

**CIVIL STRIFE IN YUGOSLAVIA: THE UNITED
STATES RESPONSE**

HEARING
BEFORE THE
SUBCOMMITTEE ON
EUROPEAN AFFAIRS
OF THE
COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE
ONE HUNDRED SECOND CONGRESS
FIRST SESSION

—————
FEBRUARY 21, 1991
—————

Printed for the use of the Committee on Foreign Relations



U.S. GOVERNMENT PRINTING OFFICE

40-336

WASHINGTON : 1991

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

5381-28

COMMITTEE ON FOREIGN RELATIONS

CLAIBORNE PELL, Rhode Island, *Chairman*

JOSEPH R. BIDEN, Jr., Delaware
PAUL S. SARBANES, Maryland
ALAN CRANSTON, California
CHRISTOPHER J. DODD, Connecticut
JOHN F. KERRY, Massachusetts
PAUL SIMON, Illinois
TERRY SANFORD, North Carolina
DANIEL P. MOYNIHAN, New York
CHARLES S. ROBB, Virginia

JESSE HELMS, North Carolina
RICHARD G. LUGAR, Indiana
NANCY L. KASSEBAUM, Kansas
LARRY PRESSLER, South Dakota
FRANK H. MURKOWSKI, Alaska
MITCH McCONNELL, Kentucky
HANK BROWN, Colorado
ORRIN G. HATCH, Utah

GERYLD B. CHRISTIANSON, *Staff Director*
JAMES P. LUCIER, *Minority Staff Director*

SUBCOMMITTEE ON EUROPEAN AFFAIRS

JOSEPH R. BIDEN, Jr., Delaware, *Chairman*

PAUL S. SARBANES, Maryland
PAUL SIMON, Illinois

LARRY PRESSLER, South Dakota
HANK BROWN, Colorado

C O N T E N T S

	Page
Bentley, Hon. Helen, U.S. Representative from Maryland	48
Prepared statement	62
Bonutti, Dr. Karl B., President, Slovenian-American Heritage Foundation, Pepper Pike, OH.....	122
Prepared statement	124
DioGuardi, Hon. Joseph, Albanian-American Civic League, Scarsdale, NY, prepared statement.....	89
Prepared statement	94
Dobbins, Hon. James F., Principal Deputy Assistant Secretary of State, Bureau of European and Canadian Affairs, Department of State	75
Prepared statement	78
Dole, Hon. Robert, U.S. Senator from Kansas	36
Prepared statement	39
Laber, Jeri, Executive Director, Helsinki Watch, New York, NY	115
Prepared statement	117
Moody, Hon. Jim, U.S. Representative from Wisconsin.....	42
Prepared statement	46
Perpich, Hon. Rudy, Croatian-American Association, Hibbing, MN	102
Prepared statement	114
Schifter, Hon. Richard, Assistant Secretary of State, Bureau of Human Rights and Humanitarian Affairs, Department of State	70
Prepared statement	73
Responses to Questions asked by Senator Pressler.....	165
Stone, Robert Rade, President, Serb National Federation, Pittsburgh, PA	125
Prepared statement	129

APPENDIX

A Coffin for Mihailovic (article), New York Times Book Review, Feb. 10, 1991, by David Binder.....	145
Albanians in U.S. Share Homeland's Burdens (article), New York Times, Feb. 10, 1991, by David Binder	144
Bonior, David E., prepared statement.....	143
Dainich, Prof. Edward J., prepared statement	161
Information on the present situation in the world and Yugoslavia, and on the immediate tasks of the Yugoslav People's Army.....	158
Luketich, Bernard M., President, Croatian Fraternal Union of America, pre- pared statement.....	163
Paraga, Dobroslav, President, Croatian Party of Rights, prepared statement	159
Raskovic, Dr. Jovan, prepared statement	144
Rebecca West: This Time, Let's Listen (article), New York Times Book Review, Feb. 10, 1991, by Larry Wolff.....	153
Secret Serbian Cameras Roll on Croatian Unrest (article), The European, Feb. 1-3, 1991, by Dusko Doder.....	146
Vuich, David, Serbian American Voter Alliance, prepared statement.....	149
Yambrusic, Edward Slavko, President, National Confederation of American Ethnic Groups, Inc., Feb. 27, 1991, letter from, to Senator Biden	157
Yugoslav Presidents Defuse Croatian Tensions (article), Financial Times, Jan. 27, 1991, by Laura Silber	148
Yugoslavia Tense Over TV Film on Croatian Arms (article), New York Times, Jan. 26, 1991, by Chuck Sudetic.....	147

CIVIL WAR IN YUGOSLAVIA: THE UNITED STATES RESPONSE

THURSDAY, FEBRUARY 21, 1991

U.S. SENATE,
SUBCOMMITTEE ON EUROPEAN AFFAIRS
OF THE 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. Joseph R. Biden, Jr. (chairman of the subcommittee) presiding.

Present: Senators Pell, Biden, Simon, Robb, and Pressler.

Senator BIDEN. The hearing will come to order please.

I apologize to my colleagues for keeping them waiting. I have a very brief opening statement, and then I will yield to our first panel of distinguished witnesses. Our Republican Leader, Senator Dole, Congresswoman Bentley, Congressman Moody, who is on the way, and Secretary Dobbins and other distinguished panelists I welcome you here today and look forward to hearing your testimony.

It has been quite some time since Yugoslavia has been the sole topic of a hearing of the U.S. Senate Foreign Relations Committee. Chairman Pell and I were agreed that the time had come to focus attention directly on American policy toward this important and at this moment troubled nation.

For decades our bilateral relationships with Yugoslavia have been based largely on strategic concerns. We saw Yugoslavia as relatively liberal and Western-oriented as compared to the Warsaw Pact neighbors. And most importantly, although Yugoslavia held a socialist ideology, it was not a member of the Warsaw Pact, having escaped the heavy hand of Soviet hegemony. And from the American perspective, Yugoslavia was an implicit partner in the Western strategy of containment.

Now, however, the United States-Yugoslavia relationship has been altered dramatically by two facts. First, with the collapse of the Soviet bloc, Yugoslavia no longer need stand and Americanize as a bulwark against the Warsaw Pact expansionism. And second, the cement of Yugoslav unity has begun to crack as certain of the republics have moved to assert autonomy and adopt democratic institutions. These two facts mean a change in Yugoslavia's geopolitical setting just at the moment of severe civil strife. Taken together, they prompt a thorough reconsideration of American interest and American policy.

Like its predecessors, the Bush administration has supported both unity and democracy in Yugoslavia, unity for reasons of promoting stability, democracy because we regard the promotion of democratic values and practices as fundamental to American interests. This combination of goals was possible because of the American position in some sense, theoretical so long as no serious challenge arose against Yugoslavia unity or in favor of establishing a democracy nationally or in the republics.

But now unity and democracy are at issue, and it is far from clear that the two can exist together in contemporary Yugoslavia. It is also far from clear that the United States should continue to favor unity if that objective conflicts with our interests and the principles of democracy and self-determination.

As the issue of unity and democracy have festered in Yugoslavia over the past 2 years, we have seen serious human rights abuses alleged by the State Department and others. Yet it appears that some in the administration and outside it are reluctant to condemn such abuses for fear of inflaming nationalistic passions.

I intend in these hearings that we offer a full airing of the diverse points of view represented on our panels, but I should declare at the outset that I am emphatically not disposed to accept any argument that we must refrain from criticism of the Yugoslav Government on the grounds that we must preserve a special strategic relationship with Belgrade as an essential element to the East-West balance. As the Warsaw Pact is dissolved, so too has that rationale in my view. American policy today and tomorrow must be based upon a fresh appraisal of American interests and how they can be pursued.

In the course of our hearing today on United States policy toward Yugoslavia, I also hope to consider some of the broader questions of nationalism and to examine any similarities and differences that may exist between the Yugoslav and Soviet situations. Both nations are engaged in the struggle between centrifugal forces and conceptual forces, between forces of cohesion and forces of disunion and regional autonomy. In both situations, we see profound issues of justice long delayed and denied and profound danger of civil war, and we should discern, if we can, principles that can guide American policy in dealing with such explosive conditions in countries where the United States has important interests.

As we begin, let me underscore my recognition that the issues to be raised here today hold not only policy importance, but also great personal and emotional significance to many people in this room and among the American public. I urge that all participating in these proceedings endeavor to discuss these issues as dispassionately as possible as we try to discern the elements of American policy that will reconcile and promote our dual interests of international stability and justice and democracy.

In our first panel, as I said, I am pleased to welcome representatives from both Houses: the distinguished Senate Republican Leader, Senator Dole, Congresswoman Bentley of Maryland, and Congressman Moody of Wisconsin, who is on his way I am told.

Now, let me yield to my colleague, Senator Pressler, if he has any comment to make, and then move to Senator Dole.

Senator PRESSLER. Mr. Chairman, I do not want to take up the time of the committee with my full statement I have placed in the record, but I will say the worst expression of Yugoslavian ethnic turmoil exists in Kosovo. In that region, Albanian Yugoslavians, who constitute more than 80 percent of the population, have been stripped of all political rights. Even worse, they have been brutalized by some of the most repressive tactics found anywhere in the world. These include murder, torture, inhumane treatment, and arbitrary arrests by the thousands. In the face of these atrocities, I would expect our Government, the Government of the United States of America, to firmly oppose such human rights abuses, not in some quiet, behind-the-scenes way, but publicly and in an outspoken manner.

The rumblings of civil war are heard today in Yugoslavia. The constitutional issue of federation versus confederation faces that nation. I hope that the testimony of our witnesses today can provide some useful guidance not only for United States policymakers, but also those in Yugoslavia who bear the awesome burden of establishing a new constitutional order based on democracy, individual freedom, and equality under law. Mr. Chairman, if the forces of repression continue to hold sway in Yugoslavia, I hope our Government quickly removes every benefit our relations with that country now bestow on them.

Mr. Chairman, I would like to place the State Department's Country Report on Human Rights Practices of 1990 about Yugoslavia in the record at this point.

Senator BIDEN. Without objection.

[The information referred to follows:]

EXCERPT FROM DEPARTMENT OF STATE'S COUNTRY REPORTS ON HUMAN RIGHTS FOR
1990—YUGOSLAVIA (pp. 1342-1359)

The Socialist Federal Republic of Yugoslavia is constitutionally established as a multiethnic, federal state comprising six republics (one of which has two autonomous provinces). The decentralized system set up by President Tito in the Federal Constitution of 1974 delegated much power to republic and local authorities in order to preserve stability among Yugoslavia's contentious ethnic groups.

State security and uniformed police are under the jurisdiction of Federal and Republic Secretariats for Internal Affairs. The armed forces are under federal jurisdiction.

The former economic system of worker self-management, a type of decentralized socialism, is being phased out. The Federal Government made progress in its major program of economic reform, intended to open the economy to market forces by reducing government regulation, reforming the banking system, expanding competition by making enterprises more independent, and encouraging private enterprise and foreign investment. Nearly 85 percent of agricultural land is privately owned, and there has been a rapid increase in the number of private enterprises in the service sector and in small export-import businesses.

In 1990 multiparty elections took place in each of Yugoslavia's republics. International observers judged that these elections were generally correct, the most notable exception being the blatant bias of official media in Serbia in favor of the ruling party. The elections resulted in the formation of non-Communist governments in Croatia, Slovenia, and Bosnia-Herzegovina, electoral victories by Communist or successor parties in Montenegro and Serbia, and victory in Macedonia by a group of non-Communist and Communist parties.

In most of the country, there were significant advances in human rights. In the province of Kosovo, Serbian authorities continued and intensified repressive measures that featured in 1990 thousands of political arrests, tens of thousands of politically motivated job dismissals, and widespread police violence against ethnic Albanians. This violence included the use of excessive force by the police to disperse peace-

ful demonstrators, including random and at times unprovoked shooting by police, resulting in at least 30 deaths and hundreds of injured.

RESPECT FOR HUMAN RIGHTS

Section 1.—Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

There were no reported instances of such killings.

b. Disappearance

No instances of disappearance were reported.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Yugoslav law forbids torture. There were credible reports, however, that people were sometimes beaten, mistreated, or threatened during detention. The problem was particularly severe in Kosovo. For example, in August an American citizen was arrested in Kosovo for allegedly participating in a demonstration during a visit by U.S. Senators. The American, who denied the charges against him, was severely beaten by Serbian police during his interrogation. He also suffered other forms of mistreatment, such as deprivation of food and water.

There were also eyewitness accounts of ethnic Albanian prisoners being severely beaten by Serbian police. One prisoner had a cigarette lighter held to his fingers to revive him after he had been beaten unconscious. Many other Albanians suffered similar mistreatment at the hands of the Serbian police. The practice of making new prisoners in jail "run the gauntlet" through a line of baton-wielding police who beat them was widespread.

There were also reports of brutality by prison guards. Such brutality toward ethnic Albanians was alleged in the trial of prison guards in Leskovac and Vranje, two prisons in Serbia proper to which ethnic Albanians had been moved following the unrest in Kosovo during the winter of 1989. The Leskovac prison doctor, who was not a defendant, testified that he had examined patients to see how much more beating they could withstand. Three of the 11 Leskovac defendants were convicted and received the lightest possible sentence (3 months in jail). Some members of international human rights groups believe that witnesses in the Leskovac case were intimidated by police and civilians to keep them from testifying. In the Vranje trial, which began in 1989 and ended in 1990, 4 of the 12 defendants were found guilty and were given the same light sentences.

In January six Serbian prisoners in Nis staged a hunger strike because of the beating of a fellow prisoner. In a magazine interview in September, one of the strikers reported that conditions had improved in the prison since the strike.

The "Anatoliy Koryagin Committee" of the Movement for the Protection of Human Rights, which deals with the political abuse of psychiatry, reported 24 documented cases of incarceration in psychiatric hospitals for political reasons, of which 5 to 6 were new in 1990. In May the Social-Democratic Alliance of Serbia protested the forced psychiatric testing and medication of a member of their group's presidency, Dragan Stefanovski. The group claimed that Stefanovski was being persecuted by this and other means for his independent union activities during a December 1989 strike.

d. Arbitrary Arrest, Detention, or Exile

Yugoslav criminal law and legal procedures include many provisions considered by observers to be inconsistent with internationally accepted human rights. The law allows investigatory detention for up to 3 months, with a possible 3-month extension, which is often implemented. Azem Vlasi, a former president of the League of Communists of Kosovo, spent 7 months in detention until his trial began in October 1989 and 6 more months until his acquittal in April 1990. Access to prisoners in pretrial detention by family or legal counsel is sometimes restricted, ostensibly to prevent interference with investigations.

Arbitrary arrest occurred most frequently in Kosovo, where ethnic Albanians were routinely and summarily sentenced to 30 to 60 days in jail, often on misdemeanor charges of "disturbing public order" on the basis of an unsupported statement by a single policeman. Thousands of Albanians in Kosovo were arrested and imprisoned in this manner. Albanian activists believe that at least 5,000 people had been arrested for participating in demonstrations in 1990. Under judicial procedures pertaining to misdemeanors, a prisoner may appeal a conviction only after sentencing, and, because of the time required to file the appeal, the sentence is often completed before the appeal can be heard. Because of the speed of the trial and sentenc-

ing, defendants often cannot obtain legal assistance, although they have the legal right to an attorney.

Albanian political activists are routinely called in for lengthy arbitrary questioning by police, often late at night. For example, the dean of the Pristina medical faculty, Dr. Alush Gasi, was taken in for extensive questioning in September following his meeting with U.S. Senators.

e. Denial of Fair Public Trial

There is a Yugoslav federal criminal code, and each republic and province also has its own criminal code and court system. In the past, all of these codes and court systems were roughly similar, but changes in 1990 to the federal criminal code and current or impending changes in the codes of several republics could well lead to significant differences. Only decisions by the highest republic and provincial courts, their supreme courts, may be appealed to the Federal Supreme Court. The Federal Constitutional Court rules on the constitutionality of laws and regulations, but its rulings must be enforced by the republic authorities, which at times simply choose to ignore them. Offenses by those in the armed forces or offenses by civilians deemed to affect national security are tried in the military court system. In September the Federal Government announced that military and civilian defendants in military court cases would be permitted to engage civilian lawyers of their choice.

Defendants have the right to be present at their trials and to have an attorney, at public expense if needed. The legal system, however, still contains numerous inequities unfavorable to the defendant, regardless of whether the trial is criminal or political. The defense is sometimes restricted in the time allowed to prepare its case. While the prosecution may call as witnesses whomever it wishes, the defendant may only request the court to call witnesses, and the court has complete discretion as to whether or not to honor the request. Prosecutors are allowed to appeal a verdict of not guilty.

Court records of trials are not verbatim records of testimony. Instead, they are judges' summaries, dictated periodically during the trial. This limits the record to what the judge considers the important points and may omit vital evidence needed should the case be appealed. Few lawyers contest the judge's summarization, although, in the Vlasi trial, lawyers routinely challenged the summarizations, often successfully. Some trials are audiotaped and the tapes transcribed, but the court usually refuses to do this in political cases. In the past, judges were required to meet "moral-political" criteria, which in practice meant they had to be members, or at least acceptable to, the League of Communists. Legal cases at all levels have been susceptible to manipulation by the political authorities, which in some cases simply predetermined verdicts.

During 1990, there were major changes in the federal and republic legal systems. Several republics adopted or debated new constitutions that sought to guarantee an independent judiciary. Serbia, for example, adopted a new constitution that in principle guarantees defendants the right to legal counsel of their own choice in all legal proceedings. The independence of the judiciary is also stipulated. Despite these changes, there remains strong opposition to the introduction of a genuinely independent judiciary. Many old judges are being retained, and in Serbia judges reportedly were being pressured to join the ruling Socialist Party of Serbia, the successor to the League of Communists of Serbia.

The judicial system is also accused of ethnic bias, usually in favor of the dominant group in a particular region. Ethnic Albanians in Macedonia charge that courts there are often biased against them. Serbian officials claim that ethnic Albanian judges in Kosovo were too lenient with fellow Albanians in the past. As an example, an August 8 article by the official press agency Tanjug reported that judges in the Kosovo town of Podujevo did not prosecute 1,500 traffic offenses by Albanians, which had occurred over the course of months. In 1990, after the Serbian takeover of Kosovo, however, any semblance of an independent judiciary disappeared there. Most ethnic Albanian judicial officials and judges were replaced by ethnic Serbs, and thousands of Albanians were sentenced on a variety of trumped up criminal charges.

Changes made in the federal criminal code by the Federal Assembly in June narrowed the definitions of statutes regarding political crime. Article 114, which prohibited "counterrevolutionary activity," was limited to a prohibition against using force or threats of force to overthrow the constitutional order or its executive organs. Article 133, which prohibited "hostile propaganda," was similarly limited to propaganda that advocated violence. However, the potential for political abuse remains, including through articles such as Article 134 ("spreading racial, national, or religious hatred") and Article 116 ("endangering territorial integrity") Article 116

has been used to prosecute those who advocate republic status for the province of Kosovo. Use of these federal articles is declining in most parts of the country. In Croatia and Slovenia, there were no prosecutions under these articles. The Croatian constitution adopted in 1990 provides no basis for such laws but bans political parties that threaten Croatia's territorial integrity. A revised Serbian law made insulting federal or republic officials punishable by up to 3 years' imprisonment.

It is difficult to establish the number of political prisoners in Yugoslavia, given the changing situation, the significant differences between various parts of the country, and the distinction between offenses under the criminal code and misdemeanors. Since the victory in democratic elections in the spring of 1990 of non-Communist governments in the republics of Croatia and Slovenia, no persons have been convicted there of political offenses under the criminal code. Altogether, however, thousands of persons were sentenced in Yugoslavia in 1990 for political offenses, the vast majority of these being ethnic Albanians sentenced on misdemeanor charges in Kosovo.

There were several amnesties of political prisoners in 1990. In April the Federal Presidency granted amnesty to 108 political prisoners and reduced the sentences of 116 of the remaining 190. One of those released was ethnic Albanian activist Adem Demaqi, who had served a total of 29 years in prison. Of the 190 political prisoners still in jail at that time, 160 were ethnic Albanians. The 74 who did not have their sentences reduced are persons who also had convictions for ordinary nonpolitical offenses in addition to the political ones. In Croatia in July, the newly elected government granted amnesty to all 37 political prisoners and reduced the sentences of about 2,500 other nonpolitical prisoners. The annual Republic Day amnesty in November freed 564 people, of whom 525 were released as a result of changes in the federal criminal code in June.

Yugoslav law permits the arrest and imprisonment of Yugoslav citizens for acts considered criminal offenses under Yugoslav law, even when they are committed abroad and are not crimes in the country in which they take place. Such cases are often based on the expression of views "hostile" to the Yugoslav Government or association with perceived anti-Yugoslav groups. There were no known cases prosecuted under these laws in 1990. "Damaging the interests of Yugoslavia abroad" is still a crime in Yugoslavia, although its definition has been further legally restricted.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

Arbitrary interference in private life occurs most often in connection with government efforts to monitor opposition or dissident activity. Although the judicial system includes restrictions on arbitrary searches, these safeguards were widely ignored in the past and still are in parts of Yugoslavia, particularly in Serbia and its provinces. Authorities eavesdropped on conversations, read private mail, and tapped telephones in some cases. Yugoslav citizens are generally free to receive and read foreign publications.

Yugoslav law stipulates that police may enter a home without a warrant only to collect evidence on a specific crime or, in exceptional cases, to prevent a crime in progress. In Kosovo, however, police routinely searched homes without warrants, ostensibly searching for weapons. After a general strike on September 3, for example, Serbian police in Kosovo searched homes and confiscated hard currency and other valuables. In Pristina in the early fall, police ransacked the home of Roman Catholic Bishop Nike Prelja without a warrant. Earlier in August, police had searched two Roman Catholic churches in Kosovo and confiscated medicines which they said had been used to produce phony symptoms of illness among Albanian schoolchildren.

During a period of unrest in Serb-populated areas of Croatia in October, there were reports that Croatian police entered the private homes of Serbs without warrants.

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

The Serbian campaign to reassert control over the predominantly ethnic Albanian province of Kosovo led to large Albanian demonstrations which the Serbian police broke up by using repressive measures, including lethal gunfire. A peaceful demonstration of 20,000 Albanians in Pristina on January 24 was dispersed by the police using tear gas and water cannons. Several days of demonstrations followed in which protesters threw rocks at the police, set fire to vehicles, and damaged property, and the police used deadly force trying to disperse them. Serbian authorities allege that some demonstrators fired shots at the police. Albanian opposition groups credibly reported that the police engaged in numerous instances of random or unprovoked violence. On January 30, an armored vehicle and two militia cars drove through the

town of Malisevo, randomly shooting at passersby and killing three persons, although there were no disturbances in Malisevo at the time. Similar attacks also occurred in the villages of Banja and Ostrozub. Between January 24 and February 3, the Federal Secretariat for Internal Affairs announced that 30 people were killed and 110 injured, of whom 44 were policemen. Kosovo activists released a list of 36 Albanian demonstrators killed. The investigation of police actions, conducted by the police themselves, proved to be a whitewash.

In August a peaceful crowd of about 10,000 ethnic Albanians, who had gathered in Pristina to welcome a delegation of visiting U.S. Senators, was dispersed by the police using tear gas, water cannon, and clubs. The crowd had already begun to disperse of its own accord when it was charged by the police, according to observers. Some demonstrators threw stones at the police. Serbian police reported that 46 Albanians and 21 policemen were injured.

In September police killed four persons during a house-to-house search for illegal weapons near the Kosovo town of Podujevo. Police claimed that ethnic Albanians forcibly resisted the confiscation of their weapons. Albanian activists, however, deny this and report that the police acted with unprovoked and unnecessary brutality.

Section 2.—Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Yugoslav law provides for freedom of speech and press in principle. Although the general trend in Yugoslavia is toward greater freedom of speech and press, most media organs remain heavily influenced by the leaderships of the respective republics. In Serbia proper and its provinces of Kosovo and Vojvodina, restrictions on freedom of speech and press are especially severe. Any expression of views that Serbian officials characterize as Albanian nationalism, including the peaceful call for Kosovo to be made a republic within the borders of present-day Yugoslavia, is anathema. Shouting "Kosovo republic" or holding up two fingers in a "V for victory" sign may result in arrest for "disturbing public peace and order."

