

THE CRISIS IN KOSOVO

HEARINGS
BEFORE THE
SUBCOMMITTEE ON EUROPEAN AFFAIRS
OF THE
COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE
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THE CRISIS IN KOSOVO

WEDNESDAY, MAY 6, 1998

U.S. SENATE,
SUBCOMMITTEE ON EUROPEAN AFFAIRS,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:10 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Gordon H. Smith (chairman of the subcommittee), presiding.

Present: Senators Smith and Biden.

Senator SMITH. Ladies and gentlemen, I will call this hearing to order. We expect the arrival of some other Senators soon, when their conferences, lunches, break up, but we welcome you all.

Today the Foreign Relations Committee is convened to discuss the crisis in Kosovo and its potential ramifications on stability throughout the region. Our first panel will consist of Ambassador Robert Gelbard, Special Representative of the President and the Secretary of State for implementation of the Dayton Accords.

After we hear from Ambassador Gelbard, the committee will welcome Mr. James Hooper from the Balkan Institute, Mr. John Fox of the Open Society Institute, and former Congressman Joseph DiGuardi, who currently is the volunteer president of the Albanian-American Civic League.

I appreciate the willingness of all of our witnesses to appear before our committee this afternoon. I confess that I am deeply concerned about the situation in Kosovo today. Since February of this year approximately 150 people have been killed in a particularly appalling fashion, and the Serbian police have attacked and murdered innocent women and children in their effort to crack down on the Kosovar Albanian separatist movement.

The Albanian movement in Kosovo has shown remarkable reserve in their pursuit of the autonomy that was revoked in 1989 and 1990, but as we have all seen, that patience has worn thin. The gathering strength of the Kosovo Liberation Army and their quest for an independent Kosovo and their violent tactics to achieve their goals leads me to believe that things in Kosovo yet get even worse.

The Serbs have shown in recent months that they are more than willing to use overwhelming force in response to separatist activity in Kosovo, and I do not expect that attitude to change.

I sincerely hope that our administration does not consider President Milosevic's role in the Bosnian peace process, however great or small, as justification for leniency with regard to his abhorrent behavior in Kosovo.

The Contact Group established to coordinate policy on the conflict in the former Yugoslavia has met several times since the violence in Kosovo broke out in February. Despite statements of outrage and condemnation from the Contact Group, the Serbs have continually ignored its limited demands.

President Milosevic thus far has successfully exploited the historical and economic interest in Serbia that shade the views of some of our friends in Europe. Though there are merits to using the Contact Group in dealing with the situation in Kosovo, at some point in the future the Contact Group may yet prove to be an unsuccessful at contributing to the resolution of the conflict. Then the United States must pursue an appropriate policy unilaterally.

I realize the policy challenges facing the United States and the international community in responding to the Kosovo crisis. Secretary of State Madeleine Albright has used strong words of warning to President Milosevic, but I must say, the direction of the United States policy on this issue is unfortunately unclear.

As I mentioned earlier, the Contact Group has been ineffective at forcing Mr. Milosevic to cease his terrorist tactics in Kosovo. Given the potential this conflict has to spread to the rest of the Balkans and beyond, even involving our NATO allies, Greece and Turkey, I think it is critical for the administration to clearly state its policy on this question.

In December 1992, then President Bush delivered an unequivocal warning in a letter to President Milosevic that the United States was prepared to intervene militarily if Serbia attacked the ethnic Albanians in Kosovo. President Clinton repeated this so-called Christmas warning after he took office in 1993. It would serve the interests in furthering public debate on the issue if, Ambassador Gelbard, you will publicly state what this warning consists of, and whether this will continue to be U.S. policy.

I look forward to discussing these issues and other questions with all of our distinguished witnesses before us. So, Mr. Ambassador, we especially welcome you and invite your statement.

STATEMENT OF HON. ROBERT S. GELBARD, SPECIAL REPRESENTATIVE OF THE PRESIDENT AND THE SECRETARY OF STATE FOR IMPLEMENTATION OF THE DAYTON PEACE ACCORDS

Ambassador GELBARD. Thank you very much, Mr. Chairman. I would, with your agreement, like to submit my entire statement for the record and give an abbreviated version of it.

Senator SMITH. Without objection.

Ambassador GELBARD. Thank you, Mr. Chairman.

I am very pleased to have this opportunity to appear before the subcommittee again. A great deal of progress has been made in Bosnia since I appeared last July, which I would like to outline briefly for you before I conclude my remarks today.

However, we also now are faced with the outbreak of violence in Kosovo which has the potential, if allowed to spiral out of control, as you said, to threaten stability not just in the Federal Republic of Yugoslavia but in the region as a whole.

Therefore, I will focus the bulk of my remarks this afternoon on developments in Kosovo and our efforts to stop the violence and get dialog on a political solution for Kosovo started.

Our interests in dialog are based not only on our concern for the people of Kosovo, but also on the impact on the surrounding regions and the need to ensure that our substantial investment in Bosnia is secure.

We remain deeply concerned about the situation in Kosovo and the potential for further violence. The escalating conflict threatens wider regional stability. Albania, which only recently returned from the brink of anarchy, and the former Yugoslav Republic of Macedonia, are particularly vulnerable.

A parenthetical phrase here. I realize it is a subject still in dispute, but for brevity's sake in the course of my statement I would like to refer to the former Yugoslav Republic of Macedonia as Macedonia. It does not imply any political decision on our part.

The United States and other members of the international community have made a significant investment in the stability of South Central Europe. We are determined to see that these efforts succeed. Securing a political solution to the problem of Kosovo is a fundamental objective of U.S. policy toward the region.

Since the outbreak of serious violence in late February, the level of tension, interethnic hostility and arms in the province of Kosovo have continued to rise. In late February, in retaliation for an ambush of Serb police, an attack which left a number of the police dead, by individuals believed to belong to the so-called Kosovo Liberation Army, or UCK, Serb special police, paramilitaries, were sent in to reinforce the local police in very large numbers and conduct a cleanup operation, as they called it.

Supported by attack helicopters and heavy weapons, the operation lasted for a day. The total number killed by regular and special police was some 80 people, mostly noncombatants, including large numbers of children and women.

Though the Serb and FRY Governments described this as a police action, no democratic country in the world would allow this kind of behavior by police to go unpunished.

Since that time, the Belgrade Government has tripled the number of special police, essentially paramilitary units, or internal troops, as communist countries have called them in the past, deployed to Kosovo, and have recently deployed Yugoslav Army, VJ, infantry and armor and artillery units on the borders and to key hot spots in the interior.

This represents a substantial escalation, and the deployments on the border with Albania are particularly troubling. Nations do have a right to protect their borders. However, Belgrade's stated desire to prevent or stop cross-border weapons smuggling carried out by small groups of people through remote mountain passes, does not track with the large-scale deployment of tanks and artillery to the border.

Moreover, Belgrade has issued a threatening public statement accusing the Government of Albania of conspiring to undermine the territorial integrity of the FRY.

We in the Contact Group have warned the FRY against staging any cross-border operations into Albania or Macedonia. In response

to Belgrade's use of excessive force and the lack of movement toward unconditional dialog, the U.N. Security Council adopted on March 31 an arms embargo against the FRY, blocking planned arms purchases by Belgrade.

This embargo also prohibits the sale or provision of weapons or other equipment or training for groups engaged in terrorist activities. Introduction of further weapons into the region, either to Belgrade or to extremist groups, will only increase the violence and make it more difficult to bring about negotiations and a political solution to the already bitter dispute over Kosovo's status.

Even in the face of provocation, however, Governments have a greater responsibility for ensuring that the rule of law is respected and the rights of its citizens protected than any armed extremist groups. Belgrade's failure and refusal to uphold that responsibility has made Kosovo an international problem. They are the ones who have internationalized Kosovo, and we and our allies have no intention of standing by and ignoring continued repression and escalation of violence into war.

Despite repeated warnings, Belgrade so far has blocked unconditional dialog. Instead, internal security forces have been reinforced in ways that compound the sense of intimidation and insecurity on the part of the local Kosovar Albanian community. The violent activities of the Kosovo Liberation Army have heightened insecurity among Serbs and Belgrade's heavy handed use of force and atrocities is producing increased radicalization.

This will only weaken the moderate Kosovar Albanian leadership, led by Dr. Ibrahim Rugova, which has advocated nonviolent political solutions. Meanwhile, the UCK has continued to carry out attacks against police and clearly is trying to arm itself and improve its capabilities.

Belgrade's brutal tactics also have helped this formerly unknown group gain worldwide notoriety and find an increasingly sympathetic audience in Kosovo among the Albanian diaspora in Europe and the United States, and among radical groups ranging from Iran to Chechnya looking to make inroads into Europe.

I want to be very clear. Extremists on both sides are the only ones who will gain by a delay in getting dialog started. The violence will increase, and the chances for finding a peaceful solution will slip away. The biggest losers will be the citizens of Kosovo and the FRY in general. Support for radicals will increase the likelihood for an even more violent crackdown by Belgrade, and the UCK eventually will transform itself into a full-fledged insurgent group.

Those who argue, the worse the better, are profoundly mistaken. Neither the Kosovo Albanians, the Serb people, nor the international community can afford another war in the Balkans. The problems of the region can only be resolved through unconditional dialog. We have taken steps to increase the pressure on Belgrade to engage the Kosovo Albanian leadership in negotiations.

Starting with the Contact Group ministerial meeting on March 9 in London we, under Secretary Albright's leadership, have led international action to impose new punitive measures against Belgrade, already under the outer wall of sanctions, as a means of creating greater pressure on the FRY Government to negotiate.

These sanctions, including a ban on Government financing for investment or privatization, a financial asset freeze, denial of visas for Government officials responsible for the violence, and the arms embargo, have moved Belgrade in the right direction. If Belgrade continues to block negotiations, Contact Group countries other than Russia will take action as soon as this Saturday to ban all new investment in Serbia.

The position of the United States has not changed. We oppose independence for Kosovo. Further atomization will not contribute to regional peace and security. Neither can we accept a continuation of the status quo. The Kosovar Albanians are denied the basic human rights and political freedoms that are the foundations of a stable democracy.

Between these two extremes, however, we believe there is a wide range of possibilities which can only be developed and articulated through dialog. We firmly support an enhanced status for Kosovo within the FRY that would provide for meaningful self-administration. How this is accomplished is for the parties to decide in the course of negotiations.

There is a significant role for the international community to play, however, in bringing the parties together. The gap between the two sides is both wide and deep. The trail is littered with shattered promises and broken commitments. In Rome last week, the United States and the other Contact Group countries urged the two sides to adopt a framework for dialog and endorsed a stabilization package that we believe could help jump start negotiations if and when the parties agree to participate.

The framework we have proposed is based on fundamental principles that the parties must accept, including the rejection of violence as a tool for achieving political goals, and international involvement in talks to overcome mistrust and ensure realistic prospects for success.

The stabilization package must include, at a minimum, first the return of the OSCE, the three OSCE missions of long duration to the FRY, including in Kosovo, Sanjak and Voivodina, the cessation of repression by the authorities in Belgrade, and a strong condemnation of violence and terrorism by the Kosovar Albanian leadership.

If President Milosevic begins this process, we are prepared to work closely with him to begin the process of reintegrating the FRY into international organizations and institutions. The agreement to begin talking and concrete progress on key stabilization measures are the only clear evidence we can accept that Belgrade is serious about reaching a political outcome.

A continued stalemate will only ensure continued isolation for the FRY, as a result of which, together with extremely bad economic policies, the Serbian economy is already in rapid decline. The dinar has been devalued about 80 percent, GDP has fallen precipitously, and the FRY's balance of payments debt has skyrocketed.

The FRY's international status, and unfortunately the economic woes of the Serbian people, will not change until Belgrade has made significant progress in addressing the legitimate grievances of the Kosovar Albanian community.

The situation in Kosovo is, for the United States, a central element of the outer wall of sanctions against the FRY. We have been careful to exempt Montenegro from these new restrictions.

Reform-minded President Milo Djukanovic's election is one of the most encouraging developments in the FRY scene. He recently conducted a very successful visit to Washington and New York, and is demonstrating his commitment to democratic and economic reforms that could serve as a model for the FRY. President Djukanovic currently faces extreme political pressure from President Milosevic's Government, however, to try to fall in line with Belgrade's policies.

Elsewhere within the FRY and the region, Belgrade has adopted a hard nationalist line. The recent alliance between President Milosevic's party and the ultranationalist radical Vojislave Seselj within Serbia, has already produced increased intimidation of independent media.

At the same time, in contrast to his earlier support for moderates in Republika Srpska and Bosnia, President Milosevic has made moves in recent weeks to try to undermine the Republika Srpska Government, led by Prime Minister Milorad Dodik, a blatant attempt, in our view, to distract the international community from the Kosovo situation.

We and our allies have made extremely clear that the situation in Kosovo must be resolved, and that meddling in Bosnia is unacceptable. We are determined not just to maintain the substantial progress made in Bosnia, but to expand on it.

We will also hold Croatia to its obligations, including for return of refugees and displaced persons.

Now for the good news, Bosnia. You never thought you would hear me say that.

We continue to see good progress on Dayton peace implementation in Bosnia. The election of Prime Minister Dodik in the Republika Srpska and the more active use of the High Representative's powers are paying dividends. Recently, there have been a number of breakthroughs.

These include, freedom of movement has dramatically expanded, with routine travel between the entities and the issuance of new nondescript common license plates.

An inter-entity agreement to reintegrate Bosnia's rail system, a step which will bring substantial benefits to the Bosnian economy.

Political changes in the Republika Srpska, which should allow its economy to begin to recover.

Both entities, and the Central Government, have met the requirements for an IMF stand-by agreement as well as a World Bank structural adjustment loan, the first step to reintegrate Bosnia into international financial markets. In fact, there will be a Bosnia donor's conference beginning tomorrow, which I will be leaving for this afternoon.

Since the beginning of the year, five indictees have voluntarily surrendered, and three have been captured by S4 and brought to The Hague Tribunal.

This brings the total indictees brought to justice to 33, about 40 percent of the known indictees, including a number on The Hague Tribunal's most wanted list.

As I have said, Milosevic is putting pressure on Dodik specifically to bring in hard line radicals and members of Karadzic's party into his Government to form a nationalist all-Serb coalition. So far, Prime Minister Dodik has resisted.

Our response is to continue to support legitimate freely elected leaders like Dodik, and Republika Srpska President Plavsic, and help them maintain independence from Belgrade. The assistance that the international community has provided for Plavsic and Dodik has created political space to follow pragmatic pro-Dayton policies.

Progress in the Republika Srpska highlights some of the shortcomings on Dayton implementation in the Federation. The Bosniak leaders have been too hesitant to genuinely share power, and there continues to exist a strong hard line faction among the Bosnian Croats who oppose reintegration and actively undercut joint institutions.

We continue to press both sides, and there is a consensus behind strong action by the High Representative against obstructionists.

As I said, I am leaving tonight for the annual Bosnian donor's conference in Brussels. We expect new pledges of up to \$1.1 billion for continuing the economic restructuring and reform of Bosnia. The United States will pledge \$250 million in additional assistance for a whole range of economic democratization and police reform programs.

Despite all that we have accomplished in Bosnia, there continues to be a strong need for donor assistance. We have made a tremendous amount of progress in Bosnia over the last year, but the gains we have made these past 2 years are unfortunately still reversible.

On the refugee return front, we expect a major acceleration of minority returns this year. We are working with S4, the United Nations, international police task force, the U.N. High Commissioner for Refugees, and the High Representative, to foster better planning to prevent the type of violence we have seen in recent weeks in Drvar and Derventa.

Perhaps most importantly, national elections will be conducted in Bosnia September 12 and 13 for virtually all elected officials at the national and entity levels. These elections provide the best opportunity to promote pluralism in Bosnia and help bring new leaders to power.

While much progress has been made, there is still a great deal of work ahead of us to ensure the gains are consolidated. The international community will forge ahead with civilian implementation efforts and will continue to support the active use of the High Representative's authority to impose decisions on key issues when the parties cannot or will not agree.

Similarly, S4's mandate will be extended by NATO to ensure that implementation can continue to move ahead in a stable and secure environment. S4 has provided critical support to all these implementation efforts, and a precipitous withdrawal could well threaten all of this positive momentum.

We are working with NATO to develop benchmarks and criteria by which to measure the success and completion of S4's mission, and will conduct periodic reviews of progress designed to ensure that troop levels continue to reflect the threat on the ground.

As you can see, we have come a long way in Bosnia since last July. We cannot, therefore, allow the situation in Kosovo to unravel further, jeopardizing not only what we have accomplished in Bosnia, but the security of the entire region.

We are engaged in a vigorous diplomatic effort on the Kosovo issue to get the two sides to the table, and we will continue to up the pressure if Belgrade refuses to engage.

Thank you, Mr. Chairman.

[The prepared statement of Ambassador Gelbard follows:]

PREPARED STATEMENT OF ROBERT S. GELBARD

Mr. Chairman, it is a pleasure to have this opportunity to appear before the subcommittee again. A great deal of progress has been made in Bosnia since I appeared last July which I would like to outline briefly for you before I conclude my remarks today. We also now are faced with the outbreak of violence in Kosovo which has the potential, if allowed to spiral out of control, to threaten stability not just in the Federal Republic of Yugoslavia, but in the region as a whole. I will focus the bulk of my remarks this afternoon on developments in Kosovo and our bilateral and multi-lateral efforts to stop the violence and get dialogue on a political solution for Kosovo started. Our interests in achieving these goals quickly are based not only on our concern for the people of Kosovo, but on the impact on the surrounding regions and the need to ensure that our substantial investment in the Bosnian Peace Process is not threatened by renewed inter-ethnic violence in the Federal Republic of Yugoslavia (FRY).

Kosovo—Deteriorating Security Situation

We remain deeply concerned about the situation in Kosovo and the potential for further violence there. The escalating conflict threatens wider regional stability. Albania—which only recently returned from the brink of anarchy—and the Former Yugoslav Republic of Macedonia (FYR Macedonia) are particularly vulnerable. The United States and other members of the international community have made a significant investment in the stability of South-Central Europe. And, we are determined to see that these efforts succeed. Securing a political solution to the problem of Kosovo is a fundamental objective of U.S. policy toward the region.

Since the outbreak of serious violence in February, the level of tension, inter-ethnic hostility, and arms in the province of Kosovo have continued to rise. In late February, in retaliation for an ambush of Serb police by individuals believed to belong to the so-called "Kosovo Liberation Army," UCK-Albanian—an attack which left a number of police dead—ill-prepared, unprofessional Serb police retaliated immediately, attacking a village where the perpetrators were believed to live. They essentially went on a rampage, killing entire families in the Drenica region. Rather than attempt to locate and arrest the perpetrators of the ambush, Serb Special Police—paramilitaries—then were sent in to reinforce the local police with 20-millimeter cannon. The operation, supported by attack helicopters and heavy weapons, lasted for a day and resulted in the massacre of some 80 people, mostly non-combatants. Though the Serb and FRY Governments describe this as a "police action," no democratic country in the world would allow this kind of behavior by police to go unpunished.

Since that time, there has been no attack of the same scale, but the Belgrade government has tripled the number of special police—essentially paramilitary units—deployed to Kosovo and has recently deployed Yugoslav Army (VJ) infantry, armor and artillery units, in depth, on the borders and to key hot spots in the interior. This is a substantial escalation in light of the signal it sends: that Belgrade is prepared to use the full force of the military against its own citizens.

The deployments on the border with Albania are particularly troubling. We recognize the right of all nations to protect their borders. That said, it is hard to reconcile Belgrade's stated desire to prevent or stop cross-border smuggling of weapons—most of which is reportedly carried out by small groups of men through remote mountain passes—with the large-scale deployment of tanks and artillery to the border. This type of force is incompatible with the mission. Moreover, the Ministry of Foreign Affairs in Belgrade has issued a threatening public statement accusing the government of Albania of conspiring to undermine the territorial integrity of the Federal Republic of Yugoslavia.

We, along with our Contact Group partners, have made clear to Belgrade that we consider this a dangerous provocation, and warned the government in no uncertain

terms against staging any cross-border operations into Albania or FYR Macedonia. In response to Belgrade's use of excessive force, and the lack of movement toward unconditional dialogue, the U.N. Security Council adopted March 31, an arms embargo against the FRY, blocking planned arms purchases by Belgrade. This embargo also prohibits the sale or provision of weapons or training for groups engaged in terrorist activities. Responsibility for enforcement lies with neighboring states and arms-exporting countries. The United States opposes introduction of further weapons into the region, either to Belgrade or to extremist groups, as increased violence will only make it more difficult to bring about negotiations and a political solution to the already bitter dispute over Kosovo's status.

Even in the face of provocation, however, governments have a greater responsibility for ensuring that the rule of law is respected and the rights of its citizens protected than armed extremist groups. Belgrade's failure to uphold that responsibility has made Kosovo an international problem, and we and our allies have no intention of standing by and ignoring continued repression and escalation of violence into war.

Belgrade's Tactics Produce Increased Radicalization

Despite repeated warnings by the United States, our Contact Group partners, the European Union and many others, Belgrade so far has blocked unconditional dialogue. Instead, internal security forces have been reinforced in ways that compound the sense of intimidation and insecurity on the part of the local Kosovar Albanian community. The violent activities of the Kosovo Liberation Army have heightened insecurity among Serbs, and the heavy-handed Belgrade resort to force rather than dialogue is producing increased radicalization. This trend will only serve to weaken, and ultimately undermine, the moderate Kosovar Albanian leadership, led by Dr. Ibrahim Rugova—which traditionally has advocated non-violent, political solutions.

Meanwhile, the Kosovo Liberation Army—or the "UCK" as it is known in the region—has continued to carry out attacks against police and clearly is trying to arm itself and improve its capabilities. Belgrade's brutal tactics also have helped this formerly unknown group gain world-wide notoriety, and find an increasingly sympathetic audience in Kosovo, among the Albanian Diaspora in Europe and the United States, and among radical groups from Iran to Chechnya looking to make inroads into Europe.

I want to be very clear. Extremists on both sides are the only ones who will gain by a delay in getting dialogue started. The violence will increase, and the chances for finding a peaceful solution will slip away. The big losers will be the citizens of Kosovo and the FRY in general. Support for radicals will increase the likelihood for an even more violent crack down by Belgrade. Such a response will produce still further radicalization, and the "UCK" eventually will transform itself into a full-fledged insurgency. Those who argue "the worse, the better" are profoundly mistaken. Neither the Kosovar Albanians, the Serb people, nor the international community can afford another war in the Balkans. For that reason, the United States condemns the resort to violence by either side—Kosovar Albanian extremists or Serb paramilitary police—to seek to resolve the Kosovo question by force.

Urgent Need for Dialogue

We continue to believe that the problems of the region can only be resolved through unconditional dialogue. Together with our Contact Group partners, the European Union and others, the United States has taken steps to increase the pressure on Belgrade to engage the Kosovar Albanian leadership in negotiations. Starting with the Contact Group Ministerial March 9, in London, the U.S. has led international action to impose new punitive measures against Belgrade, already under the outer wall of sanctions, as a means of creating greater pressure on the FRY government to negotiate. These sanctions—which included a ban on government financing for investment or privatization, a financial asset freeze, denial of visas for government officials responsible for the violence as well as the arms embargo—are aimed to move Belgrade in the right direction by denying the FRY and Serbian governments badly-needed infusions of foreign capital which have been keeping the economy afloat. If Belgrade continues to block negotiations, as agreed at Rome, Contact Group countries other than Russia will take action to ban all new investment in Serbia.

No Support for Independence

The position of the United States has not changed. We oppose independence for Kosovo. Further atomization will not contribute to regional peace and security. Neither can we accept a continuation of the status quo. The Kosovar Albanians are denied the basic human rights and political freedoms that are the foundation of a stable democracy. Between these two extremes, however, we believe there are wide range of possibilities which can only be developed and articulated through dialogue.

We firmly support an enhanced status for Kosovo within the FRY that would provide for meaningful self-administration. How this is done is for the parties to decide.

In all of the repeated calls for dialogue, the international community has made clear that it is not seeking to impose any particular outcome in negotiations. The future of Kosovo is for the parties themselves to determine. Neither side should be asked to abandon their positions in advance of talks.

Although the ultimate responsibility for improving the situation in Kosovo lies with authorities in Belgrade and the leadership of the Kosovar Albanian community, there is a significant role for the international community to play as well. The gap between the two sides is both wide and deep. The trail is littered with shattered promises and broken commitments. In Rome, April 29, the United States and the other Contact Group countries urged the two sides to adopt a framework for dialogue, and endorsed a stabilization package that we believe could help jump-start negotiations if the parties agree to participate.

The framework we have proposed is based on fundamental principles that the parties must accept, including the rejection of violence as a tool for achieving political goals, and international involvement in talks to overcome mistrust and ensure realistic prospects for success. The stabilization package—a series of measures and steps designed to reduce tensions and build confidence between the two sides—must include, at a minimum, the return of the OSCE missions of long duration to the FRY, including in Kosovo, the cessation of repression by the authorities in Belgrade, and a strong condemnation of violence and terrorism by the Kosovar Albanian leadership. If President Milosevic begins this process, we are prepared to work closely with him to begin the process of reintegrating the FRY into international organizations and institutions. The agreement to begin talking—and concrete progress on key stabilization measures—are the only clear evidence we can accept that Belgrade is serious about reaching a political outcome.

Authorities in Belgrade, particularly President Milosevic, must understand that there is no alternative to negotiations. The FRY remains isolated from the international community—it is not a member of any international organization, it does not have access to international financial institutions, and it does not have normal relations with the United States. As a result of this isolation, and of extremely bad economic policies, the Serbian economy is in rapid decline. The Dinar has been devalued, GDP has fallen precipitously, and the FRY's international balance of payment debt has skyrocketed.

The FRY's status—and unfortunately the economic woes of the Serbian people—will not change until Belgrade has made significant progress in addressing the legitimate grievances of the Kosovar Albanian community. The situation in Kosovo is a central element of the Outer Wall of sanctions against the FRY. In addition, the economic measures adopted by the international community in response to the latest outrages in Kosovo will only increase the pressure on this very troubled economy.

I should note here that we have been careful to exempt Montenegro from these new restrictions. The election of the reform-minded Milo Djukanovic as president of Montenegro is one of the most encouraging developments in the FRY. President Djukanovic—who was recently in the United States on a very successful visit to Washington and New York—is committed to democratic and economic reforms that could serve as a model for the FRY. President Djukanovic currently faces extreme political pressure from President Milosevic's government, however, to fall in line with Belgrade's policies.

Elsewhere within the FRY and the region, Belgrade has adopted a hard, nationalist line. The recent alliance between President Milosevic's party and the ultra-nationalist radical Vojislav Seselj within Serbia has already produced increased intimidation of independent media.

At the same time, in contrast to his earlier support for moderates in Republika Srpska, President Milosevic has made moves in recent weeks to undermine the Republika Srpska Government led by Milorad Dodik—a blatant attempt, in our view, to distract the international community from the Kosovo situation.

We and our allies have made extremely clear, through words and actions, that the situation in Kosovo must be resolved and that meddling in Bosnia is unacceptable. We are determined not just to maintain the substantial progress made in Bosnia, but to expand on it, particularly within the Federation, where progress is lagging. We also will hold Croatia to its obligations, including for return of refugees and displaced persons.

Bosnia—A Good News Story

Now for the Good News: Bosnia. If anyone had told me last July that I would be able to say that in less than a year, I would not have believed it. But we continue to see good progress on Dayton Peace implementation in Bosnia.

The election of Prime Minister Dodik in the Republika Srpska (RS) and the more active use of the High Representative's powers are paying dividends. Recently, there have been a number of breakthroughs. These include:

- Freedom of movement has dramatically expanded—individual Bosnians can and do routinely travel between the entities, the new non-descript common license plates that are currently being issued will further this trend.
- RS Prime Minister Dodik and Federation Prime Minister Bicačić recently signed an agreement to reintegrate Bosnia's rail system—a step which will bring substantial benefits to the Bosnian economy.
- The Bosnian economy continues to recover and grow, especially in the Federation and given the political changes in the Republika Srpska, its economy will now also begin to recover.
- Both Entities and the Central Government have met the requirements for an IMF standby loan, as well as a World Bank Structural Adjustment Loan. These eventually will amount to over \$100 million dollars in assistance to Bosnia and Herzegovina, which will spur necessary economic reform and economic growth. Most importantly, it is the first step to reintegrate Bosnia into the international financial markets.
- We also continue to make progress on bringing war crimes indictees to justice. Since the beginning of the year 5 indictees have voluntarily surrendered and 3 have been captured by SFOR. This brings the total indictees brought to justice to 33, about 40 percent of the known indictees, including a number on the Hague Tribunal's most wanted list.

