus contribute to the generational instability of Serbia I discussed above. This cannot be in the strategic interest of the United States.

Third, granting independence to Kosovo and Metohija would almost surely destroy for good the strategic and moral goal of creating a multiethnic society. The process begun by the NATO intervention would result in the establishment of an ethnically pure state—the reverse of the intervention was supposed to achieve. The political and moral chasm created by such an outcome would severely hinder any future attempts by the United States, NATO or the European Union to intervene in other areas of ethnic conflict. It would, quite clearly, legitimize ethnic cleansing, and would severely undermine the European values the entire Western Balkans region is busily working to embrace. This cannot be in the strategic interest of the United States.

Fourth, granting independence to Kosovo and Metohija would put at great and immediate risk hundreds of medieval Christian holy sites, part of the Christian heritage of the West and of vital world cultural significance. Consider only the uproar created throughout Kosovo and Metohija Albanian society by UNMIK's recent establishment of a special protection zone around the UNESCO World Heritage site of Visoki Decani, a Serbian Orthodox monastery. In this context, think back to the universal uproar that was heard across the world when the Taliban destroyed Buddhist statues in Barniyan only months before 9/11. The evidence on the ground—the destruction of 150 churches and monasteries since June 1999—strongly suggests a commitment on the part of extremists to try downgrade or even erase the centuries-old civilizational presence of the Serbian Orthodox Church. Endangering cultural heritage, or distorting its history, cannot be in the strategic interest of the United States.

Fifth, granting independence to Kosovo and Metohija would produce regional instability. This will affect the politics of the region for at least a generation as well, at potentially great human, material and political cost. Why would the Macedonian Albanians settle for anything short of independence? Why would the Bosnian Serbs, or the Bosnian Croats? Thus, the two most significant peace-making achievements of the international community—the Ohrid Accords and the Dayton Accords—would likely come apart. This cannot be in the strategic interest of the United States.

Sixth, granting independence to Kosovo and Metohija would lead to the establishment of a hostile state bordering on Serbia. This would reignite tensions in south-central Serbia (Presevo, Bujanovac, Medvedja) and further threaten the territorial integrity of an already truncated Serbia. It would threaten the accessibility of the Corridor 10 transport system, a vital highway and rail network that links Turkey, Greece and Macedonia to the rest of Europe. This would financially affect the European Union. This cannot be in the strategic interest of the United States.

Seventh, granting independence to Kosovo and Metohija could increase the possibility of the establishment of an armed conflict in the Bosniak-majority Sandjak region of south-west Serbia and north-east Montenegro. Extremist Bosniaks would be hard-pressed to conclude that violence does not produce results that favor maximalist solutions to ethnic conflicts. Such a scenario would undermine the multi-ethnic way of life of both Serbia and Montenegro. This cannot be in the strategic interest of the United States.

Eight, granting independence to Kosovo and Metohija would likely produce global instability in areas of vital or significant interest to the United States. For example, why would the Kurds in southeastern Turkey, or in northern Iraq, not seek to renew their maximalist claims? What incentive would South Ossetia or Abkhazia have in remaining part of Georgia? Why would extremists within the Turkish Cypriots community (or, alternatively, the Greek Cypriot community) settle for anything short of an ethnically pure state? What reason would extremist Basques and Catalans in Spain have for seeking a compromise solution with Madrid? How could the international community ever hope of finding a compromise solution to the

Nagorno-Karabakh-Azerbaijan conflict? Why would the leaders of Western Sahara choose to negotiate with Morocco? Why would some in Taiwan not fully embrace the path toward *de jure* independence from China? In short, granting independence to Kosovo and Metohija would create a dangerous precedent and could fundamentally revolutionize the international system. This could severely limit the effectiveness of the generational commitment the United States has made to waging war on terror. This cannot be in the strategic interest of the United States.

Ninth, granting independence to Kosovo would legitimize partition as an ethnic conflict management tool. Put plainly, granting independence to Kosovo and Metohija means partitioning Serbia, because the province is an integral part of Serbia, (as UN Security Council Resolution 1244 (1999) unequivocally reaffirms). Within an independent Kosovo, there would be no logical reason why its northern tip would not be justified in immediately seeking the right to secede from the rest. Granting independence would thus go against the Helsinki Final Act of 1975, the 1990 Charter of Paris, as well as the 1992 Badinter Commission's binding conclusions. Most importantly, it would transform the UN Charter's right to self-determination into a "right" to independence. This would destroy the Westphalian system's core principle, reaffirmed countless times over the centuries, that favors the territorial integrity of states except in clearly defined exceptions, none of which Kosovo meets—as the entities the Bosnian Serbs and the Macedonian Albanians established did not meet either. This cannot be in the strategic interest of the United States.

Tenth, granting independence to Kosovo and Metohija would *de facto* create two Albanian states in Europe, a dangerous precedent unknown to post-Cold War Europe. However ironclad the guarantees may be that such a scenario would not take place, once the right to self-determination would be understood as the right to alter internationally recognized borders, what argument could be used against a Greater Albania project? (Or, for that matter, a revived Greater Croatia or a Greater Serbia or a Greater Hungary project?) To be precise, the Greater Albania project could affect the territorial integrity of an already truncated Serbia (Presevo, Bujanovac, Medvedja), Albania itself, Macedonia (the north-western third, including the capital, Skopje), Greece (its northernmost strip), and Montenegro (from Ulcinj all the way along the border with Albania and the administrative boundary with Kosovo and Metohija). This sort of destabilization cannot be in the strategic interest of the United States.

Mr. Chairman,

In short, granting independence to Kosovo and Metohija cannot be in the strategic interest of the United States for at least ten reasons. What then is President Tadic's compromise solution to the challenge we all are facing?

President Tadic has termed his new deal for Kosovo and Metohija: "more than autonomy, less than independence."

Therefore, in conclusion, Mr. Chairman, I will sketch its broad outline as already delivered by President Tadic to the Contact Group when it met in Belgrade on April 11th, 2005.

One of my colleagues has characterized the framework offered by this formula as "extended autonomy with international guarantees." The framework offered by the formula "more than autonomy, less than independence" is one in which both sides can protect and advance their fundamental rights and interests. All this without risking any of the negative consequences a maximalist solution would almost certainly bring to Serbia, the region, Europe, and American strategic interests.

The framework offered by this formula would enable the Albanians of Kosovo and Metohija to decide on all matters concerning their everyday lives entirely on their own. Moreover, as the majority in Kosovo and Metohija, they would be entrusted with the province's political power.

At the same time, the Serbs and other non-Albanians of Kosovo and Metohija would be protected by a broad, institutionally guaranteed decentralization framework. Additionally, the Serbian Orthodox cultural heritage of Kosovo and Metohija would remain under the protection of the international community. This entire structure would be formally established through an international agreement, which Serbia and the State Union would sign together with international guarantors.

Thus, the legitimate interests of both Albanians and Serbs would be well-served by the adoption of President Tadic's vision for the future of Kosovo and Metohija. Additionally, all the residents of Kosovo and Metohija would have their human rights, their civil rights and their individual rights protected as never before. Maximalist claims would be rejected in favor of a solution that avoids the dangerous scenario of creating permanent winners and permanent losers.

And perhaps most importantly, we would intensify the pace at which we would walk down on our common road to Brussels. Extending the EU's imaginative and

workable “twin-track” approach to Kosovo and Metohija while remaining under one sovereign umbrella, one common roof, is an essential part of Serbian democracy’s deal for Kosovo and Metohija.

Such a “triple-track” mechanism would enable Kosovo and Metohija to piggy-back onto Serbia and Montenegro’s Stabilization and Association negotiations. At the same time, Pristina would set its own schedule in policy areas which they would conduct separately. These would include trade and economic policies, for example, as well as human rights.

Mr. Chairman,

Together, we believe we can advance our common aims, interests, and aspirations.

Together, we believe we can consolidate the tremendous changes that have swept throughout the Western Balkans in the past few years, and, as the President says, create a society in which children can be proud of their parents, and parents can be proud of their children.

Together, by keeping the borders the way they are, we can accelerate the clear and strait path toward total regional security and stability. A unified Western Balkans, moving strongly forward, together, toward European integration.

Together, we believe we can establish Serbia as a strategic anchor of Euro-Atlanticism. We can establish a new bastion of New Europe, increasing our ability to help fight the war on terror. From intelligence gathering to intelligence sharing, from training to military preparedness, Serbian democracy’s deal for Kosovo and Metohija will greatly enhance European cooperation in the global effort to meet this growing challenge.

Together, we believe we can create a new and vibrant regional generator of economic growth. We can provide increased economic security and opportunity for the region and beyond to foreign and domestic investors. We can make our lands strong and free.

And together, we believe we can build a principled peace with justice by doing the things that peace requires.

Together, by embracing Serbian democracy’s deal for Kosovo and Metohija, we can reconcile our interests with our values.

And we can show the world what we can do when we choose reason over passion, dialogue over destruction, reconciliation over revenge.

Together, let us pray that the memories of all the horrors of war will be the force that drives our stellar commitment to overcome the challenges of peace that lie ahead.

Together, we can transform swords into plowshares.

Mr. Chairman,

President Tadic is convinced that as Serbia’s future draws nearer to membership in the European Union, Kosovo and Metohija’s political tension will diminish.

Our common future lies in Brussels. With some imagination, a little good will, and a strategic vision informed by creative thinking, we can transform the challenge that is Kosovo and Metohija into a paradigm solution to ethnic conflict.

Thank you Mr. Chairman for the opportunity to present Serbian democracy’s deal for Kosovo and Metohija.

Mr. ROHRABACHER [presiding]. Thank you very much for presenting your case. We need to make sure both sides are presented in hearings like this so we can put them on the table and talk about all the issues at hand.

Next we have Father—I am sorry if I mispronounce it—Irinej Dobrijevic.

Father, you may proceed.

**STATEMENT OF THE REVEREND IRINEJ DOBRIJEVIC, COORDINATOR, KOSOVO AND METOHIJA COMMITTEE OFFICE, HOLY ASSEMBLY OF BISHOPS OF THE SERBIAN ORTHODOX CHURCH**

Rev. DOBRIJEVIC. Thank you very kindly.