In December the Federal Assembly adopted a new press law guaranteeing freedom of information, eliminating the subordination of the press to the Socialist Alliance of Working People (SAWP), and allowing up to 49 percent of foreign ownership. The law also contains provisions forbidding editors from opposing the country's constitutional order or national security interests.

Authorities control most broadcasting and print media in Serbia and seek to suppress or punish written or oral expression perceived as unfriendly to the ruling party. For example, after Belgrade Television aired biased news coverage of their June 13 rally, opposition parties picketed the studios. In October authorities in Vojvodina replaced about 20 journalists with persons more acceptable to the ruling party, and in December three more Novi Sad journalists lost their jobs for supposed insubordination. At Politika, 34 journalists signed a petition protesting their newspaper's coverage; 40 from Politika and 23 from the weekly Nin, who refused to write as they were ordered, were demoted and had their pay cut.

Following the Serbian takeover of Kosovo in July (see Section 3), almost all Albanian-language media were completely suppressed. All local Albanian-language radio and television news broadcasts were halted, and the largest Albanian-language paper, Rilindja, was closed down. Hundreds of journalists in Kosovo were suspended from their jobs for striking in opposition to the Serbian takeover. In September Rilindja journalist Zenun Celjaj, who is also secretary of the Committee for the Defense of Human Rights in Kosovo, was arrested for participating in an underground meeting of Albanian members of the suspended Kosovo People's Assembly, which proclaimed a new constitution for Kosovo.

In September police detained a Yugoslav and an American correspondent for Western news agencies while they were covering the general strike in Kosovo. Police threatened them with beatings and expulsion and then released them.

Although under the influence of republic leaderships, the media in other republics generally enjoy greater independence than those in Serbia. After democratic elections in Slovenia, the media functioned with almost complete independence, although efforts by the new government to take control of some parts of the media still continued. In Croatia, the television and radio are under the formal control of the parliament which in the spring transferred some senior media officials in an effort allegedly to reduce the influence of editors appointed by the previous Communist government. In October a local official in Split tried to force out editors of the Split daily Slobodna Dalmacija, known for its independent views, on the spurious grounds that the paper supported "unitarist" and "Greater Serbian" policies. Croatian reporters were attacked by Serbs while reporting on ethnic disputes in Serb-populated areas of Croatia. In Macedonia and Bosnia, opposition parties complained

that the official media discriminate against them. In Montenegro, Titograd radio director Danilo Burzan received anonymous threats after airing a program in June featuring Serbian opposition leaders who were denied access to Belgrade radio.

On the positive side, Channel 3 in Belgrade regularly broadcasts Western news and controversial domestic talk shows. A commercial television began operating in Zagreb in July, and an independent television station is operating in Split. A private Sarajevo firm has received permission to begin broadcasting on radio and television.

Public prosecutors have the power to ban temporarily the publication and sale of books or periodicals if they deem the content is "false" or could "disturb" the public. A judge must review the temporary ban, and editors may contest the prosecutor's decision at the hearing. Serbian writer Dobrica Cosic was charged with "making statements upsetting to the public" in an interview with the Italian publication *Il Tempo*. The indictment was thrown out in April for insufficient evidence. The June 1 issue of the Serbian opposition publication, *Srpska Rec*, was temporarily banned and 30,000 copies confiscated. The ban was overturned about a week later, but the prosecutor appealed, and the Supreme Court of Serbia upheld the ban in September. Outside of Serbia (including Kosovo), the banning of publications is now becoming rare.

Despite such developments in Serbia, the trend in most of Yugoslavia is toward greater publishing freedom. The first legal, privately owned political paper in post-war Yugoslavia, *Samouprava* (Self-management), was launched in February in Vojvodina. Also in Vojvodina, the first private paper in the Hungarian language, *Napin*, was founded in May. In Belgrade, an independent, privately owned news-weekly, *Vreme*, began publishing in October. Many new Yugoslav opposition parties began publishing their own papers or magazines in 1990.

Previously banned works, such as Milovan Djilas' "The New Class" and "The Imperfect Society" and the works of other Yugoslavs, were published in 1990. The book "Documents on the Foreign Policy of Yugoslavia 1941-1945" was heralded by Yugoslav academics and diplomats as a breakthrough in nonideological historical publication.

Controversy over academic freedom in Serbia arose in March when Dr. Drago Roksandic, a history instructor at the University of Belgrade, was denied a teaching position because of his political beliefs. (He later found a position elsewhere in Yugoslavia.) In Kosovo, at least 90 ethnic Albanian university professors who opposed Serbia's takeover of provincial government organs were fired. Almost all of the ethnic Albanian staff at the Pristina Medical Faculty—76 instructors—were fired. Many professors at Pristina University who refused to sign a loyalty oath to the republic of Serbia were dismissed. In December about 100 Albanian public schoolteachers in Podojevo were fired for refusing to use a new curriculum imposed by Serbia.

b. Freedom of Peaceful Assembly and Association

Freedom of assembly varies widely. The Federal Constitution guarantees freedom of assembly, but this right has traditionally been severely circumscribed in practice. All public gatherings must be registered with the authorities, who often ban those that appear to oppose official policies. In Kosovo practically any gathering of ethnic Albanians is likely to be broken up on the pretext that it is "separatist" or "hostile" to the policies of the Serbian government. Many demonstrations in Kosovo ended in mass arrests, sometimes accompanied by violence.

Ethnic Albanians were also arrested for demonstrations outside Kosovo. In Macedonia, 107 participants in a February 1 demonstration were detained in Tetovo, an Albanian-populated town. Claiming that "outside agitators" from Kosovo were responsible for organizing the demonstration, the Macedonian police arrested at least 20 persons, and they were sentenced to up to 60 days' imprisonment. In Sibenik, Croatia, local police prevented a demonstration by 100 Albanians on February 27 and took some of them into custody for "failing to register their stay in Sibenik." The police in Bosnia-Herzegovina banned a meeting of the Croatian Democratic Union in Ljubuski in July, claiming it violated the republic's law against national-based parties. The law was changed later that month. In Zagreb in December, a banned public meeting by a legally registered party, the Croatian Party of Right, took place without hindrance.

In June after Serbian opposition parties organized a demonstration of some 50,000 people calling for free elections in the republic, police without provocation attacked some demonstrators protesting the biased editorial policies of Belgrade Television. Several opposition leaders were slightly injured. In August Serbian police broke up

a Macedonian national celebration near the monastery of Prohor Pcinski on the Serbian-Macedonian border and allegedly beat some Macedonians with nightsticks.

Freedom of association expanded significantly in 1990. The republics passed laws or changed their constitutions to allow multiple political parties. The League of Communists of Yugoslavia (LC) remains the only political party permitted by the 1974 Federal Constitution. but, in fact, the LCY and the SAWP have ceased to function effectively at the federal level even though the LCY or its successor parties remain strong in some republics, particularly in Serbia and Montenegro. In a June reform of the federal criminal code, Article 131 ("antistate activity in cooperation with foreign organizations") was abolished. In addition, the collapse of the SAWP ended its monopoly over the registration of citizens' groups. Groups or parties that operate in more than one republic must register with the Federal Secretariat for Justice; those that only operate within one republic must register with that republic's justice Ministry. At year end, 35 political parties had registered on the federal level. Many others were registered in individual republics, totaling over 100 registered parties.

There are still, however, serious restrictions on freedom of association under existing laws. The law against association for the purpose of hostile activities has been used to prosecute ethnic Albanians who advocate republic status for Kosovo. The maximum penalty for violating this law was reduced from 15 years to 5. No organizations which 'stir up racial, ethnic, or religious hatred are permitted, and no one who has been convicted of a crime may be a founder of a citizens association. For example, in October Macedonian officials refused to register an Albanian cultural organization in Tetovo. In Serbia, republic officials refused registration to the Serbian Chetnik movement on the grounds that its name "offends public morality." The Serbian election law denies registration to any party that does not accept the territorial integrity of Serbia, a provision that is aimed at Albanian political parties, almost all of which seek separate status for Kosovo within Yugoslavia but outside Serbia.

c. Freedom of Religion

Freedom of religion expanded significantly in Yugoslavia in 1990, although the legal underpinning has not yet caught up with actual practice. Eastern Orthodox Christianity, Roman Catholicism, and Islam are the largest faiths in Yugoslavia. Religious believers have long been free to practice their faith without direct persecution. In 1990 almost all restrictions related to the right to proselytize, publish, or sell religious materials, teach religion to young people, or own property were either eliminated or began to be ignored.

In practice, the extent of religious freedom varies from republic to republic. Most people in Yugoslavia are Serbian or Macedonian Orthodox, Roman Catholic, or Muslim. The Jewish community now has about 6,000 members and is active and well organized. Hebrew studies were begun again in 1990 at the University of Belgrade after almost a 30-year hiatus. The Jewish community in Zagreb has recently restarted a day care program dormant for almost 20 years. The newly elected government in Croatia has also strongly supported the rebuilding of the Zagreb synagogue destroyed in World War II. There is a small Protestant community in Yugoslavia which includes denominations such as Pentacostals, Baptists, and Jehovah's Witnesses.

Because religion is identified with ethnicity, ethnic clashes have sometimes sparked vandalism or threats of violence against members of minority religions. For example, the Serbian Orthodox Church in Ljubljana in primarily Roman Catholic Slovenia was painted with anti-Serbian graffiti several times in 1990, and the Orthodox Church in Sarajevo, where many Moslems live, was defaced in March. In mid-October youths reportedly harassed Serbian Orthodox priests in Zagreb. Orthodox graves were desecrated in Kosovo, most of whose Albanian population is Muslim. Mosques in Belgrade and Nis (both in Serbia) also were vandalized. One thousand Belgrade Muslims signed a petition in April condemning death threats against them and threats of arson against their mosque. Islamic facilities in Novi Sad, Vojvodina, were similarly threatened.

In Kosovo, Serbs assert that Serbian Orthodox nuns have been harassed while attempting to carry out their religious or daily activities. In February Islamic elders issued a statement that 10 Kosovo imams were physically abused by Serbian police, and a member of the supreme body of the Islamic community, Osman Voksi, was killed on the doorstep of his house. (Roman Catholic Albanians were also harassed; see the case of Bishop Prelja in Section 1.f.)

The construction of new places of worship requires the consent of local government authorities, who in the past often raised bureaucratic impediments. In many

cases. building permits for new religious facilities are now easier to obtain, but minority religions still face obstacles. For many years, the Islamic community has had a request pending to build a new mosque in Belgrade. In Split, a predominantly Catholic area, the Serbian Orthodox Church has long had difficulty getting permission to complete its cathedral. The Serbian Orthodox Church has sought permission to build a church in Veljine, near Sarajevo, for 18 years.

Primary education under the auspices of religious organizations outside the state system is not permitted, although at year's end authorities in some republics were considering introduction of religious education in state schools. However, 30 secondary religious schools and 12 theological faculties train more than 2,000 pupils and 1,000 seminarians annually. The degrees offered by these institutions are not officially recognized. All religious communities make vigorous efforts to provide religious instruction outside of school for children and young people.

In July the newly elected Croatian government revoked a 1952 decision to abolish the University of Zagreb's theology faculty, clearing the way for restoring theological studies at a public university. The new President of Croatia stated publicly that his government would broaden the rights of the Catholic Church and that the Church would be able to own and operate radio and television stations.

Restrictions applied to religious believers during their obligatory military service were relaxed. Active-duty military personnel may now attend religious services and have religious materials in their possession. In 1989 the law on compulsory military service was changed to allow conscientious objectors to serve without bearing arms, but they must serve 24 months rather than the usual 12. They are required to serve the full 2 years even if they have already completed a jail term for resisting the draft.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for freedom of movement within the country, and it is generally permitted in practice. Croatian authorities prevented a group of Serbs from entering the republic of Croatia in September to lay wreaths at the site of the World War II concentration camp in Jasenovac. Also in Croatia, Serbs in Knin in the early fall blocked rail and road traffic through the town on several occasions in protest over what they considered the hostile policies of the Croatian government.

Yugoslavs generally do not require exit permits to leave, and passports are routinely available to most Yugoslavs. The authorities sometimes denied passports, however, to well-known dissidents. In 1990 Kosovo Albanian activist Dr. Zekeria Cana's passport was confiscated by Serbian authorities. Even though he was acquitted, the Serbian authorities initially refused to restore his passport. However, he was later able to get a passport from Croatian authorities and travel to the United States. Former political prisoners Azem Vlasi and Adem Demaqi were also denied passports by the Serbian government, although officials from the Federal Secretariat for Foreign Affairs publicly recommended that passports be issued to them. In March the Committee for Internal Policy of the Federal Chamber of the Federal Assembly asked the Federal Executive Council (the Government) to "demystify" the procedures whereby passports are issued, extended, or confiscated. Changes to the passport law were announced in October, reducing police discretion to deny or confiscate passports arbitrarily. Beginning in 1989, numbers of ethnic Albanians and Gypsies were denied passports for fear they would apply for asylum in the Federal Republic of Germany.

Yugoslavia waived entry visa requirements for most countries in June. However, some people were still denied entry for political reasons, as in the case of a Bulgarian group that wanted to lay a wreath at the tomb of Macedonian national hero Goce Delcev in July.

The law on the entry of foreigners into Yugoslavia notes the right of permanent asylum and provides for government assistance to persons granted that right. However, in practice, Yugoslavia does not grant permanent asylum or provide assistance to refugees. Yugoslavia extends temporary asylum to refugees who, with the assistance of the United Nations High Commissioner for Refugees (UNHCR), seek permanent resettlement in third countries. At year's end, UNHCR had recognized 1,222 asylum seekers as genuine refugees, 811 of whom were from Albania. All asylum seekers who entered Yugoslavia without passports or visas served a 1-month jail sentence for "illegal border crossing" before being presented to UNHCR for resettlement. After the December uprising in Romania, the authorities temporarily stopped forcibly returning some Romanian asylum seekers but resumed the practice in March. In 1990 fewer Romanians sought asylum, and more than 200 voluntarily returned to Romania. At least 69 Albanian asylum seekers were forcibly returned to

Albania in 1990 without the opportunity to present their case to UNHCR, and another 8 returned voluntarily. UNHCR officials believe that possibly seven additional recognized refugees were forcibly repatriated; Yugoslav officials have said only that two of these returned voluntarily.

In 1990 Serbia began proceedings to expel ethnic Albanians who had derived refugee status from their parents, most of whom immigrated during or just after World War II. These Albanian refugees have lived all or most of their lives in Yugoslavia and in many cases were born there and have Yugoslav-citizen spouses and children. They cannot acquire Yugoslav citizenship and may in fact be stateless. Serbian officials alleged, without providing specifics, that the 17 Albanians from whom the Yugoslavs initially withdrew residence permits had been convicted of crimes—chiefly political offenses—such as taking part in “hostile demonstrations” or committing “acts against the political order and security of Yugoslavia.” The UNHCR has refused to try to resettle the 17 on the grounds that they are covered by the 1951 U.N. Refugee Convention and the 1967 Protocol and are considered to be permanently settled in Yugoslavia.

Section 3.—Respect for Political Rights: The Fight of Citizens to Change Their Government

At the end of 1990, Yugoslav citizens did not have the ability to change the Federal Government through democratic means when the republics failed to reach agreement on amending the existing federal constitution. Multiparty elections were held in all six republics.

In 1990 the League of Communists lost its monopoly on political power. It has ceased to function effectively at the federal level but still has varying degrees of power at the republic level. In April and May non-Communist parties or coalitions won free elections in Slovenia and Croatia. In November and December, multiparty elections were held in the four remaining republics. The results of these free elections were varied; in Bosnia-Herzegovina a coalition of non-Communist nationalist parties took power, while in Macedonia nationalists, reformed Communists and a party associated with Federal Prime Minister Markovic won the largest share of the votes. In Serbia and Montenegro, the League of Communists or its successor party won large majorities. International observers found the election process in all Yugoslav republics, with the exception of Serbia, to be generally consistent with democratic rules and procedures. In Serbia, the actual voting in 1105 districts generally appeared to have been conducted in a correct fashion. However, the Serbian authorities used their control of the media to conduct what amounted to a smear campaign against the opposition, while denying the opposition equal access to the media. The authorities denied the opposition equal access to office space and financial resources and harassed some opposition leaders by charging them with misdemeanors. There are widespread and credible reports that many people in Serbia were warned by the authorities not to vote for the opposition, and some were harassed, including being threatened with dismissal from their jobs, if they supported the opposition during the election campaign.

In Kosovo Serbian authorities effectively eliminated local self-government. Following the Kosovo provincial government's declaration of separation from Serbia on July 2, the Serbian government suspended the provincial People's Assembly (legislature), the Executive Council, and judicial and security organs. Many district-level government bodies were also suspended or purged. Serbia based its move on a republic law on “special circumstances,” passed in June.

On September 13, delegates of the suspended Kosovo People's Assembly met in Kacanik and approved a new constitution, which declared Kosovo's sovereignty within Yugoslavia and separation from Serbia. As a result, Serbian authorities arrested 4 delegates, issued arrest warrants for the other 107 delegates at the session, and began legal proceedings against 6 other former Kosovo government officials, including premier Jusuf Zejnulahu and provincial police chief Jusuf Karakushi. By the year's end, two of the six officials had been in detention for 4 months, and others were still being sought by the police. Four delegates to the meeting in Kacanik had been indicted under Serbian law for “endangering the territorial integrity of Serbia.”

In Croatia, Serbian activists held a referendum on autonomy for Serb-inhabited areas. The Croatian authorities declared the referendum illegal, but it was held anyway, without significant police interference. Subsequently, the Serb inhabitants declared the 10 counties in which they predominate in Croatia a sovereign, autonomous region with a separate government and police force, all of which the Croatian government considered illegitimate.

Federal and republican laws may be adopted and enforced in secrecy from the public. According to press accounts, a wide range of political, economic, and security-related laws have been adopted in this fashion since 1980. In 1990 Serbia used this procedure to adopt punitive measures against economic activities by other Yugoslav republics and to issue to itself large sums of money in secrecy.

Section 4.—Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Forum for Human Rights and the Protection of Citizens was established in late 1988 to monitor human rights practices throughout Yugoslavia. At the time of its inception, it was funded by the SAWP. Despite this quasi-official status, the Forum criticized government practices and worked with respected human rights organizations, including Amnesty International (AI). With the collapse of the SAWP, the Forum's funding was eliminated in August. The Forum stated that it would continue to investigate human rights abuses in cooperation with other organizations, provided those organizations could provide funding. The Federal Assembly voted in October to establish its own Committee on Human Rights. There is also an active community of domestic human rights organizations, including chapters of Helsinki Watch, whose contacts with its international parent organization are unhampered.

Several countries and international organizations sent official delegations to examine human rights conditions in Kosovo and elsewhere, including the Council of Europe, the U.S. Commission on Security and Cooperation in Europe, the German Bundestag, and the British Parliament. Nongovernmental agencies making factfinding visits in 1990 included Physicians for Human Rights, AI, the New York Bar Association, and the International Helsinki Federation (IHF).

The IHF released a critical 40-page study on Kosovo, sharply criticized by the Serbian press and published in full in the daily *Borba*. In September a four-person IHF delegation was detained by Serbian police and expelled. After initially denying that the delegation had been arrested or expelled, Serbian authorities later attempted to justify their actions by accusing the delegation of illegally importing medicines into Yugoslavia and having "hostile propaganda" (i.e., documentation of alleged human rights abuses from ethnic Albanians) in its possession. In October the Federal Presidency reversed the expulsion order, but the Serbian government declined to recognize this action. A Norwegian IHF official was briefly detained by the police in Kosovo on October 19.

Section 5.—Discrimination Based on Race, Sex, Religion, Language, or Social Status

The Federal Constitution provides for equality of citizens regardless of sex, and the Federal Government is officially opposed to racial discrimination. Some social prejudice exists, however, particularly with regard to ethnic Albanians and Gypsies, who constitute 8 and 0.7 percent respectively of Yugoslavia's population, according to the 1981 census.

Macedonia limits social welfare payments to the first three children in a family, a policy aimed primarily at ethnic Albanians, who have the highest birthrate in Europe. Macedonian authorities have manipulated building code regulations governing the height of walls to justify the bulldozing of walls that traditionally surround Albanian homes in the republic, which is at least 20 percent ethnic Albanian. The death of an ethnic Albanian in one such bulldozing incident led to demonstrations in Kosovo in January. Job, educational, and housing discrimination against Albanians in Kosovo has become widespread as Serbian authorities seek to solidify their control of that province. The Serbian government has also reserved student slots, in disproportion to the population, at the University of Pristina for ethnic Serbs and Montenegrins, many from outside Kosovo. Many slots reserved for ethnic Serbs and Montenegrins in the fall of 1990 were not filled, while ethnic Albanians were denied the opportunity to study. In 1990 the Federal Constitutional Court declared a Serbian land sales law unconstitutional. This law had been used to punish Albanians who tried to buy land in Kosovo from Serbs. The Serbian sellers were seldom, if ever, prosecuted.

Gypsy organizations claim that Gypsies are discriminated against. They cite Yugoslav sociological studies stating that Gypsies are the first to feel the effects of poverty, unemployment, and housing shortages and that they suffer from social segregation.

The Serbian minority in Kosovo has complained of physical mistreatment by the ethnic Albanian majority. Reports of such mistreatment collected by members of the Serbian Orthodox clergy in 1990 include physical assault, the burning of property, and attempted rape. The Serbian minority in Croatia has complained of discrimination, citing such matters as limited availability of textbooks or newspapers in the Cyrillic alphabet.

There is legal equality of the sexes under Yugoslav law. Maternity leave for employed women is routinely granted for periods between 9 and 12 months. Working mothers are given day care allowances based on their salaries and the number of children to be cared for. Also, a working mother may take sick leave when her child is ill (up until 2 years after its birth), and the father may do so when the mother is ill.

Increasing public attention is being paid to the problem of violence against women. Hot lines, which usually operate only a few hours a day, were established for women in Belgrade, Ljubljana, and Zagreb in 1989, and two new hot lines were started in Kraljevo and Pula in 1990. In Belgrade alone, 700 women called the hot line in a 7-month period in 1990. Legal penalties for spouse abuse are the same as those for assault on other persons, but the abused spouse must make out a complaint, and this is seldom done. Hot line workers complain there is little the police can or will do to intervene in a crisis unless neighbors complain. However, criminologists praised the hot lines, noting that police attitudes are slowly changing.

Slovenia has a law against rape within marriage, and there is a petition in the Croatian Assembly to pass a similar law. Federal marriage laws allow a woman to keep her maiden name, to continue working if she wishes, and to have "equal input into the decision as to where the couple will live." There are feminist groups in the larger cities of Slovenia, Croatia, and Serbia campaigning for improvement in women's rights.

In November Belgrade women's groups protested a Serbian parliamentary resolution which imposes an extra tax on childless persons over the age of 30. Feminists complained that this violated the Serbian constitution's provision of the right to decide freely on whether to bear children.

Section 6.—Worker Rights

a. The Right of Association

The right of free association in trade unions became well established in some republics in 1990, but organizers in other republics continued to face legal and other obstacles. The issue of free association remains unregulated at the federal level. The Federal Constitution still accords certain rights (e.g., to introduce legislation into the Federal Parliament) to the old official union organization, called since June 1990 the Council of Independent Trade Unions of Yugoslavia (CITUY).

The number of new unions rose dramatically in 1990. Eleven new trade unions under CITUY control were registered in 1990. Developments regarding labor unions in the republics are described below:

Slovenia.—The republic's constitution guarantees the right of free association in trade unions. New unions, such as those for railroad engineers and journalists, had no trouble beginning operation outside the CITUY system.

Slovenia has no legal requirement for the registration of trade unions. The Council of Independent Trade Unions of Slovenia (an affiliate of the CITUY), moreover, agreed in 1990 to a complete voluntary reregistration of the work force in which other unions have an equal chance to recruit members.

Croatia.—Registration of new unions is a legal requirement, but these unions had no problems in doing so. Several new unions in July formed a new central union, the Confederation of Independent Trade Unions of Croatia, to compete with the Council of Independent Trade Unions of Croatia, an affiliate of the CITUY. The Croatian unions also agreed to a complete voluntary reregistration of the work force.