As I said, Milosevic is putting pressure on Dodik, specifically to bring in hardline radicals and members of Karadžić's party into his government, to form a nationalist, all-Serb coalition. So far, Dodik has resisted.

Our response is to continue to support legitimate, freely-elected leaders like Dodik and RS President Plavšić and help them maintain independence from Belgrade. The assistance that the international community has provided for Plavšić and Prime Minister Dodik has created political space to follow pragmatic, pro-Dayton policies. For instance, Dodik recently de-linked the RS from the FRY Dinar, insulating the RS from further economic decline and devaluation in the FRY. This action has the concomitant effect of strengthening local support for the new Bosnian currency, and economic maturity.

Progress in the RS highlights some of the shortcomings on Dayton implementation in the Federation. The Bosniak leaders have been to hesitant to genuinely share power and there continues to exist a strong hardline faction within the Bosnian Croats who oppose reintegration and actively undercut joint institutions. Over the past several months the international community has increasingly turned its attention to the Federation. There is a consensus behind strong action by the High Representatives against obstructionists. A recent meeting of the Federation Forum (under the guidance of the United States and the Office of the High Representative) agreed on a process for dismantling the illegal war-time shadow institutions and fostering the reintegration of the divided city of Mostar.

Dayton Implementation: Next Steps

I am leaving tonight for the annual Bosnia Donors' Conference in Brussels. We expect new pledges of \$1.1 billion for continuing the economic restructuring and reform of Bosnia. The U.S. will pledge \$250 million in additional assistance for a whole range of economic, democratization and police reform programs, among others. Despite all that we have accomplished in Bosnia, there continues to be a strong need for donor assistance. We have made a tremendous amount of progress in Bosnia, but the gains we have made these past two years are unfortunately still reversible. To disengage prematurely either militarily or economically would jeopardize our substantial investment in peace and stability in Bosnia and the region. It is critical that Bosnia begin to stand on its own as quickly as possible, and we have developed criteria and benchmarks for a self-sustaining Bosnian economy which include elements common to the other transitional economies of Central Europe, plus a heavy focus on reconstruction required by Bosnia's unique war-time destruction.

On the refugee return front, we expect a major acceleration of minority returns this year. We are working with SFOR, the UN International Police Task Force, the UN High Commissioner for Refugees, and OHR, to foster better planning to prevent the type of violence we saw in Drvar and Derвента. Perhaps most importantly, national elections will be conducted in Bosnia September 12–13 for virtually all elected

officials at the National and Entity levels. These elections provide the best opportunity to promote pluralism in Bosnia and help bring new leaders to power. We are working actively toward that goal—through support for independent media, opposition parties, and grassroots NGOs. It is clear that many of Bosnia's current leaders are not working effectively in the interests of the Bosnian people—they remain entrenched, too focused on the past and on personal power to make the compromises necessary to achieve a lasting peace.

While much progress has been made, there is still a great deal of work ahead of us to ensure the gains are consolidated. The international community—in the form of the Peace Implementation Council (PIC) and NATO—will effectively set the agenda for the next year in a series of meetings in May and June. The PIC Steering Board Ministers—representing all of the major donors to Bosnia—will meet in early June, to review implementation progress this year and set agenda for remainder of 1998. We will continue to support the active use of the High Representative's authority to impose decisions on key issues when the parties can't or won't agree.

Similarly, SFOR's mandate will be extended by NATO to ensure that implementation can continue to move forward in a stable and secure environment. SFOR has provided critical support to all of these implementation efforts and a precipitous withdrawal could well threaten all of this positive momentum. We are working with NATO to develop benchmarks and criteria by which to measure the success and completion of SFOR's mission, and will conduct six-month reviews of progress. This type of dynamic review process was designed to ensure that troop levels and composition continue to reflect the threat on the ground, and that they can be reduced over time as progress is made.

As you can see, we have come a long way since last July. We cannot allow the situation to unravel further, or to threaten what we have accomplished in Bosnia. We are engaged in a vigorous diplomatic effort on the Kosovo issue to get the two sides to the table, and we will continue to up the pressure if Belgrade refuses to engage.

Thank you.

Senator SMITH. Thank you, Mr. Ambassador. I have a statement provided to the subcommittee from Senator Robert Dole, former Majority Leader. If there is no objection, I will include it in the record.

[The prepared statement of Senator Dole follows:]

PREPARED STATEMENT OF SENATOR BOB DOLE

Mr. Chairman:

I am sorry that I cannot be with you today to discuss the most pressing crisis in Europe today: the dangerous escalation of violence in Kosova. However, I hope that you will be able to consider the following observations during your deliberations on this grave matter.

First, I must say that I cannot help but feel a strong sense of *deja-vu* at this moment. Nine years ago, Slobodan Milosovic in a bid to increase his power and authority, whipped up nationalist sentiments among Serbs and placed Kosova under martial law. Soon after, Slobodan Milosevic began orchestrating violent attacks in Croatia which were followed by war against Slovenia, Croatia and Bosnia-Herzegovina. As the crisis was developing into a full-blown conflict, there was a great deal of talk among diplomats and leaders about how the situation should be "contained." However, all this talk was not matched by action, and the consequences speak for themselves: a quarter of a million people dead, two and a half million displaced, and a fragile peace secured by a multi-billion dollar peacekeeping effort. As Chairman of the International Commission on Missing Persons, I have seen the horrors of war in Bosnia and Croatia up close. There are still at least 20,000 persons registered as missing—most of whom will be found in mass graves which are in the process of being exhumed. I recently returned from Bosnia where I visited mass graves with the remains of men, women and children.

And so today, I am once again gravely concerned that while Western policy makers discuss the dangers of a new war in the Balkans, that war is already beginning. In recent weeks, President Slobodan Milosevic has dispatched thousands of troops to Kosova, where they have literally dug in to continue their terror campaign against the region's ethnic Albanian population. Just this weekend, more civilians, including women and children, were killed in attacks led by Serbian forces.

This is disturbing not only on its face, but also in that it provides demonstrable proof of the woeful inadequacy of the Contact Group's response to the crisis. In recent weeks, the Group has met three times to discuss Kosova, but it has yet to for-

mulate a policy that will deter Milosevic in achieving his goals for the region. Yes, the Group agreed to immediately freeze Yugoslav assets and international investments in the near future, but that does not constitute a policy. Moreover, the demands made of Milosevic fall far short, namely his acceptance of international mediation. At the very minimum, the United States and the West must demand that the ethnic Albanians be provided full civil and human rights, and the ability to rule themselves—ideally in accordance with international law and as a full republic.

Mr. Chairman, the developments in Kosova should come as no surprise. When the international community had the opportunity to try to resolve the unacceptable status of this ethnic Albanian majority entity, it did not. Before Dayton, during Dayton and after Dayton, American and European leaders refused to come to grips with this problem. As a result, the situation was not resolved—only deferred.

Let us be clear, Milosevic's goals have not changed. He intends to achieve in Kosova precisely what he has achieved in Kosova. He seeks absolute control, and he intends to purge at least part of the land of its non-Serb population. The two million ethnic Albanians in Kosova understand this. They have lived under police-state conditions for a decade. Now they are in mortal fear that Milosevic's final onslaught has begun. Without Western support, they will have no choice but to defend themselves. Indeed, we should not be shocked that support for the terrorist group KLA is increasing among this vulnerable population.

In my view, the United States must lead the European powers to support a credible threat of force. Warnings, asset-freezes, and other punitive economic measures are steps in the right direction—but as we saw in Bosnia, they are clearly not enough to stop Milosevic and his military and police.

Under Presidents Bush and Clinton, the United States issued the so-called "Christmas warning" which reflected a clear understanding that the credible threat of force may be necessary to prevent the escalation of a conflict in Kosova to a wider war involving neighboring countries in the region.

Rather than retreating, this "Christmas warning" should be reiterated immediately and publicly by President Clinton himself and our allies should articulate publicly their support. Of course, this will require our allies to take a longer term view and set aside their short term business aspirations. Leaders in France, Britain, Germany, in particular, will need to recognize that time and time again over the past eight years, Milosevic has demonstrated that he respects only one thing: force.

Let us not fool ourselves negotiations not backed by the credible use of force will not produce anything but more empty promises. The Dayton settlement would never have been possible had the U.S. Congress not voted overwhelmingly to lift the U.S. arms embargo and had the Clinton administration not followed with NATO air strikes. Indeed, perhaps a better and more comprehensive settlement would have been achieved had NATO's air strikes been more decisive.

Strong U.S. leadership and resolute Western action are the only answer to this crisis. The horrors of Bosnia provide an indelible indication of what is in store for Kosova—and us in the West—if we fail to act now. Politically, economically and morally, we cannot afford to fail.

Senator SMITH. Mr. Ambassador, before we hear from Senator Biden, I must ask you, is there a Christmas warning that is a policy of this Government, and are there any steps being taken to implement that warning?

Ambassador GELBARD. The United States continues to work on all possible options that are available regarding our desire to find a peaceful solution in Kosovo. All options are on the table and available. We have not ruled anything out. President Milosevic is well aware of that.

Senator SMITH. It seems to me history shows Mr. Milosevic will respond to force, and that force used early may well prevent a great deal of difficulty later, as we have learned in Bosnia. I just wonder if perhaps we ought to be more visible with preparations backing up a Christmas warning.

Ambassador GELBARD. Well, first, President Milosevic and his Government I think are very well aware of U.S. Government policy overall on all these issues and, as I said, we continue to be prepared to exercise every avenue possible to try to find a way to get a peaceful solution.

I fully agree with what you said in your opening statement, Mr. Chairman, about the way this appalling situation has escalated. In my frequent visits to Belgrade and to Preshyna over the last several months I have been trying and representatives of other Governments have been trying to make every effort to bring the two sides together. We are continuing to do so, and we continue to try to find every way possible to get this to happen.

There are some sensitive aspects to U.S. policy, and I would be happy to talk with you and other Members of the Senate privately about some of these.

Senator SMITH. I appreciate that. It is not U.S. policy to support the creation of a Kosovo State, opening up many boundary issues all around, I suppose, if we were to do so, but are there some conditions where, if this gets out of control and there is territory occupied, at what point would we be prepared to recognize Kosovo as a State?

Ambassador GELBARD. As I said in my statement, Mr. Chairman, we feel that independence should not be an option. There has been too much fragmentation already. We worry about further fragmentation that could occur if this were to happen, and based on the fundamental principles of the U.N. Charter, the OSCE Charter, and other documents, we accept and support the territorial integrity of Yugoslavia.

We also expect Yugoslavia to support the territorial integrity of their neighbors, including the former Yugoslav Republic of Macedonia and Albania.

What we feel has to be accomplished is, with real urgency, the two sides have to drop any kind of preconditions, and they have to be in a position where there are no conditions for dialog.

Obviously, in terms of any talks, they are free to state any positions they have and, of course, Belgrade has stated repeatedly that they feel a solution has to be inside of Serbia. Dr. Rugova has said it has to be—he is talking about independence. That is part of a negotiation.

We do not have a position as to a final outcome, except to say, as I mentioned in my statement, that we do not support the status quo, and we do not support independence, and I cannot envision accepting the idea of independence either.

Now, what is truly worrisome are the increasing stories we are hearing that what Belgrade may have in mind is the idea of partition of Kosovo. That is something we would oppose too. That has a ring of ethnic cleansing to it, and this goes back to a story that came up in the late eighties, when the Yugoslav Academy of Sciences did a study in which they proposed such an outcome, and there are increasingly people, both in Yugoslavia and outside Yugoslavia who talk about this as something that Belgrade has in mind. I think that would prove to be an absolute disaster.

Senator SMITH. Thank you, Mr. Ambassador. I would invite you to talk with me privately, Senator Biden I am sure would also appreciate it, privately if necessary, as to whether or not there is a Christmas warning, if it is in effect, the policy of this Government, and what we are going to do about it. Senator Biden.

Senator BIDEN. Thank you very much. It is good to see you here. I think the last time I saw you we were in Bosnia together, and you have done a great job, you really have.

I was saying to the chairman, it is ironic that a witness would spend more time talking about Bosnia than this subject, because Bosnia is easier to deal with now than the other subject. That is progress.

I want you to understand—and I am being a bit facetious, but it is interesting that in a bizarre way, that what are in my view part of Milosevic's tactic and strategy relates to the success we are having in Bosnia, but that is another question.

Let me speak to Bosnia for a second, then get to Kosovo.

You have personally, and the administration has generally, and I have specifically been pushing in every way we could in Bosnia to give nonnationalists of any stripe or denomination an equal chance of footing and opportunity to participate in the social and political and cultural life of a country still one entity, although it is divided into the Republic of Srpska and the Federation.

I read with interest and some dismay—and I know this is not totally your all, by any stretch of the imagination—RFERL May 6 broadcast today, “A spokesman for the OSCE, which is supervising the September general elections, said in Syria that only the new parliament will be able to change the rules for the election of the three-member joint presidency, RFERL South Slavic Service reported.

“Several NGO's and representatives of nonnationalist parties have suggested that the OSCE change the rules now so that each of the three is elected at large, and not just by one ethnic constituency. Recent polls suggest that such changes would sweep the current three members of the presidency from office and replace them with nonnationalists.”

Why is that not a good idea?

Ambassador GELBARD. I actually think it is a very good idea. We have, of course, striven to try to support multiparty democracy inside Bosnia between the entities inside the entities. The great irony right now, as you know, Senator, is that in the Republika Srpska we have a multiethnic coalition that is governing, led by Prime Minister Dodik.

When I last met with him in Banjaluka, in fact, in the face of the threats that they have been receiving to try, as I mentioned in my statement, because of Belgrade's pressure to reform his coalition into what they call a Government of Serb unity, he has maintained firmness, and he has a significant group of Bosniak members of his coalition as well as Croats.

We are continuing, through NGO's, particularly the National Democratic Institute, to help train political parties, and I have got to say, of course, Prime Minister Dodik's party was one of the ones, as well as President Plavsic's party, that have received campaign help, and we are going to continue to do that among all the various groups.

One of the really interesting pieces of good news I have seen is that there are multiethnic coalitions coalescing now in the Federation as well as in Republika Srpska leading toward the September election. We want to support that, and I have been very pleased

that High Representative Westendorp has been actively supporting this, too.

Senator BIDEN. Well, that is a great answer, but a nonanswer.

Ambassador GELBARD. I was going to get to that.

Senator BIDEN. I agree with everything you said, but—

Ambassador GELBARD. Obviously, because this is today's news, I have not seen this, but I will be in Brussels tomorrow. I am sure the OSCE people will be there. I am going to be seeing Carlos Westendorp, and this is a subject I would like to raise with him.

Senator BIDEN. I guess the question I have, Mr. Ambassador, I do not expect you to answer it now, but maybe you can answer it for the record, and that is, is there a legal impediment to having at-large elections rather than the way they are now slated for the presidency?

There is, and I see your staff shaking his head there is.

Ambassador GELBARD. Yes. As I thought, it is in Dayton they would be elected that way, and I think it is built into the constitution of Bosnia-Herzegovina, so it would, I think, require some kinds of significant parliamentary reaction, but what I will do is research this and get you an answer for the record.

Senator BIDEN. Maybe your staff behind you, who seems to know the answer, can before he leaves come up and tell me, and I am not being facetious, because I am not sure. I do not know the answer to the question. I should know it. I do not know the answer to the question.

But if there is any way, it would seem to me what an incredible positive signal it would send if the polling data is correct, that the body politic, including all—including Bosniaks, Croats, Serbs, all, a majority believed that, and that is a question I do not know the answer to. I am just reading you this one clip from the radio broadcast.

It seems to me that would be certainly very strong evidence that your evidence are taking some root here if that was a consensus view of the citizens of Bosnia-Herzegovina. I do not know that it is. All I am reading you is this. So I would like to at some point return to that. I mean, after the hearing, return to that issue with you all, if I may.

You also said that it is the administration's position that we are opposed to an independent Kosovo, yet you indicated that the idea of everything being on the table, including independence—and I assume that's what it means—in upcoming negotiations, in any negotiations, was basically a good thing. Is that correct?

Ambassador GELBARD. Well, I think that is the essence of any negotiation, but what there cannot be—what there has been so far on the part of Belgrade has been preconditions established before they are willing to sit down at the table. Once people sit down at the table, obviously they can argue any position they want, but we cannot accept, we reject totally the idea that there would be any preconditions on either side before they sit down and start negotiating.

Senator BIDEN. We are about to hear from a very distinguished former Congressperson, and a person who is at his present status is a spokesperson for Albanians in the diaspora, Albanian-Ameri-

cans here, ostensibly others as well, and one of the things that I am going to ask him is what I would like to ask you now.

There is a letter I received, and it asserts the following: The national question, which calls for the liberation of occupied Albanian lands, national identity, and self-determination. Now, that sounds to me like a Greater Albania. If we start off with this as an assertion, that these are occupied Albanian lands, I am not sure where all this goes. Actually, I am fairly sure where it all goes.

But have you had much contact, or has the administration had much contact with Albanians in Kosovo in terms of a sense of what their agenda is?

Now, obviously, I take no back seat to anyone in terms of my speaking out and calling for the use of force against the atrocities of Milosevic. I have said to his face and I say again I think he is a war criminal. I have not the slightest bit of empathy, sympathy, or any positive—I see no social redeeming value to the man, and that is me, and I make no bones about it.

But—but, I think Kosovo is a very different circumstance than Bosnia, very different circumstance, and so one of the things that I would like to know is, what is your assessment of the size, the capabilities, the resources, the organization of the UCK, and does the administration view it as the legitimate political bargaining unit, or does it view it as a terrorist organization, or what do you think of its political leaders?

Do we have a formal position relative to—as opposed to—as opposed to the Democratic League for Kosovo?

Ambassador GELBARD. First, we do not accept the idea of Greater Albania. We respect the territorial integrity, as I said earlier, of Yugoslavia, just as we do Albania and Macedonia.

The elected leaders of Albania have said that they oppose independence for Kosovo, too, and they support the territorial integrity of Yugoslavia.

We work with Dr. Ibrahim Rugova, with other democratically oriented Kosovar Albanian leaders, we have a wide range of contacts, including me, with people in Kosovo. I go there frequently. We have an embassy presence there through a USIA cultural center, and have had for quite some time, and there are people from the embassy who visit Pristina and other parts of Kosovo constantly, and I mean constantly.

We feel that Dr. Rugova, as the person who has been elected by about 85 percent of the Kosovar Albanian population, is the legitimate representative of the Kosovar Albanian people. He has put together an advisory group of 15 people who represent a wide range of opinion. They do not necessarily—first they are not all part of his party and, second, they do not necessarily share his ideological beliefs, but they represent a good, strong cross-section of views within Kosovo.

From that, he has formed a negotiating team which he says are prepared to negotiate with a team that President Milosevic designates.

Senator BIDEN. Is the UCK represented on that negotiating team?

Ambassador GELBARD. Not that I am aware of, unless there are people who have affiliations other than those which I believe they have.

Senator BIDEN. To state the obvious, I mean, it is fairly transparent, my concern here, and that is, is the good doctor able, does he have the legitimacy—

Ambassador GELBARD. Well, he does—

Senator BIDEN.[continuing]. to negotiate or is this Kosovo Liberation Army, has that essentially usurped—

Ambassador GELBARD. Senator, what has happened is, this group, which was very small and had a very small base of support, has now achieved significantly greater status within Kosovo and worldwide because the Yugoslav Government has handled this in the worst way imaginable.

Everything we know about counterinsurgency theory, doctrine, policy, goes 180 degrees in the opposite direction from the way they have been handling this, whether it is militarily, politically economically, socially. The Government has played right into the hands of the UCK, and I have to wonder, in my pessimistic moods, whether there is some kind of intrinsic alliance between the two sides of wanting to polarize the situation and wanting to weaken the moderate leadership of Dr. Rugova and others inside Kosovo.

But as a result of what has happened, particularly since February, I do believe that the UCK has received dramatically greater support both inside Kosovo and outside. We have seen a huge increase, in terms of people, weapons, and money flowing in, and the problem now is to create circumstances where we can have a serious, legitimate negotiation between the two sides to try to resolve this with urgency to achieve a serious political result.

Senator BIDEN. Well, I, speaking only for myself—the chairman may have a different view. We have not discussed this. But as one who you know probably was the most consistent voice the last 5 years for us to intervene in Bosnia, I want to say to anybody who is listening if the UCK thinks that the move for independence is likely to find support here in the Congress I think they are making a tragic mistake, a tragic mistake.

I may be wrong, but I think that to reinforce the point you made, that it seems like this is an unholy alliance to enhance the prospect that we do not do anything, that they cannot gain a consensus here in the Congress to support the administration efforts, because nobody I know of is talking about the independence of Kosovo as a separate entity, as part of a Greater Albania, and I just think that—again, I speak only for myself, but I think there is going to be a tragic strategic and tactical miscalculation to think that there would be any help.

The one thing that is likely to allow those who do not even want to be involved anywhere in the Balkans to be able to say that this is a civil war of independence, and you will find everybody walk away here—I think. I could be dead wrong.

Ambassador GELBARD. If I could just add a point to that, we also worry about the imitation effect this would have in Macedonia, too.

Senator BIDEN. That is why everyone would walk away.

Ambassador GELBARD. Twenty-three percent of the population in the former Yugoslav Republic of Macedonia are also ethnic Alba-

nians, and there are some, including in the United States, who envision the idea of cutting off part of Macedonia along with Kosovo to create this kind of new country.

This is a recipe for real regional instability.

Senator BIDEN. Woodrow Wilson is dead, and his idea was not so hot in the first place.

I just think—I really get a sinking sense, as this goes on, that the more people like me and the chairman and you and the President and others who speak up about the atrocities that are being waged by Milosevic in Belgrade, the more we may be—and there is no alternative but to speak out against that, so I am not suggesting that be silenced.

But I think some people are reading the wrong message from that, that that means that we believe that there should be an independent State of Kosovo, or some changed statutes as it relates to sovereignty within Yugoslavia, and it seems to—I just hope that message is not one that—I think it would be a misreading of our revulsion of Milosevic and his policies to conclude that those of us, speaking again for me, that I think that means there should be an independent State of Kosovo.

I do think autonomy—I do think the status, predisintegration of the greater Yugoslavia, is important, and I do think we should participate in providing a fora, or at least indirectly through the Contact Group of bringing about a change in the behavior on the part of Belgrade, but I again suggest the one thing that will probably curtail any consensus on that effort would be if, in fact, the statement that I read was viewed as the policy, a national question which calls for the liberation of occupied Albanian lands, national identity, and self-determination.

I do not have any further questions.

Senator SMITH. Thank you, Senator Biden.

Mr. Ambassador, Senator D'Amato of New York had hoped to be with us to ask you a few questions. He is tied up in another hearing, but if there is no objection I will leave the record open and he will submit to you some written questions.

Mr. Ambassador, we thank you. We appreciate your time and your work, and we will now call up our second panel. We recognize James Hooper with the Balkan Institute, John Fox with the Open Society Institute, and former Congressman Joseph DioGuardi with the Albanian-American Civic League.

We would ask each witness to limit their opening statement to 5 or 10 minutes to allow time for questions.

We welcome our second panel, and if the room can come to order, let's begin with Mr. Hooper. Sir, we thank you for coming and invite your statement.

STATEMENT OF JAMES R. HOOPER, DIRECTOR, THE BALKAN INSTITUTE, WASHINGTON, DC

Mr. HOOPER. Senator, thank you very much. I appreciate the invitation. I am very glad to be here.

The Serbian crackdown in Kosovo presents the United States with a Bosnia-like situation. Remain on the sidelines and watch ethnic cleansing unfold, or muster the political will to intervene early and forcefully to prevent escalation, genocide, and spillover to

neighboring States that will destroy NATO's credibility and upset the Dayton Peace Accords.

The level of political courage in Washington will determine the level of slaughter in the Balkans. Serbian strong man Slobodan Milosevic's troops have been attacking villages since late February in defiance of the Christmas warning. The credibility of the Christmas warning conveyed to Milosevic from President Bush in December 1992 and renewed in 1993 by then-Secretary of State Warren Christopher on behalf of the Clinton administration has eroded.

That very specific threat of force helped keep the peace in Kosovo for over 5 years, but Milosevic in February crossed the line that Bush and Clinton had drawn with impunity, if not with our blessing.

A resolute U.S. policy has given a de facto green light that Milosevic has exploited with predictable effectiveness. The only thing that will stop him now is a credible threat of force by the President of the United States.

Could President Clinton mobilize Congress, the American public, and the allies to support a tough conflict prevention strategy in Kosovo? Milosevic is betting that the President will not try and has calculated that in any case he would not succeed. Once again, Serbia confronts Washington with a defining moment in the Balkans.

At stake is the belief in American power, purpose, and resolve to deal with the toughest postwar security problems in Europe, preventing genocidal conflict and spillover of local disputes into broader regional war, sustaining the credibility of NATO, and ensuring the continued implementation of the Dayton peace agreement in Bosnia.

Clinton blamed Bush for inheriting Bosnia. You cannot blame Bush for Kosovo. Clinton administration officials conveniently suggested during the Bosnia conflict that crises are best nipped in the bud. In Kosovo, this is the bud. Confronting a population ratio of 9 to 1 in the Kosovar Albanians' favor, Milosevic has only two choices for altering the balance: Ethnic cleansing, and/or partition.

The intensity of the conflict is escalating rapidly. Small-scale ethnic cleansing, begun on President Bill Clinton's watch, also threatens to expand in the coming weeks. We will not have long to wait to determine whether nip-in-the-bud represents policy conviction or the basis for a new genocide apology.

The administration's crisis approach represents four points of a political compass, rhetoric, economic sanctions, diplomacy, and wishful thinking. Navigating with this compass will steer the U.S. toward inevitable military involvement in a Balkan-wide conflict after it becomes too late to prevent conflict, and when our forces will have to shoot their way in rather than deploy peacefully.

The consequences of a policy whose purpose is the avoidance of risk, engagement, and responsibility, rather than the deterrence of war, will be significantly greater risks, violent engagements, and burdensome responsibilities for resolving Kosovo, repairing NATO, and resuscitating Dayton.

A forceful strategy, as outlined in the following proposals, will be needed to prevent conflict in Kosovo. The administration should:

First, renew the Christmas warning threatening Milosevic with military intervention if he continues to crack down in Kosovo.

Second, restore the credibility of the Christmas warning by disbanding the ineffective Contact Group and shifting the venue for U.S. leadership and actio to NATO. NATO engagement is critical.

Third, establish a NATO no-fly zone over Kosovo as an immediate down-payment on a conflict prevention strategy.

Fourth, deploy a NATO observer mission to Kosovo. This will relieve tensions there, undercut growing support for the Kosovo Liberation Army, and provide justification for Kosovo Albanians to engage in serious negotiations with Belgrade.

Fifth, link the NATO observer mission to NATO mandates to take over the U.N. preventive deployment force in Macedonia and establish a similar force in Albania.

Sixth, request that the War Crimes Tribunal in The Hague send the prosecutor immediately to Kosovo and Belgrade to stress that the tribunal will hold Serbian officials, beginning this time at the top, accountable for crimes against humanity committed in Kosovo.

To show we mean business, NATO should apprehend indicted Bosnian Serb war criminal Radovan Karadzic immediately. The U.S. should also publicly call upon the tribunal to begin preparing an indictment of Milosevic for crimes against humanity in Bosnia.

Seventh, appoint a special envoy of recognized public stature with responsibility only for Kosovo. This will reduce Milosevic's incentive to trade off cooperation in Bosnia for freedom of action in Kosovo and will give our diplomacy more leverage.

Eighth, launch a major and sustained initiative to buildup Serbia's democratic forces, to establish democracy and civic society in Serbia. The root cause of our problems in the Balkans is the U.S. failure over the past decade to advance democracy in Serbia. It is time to make clear to everyone that Milosevic is the troublemaker, not the peacemaker of the Balkans, and so long as he is in power, the U.S. will be forced to repeatedly confront him.

The conflict prevention proposals outlined above impose considerable burdens on policymakers for ideas and implementation, the Congress for support of the risks involved, and especially on the President for leadership.

Better such risks and burdens in preventing conflict than dealing with the consequences of an action and an American political debate over who lost NATO.

Thank you very much.