Honorable Chairman, Members of this esteemed body of the United States House of Representatives, it is indeed my distinct honor and privilege to address this august body as a representative of the Serbian Orthodox Patriarchate; also, I must add, as an en-

gaged and very proud and patriotic American citizen of Serbian heritage.

My message today, on behalf of His Holiness Patriarch Pavle and the Holy Synod of Bishops is, together, we can and must seek a way forward for the good of all citizens of the region.

Mr. Chairman, the church holds it imperative to engage directly with the Government of the United States as well as all other institutions and persons of goodwill and intention, both from Kosovo and Metohija and throughout the international community. In bearing credible, first-hand testimony, the church renders known its past, present and future role in the life of its faithful and all who call Kosovo and Metohija their home. The outreach of the church is based solely on the reality of the situation on the ground, given that the church lives together and shares all with its flock.

Therefore, the church is indispensably situated to offer in partnership, core initiatives for laying the foundations of an equitable constructive future based on peace, justice, tolerance, and security. Kosovo and Metohija can and will be preserved for all of its inhabitants only by preventing shifting or displacing of the indigenous faiths and cultures which uniquely form a common home and a shared heritage. Distinctly among them are, of course, the Serbian Orthodox Faith and historical Serbian culture and presence.

Yet, in any given post-conflict society, implicit trust must be based on truth, and inherent unity based on reconciliation. Otherwise, we become seriously challenged when irresponsible attempts at revisionist history provide substitution models for truth, rendering reconciliation entirely futile.

Mr. Chairman, it is written in the Gospel according to St. John: "You shall know the truth, and the truth shall set you free." This past Friday, April 13, 2005, I attended the first international donors conference for the Protection and Preservation of the Cultural Heritage of Kosovo organized by UNESCO at their headquarters in Paris, France. There, based on their reports and documentation, it was determined that 75 priority cultural and religious monuments and sites would be restored, rehabilitated or reconstructed.

Among them, 48 Byzantine Serbian Orthodox, 14 Islamic Ottoman, and 13 secular historical. The estimated cost for the revival of Kosovo and Metohija's heritage in common is the order of 40 million euros. Gratefully, it was possibly one half of that amount that was garnered that day from participant nations and institutions.

This was an outstanding event, and I truly applaud UNESCO for convening these nations and these institutions. Yet there was a problem for me—and it became a problem for many others at that time—because the representative of the PSIG Ministry of Culture, Youth and Sport and Nonresident Affairs of Kosovo produced two publications which were being illicitly distributed at the time of that gathering. I brought these publications with me. One of them is titled, *The Monuments of Kosova*, and the other is entitled, *Religion and Kosova's Cultural Monuments*.

The dissemination of these documents was carried out in the very presence of the PSIG Minister of Culture, Mr. Astrit Haraqija. The unauthorized use of the UNMIK logo was put into these publications. Much to the credit of the United Nation's High Representative Soren Jessen-Peterson, he swiftly and openly condemned these

open documents and asked them to be removed and subsequently destroyed.

One of the problems that I had with these publications and many others is that they one-sidedly address the issue of Kosovar Albanian history and art and refer to Serbian churches and monasteries as being either Christian, Illyrian Arberor Albanian, or having been built in the Byzantine Kosovar style. There is no mention, no reference whatsoever to a historical presence, be it historical or contemporary, of Serb dwelling houses.

I ask you, is this not in tandem with the systematic post-war destruction of Serbian patrimonial sites tantamount to cultural and spiritual genocide? But there is hope; we must always have hope, for the world is watching.

To that end, in early August of last year, I was part of an ecumenical mission of church leaders to Kosovo. We went there to become living witnesses to the poignant reality left in the wake of extremist Albanian and Serbian violence during the pogrom of March 2004.

According to the United Nations statistics, it was 50,000 Albanians in the precepts of 18,000 peacekeepers who drove 455 Serbs and other non-Albanians from their homes, injuring 900, including 150 peacekeepers and killing 19 persons. In 33 synchronized flash points, all of Kosovo was engulfed in flames as over 800 homes—many of them recently rebuilt—were destroyed.

And for us as church leaders, the most difficult was to watch the destruction of anything bearing the sign of the Cross, especially 35 churches and shrines. It has been proven, Mr. Chairman, by the United Nations documentation, that this was not a result of the drowning incident of three children. That is fact; it was not.

As a matter of fact, Mischa Glenny, reporting in the *London Times* on the Sunday immediately following the pogrom, noted that a German think tank had warned the international community 1 year in advance of this pogrom which was to follow.

We entered into one of the monasteries, Devic Monastery, and we watched elderly nuns emerging from these charred embers and ruins. We watched them emerging from metal containers in which they were forced to live in the scalding sun.

We entered into the church, and many of these American Christian Church leaders fell on their knees and began to cry as they looked up above a smashed altar table and saw where the Virgin Mary once stood, a charred black wall with a map of Kosovo and the letters UCK engraved above the altar table of the church.

To everyone present, it was quite clear that this was an attempt to completely eradicate the cultural, religious and historical presence of the Serbian Orthodox Church in Serbia and Metohija and, with it, the obliteration of precious religious freedom, which is a fundamental human right.

In the City of Prizren, we saw the Cathedral Church of St. George razed and pillaged with painted-over inscriptions over the portal, "Death to Serbs," in graffiti, "Down with UNMIK" and "UCK" was scribbled all over the church.

These horrific statistics, combined with those of the past year, past 6 years, indicate that 250,000 refugees have been expelled after the 1999 NATO-brokered international peace; 1,000 kid-



napped; 1,200 murdered; and the expunging of a sacerdotal Serbian presence. Of the original 1,657 Serbian Orthodox churches, monasteries and monuments, over 115 were destroyed, added with these 35 more for a total of 150; 211 Orthodox cemeteries desecrated; 5,177 monuments smashed; and many graves opened and earthly remains scattered about. All of this is documented, and there is evidence to substantiate all of this. I reiterate the great tragedy in all of this. This did not happen during war but during the time of peace.

However, we realize we cannot continue to live on the tears of destruction. But like a Phoenix, we must rise up and begin to rebuild our future and our common heritage.

We believe that through a mission of a recently dispatched delegation of the Serbian Orthodox Church, we can work on the following: The repatriation of 200,000 Serbs and 50,000 more that are non-Albanians, through Orthodox NGOs like International Orthodox Christian Charities and Philanthropy; the restitution of confiscated church properties and subsidiaries; the reconstruction of all of our churches, homes and schools that are destroyed and employing the repatriating refugees in this process so that they can rebuild their own lives; and the implementation of local self-rule.

Kosova and Metohija cannot continue to survive in a state of indeterminateness, neither can the premature alleviation of short-term anxieties be permitted, resulting in dire long-term consequences.

I thank you for your kind time and consideration.

[The prepared statement of Rev. Dobrijevic follows:]

PREPARED STATEMENT OF THE REVEREND IRINEJ DOBRIJEVIC, COORDINATOR, KOSOVO AND METOHILJA COMMITTEE OFFICE, HOLY ASSEMBLY OF BISHOPS OF THE SERBIAN ORTHODOX CHURCH

Honorable Chairman Hyde,  
Esteemed Members of the House Committee On International Relations,  
Ladies and Gentlemen:

I consider it my distinct honor and privilege to address this august House Committee on Foreign Relations, as Coordinator of the recently created Kosovo and Metohija Committee Office at the Patriarchate of the Serbian Orthodox Church, and as an engaged, American citizen of Serbian heritage. My message on behalf of His Holiness Patriarch Pavle and the Holy Synod of Bishops is, together, we can and must seek a way forward for the good estate of all citizens of the region.

#### INTRODUCTION

Mr. Chairman:

The Church holds it imperative to engage directly with the government of the United States of America, as well as other institutions and persons of good will and intention, from Kosovo and Metohija, and the International Community. In bearing credible, first-hand testimony, the Church renders known its past, present and future role in the life of its faithful and all who call Kosovo and Metohija their home.

This outreach of the Church is based on the reality of the situation on the ground, given that the Church lives with its flock. And, as the future status of Kosovo and Metohija will, in no small part, be determined by engaging the International Community in open dialogue, as accession towards the European Union, and Euro-Atlantic integration processes must prevail.

The Church is indispensably situated to offer in partnership core initiatives in laying the foundations for an equitable, constructive future based on peace and justice, tolerance and security. Kosovo and Metohija can only be preserved for all of its inhabitants by preventing the shifting or displacing of its indigenous faiths and cultures, which uniquely form a common home and shared heritage. Distinctly among them are the Orthodox faith and a historical Serbian culture and presence.

By its name alone, Metohija bears witness to the presence of the Church, as the word *μετοχιον* (*metohion*, derived from the Greek), refers to ecclesiastical land or

property belonging to the Church. Therefore, the Church, as legitimate stockholder, in cooperating with other local and international communities of faith is seminal to a truly multi-cultural and multi-confessional society, based on the words of the great Psalmist David: “Behold how good and pleasant it is when brethren dwell in unity . . .”<sup>1</sup>

Yet, in any given post-conflict society, implicit trust must be based on truth and inherent unity based on reconciliation, otherwise society-at-large becomes seriously challenged when irresponsible attempts at revisionist history provide substitution models for truth, rendering reconciliation entirely futile.

PSIG: INSTITUTIONALIZING DISINFORMATION

“You will know the truth,  
And the truth will set you free.”<sup>2</sup>

Mr. Chairman:

This past Friday, 13 April 2005, I attended the first International Donors Conference for the protection and preservation of the cultural heritage of Kosovo. Organized by UNESCO in cooperation with the United Nations Interim Mission in Kosovo (UNMIK), the Council of Europe, and the European Commission, the conference was held at UNESCO headquarters in Paris.

There, substantive, scrupulously researched, non-biased documentation was prepared for the Conference by an ad-hoc interagency group of experts designated jointly by UNSECO, the Council of Europe, the European Commission and UNMIK, with the participation of experts from both Belgrade and Pristina.

Based on UNSECO Mission Reports of 2003 and 2004, as well as Council of Europe Reports from 2004, it was determined that 75 priority cultural and religious monuments and sites would be restored, rehabilitated or reconstructed: among them 48 Byzantine/Serbian Orthodox, 14 Islamic/Ottoman, and 13 secular/historical. The estimated cost for the revival of Kosovo and Metohija’s heritage-in-common is in the order of 40 million Euros. Gratefully, a substantial portion of the intended allocation, in addition to pledges of technological know-how and assistance, was raised from the participant nations and institutions.