Serbia.—The new constitution, adopted on September 28, guarantees the right to associate freely in trade unions. Until then, however, new unions were told that they could not become legal entities because the law made no provision for the existence of unions other than the previously official Serbian Union Council, an affiliate of the CITUY. That Council, meanwhile, continued to operate as it always had, with full recognition by the Serbian regime as a legal entity. Several unions, including those of truck drivers and commercial pilots, managed to operate despite legal problems. A Union of Television and Radio Workers was registered as an official organization in late September. Since then, several members were harassed and dismissed from their jobs.

Kosovo.—Serbia's province of Kosovo was a special case in 1990. Opposition leaders in Kosovo formed a new union organization called the Independent Trade Unions of Kosovo (ITUK), which claims as members virtually all ethnic Albanian workers in the province. Serbian political and union leaders claim that it is a "separatist" political organization and therefore illegal. Police harassed the union's founding congress in July, and the president of the Serbian Union Council has publicly urged that its activities be banned. Several enterprises in Kosovo under forcible "temporary management" by Serbia did just that.

After calling for a general strike on Labor Day, ITUK President Dr. Hajrullah Gorani was arrested on August 23 and sentenced to 60 days in jail for "disturbing public peace and order" by stating that Serbian authorities are undertaking repressive measures against Albanian workers. He was released after 45 days. The peaceful Labor Day strike was observed by virtually all of the working and school age population. Most returned to work the next day, but over 40,000 Albanian strikers were later dismissed from their jobs. Some striking teachers were briefly detained, and other Albanian strikers charged with misdemeanors. Private businesses, which had closed in view of the strike, were padlocked by police and not allowed to reopen.

Macedonia.—New unions in Macedonia appear to have the legal right to register. Railroad workers successfully organized without serious problems. Attempts by 385 workers to organize at the EMO enterprise in Ohrid, however, met furious opposition from the old union and management. Disciplinary action was taken against leaders of the new union, and at least nine were suspended from their jobs. A court has since ruled management's actions illegal.

Montenegro and Bosnia-Herzegovina.—While some attempts were made to organize new unions in these republics, so far no new unions are known to have begun legal operations.

The right to strike is guaranteed by the Federal Constitution and is generally recognized in practice as well. Plans to complete a new law on strikes to better define the legal parameters came to nought in 1990. The right to strike includes, and is exercised by, workers in socially owned firms and the Government. Strikes are resolved by negotiations between the union or strike committee and management (and often politicians). Strikes occurred frequently during 1990, but unlike in years past the CITUY did not publish strike statistics. This may be due to the fragmentation of the union movement and its effects on data collection by a union that once reached into every single enterprise in the country.

The notable exception with respect to the right to strike was Kosovo, where the Serbian government established a pattern in 1990 of punishing and often firing ethnic Albanian workers who participated in strikes. The Serbian government announced on August 14 that any worker in a firm under forcible "temporary management" by Serbia who participated in a strike would be fired.

Although not a participating member since 1950, the CITUY has good cooperation with the World Confederation of Labor and the European Trade Union Confederation. The CITUY, although not a member of the Communist-controlled World Federation of Trade Unions, has also begun cooperation with that body. In July the International Confederation of Free Trade Unions sent a factfinding mission to Yugoslavia to explore the possibilities of trade union cooperation with Yugoslavia.

b. The Right to Organize and Bargain Collectively

Western-style collective bargaining has not previously existed in Yugoslavia. A 1989 law on labor relations introduced the concept of "collective agreements" to be negotiated between the unions and the Chambers of Economy (semiofficial chambers of commerce), but the system was still coalescing in 1990. Theoretically, the Government's forced partial privatization of the socially owned sector of the economy (announced in June) will mean the gradual replacement of old self-management mechanisms with collective bargaining. Under self-management, workers elect a workers' council for their firm, which functions as the senior management body and elects the firm's director. Many critics (including most new trade unions), however, argue that collective agreements signed with the chambers are meaningless because, first, the chambers are merely associations of businessmen and the agreements therefore are not enforceable, and, second, until the question of property ownership is firmly resolved, there is no real representative of capital with whom labor can negotiate. Sentiment seems to be increasing for involvement of the State in signing collective agreements in order to assure labor that they will be binding on employers.

Some types of enterprises, such as railroads, telephone companies, and airports, are being gradually turned into state property rather than privatized. Governments at various levels may try to use this process to apply different labor standards to employees in these industries, particularly constraints on the right to strike. The Railroad Engineers' Union in Croatia nearly staged a general strike in July when a draft republican railroad law threatened to do just that, but the Government withdrew the objectionable provisions for the time being.

There are no economic incentive zones nor any special industries where labor standards differ from those elsewhere in the country.

c. Prohibition of Forced or Compulsory Labor

Forced labor is prohibited by the Federal Constitution and is generally not practiced. Serbian government use of the so-called work obligation in many Kosovo en-

terprises, however, bordered on forced labor, because refusal to work is punishable by administrative and criminal sanctions.

d. Minimum Age for the Employment of Children

The minimum age for employment of children is 16. The Federal and republic Secretariats for Labor, Health, and Social Policy are responsible for enforcement.

e. Acceptable Conditions of Work

Yugoslavia has an official 42-hour workweek, with generous vacation time and sick leave benefits. Republics set minimum wage levels, which vary widely in keeping with varied levels of economic development and, to a lesser extent, prices. The status of minimum wages was in flux during 1990. As a general principle, the government "guaranteed wage" is 75 percent of the republic's average wage. However, as the Yugoslav economy declined into recession in 1990, many firms found they were unable to pay the "guaranteed" wage and yet faced no legal penalties. Another complicating factor was that draft "collective agreements" at the republic level generally included a "minimum wage" standard well above the "guaranteed" wage. The legal status of these minimums was not clear.

Yugoslavia has extensive federal and republic laws and regulations on worker safety. Occasional press reports and informal observations of the Yugoslav workplace suggest that enforcement of work safety rules is lax.

Senator BIDEN. Before I begin, I ask unanimous consent that I insert in the record certain documents conveyed to me by the Ambassador from Yugoslavia who believes that the documents will help make clear to the members of the committee his government's position on some issues, and I'm making these documents available to other members of the committee as well.

[The information referred to follows:]

LETTER FROM AMBASSADOR DZEVAD MUJEZINOVIC TO SENATOR BIDEN

EMBASSY OF THE SOCIALIST
FEDERAL REPUBLIC OF YUGOSLAVIA,
February 20, 1991.

DEAR SENATOR BIDEN: On the occasion of the forthcoming hearing "Civil War in Yugoslavia—U.S. response" in the Subcommittee for Europe and the Middle East of the U.S. Senate scheduled for February 21, 1991, let me address several issues which, I am deeply convinced, are of particular relevance.

The U.S. Congress has shown considerable interest in Yugoslavia in recent years. Debates were held, stands adopted, resolutions passed, etc. All this, I must say, with a different measure of success. A well-intentioned friendly advice based on a deep and unbiased interpretation of the situation and, above all, bearing in mind the real situation and an equal respect of all peoples making up Yugoslavia, is always welcome.

It is in the same way that I see the forthcoming hearing—as the need of some distinguished Senators to voice their concern over the difficulties facing my country. However, the very formulation of the subject of the hearing, apart from potentially confusing the public in Yugoslavia, the United States and elsewhere, and leading it to form an incorrect perception of Yugoslavia and of the Yugoslav problem, may be taken by some as a fait accompli.

Yugoslavia is a complex structure where past and present mingle in a manner somewhat more dynamic than in many other countries due to ethnic, national and religious differences. But, all Yugoslav peoples agree in their desire that the ongoing negotiations on the country's future should result in a better, more prosperous and safer life in a democratic and free society of sovereign republics.

I would like to underscore that Yugoslavia is not in the middle of the civil war and that both federal and republic authorities, as well as other responsible political forces are engaged in efforts aimed at seeking, through a democratic dialog, a peaceful way out of the crisis. Debates are currently taking place at the highest level among democratically and legally elected representatives of all six republics and two autonomous provinces and the federal authorities concerned. The efforts are focused on finding framework and substance for the agreement on the new community of Yugoslav nations which would take into account the interest of all nations, and which would be based on a multiparty democracy market economy and the respect of human rights and freedoms. I am convinced that President Bush, State Sec-

retary James Baker, and other U.S. officials had in mind similar ideas and intentions in their recent public statements and in their private discussions with Yugoslav officials, in which they reiterated the United States support for the unity of democratic Yugoslavia.

In that context, I would like to emphasize the importance of the continuity of the United States administration consistent support for preserving Yugoslavia's unity based on democratic principles.

A number of draft resolutions and legally binding acts have been submitted in the U.S. Congress in recent months some of which were unfortunately tantamount to a modification of the abovementioned U.S. stand.

Such initiatives of individual Senators or Representatives, coupled with often one-sided and unfactual press reporting on Yugoslavia have, perhaps unintentionally, hindered a constructive search for solutions of the problems facing my country.

Let me take this opportunity to indicate some changes introduced in the social, political, and economic life leading to a greater democratization of the country and the promotion of human rights. I believe that it is very important, the more so as the State Department's 1990 report on human rights in Yugoslavia has in considerable measure lost sight of positive changes in this respect, painting a grim and one-sided picture which, in my view, does not reflect the true situation in my country.

In the course of 1990, free multiparty parliamentary and presidential elections were held in all the six republics. The setting up of constitutional, executive, and administrative bodies is nearing completion. All elections were seen as being fair and free and their results legitimate. Minor procedural irregularities did not have a serious impact on the election results. All the elections were monitored by foreign observers.

Elections in the autonomous provinces of Vojvodina and Kosovo and Metohija, which are part of Serbia, are scheduled to take place by next May.

Along with strengthening democratic processes and a growing freedom of the press, independent media are emerging in all parts of Yugoslavia (radio, TV, and printed press) with a tendency to increase in number and circulation. Media founders and publishers include political parties and other legal entities and individuals free of political and administrative censorship.

In the summer of 1990, all party organizations were disbanded in the Federal Administration and, later on, in the Army, resulting in their depolitization.

The right to strike is envisaged by the Constitution. Special law on strike based on international standards, which will protect strikers and their rights, is expected to be enacted soon.

Depolitization of the judicial system is gathering speed both at the federal level and in the republics. The new constitutions of Serbia and Croatia have introduced a strict division of power among legal, judicial, and executive branches. Independence of courts is guaranteed.

The new Yugoslav penal code is expected to be drafted and, I believe, passed by the end of year. It will see a considerable reduction in conditions for passing a capital punishment and a more restrictive application. People can no longer be prosecuted on account of verbal offense or hostile propaganda.

At the upcoming regular census, the citizens will be able to freely declare their nationality and religion. I would like to remind you of Yugoslavia's proposal made at the CSCE Conference on Human Rights that foreign observers be invited to monitor the census in every country in order to avert pressure.

On the basis of the law on political association, some 220 political organizations and parties were established, along with a number of women's and environmental parties and movements.

Alongside the transformation of the existing trade union organizations, numerous independent trade unions were established, mainly professional ones.

Free private initiative and equal treatment of all forms of ownership is guaranteed by both federal and republic legal regulations. The Yugoslav economic system is being transformed into the system of market economy based on free enterprise and entrepreneurship. Process of privatization of socially owned companies is underway and some 40,000 private firms have been established in the course of 1990, among them more than 2,500 with foreign capital.

All major religious holidays are given the status of national holidays in all the republics, and in some cases were proclaimed festive days.

The possibility of introducing religion in schools as an optional subject is currently being debated.

Although the political situation in Kosovo and Metohija may be related to the issue of human rights of Albanians, Serbs, Montenegrins, Turks, Romanies, and

other people living in the province, it has even more to do with separatist and secessionist demands of the leaders of the ethnic Albanians.

Immediately after World War II, Yugoslavia proceeded with particular attention to the definition of individual and collective rights of the Albanian national minority in Kosovo and creation of conditions for their realization. Today, these rights, including territorial, political, and cultural autonomy, by far exceed the rights envisaged for persons belonging to national minorities by the Covenant on Civil and Political Rights and other relevant international instruments. For example, the Albanian national minority has its member in the Presidency of Yugoslavia as the collective head of state. As a result, the Albanian representative already held the position of Vice President and President of the Presidency of Yugoslavia; i.e., Head of State. In the Assembly of Yugoslavia, 27 delegates are of Albanian nationality, Albanians were represented in all the postwar Yugoslav Governments. Over the past 10 years, ambassadors of Yugoslavia of Albanian nationality were accredited to 15 States worldwide. In addition, Yugoslav Albanians are also holding other high positions performing state, political, and military functions.

In the last 10 years, the separatist movement in Kosovo and Metohija has attempted to achieve the establishment of another Albanian State in the territory of the republic of Serbia, which is not envisaged either by the Constitution of Serbia or the Constitution of Yugoslavia. Separatism in Kosovo and Metohija has been developing for several decades, openly manifested since 1981.

The developments have shown that the main concern of a considerable part of Albanians in Kosovo and Metohija is not the broadening of their minority rights, but rather attempts to create a national State at the expense of the territory of the State of Serbia; i.e. Yugoslavia. This would constitute only a first step toward incorporating Kosovo into Albania, although it has never in the past been a part of an Albanian State, but it is known, has been the cradle of the Serbian statehood and Serbian culture.

The ethnic Albanians have formed a number of political parties which are freely working toward achieving their political aims. Their leaders are maintaining normal contacts with foreign partners and international organizations. In this, they openly advocate their aims to create the Republic of Kosovo which would then separate from Serbia and Yugoslavia, and refuse to recognize the legitimacy of the democratically elected authorities in Serbia. In this context they have boycotted the recent elections in Serbia and lost the opportunity to be represented and to open up dialog in the Serbian Parliament in pursuing their legitimate interests.

After some leaders of Kosovo Albanians adopted a "Declaration on secession" from Serbia and subsequently a "constitution" declaring Kosovo Republic, the Serbian Assembly suspended the Assembly and the Executive Council of Kosovo, and adopted a series of other measures designed to avert secession. This, of course, is not viewed either in Serbia or in Yugoslavia to be a solution of the problem of Kosovo. The solution can be achieved solely through an active and equitable participation of the Albanians from Kosovo and Metohija in the ongoing democratic processes with the understanding that they recognize the integrity of Serbia and Yugoslavia.

I hope that at the forthcoming hearing, the participants will contribute to an objective review of the Yugoslav situation and encourage the ongoing democratic dialogue leading to the preservation of the country's unity, its further democratization and comprehensive development.

I would be grateful if you could do your utmost to make the content of this letter present at the hearing.

Sincerely,

DZEVAD MUJEZINOVIC,
Ambassador.

EMBASSY OF THE SOCIALIST FEDERAL
REPUBLIC OF YUGOSLAVIA,
February 20, 1991.

DEAR MR. SENATOR: Please find enclosed the following:

1. Report on the human rights situation in Yugoslavia submitted at the Human Dimension of the CSCE meeting in Copenhagen on June 1990.
2. Reply to the letter by the United Nations Human Rights Center in Geneva related to the alleged human rights violations in Kosovo.
3. Reply to the letter by Mr. A. Dieng, Secretary-General of the International Commission of Jurists.

I hope that the documents enclosed might serve you as the reference material and be of assistance in preparing the hearing scheduled for February 21, 1990.

I would appreciate very much if the enclosed material could be made available to the participants of the hearing.

Sincerely,

DZEVAD MUJEZINOVIC,
Ambassador.

STATEMENT DELIVERED BY AMBASSADOR VLADISLAV JOVANOVIC, HEAD OF THE YUGOSLAV DELEGATION—SECOND MEETING OF THE CSCE CONFERENCE ON THE HUMAN DIMENSION—COPENHAGEN, JUNE 18, 1990

Mr. Chairman, in line with its years long position, following the First CSCE Conference on the Human Dimension, Yugoslavia has consistently continued to work on the observance, protection, and promotion of human rights and fundamental freedoms, considering them as the vital prerequisite of its own further democratic development.

Therefore, it has endeavored to confirm in practice its readiness to adopt and apply the highest international standards in this area, particularly those attained in the framework of the United Nations and the CSCE process.

The already advanced overall social reform in Yugoslavia, both economic and political, is focused on the very issue of the protection and promotion of civil, political, economic, social cultural, and other rights of individuals—citizens—as well as collective rights.

Such a comprehensive and radical reform is conducive to the essential change of the economic and political system, building up of a legal state based upon the strengthening and promotion of the already existing principles and mechanisms of market economy, democratic pluralism, and the pluralism of ownership.

With the view of implementing the economic reform Yugoslavia has adopted a number of basic laws enabling the functioning of the free market of capital, goods, and services, as well as the unlimited strengthening of the private sector and the equitable status of all forms of ownership.

This process of social and political reforms, it can well be said, is proceeding without major delays, but also without unnecessary haste.

In some cases the amending of the republic and provincial, as well as the federal constitutions has already been completed while in others it is in progress. The purpose of the amendments is the establishment of a full democracy.

The draft amendments to the 1974 Constitution of Yugoslavia confirms one of the fundamental human rights—the right to full political equality; i.e., equality regardless of political opinion. We thus put an end to the until recently only formally existing single party monopoly, providing a full basis for the promotion of multi-party democracy.

Principles of healthy political competition through a guaranteed freedom of political organization and activity are thus being established.

Free and fair, periodic, secret, multi-party elections are guaranteed.

The right of establishing workers' trade unions as independent organizations has been reconfirmed.

Provincial, republic, and federal constitutions fully separate the legislative, executive, and the judiciary powers and abandoned the unity of power granting the legal security and full independence of the judiciary.

The full independence of judges, courts, and tribunals has thus been guaranteed; they act exclusively on the basis of the constitution and laws.

Respect for the human personality in criminal procedure has been guaranteed and further enhanced by the prohibition of torture, cruel, inhuman, and degrading punishment and treatment.

Capital punishment can only be prescribed in time of war or in conditions of the immediate danger of war.

Freedom of conscience and religious belief and the guarantee of religious confession has been reconfirmed and further elaborated.

Full inviolability of the privacy of individuals has been guaranteed and extended into new fields of human contacts and activity.

Protection of personal data has been guaranteed and their collection, processing, and utilization has been regulated by law.

A series of social, economic, cultural rights as well as the rights of the third generation enjoy equal treatment.

Special novelties have been introduced in the part regarding self-management rights of the working people, which have always been an extremely important feature of the protection of human rights in our society.

The aforementioned as well as the number of other constitutional provisions constitute the basis, but also the prerequisite for the process of further democratization, implementation of further reforms and the setting up of an efficient legal state.

In this respect, much as already been done by the amending of a whole series of key laws and regulations, as well as practice itself, which quite frequently and justifiably suffered serious criticism.

We have also proceeded with the reform of the penal legislation, which has primarily included the criminal legislation and resulted in the adoption of the Law on the Amendments of the Criminal Code of Yugoslavia, and the adoption of the Law on Amnesty by urgent procedure. The date has been launched on the amending of the Law on Criminal Procedure.

The barrier to genuine democracy, the first stage of amending the Criminal Code was focused on the part relating to the incrimination of criminal offenses, among which "political criminal offenses" in particular.

Those changes fully free the criminal offenses from ideology.

Yugoslavia has radically changed the incrimination of political criminal offenses and completely done away with the so-called verbal delict—criminal offense of hostile propaganda—Article 133 of the Criminal Code. No person convicted on that basis remains in the Yugoslav prisons.

We also think it necessary to emphasize the following changes in the Criminal Code of the SFR of Yugoslavia:

- The criminal offenses of "counterrevolutionary threatening of the social system" (Article 114) in the new code acquired all the features of the classical criminal offense of high treason, the so-called attack on the constitutional order—known in all modern codes.

- The act of "damaging the reputation of the SFR of Yugoslavia" (Article 153) is not to be considered as a criminal offense, having the character of libel or slander. It is to be retained as a criminal offense only if it affects a very limited number of responsible personalities and organs provided it is committed in public.

- The most significant changes in the legislation governing criminal offenses against the armed forces are related to the reduction of the duration of sentences of imprisonment.

In changing that in our Criminal Code, our intention was also to meet the obligations stemming from international legal instruments signed and ratified by Yugoslavia.

Parallel work has taken place on amending the Law on Criminal Procedure. The changes are oriented toward enhancing the guarantees of the accused and his/her right to the counsel for the defense, by regulating in a new and efficient protection of individual rights in the pretrial investigation procedure. The law explicitly stipulates the authority empowered to decide on the pretrial detention and the duration itself has been reduced from 3 to 2 days.

The Law on Administrative Procedure guarantees citizens the right to administrative judicial protection of freedoms and rights; i.e., effective appeal and the administrative procedure.

Accelerated work is being carried out on the adoption of the legislation guaranteeing and enlarging fundamental civil and political rights.

Some of the Yugoslav republics have already adopted their laws on the political association of citizens—namely political parties—while in the other federal units as well as on the federal level such laws will be adopted during this year.

The federal law on direct, secret, and multi-party elections is pending adoption. That law will guarantee all citizens a free access to the process of political decision-making with respect to the composition of the federal parliament.

The new Law on Public Information determines new dimensions of the full freedom of mass media. The law stipulates that from now on all legal and physical persons shall have the right to set up and publish newspapers, and the government agencies shall be obliged to provide them with the available information under equal conditions.

The revised labor legislation will clearly stipulate and recognize the right to strike. However, in practice, this right in Yugoslavia has been realized for a number of years now.

It should be emphasized that all forms of "moral and political aptness" (a notion similar to the *Berufsverbot*, in the Federal Republic of Germany), which used to be a precondition both for getting and retaining a job is now almost completely eliminated from practice, following the opinion of the representatives of the constitutional courts who declared it as unconstitutional.

Yugoslavia is not only a multi-national, but also a multi-confessional country. Proceeding from the constitutional principle that the church and the state are separat-

ed, all religious communities enjoy religious rights and are enabled to pursue unhampered their religious activities. The major religious activities are broadcast by the national TV networks. The reintegration of the theological faculties into the universities is under consideration.

Amendments have been proposed to the regulations governing the utilization of religious literature, keeping of relics, insignia and similar objects, used for the satisfaction of the religious needs of individuals during their military service, as well as their participation in religious services.

The right to peaceful assembly and demonstrations, guaranteed under the separate, recently adopted laws, is being widely resorted to in practice. The restrictions therein are fully in line with the international legal instruments acceded to by Yugoslavia, primarily the International Covenant on Civil and Political Rights.

In accordance with the already adopted or proposed amendments to laws and other regulations, it can well be said that the judiciary practice has also experienced significant changes.

The overall democratic climate as well as the rights of political association, and activity in the establishment of over 100 political parties and series of independent trade unions. Different in terms of their programs, all those numerous new and radically reformed old political forces are contributing to the overall changes, with different speed and in different circumstances, frequently with serious conflict among themselves, but at the same time with the universally accepted idea of political pluralism and the full respect for human rights. The access of the newly established parties to the mass media, although uneven, has been ensured in all areas.

Free, multi-party parliamentary elections were conducted in the republics of Slovenia and Croatia. Those elections conducted to the constitution of freely elected assemblies at different levels, as well as the executive organs. Legislative preparations are in course for the organization of free, multi-party and democratic elections in the other republics.

The Federal Assembly in Yugoslavia will be constituted by the end of this year on the basis of the secret fair and multi-party elections.

By decision of the Presidency of the SFR of Yugoslavia of March 21, 1990, the number of 108 so-called political prisoners were pardoned from the further serving of the sentence of imprisonment. Those persons were on the most part sentenced for verbal delicts. The remaining 116—who are not to be considered as political prisoners *stricto sensu*—were partially pardoned; namely, the duration of their prison sentence has been reduced. Those persons committed the criminal offense of “verbal delict” in conjunction with another criminal act.

New control and protection mechanisms, *inter alia*, are making a positive impact on the promotion of the state of human rights. Such mechanisms are, for instance, the Human Rights Committees in the Assembly of the SFR of Yugoslavia and in the assemblies of the republics and provinces, the Human Rights Committee of the Presidency of the SFR of Yugoslavia, numerous expert bodies attached to the government agencies, especially the Federal Secretariat for Legislation and the Administration.