[The prepared statement of Mr. Hooper follows:]

PREPARED STATEMENT OF JAMES R. HOOPER

The Serbian crack down in Kosovo presents the United States with a Bosnia-like situation: Remain on the sidelines and watch ethnic cleansing unfold. Or, muster the political will to intervene early and forcefully to prevent escalation, genocide and spill over to neighboring states that will destroy NATO's credibility and upset the Dayton peace accords.

The level of political courage in Washington will determine the level of slaughter in the Balkans. Serbian strong man Slobodan Milosevic's troops have been attacking villages since late February, in defiance of the Christmas warning. The credibility of the Christmas warning—conveyed to Milosevic from President Bush in December 1992 and renewed in 1993 by then-Secretary of State Christopher on behalf of the Clinton administration—has eroded. That very specific threat of force helped keep the peace in Kosovo for over five years. But Milosevic in February crossed the line that Bush and Clinton had drawn, with impunity, if not our blessing. Irresolute U.S. policy has given a *de facto* green light that Milosevic has exploited with predictable

effectiveness. The only thing that will stop him now is a credible threat of force by the President of the United States.

Could President Clinton mobilize Congress, the American public and the allies to support a tough conflict prevention strategy in Kosovo? Milosevic is betting that the president will not try, and has calculated that in any case he would not succeed once again, Serbia confronts Washington with a defining moment in the Balkans.

U.S. Stakes in Kosovo

The stakes for the U.S. in this escalating crisis are self-evident and compelling. First, the credibility of an enlarging NATO is at risk. Ethnic cleansing in Kosovo and an expanding war in the Balkans will undermine the viability of the alliance just as surely as did U.S. inaction in Bosnia. Failure by the U.S. and its allies to prevent genocidal conflict in Kosovo will hollow out the alliance. The inevitable spill over of large-scale violence across the borders of neighboring states will shift NATO's focus to messy conflict containment, as Albania—no matter the wishes of its weak government—is drawn into the fighting. Macedonia's delicate internal political balance will be disrupted with harmful regional consequences. Greece will find itself preoccupied with anticipating Turkey's response to the war. The policy risks of forceful U.S. conflict prevention pale in contrast to the burdens and dangers posed by battlefield "facts" being created by Belgrade.

Second, it is wishful thinking to expect that the Dayton peace accords will somehow remain unaffected by the dynamic of conflict set in motion in Kosovo. If NATO fails to stay Milosevic's hand in Kosovo, he will be emboldened to up the ante in Bosnia. Tenuous reforms promoted by some Bosnian Serbs will immediately be jeopardized. If escalation in Kosovo occurs in conjunction with the September Bosnian elections, we can look forward to an electoral campaign that lights up the Balkan skyline with the fireworks of ultranationalist politicking.

Third, genocidal conflict in Kosovo will likely reinforce the trend toward greater tolerance of intolerance that we see occurring throughout much of Europe. Growing extreme nationalist and neo-fascist political movements are steadily increasing their support, moving from the margins toward the political mainstream and becoming an increasingly worrisome minority in eastern Germany, France, Italy, Austria, Denmark, and some of the former communist states of East Central Europe. In Russia they have already entered the mainstream. This will increase the temptation for democratic political parties and governments to compromise with the anti-pluralist and anti-democratic agendas of the extreme nationalists, many of whom openly identify with Milosevic's policies and values.

Fourth, Kosovo is a challenge to U.S. leadership and resolve. The Kosovo crisis tests the belief in American power, purpose and resolve to deal with the toughest post-Cold War security problems in Europe. Regrettably, until now the purpose of U.S. policy in Kosovo has been to avoid risk, forceful engagement and responsibility for the outcome. The United States needs to stop dithering and follow a conflict prevention strategy that will deter conflict.

Background to the Crisis

The Serbs regard the province of Kosovo as the touchstone of their national identity. But 90 percent of Kosovo's neatly two million inhabitants are Kosovar Albanians and only ten percent are ethnic Serbs. Milosevic consolidated his power in Serbia in the 1980s through an ultranationalist appeal to restore Serb primacy in Kosovo. His first step toward destroying Yugoslavia was to remove Kosovo's status as an autonomous province in 1989. He did the same to the autonomous province of Vojvodina, which has a large population of ethnic Hungarians. This provided Serbia with two additional votes on the Yugoslav collective presidency and signaled at an early stage that Milosevic aimed to destroy pluralism in Yugoslavia. In Kosovo he redeemed his political promises by establishing martial law and removing the Kosovar Albanian's political, economic and educational rights.

But he could not yet persuade Serbs to settle there.

By 1992, with Serbia's war underway in Croatia and Bosnia, tensions were rising perceptibly in Kosovo. On Christmas Day in 1992, President Bush warned Milosevic, according to an authoritative New York Times article, "In the event of conflict in Kosovo caused by Serbian action, the United States will be prepared to employ military force against the Serbs in Kosovo and in Serbia proper." Secretary of State Warren Christopher on behalf of the Clinton administration renewed the Christmas warning shortly after taking office one month later.

For five years Washington's threat of force helped keep the peace in the volatile province. But Kosovar Albanians, who had been promised that the Dayton peace negotiations would address their concerns, were literally shut out of the 1995 peace

talks. U.S. negotiators, fearing that Milosevic would up the ante in Bosnia, succumbed to his demand that Kosovo remain off the table.

The frustration felt by the Kosovar Albanians toward the West and some of their own leaders increased exponentially after Dayton. The Kosovo Albanians' elected president, Ibrahim Rugova, found his leadership, assumptions about Western support, and advocacy of non-violence increasingly questioned by students, journalists and other political figures. The first reports of a shadowy organization called the Kosovo Liberation Army, or KLA, moreover, date from the post-Dayton period. Belgrade's violent crack down against a number of Kosovar Albanian villages, beginning in late February, has significantly increased public sympathy for the KLA and projected the struggle as an insurgency that draws in ever-greater numbers of Serbian military troops as well as heavily-armed special police units reinforced by irregular paramilitaries led by veteran war criminals of the Bosnian and Croatian campaigns.

Meanwhile, Milosevic continues to experience his own frustrations with a repressive status quo that has not improved the population ratio for the Serbs, who continue to resist settling in a province that is becoming steadily more volatile. Even homeless Serb refugees from Croatia and Bosnia, offered homes in Kosovo, have found the situation there so untenable that most of them depart shortly after arriving and advise their friends to shun Kosovo.

To change the situation on the ground, Milosevic has two fundamental policy options: *ethnic cleansing* or *partition*. He has been rehearsing ethnic cleansing in Kosovo for the past two months, albeit on a small scale. Large-scale ethnic cleansing would lead to hundreds, then thousands, then perhaps tens of thousands of casualties and drive hundreds of thousands of Kosovar Albanians toward the nearest cross-border sanctuaries in Albania, Macedonia and Montenegro.

This century's history teaches that those who commit genocide once are likely to do it again, if permitted. Having already used ethnic cleansing to achieve the *de facto* partition of Bosnia, Milosevic has no compunctions about relying on it as a policy tool in Kosovo. That is why all eyes now turn to Washington look to the U.S. for leadership in preventing conflict. Balkan moderates understand that only the U.S. can constrain Belgrade from using genocidal force and provide realistic alternatives that could draw support from the advocates of violence.

Milosevic sees Washington as the only potential impediment to achieving his objectives. That is why he has devoted such effort to sowing discord among the allies and enlisting the support of Moscow. While using Serbian troops to erase the red line that the U.S. drew with the Christmas warning, he has focused the political discourse on side issues: snookering Western diplomats into depicting his actions as an effort to subdue KLA "terrorists," obtaining an international consensus that Kosovo is an "internal issue," engaging the Contact Group in counterproductive debate over imposition of irrelevant economic sanctions, and implying that Western resistance to his aims in Kosovo will tempt him to cause more trouble in Bosnia. NATO inaction allows Milosevic to define the issues and lends credence to the belief that the U.S. has given him the green light for conflict.

Policy Proposals

A forceful strategy, as outlined in the following proposals, will be needed to prevent conflict in Kosovo. The Clinton administration should:

1. Renew the Christmas warning, threatening Milosevic with U.S. military intervention if he continues the crack down in Kosovo.
2. Restore the credibility of the Christmas warning by disbanding the ineffective Contact Group and shifting the venue for U.S. leadership and action to NATO. NATO engagement is critical.
3. Establish a NATO no-fly zone over Kosovo, as an immediate down payment on a conflict prevention strategy.
4. Deploy a NATO observer mission to Kosovo. This will relieve tensions there, undercut growing support for the Kosovo Liberation Army, and provide the justification for Kosovar Albanians to engage in serious negotiations with Belgrade.
5. Link the NATO observer mission to NATO mandates to take over the UNPREDEP role in Macedonia and establish a force in Albania.
6. Request that the War Crimes Tribunal in The Hague send the Prosecutor immediately to Kosovo and Belgrade to stress that the tribunal will hold Serbian officials—beginning this time at the very top—accountable for crimes against humanity committed in Kosovo. To show we mean business, NATO should apprehend indicted Bosnian Serb war criminal Radovan Karadzic immediately. The

- U.S. should also publicly call upon the tribunal to begin preparing an indictment of Milosevi for crimes against humanity in Bosnia.
7. Appoint a special envoy of recognized public stature with responsibility only for Kosovo. This will also reduce Milosevic's incentive to trade off "cooperation" in Bosnia for freedom of action in Kosovo and will give our diplomacy more leverage
 8. Launch a major and sustained initiative to build up Serbia's democratic forces to establish democracy and civic society in Serbia. The root cause of our problems in the Balkans is the U.S failure over the past decade to advance democracy in Serbia. It is time to make clear to everyone that Milosevic is the troublemaker, not the peacemaker, of the Balkans, and so long as he is in power, the U.S. will be forced to repeatedly confront him.

The conflict prevention proposals outlined above impose considerable burdens on policymakers for ideas and implementation, the Congress for support of the risks involved, and especially on the president for leadership. Better such risks and burdens than dealing with the consequences of inaction and an American political debate over who lost NATO.

Senator SMITH. Thank you very much, Mr. Hooper. Mr. Fox.

**STATEMENT OF JOHN FOX, DIRECTOR, WASHINGTON OFFICE,
OPEN SOCIETY INSTITUTE, WASHINGTON, DC**

Mr. FOX. Thank you, Mr. Chairman, Senator Biden. Thank you for the opportunity to speak here today.

On his trip to the Balkans 6 weeks ago, Deputy Secretary of State Strobe Talbott offered a stark description of what is at stake for the West in the Kosovo crisis. "The dangerous situation in Kosovo," he said, "constitutes a dire threat to regional stability, and therefore it poses a threat to the vital interest of the United States."

Mr. Talbott went further: "Kosovo could yet turn out to be the most explosive of all the powder kegs in this part of Europe. If Kosovo truly blows, it could be even worse than Bosnia, with the risk of war spreading in all directions, including south and east.

"The dire emergency there is directly related to the peace of Europe as a whole, and the implications are potentially disastrous."

The challenge to the international community, the Deputy Secretary said, is, "to prevent the brutal policies of Belgrade from triggering a forth Balkan war in this century."

A strikingly similar assessment of U.S. national interests in Kosovo was rendered by both the Bush administration and by the first Clinton administration. More importantly, this strategic calculation was then backed by the credible threat of force.

I would like to quote for the committee a portion of the "Christmas warning" letter that President Bush sent to Slobodan Milosevic and to the Belgrade military leadership in December 1992. This letter was authoritatively leaked to the press at the time:

"In the event of the conflict in Kosovo caused by Serbian action, the United States will be prepared to employ military force against the Serbians in Kosovo and in Serbia proper."

Senior administration officials stated that this force would consist of air power, including strikes at Serbian air bases, supply lines and other military installations. The Christmas warning established a unilateral red line that Belgrade did not cross until this year, in fact, after American deterrence had been unaccountably let go by the second Clinton administration.

What is the administration relying on instead of credible force to back its diplomacy now that the Kosovo powder keg has begun to blow? Rather than unilateral Christmas warnings, the U.S. has been part of setting new lows and lowest common denominator diplomacy through the six-nation Contact Group.

The vital interests of the United States are being addressed with most of the hallmarks of failure that became familiar to all of us during the 1992 to 1995 war in Bosnia: empty threats, public wrangling with allies, endless international conferences, ritual hand-wringing, limited sanctions. And many of the same failed measures of the past have been pulled off the diplomatic shelf once more: A new U.N. arms embargo, a renewed assets freeze with plenty of advance notice, unconditional support for Yugoslavia's territorial integrity, robust finger-wagging at the parties to negotiate their own solution, and new monitoring missions to supply international spectators for the latest theater of conflict.

While the U.S. crafted and brokered a compromise "dialog and stabilization" package for the April 29 Contact Group meeting, Belgrade was trampling on the former American red lines with impunity, including through major new force deployments and offensives led by the Yugoslav National Army in the interior of Kosovo.

In response, the U.S. package dropped several demands that had been made on Belgrade at prior Contact Group meetings, including allowing humanitarian agencies access and cooperating with International War Crimes Tribunal investigations on war crimes committed in Kosovo.

The April 29 package agreed in Rome watered down other key Contact Group demands on withdrawal of Serbian security forces and cessation of actions against the civilian population. It also substantially reduced the cost for Belgrade to escape future and current sanctions, including the diplomatic and financial outer wall.

The Contact Group has even adopted a more respectful tone, "recommending" rather than "requiring" these reduced measures, a gesture that was appreciatively noted by Belgrade.

For their part, the Yugoslav Army, Serbian security forces, and Belgrade's extreme nationalist paramilitary units have been less respectful on the ground, particularly as concerns civilian lives.

The familiar elements of the Bosnia and Croatia ethnic cleansing campaigns are out in force again: heavy weapons and helicopter gunships firing indiscriminately on villages; systematic slaughter of the elderly, women, and children; execution-style murders of unarmed men; extended sieges; sniper attacks against civilians; forcible expulsion of ethnic groups; a violent state propaganda campaign against the latest enemy.

In the attacks in March and April that could be verified by international media and monitors, the great majority of the 100-plus victims were ethnic Albanian civilians. In the intense attacks and fighting that have been conducted in recent weeks in areas mainly sealed to international coverage, there are strong indications that the proportions have been similar.

Fighting has escalated sharply between Serbian forces and the local ethnic Albanian insurgency, the Kosovo Liberation Army. Where there were sporadic killings and attacks on Serbian police 3 months ago by the KLA, which observers then believed to num-

ber under 100 lightly armed men, since Belgrade's crackdown 10 weeks ago the KLA has grown swiftly. It is now estimated at many times that figure, and it is also thought to be getting heavier arms. This on a territory about the size of Connecticut, with 2 million residents, of whom more than 90 percent are ethnic Albanian, primarily Muslim.

The indiscriminate attacks on rural Albanian clans, in a manner guaranteed to inflame the population and broaden support for the insurgency, has drawn plenty of new volunteers for the KLA. Some commentators have ironically called Milosevic the KLA's top recruiting officer.

Mr. Chairman, for the past decade the international community, and foremost the United States, has relied on the Kosovo Albanians to maintain their patient dedication to nonviolence to gain relief from the massive and violent repression imposed by Belgrade, and to see their human rights and political self-administration restored.

The Pristina leadership was widely praised in the West, and told always to wait and their grievances would be addressed. Wait until after the break-up of Yugoslavia. Wait until after the war in Croatia and its settlement. Wait until after the war in Bosnia. Wait until after the international intervention. Wait until after Dayton. Wait until after Dayton turns the corner. Wait until after the disastrous results of earlier Balkan policy failures are sorted out. Just wait, and we'll get to you.

The refusal of the U.S. to ensure that Kosovo was addressed at Dayton was a severe blow to the moderate Albanian leaders. Their credibility was further undermined when it became clear that war criminals and their sponsors would be rewarded with the Republika Srpska, a self-administered semi-State possessing key elements of sovereignty, including a standing army.

For their heinous ethnic cleansing and seizure of territory by force, the Bosnian Serbs were enjoying the virtual State that Pristina longed for.

For their disciplined nonviolence, the Kosovo Albanian leadership could only show photo ops and vague testimonials from a succession of U.S. and European leaders.

The Kosovo Liberation Army stepped into this vacuum, and on the ground the moderates on both the Albanian and Serb sides are being eclipsed by the hard-liners. Among the complicating factors now is that there is no Sinn Fein-type political wing tied to the military KLA, which is itself, apparently, an amalgam of guerrilla groups.

As usual in the former Yugoslavia, the international community has done precious little for the moderates when it counts.

Although there were signs of seriousness on this emerging crisis in parts of the executive branch starting last year, the administration took the calculated risk that it could make Kosovo wait some more. The U.S. has decisively lost that gamble, and is now grasping at the straws of Contact Group, OSCE, European Union, United Nations, and even Russian diplomacy. Anything, that is, except NATO.

U.S. Policy on Kosovo today is approximately where it was on Bosnia in 1992, a policy memorably summarized by one senior Bush administration official at that time as "let it burn."

There are new illusions about containing the conflict in Kosovo, perhaps at the Albanian or Macedonian border, as if fire walls can be built in the midst of such a blaze while its source is ignored.

The iron laws that were allegedly learned by the international community in Bosnia apply especially in Kosovo. The first, post-cold war U.S. and NATO interests ultimately cannot sustain a hemorrhaging of security and blood in the Balkans. Second, the more the fire of local conflict is treated as an internal affair, the faster and deeper it will become regionalized. And third, the weaker the Western intervention, the more it will cost, the longer it will last, the more dangerous it will be.

There is a range of allied military force options that could back serious U.S.-led diplomacy to reach the necessary near-term outcome on Kosovo, measures not, however, sufficient for a permanent settlement. The aim would be withdrawal of Serbian security forces and establishment of self-administration, which itself would have to be internationally guaranteed.

The threat and possible use of force required to achieve these purposes must simply be summoned by the commander-in-chief, unless we are all to continue taking our chances with "let it burn" in the immediate vicinity of the most explosive of powder kegs in this part of Europe.

Until the White House resolves itself to such action and leadership, the present drift and half-measures will lead to the inevitable result: Another chance for the President to apologize for sitting out another genocide on his watch, with the fourth Balkan War of this century raging and a fatally wounded NATO at the center of his international legacy.

Thank you.

[The prepared statement of Mr. Fox follows:]

PREPARED STATEMENT OF JOHN FOX

Mr Chairman, Members of the Committee, Ladies and Gentlemen:

On his trip to the Balkans six weeks ago, Deputy Secretary of State Strobe Talbott offered a stark description of what is at stake for the West in the Kosovo crisis. "The dangerous situation" in Kosovo, he said, "constitutes a dire threat to regional stability and therefore, it poses a threat to the vital interests of the United States." Mr. Talbott went further: "Kosovo could yet turn out to be the most explosive of all the powder kegs in this part of Europe. If Kosovo truly blows, it could be even worse than Bosnia ... with the risk of war spreading in all directions, including South and East ... The dire emergency there is directly related to the peace of Europe as a whole — and the implications are potentially disastrous." The challenge to the international community, the Deputy Secretary said, is "to prevent the brutal policies of Belgrade from triggering a fourth Balkan war in this century."

A strikingly similar assessment of U.S. national interests in Kosovo was rendered by both the Bush Administration and by the first Clinton Administration. More importantly, this strategic calculation was then backed by the credible threat of force. I would like to quote for the Committee a portion of the "Christmas warning" letter that President Bush sent to Slobodan Milosevic and the Belgrade military leadership in December 1992 (this letter was authoritatively leaked to the press at the time): "In the event of conflict in Kosovo caused by Serbian action, the United States will be prepared to employ military force against the Serbians in Kosovo and in Serbia proper." Senior administration officials stated that this force would consist of air power, including strikes at Serbian air bases, supply lines and other military installations.

The "Christmas warning" established a unilateral "red line" that Belgrade did not cross until this year, in fact after American deterrence had been unaccountably let go by the second Clinton administration. What is the administration relying on instead of credible force to back its diplomacy now that the Kosovo powder keg has begun to blow? Rather than unilateral Christmas warnings, the U.S. has been part of setting new lows in lowest-common-denominator diplomacy through the 6-nation Contact Group. The "vital interests of the United States" are being addressed with most of the hallmarks of failure that became familiar during the 1992-95 war in Bosnia: empty threats, public wrangling with allies, endless international conferences, ritual hand-wringing, limited sanctions. And many of the same failed measures of the past have been pulled off the diplomatic shelf once more: a new U.N. arms embargo, a renewed assets freeze with plenty of advance notice, unconditional support for Yugoslavia's territorial integrity, robust finger-wagging at "the parties" to negotiate their own solution, and new monitoring missions to supply international spectators for the latest theater of conflict.

While the US crafted and brokered a compromise "dialogue and stabilization package" for the April 29 Contact Group meeting, Belgrade was trampling on the former American red lines with impunity — including through major new force deployments and offensives led by the Yugoslav National Army in the interior of Kosovo. In response, the U.S. package dropped several demands that had been made on Belgrade at prior Contact Group meetings, including allowing humanitarian agencies access and cooperating with International War Crimes Tribunal investigations on war crimes committed in Kosovo. The April 29 package agreed in Rome watered down other key Contact Group demands on withdrawal of Serbian security forces and cessation of actions against the civilian population. It also substantially reduced the cost for Belgrade to escape future and current sanctions, including the diplomatic and financial "outer wall." The Contact Group has even adopted a more respectful tone, "recommending" rather than requiring these reduced measures, a gesture that was appreciatively noted by Belgrade.

For their part, the Yugoslav army, Serbian security forces, and Belgrade's extreme nationalist paramilitary units have been less respectful on the ground, particularly as concerns civilian lives. The familiar elements of the Bosnia and Croatia ethnic cleansing campaigns are out in force again: Heavy weapons and helicopter gun ships firing indiscriminately on villages; the systematic slaughter of the elderly, women, and children; execution-style murders of unarmed men; extended sieges and sniper attacks against civilians; forcible expulsion of ethnic groups; a violent state propaganda campaign against the latest "enemy." In the attacks during March and April that could be verified by international media and monitors, the great majority of the 100-plus victims were ethnic Albanian civilians. In the intense attacks and fighting that have been conducted in recent weeks in areas mainly sealed to international coverage, there are strong indications that the proportions have been similar.

Fighting has escalated sharply between Serbian forces and the local ethnic Albanian insurgency, the Kosovo Liberation Army (KLA). Where there were sporadic killings and attacks on Serbian police three months ago by the KLA (which observers then believed to number under one hundred lightly armed men), since Belgrade's crack down ten weeks ago the KLA has grown swiftly; it is now estimated at many times that figure and is also thought to be getting heavier arms. This on a territory about the size of Connecticut, with 2 million residents of whom more than 90% are ethnic Albanian and mostly Muslim. The indiscriminate attacks on rural Albanian clans, in a manner guaranteed to inflame the population and broaden support for the insurgency, has drawn plenty of new volunteers for the KLA. Some commentators have ironically called Milosevic the KLA's best recruiting officer.

Because of tight restrictions on field access, daily televised reports from the new killing fields are not as available as was often possible in Bosnia, but the trends are clear. I quote from a message sent this week by a Kosovo women's NGO whose information has been consistently reliable: "War is ongoing, although no one wants to name it like that. Shellings happen every day at regions now known to public opinion, in Drenica and in the Western part of Kosova, bordering with Albania. Serbian troops are coming day by day. Tanks are doing their duties. 'Accidental killings' can include today, 2 May, three people from the village of Vojniko two of them are women, killed in their home... It is quite clear attacks are happening against families. Being deployed in the woods of the villages, Serb forces are shelling houses from a distance. Only today 24 houses were destroyed completely in two villages of the Drenica region. People are trying to defend their doorsteps, but no use... Violence is becoming widespread, it is including other parts of Kosova. In Kacanik, bordering on Macedonia, clashes have started too... Serb forces are out of control. The situation is alarming."

Mr. Chairman, for the past decade the international community, and foremost the United States, has relied on the Kosovo Albanians to maintain their patient dedication to non-violence to gain relief from the massive and violent repression imposed by Belgrade, and to see their human rights and political self-administration restored. The Pristina leadership was widely praised in the West and told always to wait and their grievances would be addressed: wait until after the break-up of Yugoslavia; wait until after the war in Croatia and its settlement; wait until after the war in Bosnia; wait until after the international intervention; wait until after Dayton; wait until after Dayton turned the corner; wait until after the disastrous results of earlier Balkan policy failures were sorted out. Just wait and we'll get to you.

The refusal of the U.S. to ensure that Kosovo was addressed at Dayton was an severe blow to the moderate Kosovo leaders. Their credibility was further undermined when it became clear that war criminals and their sponsors would be rewarded with Republika Srpska, a self-administered semi-state possessing key elements of sovereignty. For their heinous ethnic cleansing and seizure of territory by force, the Bosnian Serbs were enjoying the virtual state that Pristina longed for. For their disciplined non-violence, the Kosovo Albanian leadership could only show photo-ops and vague testimonials from a succession of U.S. and European leaders. The Kosovo Liberation Army stepped into this vacuum and on the ground the moderates on both the Albanian and Serb sides are being eclipsed by the hard-liners. Among the complicating factors is that there is no Sein Fein-type political wing tied to the military KLA, which is itself apparently an amalgam of guerrilla groups. As usual in the former Yugoslavia, the international community has done precious little for the moderates when it counted.

Although there were signs of seriousness on this emerging crisis in parts of the executive branch starting last year, the administration took the calculated risk that it could make Kosovo wait some more. The U.S. has decisively lost that gamble, and is now grasping at the straws of Contact Group, OSCE, European Union, U.N. and Russian diplomacy. Anything, that is, except NATO. U.S. policy on Kosovo today is approximately where it was on Bosnia in 1992, a policy memorably characterized by one senior Bush administration official at that time as "let it burn." There are new illusions about containing the conflict to Kosovo, perhaps at the Albanian or Macedonian border, as if fire walls can be built in the midst of such a blaze while its source is ignored.

Senator BIDEN. Thank you very much. Congressman, welcome.

**STATEMENT OF HON. JOSEPH DIOGUARDI, VOLUNTEER
PRESIDENT, ALBANIAN-AMERICAN CIVIC LEAGUE**

Mr. DIOGUARDI. Thank you, Senator. I recall being here in this very room, facing you in February 1991, just over 7 years ago, when you were concerned about what was going to happen in Yugoslavia. I remember ending that testimony by saying that I did not think that Yugoslavia was going to stay together. We were all hoping that it would. The United States was banking its foreign policy on it, and all we heard during that meeting was how Albanian terrorists and separatists and the quest for Greater Albania was going to destroy Yugoslavia. Now we see what really destroyed Yugoslavia. It was there all the time—the quest for Greater Serbia.

Slobodan Milosevic, walked into Kosovo in 1987 and brutally occupied it. He took away its legitimate status as one of the eight juridical units of the ConFederal Republic of Yugoslavia, where Kosova had an equal vote with Serbia—its Presidency rotated every year—and created in less than a few years not only an apartheid but a Warsaw Ghetto that still exists in the heart of Europe today.

I would not be concerned, Senator, about Greater Albania. I would be concerned that we have already legitimized ethnic cleansing by creating a phony republic called Srpska. It never existed before but it is there now. Why? Because Slobodan Milosevic wanted it—the person who in the news last Sunday is targeted by his former friend, Rudovan Karadzic, in a book saying he's about to

now go to The Hague and he is going to turn State's evidence. He is pointing the finger at his friend Slobodan Milosevic as the architect of some of the most brutal, unbelievable atrocities since the Nazi era, in Bosnia

We do not have to worry about Greater Albania. We have to worry about what I was worried about in your hearing back in February 1991. At that time I could only wave in front of you a Serbian version of "The expulsion of the Albanians," a paper presented by Milosevic's mentor, Vaslo Cubrilovic, a professor, former administrator of the Yugoslavia Government, in Belgrade, March 13, 1937. I am now going to give you the English translation. This is what Slobodan Milosevic has been weaned on.

If you want to see what happened in Bosnia, what is happening in Kosova today, read word for word, line by line, exactly what is going on, their modus operandi, shelling villages, burning them down, getting rid of Albanians at all cost, because this is territory they want.

Milosevic will not abandon this, and as we keep waffling in this body and in the State Department he will just go and take more and more and more.

He bluffed his way right through Bosnia, and he got Srpska. He is bluffing his way right now. He knows there is no real resolve with the so called Christmas warning by President Bush, later ratified by President Clinton.

But he sees and senses the waffling already. He hears strong words on the part of Madeleine Albright. Then Madeleine Albright is muffled by Clinton's National Security Adviser, Sandy Berger. Then we have questions coming up in Congressman Gilman's hearing a few weeks ago about the Christmas warning, and a very luke warm response by Ambassador Gelbard, that "we have to meet with you in executive session." You heard it again today. No direct response!

