

Language changed

AMENDMENT NO. _____ Ex. _____ Calendar No. _____

Purpose:

In the Senate of the United States - 101st Cong., 2nd Sess.

H.R. 5114

(Title) Making Appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1991, and for other purposes.

Intended to be offered by Mr. Nickles

Viz:

At the end of the bill add the following section:

Sec. ____ None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to provide any

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Summary of Nickles/D'Amato Amendment

Prohibits all U.S. aid to Yugoslavia unless the aid is to be used in a Republic which has held democratic elections and is not violating human rights.

Specifies that the prohibition on aid includes Import-Export bank assistance, and requires the U.S. to vote against World Bank and other MDB loans to Yugoslavia.

Ensures that aid may provided if it will be used in a republic which has held democratic elections, and which is not engaging in human rights violations.

Allows aid to support democratic parties or movements, emergency or humanitarian assistance or to further human rights.

Lifts restrictions on aid once the Secretary of State certifies that Yugoslavia is in compliance with the obligations under the Helsinki Accords.

No aid for Yugoslavia is specifically earmarked in the bill. However, it is assumed that Yugoslavia would be otherwise eligible for SEED assistance, and Export-Import Bank loans. Current Eximbank exposure in Yugoslavia totals \$1.2 billion making it the 3rd largest recipient of Eximbank financing.

A major Eximbank transaction for Yugoslavia for \$255 million was approved last July despite section 2(b)(1)B of the Export-Import Bank Act of 1945 which requires the bank to consider the human rights record of a country when determining eligibility for assistance.

In its Country Reports on Human Rights Practices for 1989, the State Department cites many human rights practices against the ethnic Albanian population in the Province of Kosovo which violate internationally accepted human rights standards including psychiatric abuse, abrogation of the rights of assembly, free speech, free press, and the right to a fair trial.

Amnesty International's annual report for 1990 documents the detention of more than 4,500 political prisoners in Yugoslavia during 1989, more than 1,000 were jailed for more than 60 days for taking part in non-violent protest strike in Kosovo in February.

The Helsinki Commission states that the treatment of minorities in Kosovo is one of the worst remaining human rights problems in Europe.

Helsinki Watch wrote a letter in August to Yugoslavia's Prime Minister protesting the gross human rights abuses that are occurring in Kosovo.