On the other hand, an equal contribution is rendered by the Yugoslav Forum for Human Rights and the Legal Security of Citizens and numerous other nongovernment organizations established over the past 10 years in almost all areas and dealing almost exclusively with the protection and promotion of human rights and fundamental freedoms in Yugoslavia. The Yugoslav Helsinki Committee, the Committees for the Defence of the Freedom of Thought and Expression from Belgrade, Human Rights and Freedoms Committees from Ljubljana, Zagreb, Skopje, Titograd, Sarajevo, and other regions of Yugoslavia, are among such organizations.

An enhanced observance of human rights has been achieved by a broadbased and public presentations of the problem by the popularization of the relevant international instruments, especially the Concluding Document of the Vienna CSCE Meeting, which have been published in extenso in all the languages of the nations and minorities of Yugoslavia. The promotion of the overall culture of human rights and the awareness of the need for a broad and continuous involvement of all in the quest for the protection and promotion, is the main task of all of the abovementioned state organs and nongovernmental organizations.

Mr. Chairman, all the aforementioned reforms and democratic changes are taking place in conditions of deteriorated relations between some nations in some parts of the country. The expansion of nationalism, based on hatred, increasing mutual mistrust, revival of conflicts and differences from the past are, to a considerable extent, the result of grave economic problems. The nationalistic feelings often blur the main causes of the problems and make the democratic processes more difficult.

Allow me to point out the problems we are facing in the Socialist Autonomous Province of Kosovo. Problems, including those of economic nature, population explosion, exacerbation of intranational relations; pressure exerted by a part of the majoritarian Albanian population living in that province on non-Albanian nations and minorities, primarily the Serbs and Montenegrins, but also the Turks and Roms, with a view to forcing them to move from their homes. All that led almost to a break of intranational relations, and also to the crisis in the work of the political and judiciary authorities and to economic stagnation.

The extremist Albanian nationalism directly incited by some separatist Albanian organizations whose objective is to achieve the secession of Kosovo from Serbia and Yugoslavia, threatened the normal economic and political life, which led to tragic losses in human life and the undesired recourse to force in order to maintain peace and order and to protect the security of property and life of all citizens.

Yugoslavia is nowadays trying to establish a new balance among nations in changed political and economic conditions, in the framework of multi-party parliamentary democracy with guarantees of full legal equality and security for all, regardless of their national or ethnic origin, religious or other characteristics.

Yugoslavia believes that those can be resolved only under conditions of full democracy and with the full observance of the rights of all, the rule of justice, territorial integrity, and constitutional order.

With a view to resolving the problems in Kosovo many efforts have been invested and specific steps taken.

After it assessed that certain stabilization was attained, and that peace and order in Kosovo had been restored, the Presidency of the SFR of Yugoslavia adopted the decision on March 19, 1990, on lifting the state of emergency in Kosovo, and not relaxing it as stated by the distinguished representative of the United Kingdom. The decision was also taken in the light of the fact that the democratic processes of reform in the country had commenced, opening up the possibility for seeking solutions to the problems in the Autonomous Province of Kosovo in a democratic way and in a peaceful atmosphere, with the aim of reestablishing of confidence among the people and the full observance of law and the functioning of an efficient legal state.

By decision of the Titova Mitrovica District Court, Azem Vlasi and the 13 codefendants, accused by the public prosecutor of the criminal offense of "counterrevolutionary threatening of the social order" (Article 114 of the Criminal Code of the SFRY), were acquitted.

The outcome of that process is yet another illustration of the affirmation of the legal state and the strengthening of the independence of the judiciary.

Mr. Chairman, from its very establishment, the Yugoslav federation has been based on the equality of its nations and minorities, regardless of their numbers. All minorities enjoy equal rights, the use of their own language, fostering and development of their own culture and the profession of their religion. In the case of some of the minorities, education in their own mother tongue includes also university level; mass media—the press, radio, and television, are open to all minorities; minorities institutions include theaters, museums, and science institutions. In some parts of Yugoslavia territorial autonomy has been established precisely due to large concentrations of people belonging to a given minority.

However, Yugoslavia is not only a country where numerous national minorities of other countries live, but also a country the parts of whose own nations live as national minorities in the neighboring countries. I will refer to this on another occasion during this conference.

We know that, in fact, intranational and intraethnic conflicts are being revived in many parts of Europe and constitute a serious threat to the already initiated and valuable democratic changes and integrative processes.

Extreme nationalism, racism, xenophobia, and antisemitism are negative phenomena which cannot be limited only to a number of participating countries or a region. They are of a principled and daily practical importance for all CSCE states. We therefore join the energetic denouncement of any emergence or tolerance of those evils, wherever they might appear and in whatever form.

The Yugoslav Constitution forbids all forms of racial discrimination, intolerance, or hatred, and the entire Yugoslav society has traditionally demonstrated its utmost despire toward any form of racism and antisemitism.

Mr. Chairman, renouncing the principle of "noninterference in the internal affairs of states," Yugoslavia has proved its readiness to implement in the field of human rights both the international legal commitments as well as the international instruments dealing with human rights which are only morally and politically binding, but which reflect the generally accepted standards in this field.

Accordingly, in the period following the Paris CSCE Meeting on the Human Dimension; Yugoslavia signed the U.N. Convention on the Rights of the Child, the U.N. Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment; the First Optional Protocol to the International Covenant on Civil and Political Rights. Their ratification is expected in the near future. However, in drafting the amendments to the existing legislation, the provisions of those international instruments are borne in mind.

Although it has not yet signed it, Yugoslavia voted for the adoption of the Second Optional Protocol to the already mentioned International Covenant of Civil and Political Rights which has as its objective the elimination of capital punishment.

It should be recalled on this occasion again, that Yugoslavia is one among the small number of countries that have signed and ratified almost all the U.N. conventions (22 out of 24) almost all the conventions of the International Labour Organization related to human rights and fundamental freedoms, while it ratified both covenants as far back as 1971.

On the basis of the Yugoslav initiative and a draft prepared by Yugoslavia, the U.N. Human Rights Commission is discussing a declaration on the rights of national, ethnic, religious, and linguistic minorities. It has also contributed to the attention devoted in the framework of the U.N. to the rights of the so-called third generation, such as the right to development and participation.

As you probably know, Yugoslavia has submitted an official application for a full fledged membership in the Council of Europe and it has expressed its readiness to accede to the European Convention on the Protection of Human Rights and Fundamental Freedoms.

Along those lines, Yugoslavia is participating in the work of the European Committee for Democracy Through Law of the Council of Europe and it has been invited by the Council to become an associate member of the committee.

As the host of the Ninth Conference of Heads of State or Government of the Non-Aligned Countries, and the chairman, Yugoslavia, together with other members of the movement, exerted its efforts to include the protection of human rights and their promotion in the final documents of the conference.

Yugoslavia was visited by numerous delegations of other states, political parties, international organizations (European Parliament), as well as delegations of humanitarian character (International Red Cross Committee). The International Helsinki Federation for Human Rights visited Yugoslavia on a number of occasions and so did Amnesty International. Yugoslavia was also visited by individuals dealing with the respect for and the promotion of human rights.

In the course of their visits, the delegations and individuals were enabled to have official talks with the representatives of federal and republican government agencies, including the highest level, without any restrictions whatsoever. Meetings with individuals (experts, possible victims of human rights abuse, etc.), organizations of government and nongovernmental nature, as well as the representatives of the mass media were held.

Reports of those visits were published in extenso in the Yugoslav press and the visits themselves were given an adequate coverage.

A certain number of the NGO representatives, foreign diplomats accredited in Yugoslavia as well as the foreign journalists attended several trials.

The elections in Slovenia and Croatia were attended by observers from some of the CSCE participating states, and after them they did not have any essential remarks.

Unfortunately, this openness of Yugoslavia and its readiness for cooperation has not always been sufficiently respected.

Especially in the field of free movement of people and the establishment and promotion of contacts among nations and individuals, particularly the CSCE participating countries, in 1990, the International Year of Tourism, Yugoslavia has unilaterally abolished visas with the remaining, rather small, number of European countries with whom the visa regime is in force, and generally facilitated the entry into the country.

Therefore, Yugoslavia has a moral right to expect from the CSCE participating states the same treatment in respect to its citizens. Yugoslavia has also displayed full readiness for cooperation and exerted all possible efforts in the country to reduce the number of false asylum seekers.

In implementing the first radical measures of economic reform and protecting the convertibility of its national currency, Yugoslavia was recently forced to introduce a temporary measure of obligatory money exchange for citizens of a certain number of countries. That measure does not constitute a restriction with respect to the freedom of movement nor is it discriminatory in nature.

Unilaterally and in bilateral cooperation Yugoslavia endeavors to ease to the maximum the consequences of that measure by excluding certain categories of persons from its application.

The exceptional importance Yugoslavia attaches to the affirmation and implementation of human rights was manifest at this conference. In addition to the proposals on national minorities and rights of migrant workers, it submitted to the conference jointly with some other countries, Yugoslavia cosponsored nine proposals initiated by other participating states. The latter include, inter alia, proposals on free and fair elections, the rule of law and the regime of freedom, restrictive implementation of the state of emergency, strengthening, and implementation of obligations in the field of CSCE and enhance of procedures (observers). We furthermore uphold a principled positive approach to the other proposals submitted in Paris or there in Copenhagen, and we shall most probably cosponsor some of the other proposals.

In conclusion, allow me to voice on behalf of the Yugoslav delegation, our concern over the difficulties in neighboring and friendly Romania, after the democratic changes and elections in that country, and to express our regret that those events have taken a toll in human life.

Thank you.

LETTER FROM AMBASSADOR NASTE CALOVSKI

GENEVA, *January 18, 1991.*

DEAR MR. MARTENSON: I would like to use this occasion to inform you that the Government of Yugoslavia has examined with due attention the allegations contained in the communications received by the Centre for Human Rights from various nongovernmental organizations, groups, and individuals in the course of 1990, relating to alleged violations of the human rights of ethnic Albanians in the Autonomous Province of Kosovo, Yugoslavia.

I wish to call your attention this time again that the communications received do not meet the criteria of admissibility as spelled out in Resolution 1 (XXIV) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. The communications are politically motivated and are contrary to the provision of subparagraph 3(c) stating that "a communication shall be inadmissible if it is manifestly politically motivated"; there is no "consistent pattern of gross violations of human rights" as stated in subparagraph 1(b). Therefore, my government considers that for these reasons the subcommission should reject them as inadmissible.

Recognizing, however, the importance of the work of the world organization in the field of human rights and the need for an effective cooperation between governments and all the relevant United Nations bodies, the Yugoslav Government submits, enclosed herewith, its comments on the allegations contained in the communications submitted to the Centre for Human Rights in the course of 1990, with a view to providing the member of the Commission on Human Rights with accurate information.

Yours sincerely,

NASTE, CALOVSKI,
*Ambassador,
Permanent Representative.*

COMMENTS OF YUGOSLAV GOVERNMENT ON ALLEGATIONS CONTAINED IN THE COMMUNICATIONS

Immediately after World War II, Yugoslavia proceeded with particular attention to the definition of individual and collective rights of the Albanian national minority in Kosovo and creation of conditions for the realization. Today, these rights, including territorial, political, and cultural autonomy, by far exceed the rights envisaged for persons belonging to national minorities by the Covenant on Civil and Political Rights and other relevant international instruments. For example, the Albanian national minority has its member in the Presidency of the SFRY as the collective head of state. As a result, the Albanian representative already held the positions of Vice President and President of the Presidency of the SFRY; i.e., Head of State. In the Assembly of the SFRY, 27 delegates are of Albanian nationality; Albanians were represented in all the postwar Yugoslav Governments. Over the past 10 years, ambassadors of the SFRY of Albanian nationality were accredited to 15 states

worldwide. In addition, Yugoslav Albanians are also holding other high positions performing state, political, and military functions.

Despite such a privileged status, which according to the 1974 Constitution was different from the status of the republics in the federation only in name, solely the members of a larger part of the Albanian minority in Kosovo are not satisfied by their status, while other national minorities are constructively participating in the life of the country as a whole.

In the last 10 years, the separatist movement in Kosovo and Metohija has attempted to achieve the establishment of another Albanian state in the territory of the Republic of Serbia, which is not envisaged either by the Constitution of Serbia or the Constitution of Yugoslavia. Separatism in Kosovo and Metohija has been developing for several decades, openly manifested since 1981.

The developments have shown that the main concern of a considerable part of Albanians in Kosovo and Metohija is not the broadening of their minority rights, but rather attempts to create a national state at the expense of the territory of the state of Serbia; i.e., Yugoslavia. This would constitute only a first step toward incorporating Kosovo into Albania, although it had never in the past been a part of an Albanian state, but, as it is known, has been the cradle of the Serbian statehood and Serbian culture.

The activities of Albanian separatists in Kosovo—by the level of their organization and their aggressive attitude—present a most drastic example of the abuse of national minority rights for secessionist purposes ever since the case of the Sudeten Germans in Czechoslovakia in 1930.

The adoption of the so-called declaration on the independence of Kosovo, on June 23, 1990, constituted an open and provocative attempt at secession from Serbia. This resulted in: (a) abuse of the minority rights provided for in the Constitution of Serbia and relevant international documents; (b) infringement of the provisions of the international documents according to which the national minorities are bound to loyalty to the state they live in and to the strict respect for its territorial integrity; (c) violation of the norms of the rule of law, posing a direct threat to the constitutional order of Serbia and Yugoslavia, thus paralyzing its operation, which also rendered more difficult the exercise of human rights of the member of the Albanian minority.

While recognizing the international community's legitimate interest in the state of human rights in Kosovo, we would like to recall that it is not possible to advocate respect for human rights at the expense of other no less important principles of international law, more specifically, the respect for the principles of the territorial integrity and sovereignty of the state in which the relevant national minority lives. This is all the more necessary, because (a case of an open nonrecognition of the sovereignty of, and) the proclamation of independence from Serbia grossly violates and undermines the Constitution of the SFR of Yugoslavia.

Allegations about the violation of human rights of the Albanian population in Kosovo and Metohija are aimed at blurring the real state of affairs, presenting Albanians as victims rather than offenders. For a number of years now, all citizens belonging to the non-Albanian minority, particularly Serbs and Montenegrins, have been subject to brutal assaults and pressures by ethnic Albanians. These methods and means of endangering their physical and mental integrity, personal security, and the security of property have aroused a feeling of constant fear, and uncertainty, with the purpose of making them leave the province and abandon their homes in which they have lived for centuries. In the past 50 years, approximately 400,000 non-Albanians abandoned Kosovo and Metohija and moved to other parts of the Republic of Serbia. Out of this number, over 28,000 persons left Kosovo and Metohija in the period from April 1981 to the end of 1989, while the exodus continued unabated also in 1990. Last year, before the end of September, for example, about 1,300 Albanians emigrated from this province.

The percentage of Serbs and Montenegrins in the overall population was reduced, in the period 1948-89, from about 27 percent to less than 10 percent. The exodus is accompanied, as a rule, by the buying up of property, and by open, direct pressures. Depending on the area, methods of private property usurpation were applied to force the owners to sell it very cheaply. When it seemed expedient, in order to enter the areas populated mainly by non-Albanian population, high prices were offered for the sale of estates.

The forms of direct threats to personal security and the security of property of the non-Albanian, particularly Slavic population, vary from grave criminal acts to infractions and various other forms of violence motivated by separatist aims. Thus, for example, in the period 1982-90, out of 836 criminal act with elements of violence committed among members of different nationality, 749 (89.6 percent) were commit-

ted by ethnic Albanians against Serbs and Montenegrins, and only 87 (10.4 percent) against Albanians. In most cases, acts of violence and terror against the non-Albanian population are not committed directly by the members of nationalist and separatist illegal organizations, but—at their order—by individuals whose nationalist sentiments and hatred of the members of other nations are fanned by an intensive hostile propaganda. With the intent of causing anxiety of the general public, the victims are—as a rule—children, women, and elderly persons who are not expected to offer resistance. By choosing a broad range of potential places of attack (schools, offices, workplaces, etc.) it is sought to create insecurity and fear for personal safety.

There are numerous instances of molesting children, both in schools and on the way to school. There have been cases of sexual assault on small girls of Serbian and Montenegrin nationality.

Other forms of violence, terror, and disturbance of citizens are order of the day, such as damage to the crop fields, forest thefts, arson, desecration of gravestones and religious monuments, cultural-historical and other monuments. The perpetrators are difficult to trace and identify, although there are indications that these acts have been committed by ethnic Albanians motivated by nationalistic aims. In some cases the perpetrators are discovered subsequently. As a rule, they are minors, which gives rise to suspicion that this is a way of veiling adult and fully liable perpetrators.

In addition, the Albanian nationalists and separatists are increasingly resorting to aggressive attacks on law enforcement officers who—in view of the strict rules governing the application of their legal powers, particularly those related to the use of coercive measures and arms—are virtually live targets for demonstrators and perpetrators of terrorist acts.

In the period from 1981-89, during the hostile demonstrations or in the events connected with them, the clashes with Albanian terrorists resulted in the death of 10 members of the police force, 34 were injured by firearms, and 36 were seriously wounded, while 885 members of the police forces suffered light injuries.

Due to the serious abuse of national minority rights and a direct threat to the territorial integrity of the Republic of Serbia, the authorities were compelled to introduce certain provisional measures of necessary defense in order to prevent the realization of the proclaimed secession and ensure the rule of law, as a prerequisite of full protection, enjoyment, and promotion of human rights of all the inhabitants of Kosovo.

According to the Constitution of Yugoslavia and of Serbia respectively, and the provisions of international law, the ethnic Albanians in Kosovo, do not constitute a nation, but a national minority and, as such, they do not enjoy the right to self-determination and secession.

Despite the threats by the Albanian separatist movement in Kosovo to the territorial integrity of the Republic of Serbia, Yugoslavia and Serbia are determined to seek a just and lasting solution to the situation in Kosovo within a democratic and political framework, which implies the rule of law through a parliament composed of the legitimate representatives of all the registered political parties, freely elected at multi-party elections. The more so, since the new Constitution of Serbia, adopted in September 1990, does not bring into question the territorial and cultural autonomy of Kosovo, but only envisages the elimination of statehood attributes of the province, since according to the relevant international documents, these attributes are not recognized to national minorities.

Also, in accordance with the document of the Copenhagen CSCE Conference on Human Rights, Yugoslavia and Serbia are in favor of addressing all the outstanding questions "through dialog based on the principles of the rule of law." This implies abandoning of any idea of separatism on the part of the members of the Albanian national minority, their recognition of the Republic of Serbia and its constitution, as well as respect for its laws.

The CSCE documents state clearly that in the realization of their rights, national minorities have an obligation to be loyal to the state in which they live, which includes the respect for its territorial integrity and sovereignty.

The escalation of separatism on the part of the Albanian minority in Kosovo, constitutes the only serious obstacle to the full realization and further promotion of human rights in Kosovo. Also, if the leaders of the separatist movement were to abandon, clearly and unconditionally, the policy of endangering the territorial integrity of Serbia, and consequently Yugoslavia, all the controversial questions related to human rights in Kosovo would be resolved in a short period of time.

Although the preceding information provides a basic answer to a whole range of specific questions contained in the communications, we draw attention to following

specific issues concerning allegations of violation of human rights and freedoms in Kosovo.

1. REASONS FOR PASSING THE LAW ON THE CONDUCT OF REPUBLIC AUTHORITIES IN SPECIAL CIRCUMSTANCES AND THE LAW ON THE TERMINATION OF THE WORK OF THE ASSEMBLY OF THE SOCIALIST AUTONOMOUS PROVINCE OF KOSOVO AND OF THE EXECUTIVE COUNCIL OF THE ASSEMBLY OF THE SAP OF KOSOVO

The main reasons for adopting the Law on the Conduct of Republic Authorities in Special Circumstances and the Law on the Termination of the Work of the Assembly and the Executive Council of the Assembly of the SAP of Kosovo, on July 5, 1990, should be perceived in the light of the well-known fact that the territory of the SAP of Kosovo—for all the democratic and legitimate efforts to ensure a consistent pattern of observance and protection of fundamental human rights and civil liberties, constitutionality and legality and an efficient work of all bodies—has been, for some time now, the scene of overt activities of the separatist-secessionist movement of ethnic Albanians aimed at undermining the territorial integrity of the SR of Serbia and the SFR of Yugoslavia, including even the use of force and arms and commission of acts of terrorism.

The longstanding complex and very difficult situation has been characterized by:

- a paralysis of the functioning of the state and the rule of law and an imposed state of lawlessness;
- manifestations of civil disobedience;
- obstruction of, or making difficult, business operations in a large number of enterprises, boycott of work duties, organization of political strikes;
- continued endangering of the lives and property of citizens;
- open assaults including armed attacks on law enforcement officers;
- a continued and systematic pattern of instigation of interethnic intolerance, hatred, and conflicts;
- constant threat to the initiated processes of establishing democracy, promoting the rule of law and ensuring peace and security not only in Kosovo but in Serbia and Yugoslavia as a whole.

* * * jeopardy the enjoyment of fundamental freedoms and human rights of citizens, as well as constitutionality and legality in this part of the territory of the republic. This required the taking of all the necessary measures sanctioned by law in order to reverse the situation and ensure full functioning of the legal order, which includes enforcement of laws; delegation of jurisdiction of law courts and of the powers of other authorities; enforcement of decisions and other enactments; introduction of temporary measures, etc. by appropriate authorities.

To prevent further activities of this kind and avoid more serious, undesirable consequences, the Assembly of the SR of Serbia adopted the Law on the Termination of the Work of the Assembly of the SAP of Kosovo and of its Executive Council. Pending election of a new Assembly of the Autonomous Province of Kosovo (to be held in February 1991) the functions of the provincial Assembly are discharged by the Assembly of the SR of Serbia.

The justification for taking the abovementioned and other measures is best evidenced by open attempts on the part of a certain number of former deputies of the dissolved Provincial Assembly to proclaim in an illegal manner the so-called Republic of Kosovo and the Constitution of the Republic of Kosovo (on September 7, 1990). This attempt is a gross and open encroachment upon the territorial integrity of Serbia and that of Yugoslavia, directly conducive to the creation of another Albanian state on its territory. The mentioned separatist-secessionist act is an illegal and unconstitutional act, and any solidarity with it, is tantamount to direct support for the endeavors to disrupt the unity and jeopardize the survival of Serbia and, consequently of Yugoslavia, and would have far-reaching and unpredictable consequences for peace and security in the entire region and in Europe.

Having in mind the points mentioned above, the main purpose in enacting this legislation has been to remove the present threat to the order established under the Constitution in this part of the Serbian territory, i.e., to define the legal mechanisms making possible the overcoming of a similar situation in the future.

In this way, it is sought to protect the security of all the citizens and entities in the area. The aim and the rationale behind passing these laws is to end the state of unconstitutionality and unlawfulness in a most expeditious and effective manner, that is to enable the establishment of an efficient legal order in that part of Serbia's territory and normal functioning of all bodies.

II. RIGHT TO FREEDOM OF EXPRESSION AND ASSOCIATION

Articles 166 to 168 of the SFRY Constitution, are in full agreement with the rights contained in Articles 19 and 22 of the International Covenant on Civil and Political Rights.

In this connection, the communications received by the Centre for Human Rights in Geneva often refer to instances of violation of these rights in the Autonomous Province of Kosovo, Yugoslavia. For example, it is alleged that Prof. Dr. Hajrulah Gorani, President of the Union of Independent Kosovo Trade Unions; Mr. Iljir Toljaj, member of the Coordination Committee of the Independent Kosovo Trade Unions, and others, were sentenced to 60 days each in prison and sent to jail to serve their term only because they announced, in their capacity as spokesmen for the Union of Independent Kosovo Trade Unions, and allout warning strike for September 3, 1990.

As far as these persons and the grounds for their conviction the following information is of relevance:

- The Security Centre in Pristina, requested the magistrate of Pristina, on August 23, 1990, to institute infraction proceedings against Dr. H. Gorani and Mr. I. Toljaj. Upon checking all the circumstances, the magistrate found them guilty and sentenced them to 60 days' imprisonment for the offense under Article 18, paragraph 1, subparagraph 4 of the Law on Public Order (Ordre Public) and Peace.