Don't you think Slobodan Milosevic is hearing those responses? Don't you think he is ready to do more and more, because he sees that the greatest superpower in the world has lost its resolve and has a foreign policy which has abandoned the principles upon which this country was formed?

Our foreign policy should be based on fundamental human rights. That is one of the key determinants of our foreign policy.

We have today, in Kosova, some of the most egregious examples of violations of those human rights. In fact, Senator Biden, during the hearing that you held in 1991—and it was a wonderful hearing: It was the first time that all the ethnic groups came together to talk about the problem. I had to fly in reports from the Council on Human Rights and Freedom from Pristina and other places—litany of horror.

I do not have to do that today. You know why? All you have to do is read our own State Department's U.S. country report, brought from the State Department. Here it is, the 1997 edition. But if you read the last 5 years you cannot believe the litany of horrors listed against the Albanian people of Kosova. What are we waiting for? Look at how many people have been killed and brutally tortured, and detained, and disappeared? Every criteria they use to measure a country's human rights record has been violated in Kosova.

Why is there such a disconnect between these egregious violations and our professed adherence to human rights when it comes to foreign policy? Is there another deal in the wind?

Perhaps you did not ask the right questions to Ambassador Gelbard. Are we placating Russia for some reason? They are always there, supporting their first cousins the Serbs. That is where the Serbs came from in the Sixth Century A.D., from the Ukraine. We know they are blood brothers, or at least blood cousins. And they are always there supporting them.

But what has Russia done for us in Iran, Iraq, and China, and so many other places? They do not support us!

Why are we giving such deference to Russia? Why are we even considering a Contact Group at this point, including Russia?

This is an issue that should be led by the United States of America in NATO, without Russia. This is where it belongs.

That is what solved Bosnia, and the only reason today Bosnia is not like Kosova, Mr. Chairman, is that we have troops there. Who are we kidding? When are we going to wake up?

Another key element of our foreign policy that has been abandoned is that we will do everything to preserve the security of a vital area like the Balkans in Europe. If you look at international law and how it defines where you have a state of belligerency, you look at what the neighboring countries are saying about what is going on there. Every one of them is using language which is at the edge. Recently, the foreign minister of Greece said Kosova is like a hand grenade. If it goes any further, it is going to explode.

A Turkish spokesman of foreign policy said that the Kosova crisis, if unchecked, could destabilize the Balkan region and therefore European security.

NATO condemned the excessive use of force by the Yugoslav Army in Kosova and said that the North Atlantic Council is profoundly concerned about the deterioration of the situation there and was considering "possible further means to maintaining stability in view of the risk of escalating the conflict in the region."

On April 27, a spokesman from the U.S. State Department said that if the Contact Group members did not agree to a new sanctions package the United States would act unilaterally.

The United States reiterated, the U.N. and the Contact Group's call for the immediate withdrawal of the special police units—which are nothing more than the Yugoslav Army—from Kosova, and the need for unconditional dialog. Yet when the Contact Group met in Rome on April 29, the United States capitulated to a weak proposal for more sanctions under pressure, especially from Russia, which, as I said before, has gone out of its way not to support us in dealing with Iran, Iraq, China, and many other areas.

It is obvious the sanctions are not really an issue to Belgrade, which has already survived 6 tough years of economic sanctions. In the meantime, how many Kosovar Albanians have to be killed?

We talk about negotiations and we talk about so many things, like no conditions, but, when do we get the point where we say, wait a minute, thousands of Albanians are being killed! Are these negotiations working? Should we now learn from the experience we had in Bosnia, that Slobodan Milosevic understands only one thing—the use of force or the threat thereof. In the meantime,

these sanctions will only serve to bolster nationalistic fervor on Mr. Milosevic's behalf.

Only resolve will work, Mr. Chairman, and that will have to come from the only superpower left in the world, the United States of America taking the lead with our NATO allies.

In conclusion, the 2 million ethnic Albanians of Kosova, who comprise more than 90 percent of the population there, have no human, economic or political rights of any kind. Slobodan Milosevic has illegally and brutally occupied Kosova for almost 10 years. I am not going to go through the history of Kosova here, Mr. Chairman. I have a three-page addendum to my testimony and I would like to offer it and my entire testimony for the record. I am giving an abbreviated form of it here.

Senator SMITH. We would be happy to receive it.

Mr. DIOGUARDI. But when you look at Kosova it is not a new story. Kosova was part of Albania until 1916, as was that population of Albanians in western Macedonia and Southeastern Montenegro. That is why they are all contiguous. If you drew a line around 7 million Albanians today, you have the former State of Albania that came out of Turkish occupation on November 28, 1912.

They are not looking to change those borders. The only one looking to change borders is Slobodan Milosevic. But what Albanians want is some peace in their lives, self-determination and the ability to raise their families in peace, to be who they want to be, and to save their national identity.

What we see right now is ethnic cleansing all over again, in Kosova as we saw in Bosnia. It is time for our State Department to understand that loose talk that brands the victims as terrorists for defending themselves, their families, their property—and I will even add, their sacred honor. It is important to Albanians the way it was important to our Founding Fathers, Mr. Chairman. This only serves to give the green light to the real terrorists, Slobodan Milosevic and his henchmen, who are massacring innocent people as we sit here speaking today.

It is time for the United States to stand up for its own principles and demand compliance with international human rights conventions before more Albanians are needlessly slaughtered and a new Balkan War is triggered—this time involving neighboring Albania, Greece, Macedonia, Bulgaria, and Turkey.

It is time for Congress to stand up and voice its outrage at a foreign policy in the Balkans that has obviously failed to preserve peace and security in this vital region of the world. It is time for the United States to back up its tough words with concrete actions, such as declaring a no-fly zone in Kosova as we did in Bosnia. What is wrong with that? They are using heavily armed helicopters right now to level villages; and ringing Serbia's borders with NATO troops, and moving an aircraft carrier off the coast of Montenegro.

These actions would not only reaffirm our resolve to stop the escalation of the conflict in Kosovo, but I believe would lead to a lasting peace for the Albanian people and all ethnic groups in the Balkans.

I would like to also submit for the record, Mr. Chairman, a book that I prepared a few years ago called, "The Agony of Kosova." It is a good reference book—with a three page index. It shows what

this body and the House has done since 1987, and it shows that what we are talking about here today is nothing new. It is just escalating. And our foreign policy is nothing new. We are still waffling.

What we did in Bosnia, for some reason we are reluctant to do in Kosova. And, when the Serbian regime talks about the Albanian people as fundamentalists and terrorists, let us not forget what my good friend Ben Gilman did a couple of years ago at the Holocaust Museum in memorializing the Albanian people and the State of Albania, as the only nation in Europe that did not give one Jew to the Nazis.

That is now part of the Yad Vashem Holocaust Memorial in Israel, and our U.S. Holocaust Museum here in Washington. This book "Rescue in Albania," was written by an American Jew—Harvey Sarner—to memorialize that fact, and I want to leave you the letter that Ben Gilman sent to Members of this body and the House to say that.

It is a shame that we cannot do something to save these innocent Albanian people. The terrorist groups that come from Belgrade—special police that are really criminals let out of jail and dressed in police uniforms and army uniforms—are running into Albanian homes to get bounty, to get currency. They take their gold and kill the families on the spot.

In Drenica many women and children were killed in their living rooms and bedrooms. We are still not allowed to go there. There is a mass grave some place. We have testimony from the women. They heard their husbands and young sons scream; 200 were taken away. There is a mass grave there someplace. We will find it sooner or later, as we did in Bosnia.

But what are we waiting for? Is this the United States that we want to represent, a country that stands on the sidelines as a brutal dictator inflicts State-inspired terrorism on a group of 2 million people who are defenseless today in Kosova?

What is wrong with a national liberation movement, Senator, when there is no one there to defend you? What are they going to wait for?

There are many articles written about when enough is enough, and there was one just recently by my professor Hurst Hannum from Tufts University. He said there are two instances in which secession, as we did 222 years ago, should be supported by the international community.

The first occurs when massive discriminatory human rights violations approaching the scale of genocide are being perpetrated. If there is no likelihood of a change in the attitude of the Central Government, or if the majority population supports the repression—as we just saw in that phony referendum that Slobodan Milosevic just held in Serbia because he does not want any international intervention—secession may be the only effective remedy for the besieged group. This is international law.

A second possible exception might find the right of secession if reasonable demands for local self-government or minority rights have been arbitrarily rejected by a Central Government, even without accompanying violence.

So this is not an easy issue Senator Biden. It was not easy in 1991 when you held your first hearing on Yugoslavia and it is not easy today. But, let us not brand the victims as the terrorists and let us not talk about Greater Albania, since that is not on the table.

What is on the table constantly for 50 years, certainly the last 10, is the quest for Greater Serbia, and we seem very willing to give Mr. Milosevic what he wants. I hope we are not going to do the same in Kosova as we did in Bosnia. It would be a tragedy of the highest proportions, and I think it would only lead to a very destabilized Balkans and a greater war later on.

Thank you.

[The prepared statement of Mr. DioGuardi follows:]

PREPARED STATEMENT OF HON. JOSEPH J. DIOGUARDI

Mr. Chairman, on behalf of 400,000 Albanians in America, I want to thank you for holding this important hearing on Kosova. For us and for seven million Albanians living side by side in their historic lands within and outside of the current State of Albania, U.S. foreign policy in the Balkans has failed.

Serbian dictator Slobodan Milosevic managed to bluff and outwit the West in Bosnia until he faced military force. All that he faces today are more of the economic sanctions that he has managed to withstand for years. President George Bush's threat of force (the so called Christmas warning) kept Kosova relatively quiet for six years. As Milosevic again applies brutal paramilitary force against Albanians in Kosova, we now risk another Balkan war that this time will spill over into neighboring states.

Six years ago, in 1992, Patrick Glynn wrote in an article entitled "Yugoblunder" that "U.S. handling of the Yugoslav crisis is in fact a case study in how not to conduct foreign policy in the post-cold war world, combining lack of intellectual rigor and carelessness with what [then] Senator Al Gore has termed 'moral obtuseness' about the conflicts and issues at stake. ... The main factor in the Bush administration's mishandling of Yugoslavia was its devotion to geopolitical 'stability' at the expense of democratic values and human rights." This is exactly what we are facing again today in Kosova.

Incredibly, our foreign policy in the Balkans, which is failing day by day, is dependent on the cooperation of Slobodan Milosevic, who many believe should be brought up on charges for his barbaric actions in Bosnia and now in Kosova by the War Crimes Tribunal in The Hague. In fact, on May 3, 1998, the Associated Press reported that Radovan Karadzic, the Serbian warlord already indicted for crimes against humanity in Bosnia, is preparing to corroborate Western intelligence reports linking Milosevic directly to the July 1995 massacre of thousands of Muslims in Srebrenica, which is considered to be one of Europe's worst acts of genocide since the Nazi era. Yet we continue to treat Milosevic as an equal partner on the international diplomatic stage. Is this not a continuation of the "moral obtuseness" that Vice President Gore lamented as a senator?

Are we going to repeat the failures in Bosnia that led us, finally, to use measured force three years too late, resulting in the deaths of more than 200,000 innocent civilians? It is happening already in Kosova, where since the end of February, one third of this formerly autonomous province has been completely surrounded by Serbian military and paramilitary units using tanks, armored personnel carriers, helicopters, and heavy artillery. As we speak, twenty villages in Kosova are under twenty-four-hour shelling. It is ludicrous to believe the Serbian press that this is a local police action, rather than a carefully orchestrated effort by Slobodan Milosevic to continue his campaign of "ethnic cleansing" of the Albanian population of Kosova and, ultimately, of the Balkans. He has made no secret of his designs for a "Greater Serbia," and he is following in the footsteps of other Serbian ultranationalists, whose main goal and political platform has been the expulsion of the Albanians from their ancient lands in the Balkans. (To understand this, one need only read "The Expulsion of the Albanians," a plan presented to the government in Belgrade in 1937 by Dr. Vaso Cubrilovic, a prominent Serbian academician and government minister.)

One of the main failures of our U.S. foreign policy towards Kosova is the disconnect between our professed adherence to the fundamental principles of human rights and our failure to assume a leadership role in Kosova in the face of some

of the most egregious examples of human rights violations in modern history. One need only look at the State Department's 1997 country report for Serbia to see a litany of horrors against a population of two million Albania civilians in Kosova. While the United States customarily places a premium on human rights in its dealings with the international community, when it comes to Kosova, it appears that we are bending over backwards to accommodate a war criminal and his Russian supporters.

Why are we not adhering to our own stated foreign policy, set forth by President Bush as he was leaving office and embraced by President Clinton as he was entering office, that a "line in the sand" is drawn in Kosova and that the United States will not tolerate any Serbian troops there? Since the end of February, the Serbian army disguised as police has surrounded the Drenice and Decan regions of Kosova and slaughtered more than 150 people (many more are missing and seriously wounded) At a hearing on March 12, Ambassador Robert Gelbard, the president's envoy for the implementation of the Dayton Accords, verified that the Bush/Clinton warning is the current foreign policy of the United States. So why is the United States not enforcing its own policy and allowing the Albanians of Kosova to be slaughtered? It is clear by his actions that Milosevic views the United States as a "paper tiger," with sanctions and no action. This has been the case for the past ten years.

Another key objective of our foreign policy is to preserve peace and security in Europe. As stated in Article 39 of the UN Charter, a threat to peace occurs, among other things, when civil strife within a state creates an immediate danger of a breach of the peace, and it goes on to say that civil strife constitutes a breach of the peace if actually recognized by most states as belligerency. This is clearly the case in Kosova.

The Greek Foreign Defense Minister recently stated that "Kosova is like a hand grenade, and if we pull the pin anymore, it will explode." Likewise, a spokesperson from the Turkish Foreign Ministry stated that "the Kosova crisis, if unchecked, could destabilize the Balkan region and therefore European security." Above all, NATO condemned the excessive use of force by the Yugoslav army in Kosova, and said that the North Atlantic Council is profoundly concerned about the deterioration of the situation there and was considering "possible further means" to maintaining stability, in view of the risk of escalating the conflict in the region.

On April 27, a spokesperson from the U.S. State Department said that if the Contact Group members did not agree to a new sanctions package, the United States would act unilaterally. The United States reiterated the UN and the Contact Group's call for the immediate withdrawal of special police units from Kosova and the need for unconditional dialogue. And yet when the Contact Group met in Rome on April 29, the United States capitulated to a weak proposal for more sanctions under pressure especially from Russia, which has gone out its way not to support us in dealing with Iran, Iraq, and China

It is obvious that the sanctions are not really an issue to Belgrade, which has already survived six years of tough economic sanctions. In the meantime, how many Kosovar Albanians will die while the sanctions remain in effect? The Albanian American Civic League, for which I am the volunteer president, contends that sanctions will have no effect on the Belgrade regime whatsoever. They will only serve to bolster nationalistic fervor on Milosevic's behalf. Only resolve will work, and that will have to come from the only superpower left in the world, the United States of America taking the lead with our NATO allies.

In conclusion, the two million ethnic Albanians of Kosova, who comprise more than 90 percent of the population there, have no human, economic, or political rights of any kind. Slobodan Milosevic has illegally and brutally occupied Kosova for almost ten years. (See addendum for a short history of Kosova.) Kosova is where he started the carnage that led to the rape and pillage in Bosnia¹ and now will lead to an even greater Balkan war if we do not act now.

It is time for our State Department to understand that loose talk that brands the victims as "terrorists" for defending themselves, their families, and their property only serves to give a green light to the real terrorists, Milosevic and his henchmen, to massacre innocent people.

It is time for the United States to stand up for its own principles and demand compliance with international human rights conventions before more Albanians are needlessly slaughtered and a new Balkan war is triggered, this time involving neighboring Macedonia, Albania, Bulgaria, Greece, and Turkey.

It is time for congress to stand up and voice its outrage at a foreign policy in the Balkans that has obviously failed to preserve peace and security in this vital region of the world. It is time for the United States to back up its tough words with concrete actions--such as declaring a no-fly zone in Kosova, ringing Serbia's borders

with NATO troops, and moving an aircraft carrier off the coast of Montenegro. These actions would not only reaffirm our resolve to stop the escalation of the conflict in Kosova, but, I believe, would lead to a lasting peace for the Albanian people and all ethnic groups in the Balkans.

Thank you, Mr. Chairman.

ADDENDUM

TESTIMONY OF THE HON. JOSEPH J. DIOGUARDI

A HISTORY OF SERBIAN "ETHNIC CLEANSING" OF THE ALBANIANS IN KOSOVA

SERBIAN "ETHNIC CLEANSING" OF ALBANIANS IN KOSOVA

Kosova lies in the south of former Yugoslavia, bordered by Serbia proper to the northeast, Montenegro to the north, Macedonia to the south, and Albania to the southwest. More than 90 percent of its 2 million people are Albanian, and most of the rest are Serbs. Albanians also live in large numbers in all of the aforementioned areas bordering Kosova: 1 million in Macedonia; 100,000 in Montenegro; 50,000 in Serbia proper (Presheve, Medvegje, and Bujanovc); and 3.5 million in the State of Albania—a divided nation of about 7 million people living side by side.

THE KOSOVA PROBLEM SINCE WORLD WAR II

The 1946 Yugoslav constitution recognized the separate identity of Kosova. At the same time, it divided Albanian-inhabited lands among Serbia, Albania, Macedonia, and Montenegro. In 1963, under the influence of Serbian secret police boss Alexander Rankovic, Kosova was incorporated as a commune in Serbia. After Rankovic's fall in 1974, Kosova was reinstated as an autonomous province and given federal representation equal to that of the six Yugoslav republics of Serbia, Croatia, Bosnia-Herzegovina, Macedonia, Slovenia, and Montenegro.

Following Tito's death, persecution by Serbian government troops ensued, which led to massive student uprisings in Kosova in 1981. The Serbian police and troops killed at least twenty-two Albanians and beat, wounded, and arrested thousands more. From 1981 to 1988, official statistics confirm the arrest and jailing of more than 7,000 people and the incredible figure of 586,000 Albanians (more than 25 percent of the population) who passed through the hands of the police for one reason or another.

Serbian determination to strip Kosova of its independence accelerated the violence. In 1989, the Serbian authorities forcibly abolished the autonomy of Kosova and sent Yugoslav tanks to patrol the streets. Six days of rioting ensued, during which more than 100 Albanians were killed and more than 900 were arrested.

In April 1990, facing more demonstrations, Serbia passed a special law extending prior emergency measures. The people of Kosova through their Assembly responded on July 2 with a declaration of independence. Three days later, Serbia suspended the Kosova Assembly, falsely purporting that the Serbian minority in Kosova was being oppressed by the Albanian majority. Serbia then seized some seventy-five enterprises, including hospitals and energy plants. On September 7, following a general strike, the Assembly met secretly, proclaimed Kosova a Republic within the Yugoslav federation, and adopted a constitution. By September 17, its 111 Albanian members had been arrested or had fled into hiding or exile.

On September 28, 1990, Serbia adopted a new constitution that completely eliminated Kosova's autonomy. As of mid-1991, the people of Kosova held a referendum in which 87 percent of the population participated, resulting in a 99 percent vote in favor of an independent state. On October 19, 1991, based on this referendum, Kosova was declared a sovereign, independent state and a transitional government was formed. On May 24, 1992, the first multiparty elections for parliament and president of the Republic of Kosova took place. On June 23, 1992, however, the Serbian police used armed vehicles to prevent the seating of the newly-elected government in Kosova.

In the years that followed, life for the Albanian people of Kosova deteriorated dramatically. In spite of their policy of peaceful resistance, the barbaric treatment at the hands of the Serbian police, paramilitary, and military forces persisted unchecked on a daily basis.

KOSOVA UNDER SERBIAN OCCUPATION

Serbian police have expelled nearly all Albanian physicians, dismissed 7,000 students, prohibited the use of Albanian as a language of instruction, closed the University of Prishtina, replaced Albanian judges with Serbian jurists, and engaged in random beatings, kidnappings, torture, house searches, and killing. The Serbian government has shut down Albanian radio and television operations and used its own media to promote anti-Albanian racism in the region.

Economic strangulation has been a key element of Serbia's takeover of Kosova. "Compulsory administration" has been imposed on most of Kosova's more than one hundred economic centers, resulting in the collapse of Kosova's economy. More than 75,000 Albanian families are unemployed. It is estimated that close to half a million Albanians are suffering from food shortages, and there is a very real danger of widespread starvation. Many analysts believe that the Serbian government is trying to bring the Albanian population to its knees through hunger.

With no real recognition and intervention by the international community to prevent the daily brutality inflicted on innocent civilians, Albanians had no choice but to resort to the self defense of their families, neighbors, property, and communities. The ill equipped Kosova Liberation Army emerged from this struggle to survive and it has declared itself as a defense force with no terrorist aims. The most recent events in Kosova, from February 28 to March 8, 1998 in the Drenica region, including the villages of Prekaz, Voynich, Llausha, and Likosan clearly demonstrate what has been feared all along; namely that the atrocities the world witnessed in Bosnia will be repeated in Kosova and will result in a completely lopsided conflict in which the unarmed civilian population of Kosova is massacred. A full-scale civil war is certain to involve the larger Albanian population of Macedonia, Montenegro, southern Serbia, and Albania, and this would make the nightmare of a second genocidal war in Europe in this century a reality.

CONCLUSION

The Albanian American Civic league believes that the West must play an immediate role in stopping the Serbian assault on Albanian villages, which has as its aim the "ethnic cleansing" of the Albanians of Kosova. Because of the importance of the Balkans to our national security, President Clinton had already dispatched some three hundred American troops to neighboring Macedonia as observers, and we have committed a substantial contingent of American soldiers in Bosnia. With the recent, tragic Serbian assault on Kosova, it is now time to take strong measures to prevent further bloodshed.

President Bush on his way out of office and President Clinton on assuming office clearly put Slobodan Milosevic on notice that "a line had been drawn in the sand on Kosova." President Clinton should now make good on this foreign policy declaration by implementing a swift and powerful counter stroke against any further aggression against the Albanians in Kosova.

Senator SMITH. Thank you, gentlemen, all of you.

I must confess, I am uncertain as to what the policy of the administration is in terms of a Christmas message, and what, if anything, we are doing to prepare to enforce such a policy. I hope to find out some answers myself on that, whether private or otherwise.

But the Congressman has laid out some specific proposals, that we declare a no-fly zone, ring the area with NATO troops and park an aircraft carrier off the coast. I wonder if either of you two would care to comment on that, how long it would be, how effective it would be, and whether we ought to be doing it unilaterally or involving all of NATO, and what spillover there might be toward the peacekeeping in Bosnia.

Mr. HOOPER. Senator, I think the only way to—there is a lot of dissention now within NATO, and I think that is because the United States, the Clinton administration has been unwilling to exercise proper leadership on this issue.

What I think we are advocating, and what Congressman DiGuardi is advocating, is conflict prevention, the kind of military

measures that are credible enough to prevent the kind of conflict that will require even greater military measures, greater risk, greater burdens, or the more disastrous consequence if we do not act.

Senator SMITH. Are these proposals adequate?

Mr. HOOPER. I think some of them are, but I think it has to go further. Certainly NATO has to be involved, and the only way to involve the allies behind our leadership is to say that we are prepared to act unilaterally. Once we do that we can be sure they will be with us.

I think these proposals are some, but we need to also get the tribunal involved to ensure that serious markers are put down on war crimes, and we need to ensure that there is a conflict prevention force, a NATO observation mission in Kosovo itself so that it is not just ringed around Serbia and then genocide could be allowed to take place within it, but that it is prevented within Serbia as well, and Kosovo.

Senator SMITH. Do you believe, Mr. Fox, anything short of that may lead us to holding a hearing here, say, in 5 or 6 years, after lots of bloodshed, and trying to rally support for a NATO peace-keeping force to expand into that area?

Mr. FOX. I think that the fuse on this one is very short, that without an enhanced Christmas warning which backs a U.S.-led mediation for an interim settlement, we will not see much. We have a window now which is rapidly closing and may have already closed, and the cardinal error of this administration on Kosovo was to let go, to allow the Christmas warning to erode.

It was really a reckless decision, one that needs, I think, much more examination, and there has certainly been an extremely active debate about it in the administration. Some of the positions that are reflected here today I think are well-reflected within the administration. They are obviously not prevailing.

If the U.S. is not prepared to match with that level of force the calculus of its national interest that was rendered by Brent Scowcroft, by senior leadership of the Bush administration and the first Clinton administration which certainly some very clear exponents of Clinton foreign policy have endorsed, then we are really in the soup and we will see, surely, a much larger U.S. ground intervention later on to sort out the fighting outside of Kosovo.

The problem with some of the measures that are being considered, even on the margins, are in fact—I fear they would send another wrong signal of isolating Kosovo and respecting this issue as an internal matter.

The Helsinki Accord should not be rewritten ad hoc by the U.S., of all countries. The Helsinki Accord is quite clear, as are our other international covenants, that the territorial integrity of a country, the respect for territorial integrity of a country in Europe goes hand-in-hand with its adherence to European standards, and that would certainly mean no use of brutal force, certainly not ethnic cleansing against its minorities.

Senator SMITH. The Congressman has raised the issue of the overlay of Russia's influence on Serbia or alliance with Serbia. I wonder if either of you have a comment on that. How does that impact American action?

Mr. FOX. I think the refusal of the administration to take this to NATO has quite a bit to do with that fact, and in fact I think some of our European allies are putting a higher priority on keeping Russia as part of a lowest common denominator diplomatic effort than they are to really facing up to the fundamentals here.

Russia has not been friendly to peaceful outcomes in the Balkans, and the Southern Balkans. I think it would be better for the administration to question why Russia insists on collecting war criminals and pariahs as its clients at this late date, and why they cannot find some other Serbs to ally themselves with.

There is as difference between a pro-Serb policy and a pro-Serbs policy. There are a lot of Serbs, a lot of moderate Serbs. There is not just one Serb, or one handful of Serbs, and I think a good deal could be done to remind Moscow of that.

I think it would be more credible still if the U.S. had a record of supporting democratic forces in the former Yugoslavia, which it decidedly does not. We tend to take it as it lays, and then wonder why there is no Lech Walesa or Vaclav Havel.

Senator SMITH. Mr. Hooper, do you have any comment?

Mr. HOOPER. I think Milosevic has successfully tapped in to the ultranationalist political tendencies in Russia and used these very effectively to build support, because there is no good democratic reason for Russia to support what he is doing. In fact, quite to the contrary. It was against Yeltsin's democratic instincts, and I think it shows how effective Milosevic has been.

I certainly believe that the only way—that peace and stability in the Balkans are not going to be safe and secure until there is democracy in Belgrade. That is the key. That is the bottom line.

The only way you get there from here is by setting the ground rules, which the U.S. would have to do a credible threat of force to ensure that this does not get any worse, and then start working back until we have the kind of Government there that will check the kind of, I think virulent ultranationalism that we have seen in Belgrade that produces what we have seen, not what we are seeing in Kosovo and what we have already seen in Croatia and Bosnia.

Kosovo was implicit in what Milosevic did in Bosnia and Croatia. We are now just seeing it become explicit.

Senator SMITH. Thank you, gentlemen.

Senator Biden.

Senator BIDEN. Gentlemen, welcome again.

As Mr. Hooper and Mr. Fox remember, we have had discussions before, and I do not disagree with anything you have said about democracy in Belgrade is the ultimate requirement to have peace in the Balkans, but it seems to me we have a little bit of a selective memory here.

My recollection of the Christmas warning, which I happened to support, was that that warning was given at the very time when the administration wanted to leave, the Bush administration refused to do anything about the situation in Bosnia and Herzegovina, and when they were supporting, when the Secretary of State said there was nothing we can do, and when there was the easiest call to make because the least was happening.

So I find this a little bit fascinating, the bashing that is going on right now, but I happen to share your ultimate view, as long as

you all acknowledge that the previous administration created the circumstance that allowed all of this to take place.

You all make it sound like there was this Bush administration that came along and stood firm and was there, and while rape camps were set up, while tens of thousands of people were being massacred, while the proportions of the atrocities exceeded, not in kind but in number, by fiftyfold what is going on here, and we stood by and said, ah, do not move in Kosovo, but cross an international border, take the whole JNA over there, go ahead and blow everyone away over there—no problem. No warning, nothing. Remember that part?

Mr. HOOPER. Senator, I want to assure you that if I can speak for Mr. Fox here with me I think you are looking at the two people who were the most active.