Still, this outstanding event, though overall encouraging, was marred by the presence of illicit literature distributed by the PSIG<sup>3</sup> “Ministry of Culture, Youth, Sport (and Non Resident Affairs of Kosova)”, one titled: *Monuments of Kosova*<sup>4</sup> and the other, *Religion and Kosova’s Cultural Monuments*<sup>5</sup>.

The dissemination of these documents was carried out in the very presence of the PSIG Minister of Culture, Mr. Astrit Haraqija. The unauthorized use of the UNMIK logo in the publication credits of the *Monuments of Kosova* is seen as an ethical breach of institutional trust, as swiftly and openly condemned by UN High Representative Soren Jessen-Peterson.

This flagrant display of institution immaturity and intentional deception impedes upon all international conventions, norms and standards. As blatant abuse of a self-governmental ministry by its minister, whose signed text serves as foreword to the *Monuments of Kosova*, in any other normative situation in the civilized world, would serve as a call for his immediate resignation in order to move forward the process of open and constructive dialogue.

As a PSIG ministry publication, the *Monuments of Kosova*, one-sidedly speaks of a Kosovar Albanian history of culture and art, and refers to Serbian Orthodox churches, monasteries and shrines as being either “Christian Illyrian-Arberor-Albanian”<sup>6</sup>, or as having been built in the “Byzantine Kosovar style”<sup>7</sup>. There is no ref-

<sup>1</sup> Psalm 133:1

<sup>2</sup> John 8:32

<sup>3</sup> Provisional Institutions of Self-Government in Kosovo

<sup>4</sup> Institute for the Protection of the Monuments of Kosova, (PSIG Ministry of Culture, Youth and Sport, Pristina 2005)

<sup>5</sup> Ministry of Sport, Culture, Youth, Sports and Non Resident (no further publication data is available)

<sup>6</sup> p. 8. [In fact, Albanians are first mentioned in the 11th century as Arbers by Byzantine chronicles and their uninterrupted link with the Illyrians is highly disputable and cannot be proved by modern historical science. Arberia was situated in the central area of today’s Albania and prior to the 14th century there are no records of Arber, Arvanite or Albanian settlers on the territory of Kosovo and Metohija. Therefore, between the 3rd century AD, when Illyrians are mentioned for the last time as a distinct political factor, and the appearance of Albanians/Arberians, there is no evidence linking the two. This makes the “Illyrian theory” more a romanticized myth than a historical fact. Since the 18th century Albanians refer to themselves as “Shqiptar” (Albanian) and their country “Shqipëri” (Albania).]

<sup>7</sup> p. 8

erence, whatsoever, to a historical or contemporary Serbian presence, save for the mention of “Serb dwelling houses”<sup>8</sup>.

Is this not, in tandem with the systematic post-war destruction of Serbian patrimonial sites, tantamount to cultural and spiritual genocide? Unless we confront these and similar issues, how can we overcome such obstacles on the road to an enduring peace, mutual respect and tolerance.

#### OVERCOMING POST-CONFLICT VIOLENCE

Mr. Chairman:

There is hope. For, the world is watching.

In early August of 2004, I was part of an ecumenical Mission of American Church Leaders to Kosovo, organized by the Washington-based Institute on Religion and Public Policy. Our mission was that of denominational Christian leaders reaching out to embrace and support each other in common faith shared in Christ Jesus.

Together with my colleagues, we became living witnesses to the poignant reality left in the wake of extreme Albanian on Serbian violence in Kosovo during the *po-grom* of 17–19 March 2004. According to UN statistics, 50,000 Albanians—in the presence of 18,000 NATO “peacekeepers”—drove 4,500 Serbs and other non-Albanians from their homes, injuring 900, including 150 peacekeepers, and killing 19 persons. With 33 synchronized flashpoints, all of Kosovo was engulfed in flames, as over 800 homes, many of which had recently been rebuilt by the International Community for repatriated Serbs, were looted and demolished.

In addition to the loss of precious human lives, and the desecration of cemeteries and graves, uncontrollable crowds converged to obliterate anything bearing the sign of the Cross, which is in complete violation of the international norms on the manifestation of religious symbols. As Christian representatives, that which pained us the most was the destruction of 35 additional churches and shrines, including those, dating to the 12th and 14th centuries.

Entering Devic Monastery, no one, not even our guard unit, could hold back their tears as the elderly nuns emerged from their temporary metal shelters offering us consolation and refreshment. Helplessly entering into the charred ruins of a sooty sanctuary with its smashed altar table, we fell upon our knees as from the blackened wall, where the fresco of the Virgin Mother had once stood in prayerful protection of her children, an engraved map of Kosovo with the letters “UCK”<sup>9</sup> became manifest.

To everyone present the intended result was clear: the complete cultural, religious and historical eradication of any Serbian presence in Kosovo and Metohija, and the obliteration of precious religious freedom, a fundamental human right.

In the old city of Prizren, Our Mission visited the once Cathedral Church of St. George which was raised and pillaged, with the painted-over inscription “Death to Serbs” in graffiti on the arch above the main portal, while “Down with UNMIK” was scribbled on the side of the church and the perpetrators’ signature piece “UCK” was displayed on the columns of the former narthex.

We gazed in utter amazement as we learned of the thousands of volumes of priceless books that were reduced to ashes as the Orthodox episcopal residence was torched, and learned of an innocent victim who was burned alive, seeking shelter in the Seminary of Sts. Cyril and Methodius.

Given the above horrific statistics, coupled with those of the past 6 years, that is from the time of the 1999 NATO-brokered international “peace”, which witnessed the expulsion of 250,000 refugees, 1,000 kidnapped and 1,200 murdered, and a sustained attempt at expunging the sacerdotal Serbian presence: of the original 1,657 churches, monasteries and monuments, over 115 were destroyed, added to the 35 above for a total of 150; 211 Orthodox cemeteries desecrated and 5,177 monuments smashed, with many graves opened and earthly remains of our loved ones disinterred—reiterating all during the time of peace and not war.

As Christian church leaders, we made a pledge to reach out and extend a hand of cooperation in this land that is and must remain common to all. For we cannot continue to live on the tears of destruction, but like a phoenix must rise out of the ashes into the resurrection of a new day and a new life, filled with hope and prosperity.

#### THE VIOLENCE HAS YET TO SUBSIDE

Sadly, Mr. Chairman, this legacy continues.

<sup>8</sup>p. 9

<sup>9</sup>Albanian for “KLA”—Kosovo Liberation Army

Only two days ago, on the 16th of May, the family house of Kosovo Serb, Krsto Bulajic, in the settlement of Vranjevac, in Pristina, was completely destroyed after the UNMIK directorate for property and legal issues decided to give the house back to its legal owner.<sup>10</sup>

And, as all of Europe prepared to celebrate the sixtieth anniversary of the victory against fascism in World War II, at a meeting held on 4 May 2005, the Pristina municipal assembly rendered a decision to build a monument and memorial park dedicated to local fascist collaborators: The Skenderbeg SS Division, the Kosovo Regiment and the Albanian gendarmerie. The decision foresaw the building of a memorial park on 1.5 hectares and a monument on the location where fascist members of the Second League of Prizren<sup>11</sup> were executed. UN High Representative Jessen-Petersen, is to be commended for his decisive action in overruling the same.

Continued international presence and supervision in Kosovo and Metohija obviously are invaluable.

#### TOWARDS THE FUTURE: APPLICABLE SOLUTIONS

Mr. Chairman:

The Serbian Orthodox Church has survived institutionally as it transcends governments, politics and mere geography, and is identified with the social and spiritual conditions of its people. The Church is not only the repository and guardian of Orthodox Christianity; it is also uniquely situated as the patron and protector of the Serbian people and their rich, world-class cultural and spiritual heritage.

This is clearly attested to in the recent naming of four Serbian Orthodox monasteries in Kosovo and Metohija as UNESCO World Heritage Sites: *High Decani*, *Gračanica*, *The Patriarchate of Pec*, and *The Theotokos of Ljevis*. Special international consideration must be given to the preservation of these priceless representational edifices, as in the protectorate zone recently incepted around Decani Monastery.

To that end and substantially more, representatives of UNMIK from Pristina participated in a meeting of the Holy Synod of Bishops of the Serbian Orthodox Church and the Kosovo and Metohija Committee of the Holy Assembly of Bishops in Belgrade. A decision was rendered to bolster cooperation with UNMIK authorities in Kosovo and Metohija by establishing direct lines of communication with the Holy Synod and the Kosovo and Metohija Committee and to fully re-engage in all dialogues and commissions, including reconstruction efforts.

Clearly, the Church is moving forward.

Mr. Chairman:

During late March and early April of this year, I was an instrumental part of an official Delegation of the Holy Synod of Bishops of the Serbian Orthodox Church to the United Nations Headquarters in New York and, here in Washington, to the United States Government. Our clear and resounding message was, regardless of political will or outcome, the Church remains with its faithful.

The Church is the authentic moral voice of the people as it is above politics and political involvement. The steadfastness and truthfulness of the Church has ultimately earned its influential role in both historical and contemporary Serbian society, from state-maker to promoter of social values, including morally supporting those surrendering themselves to the Hague Criminal Tribunal.

What does the Church propose in applicable solutions for the future of Kosovo and Metohija? What then are the benefits and detriments, as well as implications for the future of Southeast Europe? Given its level of trust and confidence, the Church can uniquely participate in the facilitation of:

1. The *repatriation* of 200,000 exiled Serbs and 50,000 other non-Albanians<sup>12</sup> to substantial Serb-populated areas in Kosovo and Metohija, especially in the immediate vicinity of our monastic communities to form compact, existentially feasible habitats, and through the likes of trustworthy Orthodox NGO's

<sup>10</sup> Radio Television Serbia, Belgrade: May 16, 2005 18:40, [www.rts.co.yu](http://www.rts.co.yu)

<sup>11</sup> This organization was founded in 1943 in Prizren upon the initiative of the Gestapo. The biggest role in the resurrection of the Prizren League belonged to Otto Meyer, a colonel in the Abwehr, who together with Karl Krempler, an SS colonel, and in collaboration with the Gestapo, activated their champion, Xhafer Deva. He was placed at the head of the League so they could more easily realize their influence on the territory of Kosovo and Metohija. The military formations were the Albanian gendarmerie, the Kosovo Regiment, and the Skenderbeg SS Division, which engaged a total of more than 11,000 Albanians (*Glas Javnosti*, Belgrade, 7 May 2005).