The said persons were not punished for associating for trade union purposes, but for acts established in the infraction proceedings which are punishable under the regulations in force, that is in order to prevent the enforcement of decisions by government authorities, they have caused anxiety among the citizens and offended their national feelings, called to civil disobedience and similar acts. All this resulted in violation of public order and peace.

The abovenamed persons, after serving their sentences, were set free.

In this respect, it should also be noted that the so-called independent trade unions of ethnic Albanian workers have not submitted an application for registration nor have they been registered in accordance with the procedure required by the relevant republic and/or federal legislation.

The concrete activities of the so-called Union of Independent Kosovo Trade Unions clearly show that it is not a trade union organization but an organization of an exclusively political nature. Like any other political organization of Kosovo Albanians, this organization persistently refuses to register in accordance with the existing legislation in force. Moreover, it has refused to inform the Council of the Confederation of Yugoslav Trade Unions about its program.

As regards the right of association and freedom of expression, it should be mentioned that the Criminal Law of the SFR of Yugoslavia has been modified and that verbal crime (*delit d'opinion*) has been abolished. In addition, in the course of 1990, a considerable number of imprisoned persons were granted pardon. Thus, there are no more prisoners convicted of verbal crime. Procedure is underway to bring republic criminal legislation in conformity with the federal criminal law.

III. RIGHT TO FREEDOM OF THE PRESS AND OTHER MEDIA

Articles 167 and 168 of the SFRY Constitution guarantee freedom of the press and of other media and public expression. The citizens, organizations, and citizens' associations may, under terms and conditions stipulated by law, publish newspapers and disseminate information through other media.

Under Article 203, paragraph 2 of the Constitution of the SFRY, the freedom to exercise these rights is restricted by the obligation that no one shall use these rights to overthrow the social system determined by the Constitution, i.e., to stir up national or religious hatred or intolerance.

In this context, attention should be called to the fact that over a longer period, the Kosovo media in the Albanian language acted from the positions of separatist and nationalist demands, thus adding up to the sentiments of animosity and creating an environment hostile to the resolution of problems in Kosovo and Metohija within the Republic of Serbia and the SFR of Yugoslavia. Therefore, on July 5, 1990, the Republican Assembly as their founder made a decision to introduce temporary measures in the publishing house Rilindija and in the newspapers coming out in Albanian; i.e., Rilindija and Zeri e Rinis, as well as in radio and television stations in Pristina.

In view of the fact that even after the introduction of those measures in the independent socially owned enterprise Rilindija because no willingness was shown to abide by the concept established in the founding document, a decision was adopted on August 7, 1990, to suspend the publication of the paper on a temporary basis.

Since then all measures have been taken to ensure the reappearance of Rilindija. However, notwithstanding the will of the Republic of Serbia to ensure the publication of the daily, Rilindija's representatives are not anxious to see a new Rilindija appear soon and on a regular basis. The nonappearance of the daily is a strong evidence for them to argue before world public that the Republic of Serbia denies the rights of the Albanian national minority.

At the same time, other magazines are published by the enterprise Rilindija, such as Kosovarja, Fjalja, and Shkendija—which come out on a weekly, biweekly, and monthly basis, respective—as well as Zeri e Rinis.

IV. RIGHT TO EMPLOYMENT

Articles 159 and 160 of the Constitution of JFRY provide that everyone shall have the right to work. Everyone shall have equal access to any job and function in society. Employment may be terminated against the worker's will only under the conditions and in a manner stipulated by law. Similarly, a person unwilling to do his job but fit to work, shall not be entitled to protection deriving from employment.

In the communications received concerning the territory of Kosovo and Metohija it is alleged that ethnic Albanians are deprived of their right to employment, which resulted, according to these allegations, in mass dismissals of persons belonging to the Albanian national minority in all sectors of the economy and all areas of life of the community.

In this regard, in the past few months a growing number of ethnic Albanians holding a job, especially on the management of the enterprises and in institutions where interim measures have been introduced, by signing the so-called Declaration on the Independence of Kosovo, announced their decisions to terminate their employment unilaterally as long as the legislation and measures adopted by the Serbian Assembly remained in force.

There are widespread instances of employed ethnic Albanians deliberately impeding and preventing workers of different nationality from performing their duties by encouraging them to decline to fulfill their obligations at work, to damage or destroy tools or official documents, thus obstructing and disrupting the work process in their enterprises and institutions.

Whenever such instances occur, authorized officials and appropriate authorities, in accordance with the Law on Labour Relations, adopt decisions to dismiss or suspend offending workers. These same measures are also applied elsewhere in the country against any worker violating his or her work obligations in ways described above.

For the purpose of illustration, a few examples are cited below.

Pursuant to Articles 6 and 8 of the Law on Labour Relations in Special Circumstances employment of 18 officers of the Provincial Secretariat for National Defence based in Pristina and officers of the Commune Secretariat for National Defence at the locality of Srbica has terminated on grounds of an organized nonfulfillment of the duties and tasks assigned to them. More specifically, these officers have chosen to disobey the orders of the Provincial Defence Secretary and refused to perform their duties. In the proceedings initiated against them, they stated that they did not want to work.

Disciplinary measures were taken against these persons, as required by the Law on Labour Relations in Special Circumstances. They were proceeded against on an individual basis and the decisions on the termination of their employment may be appealed. They did not however exercise the right of appeal but solidarily refused to accept the decisions terminating their employment.

By virtue of Article 200, paragraph 1 of the Law on Government Administration, the Provincial Secretary for Justice and Administration made a decision to terminate employment for 19 officers of the Provincial Secretariat for Internal Affairs, who signed a written statement acknowledging their wish not to continue working for this secretariat. The same article specifies the time that each of these persons should spend on the job upon signing the statement. However, none of the officers in question reported for work after annual leave. This means that they did not exercise their right and obligation of notice of termination under the Law and the Rules Governing Labour Relations in the above secretariat.

Ever since the introduction of temporary measures in Radio and Television Pristina, the majority of the staff of Albanian nationality have not come to work; a small number of them who came at first have also stopped doing so. Nonappearance at the workplace has been organized by a strike committee controlled by the RTV Pristina "independent" trade union. This committee has been making attempts since, to impose negotiations with the provisional management or their terms for going back to work. All that boils down to nonacceptance of the measures taken by

the Republic of Serbia. The organizers have resorted to rude methods in preventing ethnic Albanians from going to work.

In view of the fact that even after 2 months the introduced measures produced no results and the Albanians did not heed the call to return to work, the management has decided to terminate their employment in accordance with the Law on Labour Relations in Special Circumstances. Thus, employment has terminated for 1,136 staff members of RTV Priština. Likewise, the provisional board of managers put up a notice of job vacancies to be filled on a permanent basis for various staff necessary for the production and broadcasting of programs in the Albanian language.

Moreover, the community in Kosovo has suffered considerable damage from an organized boycott of work in socially owned enterprises.

For instance, 913 workers of Albanian nationality walked out in the factory of seamed tubes at Uroševac. The walkout lasted from January 26 to February 27, 1990, at a stretch. The reasons for refusing to work were not either of an economic or a social nature. They were exclusively of a political character, as is obvious from the demands submitted to the provisional managing board by a group of these workers on behalf of all Albanian nationality workers in the factory. The workers of Albanian origin were repeatedly urged to go back to their jobs. However, they ignored these calls. Consequently, the provisional board was forced to adopt, on February 27, 1990, a decision to terminate their employment under Article 75, paragraph 2, subparagraph 3 of the Law on the Rights Deriving from Employment.

All the workers mentioned above have appealed to the Court of Associated Labour at Priština and moved to issue a temporary order of their reinstatement pending the determination on the appeal. The court denied the motion.

The cited examples unequivocally show that there are no dismissals on political grounds, but rather for reasons of:

- unjustified absence from work;
- failure or refusal to fulfill work obligations;
- arbitrary cessation of work and leaving the place of work;
- impeding others to discharge their tasks and duties;
- refusal to accept a reassignment decision;
- a statement acknowledging the wish to terminate employment;
- permanent and unaccounted for late arrivals to work, as provided for in the legislation in force and following the prescribed procedure.

As regards the alleged discrimination in employment, statistics show that unemployment has equally affected Albanian and non-Albanian populations in Kosovo. In proportion to the population, in 1989 unemployment was greater among the non-Albanian population in Kosovo than the Albanian one. Thus, out of a total of 140,824 persons seeking employment opportunities through the interest community for employment in the SAP of Kosovo in 1989, 116,153 were Albanians and 2,014 were non-Albanians. In view of the qualifications structure of the population this gives no reason to assume that there is discrimination against the Albanian population in employment. On the contrary, there are indications that non-Albanians are not in a less favorable position regarding employment. Namely, a considerable number of general enactments of the work organizations in Kosovo incorporated additional admission criteria. A "key" has been developed to determine the number of Serbian and Montenegrin applicants to be admitted after a notice of vacancies has been announced. This "key" or percentage is determined by the proportion of Serbs and Montenegrins residing in this area as compared to the number of resident Albanians. Because the number of Serbs and Montenegrins is decreasing in comparison with the number of Albanians, consequently opportunities for their employment are also fewer compared to those which Albanians have.

V. RIGHT TO HEALTH CARE

The right of citizens to health care as a welfare right is defined in Article 163 of the Constitution of the SFRY, and Article 30 of the Constitution of the Republic of Serbia which envisages that everyone shall be entitled to health care.

Upon a direct insight of the federal, Republican, and Provincial health authorities pursuant to the report of the commission of experts from Ljubljana, Zagreb, and Belgrade, and at the request of the Federal Secretariat for Health, after the sanitary inspection carried out by the Republican Sanitary Inspector, it was established that:

- a certain number of Albanian medical staff do not wish to work; i.e., to provide medical help to citizens, particularly to non-Albanian ones;
- intraethnic relations have been distorted in many health care institutions as a result of the fact that there is a majority of Albanian workers and an absolute divi-

sion within the staff on a national basis and that there exist parallel services within the same health institutions, depending on the nationality of the staff;

- there have been abuses of medical code of ethics aimed at meeting the demands of separatists;

- employees in the work organizations are not treated on an equal basis; i.e., workers cannot directly and, on a footing of equality, determine and enjoy their right and obligations stemming out of a labor relationship;

- health care conditions, the organization of work, medical supplies, coupled with sanitary status are very poor; that appropriate and efficient medical assistance cannot be rendered in cases requiring specialized medical services, including emergency room admittances. Consequently, the interests of the citizens and their health care are directly brought into question;

- medical records have not been properly kept;

- many preventive medical measures and activities have not been implemented;

- the languages and alphabets of the nations and national minorities do not enjoy equal status, as stipulated by law. Instead, medical instructions are given and the complete documentation and correspondence written exclusively in Albanian. This makes it impossible for the Serbian, Montenegrin, and other non-Albanian medical staff to make reports and analyses;

- during the period of widespread "health problems" of children and youths of Albanian nationality, about which the WHO was duly informed on March 30, 1990, a commission was set up by the Government of the SFR of Yugoslavia, composed of eminent experts from all parts of the country. It investigated all the facts related to the so-called poisoning and found out that large-scale health problems reported by pupils of Albanian nationality did not have the characteristics of an epidemic, contagious disease, or intoxication (food or water poisoning). In addition, the health problems suffered by such a large number of population were not caused by acute poisoning, either by inhalation or orally, but can only be explained by an induced psychogenic reaction. (The detailed report by the Yugoslav Commission was sent to the WHO in July 1990.)

The activities and measures taken in that period by health services of the Province of Kosovo and Metohija, particularly by some of the clinics of the Priština Faculty of Medicine, were inappropriate; seriously ill patients received inadequate medical attention and were discharged uncured. The interests of these individuals were thus violated and the resources earmarked for their health care were abused;

- the authorities refused to accept the Republican and Provincial sanitary inspection teams charged to follow up on the measures to be taken by some health institutions where the hygienic and epidemiological situation was reportedly bad.

With a view to overcoming the above problems and providing health care to all citizens regardless of their religion, nationality, or sex and in accordance with statutory provisions, a number of specific agreements were made, which were not honored by ethnic Albanian physicians. On the basis of the Yugoslav and Republican programs of measures and activities to stop the migration of the Serbs and Montenegrins from Kosovo and to ensure return to their homes, specific measures have been adopted. Medical teams from different parts of Serbia were sent to assist their colleagues in the Autonomous Province of Kosovo and Metohija in providing health care. Certain amounts of medicaments and medical equipment have been supplied (a dialysis center at Peć). All this stresses the need for overcoming these problems, as set out in the decisions of the Assembly of the Republic of Serbia.

The purpose of the measures required by the decisions of the Republican Assembly of Serbia is to ensure that medical institutions preform the activities for which they have been established and provide health care for all citizens without distinction as to religion, sex, or national origin, in accordance with the code of ethics for medical staff and the level of health care needed. For this reason, temporary measures have been introduced in a number of health institutions. Consequently, the organization of work, sanitary and hygienic conditions as well as the level of professional services rendered in these institutions have improved due to the fact that since April 1990 around 2,300 highly competent medical staff, ranging from university professors to medical technicians from other parts of the Republic, have been engaged to provide medical assistance to all those in need of it.

Concerning alleged harassment of clergymen for providing medical help to the population, it should be emphasized that the Secretariat for Health, Child Care and Social Welfare of the Republic of Serbia as a relevant authority, has sent a health and sanitary inspector to investigate these allegations in the reported Catholic churches with the consent of the parish priests concerned. The result of his findings included the existence of infirmaries and pharmacies, which is contrary to the Law on Health Care stipulating that medical assistance should be provided in health in-

stitutions through the system of health organizations and only by the staff who received proper medical training or degree. In the case in point, it is evident that unauthorized institutions and incompetent staff render medical services, which may cause more harm than good in the treatment of patients. Among other things, the medical supplies found in the churches mentioned above contained both the medications in order and large quantities of those with long overdue expiry dates, of an unknown origin and content as well as a certain amount of toxic chemicals.

VI. RIGHT TO EDUCATION

The allegations contained in the communications of flagrant and mass violation of the human rights of ethnic Albanians in Kosovo by abolishing their right to education and by segregation in schools, are of a general nature and uncorroborated. We shall, therefore, illustrate the rights enjoyed by ethnic Albanians under the system of education and upbringing in the Republic of Serbia.

The new 1990 Constitution of the Republic of Serbia provides for that everyone shall have access to education (Article 32); that primary school education is compulsory; that a full-time education financed from public revenues is free; that persons belonging to peoples and national minorities are entitled to an education in their own language under the conditions stipulated by law.

The legal system of the Republic of Serbia in the field of education stipulates that the citizens have the right and an obligation to acquire primary education; that they are entitled to an education at all levels under equal terms and conditions provided for by law; that all full-time pupils and students, regardless of their national origin or religion, are entitled to free education; that they have a right to education in their own language, which is of particular importance for members of national minorities who enjoy the right to education in their own language from primary school to university level. However, in primary and secondary schools they are obliged to learn Serbo-Croatian as the official language used in the Republic of Serbia.

Therefore, the enactment of the relevant laws and the new Constitution of the Republic of Serbia did not limit or in any way restrict the right of national minorities to education.

According to the 1981 census taken in Yugoslavia, out of a total 22,427,285 inhabitants 1,730,878 were ethnic Albanians; out of a total population of the Republic of Serbia 1,303,032 out of 9,313,677 were Albanians; out of 5,694,464 inhabitants in Serbia, the provinces excluded, there were 72,483 ethnic Albanians; out of a population of 1,584,441 inhabitants in the Kosovo and Metohija Province there were 1,226,736 ethnic Albanians; out of 2,034,772 inhabitants in the Province of Vojvodina 3,812 were Albanian.

According to available data for the schoolyear 1988-89 in the Republic of Serbia as a whole, children belonging to national minorities attended 1,131 schools in their own language. Of that number children of Albanian nationality alone attended 904 schools in the country, i.e., in Kosovo and Metohija province 841 out of a total of 852 schools there.

It should be noted that the number of primary schools in the Kosovo and Metohija province is increasing mainly due to a high birth rate (in 1981 the birth rate was 24.1 percent and in 1987 24.9 percent). Thus, in schoolyear 1986-87 there were 825 such schools and in schoolyear 1987-88 there were as many as 831.

The same is true of the number of undergraduate and graduate students acquiring an education in Albanian in the Republic of Serbia. Out of a total of 352,784 students who attended minority languages schools in schoolyear 1988-89 314,218 were members of the Albanian minority. They were taught by 13,755 teachers. (In Kosovo alone, there were 303,035 schoolchildren and 13,146 teachers.)

As far as graduate students receiving education in a minority language are concerned, out of 111 secondary schools in the Republic of Serbia, 69 held classes in Albanian. In the province of Kosovo and Metohija there are 66 schools of this kind.

This information can be substantiated by the number of students attending secondary schools in the schoolyear 1988-89. of 73,280 students acquiring an education in a minority language in the Republic of Serbia 65,405 were Albanian. They were taught by 3,530 teachers. In the province of Kosovo and Metohija there were 63,842 students and 3,431 teachers.

In academic year 1989-90 there were 33,514 students having Yugoslav citizenship (8,150 college students; 25,137 university students; and 227 art students) in the province of Kosovo and Metohija. Out of this figure, 25,344 were ethnic Albanians who attended courses exclusively in their mother tongue.

Furthermore, sight should not be lost of the fact that the province of Kosovo and Metohija can allocate a mere 20 percent of the resources needed for these purposes.

Consequently, 80 percent of the resources are provided by Yugoslavia with the Republic of Serbia contributing the largest share through an appropriate fund.

The allegations that the enrollment in the current academic year of high school graduates from Serbia was in violation of the Law on Universities and that it diminished the chances of ethnic Albanians to enroll, are ill-intentioned and totally untrue. By enrolling 1,000 students from all of Serbia, the Assembly of the Republic wished to increase the number at this university of students coming from other parts of the Republic, which would in turn make it more Yugoslav-oriented. In addition, this would contribute to the improvement of the teaching staff since professors and scholars from other universities might be invited as lecturers. By subsequent enrollment of 1,000 students from other parts of the Republic at Priština University opportunities for Albanian youths were not in the least diminished since in the end there remained 1,300 vacancies to be filled by Albanian students. Therefore, the autonomy of the university was not violated, as stated in the communication.

It should be noted that in the attempts to achieve their ends Albanian separatists do not even stop short of manipulating children. For example, children participated in the demonstrations; boycotted lectures; had a part in the "poisoning" hoax; they are being encouraged not to learn Serbo-Croatian and engage in interethnic conflicts among young people involving violence. In this way, Albanian children are being isolated from persons belonging to other peoples and national minorities in Serbia and Yugoslavia.

Refusal by the Albanian national minority to learn Serbo-Croatian is threatening to banstustanzie Kosovo and Metohija, which is an anticivilizational act unprecedented in the modern world.

Indoctrination of schoolchildren and university students is particularly effective. In all activities organized by the Albanian separatists, youths take part in large numbers. Relations between students of different national backgrounds have reached a critical point. Serbian and Montenegrin students are intimidated by continued assaults, provocations, and threats aimed at keeping them away from school. Moreover, Albanian students interrupt the classes in various ways and sometimes even directly affront and insult teachers. Due to frequent class disruptions and a large absence of students, the regularity of the 1985 schoolyear was doubtful. Thanks to an extremely tolerant attitude on the part of the competent education authorities it has been recognized as regular. Therefore, the allegations that the ethnic Albanians' right to education has been suspended are malevolent. They are entitled to a free education in their own language, in both primary and secondary schools and at universities.

The allegations of segregation at schools are likewise untrue. It is a truism that classes have been organized depending on the language taught in morning, midday, and afternoon separate sessions because of a large number of students and lack of space. Classes are therefore held at two or even three different times. However, even in such difficult conditions, the rights of Albanian students are in no way restricted.

VII. RIGHT TO HOUSING

The communications allege housing segregation of ethnic Albanians and violation of their rights in this field.

The legal authority for meeting the housing needs of the workers and citizens is derived from Article 164 of the Constitution of the SFR of Yugoslavia and from Article 168 of the Constitution of the SR of Serbia. (Under the latest Constitution of the Republic of Serbia the company has not obligation to provide a flat for its workers.)

Being in mind that workers and citizens of Albanian nationality constitute the majority population in the province, they represent a majority on the housing committees and also bearing in mind that the legislator does not discriminate among nationalities concerning their housing needs, the allegations of segregation in this field are not founded. Legislation criteria and norms, the procedures for the allocation of flats and court practices were uniform in the province as a whole and for all legal entities providing resources for satisfying workers' housing needs as required by law.

Upon termination of the work of the Assembly of the Socialist Autonomous Province of Kosovo and of its executive council, the law applicable in the territory of the province have not been suspended, nor have been suspended the general self-management enactments; i.e., the rules on housing relations in companies, schools, organizations, and communities in which workers meet their housing needs.

REPLY TO THE LETTER BY MR. A. DIENG, SECRETARY-GENERAL OF THE INTERNATIONAL
COMMISSION OF JURISTS

BEOGRAD,
January 10, 1991.

DEAR MR. DIENG: Thank you for your kind letter ref. 7/66 of November 16, 1990, providing me with a copy of the declaration addressed to the International Commission of Jurists.

Appreciating the ICJ's efforts and activities in the field of human rights as well as your personal engagement, we have made an attempt, in cooperation with appropriate authorities in Yugoslavia, to prepare the fullest possible replies to the allegations contained in the declaration, regardless of the actual reasons, motives, and the importance of the organization which referred to the ICJ. We considered it necessary to bring to your attention the broader historical context in which the problem of ethnic Albanians in Kosovo evolved, in order to be able to understand it properly.

Following the establishment of Yugoslavia as a constitutional state immediately after the Second World War, the Socialist Federal Republic of Yugoslavia and, more specifically, the Republic of Serbia, proceeded more systematically to the definition of the individual and collective rights of national minorities and the creation of conditions for the realization of these rights. Being the most numerous national minority in Serbia, ethnic Albanians in Kosovo have acquired a privileged status in comparison with other national minorities in Yugoslavia. Their rights included territorial, political, and cultural autonomy, which far exceeds the provisions of the International Covenant on Civil and Political Rights relating to national minorities and other relevant international human rights instruments. (For example, a member of the Albanian minority sits, on a permanent basis, on the Presidency of the SFR of Yugoslavia as the collegial head of state, representing the interests of the Province of Kosovo and has already occupied the offices of Vice President and President of the SFRY Presidency, or head of state, on rotation basis.) They have also held the positions of President of the Federal Assembly, President of the ruling party, President of the Yugoslav Youth Organization, etc. In the Federal Parliament the Albanian minority has 27 seats; ethnic Albanians were represented in all Yugoslav Governments in the postwar period; over the past 10 years 15 ethnic Albanians have been accredited as Yugoslav Ambassadors worldwide. In addition, ethnic Albanians are also holding other high-ranking posts in the state, politics, and the military, in accordance with a strictly defined principle of proportional representation. Similarly, the Province of Kosovo enjoyed the same status in the Republic of Serbia and was adequately represented in the Republican agencies, which went beyond the powers customary elsewhere in the world for autonomous units in the exercise of their functions. All this added up to the situation in which, until recently, the status of Kosovo province was on a par with the republics at the federal level.

Despite such a status enjoyed by Kosovo, solely members of a larger part of the Albanian minority in Kosovo have created problems for Yugoslavia; i.e., Serbia, while the other minorities are satisfied with their rights and treatment and constructively participate in the life of the country as a whole.

During the last 10 years, the separatist movement in Kosovo has attempted to achieve, using all sorts of means, the establishment of another Albanian state in the territory of the Serbian state and Yugoslavia as a whole, which is unacceptable either under the Constitution of Serbia or Yugoslavia or under international law. Separatism in Kosovo has been developing for decades, culminating in 1981, when Kosovo had the broadest political autonomy ever granted a national minority in any part of the world.

In seeking to achieve their aims, the Albanian separatists resort to untruths about repressive measures against the Albanian population in Kosovo, attempting to cover up the actual situation and to present themselves as victims rather than offenders. For a number of years now, all non-Albanians in the province, Serbs and Montenegrins in particular, have been subject to brutal assaults and pressure by ethnic Albanians. These brutal and aggressive methods and means of endangering the physical and mental integrity of other people, personal safety and the security of property have created a feeling of constant fear and uncertainty compelling them to leave the province and their ancestral homes. Over the past 50 years nearly 400,000 non-Albanians departed from Kosovo and Metohija and settled in other parts of Serbia. Out of this number more than 28,000 persons left in the period from April 1981 to the end of 1989, with the exodus continuing unabated also in 1990 (about 2,000 persons).