Senator BIDEN. You are looking at the one person who was the most active up here, so I mildly resent—

Mr. HOOPER. This administration's inaction, and when we were still in the State Department—

Senator BIDEN. I remember. I just wanted to set the stage here.

Mr. FOX. Senator, may I just say, I think the Christmas warning may be the only thing the Bush administration did right in the Balkans.

Senator BIDEN. Cynical me thought it was done because it was the only one they thought they were not going to have to exercise any force on at the time, but that is just—I have been here too long. I am mildly cynical, based on everything else that was not done.

Mr. DIOGUARDI. Senator, just to weigh in on that point, because I was a Republican Congressman and very critical.

Senator BIDEN. I always thought you were a Democrat.

Mr. DIOGUARDI. But I would tell you that I was very critical of the Bush administration. In fact, in my testimony, which I did not read because I gave it for the record, I cited an article 6 years ago by Patrick Glynn, Yugoblunder, where he said the U.S. handling of the Yugoslav crisis is in fact a case study in how not to conduct foreign policy in the post cold war, combining a lack of intellectual rigor, carelessness, with what then, Senator—and let me give a little plug—Al Gore termed moral obtuseness about the conflicts and issues at stake.

The main factor in the Bush administration's mishandling of Yugoslavia was its devotion to geopolitical stability at the expense of democratic values and human rights.

Senator BIDEN. I do not want to refight that political war, but I want to sort of set the stage here a little bit for about how, not the atrocities that are occurring, but the circumstances are different.

It does not necessarily bring about a result different from what you all are suggesting, but I want to make sure that we know what we are talking about here, OK, or that I know what I am talking about. You all know what you are talking about. I want to make sure that I know what I am talking about and that I know what you are talking about.

Now, this notion that the only solution now is to do something we are having trouble even maintaining doing now, I do not know

if you remember, guys, we could not get anybody to do anything, including half the Democrats, on Bosnia. Remember that part? Have you got that part? Remember? And we are hanging on by our fingernails in terms of support for the maintenance of U.S. forces.

There is a resolution introduced today by Senator Hutchison and Senator Byrd demanding and requiring—not a resolution, a piece of legislation. I have not seen it. I was just told about it by my staff—saying that American forces had to be drawn down to no more than 2,500 by the year 2001, or 2000.

I mean, we are still fighting like hell just to keep—I mean, I am on the floor or in the caucus or in a Senator's office literally every week pleading the case, shuttling basically back to Bosnia to make the case, progress is being made, so the context in which this is all taking place now is not different—well, it is different, but it is a totally changed circumstance.

Now, here is what the proposals are. You are suggesting—the suggestion is that the only reason NATO is not moving, or we are not moving on NATO, is because of Russia. Well, the Italians and the Greeks own a telecommunications system there. You guys know this. I do not know why you do not say it. The French are the French—you understand that part better than I do—and the Germans are reluctant to move, ever, as it relates to anything having to do with Serbia.

So we talk about all we have got to do is say, by the way, NATO, we are going and they will follow. Well, you may be right. You may be right, but I am not so sure that is right, number 1.

Number 2, with regard to blaming the victims, I am not blaming the victims. What I am trying to get straight here is what this negotiation is supposed to be about and what we are demanding of Milosevic.

It is real important, it seems to me, when we make a demand we know what it is, and what is the demand? The demand first and foremost is, is stop the atrocities. Nobody disagrees with that.

The second demand is, at a minimum, at a minimum allow some autonomy, at a minimum. But at a maximum, what are we asking for? What should we impose? I mean, you have both said that this notion of negotiation and repeating the Contact Group involvement, all of those is just replaying all the wasted years in Bosnia before we finally got to a point where at least the atrocities have stopped, if not ratification of the cleansing having occurred.

But what is it—you had a chance, as I have in the past, and will probably never get it again in the light of my attitude toward the man, but what do you say to Milosevic? What is the bottom line we demand? Big nations cannot bluff. What is the bottom line?

I asked Mr. Hooper and Mr. Fox. I know what the bottom line is, but I will ask you as well, Congressman, because—anyway, I will ask you.

Mr. HOOPER. You start off with autonomy and work through negotiations to autonomy plus. I think there are a variety of solutions. One might well be Kosovo becoming a third republic in the Federation with an equal level, or equal to a Serbia and Montenegro. I think that would be an acceptable outcome to the Kosovars. I believe that.

I think there are other outcomes that are possible as well. The best single way to restore the loyalty of the Kosovar Albanians to the Serbian State I believe is through democracy in Belgrade. If you had that, our problems would be over, the kind of conflict prevention we are talking about.

Senator BIDEN. You and I both know Belgrade well, and I am being presumptuous in suggesting I know it well as well. We both know it well.

I have been searching for that democratic middle in Serbia for a whole hell of a long time. Do you want to give me any names? Do you want to give me any ideas? You talk about who to support. I have made visits. I have met with all of the dissidents.

One of the most destabilizing—how can I say it? That is the wrong word—most disappointing things was, I found that at least half the opposition was more rabid nationalist than our boy Milosevic was, so do you want to tell me—I mean, I am looking here. I am all for it. Find me—show me—identify me—I will go visit, literally—not figuratively, literally.

I met with 120 dissidents, quote-unquote, opponents to Milosevic, went in a room with 60 or so in one room. I started talking. They looked at me like, no, no, no, you got this all wrong. We are more Serbian than Milosevic. They were literally, literally, literally critical of Milosevic for being too accommodating.

So I am desperately seeking Susan, OK, desperately looking. The State Department is desperately looking. The West is desperately looking. Have you got any ideas for me?

Mr. HOOPER. Senator, they were not looking last year, and I think that is—

Senator BIDEN. Forget them. I am looking now. Who do you have in mind?

Mr. HOOPER. Well, I would start with Vesna Pesic and Zoran Djindjic.

Now, I realize these are leaders of two of the democratic parties. They are democrats. I am not talking about the kind of opposition ultranationalists who tried to trump Milosevic from the other side, but essentially we are going to have to start with people like that and buildup.

This is not going to be something that is going to be done in 3 weeks, or 3 months. I do not know how long it will take.

But we are not going to find that—we are not going to be able to tap into that democratic energy which I think is there in Serbia until we decide whether to we are prepared to look past Milosevic and start working with these people.

Senator BIDEN. Well, again, I am taking too much of the chairman's time here, and I know we have got to go, but I would really like to meet with each of you together or individually to pursue this, because it has been something I have been trying to seek in earnest here, and it is a very—as you well know, if it is to be found, if it exists, the likelihood of it being developed as a reasonable alternative—and I was just pointing out that one of the two people you named boycotted the election, the last election, and he lost all of his influence when he did it, but it may change.

But the bottom line is this. It is worth the effort. We should be pursuing it. I fully agree with you. I just think time—you just said

the fuse is short. I see no ability to generate and produce that kind of indigenous democratic initiative that coincides with the time-frame that is left on the fuse.

A last question I will ask, and this idea of engaging NATO and getting NATO involved, I think I have no hesitancy, and have had none for 6 years now, of suggesting the United States unilaterally suggest and promise and deliver on the use of force. That is not anything I have any trouble with.

Here is the problem I have, the idea of thinking that you are going to be able to negotiate, even with that kind of commitment on the part of the United States, a NATO force that is going to circle—the phrase used by two of you, I believe the Congressman—well, maybe it is the Congressman. I am not sure—that to circle Serbia, that means we are going to place NATO troops in Albania, Bulgaria, Hungary, Romania—lots of luck, seeing that happen.

I think we have a moral obligation to have some consonance between what we suggest and the possibility of it ever happening, and you may get NATO to conclude that it is worth sending an observer force in. You may get NATO—I think that is a stretch. You may get NATO to be able to do a number of things, but to get that to happen I think is not a sound,

Were I in the State Department and you were present, I suggested that to you, you would say, Joe, go back and get me another solution. You know it, I know it, we all know it, and I do not think it is responsible for us to suggest that as something that we can or is likely to happen.

So here is my question, and this is to you, Congressman. Is, in terms of where you think—if you have to pick a horse here, do you suggest that we, the United States, use all our influence and whatever force we are willing to use to deal with and promote and support the Democratic League of Kosovo, or the Kosovo Liberation Army, because right now they are not in tandem.

Mr. DIOGUARDI. Why don't we make the question more simple. Why don't we look at international law, look at a population of 2 million people that is being brutalized every day—

Senator BIDEN. Because we have to look at reality.

Mr. DIOGUARDI. But you raise the issue when you asked where is the "George Washington" that democratic leader we want to find in Belgrade so we can solve the problem?

We may have to wait a long time to find him or her, but, in the meantime, we cannot let the Albanian people be brutalized and killed every day. I think there are things we have to do right now. We have to face Slobodan Milosevic in the eye, as we did in Bosnia, and say, get every one of those VJ army troops out of Kosovo and, if you do not do it, we are going to take some tough action.

Senator BIDEN. What action? Are we going to use physical force?

Mr. DIOGUARDI. The argument that you made before is the same argument that I heard from Bob Torricelli and Senator McCain back in 1993, on the McLaughlin show. They were saying the same thing. But, we did something, did we not? We waited 3 years, but sooner or later we got resolve, and we said something had to be done. Why is this any different?

Senator BIDEN. Well, no, it is different—well, it is not different. I just want to know what you suggest, because back then, when I

was in your position, I was suggesting we bomb Belgrade. I was suggesting that we send American pilots in and blow up all of the bridges on the Drina. I was suggesting we take out his oil supplies. I was suggesting very specific action.

Mr. DIOGUARDI. And isn't it interesting, we did not have to go that far to begin the solution in Bosnia.

Senator BIDEN. And isn't it interesting that about 200,000 people were killed in the meantime by the time they did.

Mr. DIOGUARDI. Yes, and that is going to happen in Kosova if we do not act now.

Senator BIDEN. That is why I want to know what you are suggesting now.

Mr. DIOGUARDI. What we have to do right now is to enforce international law. We have war criminals in Belgrade. We are dealing with one right now.

I referred to that article before. I have a copy of it right here. It was in the Gannett papers on Sunday. It shows Slobodan Milosevic side-by-side Mr. Karadzic who has now got a book coming out pointing the finger at him for all those atrocities in Bosnia. Why are we not picking him up?

Senator BIDEN. Because the French let him walk around. That is why.

Mr. DIOGUARDI. It seems to me that we have a double standard here. If we are going to be the great United States of America, standing up for oppressed people, and I believe we can do that without sending military all over the world, let us pick up the war criminals in Belgrade. We know who they are. We know where they are.

Number 2, let us tell Mr. Milosevic, get every army troop out of there—you know why? It is not just because we want him to or because we like it. He is now on the brink of creating a Balkan war.

You know the problems we have between Greece and Turkey. You know how fragile Macedonia is. You know that we right now have 600 troops on the border in Macedonia. What are we waiting for?

If Milosevic keeps doing this, all he is doing is raising the temperature and, as the Greek foreign minister said, the hand grenade will explode and the Balkans will explode. We have no choice. Let us do something now, rather than have to do 20 times more later on.

Senator BIDEN. I agree with you. I think there is a number of things we can do. I think some of them, the things suggested here today are totally unrealistic of what we are likely to do, but I think there are a number of things we can do, and starting with the Christmas warning.

I also think you have all helped to make the case. You say, let us get NATO in. What do you think is going to happen in the little vote to put NATO troops in Albania when Greece and Turkey vote? What do you think, huh?

I want to be there at that meeting when you guys and your diplomatic skills bring the Greeks and the Turks together on a uniform vote.

We do have this little thing, in this little outfit called NATO called consensus. You do not get them all, you do not get any of them, you know. That is kind of the NATO thing.

Mr. DIOGUARDI. Senator, what happened then at the last minute when we decided to do something to solve the situation in Bosnia? Didn't we learn from that experience?

Senator BIDEN. There was less of an interest that they each had there than there is "inside Serbia."

Mr. FOX. If I may, Senator, I think that this may be one of the last moments that the membership in NATO has a convergent interest on Kosovo, and that if this goes much further, that is when the interests begin to diverge, and that is one of the things that makes this so gravely dangerous.

I think the potential for the Kosovo conflict to split NATO in a way that Bosnia even did not manage and, in fact, to drive a major wedge in, transatlantically and within Europe, both within and outside of NATO, is profound, and that is one of the reasons that I believe we have to reverse-engineer this issue from the point of saying, Strobe Talbott is right. I praise Strobe Talbott for his analysis.

There are others in the administration who are right, who understand this every bit as well as anybody in this room, I would say, doubtless better for what they know additionally.

If we believe that it is an unacceptable outcome to have a fourth Balkan war that draws in first Macedonia, Albania—I happen in fact not to think that the Cordon Sanitaire makes any sense, to be honest. I think it is a marginal measure, and it is distracting, and it is impractical and all the rest, but I would much rather invest in a postnegotiation guarantee inside Kosovo.

But if we believe that this is an unacceptable outcome, which I think we are all saying and I think we do agree, we certainly agree with you, then we must do the necessary measures to ensure that mediation takes place and we stop dancing around with closing bank accounts in Cyprus and we get to the heart of the matter.

The U.S.—I want to say it again. The U.S. under two administrations, and I think both administrations were serious about this and were considered about this. Certainly Belgrade took it seriously, and I think the Kosovo Albanians took it seriously, and the neighbors took it seriously.

These two administrations made a calculation that this was such a profound interest of the U.S., a vital national security interest, as Secretary Talbott says, that we were prepared to act unilaterally. No United Nations, no OSCE, no Europeans, no NATO. We were prepared to act unilaterally if necessary.

That is the beginning of wisdom, to get a baseline on Kosovo, to get a grip on the Kosovo crisis rapidly, and it has to start, as ever, in the Oval Office, and I think if that does not happen, and if it does not happen fairly quickly, there will be a disastrous legacy for this administration and for NATO that will really make Bosnia look like the warm-up, Bosnia pre-1995.

Senator SMITH. Mr. Fox, I think we are going to need to leave you with the last word on it.

The purpose of calling this hearing was simply to focus the debate and to get some minds to working, and the part of the role

of the U.S. Senate is advising, not just consenting, and hopefully we have the attention of our Government and we can stimulate some resolve.

So we thank you all for participating, and with that we are adjourned.

[Whereupon, at 4:05 p.m., the subcommittee adjourned, to reconvene subject to the call of the Chair.]

U.S. POLICY IN KOSOVO

WEDNESDAY, JUNE 24, 1998

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 4:20 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Gordon H. Smith, [chairman of the subcommittee], presiding.

Present: Senators Smith, Coverdell, Biden, and Dodd.

Senator SMITH. We welcome you, ladies and gentlemen, to this hearing of the Senate Foreign Relations Committee on European Affairs.

I have a statement that I will not read in the interests of time out of respect for our witnesses, who we are anxious to hear, but needless to say, this hearing on Kosovo is timely and important, as this country begins to define what its response will be in the face of a holocaust in our times, whether or not we are going to respond too late, too little, at the expense of much treasure and human life, or we are going to do something affirmative now to try and restore civility and human decency. That is really the issue confronting our country and our alliance, and NATO, and with our allies.

I apologize to our witnesses for our delay in starting. No one knows better than Senator Dole how votes get in the way of hearings. Senator D'Amato knows that very well, too.

As Senator Coverdell has now joined us, and the Ranking Member, Senator Biden, with your permission we will hear from our witnesses, who are under a time schedule, and Senator D'Amato will go first.

Senator, we welcome you, sir.

[The prepared statement of Senator Smith follows:]

PREPARED STATEMENT OF SENATOR GORDON H. SMITH

The Foreign Relations Committee is meeting today to discuss the ongoing crisis in Kosovo. We are fortunate to have with us two individuals who have a wealth of knowledge and experience in this area: former Majority Leader Bob Dole, who currently is serving as Chairman of the International Commission on Missing Persons in the Former Yugoslavia; and Ambassador Morton Abramowitz, who is a Board Member of the International Crisis Group, a non-governmental organization that has been active in the Balkans for over two years.

The European Subcommittee met seven weeks ago on this same subject and heard from the Clinton Administration's representative on the Balkans, Ambassador Robert Gelbard, as well as from three witnesses from the private sector. Unfortunately, as we all have seen, the situation in Kosovo has deteriorated since our last meeting. Mr. Milosevic continues to ignore the demands of the international community to withdraw his security forces from Kosovo; he makes promises he has no intention of keeping; and he shows no indication that he is serious about negotiating with the Kosovar Albanians. For their part, the Kosovo Liberation Army is gaining strength

and influence in their effort to achieve an independent Kosovo, a development that may make negotiating a peaceful settlement to the conflict more challenging.

I am afraid that Mr. Milosevic does not respond to economic sanctions or to measures such as freezing his government's foreign assets and limiting new investment in Serbia. He understands one thing only: the threat of and the use of force. I ask our witnesses—is it time for the United States to use force against Serbia? Considering our track record with Mr. Milosevic, can we convince him that we are serious when we threaten such action? Do we have any other options but to use force? Have we done enough to try to undermine the dictatorship of Slobodan Milosevic in Serbia? Whatever we decide, I want to make one thing clear: the United States must act with or without the stamp of approval from the United Nations Security Council.

The United States must not stand by and watch another massacre of innocent civilians at the hands of Slobodan Milosevic.

I look forward to hearing from both of our witnesses this afternoon and appreciate their willingness to discuss these issues with members of the Committee.

**STATEMENT OF HON. ALFONSE D'AMATO, A U.S. SENATOR
FROM THE STATE OF NEW YORK**

Senator D'AMATO. Mr. Chairman, first of all, let me begin by thanking you and our distinguished Ranking Member for providing us with the opportunity to speak about Kosovo, and certainly to be here with our colleague and former leader and great Senator and great fighter for human rights. Senator Dole is a double treat, and an honor.

Mr. Chairman, today I introduced in the Senate a resolution stating that the United States has probable cause to believe that Slobodan Milosevic of the Federal Republic of Yugoslavia has committed war crimes, crimes against humanity, and genocide, and that he should be publicly indicted by the International Criminal Tribunal for the former Yugoslavia. Indeed, I am sorry that we even assign to him the title of president.

I think that it is incomprehensible and indeed, I am sorry that in the resolution we refer to him in that manner, but that is only for purposes of identification, because, Mr. Chairman, I cannot think of a worse person—you have to really stretch—who has created more harm, more destruction to more human lives than Milosevic. It is difficult in this era, and he certainly ranks with the Pol Pots of the world.

We will be seeking cosponsors for this resolution and I would hope that we could get a unanimous vote and sponsorship that would include all of the Members of the Senate and adopt this in the near future.

Milosevic is the proximate cause for the trouble in Kosovo. It was his political ambition to create a greater Serbia. He fanned the smoldering embers of ethnic hatred into a conflagration in Bosnia that killed and wounded hundreds of thousands of people and displaced millions, millions of people. I mean, it is hard to believe in this era, in this day and age, in that area of the world, that we would allow that to take place. He rode the groundswell of hatred into political power and then distanced himself from the ultranationalists whose help he used.

And since then, a coalition of opponents known as Together has held great street demonstrations in Belgrade attempting to force his resignation. Milosevic's party lost important local elections across Serbia, and to stem this tide of opposition he has now moved back toward the ultranationalists he once abandoned and denied

the Kosovar Albanian majority any relief from the oppressive police State that he has established.

Milosevic apparently hoped that these actions would trigger a violent response from the Kosovar Albanian majority, one he could use to once again divide and suppress his domestic opposition.

Well, he has got what he wanted, and he is using ethnic hatred against the Kosovar Albanian majority to shore up his domestic power base. So far, the United States has treated him as the indispensable person, a terrible policy, a policy fraught with nothing but bringing about contempt for anything other than real power, the one key player without whom there could be peace in Bosnia, and now without whom there cannot be a peaceful settlement in Kosovo.

We have talked with him over and over. We have accorded him the courtesies due a head of State, unfortunately.

Mr. Chairman, it is time to recognize who and what he is, to make clear to the world that we hold him personally responsible for the conflict in the Balkans. It is time to end impunity for Milosevic.

My resolution calls upon the United States to turn over to the International Criminal Tribunal all of the information we possess that could serve as evidence against Milosevic, to work with our allies to cause them to do the same and, once Milosevic is indicted, to work to secure his apprehension and his trial by the tribunal.

There is a considerable body of evidence on the public record about Milosevic's role in first the Bosnian and now the Kosovo conflicts. It has been collected and analyzed by international legal experts, and in their opinion there is enough evidence already to support a public indictment by the tribunal, but there is also reason to believe that Governments concerned with the Balkan conflicts have still more information that, despite their obligation to support the International Criminal Tribunal, they have not yet made available to that tribunal.

I believe the United States should carefully review all of the information we have and turn over absolutely every bit of that evidence which they now possess and seek his indictment as a killer. We must provide all that information. We should not compromise intelligence sources, obviously, but we can and do have credible evidence that will establish that he has been part and parcel of the genocide that is taking place right now.

Action by the tribunal would signal to all participants in the conflict that no one is above the law, not even Milosevic.

Mr. Chairman, we have to stand up and do what is right. Once Milosevic is publicly indicted, the States that have blocked or slowed necessary action to solve the Kosovo conflict could not stand by him. Just as Karadzic and Mladic are now out of power and in hiding, living on borrowed time, Milosevic himself could not maintain his position of political power for very long.

There is evidence that the democratic opposition in Serbia that has so effectively been divided and suppressed is once again rising. An indictment, especially one quickly followed by the tribunal so-called superindictment process, at which prosecutors publicly present the evidence supporting the indictment to the tribunal, would undermine whatever international legitimacy he still has.

The time has come for the Senate of the United States to encourage this Nation to take the lead in this effort. Milosevic should be publicly branded the war criminal we know he is, and now this vital step would help save lives. It would help stop the further ethnic cleansing and would strike a blow for democracy. It is, I believe, the best way for us to proceed, and I believe we have an obligation to come together and to call the situation as it is.

Mr. Chairman, we look forward to your leadership and that of the committee in helping us obtain a peaceful resolution, and I believe this is one of the ways in which we can do that.

[The prepared statement of Senator D'Amato follows:]

PREPARED STATEMENT OF SENATOR ALFONSE D'AMATO

Mr. Chairman:

I want to begin by thanking you and the distinguished Ranking Member for providing me with this opportunity to speak about Kosovo. I will not take much of your time, but I want to tell you about an initiative I began earlier today and ask you to support it.

Today, I introduced in the Senate a resolution stating that the United States has probable cause to believe that Slobodan Milosevic of the rump Federal Republic of Yugoslavia has committed war crimes, crimes against humanity, and genocide, and should be publicly indicted by the International Criminal Tribunal for the Former Yugoslavia. I am seeking cosponsors for this resolution and I hope the Senate will adopt it unanimously in the near future.

Milosevic is the proximate cause for the trouble in Kosovo. It was his political ambition to create a "Greater Serbia." He fanned the smoldering embers of ethnic hatred into a conflagration in Bosnia that killed and wounded hundreds of thousands of people and displaced millions. He rode the ground swell of hatred into political power, and then distanced himself from the ultra-nationalists whose help he used.

Since then, a coalition of opponents known as "Together" held great street demonstrations in Belgrade, attempting to force his resignation. And Milosevic's party lost important local elections across Serbia. To stem this tide of opposition, he has now moved back toward the ultra-nationalists he'd once abandoned, and denied to the Kosovar Albanian majority any relief from the oppressive police state he established there.

Milosevic apparently hoped that these actions would trigger a violent response from the Kosovar Albanian majority, one he could use to once again divide and suppress his domestic opposition. He got what he wanted, and he's using ethnic hatred against the Kosovar Albanian majority to shore up his domestic power base in Serbia.

So far, the United States has treated him as the "indispensable person," the one key player without whom there could not be peace in Bosnia, and now, without whom there cannot be a peaceful settlement in Kosovo. We have talked with him over and over again, according him the courtesies due a head of state.

Mr. Chairman, it is time to recognize who and what he is, and to make clear to the world that we hold him personally responsible for the conflict in the Balkans. It is time to end impunity for Slobodan Milosevic.

My resolution calls upon the United States to turn over to the International Criminal Tribunal all of the information we possess that could serve as evidence against Milosevic, to work with our allies to cause them to do the same thing, and once Milosevic is indicted, to work to secure his apprehension and trial by the Tribunal.

There is a considerable body of evidence on the public record about Milosevic's role in first the Bosnian and now the Kosovo conflicts. It has been collected and analyzed by international legal experts. In their opinion, there is enough evidence already to support a public indictment by the Tribunal. But there is also reason to believe that governments concerned with the Balkan conflict have still more information that, despite their obligation to support the International Criminal Tribunal, they have not yet made available to the Tribunal.

I want the United States to carefully review all of the information we have and turn over absolutely every bit of evidence that we have that Milosevic is a killer. We must provide all of the information we can without compromising intelligence sources and methods vital to the safety of our troops and our own operations.

Action by the Tribunal would signal to all participants in the conflict that no one is above the law, not even Milosevic.

Mr. Chairman, we have to stand up and do what's right. Once Milosevic is publicly indicted, the states that have blocked or slowed necessary action to solve the Kosovo conflict could not stand by him. Just as Karadzic and Mladic are now out of power and in hiding, living on borrowed time, Milosevic himself could not maintain his position of political power for very long. There is evidence that the democratic opposition in Serbia that he so effectively has divided and suppressed is once again rising. An indictment, especially one quickly followed by the Tribunal's so-called "super indictment process," at which prosecutors publicly present the evidence supporting the indictment to the Tribunal, would undermine whatever international legitimacy Milosevic still has.

The time has come for the Senate to encourage the United States to take the lead in this effort. Milosevic should be publicly branded the war criminal we know he is, and soon. This vital step would help save Kosovo from further ethnic cleansing and would strike a blow for a democratic future for Serbia itself.

Thank you.

Senator SMITH. Thank you, Senator D'Amato. We certainly share your feeling of urgency. This committee met 7 weeks ago on this issue, and the situation has only deteriorated since that time.

We are very appreciative that Senator Dole and Ambassador Abramowitz would take their time to join with us to discuss this issue and their views of it. Both know the issue well, and specifically the former Majority Leader, who is currently serving as chairman of the International Commission on Missing Persons in the former Yugoslavia, can speak to this issue from first-hand experience.

Senator Dole, we thank you for being here, and we invite your testimony.

Senator D'AMATO. Thank you, Mr. Chairman.

Senator SMITH. Thank you, Senator D'Amato.

STATEMENT OF HON. ROBERT DOLE, CHAIRMAN, INTERNATIONAL COMMISSION ON MISSING PERSONS IN THE FORMER YUGOSLAVIA, WASHINGTON, DC

Senator DOLE. I want to thank my former colleagues. Let me say first, I am here as a volunteer. I am not retained by anybody.

I am here because I believe in this issue, just as Senator Biden and Senator Coverdell did when I was in the Senate, and I really believe that had not the Senate persisted a few years ago we would not have had the Dayton Accords. We would not have what we have now in Bosnia, and I really believe it is going to take the same determination by Members of the Senate of both parties in a bipartisan way to get some meaningful action now, and it is an honor to be here.

I certainly share the views expressed by my colleague, Senator D'Amato. He has been there. In fact, he went with me one time. We had trouble getting in, as I recall.

But 3 years after we have had the Dayton Accords, we have got the same trouble again with Milosevic, and I know Ambassador Holbrooke is making every effort to send him a message. In fact, today, I think, I read on the wire Holbrooke met with some of the KLA rebels, and he said in effect these people are beleaguered. They do not have supplies. That is the case in Kosovo. They do not have the supplies and they are beleaguered.

But we saw what happened—I remember Haris Silajdzic came to my office before anything even started in Bosnia and he sat in the

Leader's office and he told me, unless something was done, A, B, C, D, and E would happen, thousands of people would be killed, innocent women and children, he gave me a forecast that was almost perfect, if we did not step in and do something, not just us but NATO and Europe.

So we have seen what happened. We have seen how many refugees are still trying to find a way back home, whether it is Croatia or Serbia or Bosnia, mostly in Bosnia.

I happened to be—I have agreed with President Clinton to be Chairman of the International Commission on Missing Persons. There are about 20 to 30,000 people who just disappeared in Bosnia; 82 percent are Bosniaks. They are men between the ages of 10 and 70. They were taken from their homes. They were starved and tortured and executed and dumped into mass graves.

And whenever I go there—and I have been there three times, we will be going again in July, or August—we meet with the mothers. And, we all know what the trauma was, for the mothers, after Vietnam in the United States, and I remember specifically meeting with a mother in Zagreb, Croatia, because all the mothers had little buttons, and they had pictures of their sons, missing sons. And most of these women are peasant women. They are not well-educated. That is all they have. They do not have any material goods. All they had were their children, their sons in this case.