<sup>12</sup> According to the coordinating Center for Kosovo and Metohija president Nebojsa Covic stated on 11 May 2005 in Belgrade, that so far a total of 12,218 persons have returned to Kosovo and Metohija, of those 5,782 Serbs, 1,318 Roma, 3,133 Ashkalia, 1,056 Bosniaks, 355 Goranis and 574 Albanians (SRNA News Agency).

that have a proven track record in Kosovo and Metohija, the likes of International Orthodox Christian Charities (IOCC) and Philanthropy;

2. The *restitution* of confiscated church properties and subsidiaries, and the resettlement of an otherwise non-sustainable IDP population to the same areas;
3. The *reconstruction* of churches, homes, schools and other destroyed buildings, by implementing *The Memorandum of Understanding* signed on 24 March 2005, and the employing of returnees in this enterprise to generate viable income, and allow for the rebuilding of lives and living, worshipping communities of faith; and
4. The *implementation* of local self-rule, which would allow for the sustainability and security of resettled refugees, while encouraging Serbian participation in the provisional governmental institutions of Kosovo and Metohija.

PEACEFUL COEXISTENCE PRECEDES MULTI-ETHNICITY

In conclusion, Mr. Chairman:

Though Kosovo and Metohija cannot continue to survive in a state of indetermina- tion, neither can the premature alleviation of short-term anxieties be permitted, re- sulting in dire long-term consequences. In order to meet and satisfy the realization of a multi-ethnic, multi-cultural and multi-confessional Kosovo, we must begin, real- istically, with peaceful co-existence.

Let us learn, again, to live side-by-side in peace and in harmony as neighbors. Then, once familiar and comfortable with each others' presence, allow us to begin integrating into the life of the cities—which at present are mono-ethnic, save for Mitrovica, which is physically and geographically divided—and this will serve to de- fine accomplished multi-ethnicity.

Mr. Chairman:

Ultimately, this will permit the International Community to implement a sus- tained effort toward an enduring and just peace while securing freedom and toler- ance in a truly multi-ethnic and multi-confessional Kosovo and Metohija.

Thank you for your time and kind consideration.

Mr. ROHRABACHER. All right. Thank you, Father. It was a little bit more than the 5 minutes.

Rev. DOBRIJEVIC. Well we were told 5 to 10.

Mr. ROHRABACHER. That is all right. You had plenty to say.

Next, I will try his name. Mr. Bajraktari. You may proceed, hopefully for a 5-minute summary of your basic points.

**STATEMENT OF MR. HARRY BAJRAKTARI, MEMBER OF THE BOARD, NATIONAL ALBANIAN AMERICAN COUNCIL, AND PRESIDENT, BAJRAKTARI MANAGEMENT**

Mr. BAJRAKTARI. Thank you, Chairman. Mr. Chairman, Members of the Committee, thank you for the opportunity to testify before you and Members of this Committee on this crucial issue. I am honored and grateful for your consideration and am looking forward to discussing the current status of Kosova with you. I would like to thank the American people for their continued support and engagement on the issue during the last 15 years.

Mr. Chairman, it should be noted that the issue is no longer whether Kosova should be independent but, rather, finding the best way to reach it. It is important to remember that Kosova has already held two democratic elections and developed a foundation of modern judicial system. Furthermore, it has made real progress in governance and ethnic relations. However, challenges remain with the economy, and above all, privatization.

I would like to note that privatization, without the help of the United States mission in Pristina, has not prospered or has not moved.

I would like to briefly discuss the problems with privatization. Privatization has not worked. KTA, Kosova Trust Agency, has not worked. Out of 500 SOEs sold since 1999, only 30 million invested. The problem with privatization is that it is more a political than an economic issue. Due to Kosova's suspended status, privatization has been dogged by ownership disputes, personalities holding the process hostage through an unwilling international bureaucracy.

In my own experience, my partner, Rustem Gecaj, and I have seen this democracy firsthand. In the past 18 months, we have invested in four businesses. So far, we have only closed on one of them. Our first investment was made in September 2003. It took 8 months to finalize the deal. The other contracts are yet to be negotiated, waiting for a period of 9 months so far. By not being able to close on these deals quickly, the KTA has discouraged other investors from our own community.

To complicate things further, there has been political in-fighting within the KTA, leaving a cloud over the privatization process. During these 18 months, the KTA, by not having a clear vision, has dragged its feet and has discouraged other investments. Moreover, many jobs have been lost that otherwise would have been filled.

Mr. Chairman, it is important to note that neither UNMIK nor the KTA have the capacity to pull Kosova out of its worsened economic recession. As the international financial institutions have recently concluded, Kosova's economy cannot recover unless final status is resolved.

Unemployment is at 70 percent—

Mr. ROHRBACHER. That might have been the end of your testimony there.

Mr. BAJRAKTARI. A couple more seconds, Mr. Chairman. I am the last one. I should maybe get a minute or 2.

Thirty-seven percent living under poverty line, under 1.40 euro cents a day. People receiving pension, \$40 a month. Foreign assistance has declined by 70 percent. Stability in the region, economic growth, prosperity, jobs, will not happen unless Kosova is an independent nation. The businesses in Kosova, they don't have the ability to borrow money, loans and long-term investments.

At my conclusion, if we want Kosova to prosper and its people to prosper, we need to have the final status so that Kosovars can move ahead and make a democratic, free and independent Kosova where everyone that lives in Kosova, their human rights are respected, and people are free to govern themselves.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Bajraktari follows:]

PREPARED STATEMENT OF MR. HARRY BAJRAKTARI, MEMBER OF THE BOARD, NATIONAL ALBANIAN AMERICAN COUNCIL, AND PRESIDENT, BAJRAKTARI MANAGEMENT

Mr. Chairman, members of the committee—thank you for the opportunity to testify before you and members of this committee on this crucial issue. I am honored and grateful for your consideration and I look forward to discussing the current status of Kosova with you. I particularly would like to thank the American people for their continued support and engagement on the issue during the past fifteen years.

Mr. Chairman, it is important to remember that Kosova has already held two democratic elections and developed the foundations of a modern, functioning judicial system. Furthermore, it has made real progress in governance and ethnic relations. However, challenges remain, with the economy and above all, privatization. I would like to note, that whatever progress has been made in respect to privatization, is

due to US Office in Prishtina. I would like to briefly discuss the challenges Kosova faces today.

There was much optimism when, six years ago, NATO led forces entered Kosova. Unfortunately, after years of neglect and mistakes much of that optimism has dissipated. The country is in despair. Its society is left without any prospects and is in economic decay with nearly seventy percent unemployment. As the Special Representative to the Secretary General (SRSG) realistically stated 'there is a limit to how long you can keep a place in limbo'.<sup>1</sup> The situation on the ground is too fragile, and the status quo too unsustainable in too many ways. The SRSG has often referred to Kosova as the 'last piece in the puzzle in the Balkans'<sup>2</sup>, as countries move from the conflicts of the 90's towards normalization and stabilization. There is a risk that, instead of catching up with the rest of the continent, Kosova will fall further behind. It must be understood that the issue is no longer whether Kosova should be independent or not, but rather finding the best way to reach its independence.

The painful transition under UNMIK rule has left Kosova's economy in shambles. In terms of GDP per capita, Kosova has the poorest economy in the Balkans. Over 37 % of the population is classified as poor, living on less than €1.42 a day, and 15 percent are below the extreme poverty line of €.93 a day.<sup>3</sup> For those who receive any pension assistance, which amounts to an average daily allowance of €1.30, this provides just enough to purchase a liter of milk and a loaf of bread. Economic growth is low to non-existent, unemployment is high and the public remains pessimistic and distrustful towards international institutions.

Economic growth rates have fallen from double digits (21.2 percent in 2000) to a 4.7 percent in 2003 and 3.2 percent in 2004.<sup>4</sup> So far the macroeconomic situation has depended heavily on foreign finance. However, since 2000, donor grants have fallen by seventy percent and are forecast to continue to decline.<sup>5</sup> As external financing falls there is uncertainty on how the economic outlook will improve. This is especially frightening given that over fifty percent of the population is under the age of 25, potentially providing an incentive to turn to illegal activities. UNMIK's answer to the flagging economy has been that the 'privatization process' was supposed to give Kosova's economy a much needed boost. The problem with privatization is that it is more a political than an economic issue. Due to Kosova's suspended status, privatization has been dogged by ownership disputes and certain personalities holding the process hostage through an unwieldy international bureaucracy.<sup>6</sup>

In my own experience, my partner (Rustem Gecaj) and I have seen this bureaucracy first hand. In the past eighteen months, we have invested in four businesses. So far we have only closed on one of them. Our first investment was made on September 2003—it took eight months to finalize the deal. The other contracts are yet to be negotiated, a waiting period of nine months so far. By not being able to close on these deals quickly, the KTA has discouraged other investors from our own community. To complicate things further, there has been political infighting within the KTA, leaving a cloud over the privatization process. During these eighteen months the KTA, by not having a clear vision, has dragged its feet and has discouraged other investments. Moreover, many jobs have been lost that otherwise would have been filled.

Mr. Chairman, it is important to note that neither UNMIK nor the KTA have the capacity to pull Kosova out of its worsening economic recession. And as the international financial institutions have recently concluded, Kosova's economy cannot recover unless its final status is resolved.<sup>7</sup>

Privatization has not worked. To date, the Kosova Trust Agency (KTA) has sold only approximately 30 of the 500 socially-owned enterprises.<sup>8</sup> This is due to several key factors: Kosova's unresolved political status, UNMIK's stultifying bureaucracy and the inability to obtain personal and governmental financing. It is very important to note that this uncertainty detracts the foreign investments necessary to re-

<sup>1</sup> SRSG speech to EU parliament 2005

<sup>2</sup> Ibid

<sup>3</sup> The World Bank. *Kosovo Monthly Economic Briefing*. 29 April 2005,

<sup>4</sup> The World Bank. *Kosovo Economic Memorandum*. 17 May 2004

<sup>5</sup> Ibid

<sup>6</sup> See Higgins, Andrew. Could UN fix Iraq? Word from Kosovo isn't Encouraging. US ousted Tyrant There, Too: Now World Body Struggles with a Privatization Drive. Wall Street Journal. 2 August, 2004.