Due to such methods of violence by Albanian separatists, the share of Serbs and Montenegrins in the total population fell from around 27 percent to less than 10

percent in the 1958-89 period. Consequently, the separatists' goal of an ethnically pure Kosovo has practically been attained.

The developments have shown that a considerable number of ethnic Albanians in Kosovo are not keen on exercising their minority rights but rather on creating a national state at the expense of the territory of the state of Serbia; i.e., Yugoslavia. For them, this is but a first step toward Kosovo's incorporation into Albania, although Kosovo had never in the past been part of any Albanian state. It is, as is known, the cradle of Serbian statehood and culture.

Under the Constitutions of Yugoslavia and Serbia, respectively, and under international law, ethnic Albanians in Kosovo, regardless of their comparatively large numbers, do not constitute a nation but a national minority and as such, they do not enjoy the right of secession. Existence of their motherland is a criterion for determining the parts of the nation living in neighboring countries as national minorities. The Albanian minority accounts for a mere 14 percent of the total population of the Republic of Serbia, which in percentage terms is less than the share of, for example, the Kurdish minority in Turkey, the Turkish minority in Bulgaria, or the Hungarian minority in Romania.

The adoption of the so-called Declaration of Independence of Kosovo, on July 2, 1990, by the majority of Albanian members of the Provincial Parliament and supported by the Albanian members of the Provincial Government and some official representatives of ethnic Albanians at the Republic and Federal levels, has shown Albanian separatism in its true colors, thus making an open and provocative attempt at secession from Serbia.

The intent of Albanian separatists to establish also the institutional basis for Kosovo's secession from Serbia is demonstrated by the illegal promulgation of the constitution of the so-called Republic of Kosovo, proclaiming the Albanian national minority as the "Albanian people of the Republic of Kosovo" who, on the basis of their "right to self-determination including secession" have adopted the "Constitution of the Republic of Kosovo." Under this constitution, the "Republic of Kosovo" is the state of "the Albanian people and persons belonging to other peoples and national minorities," and the Assembly of "the Republic of Kosovo," *inter alia*, has the authority to "decide on the change of Republic borders"; to "call a republic-level referendum," etc. This means (a) abuse of the minority rights provided for in the Constitutions of Serbia and Yugoslavia, respectively; (b) infringement of the provisions of international instruments, especially the Copenhagen CSCE document making it an obligation for national minorities to be loyal to the state in which they live and strict respect for the territorial integrity of that state; (c) direct violation of the constitutional order of the state and causing paralysis of its functioning, thus jeopardizing the enjoyment of human rights by all the population in Kosovo including Albanians. The more so, as normal functioning of the state based on the rule of law is a precondition for an unimpeded enjoyment of human rights and fundamental freedoms.

This is one more act on the part of separatists which denies the statements by some Albanians and others that ethnic Albanians wish to live within the territory of Yugoslavia and that they only seek the human rights and the fundamental democratic freedoms denied to them.

The activities of Albanian separatists in Kosovo—by the level of their organization and their aggressive attitudes—represent a most drastic example of the abuse of minority rights for secessionist purposes ever since the case of the Sudeten Germans in Czechoslovakia in 1938.

Escalation of Albanian separatism in Kosovo is the only serious obstacle standing in the way of full protection and promotion of human rights in this province. If it were for that, that is if the leadership of the separatist movement unequivocally and irrevocably abandoned its policy of undermining Serbia's and, consequently, Yugoslavia's territorial integrity, all controversies related to human rights would be resolved in a very short period of time.

Because of serious abuses of minority rights and an immediate threat to the territorial integrity of the Republic of Serbia, the legitimate authorities were compelled to introduce certain temporary measures of necessary defense in order to prevent the realization of the proclaimed secession and ensure the rule of law.

Yugoslavia and Serbia are determined to seek a just and lasting solution to the situation in Kosovo within a democratic and political framework, which includes respect for the interests of all citizens of the Republic of Serbia, consistent rule of law and the functions under the law of a parliament composed of legitimate representatives of all political parties, elected in free multi-party elections. The new Constitution of Serbia, adopted in September 1990, does not bring into question Kosovo's self-rule. It envisages, among other things, the establishment of political and other

provincial bodies through a democratic multi-party election to be shortly held in Kosovo and Vojvodina.

In accordance with the document of the Copenhagen meeting of the CSCE Conference on Human Dimension, Yugoslavia and Serbia are in favor of addressing all outstanding issues "through dialog based on the principles of the rule of law." This implies giving up any idea of separatism by ethnic Albanians, their recognition of the Republic of Serbia and its constitution as well as abiding by its laws.

Mr. Dieng, under the Yugoslav Constitution and laws, all peoples and national minorities are guaranteed equality in respect to human rights and fundamental freedoms, which is in full conformity with Articles 19 and 22 of the Covenant on Civil and Political Rights.

Articles 167 and 168 of the SFRY Constitution guarantee freedom of the press and of other media and of public expression. These freedoms, under international standards, may be restricted only in the event of open abuses, continued instigation of violation of the constitutional order, encroachment upon territorial integrity, stirring up of interethnic hatred or conflicts.

In their editorial policy, the television station in Priština broadcasting in the Albanian language and the daily Rilindija have long been engaged in the activities overtly inciting to hatred of non-Albanians, to civil and any other disobedience, often addressing open calls for overthrowing the constitutional system. These are some of the major reasons for taking a decision to ban temporarily the Rilindija and TV Priština news broadcasting in Albanian.

In the meantime, television Priština has resumed broadcasting of its programs. However, notwithstanding the will of the Republic of Serbia to ensure the publication of Rilindija, its representatives are not anxious to see Rilindija come out soon and on a regular basis. In their view the nonappearance of the daily serves as a strong evidence to claim before the world public that the Republic of Serbia denies the rights of the Albanian national minority.

Concurrently, other magazines published by the enterprise Rilindija, such as Kosovarja, Fjala, and Shkendia appearing on a weekly, biweekly, and monthly basis, as well as Zeri i Rinise have fundamentally changed their concepts and largely deal with current political questions and information critical of the measures taken by, and of the authorities of the Republic of Serbia.

As for legislative authority for introducing disciplinary measures against those who have systematically neglected and violated their work obligations, it is based on Articles 159 and 160 of the SFRY Constitution, the relevant provisions of the Law on the Fundamental Rights Deriving From Employment ("Official Gazette of the SFRY," No. 60/89), the Law on Labour Relations ("Official Gazette of the SFRY," No. 12/89), and on appropriate enactments of the enterprises and work organizations.

Under the regulations mentioned above, a disciplinary measure of termination of employment may be applied in case of a serious violation of work duties and obligations, if there is no justification for failure to achieve the planned results of work for 3 consecutive months, and for other serious violations of work obligations. Also, employment may be terminated without the consent of the worker if he or she is unjustifiably absent from work for at least 5 consecutive days, etc. All these measures are in accordance with the legislation of the market-economy countries in Europe.

Upon an insight into all the cases of dismissals, it can be concluded without doubt that none of the workers have been dismissed on political grounds, but rather for reasons of an unjustified absence from work; failure or refusal to fulfill work obligations; arbitrary cessation of work and leaving the place of work; impeding others to discharge their tasks and duties; refusal to accept a reassignment decision; a statement acknowledging the wish of the worker to terminate employment; or permanent and unaccounted-for late arrivals to work.

It should be mentioned that such a behavior of some Albanian workers has resulted in an extensive material damage to enterprises and the community as a whole.

Regarding alleged discrimination in seeking employment, statistics indicate that unemployment equally affects Albanians and non-Albanians in Kosovo. In proportion to the number of inhabitants, in 1989 there were more job seekers among non-Albanians than Albanians, with the latter accounting for nearly 90 percent of the population in Kosovo, while the total number of unemployed Albanians amounts to 116,153 or about 78 percent, out of a total unemployment of 150,824.

On allegations concerning prohibition of association in Kosovo, the attention is drawn to the fact that this right has been guaranteed by the supreme law; i.e., the SFRY Constitution (Articles 166-168). The concrete activities of the so-called Union of Independent Kosovo Trade Unions clearly show that it is not a trade union orga-

nization but an organization with exclusively political aims. These aims do not differ from the goals pursued by the separatist organizations.

This organization has not submitted an application for registration so far, therefore, it has not been registered in accordance with the procedure prescribed by the relevant federal and republic legislation.

In conclusion, dear Mr. Dieng, it should be pointed out that in a state ruled by law such as Yugoslavia there are also legal remedies for each of the alleged human rights violations, not to mention numerous committees throughout the country concerned with the protection and promotion of the human rights of all without distinction, inter alia, as to ethnic origin. I am convinced that they would be interested in a dialog with the author of the declaration a copy of which you were so kind to send for my information.

And last but not least, I would like to congratulate you on your recent appointment as Secretary-General of the distinguished ICJ.

Senator BIDEN. Chuck, do you have anything you wish to say?

Senator ROBB. No, Mr. Chairman, I do not.

Senator BIDEN. Senator Dole.

STATEMENT OF HON. ROBERT DOLE, U.S. SENATOR FROM KANSAS

Senator DOLE. Thank you, Mr. Chairman and Mr. Chairman and other members of the committee.

I would like permission to include my entire statement as part of the record.

Senator BIDEN. Without objection, it will be included.

Senator DOLE. And I will try to summarize it because I know that there are a number of witnesses, and this witness has a meeting with Senator Byrd at 2:30, which I hope to make.

Senator BIDEN. We all understand.

Senator DOLE. And I would also like to include in the record a list of meetings that we had in Yugoslavia recently with the various officials and leaders of different groups we met with.

Senator BIDEN. Without objection.

[The information referred to follows:]

DOLE DELEGATION—MEETINGS IN YUGOSLAVIA JULY 1990

BELGRADE, SERBIA

Federal Government: President of Yugoslavia, Borisav Jovic; Deputy Prime Minister, Zivko Pregl.

Government of Republic of Serbia: Prime Minister Stanko Radmilovic; Foreign Minister Alexander Prlja.

PRISTINA, KOSOVA

Albanians: Leader of Democratic Alliance, Dr. Ibrahim Rugova; Dean, Medical School at Pristina University, Dr. Alush Gashi.

Serbs: Representatives from the Serbian Orthodox Church, including Rev. Milutin Timotijevic. Committee for Truth, Radoslav Zlatanovic.

ZAGREB, CROATIA

Government of Croatia: President Franjo Tudjman; President of the Parliament, Zarko Domljan.

Government of Slovenia: President of the Parliament, Frane Bucar; Foreign Minister, Dimitrij Rupel.

Senator DOLE. Mr. Chairman, I listened carefully to your statement, and this is a very emotional issue with different ethnic groups, many of whom are in this committee room and many who are trying to get in the committee room. I think this hearing does address a very important policy issue for the United States. In my

view, the United States urgently needs to review its policy toward Yugoslavia to determine the best means for encouraging the growth of democracy and restoration of full human and individual rights for all of the people in Yugoslavia.

Certainly this morning's news reports on the steps taken yesterday by the Slovenia's parliament toward self-rule and disassociation from the Yugoslav central government underscore that urgency. Negotiations between the republics and the federal presidency on the future of Yugoslavia have to date not yielded any results. I think that is because the divisions we see in Yugoslavia today are not only ethnic, but political as well, and these political divisions are very deep. Old-style communism is pitted against new-born democracy, and at this point, we don't know which side will win.

While many people think of the current problems in Yugoslavia purely as outgrowths of historical ethnic squabbling, I would argue that such a view is overly simplistic. There has been ethnic squabbling over the years, in the past, and there is guilt all the way around between the ethnic groups. There are historical tensions between the various nations that make up Yugoslavia. We cannot forget that these nations did not join today's Yugoslavia voluntarily.

But the current crisis in Yugoslavia is a direct result of the spread of democracy to Eastern Europe. The problem in Yugoslavia, however, is that democracy did not spread far enough. The largest and smallest republics, Serbia and Montenegro, elected Communist governments late last year, and the central government of Yugoslavia is still in Communist hands, although some of these Communists now call themselves Socialists. The other four republics democratically elected non-Communist governments.

While brutal repression by Serbian authorities is strangling the democratic movement in the province of Kosovo, as mentioned by Senator Pressler, the non-Communist governments are also under siege, but by the Yugoslav Army which is staunchly pro-Communist and is threatening military crackdown.

I understand that the administration's policy with respect to Yugoslavia promotes unity, and I can see that we do not want the United States to be a force for disunity. But we need to recognize that there cannot be unity in a future Yugoslavia unless it is democratic and unless it represents the will of the people in all of the republics. It would not be in our interest to have Yugoslavia divided within, but united by military force.

Recently I had the opportunity to see firsthand the extent of these political divisions. Six months ago I lead a Senate delegation to Yugoslavia, and while we were there only a couple of days, we traveled to Zagreb, Belgrade, and Pristina. We met with the democratically elected leaders of the republics of Croatia and Slovenia, with the Communist leadership of the central government, and the Communist leadership of the Republic of Serbia. We also met with the leader of the Democratic Alliance of Kosovo, Dr. Rugova, leaders of the Albanian community, and leaders of the small Serbian community in Kosovo. While these meetings were informative, I believe we learned more about the situation in Yugoslavia from our observations.

Traveling from Zagreb to Belgrade to Pristina was like traveling through a time warp, from a fledgling democracy back to the 1950's style communism. The hope we had felt during our meetings with the new non-Communist governments of Slovenia and Croatia, who are on the road to democracy and a free market economy, was dampened once we left Zagreb. In fact, within the first minutes of our arrival in Pristina, we could see the undeniable signs of a police state. The Communist authorities tried to prevent us from going to Kosovo, and when we arrived, we learned why. In Pristina we saw the horrible and tragic ramifications of policies initiated by hard-line Communists in Belgrade.

Our delegation in one afternoon got a real taste of what life in Kosovo must be like. The Serbian police authorities did not bother to clean up their act for our visit. From the windows of our bus, we could see tear gas and clubs being used against Albanians who turned out to see us, to wave to us, and to chant "U.S.A., U.S.A." About 10,000 Albanians waited to greet us, but were met with brutal violence by police authorities. And I might add they were properly dispersed before we arrived even though some were running toward our car and running toward the roads.

That day a young American was arrested too. He spent 30 days in prison under trumped-up charges, and I might say he was released primarily because of the efforts of Mrs. Bentley who is here to discuss this and other matters with the committee.

The State Department and Helsinki Watch have thoroughly documented the egregious human rights violations in Kosovo and have noted that the situation is steadily worsening.

So, the facts are clear. The issue is what can we do and what should we do about it. Needless to say, we must keep up diplomatic pressure on the Yugoslav central government and on the government of the Republic of Serbia. In addition, I think our Embassy officials need to get out of Belgrade more to see what is going on in other parts of the country. We have an outstanding ambassador there, Warren Zimmerman. Many of you probably know Warren Zimmerman. He does an outstanding job. And I am not criticizing him in any way, but it seems to me with all the tension in the republics, that it would be in the best interest to do even more of what they are doing to keep in close contact with the democratic leaders in the other republics.

But the United States must do more than just react diplomatically. We need to provide direct aid to the non Communist republics in Yugoslavia thereby bypassing the central government and the Government of the Republic of Serbia. We do not want to reward either government for its policies of coercion and repression.

At the beginning of this session, I introduced the Direct Aid for Democracy Act, S. 9, which would give the United States the flexibility to provide aid to republic level governments that are on the road to democracy, but exist within countries that have governments at the republic level or federal level that are controlled by Communists. This approach would be very helpful in the Soviet Union, and this bill would apply, obviously, to the Soviet Union as well as to Yugoslavia.

Under today's foreign aid system, we are boxed in. We can either help all or we hurt all. We have found in the Soviet Union, for ex-

ample, if we give food aid to the central government, they use it to blackmail: if you don't sign the union treaty, you don't get any food aid in Moldova or some of the other republics. We have met with some of the leaders of the republics in these countries, and it seems to me that it is in our interest to start dealing directly with the republics, particularly those that are on the way to democracy and have democratic and freely elected governments. Right now if we want to weaken the Communists, we can only, under the present system, do so by weakening the democracies.

And, these are the kinds of choices we do not want to make. So, we end up sitting on the sidelines hoping for democracy, but not helping it. But I do not believe we can afford to sit on the sidelines with respect to the Soviet Union or Yugoslavia. Democracy, human rights, and human lives are at stake. Yugoslavia, like the Soviet Union, is a place where the democratic freedoms and principles we believe in are under serious attack.

But as I see it, this is a very historic opportunity to spread democracy and make democracy permanent. Only a democratic system can ensure that the human and individual rights of all citizens are protected, and although we cannot predict today the future of Yugoslavia, we do know that we want that future to be a democratic one and a peaceful one. So, it seems to me it is now time for the United States, our Government, the administration, the Congress to get off the sidelines. We cannot be spectators, and we ought to come down on the side of democracy and human rights and freedom, the same thing all of us speak about and talk about from time to time. I think it is very important to Yugoslavia. I would like to see the day in Yugoslavia where people can live in peace, notwithstanding the deep ethnic divisions that have been around for a long, long time, and I believe it is possible that we can lay to rest some of the very serious problems that now exist between the different republics.

So, Mr. Chairman, I appreciate very much this opportunity to testify, and I thank the committee.

[The prepared statement of Senator Dole follows:]

PREPARED STATEMENT OF SENATOR BOB DOLE

I appreciate having this opportunity to speak before the committee on the subject of Yugoslavia. I think this hearing addresses a very important policy issue for the United States. In my view, the United States urgently needs to review its policy toward Yugoslavia to determine the best means for encouraging the growth of democracy and the restoration of full human and individual rights for all of the people in Yugoslavia.

Certainly this morning's news reports on the steps taken yesterday by Slovenia's Parliament toward self-rule and disassociation from the Yugoslav Central Government underscore that urgency. Negotiations between the republics and the federal presidency on the future of Yugoslavia have to date not yielded any results; I think that is because the divisions we see in Yugoslavia today are not only ethnic, but political as well—and these political divisions are deep. Old-style Communism is pitted against new-born democracy and at this point, we don't know which side will win.

While many people think of the current problems in Yugoslavia purely as outgrowths of historical ethnic squabbling, I would argue that such a view is overly simplistic. Sure, there have been and are historical tensions between the various nations that make up Yugoslavia; we can't forget that these nations did not join today's Yugoslavia voluntarily. But, the current crisis in Yugoslavia is a direct result of the spread of democracy to Eastern Europe: the problem in Yugoslavia, however, is that democracy did not spread far enough. The largest and smallest re-

publics, Serbia and Montenegro elected Communist governments late last year, and the Central Government of Yugoslavia is still in Communist hands (although some of these Communists now call themselves socialists), the other four republics democratically elected non-Communist governments.

While brutal repression by Serbian authorities is strangling the democratic movement in the Province of Kosova, the non-Communist governments are also under siege, but by the Yugoslav Army which is staunchly pro-Communist and has threatened a military crackdown.

I understand that the administration's policy with respect to Yugoslavia promotes unity, and I can see that we do not want the United States to be a force for disunity. But, we need to recognize that there cannot be unity in a future Yugoslavia unless it is democratic—unless it represents the will of the people in all of the republics. It would not be in our interest to have a Yugoslavia divided within, but united by military force.

Recently I had the opportunity to see first-hand the extent of these political divisions. 6 months ago I led a Senate delegation to Yugoslavia. While we were there only a couple of days, we traveled to Zagreb, Belgrade and Pristina. We met with the democratically-elected leaders of the Republics of Croatia and Slovenia, with the Communist leadership of the Central Government and the Communist leadership of the Republic of Serbia we also met with the leader of the Democratic Alliance of Kosova, Dr. Rugova, leaders of the Albanian Community and leaders of the small Serbian Community in Kosova. While these meetings were informative, I believe we learned more about the situation in Yugoslavia from our observations. Traveling from Zagreb to Belgrade to Pristina was like traveling through a time-warp, from fledgling democracy back to fifties-style Communism. The hope we had felt during our meetings with the new non-Communist Governments of Slovenia and Croatia—who are on the road to democracy and a free market economy—was dampened once we left Zagreb. In fact, within the first minutes of our arrival in Pristina we could see the undeniable signs of a police state. The Communist authorities tried to prevent us from going to Kosova and when we arrived we learned why—in Pristina we saw the horrible and tragic ramifications of the policies initiated by hard-line Communists in Belgrade.

Our delegation, in one afternoon, got a real taste of what life in Kosova is like—the Serbian police authorities didn't bother to cleanup their act for our visit. From the windows of our bus, we could see tear gas and clubs being used against Albanians who turned out to see us, to wave to us, and to chant, "USA, USA." about 10,000 Albanians waited to greet us, but were met with brutal violence by police authorities. That day, a young American was arrested, too. He spent 30 days in prison under trumped-up charges. What we saw in Pristina happens every day throughout Kosova. The State Department and Helsinki Watch have thoroughly documented the egregious human rights violations in Kosova, and have noted that the situation is steadily worsening.

So, the facts are clear. The issue is what we can and should do about it. Needless to say, we must keep up diplomatic pressure on the Yugoslav Central Government and on the Government of the Republic of Serbia. In addition, I think our embassy officials need to get out of Belgrade more—to see what's going on in other parts of the country, as our delegation did, and to keep in close contact with democratic leaders in the other Republics.

But, the United States must do more than just react diplomatically. We need to provide direct aid to the non-Communist republics in Yugoslavia, thereby bypassing the Central Government and the Republic of Serbia. We do not want to reward either government for its policies of coercion and repression.

At the beginning of this session, I introduced The Direct Aid for Democracy Act, S. 9, which would give the United States the flexibility to provide aid to republic level governments that are on the road to democracy, but exist within countries that have governments at the republic level or federal level that are Communist controlled. This bill would apply to Yugoslavia, as well as to the Soviet Union. Under today's foreign aid system, we are boxed in; help all or hurt all. In Yugoslavia, we can only support the democrats, if we are willing to support the Communists. If we want to weaken the Communists, we can only do so by weakening the democrats.

These are the kinds of choices we don't want to make, so we end up sitting on the sidelines, hoping for democracy, but not helping it. But, we can't afford to sit on the sidelines with respect to Yugoslavia—democracy, human rights and human lives are at stake. Yugoslavia, like the Soviet Union, is a place where the democratic freedoms and principles we believe in are under serious attack.

But, as I see it, this is a historic opportunity to spread democracy and make democracy permanent. Only a democratic system can ensure that the human and individual rights of all citizens are protected. Although we cannot predict today the future of Yugoslavia, we do know that we want that future to be a democratic one and a peaceful one. So, now is the time for the United States to come off the sidelines and come down on the side of democracy in Yugoslavia.

Senator BIDEN. I know you have to go. With the indulgence of your colleague, can I ask you one question, Bob?

Senator DOLE. Sure.

Senator BIDEN. I think it is extraordinary what you spoke to, that is, the number of people that were waiting to greet and meet the delegation and what happened.

But let me ask you this question. Without any outside influence from us, if things are just left to go their own course, if our policy remains the same, what is the potential for any improvement in Kosovo and the situation there in your view?

Senator DOLE. I do not see much possibility of any improvement. There has not been any so far, and I have been keeping in contact with some of the Albanians, Dr. Rugova and others. I know Mrs. Bentley will indicate there have been good changes made in the Yugoslav central government, and that certainly would be helpful. But let's face it the situation has worsened. There have been times when I guess the Serbs were much in the same position as we now find the Albanians, and there are bitter, bitter divisions that have been around for a long, long time.

Maybe there is some way, by continuing the diplomatic pressure, we can have an impact, but it seems to me that it is folly to give aid to the central government when in this case they are guilty of human rights abuses as they are in the province of Kosovo. I do not think that meets the high standards we talk about.

Senator BIDEN. One last question. How much of the problem, if you can parse it out, is related to the time-held differences between and among the ethnic groups, and how much of it is related to the different forms of government, a Communist central government versus a democratic government in any of the republics? Is it able to be separated?

Senator DOLE. Probably not totally. Again, I am certainly not here as an expert before this committee, and you will have the administration people and others who are much more expert than I.

