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Congressional Delegation Visit to the Balkans

April 9-13, 1993

White Paper

Preamble

Decisive action by the international community is essential to reverse Serbia's aggressions in Croatia and Bosnia-Herzegovina as well as the abrogation of all civil, human and national rights of Albanians in Kosova and to deter further aggression by Serbia. We strongly urge implementation of the following recommendations immediately in an effort to avert impending disaster in the form of a wider, more brutal Balkans war that promises to envelope all countries of the region and beyond.

In Bosnia-Herzegovina, where it has become readily apparent that Serbian forces continue their rampage of shelling, executing and detaining of non-Serbs, throughout Srebrenica and other pockets of eastern Bosnia, the Task Force strongly believes the lifting of the arms embargo is necessary to level the playing field so as not to penalize the victims any longer.

Preventive, preemptive action is needed to stop a greater Balkan war from erupting. Specifically, the situation in Kosova cannot be allowed to continue. As Members of Congress who have seen the brutality of Serbian martial law in Kosova, we appeal to our colleagues, the Clinton Administration, the United Nations Security Council, the Conference on Security and Cooperation in Europe, and international human rights advocates and organizations to support our program for restoring peace, security and freedom in the Republic of Kosova.

The delegation was alarmed by the staggering economic impact of over 700,000 refugees on the Republic of Croatia. Croatian government officials reported that it costs \$3 million per day to provide housing, food and medicine combined. Additionally, Croatia continues to defend itself against unceasing Serbian aggression within its borders. As a result of these costly responsibilities, inflation is running at 2000 percent annually and wages have dropped to an average of \$80.00 per month. Compounding this problem, international humanitarian aid, already inadequate, will shortly run dry.

Delegation participants

In Croatia and Bosnia-Herzegovina, the congressional delegation consisted of Representatives Susan Molinari, Bill Paxon and Peter King. This group was joined in Kosova by Representative Eliot Engel.

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Recommendations

1. Deploy U.N. Peacekeeping Troops to Kosova

Since United Nations Protection Forces (UNPROFOR) in Croatia have failed to fulfill their mission of removing Serbian troops and weapons from the enclaves, restoring civilian control or returning refugees to their homes in occupied areas, the Task Force recommends that UNPROFOR troops in Croatia be redeployed from Croatia to Kosova and Macedonia where their presence will have a positive, preventative influence in stopping and reversing Serbian aggression.

The 1974 Constitution of the former Socialist Federal Republic of Yugoslavia described Kosova as one of eight constitutive elements of the Yugoslav federation: in that regard, Kosova exercised its sovereign rights in such federal institutions as the Presidency, Parliament, Government, Judiciary and Administration. Like all other federal units (Slovenia, Croatia, Bosnia-Herzegovina, Macedonia, Montenegro, Serbia and Vojvodina), Kosova had its own Constitution and on that authority exercised all powers of a fully federal constitutional unit. Kosova had its own Parliament, Government, Presidency, Administration, Judiciary, police, territorial defense, and financial and banking system, health care system, Academy of Sciences and Arts, university and other institutions of higher education, elementary and high schools system, news media, cultural and scientific institutions, and other components. Kosova has its own territory and borders, set and guaranteed by the Constitution. Considering these political facts, Kosova has a right to request United Nations intervention.

2. End the Arms Embargo

Ending the arms embargo against the free republics of former Yugoslavia, including Bosnia-Herzegovina and Kosova, should be approved immediately as a means of permitting the victims to defend themselves against the aggressor.

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3. Prosecute Serb Leaders for War Crimes

The U.N. Experts Commission on Crimes Against Humanity in the former Yugoslavia should move immediately to prosecute Serbs who have committed crimes against humanity as identified by the United State government, CSCE monitors, other international entities and the Kosova Council on Human Rights. Among those who should be prosecuted include Slobodan Milosevic, Zeiko Raznjatovic, and Vojislav Seselj.

By bringing to justice those responsible for the heinous crimes in Croatia, Bosnia-Herzegovina and Kosova, the world will effectively stop current and would-be tyrants in their tracks. It is critical to hold those responsible for "ethnic cleansing" and cultural genocide in the name of a "Greater Serbia" to pay for their crimes against humanity. This recommendation has been endorsed by the United Nations, CSCE, EC and virtually every other international and human rights organization.

4. Launch Strategic Air Strikes Against Serbia

Strategic air strikes should be launched by NATO against Serbian military targets, including air bases, heavy artillery installations, ammunition depots, and supply routes in Bosnia as a means of stopping the aggressor in its tracks and preventing expansion of its military machine to Kosova.