I remember coming around to the lady and asking her to tell her story, and she had a button with four pictures, all of her sons, taken from their home. She believes they still could be alive. I think it is highly doubtful.

But like any other mother, she would like us, in our capacity in trying to locate and identify missing persons' remains—really, they are not bodies, but remains, so she can end her grief. So she can bring some kind of closure to this particular tragedy, that was started by Milosevic. We do not want to forget where it started.

I used to fuss at the Bush administration because I thought they sort of gave, maybe not a green light, but it was at least proceed with caution, but proceed. They did not discourage Milosevic, and there has not been much discouragement since, and I think it is fair to say that Senator D'Amato's already referred to it, Milosevic's rise to power was on the tide of extreme nationalism, and it began in Kosovo, a few years before the war against Bosnia.

I visited Kosovo with Senator D'Amato and Senator Nickles and Connie Mack and two or three others, and I remember the difficulty we had getting into Pristina. We were told there were 20,000 people waiting to greet us, just to say hello to Americans, and they were beaten and driven away by Serb police forces before we could arrive there.

First of all, we were told we could not go there alone without taking the Serbian foreign minister, and we persisted, and they finally let us into Pristina, without him. It seemed to me even then it was pretty obvious there were going to be some big, big problems down the road.

Milosevic was determined to expand power and control through the use of force and, as you know, he stripped Kosovo of any political power. Ethnic Albanians cannot operate their own schools. They must learn Serbian. The Albanians, of course, outnumber the Serbs

by 9 to 1, about 2 million to 180,000 I think it is, but they do not have their own hospitals, and they deliver babies in a room about this size, one after another, with no real medical equipment.

I think we understand what has happened. When you strip anybody of everything they have, their dignity, their power, their autonomy, and then expect them to be happy, it is not going to last very long.

After Slovenia and Croatia declared independence, the Yugoslav Army, which was under his control, Milosevic's control, began its brutal attacks, and 1 year later the Yugoslav Army again supported Bosnian Serb forces against the Bosnian Government and its citizens.

And here, I want to make a distinction between Milosevic and the Serbian people. We have all heard about the Serbian mothers going to Kosovo to try to rescue their sons. In my view, I do not know whether I would say quite what Senator D'Amato said, because Milosevic was, I guess, elected president, or at least he is president, but I do believe that he does not represent the views of most Serbian people.

I found the families in Belgrade, the ones we visited with, had the same concerns. Their economy was ruined and devastated. Many Serbs do not have jobs. They do not have opportunities because of Milosevic, and whenever he gets in trouble he goes down and starts shooting somebody in Bosnia or Kosovo or somewhere else, to get his numbers up.

But I would just say, with this recent history in mind, it cannot be a surprise that Milosevic has turned his attention back to Kosovo. He is using the same bloody tactics and causing the same human suffering. Unfortunately, what is also the same, is the hand-wringing and indecisiveness that marked U.S. and Western policies toward Bosnia until the summer of 1995.

I think it is fair to say that we just have not had strong leadership. I know the President—in fact, I recently wrote President Clinton a letter. He sent me a response which I received just a few days ago. I think he is sincere when he says he wants to bring this to a stop. He wants to end the violence.

But we have even retreated from the so-called Christmas warnings which were articulated by both Presidents Bush and Clinton and advocated that the Kosovar Albanians negotiate with Milosevic without an international mediator and while attacks were taking place and, as we all know, that is a fruitless exercise.

So it seems to me that there are several things we might do. The time for prevention, in my view, has already passed. The opportunity to resolve the status of Kosovo at Dayton was missed, so there is no other realistic option left, then, but to threaten Milosevic with force and be prepared to carry out that threat.

This is the only message that I believe is worth delivering to Belgrade. I am therefore gravely concerned that the action taken to date is not enough to prevent another Bosnia, even with NATO jets only miles away Serb forces continue to lay mines, attack Albanian villages, and move additional troops and equipment into Kosovo. As our experience with aggression against Bosnia demonstrated, the longer we wait to take action the more effort it takes. We either act now—there have been about 300 killed now, and there are

some missing—or deal with the deadly, much more severe consequences later.

Certainly everyone on this panel has knowledge about this and may keep more current than I do. But, I would recommend first that we deliver a real ultimatum to Milosevic—and maybe Holbrooke will do that when he goes back to Belgrade tomorrow—but if Milosevic does not halt the attacks on Kosovo, pull back his forces, and agree to participate in internationally mediated talks, NATO will conduct air strikes against military installations in Serbia.

Second, establish a NATO no-fly zone over Kosovo which, if violated, will be met with swift and decisive military retribution.

Third, extend the sanctions imposed on Serbia and establish a comprehensive economic embargo which includes a ban on the export of fuel to Serbia. It is imperative, however, that these sanctions be imposed in conjunction with, rather than as substitute for U.S.-NATO military threat.

Clearly, the objective of these actions is to support a negotiated solution that will bring a genuine and lasting peace to Kosovo. In that regard, I would like to discuss the end game for any negotiations.

There has been a lot of discussion to the effect that if we use force, we will be supporting independence for Kosovo. Mr. Chairman, I do not take that view. First, in using force, NATO would be acting to prevent a wider war that could involve Albania, Macedonia, Greece, Bulgaria, among others.

Second, NATO would put Milosevic back in his box and end the violence he has wrought.

Third, NATO would create a more level playing field for negotiations. Milosevic would never have gone to Dayton if NATO had not conducted air strikes against Bosnian-Serb targets, at least that is my view.

Finally, in my view, negotiations should be centered on establishing Kosovo as a republic with the same status as Serbia and Montenegro and with international guarantees. I believe that the Kosovar leadership would support such a solution. In fact, I think there is a willingness on the part of the Kosovar leadership to come to the table in some internationally mediated negotiation.

For nearly 10 years, while under increasing repression, President Rugova and Prime Minister Bukoshi have supported a moderate approach and rejected force to achieve their political aims. Now under attack in a real war situation the ethnic Albanians they represent, have lost their patience, and some not surprisingly have supported the Kosovo Liberation Army, the KLA.

If NATO acts resolutely, this will not only bring Milosevic to the table, but it will also bolster the credibility of Rugova and Bukoshi among the people who elected them.

I would conclude by asking that my entire statement be made a part of the record. I am certain that you have heard much of this before, but I want to make one last statement, and that is about humanitarian aid. I have just been advised that the International Committee on the Red Cross has been very active in that area. It is critical that the United States provide logistical and material

support to the humanitarian aid effort and do all it can to ease the suffering of the Kosovars.

Tens of thousands who have been forced out of their homes have fled in fear. They lack food. They lack medicine.

I met with some of the women who were here from Kosovo, as you may have. I met with them this morning, and the stories they tell you are almost unreal. You cannot believe it, but you do believe it because you know it is the truth about the suffering that is happening in all of Kosovo.

Unless we address the real problem, and the real problem is Milosevic's genocidal expansionist regime, we will condemn ourselves to the costly mistakes of Western delay and inaction in Bosnia.

And again, whether we like it or not, we have to provide the leadership. I must say Prime Minister Blair has been very forthcoming in his statements, and the statement just again today, saying the military option is still on the table. I believe that with our leadership we could probably end this crisis and end this reign of terror.

I also want to thank Senator Tim Johnson for contacting me and indicating that he is in the process of trying to round up some Senate support for a resolution he has introduced.

So, Mr. Chairman, and my colleagues, I thank you very much, and I know you understand the importance of this. There are many people in this room who come from Kosovo who now live in the United States. They understand the importance of this, and I have confidence the Senate will do whatever it takes to do the appropriate thing.

[The prepared statement of Senator Dole follows:]

PREPARED STATEMENT OF SENATOR BOB DOLE

Mr. Chairman: I appreciate the opportunity to testify before your Subcommittee on the vitally important situation in Kosova.

Three years after the Dayton Accords ended the fighting in Bosnia and Herzegovina, Slobodan Milosevic is back at it again. This time his forces are in Kosova, driving out and killing Albanians. However, if the United States waits three years again to take effective action, Kosova's two million Albanians will fare even worse than their Bosnian neighbors.

This is not a new problem. In fact, Milosevic's rise to power on the tide of extreme nationalism began in Kosova. Two years before the war against Bosnia, I visited Kosova with a delegation that included six United States Senators, including Don Nickles, Connie Mack, and Alfonse D'Amato, from whom you will hear today. In Pristina, the capital, we were greeted by Albanians who only hours earlier had been tear-gassed and clubbed by Serbian police forces.

It was clear even then, that Slobodan Milosevic was determined to expand his power and control through the use of force. He had stripped Kosova of its political autonomy and status and imposed martial law. Later, after Slovenia and Croatia declared independence, the Yugoslav Army, which was under his control, began its brutal attacks. One year later, the Yugoslav Army again supported Bosnian Serb forces against the Bosnian government and its citizens.

Mr. Chairman, with this recent history in mind, it cannot be a surprise that Milosevic has turned his attention back to Kosova—using the same bloody tactics and causing the same human suffering. Unfortunately, what is also the same, is the hand wringing and indecisiveness that marked U.S. and Western policies toward Bosnia until the summer of 1995.

I think it is fair to say that in recent months, the United States has not exercised sufficient leadership. The administration has retreated from the so-called "Christmas warnings" to Milosevic articulated by both Presidents Bush and Clinton, and advocated that the Kosovar Albanians negotiate with Milosevic—without an international mediator and while attacks were taking place.

This tepid response to the escalating violence has not only emboldened Milosevic, but also eroded American credibility. It seems that only British Prime Minister Blair has advocated responding in a way that reflects a recognition that there is a war going on right now. If this war continues the price will not only be paid by the Kosovar Albanians, but by NATO, Europe and the United States.

Make no mistake, the time for prevention has come and gone. The opportunity to resolve the status of Kosova at Dayton was missed. And so, there is no other realistic option left than to threaten Milosevic with force and be prepared to carry out that threat. This is the only message worth delivering to Belgrade.

I am therefore gravely concerned that the action taken to date is not enough to prevent another "Bosnia." Even with NATO jets only miles away, Serb forces continued to lay mines, attack Albanian villages, and move additional troops and equipment into Kosova.

As our experience with the aggression against Bosnia demonstrated, the longer we wait to take action, the more effort it takes. We can act now, or deal with the deadly, much more severe consequences later.

With those lessons in mind, I wrote to President Clinton two weeks ago to express my concerns and recommend a strong course of action. In his response, the President cited NATO's accelerated contingency planning and stated that the Administration was not ruling anything out.

What I recommended specifically to the President was that he lead our allies in taking three immediate actions:

First, deliver an ultimatum to Slobodan Milosevic that if he does not halt the attacks on Kosova, pull back his forces, and agree to participate in internationally mediated talks, NATO will conduct air strikes against military installations in Serbia.

Second, establish a NATO no-fly zone over Kosova, which if violated will be met with swift and decisive military retribution.

Third, extend the sanctions imposed on Serbia and establish a comprehensive economic embargo, which includes a ban on the export of fuel to Serbia. It is imperative, however, that these sanctions be imposed in conjunction with—rather than as a substitute for—a U.S. NATO military threat.

Clearly, the objective of these actions is to support a negotiated solution that will bring a genuine and lasting peace to Kosova.

In that regard, I would like to discuss the end game for any negotiations. There has been a lot of discussion to the effect that if we use force we will be supporting independence for Kosova. Mr. Chairman, I do not take that view.

First, in using force, NATO would be acting to prevent a wider war that could involve Albania, Macedonia, Greece, and Bulgaria, among others.

Second, NATO would put Milosevic back in his box and end the violence he has wrought.

Third, NATO would create a more level playing-field for negotiations. Milosevic would never have gone to Dayton if NATO had not conducted air strikes against Bosnian Serb targets.

Finally, in my view, negotiations should be centered on establishing Kosova as a republic, with the same status as Serbia and Montenegro, and with international guarantees.

I believe that the Kosovar leadership would support such a solution. For nearly ten years while under increasing repression, President Rugova and Prime Minister Bukoshi have supported a moderate approach and rejected force to achieve their political aims. But, now under attack and in a real war situation, the ethnic Albanians they represent have lost their patience—and some, not surprisingly, have supported the Kosovar Liberation Army (KLA). If NATO acts resolutely, this will not only bring Milosevic to the table, it will also bolster the credibility of Rugova and Bukoshi among the people who elected them.

Before I conclude, I would like to bring attention to the growing humanitarian crisis. It is critical that the United States provide logistical and material support to the humanitarian aid effort and do all it can to ease the suffering of the Kosovars, tens of thousands who have been forced out of their homes or fled in fear. The people are lacking adequate food, medicine and shelter. I would strongly urge the members of the appropriations committees in the Congress to include funding for emergency humanitarian relief in the foreign operations bill.

As essential as this humanitarian aid is, it is not a substitute for political and military action. We must remember that, like Bosnia, this is not a humanitarian crisis, rather it is a political and military crisis with severe humanitarian consequences.

Mr. Chairman, unless we address the real problem—Milosevic's genocidal expansionist regime—we will condemn ourselves to the costly mistakes of Western delays

and inaction in Bosnia. America must provide leadership to end this crisis and Milosevic's reign of terror once and for all.

Senator SMITH. Thank you, Senator Dole. Ambassador Abramowitz, we know Senator Dole has to leave by 5 p.m. I would like to ask if we could question him first.

Senator Dole, recently we were favored with a visit of the Prime Minister of France, Mr. Jospin, and I am not certain whether our two countries are on the same page with respect to the former Yugoslavia. I pursued with him the issue of Kosovo and wanted to know whether we were on the same page, and even raised the idea of perhaps acting militarily.

He said we were on the same page, and if there was any action at all it should be done by NATO, but NATO should not act until the United Nations Security Council gave its green light. I wonder if you have any comment about that, if that is realistic, if that is a prescription that simply will not respond to this situation.

Senator DOLE. Well, first it would be—I would not say precedent-setting, but it would be refreshing to find France on the same side. That would be news, and that would be welcome.

But you know, we have the Russians as members of the Security Council and, of course, obviously they have a close relationship with the Serbs and Slavic nations, and I know Milosevic made the trek to see Yeltsin and others in Russia recently. We may want to go get a resolution of some kind, but it seems to me we have that authority.

I do not think—I mean, we can delay this. That is one way to delay it, is to go back to the United Nations and wait another 30 or 60 days, and I assume maybe after Holbrooke leaves that Milosevic will be a good boy for a while and then in a couple of weeks something else will happen and he will start his terror again in Kosovo, but I am not certain I would agree with the French Prime Minister.

Senator SMITH. I did not think you would, but I thought I would ask anyway, to put it in the context of what international pressure we ought to be governed by as we contemplate taking some military action.

Senator DOLE. Well, it would be great—you know, we thought for a long time this was something the Europeans could handle, but as it turned out it again took our efforts and our leadership. I commend the administration for the efforts in Dayton, but I think they came far too late. As I said, I think the Bush administration was also guilty of delaying and withholding action. They wanted to keep an undivided Yugoslavia, which was not even practical, because it already had a declaration of independence by Slovenia and Croatia.

I think we have to provide the leadership, and I would hope that President Clinton understands that. I think it is a question of how is he going to get support. I think he has support from Tony Blair, but Milosevic has been through this dozens of times, and he is familiar with all the tough rhetoric. He has heard it all. If nothing happens afterwards, he is going to keep doing it.

Senator SMITH. Senator Dole, on the front page of the *New York Times* today there is a very heart-rending account of the death of

a Serbian boy in Kosovo, and I think it is at least apparent that the KLA were responsible for his death.

Is it not fair to say if we do not do something soon, that the other side is arming as we speak, and that the atrocities will then be going the other way? I wonder if you have a thought on that, and what we might do to try to hold back the violence that may come from the other side?

Senator DOLE. That is why I think it is important, and maybe Ambassador Abramowitz has a different view, that we do everything that we can now to stop Milosevic. If you have mediated negotiations and have the Serbs pull out, and the KLA would have no choice but to continue to defend their people. And I would assume there are some KLA members who are, while I would not say terrorists, are capable of terrorist-style acts. Maybe a few.

Meanwhile, because we have not stopped Milosevic, the KLA continues to grow. But if somebody has got to protect your home and you have got an invading force, and you do not belong to the KLA or any other group, you are probably going to sign up. You are going to join up, and that is what is happening.

And the longer we wait, the longer the international community waits to take some action, the more of this you are going to have. Who wants anyone killed, Serb or Albanian? I do not know of anybody who is wishing for that, certainly not young boys, and I happened to see that picture in the *New York Times*, the 13-year-old.

But it is going to increase, as you indicated, unless some action is taken.

Senator SMITH. We welcome Senator Dodd. I would turn to Senator Biden for his comments.

Senator BIDEN. Mr. Leader, it is good to see you again. We are glad to have you here.

As you recall, you and I also made a trip. For the longest time there were not many of us. You, me, Joe Lieberman, a few others, who were the thorn in the side of our colleagues in the Senate and Bush and Clinton.

Let me make a statement, and just tell me whether you agree with it or not. By the way, I note parenthetically that Tony Blair is saying all the right things, but he is making all the wrong policies.

Blair said that we should use force, but that NATO needs a U.N. mandate first. We are not going to get a U.N. mandate. Russia will veto that in all probability. We should try, but they are going to veto it, and so it seems to me we are not going to get the support the President needs from the U.N.

We are also not likely to get a voluntary response from the rest of NATO unless we make it an absolute demand privately. I think the only thing that is going to embolden the President to use force, if we have to use it alone, which I think we should do if we have to, is if he gets support from here, from the Congress.

That is what happened last time. It was not until we convinced the Congress that anyone was emboldened enough to go it alone, and only after we said we were going to go it alone, and I am oversimplifying slightly, did NATO decide to come along.

And so can you see any other prescription, other than that? I cannot figure out how to do it, other than that.

Senator DOLE. I do not think it will happen, and I remember when we got 69 votes to lift the arms embargo on Bosnia. That was enough to override a veto, and then things started to happen, but not until then. And, the effort was, as you know, totally bipartisan. I remember some people were sort of slow coming in that direction, but once they had been there and seen what was happening, they were supportive. I think it gave President Clinton support. He needed the support.

Senator BIDEN. He did. The first visit that I made was in April 1993, which has been publicized by our friend Mr. Milosevic. I had a long 3-hour meeting with Mr. Milosevic, and at one point in his office, it was late at night, he looked across this little, tiny table from me and he said, "what do you think of me?" I said, "I think you are a gosh-darned war criminal, and I think you should be tried as one."

The reason I recite that is his response. He looked at me, cool as a cucumber and said, in effect, "lots of luck in your senior year." I mean, "have a good day. By the way, do you want to speak with Radavan Karadzic?" I said, "I thought you had no control over him." He said, "well, I don't. Would you like to speak to him?"

It was 11 at night. He dialed the telephone in his office. Fifteen minutes later, a guy with hair I wish I had, a brain I am glad I do not, and an attitude I do not wish on anyone came up the stairs, out of breath, literally gasping for air—my word to this—walked in the room, sat down next to Milosevic and said, "Mr. President, I am sorry I am late. I am sorry."

And I looked at Milosevic and said, "no control, huh?"

This guy has control. The only thing he has ever responded to is force, nothing else. The real questions are, are we going to go it alone, and then maybe bring people along, and, second, are we going to make it clear to the KLA that we are not looking for an independent Kosovo? That is not our purpose.

It is a difficult spot. The longer we delay, the worse it is. But I am delaying opportunity for my colleagues to ask questions.

Senator DOLE. I would just add, it seems to me Milosevic understands the U.S. Senate, and he knows there are 100 Members. When you get to have 60 or 70 on one side or the other, he understands that, so I think that helps.

My view is that he is a very charming person to sit down with, and you say, well, stay for lunch, or stay for dinner, or stay all night, or stay all week. When you meet Tudjman, Milosevic is sort of the charmer of the group, because he wants to get rid of sanctions.

I was there in January and he said, well, 2 years is long enough. There have been sanctions long enough. I said, well, what about Kosovo? Oh, we are making great progress in Kosovo. I am going to announce a big educational program.

And weeks later we had the first people killed. You cannot trust him.

Senator SMITH. Senator Coverdell.

Senator COVERDELL. Mr. Leader, it is good to have you back, as always, to see you continuing to make such substantial contributions to our Nation.

I am interpreting you as concluding that the U.N. resolution is a delayed tactic, and that we would probably not get the resolution, and you have therefore concluded that the United States should be prepared to act unilaterally.

Kosovo is not a household word. There would have to be, I think, substantial moral leadership to bring the Nation to understand why we were doing this. In a moment, I would like you to just comment on my general observations.

In a meeting that occurred earlier in the week regarding this subject I raised the question, as the world's only superpower, more and more it seems to me we are confronted with, but in the end we will have to go it alone, and there are limits. We are paying a price for that kind of commitment, and the ability to maintain a force that has sufficient resources to be trained and sufficient resources to have the ultimate in research. These resources are being diluted, because of ongoing commitments that we have made as a Nation.

It seems to me somewhere along the way we need to step back and say what kind of criteria will govern globally in these kinds of decisions. We can point to five or six places on the map at any time where there is true tragedy occurring that you could argue requires intervention and, as I said, there are limits.

I think the limits ought to be broader than just cultural. We have great cultural relationship with Europe, and I would be interested in any thought that you have given to this broader question.

I do not take exception with your frankly very emotional statement that you made. I do not know how anybody could not empathize with it. But I do think this discussion requires that we step back and think through the extent and breadth of what we can do in these kinds of situations, and I know you have given this some thought, and I would like to have your observations.

Senator DOLE. I would just say briefly that—and you are right, we cannot kick every sleeping dog. We cannot just go around the world and say, well, here is a problem, let us take care of it on our own.

But I think there is a larger question here, and my view is that as this continues to escalate what we have going in Bosnia is going to fall apart. I mean, if we cannot control the Serbian police in Kosovo I look for something to erupt in Bosnia where we now have at least peace as long as we are there, as long as Americans are there. Thirty four other nations are also participating. For that reason I think there is a direct link.

And it was my view from the start we would not be in that part of the world today had we lifted the arms embargo years ago, as you voted to do, and as we all voted to do, because the Bosnians could have fought their own battles. I mean, there is a right of self-defense. It is guaranteed in the United Nations charter, but we would not give the Bosnians that right, and now we are paying for it, billions and billions of dollars.

American forces have been there a couple of years, and I think they should continue to stay for a while, maybe reduce their numbers. I think this is the legacy of that nonpolicy that stated back in the early nineties and continued until, again, the U.S. Senate spoke with some authority with 69 votes.

So I think I would make an exception in this case and ensure that the United States stands up and takes effective action. If this continued to spread too to Montenegro and to other countries, Albania, who knows where, it might end in a greater conflict. I think it is again a part of the problem that we did not resolve properly in the first place in Yugoslavia, and it is still there to be dealt with, and I think we have to finish it. If it is up to us to do it alone, we have to finish it.

Senator SMITH. Thank you, Senator.

Senator Dodd.

Senator DODD. Thank you very much. Mr. Leader, it is nice to have you back here.

Mr Chairman, I would ask unanimous consent to have a statement included in the record regarding this.

Senator SMITH. Without objection.

[The prepared statement of Senator Dodd follows:]

COPY TO COME

Senator DODD. I would just note that back in March, in fact, several of us authored a resolution on Kosovo that was sort of a beginning process of sending the sort of signal that you do, and we just had a vote a few minutes ago, the last vote we cast here on the floor of the Senate, basically on this issue, and it basically said—and the language is pretty irresistible, I suppose because I think the language, the opening phrase of it was, we will not stay indefinitely.

No one wants to vote for something that says we are going to stay indefinitely. Five of us voted against the resolution, Senator Biden and myself, Senator Lieberman, Senator Cleland, and Senator Robb, for the simple reason I think it sends a very confusing signal.

I mean, if you are sitting back in Serbia today and you are watching the U.S. Senate cast a vote 90 to 5 that says we are not staying indefinitely, now, that is a good message for the folks back home here, because there is some concern that we have a strong strain of isolationism, and certainly you are more aware of this than most of us, going back to a time in our country where it took a one vote margin to get a draft, when Europe was burning.

Franklin Roosevelt ran for reelection in 1940 promising that we would not engage in a world conflict, and so it is an appealing thing.

But I suspect that today if you were sitting there, Milosevic, wondering what the Senate is up to, we just voted 90 to 5 to say we are not going to stay indefinitely, and no one wants to stay indefinitely, but I question the wisdom of these kinds of resolutions at the same time we are trying to convince international bodies and organizations to be supportive of resolutions and to join us if necessary in exercising military force to deal with these situations. We look like we want it all different ways. We really do not want to send a message.

I do not know whether you have any comment on that at all.

What I really wanted to ask you about in addition to that point was the point that you just raised in response to my good friend and colleague, Senator Coverdell's question about the ripple effect, and you sort of alluded to it in your comments here.

One of the things that is different about Kosovo that was true of Bosnia was in the case of Kosovo there is a strong ally who is willing to stand up and be supportive, and that is Albania, which Bosnia did not really have in its neighborhood.

Croatia was involved, but they had their own self-interest, and there was some confusion about where they were in all of this, whereas Albania has been very forceful in providing support and assistance to Kosovo, and so I suspect that if we do not do something here in addition to the tragedy in Kosovo that you have probably identified here there is a very real possibility, it appears to me—and I may be wrong about this.

I do not claim any great expertise in this part of the world at all, but I think we may be looking at a situation that spins out of control in to Macedonia and further down into the peninsula, and I wondered if you might further comment on that.

I see my time is up at this point, but whether or not you see any—we are trying to raise the level of awareness here. If you do not respond to this, we may find this situation expand exponentially beyond control.

Senator DOLE. That is the point I tried to make. Of course, Albania is probably the poorest country in that part of the world, but there are a lot of refugees are fleeing there. I am not certain they are going to have the resources to take care of them, but they are able to provide weapons.

And, of course, Iran is looking at this very carefully, and other countries that we have some interest in, but you look at the map and you have got Montenegro and Albania, you have got Macedonia and Greece and Turkey, and pretty soon you have got a big, big problem.

I think the ripple effect, in my view it is not based on any super knowledge, but it just seems to me, having been there several times, if the Serbs get away with this in Kosovo, what is going to happen in Bosnia again, where they have lost 250,000 women and children for the most part. I wish Milosevic would listen, but I think he has got a hearing problem. He does not hear anything. He is—like Senator Biden indicated, he keeps you there for 3 hours and you talk to him directly, and it is just like water off a duck, and then he gets ready for the next visitor.

There may be some way to do it, but I think one way—and again, Ambassador Abramowitz is going to touch on that, and that is mediation. But this means genuine negotiations, with a credible threat of force, and U.S. leadership as a firm mediator. But it is going to be up to us to provide the leadership, and it starts right here in the U.S. Senate.

Senator DODD. Could you just comment, and I do not have any specific knowledge about the resolution in the Senate, but would you at least express some degree of caution about resolutions, however well-intentioned here, that sometimes send confusing signals?

Senator DOLE. That is my view. We worked hours and hours with a lot of people involved in the resolutions we crafted, and the

more we made it specific, the more we talked about lifting the arms embargo, which made a lot of sense to a lot of people, regardless of party or philosophy, then I think we were on the right track.

I think the others may serve some purpose, but I think if we are really serious about it there ought to be a concerted effort to say, OK, let us really work on a real resolution. Let us bring that up in a bipartisan way and get a good vote for it and give the President support.

Senator DODD. Thank you, Mr. Chairman.

Senator SMITH. I think Senator Dole, if I could put a little more perspective on Senator Dodd's comment and question, we are in a real struggle up here in the U.S. Senate, because—and I agree, it sends the wrong message to Mr. Milosevic, but we are also trying to send a message to the President that we are hollowing out our military, and we cannot have it both ways.

We are spending our military budget on Bosnia and peacekeeping and in the meantime we have got pilots quitting and we have got difficulty with morale in our own military and, frankly, Bosnia is a part of that and so we cannot have it both ways. We have got to put our wallet where our words are, and I do not think we are doing that.

So that was the other side of the message, but I agree with Senator Dodd, and I do not want Mr. Milosevic to misinterpret what was done.

Senator BIDEN. Mr. Chairman, there is a third aspect to this, and that was, it stopped a worse resolution. I was not for this, but you had a good friend and colleague from Texas and Senator Byrd, whom no one takes lightly, offering a resolution saying, we are out by a date certain, and we reduce numbers by a date certain.