But let's face it. Four of these republics are part of the move toward democracy. They believe in it. They believe in a free market system. And if you look at a map of Yugoslavia and look at the economic output of each of the republics, you find that there are reasons that Croatia and Slovenia might want to exist as independent republics. Also, there are other obviously longtime, deeply held problems that we may not be able to address. But certainly we ought to be on the side of democracy, and it seems to me that ought to be expressed through whatever aid program we might have.

Senator BIDEN. Senator Simon, do you have any questions?

Senator SIMON. No questions, just to say I personally appreciate the fact that Bob Dole, whether it is the problems in Yugoslavia, the Armenian earthquake problems or what, consistently has said let's get out of the spectators' stand. Let's get down there and

stand on the side of democracy and freedom and human rights. And I personally appreciate it a great deal.

Senator DOLE. Thank you.

The CHAIRMAN. I would like to add, if I could, that I am very proud with Mr. Dole to have presented almost a year ago the resolution. It did not get too far, but it got out of the committee. Maybe we can do a little better this year.

Senator DOLE. I want to thank the committee. I think these are important hearings, and I feel very strongly about the importance of the country of Yugoslavia. Maybe there is some way with our help we can resolve some of the problems, maybe not. Maybe they will go away if we don't do anything, but we are doing something. We are spending money. We just ought to make certain that it is spent in the best way, and we ought to make certain that we continue to put pressure on any government that does not permit people to enjoy basic human rights.

Senator BIDEN. Thank you very much, Mr. Leader. I appreciate it.

Now we have remaining two very distinguished witnesses, and I appreciate you accommodating us. Jim, I hope I am doing this properly in terms of seniority.

Mr. MOODY. Why don't we let Mrs. Bentley go first? I would be pleased.

Mrs. BENTLEY. No, go ahead. Do a Democrat between the two Republicans.

Senator BIDEN. I think that makes sense. Thank you. Now, Jim Moody and, Congresswoman Bentley, I appreciate your being so gracious.

STATEMENT OF HON. JIM MOODY, U.S. REPRESENTATIVE FROM WISCONSIN

Mr. MOODY. Thank you very much, Mr. Chairman and fellow members. I am happy to be here today to discuss this highly complex issue. Let me take a moment to describe my own background and history in this area.

I spent 2 years in Yugoslavia as a CARE representative. My job was to travel throughout the entire country distributing CARE food, and I have been in literally every republic on a number of occasions as well as every town and almost every village in that country. I speak the language and know the country quite well, and have been back from time to time since then.

The complexity of Yugoslavia is really extraordinary. Probably other than the Soviet Union itself, it is probably the most complex and diverse country in Europe. It has seven nationalities, Mr. Chairman, Serbian, Croatian, Slovenian, Macedonian, Montenegrin, Albanian, and Hungarian, seven nationalities; six republics, as you are well familiar; five languages, Serbo-Croatian, which is one language allegedly, Macedonian, Slovenian, Albanian, Hungarian. It has four people: Slavs, Turks, Albanians, and Magyars. It has three religions: Orthodox, Catholic, and Moslem. And it even has two alphabets: Cyrillic and Latin.

Yugoslavia has an incredibly rich and diverse history. Much of the country, Croatia and Slovenia, was an integral part of the

Austro-Hungarian Empire. Most of the country, however, Serbia, Bosnia-Herzegovina, and Macedonia, were usually for most of its history under the Ottoman Empire. Montenegro was never conquered by either empire.

The area that now makes up Yugoslavia has long been the scene or passionate ethnic rivalries and expressions with some period of intercommunal and interreligious violence and repression. World War I started in Sarajevo as a result of an assassination sparked by ethnic aspirations.

Let me talk for a minute about Serbia and Kosovo since that is probably the focus of most of the interest today.

No region is more complex nor has a more admirable history than Serbia, the largest and the most diverse of the six republics. Today Serbia includes two semiautonomous provinces, Vojvodina and Kosovo.

And let me remind those who would engage in a spate of Serbian-bashing, that Serbs in Vojvodina, a comparable organizational unit as Kosovo, a semiautonomous province, live very happily with their Hungarian neighbors, and there is not the alleged brutality. This is a very special problem in Kosovo, which I will get to in a moment.

Anyway, there are two semiautonomous provinces in Serbia, Vojvodina and Kosovo. During Tito's period, both provinces were granted a great deal of ethnic expression and administrative autonomy.

Serbs have a rich cultural tradition with national epic poetry, songs, and artistic forms of great beauty and strength. The modern scholar, Slobodan Jovanovic, depicts the truly glorious history of Serbia and the Serbian people.

No part of that history, Mr. Chairman, is more meaningful than the 500-plus years of struggle the Serbs waged for their freedom, dating from 1389 when they lost a decisive battle in Kosovo to the invading Moslem Turks. That battle ushered in five centuries of alien rule and oppression. The 1389 battle of Kosovo was the single most important date in all Serbian history not because of the results of the battle itself, but because it began the greatest trial of the Serbian people and the difficulty from which they emerged with their religion, their language, their culture, and their Western values—underlining the word "Western" values—intact. They persevered through the long night of oppression. They never lost sight of the freedom or the belief in the dignity of the individual. The Serbian people have always drawn a great strength from their traditions, dating back to those times, of fighting for freedom and for liberty as they faced modern-day forces of oppression. They fought bravely on the side of the allies in World War I and World War II.

In regard to Serbian treatment of minorities living within their midst, their record through history has generally been one of tolerance and fairness. They have a long history which has basically been one of tolerance and fairness.

During World War II, the Serbs refused to give in to the Nazi pressure for cooperation. They refused to cooperate with rounding up of Jews and other minorities, and they suffered great losses as a result of the full fury of the German occupation which was joined

by the fascist forces of a number of their neighboring countries that proceeded to attempt to dismember Serbia and Yugoslavia. The Nazi occupation of Serbia was one of the most brutal of anywhere in Europe in all of World War II, and many thousands of Serbs gave their lives in organized resistance to that occupation, as well as to save American flyers who were downed in Serbia. There are towns in Serbia that I have been to where every single male inhabitant was systematically machinegunned down in the town square in retaliation for some act of resistance to the Nazi occupation.

At the same time, thousands of Serbs living in Croatia or Bosnia during World War II were killed by units of the Croatian fascist Ustashi which declared its independence date and actually declared war on the United States as an independent fascist country. Unfortunately, tragically old ethnic and religious rivalries between Croatians and Serbs were rekindled at that time, and thousands of civilians were killed by the Ustashi guards simply for being Serbian; that is, for having the Orthodox religion. It is estimated that up to 10 percent of the population was systematically slaughtered at that time.

In sum, the Serbs have a long tradition and history of commitment to freedom and to liberty often achieved after terrible sacrifice. In this rich and admirable tradition, Kosovo stands as a historic symbol to the Serbs for their struggle for freedom. It is the cradle of Serbian civilization. It has a very emotional and special meaning to Serbs. Kosovo is to Serbs as Jerusalem is to Jews. It is important to keep that in mind as we examine the emotional issues involved here. The belief of the Serbian people, and in fact of all Yugoslav people, in the dignity of the individual is central to their culture and to their values, and probably no ethnic group in Europe has paid more dearly over the last six centuries for their beliefs than the Serbs and many of their countrymen.

In Kosovo today the situation is extremely intense, as you know and as reported by Senator Dole. I too have been there on a Helsinki visit last year, and we met with people in both communities, both the Albanian community and the Serbian community. And both sides have suffered greatly, not only the Albanians. Bear in mind that the Serbian community in Kosovo is a very tiny minority. It is not the majority. The percentage of Kosovo which is made up of Serbs is now about 12 percent, Mr. Chairman. So, 88 percent approximately are Albanians or Albanian ethnics, Yugoslavs. So, in everyday life, it is the Serbian minority in Kosovo which feels under tremendous pressure.

This does not in any way excuse the activities of the Belgrade government, the republic government. And I want to get to that in just a second. But it does mean that in everyday life in the situation in Kosovo, it is the Serbs who are under the greatest pressure. Their churches have been burned. Their priests have been beaten up and their graves have been desecrated. This is extremely hard to take and it is an extremely emotional issue for the Serbs in the other parts of Yugoslavia as they read about these stories.

Our Helsinki delegation, chaired by Congressman Hoyer, criticized the apparently overheavy reaction of the police of the Republic of Serbia and some local authorities during the riots, which

were well-publicized last year, in which more than 30 Albanians lost their lives. And our commission, including Mrs. Bentley and myself, criticized the view by some in Belgrade that the Albanian minority representatives were only separatists and terrorists. We criticized that. Our view was that there were, indeed, a number of responsible Albanian groups and leaders that wanted autonomy and more freedom, but did not want separation or secession.

But we also noted the considerable suffering and difficulty by the Serbian families still living in Kosovo, and I referred to that.

Our trip found that despite the high state of tension in Kosovo, there is in fact substantial basis for peaceful resolution, particularly if—and this is a big “if”—Belgrade officials—and by that I mean of the republic government, not of the central government; it is an important distinction—show leadership and restraint. We were especially impressed by meetings with the Orthodox and Moslem religious leaders in Kosovo who expressed great compassion for each other’s communities and for each other’s religion and for the suffering that has been felt by both sides.

In fact, we found many individuals of goodwill on both sides. If political posturing in the republic capital and by republic leaders can be reduced and the legal restrictions on legitimate expression eased—and that’s another big “if”—I am personally optimistic for the future of peace and democracy in Kosovo.

Let me wind up with just a comment on this issue of separate aid for republics.

We had this issue before us in the House last year, and we voted overwhelmingly by a vote of 362 to 55 not to adopt that policy that Mr. Rohrbacher in our House and I believe Senator Dole in this House is advocating. And the main reason we did so and the main reason that we listened carefully to our representatives in Belgrade, the U.S. ambassador and his colleagues, was that this kind of approach would undermine the centrality of the government, the central strength of that government. It is the central government which is a force for democracy at this time, is a force of economic responsibility. It is the Markovic government which is attempting to keep the country together which would be severely undermined by this approach. Markovic has truly achieved a remarkable transformation in the Yugoslav economy. He has made the dinar convertible. He has reformed the banking system, and he has taken a number of steps which other Eastern European countries could only marvel at, could only try to emulate. He has reduced inflation from over 1,000 percent a year down to single digits. To do this, to begin to deal directly with the republic governments, would directly weaken the hand of the central government at the very time when that central government needs to be strengthened in economic policy.

A few minutes ago Senator Dole said it is the central government which is causing brutality and totalitarianism. That is not true. It is not the central government. No one I think who observes the scene thinks that the central government, Mr. Markovic, is responsible for any of the human rights violations that are underway. They are pulling in exactly the opposite direction.

It is important that we not undermine U.S. policy which is to hold together this country with its territorial integrity intact with

the republics' interrelationship to one another. We may be happy to see it change its form, but to do things which would strengthen the centrifugal forces in that country and drive the pieces apart, which is what the Rohrbacher bill in the house would do and the Dole bill here would do, I think would be a grave reversal of important United States policy goals and would undermine the very forces in Yugoslavia which are seeking the ameliorate these ethnic rivalries.

Thank you for your attention.

[The prepared statement of Mr. Moody follows:]

PREPARED STATEMENT OF REPRESENTATIVE JIM MOODY

I appreciate the opportunity to discuss the current situation in Yugoslavia. I hope that this hearing will contribute to a greater understanding of the unique and complex circumstances that exist in Yugoslavia today.

My personal involvement with Yugoslavia began in 1958, when I served for 2 years as the CARE representative there. During those two years I traveled throughout the entire country and to every republic. In fact, to every town. I have stayed in touch with developments since that time. Last year traveled to Yugoslavia as a member of the Helsinki Commission delegation, led by Senator DeConcini and Congressman Hoyer, and I have made shorter visits to the country since that time.

THE COMPLEXITY OF YUGOSLAVIA

Yugoslavia is far, far more complex and diversified than any other Eastern European country. It has seven nationalities: Serbian, Croatian, Slovenian, Macedonian, Montenegrin, Albanian and Hungarian. It has six republics: Croatia, Slovenia, Serbia, Bosnia-Herzegovena, and Macedonia. It has five languages: Serbo-Croatian, Macedonian, Slovenian, Albanian, and Hungarian. Yugoslavia has four peoples: Slavs, Turks, Albanians, Magyars. It has three religions: Orthodox, Catholic, and Moslem. It has two alphabets: Cyrillic and Latin.

Yugoslavia has an incredibly rich and diverse history. Much of the country—Croatia and Slovenia—was an integral part of the Austro-Hungarian empire. Most of the country—Serbia, Bosnia and Macedonia—were under the Ottoman Empire. Montenegro was never conquered from the outside.

The area that now makes up Yugoslavia has long been the scene of passionate ethnic rivalry and expression, with some periods of intercommunal and interreligious violence and repression. World War I started in Sarajevo as a result of an assassination sparked by ethnic aspirations.

SERBIA AND KOSOVO

No region is more complex, nor has a more admirable history, than Serbia, the largest and most diverse republic. Today, Serbia includes two semiautonomous provinces: Vojvodina and Kosovo. During the Tito period, both provinces were granted a great deal of ethnic expression and administrative autonomy.

Serbs have a rich cultural tradition, with national epic poetry, songs, and artistic forms of great beauty and strength. The modern scholar, Slobodan Jovanovic, depicts the truly glorious history of Serbia and the Serbian people.

No part of that history is more meaningful than the 500-plus year struggle the Serbs waged for their freedom, dating from 1389 when they lost a decisive battle in the heart of ancient Serbia—Kosovo—to the invading Moslem Turks. That battle ushered in the five centuries of alien rule and oppression. The 1398 battle of Kosovo is the most important date in all Serbian history, not because of the result of the battle itself, but because it began the greatest trial of the Serbian people and difficulty from which they emerged with their religion, language, culture and Western values intact. They persevered through the long night of oppression. They never lost sight of freedom or belief in the dignity of the individual.

The Serbian people have always drawn strength from their tradition, dating back to 1389, of fighting for freedom and liberty as they faced modern-day forces of oppression. They fought bravely on the Allies' side in both World Wars I and II.

In regard to Serbian treatment of minorities living within their midst, their record through history has been one of tolerance and fairness.

During World War II, the Serbs refused to give into Nazi pressure for cooperation. As a result, they were subject to full scale attack by the German armies, joined by

Fascist forces from several bordering countries. The Nazi occupation of Serbia was one of the most brutal of all of World War II, and many thousands of Serbs gave their lives in organized resistance to that occupation. There are towns in Serbia where every male inhabitant was machine gunned by the Germans in retaliation for some act of resistance.

At the same time, thousands of Serbs living in Croatia or Bosnia were killed by units of the Croatian fascist organization, the Ustasha, which set up an Axis state in Croatia allied with Germany and Italy. Old ethnic and religious rivalries between Croats and Serbs were rekindled, and thousands were killed by Ustasha guards simply for being Serbian—that is, for being of the Orthodox religion.

In sum, the Serbs have a long tradition and history of commitment to freedom and liberty, often achieved after terrible sacrifice. In this rich and admirable tradition, Kosovo stands as an historic symbol of the Serbian struggle for freedom. The belief of the Serbian people—and in fact of all Yugoslav people—in the dignity of the individual is central to their culture and to their values. Probably no ethnic group in Europe has paid more dearly over the last six centuries for their beliefs than the Serbs and many of their countrymen.

MODERN DAY YUGOSLAVIA

In 1948, at great risk of invasion and war, Yugoslavia broke with Stalin and the Soviet system, and set out on their own path. It was the first country to do what other Eastern European countries are now doing so dramatically.

After an early period of very tight controls over personal expression, press, foreign travel and other freedoms, these restraints were gradually and continuously relaxed. Today personal freedoms in Yugoslavia are generally very secure. Progress is being made in the area of labor rights, depoliticization of the judiciary, and privatization. A new Yugoslav penal code is expected to be approved this year.

The recent events in other parts of Eastern Europe have had significant impact on Yugoslavia, and have no doubt accelerated its march to democracy. Free elections have been held in all six republics. Elections in the autonomous provinces of Vojvodina and Kosovo and Metohija are scheduled to take place by next May.

RECENT DEVELOPMENTS

In Kosovo today, the situation remains very tense. Our Helsinki delegation visit there included extended meetings with political and religious groups of a wide variety. We met with representatives of a number of Albanian ethnic groups, with representatives of the Serbian ethnic minority there, and with Orthodox and Muslim religious leaders.

Our Helsinki delegation criticized the apparently overly-heavy reaction of the police and some local authorities during the riots last year, in which more than 30 Albanians lost their lives. And we criticized the view by some in Belgrade that the Albanian minority representatives were only "separatists" and "terrorists." Our view was that there were responsible Albanian ethnic groups that wanted more autonomy but not secession from Yugoslavia.

But we also noted considerable suffering and difficulty by the Serbian families still living in Kosovo. Serbian priests have been beaten; Serbian graves desecrated, and Serbian churches burned. The Serbs are a small and embattled minority in Kosovo. The ones we met with told of ethnically-based discrimination and harassment they have suffered. Many Serbs have already fled Kosovo in fear for their safety.

The Serbs in the rest of Serbia have reacted very strongly to this situation. As mentioned above, Kosovo is the birthplace of Serbian culture and has tremendous ethnic, cultural, and religious symbolism. Moreover, the Serbs point out that in the other semiautonomous region of Serbia, Vojvodina, populated mostly by Hungarian ethnics, there is no comparable conflict and tension.

Our trip found that despite the high state of tension in Kosovo, there is substantial basis for peaceful resolution, particularly if Belgrade officials show leadership and restraint. We were especially impressed by Orthodox and Muslim leaders in Kosovo who expressed great compassion and understanding for the other religion, and for the suffering on both sides.

In fact, we found many individuals of good will on both sides. If political posturing in Belgrade can be reduced, and the legal restrictions on legitimate expressions eased, I personally am optimistic for future peace and democracy in Kosovo.

CONCLUSION

The complexity of the situation in Kosovo, and the Serbian-Albanian conflict there, caution against any sweeping conclusions by outsiders. Certainly it would be ill-advised for the U.S. Congress to level condemnation against either side in the highly charged conflict. Doing so would clearly inflame further the tensions and undermine the chances for a peaceful resolution.

This applies as well to the larger question of the unity of Yugoslavia. Critical negotiations between the republics are underway. I believe that the leaders of the republics will finally work together and reach a compromise that will preserve the integrity of Yugoslavia. We must contribute to the process and not undermine it.

Senator BIDEN. Do you have time?

Mr. MOODY. I do. I have time. I'm fine.

Senator BIDEN. Congresswoman Bentley, thank you again for being so gracious, and we are anxious to hear what you have to say.

**STATEMENT OF HON. HELEN DELICH BENTLEY, U.S.
REPRESENTATIVE FROM MARYLAND**

Mrs. BENTLEY. I am very glad, Mr. Chairman, to listen to Mr. Moody because he does relate the situation so very, very well.

Mr. Chairman and fellow Members, I want to point out right in the beginning, that my parents both came from Serbia long before it was part of Yugoslavia, and I do have some strong feelings on the subject. I have been in Yugoslavia seven times in the past 20 months.

I might point out, Mr. Chairman—and I do appreciate the opportunity to be here—that the title of this hearing, "Civil War in Yugoslavia: The United States Response," is interesting, but I think we need to point out that no civil war has broken out yet. And the title of today's proceeding might accomplish more if it were entitled "Preventing Yugoslavia's Internal Strife: An Accommodation Must be Found."

Senator BIDEN. Well taken.

Mrs. BENTLEY. This body should be careful not to take sides in a very volatile situation by being perceived as taking the part of one republic against the other. And I also need to note that only three of the six republics are listed to be represented here today.

We must remember that the best possible solution for the United States and, indeed, for all of the peoples of Yugoslavia is the preservation of the territorial integrity of Yugoslavia. We should be helping them reach a solution of their very great problems, which go back many decades, in a peaceful and diplomatic way. We should be the peacemakers because a united democratic Yugoslavia is vital in the best interest of not only of its people of Europe, but of our country as well. Yugoslavia must be looked at as an important element of a complex and often painful post-Communist restructuring in East and Central Europe. Any testimony which omits the historical/political legacy behind a particular problem or conflict is not helpful. In the complex, interlocking Yugoslav mosaic—and Mr. Moody described it very well—no piece may be looked at in isolation from all the others. In the same way, once a piece is removed, the whole becomes distorted.

On two previous occasions when the United States was involved in world wars that engulfed south Slav lands, the one ethnic group that always fought on the same side with America was the Serbs.

In World War I, the Serbs were joined by Montenegro, but none of the other ethnic groups forming Yugoslavia, which means south Slavs, was on the side of the allies. To the contrary, in World War II, the others formed an important segment of the Axis forces.

A great deal of the bitterness between the ethnic groups—whether you count four or six or eight there does not matter—stems back to the holocaust and blood baths that took place from 1941 to 1945 and subsequently during the Communist domination of the entire country by Broz Marshal Tito. But Tito focused his hatred primarily on the Serbs because they had dared to defy him during World War II under the leadership of Gen. Draza Mihailovic, who posthumously was decorated with the Legion of Merit by President Harry Truman and which fact was hidden in the archives until recently. Mihailovic fought both the Communists and the Nazis.

I could go on in much more detail, Mr. Chairman, and we will provide it for the record, but I just mention the above so you have some knowledge of the history which reflects into today's difficulties in that country.

Another vital historical fact concerns Kosovo, the region inside the largest republic of Serbia. And since Mr. Moody has referred to it pointing out that in 1389, this is where the battle took place between the Serbians and the Ottomans. Kosovo, I want to emphasize, as he did, is as sacred to the Serbians as Jerusalem is to the Jews, as Rome is to the Catholics, and as Mecca is to the Moslems. For your information, Mr. Chairman, it was at the battle of Kosovo that the Ottoman Turks were stopped from taking over all of Europe, and thus the Christian religion was allowed to continue to flourish in Europe.

Once again this area seems to be the same kind of a battleground between the Moslems and the Christians—the Orthodox—since most of the Albanians living there are Moslem and the Serbians are Serbian Orthodox. Up until World War II, the Serbians and the Albanians lived peacefully together in Kosovo. Then, because of the civil war, which did rip Yugoslavia apart during that war, many Serbians fled from their homes and Tito did not allow them to return. After the war, Tito also forced many remaining Serbians to leave Kosovo and encouraged Albanians from Albania, which had been part of the Axis, to settle there.

Now, let me step back in history one more time to note that prior to World War I, Serbia and Montenegro were the only two republics which were independent nations. Yugoslavia was created at the end of the First World War on the basis of President Wilson's Fourteen Points, the blueprint for settling the problem of self-determination of East and Central European nations. I think Senator Dole said that Yugoslavia was formed under pressure. It really was not.

As an allied victory in the great war appeared increasingly imminent, some Croatian and Slovene politicians started lobbying hard through a south Slav committee based in London to convince the Government of Serbia that they should not be left to the tender mercies of their powerful and expansionist-minded neighbors. Both Croatia and Slovenia, as was said, then were part of the Austro-Hungarian Empire. One might say that the creation of Yugoslavia in 1918 essentially was a way for Slovenia and Croatia to avoid

being on the losing side at the end of the war. This fact was well-recognized then by a leading Croatian politician, Dr. Ante Trumbich, who declared: "Serbia proved ready to sacrifice her state individuality in order that one common state of all Serbs, Croats, and Slovenes be created. And so, she attains the absolute right to be called the Yugoslav Piedmont."

Sometimes Yugoslavia and the U.S.S.R. are described as being similar. However, there is a major vital key difference between the two. The constituent nations that formed Yugoslavia did so voluntarily, albeit in order to defend their particular national interests. Freely elected Slovenia and Croatia representatives went to Belgrade on December 1, 1918, to press for immediate unification with Serbia, months before the victors converged in Versailles. The new state, far from being a Versailles creation, offered Croats and Slovenians an opportunity to preserve their territorial and linguistic individuality and integrity.

Last, but by no means least, the United States was among the first to recognize the first south Slav state which, in the considered opinion of the Wilson administration, full complied with his well-known democratic principles.

The other three republics which form Yugoslavia, but which are not represented here today, are Bosnia-Hercegovina, Macedonia, and Montenegro. As I noted earlier, Mr. Chairman, Montenegro was an independent nation prior to World War I.