<sup>7</sup> The World Bank. *Kosovo Economic Memorandum*. 17 may 2004. The International Monetary Fund's report of 18 November 2004, "*Kosovo's Gearing Policies Toward Growth and Development*". The report took a more explicit line: "*Resolution of Kosova's final status would provide the right enabling environment to the extent that political uncertainty may hinder investment and economic activity more generally*".

<sup>8</sup> Kosova Trust Agency/Economic Initiative for Kosova

talize the industrial sectors. Estimates of FDI inflows indicate that less than €30 m has been invested since 1999<sup>9</sup>. The obstacle to attracting the necessary FDI requires finding solutions to address political risks and to overcome delays and false starts with the privatization process. By not being able to guarantee the investments, UNMIK has scared away many investors. However, if successful, the process of privatization will provide Kosova with a stable economy. In order for that to happen Kosova needs its sovereignty.

Much would be achieved with independence. In terms of economic progress, a Kosovar state would be eligible for access to international monetary institutions such as the World Bank and the International Monetary Fund. Currently Kosova is denied the privilege of such access by these institutions' charters that limit access to sovereign nations. Kosovar Albanians have no citizenship or representation abroad. They have been given the impossible task of building a nation, while they are told they have no nation.<sup>10</sup> This makes it extremely difficult for individuals to obtain loans outside of Kosova. Affording the government the ability to borrow would allow Kosova to develop. An independent Kosova would eliminate any reservations foreign investors have regarding many issues involving future status and enable the Kosovars to concentrate on fostering an attractive environment for investors. We have seen Kosova's unresolved status provide an open door to destabilizing elements from the outside. This gives ammunition to radicals in Kosova and in neighboring countries to use the status quo as a reason to cause instability.

Kosova's unresolved status has fostered fear and distrust in the Albanian community and false hope in the Serbian. It has discouraged foreign investment and has fueled nationalistic tendencies. A sovereign Kosovar state would be in a position to terminate this. An independent Kosova would have a stabilizing effect on the region. Most importantly, an economically prosperous Kosova would have a positive impact upon an area that been plagued by ethnic tensions. Finally, it would be a key partner in trade and commerce.

It is important to recall the ICG's statement that "Independence for Kosova within its current frontiers is the solution most likely to be capable of implementation and to lead to lasting stability in the region. There really is no acceptable alternative."<sup>11</sup> Furthermore, Kosova's future should not be held hostage to some 'benchmarks'. We should move away from a 'standards before status' policy towards a 'standards and status policy'. Kosova's institutions should not be held responsible when progress on standards is being blocked by Belgrade or Kosova Serbs. Progress should not be held against those who are determined to move forward to establish a multi-ethnic Kosova. It is important to remember that Kosova has already held two democratic elections and developed the foundations of a modern, functioning judicial system. Kosova must become an independent sovereign state. Any other option will only invite continued regional instability.

#### ABOUT THE SPEAKER:

Harry Bajraktari is President of Bajraktari Management Corporation. Since emigrating with his family at the age of 13, Mr. Bajraktari has worked tirelessly to inform the American people about Albanian issues. He is a founding member and was vice chairman of the National Albanian American Council (NAAC) and is currently a member of the NAAC board of directors. The council is not-for-profit organization dedicated to advocating for Albanians and promoting peace and economic development in the Balkans by fostering democratic policy, promoting respect for human rights, and conducting educational and developmental programs. Mr. Bajraktari was also founder and publisher of the Albanian-American Newspaper, *Illyria* from 1991–1998. Currently Mr. Bajraktari and his partner Mr. Gecaj are the largest private investors in Kosova. Mr. Bajraktari can be reached via email at [harry@bajraktarirealty.com](mailto:harry@bajraktarirealty.com)

Mr. ROHRABACHER. Thank you. I think that did underscore again the importance of coming to a conclusion, making decisions and moving on, because no one will invest, as you say, in that type of situation, and the poor, the poorer people are, the more volatile that region will be.

I turn now to Mr. Engel, who has been, over my 16 years in Congress, probably the most active Member concerning this challenge

<sup>9</sup>The World Bank. Kosovo Economic Memorandum

<sup>10</sup>See: Di Lellio, Anna. Land in Limbo. *The Guardian* (UK). 5 April 2004

<sup>11</sup>International Crisis Group: Kosovo: Toward Final Status. 24 January 2005.



that we face. I want to thank him personally for the great leadership and the personal commitment and the number of hours that he has committed to try to bring peace to Kosovo.

You may proceed, Mr. Engel.

Mr. ENGEL. Thank you very much, Mr. Chairman. I also want to commend you as one of the handful of Members who have been engaged on this issue. And your conclusion that you just mentioned based on Mr. Bajraktari's remarks, I can't agree with more.

That is the reason why we cannot continue to let this fester. We have got to come to final status. And the sooner, the better, as far as I am concerned, so that, as

Mr. Bajraktari said, people in Kosovo can know where they stand and build a future.

Mr. Bajraktari, you are the largest, biggest American investor in Kosovo, is that not true?

Mr. BAJRAKTARI. Yes.

Mr. ENGEL. Can you tell us, I believe it is something like 22 percent of the American investments in Kosovo are yours and your partner's investments?

Mr. BAJRAKTARI. About 19 percent of the total private investments is me and my partner.

Mr. ENGEL. So you are really in a real position to really know first-hand what the problems are and what we could be doing more to encourage investment in Kosovo?

Mr. BAJRAKTARI. There is a lot of uncertainty. What Kosovo needs is jobs, prosperity so that the people can stay there and focus and can start building their lives. The only way you can do it is you have got to have an independent country to obtain long-term loans, to have investments where your investments are guaranteed prosperity. The key is prosperity in Kosovo today. If you want to help Kosovo, you have to have prosperity and independence.

Mr. ENGEL. Yes, thank you, Mr. Bajraktari. There are 50 new businesses that were recently listed by the KTA. What is the problem with that and what is the future of privatization?

You alluded to these difficulties. These 50 new properties are listed, and obviously, we want people to invest, people in the United States and elsewhere to invest. What is the impediment, and do you think that these 50 properties are something that will be grabbed up by people, and if not, why not?

Mr. BAJRAKTARI. There was a lot of hope when privatization was started that, especially the Kosovars abroad, would come in and invest. But when you read all the documents and all the bureaucratic processes that UNMIK has put, they are selling, and they are leasing property, but they say that we are not sure. It is up in the air. You may be ready to defend yourself 10 years from now.

By not having the ownership guaranteed as to what you are buying and stand behind what you are buying, you can't borrow. No banks will lend you any money, because the ownership of the entities is up in the air, and they need to make steps where an independent Kosovo can take on ownership of those entities and sell them quickly so that investors could come in where their money and their investments are guaranteed and create jobs.

Mr. ENGEL. So what you are saying is that because the future status, as the Chairman mentioned, of Kosovo is really hanging in

the air, an American investor isn't going to want to sink his or her money into something when they don't know what the future of Kosovo will be, and, therefore, they could potentially lose their entire investment. Is that a fair statement?

Mr. BAJRAKTARI. That is. From my own experience, we bought a wood combine, and we took it in April of last year. There were just six security guards. We have over 50 people working now. We would like to grow those numbers of people. We went to UBS Paine Webber. We asked them for a loan. They said, "Maybe you can give us a couple of million Euros, so we can modernize capital improvement." The first thing she said was, "Look, we do not lend to Kosovo; it is not an independent nation, and our investments will not be guaranteed."

Mr. ENGEL. Thank you.

Mr. Jeremic, I listened to your statement, and let me say that I am encouraged by Mr. Tadic. I met with him when he was here in Washington. I certainly think—I have met with your Ambassador. He does a very fine job here in Washington. I certainly believe that Serbia is trying to extricate itself from the terrible legacy of Mr. Milosevic.

But, let me just say that I think that elected leaders in Serbia have really got to speak the truth to their own people. I think, you know, you said that to have an independent Kosovo would destroy Serbian democratic institutions. With all due respect, and I do respect your testimony, I think what destroys democratic institutions is when leaders are not honest. Maybe that is too harsh. When leaders don't have the courage to speak the truth to their people.

While, certainly, the average person in Serbia wasn't part of the tyranny of Slobodan Milosevic, the fact is, when you talk about a total autonomy as you mentioned, that was something that perhaps could have worked 15 years ago. If there had been more enlightened leadership then, you might have had autonomy and maybe another republic. But that is gone. And you can't take away the history.

So I think that, in my opinion, I would like you to comment on it.

Ambassador Burns said, I am quoting him:

"The process to decide Kosovo's final status also affords us an opportunity to help Serbia move back into the European mainstream where it belongs. Kosovo is a burden weighing Serbia down."

It would seem to me that the sooner people have the courage to admit that Kosovo is gone, as far as Serbia is concerned, the people in Kosovo will never agree to go under rule from Belgrade because of what happened in 1999 and before.

So I think the future for Serbia is integration with the European community, to become a part of NATO, to become a part of the European community. I think that can only happen when the elected officials in Serbia come to grips with the reality of Kosovo.

The other things that you mentioned, minority rights, I couldn't agree with you more. I say that all the time. There is no excuse anywhere for minorities not to have their rights. And there have been some difficulties, and they have to be addressed.

As the Father said, the holy places have to be protected. But, you know, I think your government needs to encourage Kosovar elections there, to become part of that area, to encourage Serbs to reunite, to return, to solve the problems in Metohija. I think those are the things your government needs to do and really get off the pretense that somehow or other Kosova is not going to be independent. It will be and needs to be, and Serbia needs to be a part of NATO and everything else.

I would like you to comment on that. I know I have said a great deal.

Thank you for indulging me, Mr. Chairman.

Mr. JEREMIC. Thank you very much for your comments, Congressman. I agree very much with some of your remarks. It is the position of my President and my government that Serbia should and will be part of the European Union in the shortest time possible, that we will become, in the shortest time possible, part of Euro-Atlantic structures. We very much look forward to taking our place in these institutions.