As many international leaders are beginning to conclude, Serbia must be prevented from inflicting further pain and suffering on innocent civilians in the Balkans. Nothing short of armed intervention in measured doses will solve the problem. With NATO jets enforcing the no-fly zone over Bosnia, their mission should be amended to include destroying Serbia's war capability.

5. Increase CSCE Permanent Observer Mission in Kosova, Investigate Prison Conditions

The Conference on Security and Cooperation in Europe should increase the number of the permanent CSCE observer mission from the present allocation of 20 to at least 50, with small groups of monitors stationed in every major city and village of Kosova.

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In addition to observing and reporting human rights abuses, the monitors should be charged with immediately investigating prison conditions and obtaining the release of persons illegally detained. CSCE should be aided in this task by the U.N. Human Rights Commission, European Community, and International Committee of the Red Cross.

CSCE has long been cognizant of the human rights situation in Kosova, and over the last year its membership has authorized placing monitors in Kosova. Furthermore, the U.N. Commission on Human Rights passed a resolution February 17, 1993, in Geneva, demanding that CSCE, ICRC, U.N. High Commissioner for Refugees, the EC missions, and other relevant international and regional organization be granted immediate, unimpeded and continued access to places of detention in Kosova.

6. Undertake Addition Investigations of Human Rights Abuses

The CSCE Special Rapporteur on Human Rights in Former Yugoslavia, Tadeusz Mazowiecki, should undertake additional immediate, intensive and comprehensive investigations and report to the U.N. Human Rights Commission on human rights violations in Kosova.

Former Prime Minister Mazowiecki has previously reported on the deteriorating human rights situation in Kosova as well as other areas oppressed by Serbia. The UNHRC in its February resolution condemned documented human rights violations including police brutality against Albanians, arbitrary searches, seizures and arrests, torture and ill-treatment during detention, and discrimination in the administration of justice which has led to a climate of lawlessness in which criminal acts against Albanians take place with impunity.

The UNHRC also condemned discriminatory removal of Albanian officials from the police and judiciary, and mass dismissal of Albanians from professional, administrative and other skilled positions in state-owned enterprises and public institutions, including teachers from the Serb-run school system, and the arbitrary closure of Albanian high schools and universities.

It also deplored the arbitrary imprisonment of Albanian journalists and closure of Albanian-language mass media, and the discriminatory removal of ethnic Albanian staff from local radio and television stations.

Page 5**7. Diplomatically Isolate Serbia, Close all Belgrade Missions in U.S.**

The Belgrade regime must be isolated diplomatically by the international community, including the United States which should close its embassy in Belgrade, bring its diplomats home, expel all former Yugoslav and Serbian diplomats, and close its embassy in Washington and consulates in other U.S. cities.

It is ridiculous and ludicrous to maintain any relations with the Serbians when they constantly thwart international law and consistently breach negotiated cease fires and no-fly zone agreements. Their word cannot be trusted, and to do so simply allows the aggressor to buy more time in which to perpetrate its acts of horror.

The present U.N.-imposed embargo penalizes people who have no means of combatting Serbian attacks. Under Article 51, Chapter VII, of the United Nations Charter, a member of the United Nations has the right of individual or collective self-defense if an armed attack is launched against them. Clearly, this is the case in former Yugoslavia. This provision of the U.N. Charter supersedes the Security Council resolution imposing the arms embargo.

8. Bring U.S. and International Lawmakers to Kosova

We urgently request other Members of the U.S. Congress and legislators from parliaments throughout the free world to undertake missions to Kosova so that the leadership of the republic receives the moral support of world leaders while those visiting the country can see for themselves the abrogation of all rights, the quiet ethnic cleansing, and the inhumanity being perpetrated by the Serbian authorities in Kosova.

Conclusion

We are outraged at the ineffective, ineffectual, and cowardly response by the West to almost two years of the most brutal, inhuman aggression since World War II, with the creation of two million refugees in their own land. While the West has attempted to sooth a guilty conscience by providing humanitarian aid, those living with this horror accurately dismiss such efforts by observing, "Now people are dying half-fed."

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The West has the capability to end Serbia's aggression, but it does not have the will. The time is long overdue, as Former British Prime Minister Margaret Thatcher has said, when we must show some backbone, muster the courage and display the confidence of judgment to stop the war in the Balkans.

For 18 months the international community has pretended that negotiation without any threat of enforcement was a viable option to ending the aggression. The Serbian government has proved itself unwilling to cease unless stopped by outside military intervention. It has deceived the international community delegation, as well as broken all peace agreements.

It is in the United States interest, morally and strategically, to end the Balkan crisis now before a spill over into Kosova occurs.