I was able to be pure on this one, but I am not sure if I—given the choice of this versus the other—might have voted for this, although it was a bad idea all around.

Senator SMITH. The other was worse.

Senator DODD. A lot worse. I am sure he knows about that, too.

Senator SMITH. Senator Dole, it is past 5. We thank you for your generosity and your time and your comments. Ambassador Abramowitz, we welcome you.

STATEMENT OF HON. MORTON I. ABRAMOWITZ, INTERNATIONAL CRISIS GROUP; AND FORMER ASSISTANT SECRETARY OF STATE FOR INTELLIGENCE AND RESEARCH

Ambassador ABRAMOWITZ. Mr. Chairman, members of the committee, thank you for this opportunity to discuss Kosovo with you. It is a privilege to appear with Senator Dole, who has been a consistent voice of realism and conscience in this very sad continuing story of the end of Yugoslavia.

Senator Biden, I have also read your statement a few days ago, and that was a very excellent piece of work.

I want to discuss the Kosovo current situation and what I think we should do. I am not going to discuss U.S. policy because it is not clear to me what U.S. policy is. The rhetoric on it changes every day.

And I will try to be brief. I would like first to make a number of points which I think need to be kept in mind when looking at

this issue. First, we all have enormous trouble sorting out the competing demands of history, sovereignty, self-determination, justice, and stability.

For example, Bosnia was a State in 1992, a new State, not as old as modern Serbia, in which ethnic groups were intermingled and Bosnian Serbs made up 35 to 40 percent of the population. Because of the massive support of the Yugoslav National Army, the Bosnian Serbs were allowed to forcibly carve out and win implicit international recognition at Dayton for a virtually independent State within Bosnia.

The Albanians of Kosovo who make up 90 percent of the region have been denied such an opportunity in great part because they do not yet have the arms.

Similarly, second, a question: Who are the terrorists? Mr. Milosevic says they are the Albanian separatists. Many in the West seem to go along with that judgment. They put the rebel movement that is fighting a brutal apartheid on a lower moral footing than Mr. Milosevic's State terrorism.

Mr. Milosevic, of course, has been responsible, as we have heard, or largely responsible in the past 10 years for the imposition of a virtual police State in Kosovo and Bosnia, with the deaths of hundreds of thousands, the displacement of millions, and the empowerment and support of war criminals.

He is perceived now as carrying out his rightful authority as the president of Serbia. He is not a candidate for the American terrorist list.

The stakes in Kosovo are great. Senator Dodd, you brought them up. The future of Kosovo, Serbia, Macedonia, Bosnia and Albania, and perhaps a wider area including Greece, Bulgaria, and Turkey. For Americans, a particular concern is the stability of Bosnia, where we have 8,000 troops, and which could be seriously threatened, the stability of which could be seriously threatened by what happens in Kosovo.

Conceivably also Mr. Milosevic may use his influence among Bosnian Serbs to threaten us on Kosovo. He could probably bring down Mr. Dodek. The enormity of the stakes does not appear to make it easier for western nations to know what to do. NATO is divided. The U.S. Government is again split, and the Russians have their own views.

Mr. Milosevic is well aware of this, and he has shown a capacity to take advantage of our differences to spurn western demands.

Fourthly, there is a wild card here, and that is the stability of the Milosevic regime. He is leading his already destitute country down a blind alley in Kosovo. He faces a mini-revolt in Montenegro, and even the Hungarians in Vojvodina are getting restive over the war in Kosovo and seeing their sons go to that war. Some analysts his hold on his own faithful may be weakening.

Military morale—the military have largely been kept out of the Kosovo war to date—is by all accounts bad. Few in Serbia would regret his departure, but it would raise plenty of uncertainties for Kosovo and other Balkan issues.

Finally, the parties in this issue cannot solve this problem by themselves. The West will have to be involved in some fashion for

a long time to come if we are going to maintain peace in that part of the world.

Now, let me try to summarize briefly what I think are the main elements of the current situation. First, the violence started because after many years of a nonviolent policy by the Albanians there was no change in their situation in Kosovo. We told them to be quiet and we will improve the situation, but nothing happened. Many Albanians came to believe that only violence would produce serious western help.

That violence is continuing and I would guess it is likely to escalate. It is not on the order of Bosnia, and not likely, soon, to become so, since Kosovar Albanians have few large weapons and little military organization or experience.

Some believe that the casualty figures, 300 or so, are understated. Some think they are exaggerated. I do not know.

Having destroyed Albanian villages along the Albanian-Kosovo border, the Serbs seem now focused on sealing the border and preventing refugees. They fear more refugees will be the only trigger for a western military response.

So far—this is very important—the fighting has not expanded to the populous areas of Kosovo adjoining Macedonia. That could well happen, could well happen soon, bringing both a humanitarian crisis and big trouble for Macedonia if there is an outflow of refugees.

Few had heard of the Kosovo Liberation Army, the KLA, a year ago. Now they have a Web site. The violent Serb attacks against KLA areas this year have done much to generate support for the KLA in Kosovo and abroad.

The leadership of Mr. Rugova has been seriously weakened, perhaps fatally. Albanians are increasingly rallying to the banner of the KLA and many in Kosovo now openly demonstrate shouting, UJK, which is the Albanian initials for it.

Some Albanians are thirsting for revenge against the Serbs after these many years of Serb rule. The KLA is in effective control of a large portion of Kosovo. We still know little about them, their size, their capabilities, their leadership, and their organization.

The KLA probably believes that more violence will produce western military action against Serbia. Regrettably, there are reports that they are now targeting Serb civilians and driving them out of Kosovo. If that is true, it could well land them on the terrorist list.

Western diplomacy over the past 5 months has not stopped the violence and has failed to produce any political change in Kosovo. The only way Serbia can continue to rule in Kosovo is either through continuing greater repression or by moving massive numbers of Serbs into Kosovo, or driving massive numbers of Albanians out of Kosovo.

The Kosovo Albanians are fed up with Serb rule, and it is unlikely they will allow themselves to continue to be ruled by Belgrade for much longer. Whether that means independence now remains to be seen. In any event, the status quo is thoroughly unacceptable.

The question now is whether the situation in Kosovo can be changed without more violence, which gets out of control and radicalizes all Albanians, including those in Macedonia.

Progress toward ending the violence in Kosovo requires in my view at least two things. First, an immediate Serb stand-down in their military campaign, but this has to be coupled with 2) a concrete offer and an urgent implementation of serious political change in Kosovo.

Now, how can we achieve those two things, and they may be insufficient. Here I think are some of the options.

First, the West can label the KLA as terrorists and close the border, help close the Albanian border to them, while at the same time insisting that Milosevic accompany these moves with a cessation of fighting, immediate political change in Kosovo, and serious negotiations with the Albanians. Many believe U.S. policy is headed in that direction.

Second, we can take a chance on the fighting not escalating too much, being a low-intensity war for a couple of years, and wait for Mr. Milosevic to fall, changing the whole equation.

Third, and alternatively, we can threaten Mr. Milosevic that we will destroy much of his military establishment if he refuses to halt the military campaign and immediately offer real political change in Kosovo.

Frankly, it is hard to avoid the judgment that, despite the tough rhetoric, NATO is reluctant to use force, and I do not think they will use force unless there are many more refugees coming from Kosovo, particularly coming into Macedonia.

Fourth, if we are unwilling to use force, we can make it clear to Milosevic that if he is not prepared to stop the violence and make quick and serious political change in Kosovo, immediate political change, we will do everything we can to bring him down, including supporting the KLA. Obviously, if he agrees we have to pressure the Albanians to stop the violence.

There is no longer any easy answer, if there ever was one. The situation gets worse and worse and, in fact, neither the West nor Milosevic knows what to do.

My own prescription is as follows. This is the best I can do. First, western diplomacy cannot continue to dawdle. It is imperative to stop the violence now before we have a permanent war, the elimination of the nonviolent Albanian leadership, refugees into Macedonia, and a radicalization of Albanians throughout the Balkans.

This will not be achieved simply by putting pressure on the weaker party, the Albanians, and hoping that Milosevic will deliver something. The KLA will not go quietly, and we will be accused of perfidy of the worst sort. Political change in Kosovo cannot follow years down the pike. It has to come now. Unconditional negotiations in this case are a myth. They could last for years. You have to have change now.

The basic fact is that right now, whether we like it or not, Milosevic remains in control and it is his call whether there is going to be war or peace. I would point out that he has never, since the Bosnian war, began, taken any politically difficult actions unless he is under great pressure. I suspect he will do the same in Kosovo.

We are not likely to get Serb agreement at this point to simply remove their forces, since it would lead to Albanian control of Kosovo and the exodus of the remaining 180,000 or so Serbs. We

must make contact with KLA, get to know them, and try to influence them.

Their attacks on Serb civilians and efforts to drive the Serbs out of Kosovo must be stopped. We need to bring them seriously into any negotiation. Peace can no longer be achieved without their participation.

I believe the Albanians should begin immediately forming a coalition Government made up of all political groupings within Kosovo. This could accelerate political change in Kosovo and may contribute to unfreezing the current gridlock.

If NATO refuses to persuade Milosevic to make the right moves, and that seems quite possible, he must be pressured to do so either through force or through support of the KLA.

Western forces must be involved in the implementation of any settlement. These are not self-enforcing settlements. Independence may ultimately take place whatever our current rhetoric against it, but insistence on it now I believe is likely to be a formula for continued violence.

That is my best shot at it, Senators.

[The prepared statement of Ambassador Abramowitz follows:]

PREPARED STATEMENT OF MORTON ABRAMOWITZ

Mr. Chairman, Members of the Committee: I appreciate the opportunity to discuss Kosovo with you. It is a privilege to appear with Senator Dole, who has been a consistent voice of realism and conscience in this sad continuing story of the end of Yugoslavia.

I will discuss the current Kosovo situation and what I think we should do. I will not discuss U.S. policy because it is not clear to me what it is. The rhetoric changes every day. I will be brief. (I should note that these comments are my own opinion and do not reflect an official position of the International Crisis Group.)

Let me first make a number of points which need to be kept in mind in looking at the Kosovo issue.

1. We all have enormous trouble sorting out the often competing demands of history, sovereignty, self-determination, justice, and stability. For example, Bosnia was a state in 1992—a new independent state not as old as Serbia—in which ethnic groups were intermingled and Bosnian Serbs made up 35-40 percent of the population. Because of the massive support of the Yugoslav National Army, the Bosnian Serbs were allowed to forcibly carve out and win implicit international recognition for a virtually independent state within Bosnia. The Albanians of Kosovo, who make up 90 percent of the region, have been denied such an opportunity, in great part because they do not yet have the arms.
2. Similarly, who are the terrorists? Mr. Milosevic says they are the Albanian separatists. Many in the West seem to go along with that judgment. They put the rebel movement that is fighting a brutal apartheid on a lower moral footing than Milosevic's state terrorism. Mr. Milosevic has of course been largely responsible in the past 10 years for the imposition of a virtual police state in Kosovo, and in Bosnia for the deaths of hundreds of thousands, the displacements of millions, and the empowerment and support of war criminals. He is perceived now as carrying out his rightful authority in Kosovo. He is not a candidate for the American terrorist list.
3. The stakes in Kosovo are great: the future of Kosovo, Serbia, Macedonia, Bosnia, and Albania, and perhaps a wider area including Greece, Bulgaria and Turkey. For Americans, a particular concern is the stability of Bosnia, where we have forces and which could be seriously threatened by developments in Kosovo. Conceivably Milosevic may use his influence among Bosnian Serbs to threaten us on Kosovo. The enormity of the stakes does not appear to make it easier for Western nations to know what to do. NATO is divided, the U.S. Government is again split, and the Russians have their own notions. Mr. Milosevic is well aware of this and has shown a capacity to take advantage of our differences to spurn Western demands.
4. There is a wild card—the stability of the Milosevic regime. Mr. Milosevic is leading his already destitute country down a blind alley in Kosovo. He faces a mini-

revolt in Montenegro and even the Hungarians in Vojvodina are getting restive over the deepening Kosovo war. Some analysts believe his hold on his own faithful may be weakening. Military morale is by all accounts bad. Few in Serbia would regret his departure but it would raise plenty of uncertainties for Kosovo and other Balkan issues.

5. The parties on their own cannot solve this problem. The West will have to be involved in some fashion for a long time to come, if peace is to be maintained.

I would like now to summarize briefly the main elements of the current situation:

--The violence started because many years of a non-violent policy by the Albanians produced no change in their situation in Kosovo. Many came to believe that only violence would produce serious Western help.

--The violence is continuing and will likely escalate. It is not on the order of Bosnia and not likely soon to become so since the Kosovo Albanians have few large weapons and little military organization or experience. Some believe the casualty figures—300—are understated. Some believe they are exaggerated. Having destroyed Albanian villages along the Albania/Kosovo border, the Serbs seem now focused on sealing the border and preventing refugees. They fear more refugees will trigger a Western military response. So far the fighting has not expanded to the populous areas adjoining Macedonia. That could well happen, bringing both a humanitarian crisis and big trouble for Macedonia if there is an outflow of refugees.

--Few had heard of the KLA a year ago. Now the violent Serb attacks against KLA areas this year have done much to generate support for the KLA in Kosovo and abroad. The leadership of Mr. Rugova has been seriously weakened, perhaps fatally. Albanians are increasingly rallying to the banner of the KLA and now openly demonstrate for them. Some Albanians are thirsting for revenge against Serbs. The KLA is in effective control of a large portion of Kosovo. We still know little about them—their size, capabilities, leadership, and organization. The KLA probably believes that more violence will produce Western military action against Serbia. Regrettably there are reports that they are now targeting Serb civilians and driving them out of Kosovo. If true it could well land them on the terrorist list.

--Western diplomacy over the past five months has not stopped the violence and has failed to produce any political change in Kosovo.

--The only way Serbia can continue to rule in Kosovo is either through continuing greater repression, or by moving massive numbers of Serbs into Kosovo, or driving massive numbers of Albanians out of Kosovo. The Kosovo Albanians are fed up with Serb rule and it is unlikely that they will allow themselves to continue to be ruled by Belgrade for much longer. Whether that means independence remains to be seen. In any event the status quo has become thoroughly unacceptable to them.

The question now is whether the situation in Kosovo can be changed without more violence, which gets out of control in and radicalizes all Albanians, including those in Macedonia.

Progress towards ending the violence in Kosovo requires, in my view, at least two things: (1) an immediate Serb stand-down in their military campaign, coupled with (2) a concrete offer and urgent implementation of serious political change in Kosovo.

How might this be achieved? These are some of the options.

1. The West can label the KLA terrorists and help close the Albanian border to them but insist that Milosevic accompany these moves with a cessation of fighting, immediate political change in Kosovo, and serious negotiations with the Albanians. Many believe US policy is headed in this direction.
2. We can take a chance on the fighting not escalating too much, and wait for Milosevic to fall, changing the whole equation.
3. Alternatively, we can threaten Milosevic that we will destroy much of his military establishment if he refuses to halt the military campaign and immediately offer real political change. It is hard to avoid the judgment that despite the tough rhetoric NATO is reluctant to use force unless there are many more refugees from Kosovo, particularly flowing into Macedonia.
4. If we are unwilling to use force we can make it clear to Milosevic that, if he is not prepared to stop the violence and make quick and serious political change in Kosovo, we will do everything we can to bring him down, including supporting the KLA. If he agrees we must pressure the Albanians to stop the violence.

There is no longer any easy answer, if there ever was one. The situation gets worse and worse and in fact neither Milosevic nor the West knows what to do. My own prescription is as follows:

--Western diplomacy cannot continue to dawdle. It is imperative to stop the violence now before we have a permanent war, the elimination of the non-violent Albanian leadership, refugees into Macedonia, and a radicalization of Albanians throughout the Balkans.

--This will not be achieved simply by putting pressure on the weaker party—the Albanians—and hoping that Milosevic will deliver something. The KLA will not go quietly, and we will be accused of perfidy; political change in Kosovo cannot follow several years down the pike. Unconditional negotiations in this case are a myth. The basic fact is that right now Milosevic remains in control, and it is his call whether there will be war or peace. He has never since the Bosnian war began taken any politically difficult action unless under great pressure.

--We will not likely get Serb agreement at this point to simply remove their forces, since it would lead to Albanian control of Kosovo and the exodus of most remaining Serbs.

--We must make contact with the KLA, get to know them, and try to influence them. Their attacks on Serb civilians and efforts to drive them out of Kosovo must be stopped. We need to bring them seriously into any negotiations. Peace can no longer be achieved without them.

--The Albanian should begin immediately forming a coalition government made up of all political groupings. This could accelerate political change in Kosovo and some unfreezing of the gridlock.

--If NATO refuses to persuade Milosevic to make the right moves, and that seems likely, he must be pressured to do so, either through force or through support of the KLA.

--Western forces must be involved in the implementation of any settlement.

--Independence may ultimately take place, whatever our current rhetoric. But insistence on it now is likely to be a formula for continued violence.

--Independence may ultimately take place, whatever our current rhetoric. But insistence on it now is likely to be a formula for continued violence.

Senator SMITH. Thank you, Ambassador Abramowitz. We do have a vote. There is only a few minutes remaining. Senator Coverdell will be back momentarily to occupy the chair while I go and vote. If you would like to remain, we can do that.

Senator SMITH. Thank you, Ambassador Abramowitz. We do have a vote. There is only a few minutes remaining. Senator Coverdell will be back momentarily to occupy the chair while I go and vote. If you would like to remain, we can do that.

Senator BIDEN. It would be nice if you could.

I think you have been the most thoughtful person writing about this in the press, and the thing I appreciate so much is your candor that the further down the road we get, there is no good solution. We are getting to the point where any decision we make is problematic, and I would like to explore just a little of that with you if I may, but we have less than 3 minutes now to vote.

Senator SMITH. We will stand in recess, and we will convene again as soon as Senator Coverdell returns.

[Recess.]

Senator COVERDELL. Mr. Ambassador, we all apologize. This is out of our control, and I did not hear the conclusion of your testimony. I wonder if you might sort of summarize that, and then while we have a few moments, if there are other thoughts you would like to contribute while we wait for Members to return.

Ambassador ABRAMOWITZ. What I was trying to convey, Senator, is that we are really in a terrible situation. The alternatives are very difficult. They may not be successful. But if we do nothing, if we do not stop the violence and we do not change immediately the political situation in Kosovo, fundamental change, we will see escalation of the war with all sorts of ramifications, and I basically had a variety of points—I am sorry. Let me back track.

I listed a certain number of things we could do to approach this, but I came myself to a proposal which I thought, and I say this with very great humility because it is very hard, I thought best met the situation, and it was sort of like an eight point—or I do

not know how many here, but let me briefly for you just sort of summarize them quickly.

First, that we cannot continue to let our diplomacy dawdle. We are dawdling. This has been going on for 5 months, and it is not getting any better. It is getting worse, and if we do not stop the violence we are going to have a permanent war. It may be low-level right now, but it could spread, and it could spread to other parts of Kosovo, and that would impact on the situation particularly in Macedonia.

If we saw sizable numbers of refugees moving from Kosovo to Macedonia, it would be a terrible blow to the stability of that State.

I said second we are not going to do this by putting pressure on the Albanians, they are the weaker party, and hoping that somehow or another, after we put pressure on the Albanians, that Milosevic is going to deliver a solution. The Albanians will not accept that, and it is—I think it is morally odious.

The fact is that Milosevic is in control, and he has the power to make peace or war now, and I am not sure he is willing to do so. It has never been his wont to do steps which are politically dangerous.

In the end, I honestly believe that the West may have to say, this is a solution, and this is what you have to do.

I do not believe we can get the Serbs to remove their forces. I do believe they ought to remove their police forces, but if they removed all their forces, Kosovo would revert quickly to control of the KLA and the elimination of all Serbs.

I think we have got to get in contact with the KLA. We have got to get to know them. They are an essential part of the solution now. They are a major factor, and we need to bring them into negotiations.

I believe the Albanians, in order to unfreeze the situation, should start to create a coalition Government, get all the political parties, political groupings, and set up a concerted political effort.

Now, the key, if Milosevic is unwilling to do those two things, 1) stop the violence and make immediate changes in Kosovo—and the two in my view are interrelated. You cannot stop the violence and then take 12 or 20 months to start negotiating something. That is not acceptable any more, and the Albanians will not accept that.

If he refuses to do that, then I think we have to either pressure him with a threat and the use of force, not something anybody particularly likes, or we have to make it clear to him that we will do our best to unseat him and we will support the Kosovar Liberation Army.

I also believe this is a long-term effort. We may have to have western forces to police the settlement. I do not think you can have a settlement last without that, at least certainly for the first few years.

I also believe that finally, while independence may eventually take place, it is probably likely, given the demographics and what has happened over the last 10 years, I believe the effort to insist on it right now is a formula for continued violence.

So in essence I believe we have to proceed down a continuum. That is the best I can do, as I said before.

Senator COVERDELL. Well, yours, as Senator Dole's, is very thought-provoking. Expand on the coalition Government concept, and let me just say from my limited time there, which is now some 2 years, that you could already sense an intractability on both sides, and that is why I am coming to your point about the coalition Government and wondering—

Ambassador ABRAMOWITZ. I was talking about a coalition among the Albanian parties. There is a very new factor here which has become very important, and that is the Kosovar Liberation Army.

They have the guns. They are drawing significant political support, and I believe that somehow or another they and all Albanians have now got to be brought into new political groupings. It is my own view, and I cannot say I am confident in asserting it.

I am asserting it in part because I am trying to see ways of breaking the political deadlock and getting something going, so I believe also establishing a new coalition will make the KLA a real part of the negotiating effort, sort of like the analogy is frequently made between—I am not sure it is appropriate here. They mention it between the IRA and Sinn Fein, that there is a political arm through the armed separatist movement.

Senator COVERDELL. If these negotiations, pressures that you speak of do not work, and there is certainly a high probability that they would not, would you share your observations on how we interact with Europe? That is saying yes, NATO should act, but only with a Security Council resolution, Europe in general, and then that being impractical, the role of the United States in a unilateral force.

Ambassador ABRAMOWITZ. Well, if we were to resort to force, if we felt the compulsion to resort to force, obviously it would be better to have the United Nations resolution. I think everybody would welcome that. Unfortunately, there seems to be in my view some indications that nations are hiding behind this so they do not have to fight, so they do not have to use force, and expecting the Chinese and/or the Russians to veto this.

I believe in the end we have to look at how seriously we think the stakes are. If we think the stakes are extraordinarily important, that the violence stop and not expand, then I believe we will have to proceed with friends in Europe. I do not believe we would be alone, but I believe it is a very major difficulty for NATO.

It is a test for NATO whether NATO is going to stand up and say they are going to deal with this problem, and I believe in the end I think most NATO members would go along, but I cannot say that with great certainty, and obviously I do not have the political job of making that happen, so it is sort of easy for me to assert that.

Senator COVERDELL. I am going to turn to our Ranking Member in just a moment, but we are in an interesting time warp. We have now voted on another resolution expressing frustration, I believe, in our country and in the Congress that is beginning to surface about the sharing of responsibilities in Bosnia in general, and I think those motions, at least at the moment, really the activists are disconnected from their effect on this, but we now had two, just during the course of this hearing.

It strikes me that, with the nature of the terrain and geography, that a forced decision has to accept substantial collateral casualties. Obviously, we cannot be unmindful of that. Do you have any comment?

Ambassador ABRAMOWITZ. I can only offer you some thoughts. It is not an area—although I had worked in the Pentagon many years ago, it is not an area that I feel myself particularly an expert. I had always felt that the only force we would use if we had to resort to force was to focus on destroying the infrastructure, the communications, and the supply depots of the Serbian military police establishment.

I was not focusing on putting troops into Kosovo. I was not in any way doing that, and I am not—I cannot say how much collateral damage. I know we did a similar thing in Bosnia with very few lives being lost. Bosnia is, of course, not Serbia. Serbia has a much bigger military establishment.

I cannot really answer that with knowledge, and I cannot sit here and tell you that it is going to work, that a sizable attack will work.

My own view is that it would, but obviously I cannot tell you that with certainty. The question is, what are the alternatives, and you cannot just look at it simply in terms of one way of proceeding.

I mean, if we want certainty, then we can get out of there and let them fight, but there are all sorts of costs to that, and we lived through that already, and therefore I believe, while no one certainly wants to use that option, I believe we have reached the point where we cannot proceed without getting two things I believe are essential from Mr. Milosevic who, after all, has the power, which is an end to the violence now, and an immediate political change in Kosovo.

I am not trying to determine what that political change should be, but that is something which has to be discussed and, as I said before, I think the only way to achieve that is if the West proposes a settlement.

Senator COVERDELL. Do you believe, if that kind of course is exercised on Milosevic, given where we are and the dawdling policy you describe, that we can convince the Albanians equally that the violence must stop, or are they at a point, emotion-driven and the like, where they feel they have more to gain by continuing?

Ambassador ABRAMOWITZ. That is a very good question. I do not feel knowledgeable enough about that to answer. My own instincts are that if we get those two things from Milosevic I believe we have the capacity to persuade the Albanians to go along with that. If we do not, we are in pretty sad shape.

Senator COVERDELL. Senator Biden.

Senator BIDEN. Thank you, Mr. Chairman.

Mr. Chairman, or Mr. Ambassador, I think a piece of this is always missing. I found the biggest struggle in a personal sense that I had in making the case here about the Balkans beginning in 1992 was, understandably convincing our colleagues and the American people what is America's security interest.

Where does America's national interest lie? I mean, what difference does it make? What difference does it make whether or not there is a Greater Serbia that includes all of Bosnia or Croatia and

whether or not Kosovo is the victim of an ethnic cleansing that works.

I wonder if you agree with the first part of what I would like to discuss with you, namely that the disintegration of Kosovo, which is increasing geometrically every day, has the genuine seeds for a third Balkan War. By that Balkan War, I want to explain to folks who may be listening to this, I mean, a war that envelops Macedonia, Albania, Bulgaria, Greece, and Turkey.

I mean, a serious, serious European conflict that affects our interest in significant ways, whether it is NATO unity, or the spread of that conflict within Central and Eastern Europe. So I think the stakes are very, very high here.

So my first question to you is, is this really a humanitarian concern you are expressing, or do you believe there is a vital U.S. interest in settling the situation in Kosovo?

Ambassador ABRAMOWITZ. No. I am expressing both. I think there is an extraordinary important humanitarian concern, but in a way, more important as a policy, looking at it from a policy sense, I think you have just very well described what is involved.

It involves the cohesion of the alliance, the seeds of a possible wider conflict—both of those are inherently involved in this issue, and we do not know right now how this is going to play out, and I do not think we should take the risk of those two things occurring.

But—and you also pointed out, and I could not agree with you more and I would argue it is one of the reasons, notwithstanding our leadership ultimately in Bosnia, that the French and the Germans acted, and that is that if, in fact, there is an exodus of people, and if there is a refugee problem, that gets the attention of our European friends.

Ambassador ABRAMOWITZ. Particularly if you tell them to go on to Germany.

Senator BIDEN. That is exactly right, precisely, and I think that is one of the reasons why the KLA is doing what they are doing.

I might note parenthetically that I have it on authority from sources whom I put some stock in, that there is not a conscious policy arrived at as expressed in the *New York Times* today by the KLA to target Serb civilians.

There is no evidence at this point that that is a concerted policy arrived at like the Serbs in Bosnia arrived at. About 3 years ago on the first trip, when Senator Dole came, and my third trip to Bosnia they were targeting children in the Muslim sector of Sarajevo for the purpose of scaring parents out onto the streets because their children were being victimized. There is no sense of that at this point in Kosovo in my view, and I say that for the press that is here, because I do not think the *New York Times* assertion is correct.

But the longer we wait it seems to me the closer we are to a pure Hobson's Choice, because the independence of Kosovo at this moment under these circumstances might very well find us in a position where we are talking about a Greater Albania, which would have a significant impact on destabilizing the region.

So I agree with your proposition that whatever happens has to happen quickly, which leads me to my second question. I was the

first guy to call for air strikes in Bosnia, and I wrote that lift and strike policy and all of that, so I have been through this before—I do not say that out of pride of authorship.

I believe that significant, sustained air strikes in Serbia would be a very different deal than they were in Bosnia, because we are dealing with a much more sophisticated military. I think the President would have to say, that there is likely to be collateral civilian damage and damage to American forces—this will not be without cost. This will not be painless.

Second, because the first thing we would have to do is suppress the Serbian air defense system, there is likely to be collateral civilian damage on the ground in Serbia, because we would have to strike in areas near Belgrade, maybe in Belgrade, but I am suggesting that if all else fails, we should do that.