I also agree with you that there should be a total policy of engagement and an open or conciliatory dialogue on all fronts. You mentioned there is a need from Belgrade to encourage Serbs to vote in democratic elections. This is precisely what my predecessors have done in the elections in Kosovo that are taking place in October.

I would point to a remark that you can't take away history. I cannot agree with you more on that one. The history of Kosovo and the tragic history of inter-ethnic conflicts and inter-religious conflicts is not just a history of the last decade. Maybe the last decade is so much in front of our eyes, because in the last decade, thanks to the technology breakthrough, this was filmed on CNN. But the history of ethnic conflict there goes back centuries and centuries.

My grandfather was killed in Kosovo by the Albanians 100 years ago, well, 80-something years ago. But I wouldn't want to get into the history. My government doesn't want to get into such a history. They want to look forward. They want to look for a way that would, in the most accelerated fashion, integrate the whole of the western Balkans into the European Union and into the Euro-Atlantic structures, and this can be done only through a balanced and negotiated process.

So focus on the process and not calling the outcomes of this process in such a premature fashion is something that will certainly help. Whoever is leading these negotiations—from U.S., EU, UN—whoever is going to do this job, you are just going to make his job much easier if we do not jump into pre-judgmental conclusions as to what should be the outcome of this process at this stage. We strongly believe that Kosovo should be independent. They rightly believe it. They should. But this is why we need to find a negotiated solution.

Because just as Kosovo is very dear to the Albanians, which is something that I very much appreciate, so it is very, very historically, emotionally, religiously and in every other aspect, dear to the Serbs.

Mr. ROHRABACHER. Thank you very much.

Mr. Leach.

Mr. LEACH. This is an extraordinarily interesting hearing, and very different than this Committee usually confronts. As I listen to each of you, I am struck by how American history is somewhat different than Balkan history. But as Americans at their best really reasoned pragmatically and futuristically, in many other parts of the world, including the Balkans, there is a greater emphasis on history and historical reasoning and historical circumstance. There is an old joke that the main thing the Balkans export is history.

But I am hearing today a great concern on economic development and a new type of export, and I think that is rather extraordinary.

I sometimes tell my constituents, as you look at events of the world, if we go to another place, I mean, you have this outpouring of dissent between China and Japan today, between Korea and Japan today. This suggests that history is often more controversial than current events.

Father Dobrijevic is head of a subplot of this that is really intriguing to me; that, in effect, your testimony suggests that art and architectural history are more inciting than issue differentiations of the day. That is an extraordinary conceptualization. I understand what you are saying.

I am pleased that UNESCO is playing a positive role. One of the things that may not have been noted by a lot of the people on the outside, the U.S. was not part of UNESCO for some 20 years, and we have rejoined. I think it is the proper thing to do to rejoin. I, frankly, thought it was improper to leave.

But it shows that there are aspects of culture that bring people together as well as separate them, and the role of UNESCO was extraordinary.

You have also made very clear the role of religion in current and ancient events. I am also reminded of another patriarch. This was a Greek patriarch who spoke to the Congress about a decade ago. One of his phrases, which was really intriguing, he said that an individual can live with faith under repression, but he cannot, but an individual cannot have democracy without faith.

I thought that was an interesting conjunction of thought, and it is intriguing to me how, from different faith perspectives, you have a little bit of a different view of history, art, architecture and the world.

From our perspective as Americans, I think the fundamental thing is, we want nothing except what is good for the people and the region. We would love to see the Balkans become a great cradle of civilized values and civilization itself as it has been for so much of its history.

It appears from an American perspective that, based frankly on not only history but the demographics of the time, that the case for independence is large.

Now the intriguing thing is that both Western Europe and the United States had no desire for Yugoslavia to break up. It was kind of brought by people in the region over the views of outside countries.

Once it has been wrought, it is pretty hard not to respect the desires for self-determination. That looks distinctively toward an independent Kosovo.

Anyway, I think that this hearing really shows that people can help radically different judgments, and several have been reflected at this table. Yet they can be reflected in ways that are quite decent and quite thoughtful.

I would certainly say, coming from a country that has had some differences with Serbia, we really want Serbia to succeed today. We all have a vested interest in it.

The other aspect, from an American perspective, that Europeans are awfully surprised at sometimes, we want the European Union to succeed. And the fact that a people from what we describe as the former Yugoslavia do not think of themselves in a united country can, but they do consider themselves as part of Europe, is a very profound thought.

So from an American perspective, we want what is best for the people. What is best for the people appears to be smaller national groupings and a larger regional grouping. That may be the best kind of structure to deal with the future.

So a strong European Union of which everybody is a part, a strong NATO structure that is an aspect of that union, and strong national identities that are a little bit smaller than might have been perceived as likely 20 or 30 years ago, seems like the natural way to go today. I think that is where and why this Congress is naturally moving in this direction.

But I just want to say, I have no grand questions for anyone. I am just thinking to myself. This is a very impressive panel with very impressive testimony, all of which is logical and thoughtful and, even when it differs, makes total sense.

So I want to thank you all for coming. I yield back.

Mr. ROHRABACHER. Thank you very much.

I guess as Chairman, I will take a few minutes.

But Eliot, would you like to ask one more question before I take my 5 minutes?

Mr. ENGEL. Yes. Thank you. Thank you very much,

Mr. Chairman.

I wanted to ask Dr. Serwer, because he has been to this Committee many, many times and has testified. I want to just say I appreciate every time you have come to this Committee and have testified and, certainly, you know, respect your work and what you have to say. You have lots of experiences as an American diplomat and many years as an expert at USIP.

I was wondering, I believe you were in the room when Secretary Burns spoke today. He talked about a real change in the Administration's policy. I think Congressman Pomeroy earlier had mentioned, and he thought that was a real sea of change, and he was happy to see it. I wonder if you could give me your thoughts on the Administration's change in policy and some of what Secretary Burns mentioned before.

Mr. SERWER. Mr. Engel, I welcome the renewed commitment to resolving this issue that the Administration is showing. It seemed to me that Secretary Burns was very clear about trying to put the status of Kosovo high on his personal agenda, but, more importantly, perhaps high on the international community's agenda.

Frankly, that is the first time I have heard that from any U.S. Administration. I think you will back that up with action.

Unfortunately, I heard some details that give me pause. I heard him trying to put the UN up front. I heard an EU envoy and a U.S. deputy. I didn't think that those were formulas for success. Mr. Bajraktari has described the chaos of the privatization program in Kosovo, which is very much due to the UN's legal office. I would not want a U.S. and an EU envoy working for the United Nations. They must work under UN mandate.

The reason for that is that they have to bring back to the Security Council a proposal to change resolution 1244. But a UN mandate is different from working for the UN; I think there is no need for that, and I don't think it is a formula for success.

Likewise, I would like to see the U.S. in tandem with the EU. I don't like the idea of the U.S. trying to take a backseat to the EU. The reason for that is not national pride. It is a question of what formula will succeed in this situation. I don't think we can expect the negotiators to succeed unless they are—unless the parties, Belgrade and Pristina, are absolutely convinced that they have heard the last offer and no United States deputy is going to be able to convince Pristina that they have heard the last offer.

So I differed on some detail, and I think those details are important. A UN failure on this subject would be not only devastating to the UN, but would vastly complicate the next effort to settle the status question.

Mr. ROHRABACHER. Thank you very much.

Mr. ENGEL. Thank you. I am not going to ask another question. I just want to say I agree with what you said. Knowing Mr. Rohrabacher for just a few years, I think he will agree with what you said as well.

When we left Bosnia and Kosovo essentially to the EU and didn't take a hands-on approach, we saw what happened. It was only, in my opinion, after the United States got involved with both the situation in Bosnia and Kosovo that we were able to stop the ethnic cleansing and to stop what was going on. So I just couldn't agree with you more.

I thank you for indulging me, Mr. Chairman.

Mr. ROHRABACHER. Thank you. I am going to take my 5 minutes now. I will be as lenient on myself as I have been on others in terms of the time. It does feel really good to have this gavel in my hand.

But first of all, let me note that it is important, when we are discussing the issues like this that are so volatile, that we have both sides presented and that we realize that there are two sides to the argument, even though we may agree predominantly with one side. It is important to note that people who are in foreign parts of the world believe in something else, and that disagreement has to be dealt with in order to bring about change and a changing situation, as we have heard today, is paramount. We can't just stay where we are.

Father, I just want to note for you, and you described very well, and I—we have other Christian priests here with us today who did not seem to be as concerned about the possible attacks on their churches, and they did not seem to be afraid of having independence, even though the vast majority of people in Kosovo are Muslims.

How do you really balance that out?

Rev. DOBRIJEVIC. As a friend of mine once explained—and I thank you for the question, it is a very good question—nothing in the Balkans can be overtly simplified but, of necessity, must be complicated. So also that question deserves an equally complex answer. Although it is rather simple, namely, when I spoke of the statistics, which I brought forward, they were the casualties and the concerns of the Serbian Orthodox Church. I fully agree and share in the faith with my brethren from the Roman Catholic Church.

The Roman Catholic Church is a sister church of the Orthodox Church. However, the difference therein is that they are of Albanian extraction by their ethnic origin, and we are Serbian, so, therefore, it is not a matter simply of Christianity. It becomes complicated by virtue of ethnic identity.

Mr. ROHRABACHER. Let me ask you this. If you have two naked fellows standing in front of you, can you tell whether one is Serbian or Albanian?

Rev. DOBRIJEVIC. If you look at facial features alone, perhaps you can.

Mr. ROHRABACHER. We will leave that one. But it seems to me—I have seen—with their clothes on, I might add, I have seen a lot of Albanians and Serbians and I have a tough time being able to pick out the Serbians and Albanians, just as I have a tough time picking out the Croatians from the Serbians and the Bosnians from the Albanians. And it seems to me that you have a lot of people down there with a little different accent, and they are willing to raise holy jell with each other because of some little difference and the historical fact that their grandfather got knocked by somebody years ago.

And by the way, in 1960, I lived in North Carolina; my father was a Marine, and I remember seeing a man cry in front of me about how the Yankees had burned his grandfather's barn in 1864. And so this isn't—the memory situation is not just with the Balkans. It is perhaps a human trait. And we are lucky in the United States to have a culture more oriented toward the future. But even in our culture we can find that.

But, Father, isn't it important for us and people like yourself in particular, and realizing—and I am sure you do—that the Serbians who agree with you and are part of your faith have committed many evil acts, just as Christians and Muslims have committed many evil acts. The Croatian Christians certainly did and the Muslim Albanians have and the Serbians. I have to tell you, I have been in and out of that territory and I have seen a lot of Catholic churches that were burned by Orthodox Christians by the Serbians, and vice-versa, I am sure.

Isn't it up to the religious people to not just focus on their own loss but to try to be reconciliatory?

Rev. DOBRIJEVIC. I agree 100 percent, but I am also bound by duty to bring out the pains of my people because I am their representative. And it is also very important to note, sir, and I agree with you wholeheartedly, His Holiness Patriarch Pavla has said, "In war there are no angels and everybody must bear the burden of their guilt and must be held accountable for it." And he and the entire Serbian Orthodox Church have condemned these acts. And

the Serbian Orthodox Church, beginning as far back as 1992 and culminating in 1996, openly condemned Mr. Milosevic and asked publicly for his removal.

So the church does think in reconciliatory terms, otherwise we would not live in Serbia, which is the only viable multi-ethnic, multi-cultural state in the Balkan region. And we have outstanding relations with the Papal Nuncio and outstanding relations with the local Roman Catholic Archbishop. We are together constantly. We co-chair many panels together and speak together with one voice.

Mr. ROHRABACHER. Well, as I say, Eliot and I and a few others have spent a lot of time going in and out of the Balkans over the last 10 years, and I certainly have seen—and there is no doubt that the Serbian people, like we were discussing today, have been victimized. But there has been so much victimization that has gone on on the other side by the Serbians. You did not see any Croatians invading Serbia, but you saw Serbians up in Croatia with tanks; people coming from Serbia and going way up into the Croatian area and fighting. And I don't think we saw anybody doing the other way around. I don't know if any Albanians crossed from Kosovo or Albania into Serbia.

Rev. DOBRIJEVIC. What about the Prestel Valley, sir?

Mr. ROHRABACHER. I don't know. You are—

Rev. DOBRIJEVIC. Be very careful.

Mr. ROHRABACHER. No, no, you are here to correct me if I am wrong.

Rev. DOBRIJEVIC. What about the Operation Storm in Croatia? My own family was entirely expunged from Croatia. My father's roots are in Dalamatia and my mother's roots in Lica. Nobody exists anymore. Everything was destroyed.

Mr. ROHRABACHER. No, I understand. And I am not saying that the Croatians did treat their Serbian minority in an honorable way. They obviously did not. And people started treating each other's minorities in a horrible, totally immoral way. There is no doubt about that.

But in terms of actual people going from one region to another area in order to commit violent acts, I will have to tell you that my view of it is I did not see that happen. I did not see any Slovenians heading down toward Serbia. I did not see any Croatians heading down toward Serbia. I did not see the Albanians coming up toward Serbia. But I did see and have heard a lot of reports and seen first-hand where it seemed that the Serbians were out there trying to create their power position in a new reality after the Cold War was ending.

Rev. DOBRIJEVIC. We in the church never defend any war of aggression. Our patriarch has been explicit on that. But it was still, albeit fragmented, a shadowy Yugoslav reality and so there were the presence of troops there. I am not defending what they have done, but making a statement of fact. But also as our refugees were fleeing from Croatia, they were also bombed by the NATO forces. We cannot forget that fact either.

Mr. ROHRABACHER. Well, let me suggest there is a lot of things that can be done by church members on both sides, and I would challenge all the churches, both Muslim folks and their mosques and the Christians and whatever group they worship in, that this



should be a time when each of them try their best to try to heal the wounds. And to try—for example, there are many people who are missing, many Albanians who are missing. There are many others—I remember when I first went to Croatia, this farmer came running up to me, just as this whole conflict was beginning, and he said, “Some Serbians came here from outside and riled up our local Serbians and they kidnapped my two sons.” And that is before we heard of any disappearance.

And I remember I was on TV that night and I asked, I said, “Look this is the fellow’s name. You have his two sons. Bring them back.” And, of course, they were never returned. And there are many thousands of people who now have that same loss in their life. And perhaps the religious churches could try now to spend an enormous amount of time trying to have an accounting of those people. Especially there are stories of certain numbers of people who were thrown into pits and things and burned. And we need an accounting. We also need perhaps a day of prayer in everybody’s faith.

Rev. DOBRJEVIC. I would agree, and I thank you very much for those comments. This is one of the reasons that I accompanied the Reverend Jesse Jackson to rescue the three American pilots who were downed in Yugoslavia.

Mr. ROHRABACHER. One last note. And you are welcome to step up and disagree with that. This is the United States of America. And we formed our basic way of thinking in terms of politics with what we called the Declaration of Independence, which was an expression of the values of our society and the most important value that we have is that God gives these rights to individuals: Life, liberty, and the pursuit of happiness. But also in that document the most important element was that people—that government only has the powers that are granted to them by the consent of the governed.

I know that in some areas that may sound like havoc. But no, we believe that that leads to a more peaceful world. And I believe that if people could just let people vote for their future and if the Kosovars want to go in that direction, if everybody becomes part of the EU, the borders between Kosovo and Serbia aren’t going to be anything anyway. And if people could just, you know—I would say let—of course, this is an American concept—let people choose their own leaders and choose their destiny through the ballot box.

History, the people of history do not have a vote. Places do not have a vote. History does not have a right. Places do not have a right. People have rights. And that is what we believe as Americans. Those rights were granted by God.

So with that, I want to thank all of you for participating today. This has been a wonderful hearing. And again I am very happy that both sides were presented and that you had your chance to get your words in. So I now declare this hearing to be adjourned.

[Whereupon, at 3:01 p.m., the Committee was adjourned.]



# A P P E N D I X



MATERIAL SUBMITTED FOR THE HEARING RECORD

HRES 24 IH

109th CONGRESS  
1st Session  
**H. RES. 24**

Expressing the sense of the House of Representatives that the United States should declare its support for the independence of Kosova.

**IN THE HOUSE OF REPRESENTATIVES**

**January 4, 2005**

Mr. LANTOS (for himself and Mr. HYDE) submitted the following resolution; which was referred to the Committee on International Relations

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**RESOLUTION**

Expressing the sense of the House of Representatives that the United States should declare its support for the independence of Kosova.

Whereas the United States and the international community recognize that a right to self-determination exists as a fundamental right of all people;

Whereas Kosova was constitutionally defined as a sovereign territory in the First National Liberation Conference for Kosova on January 2, 1944, and this status was confirmed in the Constitution of the Socialist Federal Republic of Yugoslavia adopted in 1946, and the amended Yugoslav constitution adopted in 1974 preserved the autonomous status of Kosova as a de facto republic;

Whereas prior to the disintegration of the former Yugoslavia, Kosova was a separate political and legal entity with separate and distinct financial institutions, police force, municipal and national government, school system, judicial and legal system, hospitals and other independent organizations;

Whereas Serbian dictator Slobodan Milosevic rose to power in 1987 on a platform of ultranationalism and anti-Albanian racism, advocating violence and hatred against all non-Slavs and specifically targeting the Albanians of Kosova;

Whereas Slobodan Milosevic subsequently stripped Kosova of its self-rule, without the consent of the people of Kosova;

Whereas the elected Assembly of Kosova, faced with these intolerable acts, adopted a Declaration of Independence on July 2, 1990, proclaimed the Republic of Kosova, and adopted a

constitution on September 7, 1990, based on the international legal principles of self-determination, equality, and sovereignty;

Whereas in recognition of the de facto dissolution of the Yugoslav federation, the European community established principles for the recognition of the independence and sovereignty of the republics of the former Socialist Federal Republic of Yugoslavia and Kosova fully satisfied those principles as a de facto republic within the federation;

Whereas a popular referendum was held in Kosova from September 26-30, 1991, in which 87 percent of all eligible voters cast ballots and 99.87 percent voted in favor of declaring Kosova independent of the Socialist Federal Republic of Yugoslavia;

Whereas, from the occupation of Kosova in 1989 until the North Atlantic Treaty Organization (NATO) military action against the Milosevic regime in 1999, the Albanians of Kosova were subjected to the most brutal treatment in the heart of Europe since the Nazi era, forcing approximately 400,000 Albanians to flee to Western Europe and the United States;

Whereas in the spring of 1999 almost 1,000,000 Kosovar Albanians were driven out of Kosova and at least 10,000 were murdered by the Serbian paramilitary and military;

Whereas Slobodan Milosevic was indicted by the International War Crimes Tribunal and extradited to The Hague in June 2001 to stand trial for war crimes, crimes against humanity, and genocide in Kosova, Bosnia, and Croatia;

Whereas the United Nations established Kosova as a protectorate under Resolution 1244, ending the decade long Serbian occupation of Kosova and Milosevic's genocidal war in Kosova;

Whereas Kosovar Albanians, together with representatives of the Serb, Turkish, Roma, Bosniak, and Ashkali minorities in Kosova, have held free and fair municipal and general elections in 2000 and 2001 and successfully established a parliament in 2002, which in turn elected a president and prime minister;

Whereas 50 percent of the population in Kosova is under the age of 25 and the unemployment rate is currently between 60 and 70 percent, increasing the likelihood of young people entering criminal networks, the source of which lies outside of Kosova, or working abroad in order to survive unless massive job creation is facilitated by guaranteeing the security of foreign investments through an orderly transition to the independence of Kosova;

Whereas the Kosova parliament is committed to developing a western-style democracy in which all citizens, regardless of ethnicity, are granted full human and civil rights and are committed to the return of all noncriminal Serbs who fled Kosova during and after the war; and

Whereas there is every reason to believe that independence from Serbia is the only viable option for Kosova, after autonomy has failed time and time again: Now, therefore, be it

*Resolved*, That it is the sense of the House of Representatives that the United States should--

- (1) recognize the danger that delay in the resolution of Kosova's final status poses for the political and economic viability of Kosova and its neighbors, and consequently for the future of Southeast Europe;
- (2) publicly support the independence of Kosova within its existing borders as a sovereign and democratic state in which human rights, including the rights of ethnic and religious minorities, and the rule of law are respected as the only way to lasting peace and stability in the Balkans;
- (3) establish a monitoring body in conjunction with the United Nations, and North Atlantic Treaty Organization, and other multilateral organizations to ensure that the new state of Kosova achieves the standards set forth by the UN Security Council, including the protection of minority rights and security for all of Kosova's communities, and to facilitate an orderly transition from a UN protectorate to a fully functioning democratic government;
- (4) work with the Council of Europe to develop and implement anti-racism programs that would be instituted at the level of federal and municipal governments throughout the Balkans;
- (5) work with the United Nations and North Atlantic Treaty Organization to facilitate the return of Albanians to their pre-war homes in northern Mitrovica and its environs and Serbs to theirs in southern Mitrovica and other parts of Kosova; and
- (6) provide its share of assistance, trade, and other programs to support the government of an independent Kosova and to encourage the further development of democracy, rule of law, and a free market economic system in Kosova and throughout the Balkans.