I want to be up front about this. I am not suggesting that this would be a painless undertaking. Are you still prepared to support, if all other avenues fail, and I mean in the near term, the use of significant air power, knowing what our military tells me—and I believe them—that there is likely to be both collateral damage as well as possibly loss of U.S. lives, U.S. airmen's lives?

Ambassador ABRAMOWITZ. Obviously, like you, I certainly would not like to see that, but I believe the stakes are such—and let me back track for a minute, and I cannot dispute what you said about the differences between bombing Serbia and bombing in Bosnia.

I believe the stakes are such that if we cannot get him to agree to what I think are the indispensable requirements, that we have two choices, one of which we must do. One is to use air power, and the other is to undermine him and support the KLA. We have to do one or both of them.

Senator BIDEN. Well, one of the good pieces of news is that I think to date Prime Minister Nano of Albania is acting very responsibly. As a matter of fact, he has just come out for Kosovo's becoming a republic within Yugoslavia, but without the right of secession. That happens to be exactly what I advocated here 2 weeks ago.

But the point I am making is this. Nano's statement does not bode well for the notion of a Greater Albania. In other words, you do not have the Albanian prime minister making statements that would invite the KLA to in effect become part of Albania. I think this is a very helpful step in dealing with what is to the naked eye a very intractable problem. There are no good answers left here.

Ambassador ABRAMOWITZ. I think the more we dawdle, the more likely the developments are in the direction of Greater Albania.

Senator BIDEN. I do, too, but my point is that I am pleased, and I want to publicly acknowledge that the Albanian prime minister is playing a constructive role at this point. If Milosevic were the prime minister of Albania, he would be calling for a Greater Albania now. He would be calling for and appealing to the nationalism of all Albanians in the region.

So I just wanted to state for the record that even though I said the alternative for Greater Albania is also destabilizing, my staff reminded me that I should point out that this is not what the Albanian Government is calling for.

Ambassador ABRAMOWITZ. I applaud his statement, but he is, of course, not in a very strong position.

Senator BIDEN. I agree with that, and that is why I would again reemphasize my agreement with your point that time is of the essence.

Now, let me ask you one last question, if I may, and I appreciate the chairman's giving me this much time. By the way, I was not being solicitous before I left about your thoughtful writing.

You know, when we were going through the debate on Bosnia in 1994 in the Foreign Relations Committee room in a closed session, I was in a very heated discussion about what we should be doing in lifting the embargo and using air power and crossing the Drina if need be. One of my colleagues asked me a question that brought into sharp focus something I wondered about all through my college and graduate school years.

Here I was, sitting in a seat that may very well have been occupied by Vandenberg as the senior member of the Foreign Relations Committee, and I could never understand how we could have failed to act in the thirties in the face of what was so patently obvious what was going on, and then I realized how, and I am not being facetious when I say this.

One of my colleagues looked at me and said, "OK, Joe, you may be right. Your argument seems logical, but can you guarantee me that no American will be killed?" All of a sudden it struck me that this must have been the standard being applied back in 1937 and 1938 and 1939, when we knew we had the force to be able to do something even as weak as we were.

The reason I keep saying this is that I do not want to be accused of not having been straightforward about this from the outset, or of promising—not that my colleagues would put any more stock in my statements than anyone else's—of promising anyone this is an easy road, or that the price may not be higher using force, even if it is only air power, in Serbia, than it was using it in Bosnia.

The targets, it seems to me, have to be the ones you have stated. One of the things I have observed about the Balkans, no matter what country you are talking about, is that whatever little booty is possessed, people are desirous of keeping it.

Let me be more precise about that. The Yugoslav Army is real, but it has limited assets and resources, notwithstanding the fact that they are significant relative to Bosnia. I am operating on the assumption that Milosevic's circumstance politically is tenuous enough because his policies are not widely shared by the average citizen in Serbia in my view. Nonetheless, we should not misunderstand, Kosovo and Kosovo Field near Pristina, in particular, are viewed as the cradle of Serbian nationality, Serbian identity, so we should not kid ourselves about that.

Still, support for his policies is not widespread. I am of the view that if the Serbian Officer Corps believes that the price they have to pay to sustain Milosevic's policy is that they will run the risk of being badly disabled, I think it has the possibility of impacting upon Milosevic.

So my question to you is, what is your view about the popular reaction to dedicated air strikes on military targets over a period of time? Some suggest that they would just embolden and rally the

people of Serbia around Milosevic, and others of us say that they are likely to be the only thing to get his attention, because they may very well undermine him with the only element of Serbian nationalism that has any oomph left, and that is the military.

Do you have a view on that?

Ambassador ABRAMOWITZ. Yes, I do, and you have very well stated the dilemma. There are two views. One is that it will cause the Serbian people, the Serbian military to rally around him, and the other is that it will demonstrate the terrible dilemma that he has led his country into.

If I could tell you a brief story, I saw a very prominent Serbian political leader back in 1995 to try to ask him his perspective on what happened when the war in Yugoslavia, in the former Yugoslavia began, and I said to him, tell me, if in 1992 NATO had—and this was a man very close to Milosevic during that whole period.

If, at that time in 1992, NATO had sent an unmistakable message to you, or had begun to sort of mobilize forces, would you have started or continued the war, and he looked at me and laughed, and he said, are you out of your mind? Do you think we want a war with NATO?

That is basically my perspective on it.

Senator BIDEN. Mine as well. I thank you, and thank you, Mr. Chairman.

Senator SMITH. Mr. Ambassador, we apologize for the disruption of the vote, but we thank you for your very perceptive testimony, and all of you who have attended today. Hopefully we are helping to lay a foundation for doing something and getting us beyond just words but some action that can save some lives for our country and theirs, and so we thank you.

Senator Coverdell.

Senator COVERDELL. The observations have been directly on Kosovo, the Serbians, and Milosevic. Do you have any observations as to how we might be more effective in sharing with our European allies the very concern that you have?

It would strike me they, among all, would be more committed to this than you or we, and yet the reticence is obvious and apparent.

Ambassador ABRAMOWITZ. Well, I have a perspective on that that may be wrong. I think the reticence is great because we have reticence, and if we are certain as to what we are about, if we can clarify our thinking on how to deal with this, I believe that would change things. The Europeans are reticent because we are, and as I said before, I am not sure where we are at.

I mean, I would hope that obviously that our diplomacy succeeds, but right now I do not know what we are trying to do.

Senator COVERDELL. I appreciate the observation. I thank the chair for allowing me to intervene with a final question.

Senator SMITH. You are welcome, Senator.

We are going to include Senator Biden's statement in the record, and again, we thank you all for your attendance today. We are adjourned.

[The prepared statement of Senator Biden follows:]

PREPARED STATEMENT OF SENATOR JOSEPH R. BIDEN, JR.

First, Mr. Chairman, I would like to compliment you on calling this hearing. There is no foreign policy issue of greater urgency facing the United States than the crisis in Kosovo.

Second, I would like to welcome our two distinguished witnesses, former Majority Leader Dole and Ambassador Abramowitz. Aside from their many other achievements and services to this country, Senator Dole and Ambassador Abramowitz are two of our leading experts on the Balkans, and I am looking forward to benefiting from their expertise today.

Mr. Chairman, we all know the proximate cause for this hearing: the unspeakable atrocities being carried out by Serbian special police and Yugoslav Army units in Kosovo.

Claiming that he is merely utilizing a country's legitimate right to put down domestic rebellion, Milosevic has let loose his storm troopers to slaughter civilians and combatants alike. Clearly the civilized world, led by the United States, must act quickly in order to prevent a repeat of the Bosnian tragedy.

But before we act, we must confront weighty issues of fundamental principle, of strategy, and of tactics.

One issue of fundamental principle is the basis for intervention in what, strictly speaking, is an internal affair of a state. No one denies that Kosovo is a province of Serbia, albeit one whose autonomy was illegally revoked nine years ago.

Can intervention be justified on the grounds that Serbia is wantonly violating the fundamental human rights it has pledged to uphold as a signatory to OSCE and U.N. conventions?

A second issue of fundamental principle is whether NATO requires a U.N. Security Council mandate in order to take military action.

My own view is that the possible spread of the warfare in Kosovo poses a clear and present danger to vital security interests of NATO member states, the United States included, and therefore obviates the necessity to go to the U.N. for a mandate. I would like your opinions on this issue.

What we do on Kosovo also has highly important strategic implications, above all for continued American leadership in the post-Cold War world.

No one—certainly not this Senator—relishes the idea of sending American forces into harm's way once again. But if the Kosovo situation is sufficiently dangerous to our security—as I believe it is—then the question boils down to whether or not to act now, or temporize as we did in Bosnia, and then have to go in later at far greater risk and cost in blood and treasure.

Let us also not forget that U.S. leadership is inextricably bound to the very future of NATO. I would pose the following hypothetical question, which is rapidly becoming a real one:

What should we do if we consider it in the vital interest of the United States to intervene militarily in Kosovo, but our European allies insist on the need for a U.N. Security Council mandate, which they know Russia would veto? Should we then "go it alone" and thereby risk fracturing NATO?

Another basic strategic question we must face is how much to factor in Russia's outspoken opposition to possible NATO military intervention in Kosovo. Specifically, is the Russian Defense Ministry's warning of a "new Cold War" just standard public diplomacy hyperbole, or does it reflect the real state of current sentiment in Moscow?

If it is the latter, should maintenance of reasonably good relations with Russia outweigh other priorities in the Balkans?

Finally, Mr. Chairman, there are tactical issues, specific to Kosovo, which we need to confront.

Other than putting an immediate halt to the blood-letting, what are our goals in Kosovo? Autonomy within Serbia, which Kosovo enjoyed from 1974 to 1989, could be revoked again and is, therefore, unrealistic.

I am against independence for Kosovo because such a move would seriously destabilize the Former Yugoslav Republic of Macedonia, and thereby open the Pandora's Box of a wider Balkan conflict.

Therefore, my own preference, which I outlined last week on the Senate floor, is for republic-status for Kosovo within a federal Yugoslavia, but without the right of secession. This outcome, however, must be negotiated by the Kosovars and the Serbs, not imposed from the outside.

Other tactical issues concern possible military intervention.

How effective would air strikes alone be against the Serbian forces?

Would ground troops also be necessary to end hostilities and get serious negotiations started?

Furthermore, is the United States even in contact with the Kosovo Liberation Army? Could we be certain of its cooperation in any cease fire we broker?

No one should doubt the difficulty of resolving these basic questions—of fundamental principles, of strategy, and of tactics. But I anticipate that our distinguished witnesses will help us shed light on these and other thorny issues.

Thank you, Mr. Chairman.

[Whereupon, at 6 p.m., the subcommittee adjourned, subject to the call of the Chair.]

APPENDIX

HEARING OF MAY 6, 1998

UNITED STATES DEPARTMENT OF STATE,
WASHINGTON, DC 20520
May 15, 1998

THE HON. JESSE HELMS,
Chairman,
Committee on Foreign Relations,
United States Senate.

DEAR MR. CHAIRMAN:

Following the May 6, 1998 hearing at which Special Representative Robert Gelbard testified, additional questions were submitted for the record. Please find enclosed the responses to those questions.

If you have any further questions, please do not hesitate to contact us.

Sincerely,

BARBARA LARKIN,
ASSISTANT SECRETARY,
Legislative Affairs.

RESPONSE OF AMBASSADOR GELBARD TO QUESTION ASKED BY SENATOR BIDEN

Question. Why is it not legally or politically possible for the Bosnian election rules to be changed in time for the September 1998 elections so that each of the three members of the joint presidency are elected at large, rather than just one ethnic constituency?

Answer. Your question goes to the heart of the reason for the structure of the Dayton Constitution.

A copy of Annex 4, Article V that deals with the election of the tripartite Presidency is attached. The Dayton Constitution ensures representation for all ethnic groups and preserve the ethnic balance. For this reason, the constitution provides for a Bosniac, a Croat and a Serb in the tripartite Presidency.

A pluralistic electoral system is the major long-term political goal for BiH. The Office of the High Representative is charged with writing the Permanent Election Law that will govern future elections. The Peace Implementation Council anticipates using that new law to effect progressive change in the electoral system.

As part of this process, the OSCE and OHE consulted legal authorities to see if it would be possible have a direct election for the Presidency without a constitutional change. Legal opinion was that this would not be possible. Therefore, any such change, were it to be proposed, would require approval as an amendment to the Constitution by both chambers of the Parliamentary Assembly including a two-thirds majority of the lower house of the Bosnian Parliament.

It is generally considered that election of the members at large would be unacceptable to Bosnian Croats who, as the smallest ethnic group, feel they could be excluded. Such an eventuality could also impact directly on cooperation in the Federation.

For the September 1998 general elections, we believe recent PEC rule changes should encourage further modest movement toward a pluralistic legislature, thus making constitutional change possible in the future, if that is the desired route of the signatories of the Dayton Accords.

ARTICLE V

Presidency

The Presidency of Bosnia and Herzegovina shall consist of three Members: one Bosniac and one Croat, each directly elected from the territory of the Federation, and one Serb directly elected from the territory of the Republika Srpska.

1. Election and Term.

- (a) Members of the Presidency shall be directly elected in each Entity (with each voter voting to fill one seat on the Presidency) in accordance with an election law adopted by the Parliamentary Assembly. The first election, however, shall take place in accordance with Annex 3 to the General Framework Agreement. Any vacancy in the Presidency shall be filled from the relevant Entity in accordance with a law to be adopted by the Parliamentary Assembly.
- (b) The term of the Members of the Presidency elected in the first election shall be two years; the term of Members subsequently elected shall be four years. Members shall be eligible to succeed themselves once and shall thereafter be ineligible for four years.

2. Procedures.

- (a) The Presidency shall determine its own rules of procedure, which shall provide for adequate notice of all meetings of the Presidency.
- (b) The Members of the Presidency shall appoint from their Members a Chair. For the first term of the Presidency, the Chair shall be the Member who received the highest number of votes. Thereafter, the method of selecting the Chair, by rotation or otherwise, shall be determined by the Parliamentary Assembly, subject to Article IV(3).
- (c) The Presidency shall endeavor to adopt all Presidency Decisions (i.e., those concerning matters arising under Article III(l)(a)–(e)) by consensus. Such decisions may, subject to paragraph (d) below, nevertheless be adopted by two Members when all efforts to reach consensus have failed.
- (d) A dissenting Member of the Presidency may declare a Presidency Decision to be destructive of a vital interest of the Entity from the territory from which he was elected, provided that he does so within three days of its adoption. Such a Decision shall be referred immediately to the National Assembly of the Republika Srpska, if the declaration was made by the Member from that territory; to the Bosniac Delegates of the House of Peoples of the Federation, if the declaration was made by the Bosniac Member; or to the Croat Delegates of that body, if the declaration was made by the Croat Member. If the declaration is confirmed by a two-thirds vote of those persons within ten days of the referral, the challenged Presidency Decision shall not take effect.

3. Powers. The Presidency shall have responsibility for:

- (a) Conducting the foreign policy of Bosnia and Herzegovina.
- (b) Appointing ambassadors and other international representatives of Bosnia and Herzegovina, no more than two-thirds of whom may be selected from the territory of the Federation.
- (c) Representing Bosnia and Herzegovina in international and European organizations and institutions and seeking membership in such organizations and institutions of which Bosnia and Herzegovina is not a member.
- (d) Negotiating, denouncing, and, with the consent of the Parliamentary Assembly, ratifying treaties of Bosnia and Herzegovina.
- (e) Executing decisions of the Parliamentary Assembly.
- (f) Proposing, upon the recommendation of the Council of Ministers, an annual budget to the Parliamentary Assembly.
- (g) Reporting as requested, but not less than annually, to the Parliamentary Assembly on expenditures by the Presidency.
- (h) Coordinating as necessary with international and nongovernmental organizations in Bosnia and Herzegovina.
- (i) Performing such other functions as may be necessary to carry out its duties, as may be assigned to it by the Parliamentary Assembly, or as may be agreed by the Entities.

- 4. Council of Ministers.** The Presidency shall nominate the Chair of the Council of Ministers, who shall take office upon the approval of the House of Representatives. The Chair shall nominate a Foreign Minister, a Minister for Foreign Trade, and other Ministers as may be appropriate, who shall take office upon the approval of the House of Representatives.
- (a) Together the Chair and the Ministers shall constitute the Council of Ministers, with responsibility for carrying out the policies and decisions of Bosnia and Herzegovina in the fields referred to in Article 111(1), (4), and (5) and reporting to the Parliamentary Assembly (including, at least annually, on expenditures by Bosnia and Herzegovina).
 - (b) No more than two-thirds of all Ministers may be appointed from the territory of the Federation. The Chair shall also nominate Deputy Ministers (who shall not be of the same constituent people as their Ministers), who shall take office upon the approval of the House of Representatives.
 - (c) The Council of Ministers shall resign if at any time there is a vote of no-confidence by the Parliamentary Assembly.

RESPONSES OF HON. ROBERT S. GELBARD TO QUESTIONS ASKED BY SENATOR
D'AMATO

Question. What plans does the United States have to deal with the humanitarian emergency that would arise if Serbian ethnic cleansing in Kosovo were to drive hundreds of thousands of Kosovar Albanians across international borders into Albania and the Former Yugoslav Republic of Macedonia?

Answer. For several months, the Department has been working with the Macedonian and Albanian governments, as well as the UN High Commissioner for Refugees (UNHCR), International Committee for the Red Cross (ICRC) and other humanitarian organizations in Albania and Macedonia to ensure that contingency planning is at an appropriate level. The Department was pleased to see the international community's quick, comprehensive response in the last month to the humanitarian needs of the 15,000 Kosovar Albanian refugees in Albania and 65-80,000 displaced persons in Kosovo. NATO's Civil Emergency Planning cell and members have been responsive to USC's call for NATO logistical support for humanitarian organizations. There have been no reported refugee flows to Macedonia.

In response to the UN and ICRC emergency appeals, the Department's Bureau of Population, Refugees and Migration has contributed \$3.55 million to humanitarian organizations and will hold an additional \$1.45 million in reserve. AID/Food for Peace is finalizing an additional \$1 million contribution as well. In addition to those funds that will address the humanitarian needs of refugees, Albanian families hosting refugees and internally displaced persons, a portion of these funds will go to continued contingency planning and preparedness in Macedonia and Albania. We are confident that the international community and government in Macedonia will respond quickly, if there are refugee flows into Macedonia.

Context: In December 1992, President Bush sent a letter to Milosevic warning him that "In the event of a conflict in Kosovo caused by Serbian action, the U.S. will be prepared to employ military force against the Serbians in Kosovo and in Serbia proper." This language is classified SECRET/NODIS, but the New York Times and other U.S. paper have reported the warning accurately. The UNCLASS version of the warning notes only that "The United States will respond in the event of Serbian violence in Kosovo" and does not make reference to military intervention. The Clinton Administration reaffirmed the "Christmas Warning" in early 1993, but there has been little reference to it since.

Question. Is the Christmas Warning still in force? Why doesn't the Administration reiterate it?

Answer. There has been no change in U.S. policy regarding our readiness to use force in the event of continued serious violence in Kosovo.

As the President has said, all options are on the table, including the use of military force. That is our position—that we are prepared to use force. We would prefer that the situation be resolved through talks—peaceful dialogue—and the NATO planning is done in support of forceful diplomacy.

We have also made clear to the Kosovar Albanian leadership that we will not tolerate violent acts committed by extremist elements in the Albanian community.

Question. Is the United States actively gathering evidence on the conduct of Serbian and Federal Republic of Yugoslavian forces in Kosovo for submission if war-

ranted to the International Criminal Tribunal for the Former Yugoslavia in The Hague? Has the United States found grounds for the submission of such evidence?

Answer. The United States has been among the leaders in drawing the attention of the international community to the fact that the ongoing mandate of the International Criminal Tribunal for the Former Yugoslavia (ICTY) applies to current events in Kosovo. On March 13, 1998, Secretary Albright announced the United States was contributing more than \$1 million for the support of the investigations of the Office of the Prosecutor (OTP) in Kosovo and for other investigative priorities.

The policy of the United States is to cooperate fully with the Tribunal and to expect all other States to do the same. The Administration reports to the Congress, including the House Appropriations and International Relations Committees as well as the Senate Appropriation and Foreign Relations Committees, every six months on information-sharing with the OTP. The last such report was provided in April 1998. These reports are unclassified. Information is provided to the OTP in response to specific requests by the OTP and in compliance with provisions of U.S. law and Rule 70 of the Tribunal's rules of procedure, which apply to the confidentiality of information. While the OTP has publicly disclosed its ongoing investigation into events in Kosovo, the existence or extent of any requests by the OTP to the U.S. Government for information on Kosovo are not a matter of public record. It is a matter of public record that the U.S. policy of full cooperation with the Tribunal, which has been in effect since the Tribunal was established in 1993, continues in effect and without limitation to any particular investigation.

Question. What configuration of internal Serbian political forces is necessary, in your opinion, in order to permit Slobodan Milosevic to come to the negotiating table without preconditions to talk with Kosovar Albanian leaders under international mediation? When and how will that condition be achieved?

Answer. From the outset of armed hostilities in Kosovo in March, the international community has demanded that the Serb side make a serious offer of dialogue with Kosovar Albanian leaders. We believe that Milosevic can enter a serious, substantive dialogue immediately. We will not accept any excuses from Milosevic or others that internal forces somehow render him unable to accept this baseline demand of the international community, which is essential for the resolution of the conflict.

Question. Clearly, events in Kosovo have acquired a momentum of their own. Serbian armed assaults against Kosovar Albanian villages have boosted membership in and support for the Kosovo Liberation Army while undercutting the political legitimacy of established Kosovar Albanian political leaders. When, in your judgment, will time run out on realistic prospects for a peaceful, negotiated settlement?

Answer. It is impossible to pinpoint a specific set of events that would make a peaceful, negotiated settlement impossible.

Despite the deterioration of the situation on the ground in Kosovo and the increasing radicalization of Kosovar Albanians, we believe that there is still opportunity for dialogue and negotiation.

We will continue to push to get a meaningful dialogue started between the government of the FRY and Kosovar Albanian leaders. We are working with both sides to achieve a cease-fire so that negotiations can go forward. The July 8 Contact Group statement calls for "an immediate cessation of hostilities in Kosovo to pave the way for continuous talks between Belgrade and the Kosovo Albanian leadership on additional confidence building measures and the future status of Kosovo" and says that "Contact Group members will pursue this goal through immediate talks with both Belgrade and the Kosovo Albanians."

The main goal of U.S. policy toward Kosovo now seems to be to begin a negotiation between Belgrade and the Kosovar Albanians in the presence of an international third party. This means that we ultimately want to see a deal, or agreement between Milosevic and the Kosovars.

What indication do we have that Milosevic wants to make a deal? Certainly he is not under the same pressure he was for Dayton and, absent NATO air strikes, he will not be. Furthermore, do we really believe he wants a way out of the Kosovo crisis, when the crisis itself is what seems to enhance his power and popularity in Serbia?

Ultimately, is it not also true that we are again relying on Milosevic to have enough dictatorial power to be able to make a deal stick? Are we not perpetuating his regime by relying on it rather than isolating it? Does the United States believe there will ever be genuine, long-term stability in the Balkans as long as Milosevic is in power, and if not, are we considering the extent to which we are perpetuating his rule?

Answer. We believe that Milosevic is under significant pressure, and, along with our allies, we are continuing to step up this pressure to force him to the negotiating

table. We have already instituted comprehensive economic sanctions and an arms embargo. Milosevic is currently isolated from the international community.

We have made it clear that sanctions and isolation will continue until Milosevic meets the demands of the Contact Group and makes a serious effort to negotiate with Kosovar Albanian leaders. The Contact Group has called for action in the UN Security Council to lock in the commitments Milosevic made to President Yeltsin as well as the requirements of the Contact Group.

Much as we would prefer that Milosevic not be in charge, he is the person to deal with now to get a dialogue going or a settlement implemented. The only alternative to dialogue is war, which is unacceptable.

If Milosevic fails to take the required steps, the Contact Group has made it clear that it will consider further action, including action that would require UN Security Council authorization.

Milosevic faces a clear choice. If he fails to implement fully the demands of the international community and make a credible attempt to solve the Kosovo crisis peacefully, he will continue to face international isolation, sanctions, and possible military action.

Question. It seems that the only thing Milosevic really responds to is a credible threat of the use of force, which demonstrates the resolve of the international community to stop him. Do you agree, and, if not, do you believe the current sanctions announced by the Contact Group in Bonn and Rome are credible, given clear differences between the Contact Group countries, or sufficiently strong to compel Milosevic to respond positively? If Milosevic does not respond positively, are we ultimately willing to reissue the warning of military intervention first made by President Bush and then reiterated by President Clinton? Is there a possibility that, now, we could issue a no-fly zone over Kosovo through the United Nations that would be enforced by NATO?

Answer. We have taken decisive steps to increase the pressure on Milosevic to show positive movement on Kosovo. We fully support UN Security Council Resolution 1160, which institutes an arms embargo on the FRY. The U.S. and the EU have both imposed an investment ban on Serbia and a freeze on the funds of the FRY and Serbian governments. The EU is preparing to implement a ban on flights by Yugoslav air carriers. The U.S. has suspended indefinitely the consideration of an application by JAT (the Yugoslav national airline) to resume flights to the U.S. There are no U.S. commercial carriers flying to Belgrade at this time. We have made it clear to Milosevic that, if he fails to show positive movement, we will continue to increase the pressure on him; this may include further action in the UN Security Council. We will continue to work with our allies to ensure that sanctions are as effective as possible. We have exempted the pro-reform government of Montenegro from all sanctions.

We are prepared to use force if the situation in Kosovo warrants this. As the President has said, all options remain on the table, and NATO military planners are in the process of developing a full range of options in the event NATO decides to act in response to the crisis in Kosovo. In addition, on July 8 the Contact Group stated that if Milosevic does not fully implement his commitments to President Yeltsin and the requirements of the Contact Group, "the Contact Group will consider further action under the United Nations Charter, including action that may require the authorization of a UN Security Council resolution, to bring about compliance by those who block the process." Such actions could include, but would not be limited to, declaration and enforcement of a no-fly zone over Kosovo or parts of the FRY. However, Russian reluctance to support UN Security Council authorization of a more robust policy towards Kosovo is a limiting factor that needs to be taken into consideration.

RESPONSE OF AMBASSADOR GELBARD TO QUESTIONS ASKED BY SENATOR BIDEN AND SENATOR D'AMATO

Question. The OSCE has been mentioned as part of the international response to the Kosovo crisis, with former Spanish Prime Minister Felipe Gonzalez being offered as a high-level envoy and the Mission to Kosovo which was expelled in 1993 readied for return.

What priority does the Administration place on OSCE involvement?

Answer. The U.S. continues to place a high priority on OSCE involvement in the resolution of this crisis. FRY authorities continuing refusal to comply with key

OSCE and Contact Group demands has, however, placed a practical limitation on OSCE activities within the FRY. Key OSCE and Contact Group conditions include acceptance of the OSCE Chairman-in-Office's (CiO's) Personal Representative Felipe Gonzalez, the return of the OSCE Missions of Long Duration, and the implementation of key stabilization measures. The OSCE continues to play an important role through its border monitoring activities in Albania, and its mission in FYROM. Recently, the CiO has opened preliminary talks with FRY authorities regarding the possible return of the OSCE Missions and FRY's status at the OSCE.

Question. Is the United States giving adequate attention to the advantages of deploying international monitors on the ground to report on what is happening, regardless of whether agreement can be reached on the terms for a negotiation with a high level envoy?

Answer. Yes. Regarding OSCE missions, the U.S. has continuously urged at high levels FRY authorities to reinstate the OSCE Missions of Long Duration in Kosovo, Sanjak, and Vojvodina. The return of these missions would serve as an important confidence building measure, and would provide clear, unbiased reporting from the region. FRY authorities have to date been unwilling to accept the return of these missions without unacceptable preconditions.

The U.S. and other countries with Embassies in Belgrade have established a Kosovo monitoring capability, staffed by Embassy personnel, which have been increased for this purpose. Milosevic agreed to this in conversations with U.S. diplomats and confirmed it in his Moscow meeting with President Yeltsin. We have been monitoring the situation in Kosovo for several months and are increasing our presence there significantly, with hopes for reaching our full plan for operations and staffing as soon as the remaining security and communications provisions can be put into place. These efforts will help provide a clearer picture of the situation in Kosovo, as well as help reassure the inhabitants, of all ethnic groups, of the international community's concern.