*END*

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PREPARED STATEMENT OF MR. JOSEPH K. GRIEBOSKI, FOUNDER AND PRESIDENT,  
INSTITUTE ON RELIGION AND PUBLIC POLICY

Mr. Chairman, thank you for the opportunity to present written testimony to the International Relations Committee of the United States House of Representatives on the status of Kosovo in the upcoming future status negotiations. As the time for talks on the future status of Kosovo draws near, the need to examine the record of political and social developments in the province to determine the level of preparation of Kosovo for either autonomous or independent rule is most urgent. I thank you for devoting time of the International Relations Committee to look seriously and objectively into this matter.

I regret to say that the present record of rule of law, protection of the rights of religious and ethnic minorities, and the return/resettlement of internally displaced people by the Provisional Authority of Kosovo—all of which are indispensable for democratic governance—have been gravely unsatisfactory in the last six years. We cannot discuss viable political self-rule of Kosovo unless there is a well-demonstrated, long-term commitment on the part of Kosovo power holders to the preservation of peace and ethnic diversity of the region through both legislative and institutional means. As I will expound below, since 1999 the Kosovo Provisional Authority on numerous occasions acted contrary to pertinent democratic commitments and norms, and therefore cannot be trusted as the sole independent guarantor of rights and freedoms for all peoples of Kosovo.

The Institute on Religion and Public Policy led an investigative delegation of American religious and religious liberty leaders to Kosovo in August 2004 to inspect the situation in Kosovo and witness the damage in Pristina, Prizren, Dechani and other areas of the province in the aftermath of the ethnic violence earlier in March that same year. Admittedly it was the first such independent international religious delegation to visit Kosovo since 1999. It is both from the findings of the delegation and from the close monitoring of Kosovo by the Institute on Religion and Public Policy in the past several years that I am testifying today.

*Kosovo since 1999: Key Sociopolitical Dynamics*

Kosovo, the heart of Serbian Orthodoxy since the 12th century that largely formed the Serbian national identity in the following centuries, by 1999 was home to diverse religious and ethnic groups.

Kosovo Muslims who inhabited the region since victory in the epic battle of Kosovo in the 14th century constituted a significant majority in 1990s. Unfortunately, since 1981 no official census has been taken, and the demographic stratification of Kosovo is not statistically confirmed. By some estimation it has been increasing over the decades of communist rule favoring the wider autonomy for the region for the sake of balancing out Serbian influence in larger Yugoslavia and has reached nearly 80% of total Albanians living in Kosovo by the early 1990s (hence the sentiment of the predominant Albanian population for self-rule on ethno-historical and demographic grounds).

When in response to demands for greater self-rule and independence in the 1990s Slobodan Milosevic radically reacted by conducting policies of ethnic cleansing and disfranchisement of Albanian population, the United States and NATO considered the plight of the people of Kosovo and engaged through NATO bombing of the Serbian capital Belgrade with the aim of forcing Milosevic to stop the ongoing ethnic cleansing. Following the bombardment, according to UN Security Council Resolution 1244, peacekeeping mission UNMIK was established in Kosovo to oversee administrative matters of the region, while KFOR was formed as an international police force mandated to deter hostilities, establish security in Kosovo and daily protect the inhabitants. Under the Constitutional Framework for Provisional Self-Government of Kosovo of May 15, 2001, the Kosovo Provisional Authority was to assume power as the indigenous democratic governing body under the supervision of UNMIK. This mechanism was envisioned to ensure peaceful transition of Kosovo to the next stage of political arrangement, where independence was regarded by some as an option.

Mr. Chairman, all of these institutions have failed to protect the people of Kosovo from violence and instability.

Since 1999, around 200,000 Serbs have fled Kosovo for fear of communal or institutional violence. Largely these families are rarely known to return. Indeed, the refugees have cast their vote with their feet. As we have well seen from recent Balkan history, any change in demographic balance because of one ethnic group threatening the existence of another is bound to have repercussions in places of region where the same ethnic groups live in close proximity to one other (e.g. Serbia and Bosnia and Herzegovina, etc). This out flux is critical for regional security balance, to say

nothing of the day to day needs of fleeing. Unfortunately, this problem in no way was adequately addressed by either UNMIK or Kosovo Provisional Authority.

Not only has the fear of violence been driving Serbs out of their homes in Kosovo, ethnic Serbs that remain in Kosovo are denied treatment in hospitals, denied construction of schools, and are inflicted with increasingly rigid travel restrictions, effectively confining them to Serbian ghettos. With implicit endorsement of the UN peacekeeping forces, this practice ensures the isolation of ethnic groups from each other, and thus conveniently creates an artificial environment where ethnic tension can be caged. But peace confined through a cage is no real peace, nor is it a democratic practice that allows individuals and communities to develop to their best capacity. The true transformation that heeds the rights of minorities and fosters diversity is need, although the Kosovo Provisional Authority has not been able to provide for it.

*March 2004 and Its Consequences of for Future Kosovo Stability*

The most appalling event that demonstrated the incompetence of both Provisional Authority, UNMIK, and KFOR to protect the people of Kosovo started on March 17, 2004. On that day ethnic violence erupted involving over 50,000 individuals in at least 30 separate incidents, which claimed the lives of 19 civilians and injured over 900 persons, including international peacekeepers and members of the clergy. This violence displaced more than 4,000 persons, mainly Serbs, from their homes. The ethnic violence perpetrated by Kosovo Albanians resulted in the destruction or serious damage of more than 900 houses and 150 vehicles belonging to Kosovo Serbs, Roma, Ashkali, and other minorities. Our delegation learned that ethnic violence was directed toward the centers of cultural and religious life of Kosovo's minority communities, more specifically the Orthodox, and it resulted in the desecration of approximately 36 churches and monasteries, many centuries old, added up to the total of over 140 churches and other religious places ruined, damaged and desecrated in the past decade.

Let me illustrate how such atrocities could happen in the presence of multi-thousand regiments of KFOR that were supposed to actually ensure the security in the region. The Monastery of Djakovica is home for several Orthodox nuns, some of them of senior age. During the first night of violence, French KFOR troops held back the attacking mob from the monastery that historically was a place of great respect and pilgrimage for the Muslim population of Kosovo. On the second night, in the absence of the abbess, French KFOR troops forcefully threw the nuns, in the words of one of the elderly nuns, "like sacks of potatoes" into an armored vehicle. As the troops by watching, an angry mob attacked the monastery. French troops were alerted that an elderly nun who had recently suffered a heart attack was recovering in her cell, but responded that there was nothing they could do for her as the mob set her room on fire. By the Grace of God, the nun escaped to the neighboring forest and lived in the elements for three days with no food, shelter or blanket before returning to the monastery for fear of her life.

This is an exemplary story of how KFOR has generally perceived its mission: protect people, not property. The result is worth reiterating; 19 people dead, 900 injured. Although Italian and American troops did in some places prevent desecration, in general there is great need to reform KFOR policing practices and communication to prevent this from happening again.

While none of the Churches in Kosovo has yet been restored, the number of mosques has grown significantly with funding from Saudi Arabia and other Islamic states, as the plaques on these mosques indicate. Although many mosques are empty, such process of religious mapping in and of itself has symbolic and political repercussions.

After March 17, 2004 the Serbian population of Kosovo has refused to recognize as legitimate the authorities in Kosovo that failed to fulfill their mandate and largely boycotted the 2004 fall elections for the Kosovo Assembly. Without further explanation, let me simply point out that such a political situation is in no way conducive to either larger autonomy or independence of Kosovo.

Finally, the Institute on Religion and Public Policy has closely monitored the Kosovo Provisional Authority attempt to introduce a law on religion which violates significantly internationally accepted standards for religious freedom in at least seven of its articles. We voiced our objection to UNMIK about this law which was drafted to establish tight governmental control over religious groups and set limiting conditions of their ability to survive as communities. Needless to say such legislative initiatives by the Provisional Authority contradicts democratic standards and can further exacerbate religious stability in the region.

Clearly, the problem of internally displaced persons, the incapacity of Kosovar provisional institutions to prevent violence, and gross mistreatment of religious mi-



norities in legislative and other socio-political means by current Kosovo institutions demonstrates the lack of democratic infrastructure that would prevent the region from further collapse into the very ethnic and religious violence that the international community initially intervened to stop and avert. Until the above is guaranteed, the independence of Kosovo cannot and must not be an option.

With this in mind, let me offer the following recommendations for urgent steps to address the present and future critical situation in Kosovo:

- UNMIK must appoint an investigative commission to find and render judicial persecution the perpetrators of the March 17 violence;
- the international community through UNMIK and the European Union must allocate aid to restore the demolished and desecrated churches to their full historical appearance and religious functionality;
- UNMIK in the person of Special Representative of the Secretary General Sorren Peterson must require the Provisional Authority to reverse its socio-economic policies toward the minority population of Kosovo and begin a legitimate and objective process for resettlement of the IDPs;
- NATO must permit KFOR to widen its mandate to fully protect all peoples of Kosovo as well as sites of historic and religious value and significantly improve communications and the chain of command and cooperation within KFOR;
- encourage closer cooperation of OSCE and the structures of the European Union with Kosovo authorities for the economic reconstruction and supervision of the legislative, executive and judicial process in Kosovo.