Even though it often is claimed that between the two world wars Yugoslavia was dominated by Serbs, in 1939 Vlatko Machek, the undisputed leader of the Croat people in prewar Yugoslavia, signed a key agreement with the government in Belgrade which began with a statement that "Yugoslavia is the best guarantee of the independence and progress of Serbs, Croats, and Slovenes."

In March 1941 when it became apparent that liberty was about to be squashed in the balance of Europe, the Serbs took to the streets of Belgrade in support of an anti-Nazi coup. And Winston Churchill declared before the House of Commons "Yugoslavia has found its soul." Hitler's subsequent rage resulted in the destruction of a country which was divided among the victorious Axis and their satellites. And being on the allied side cost Serbia yet another generation of its youth for the second time in 25 years.

The ensuing holocaust of Serbians, Jews, and Gypsies at the hands of the Nazis and the Ustashi is better related in two recent books published after the records of World War II were accidentally made public and were written, one by an Englishman and one by an American who were stationed in Yugoslavia during the war and could not figure out what was going on obviously because of the sabotage against the non-Communist Serbs.

Unfortunately, the person who was part of the sabotage was the one who dominated Yugoslavia in the postwar period for 35 years. It was as a result of the Communist control and domination of Josip Broz Tito, a Croatian, that many of today's difficulties in Yugoslavia have arisen. He dominated and chose not to have a successor, but an eight-person, rotating body with a new president rotating every year. When this decision was made back in the early 1970's, I told the then Ambassador from Yugoslavia to the United States that it was wrong and would result in chaos in that country.

And it has because no one has assumed any national responsibility until recently when Ante Markovic took over as Prime Minister and has really worked hard to get the federal republic's economy straightened out. And Mr. Moody outlined that very well. However, there still is a rotation among the eight-headed presidency, and there is a question of who is in charge when.

Tito obviously did not want another person to emerge as a great leader of the Federal Republic of Yugoslavia and instead chose to leave the multiethnic, multireligious, multilanguage, multinationality country in a state of turmoil.

And while Tito was in power, it must be pointed out that most of the persons now elected to head up each of the respective republics within Yugoslavia—each of the republics within Yugoslavia—played an important role as a Communist leader or official under the Tito Communist regime or subsequently as a Communist until the shackles of communism began falling throughout Eastern Europe.

As I have personally observed in most East European countries and republics, the dominant Communist party changed its name to Socialist or added the area's name before the word "democratic" or provided some other nomenclature to pull away from the no-no word of "communism." That is why I keep wondering why is the Serbian Government today, elected in the same manner as the others in Yugoslavia, the only one still referred to as Communist dominated. Multiparty elections were held in Serbia and Montenegro in December of last year.

Several of us, as a matter of fact, paid our own expenses to form an independent group of observers to check on the election which was the first time in Serbia's recent history that the voters were able to participate in an election that gave them choices spanning the entire ideological spectrum from left to right. There was a question raised about the persons being able to registered at the polls on election day, but that was provided for under their election law. I can say that I worked prior to the election to open up television time to the opposition parties—there were more than 30—although I did not agree with the 1½ hour of free time given to one party each day as I felt that the one scheduled first would be forgotten by election day. And we all know what that is. There were similar disagreements over media time in other elections in other countries. I also worked with the opposition parties to provide for observers at all of the polls by members of the opposition parties.

Somehow, because the voters did not make a radical break from the past and reelected a former Communist running under the label of Socialist, similar to what happened in other republics and in other East European countries, the election was perceived as less than legitimate. Although many would have preferred a complete transfer of power, the significant fact is that the present government was elected by people who had a choice in an election that was as free as any in East Europe. Each voter was given two ballots, one to select the president and one to select the member of parliament to represent that voter's district. The president's ballot was placed in one box and the parliament in another. An analysis of the election shows that the presidential candidate, Slobodan Milosevic, received 3,285,799 votes while the Socialist candidates for

parliament received 2,305,974 votes. This means that Milosevic received 1 million more votes than the party candidates which apparently means that the people were voting for the man they felt would best protect their interests.

Of special note should be that 56 members of the 250-person parliament are opposition candidates, and that at least 40 of the Socialist members of parliament are persons who were picked up at random in villages by the party but who have never belonged to either the Communist nor Socialist parties before. Because there were no registered candidates in many of these areas, the leadership asked the priests and other persons in neighborhoods who might be a political candidate.

In addition, it is important to note that the Albanians in Kosovo decided to boycott that election altogether. If they had voted, they could have elected a bloc of 36 members of parliament which, together with the opposition, would have provided a very strong bloc in parliament.

I believe it is important to emphasize that this is the first time in 50 years there is an opposition in the Serbian parliament and it is being led by a very able person, Dragoljub Micanovic.

When taking the entire tally into account for the parliament elections, Socialist candidates received 45.84 percent compared with 54.16 percent for all opposition candidates, which means that the opposition actually had 8.32 percent more votes than the Socialist Party candidates for parliament. The final results may not be quite as we like, but they now have a foothold in government and have had the experience of running election campaigns. With the additional experience of governing, they will be able to build up their strength in the next election.

It is also important to note that six members of the new Serbian cabinet are persons who have never been members of the Communist Party. While the new Minister for Trade and Tourism is Tefik Lugici, an Albanian—and I am told by persons from the opposition that there would have been more persons in the new cabinet who had not been in the Communist Party ever, but several declined the responsibility when offered to them.

Mr. Chairman, even against that backdrop, I am the first to admit that many problems remain in that republic. Many Members of Congress have legitimate concerns in the area of human rights, and it would be a mistake to pretend they do not exist. But human rights issues do not exist in a vacuum. Too many people have been willing to vilify the Serbs in Serbia while ignoring equally serious human rights violations that plague all of the republics of Yugoslavia, including against the Serbs elsewhere. For governments to be democratic as we know them, the government must follow the democratic criteria and show respect for all individuals. Unfortunately, not a single one of the Yugoslavian republics has a clean slate in this regard.

To pick and choose in legislative enactments the ones which the Congress will address not only is counterproductive, but in effect nullifies any meaningful role the United States might have to play as a positive influence in Yugoslav affairs. We must treat each republic equally and Yugoslavia as one basic unit where the rights of each and every citizen is respected. This will ensure that every na-

tionality in Yugoslavia is respected and treated equally no matter where they live.

Much has been said about the human rights violations, some real and some alleged, in the Serbian province of Kosovo. And yet, quite properly, we are reluctant to use similar terms of reference when discussing other separatist movements in Europe, the IRA in Ulster, the Basques in Spain, the Corsicans in France, the German-speaking natives of South Tyrol in Italy. Despite many denials, it finally is out; namely, that the Albanians in Kosovo have a separatist movement, plain and simple, which seeks to detach Kosovo from Serbia and Yugoslavia.

As David Binder wrote in the New York Times on February 8 of 1991:

Albanian advocates here dream of an ethnic Albanian republic in Kosovo that could one day unite with Albania. They say they dare not express this longing in public for fear of angering the leadership of Serbia.

No country in history voluntarily has ever surrendered its territory to satisfy separatist demands of an ethnic minority. In 1938 Western powers coerced Czechoslovakia to surrender the Sudetenland to Hitler, following months of agitation by the German minority there. Ten years later, those regions were reintegrated into Czechoslovakia and Sudeten Germans were expelled.

Let us imagine for a moment what we would say if additional millions of Mexicans were to settle Texas or Cubans in southern Florida and proceeded to demand an ethnic 51st Latino State to be created in those areas where they have a majority. Also let us imagine how we would react if they openly planned on secession of that future state from the Union and its merger with a foreign country. And finally, let us imagine how we would react to any foreign legislature which had the effrontery to condemn us if we took decisive steps to prevent such an outcome. This is precisely how the Serbs feel today.

Before jumping to any conclusions, we need further to ask ourselves the following: Do we need to destroy relations between the United States and another sovereign nation for the benefit of ethnic minority in one province of that nation? And further, can we understand Kosovo without looking at its history, at the cradle of the Serbian medieval state, and the way its indigenous Serbian population, settled there continuously for over 1,000 years, has been halved since the beginning of the century? Can we close our eyes to the way Serbian families were forced out under pressure from an expanding Albanian minority?

Mr. Chairman, you do need to know that the Bishop of Kosovo, Bishop Pavle, the newly elected Patriarch of the Serbian Orthodox Church and regarded by many as a living saint, was himself abused by the Albanians in Kosovo, and he was here in this Congress last year testifying to that effect. In addition, two nuns of his diocese were raped, along with a visiting Catholic nun.

It is not in the interest of the United States to be swayed by temporary sympathies we may feel for individual political leaders in Yugoslavia. Leaders come and go; nations are there to stay.

Finally, let us remember that no discussion of human rights in Yugoslavia can be complete without a comprehensive look at the situation of Serbs in Croatia. During World War II, hundreds of

thousands of Serbs and Jews in the Nazi puppet state of Croatia were brutally massacred by the notorious Croatian Fascists, the Ustashi, and the Nazis. This fact is well-documented even by contemporary German and Italian sources. However, Croatia is ruled today by people who not only deny that the genocide has taken place, but who also readily admit that the so-called state, in the words of Croatia's present president, "reflected the centuries-old aspirations of the Croatian people."

I'm not going to go into the individual human rights violations that are taking place there now, but I do ask to put in the record the statements of two persons. One is a retired lieutenant colonel of the U.S. Air Force, Colonel Dragash, and another of Mr. Miljus, who is an American Serbian now and who has spent great deal of time over there last year. And they have documented a number of the human rights violations and abuses of Serbians in Croatia.

[The prepared statements of Mr. Dragash and Mr. Miljus follow:]

PREPARED STATEMENT OF NIKOLA J. DRAGASH, LT. COL. USAF RETIRED

SUMMARY OF OBSERVATIONS IN CROATIA

1. The news media in Croatia is strongly opposed to any news from Belgrade. The Croatian Zagreb T.V. station blocks out all news from Belgrade.

2. Serbians in Croatia are gradually being forced into early retirement. Younger qualified people are screened to ascertain their ancestry and if found that any of their ancestors were Serbian, are not considered for employment. Many other qualified personnel who happen to be of Serbian ancestry are discharged for some nebulous reasons. I met a man whose father is Croatian, whose mother is Serbian, whose wife is Serbian and who was in the Yugoslav Foreign Service as a diplomat. He is being forced to retire at age 41! I also met a 42-year-old Hungarian woman married to a Serb who was forced to retire from her job as a translator.

3. In Karlovac several young men on a train were singing an old Ustashi song, "Thanks to my mother who taught me how to kill Serbians." The conductor refused to allow the train to continue unless they stopped singing. In the meantime, the local Karlovac police arrived and removed them.

4. It was obvious that religion plays a strong role in Croatian politics. All children now are required to study Roman Catholicism irrespective of their preference. The children are constantly and continuously taught that they all are Croatian!

5. To add insult to this situation in this newly established Croatian Democracy the infamous concentration camp of Jasenovac where over 1 million Serbs and 60,000 Jews were slaughtered, the film captured by the Partisans from the Ustashi which showed the horrible atrocities committed by the fascist Ustashi no longer is being shown. In 1987 I was able to view it, but in 1990 there is no record of it.

6. Dr. Franjo Tudjman, President of Croatia, is establishing a "Specialist Police Force" who are being trained in Wiesbaden, Germany. The basic training is in how to kill people, and the test for readiness to qualify is the ability to mutilate women and children in cold blood. On Friday, August 17, 1990, some of these "Specialists" came to Korenica (a town with a 90 percent Serbian population) to remove the weapons from the local police. Two helicopters also appeared but were dispersed by two MIG fighter planes. In the meantime, several hundred local residents came in to observe and support the local police if necessary.

7. There was some talk or rumors that a memorial was to be erected for Ante Pavelic, Croatian Nazi leader who declared war on the United States of America in 1941.

8. President Tudjman recently liberated jailed war criminals, Domobranci and Ustaski, calling them "political prisoners." I interviewed eight retired Partisan officers who are outraged that their former war enemies now are being honored and given full pension rights.

9. The Serbs in Croatia are genuinely fearful of what the future holds in the newly created "Democratic State." It is much more like a new "Fascist State!"

PREPARED STATEMENT OF VELJKO MILJUS

HUMAN RIGHTS VIOLATIONS AND DISCRIMINATION AGAINST SERBS IN THE REPUBLIC OF CROATIA—PREPARATION OF CROATIAN NAZIS FOR ANOTHER GENOCIDE AGAINST SERBS IN THE REPUBLIC OF CROATIA

As an American Citizen of Serbian Ancestry, I am shocked by the political developments in the Republic of Croatia and the terror to which Serbian people living in the present Republic of Croatia are subjected. I am also shocked by the absolute disinformation of the American public and the disservice to the American and all freedom loving people brought about by the Western press in the presentation of political climate in Yugoslavia.

I have lived in the USA since 1965 or since the age of 15 and have learned to cherish and respect the freedom and justice this country has offered to me and my family. Although my two children were born in the USA and my wife in Mexico, my family has frequently traveled to Yugoslavia and thus kept closeness with relatives living there. Another reason for frequent trips to Yugoslavia, besides maintaining ties with relatives has been maintenance of the small country estate in Kordun, Croatia on which I and all my paternal ancestors for the last 300 years were born. Since 1974, I have traveled to Kordun once, twice, and even three times per year. In 1989 and 1990 I visited Kordun three times each year spending each time about a month. Spending time in Yugoslavia in the past was without any unusual significance until the summer of 1990. My first trip to Kordun in 1990 was mid-March to mid-April. This was the first postwar free preelection period. The free elections in Croatia were announced suddenly, and it seemed that the only party campaigning was "Hrvatska Demokratska Zajednica" (HDZ) or Croatian Democratic Union. The HDZ party posters were everywhere. The HDZ totally monopolized the media including radio and television. I immediately noticed absence of competition and that constituency of HDZ was 100 percent down the ethnic line, Croatian. The wealth of the HDZ was apparent although this was a new party. Other parties being formed were totally ineffective due to lack of posters, media advertisements, and similar public contacts. Later it became apparent that HDZ was preparing long before the multiparty system became legal in Yugoslavia and that huge funds were received from Croatian extremist organizations outside Yugoslavia including USA and Canada.

Needless to say, the election was no contest for HDZ. In the absence of real opposition, HDZ won by large margin and immediately after began implementation of Nazi type terror against the Serbian People in Croatia which is only the repetition and the beginning of the Genocide experienced during the period of rein by the Fascist and Nazi sympathizers in the Independent State of Croatia (which by the way declared war to US and is still in the war) during the 4 years between 1941 and 1945. The Croatian Ustashi run government during the war is responsible for extermination of over 1,000,000,000 Serbs, Jews, and Gypsies. Never has there been a smaller Nation which caused more death and suffering anywhere in the world than the Independent State of Croatia, a creation by monsters such as Hitler and Musolini. The blood thirstiness of Nazi and Fascist allies, the Croatian Ustashi, was greater than could be stomached even by the Germans and Italians, so that in many cases they intervened to protect some innocent Serbian lives from extermination. What is significant about the Ustashi of the World War II is the fact that their philosophy has been reincarnated by the Croatian Democratic Union with all the symbolism particular to the war period including specially coined language and attacks on Serbian being.

The following paragraphs is a short summary of the history of Serbian people in the regions presently administered by the government of Croatia. These will show that the Serbs in the regions of Kordun, Banija, Lika, Dalmacija, Baranja, and Slavonija are on their land and have all the rights on it as sovereign people and not as some minority. Furthermore, these regions have never been Croatian and the Serbs in these regions have never been under Croatian rule.

1. By invitation of Austria some 400 years ago, the Serbs began settling regions of Kordun, Banija, Lika, Dalmacija, Baranja and Slavonija which at that time was no mans land, totally absent of settlers. These early settlers came under very precise agreements and contracts with Austrians which gave to Serbs land and full autonomy in exchange for the protection of Austrian borders from invading Turks. The Serbs were brave and skilled warriors, thus highly respected by the Austrians who continued with their propaganda and agitation in the then occupied territories of Serbia and Bosnia by the Ottoman Turks to convince, bribe, and even in some cases force Serbs to settle the above named region which was known and administered as "Vojna Krajina" or the Military Region. It should be noted that the Serbs in the

then Austria were free man, the free farmers, free ranchers, and soldiers, unlike the Croats who in the Austrian Empire were mostly Serbs and thus for hundreds of years not free. It should be also noted that the presence of Serbs in the present Republic of Croatia date back to XI in areas where today there may or may not be Serbs and where the witness to their presence are the historical monuments, graveyards, churches, and monasteries, etc.

2. In World War I, the Austrian armies consisted of both Serbs and Croats against Serbia. However, the Serbs massively defected from Austrian army to help their Serbian brothers and final liberation of Serbia. The winning Serbian armies liberated territories of Kordun, Lika, Banija, Dalmacija, Baranja and Slavonija (Krajiná) where the Serbs lived as well as Croatian and Slovenian lands and thus formation of Kingdom of Serbs, Croats, and Slovenes took place. Croats automatically were transferred on the side of winners despite their participation in the war effort on the side of losers, the Axis forces. The Croats in the Kingdom of Serbs, Croats, and Slovenes first time in their 1000 year history had the same rights with the rest of the people living in the same country.

3. Under Nazi-fascist sponsorship and the German and Italian occupation forces Nezavisna Drzava Hrvatska (Independent Puppet State of Croatia) is formed which with the help of German and Italian Forces occupies Serbian populated territories of Krajina and beyond. This monstrous state declares war to USA and other allies. Some of the Croatian forces are sent to the Eastern Front against Russia.

4. In the first 5 months of rule, the Croatian Independent State government conducts never seen genocide against Serbs, Jews, and Gypsies, including woman, children, and elders. Genocidal state forms until then unknown concentration camps for children in Jastrebarsko, Croatia including many other concentration camps of which the most monstrous is that in Jasenovac, Croatia, which is responsible for more than 700,000 deaths of Serbs, Jews, and Gypsies. My grandfather, Micha Miljus and his younger brother Nikola were placed in that concentration camp from which they never came home.

5. Communist led, so called, Liberation Army has very few Croats although the top leadership consisted of Josip Broz Tito-Croat, Vladimir Bakarić Croat, and Edward Kardelj-Slovene. All other Croat participation in this Communist led movement was exclusively in key leadership and not in the fighting formations. With the fall of Italy, number of Croats becomes larger in the so called Liberation involvement, but still very small relative to the population. At the very end of the war, Croats finally joined the antifascist forces and thus again with the help of the Serbs await the end of the war on the side of the winners. With this maneuvering, they again escape the payment of war reparations to Serbs and other allies.

6. In the meantime new Yugoslavia is formed in 1943 by which Serbia is partitioned in three pieces while attempts by Krajina to obtain autonomy are unsuccessful, mainly due to the greatest dictator and hater of Serbs, these lands have ever known, namely Josip Broz Tito. Long autonomous Krajina becomes to be administered by the Croatian Communists. Nevertheless, all Federal laws maintain clauses that Serbs and Croats have identical rights. The Constitution also maintains clauses by which it is clearly stipulated that in the event of secession, the Peoples and not the States have the right to secede.

7. Serbs forgave to Croats for the war genocide under the leadership of Croatian Communists and dictator Tito. Tito and Kardelj began their Communist ideology throughout Yugoslavia's society which was to cost Serbs new terror, especially those Serbs living in Krajina, who tried to confront Tito in his endeavors to collectivize villages. Croatian form of Communism almost completely destroyed the spiritual life of the Serbs, by first systematically aiding Croatian Ustashi in physically destroying Serbian Orthodox Churches in the war and then forbidding the Serbs to rebuild them after the war through intimidation, arrests, and physical terror. Croatian Communists dreamt up another method of eliminating the Serbs from western part of the country by forceful and meaningless resettlement to the Northeast and administrative breaking up of Serbian counties and joining the Serbian villages and small towns to the larger Croatian centers to ensure that the Serbs in the new formed counties become minorities and thus the subjects of economic discrimination, cultural, and religious persecution. I am the living proof of this economic persecution. After the unexpected death of my father, my mother had to provide for the family. Being a woman, she experienced a lot of injustice and undue pressures at her place of employment which was staffed mostly by Croatian management. Consequently, my mother grabbed the first opportunity to leave the Country. Thus a family which before the war was one of the most prominent in the village left its 300-year roots including the house, the land, and whatever little possessions were accumulated after the war.

The historic facts point to one time 48 percent Serbian and 52 percent Croatian ethnic composition of the territories presently administered as Republic of Croatia. Before the WW II, the German statistics point to over 1.8 million Serbs or more than 30 percent of total population. Presently Croats claim that only 600,000 Serbs, which is 11 percent of total population, live on territories administered by Croats. Where have the rest of Serbs go? Mostly they have been killed off by Croats in WW II and after the war. Some were pushed to leave to foreign countries. Others assimilated, still others forcefully resettled.

8. In the beginning of 1990, the so-called multiparty free elections in Croatia finds Serbs completely unprepared and economically incapacitated to launch a successful campaign in Croatia. Only 5 out of some 370 representatives in Croatian parliament are from the only opposition party. The Croatian Communists are also responsible for Serbian inability to organize Serbian Political opposition because the ruling Communists persecuted and intimidated the Serbs as they tried to organize into opposition parties and other organizations. The well known case is that of Jovan Opacic, who was thrown in jail for over 70 days for organizing Serbian Cultural Club, "Zora" in Knin. The persecution and intimidation of notable Serbs including several detentions of most notable Serb, Dr. Jovan Raskovic, continue to this day, except now the persecutors are not the ruling Communists but Croatian Democratic Union. The Croatian Communists and other so-called Croatian opposition parties are all anti-Serbian extremists who with the ruling party have formed anti-Serbian Croatian Nationalist Block.

9. With the takeover of power, the Croatian Democratic Union has launched unseen propaganda war against Serbs with constant threats of physical extermination of the Serbs disagreeing with the present government. So within only 2 months of rule, the Croatian Democratic Union brought the Republic on the threshold of civil war. The Serbs are forced to patrol villages at night and to barricade roads to Serbian towns and thus to prevent Croatian Nazi paramilitary forces from entering these areas and terrorizing the public.

10. The special Croatian police formed is based on the Nazi ideology of Adolph Hitler in screening 4 generations to ensure that the candidates are of pure Croatian Ancestry. The ethnic purity is the only prerequisite for acceptance. Thus candidates have been accepted with rape records, bodily injuries to others, theft, etc. The great majority of candidates in the Croatian Special Police force have below average academic record. These Croats are especially anti-Serb oriented with only one objective in life, to exterminate Serbs. Thus Serbs in Western Yugoslavia again find themselves at the threshold of being exterminated while the free and the just world is reading the news directed against the innocent Serbs, the news concocted by Croats and their friends equally soaked with Serbian blood, the Albanians and Austrians. What is the reason for these dark forces to ally against the Serbs? The same as always. The Serbs are Eastern Orthodox, freedom loving, and democratic people in the region of the world surrounded by different unfriendly religions and cultures. Unfortunately, the Croats have on many occasions used the minor religious differences between the Roman Catholic and the Serbian Orthodox Catholic Churches to build animosities between people and religions. Proof of this is the historical facts of Ustashi successes to recruit Croatian Catholic Priests to participate in the most monstrous physical destruction of Serbs. Thus not only causing the destruction of Serbs, but arousing the suspicions against the Church on which the Communists have capitalized for almost 50 years.

The freedom loving and democratic Serbs have always allied with the similar to them Americans, French, and the British which is best demonstrated by the alliance of the past two World Wars. On the other hand the historic Serbian enemies Albanians, Croats, Austrians, Turks, Italian, Hungarians, and Bulgarians were on different sides.

SPECIFICS HUMAN RIGHTS VIOLATIONS, PERSECUTIONS AND INTIMIDATION OF THE SERBS IN WESTERN YUGOSLAVIA

1. The mass media in Croatia has been taken over by the ruling party (HDZ) which through newspapers, radio, and television conducts anti-Serbian campaign with constant name calling of the Serbian People, e.g. "Drumski Razbojnici" (Road Terrorists or Bandits), "Boljsevici" (Bolsheviks), Komunisti (Communists), "Mitnigasi" (Demonstrators), "Bizantinci" (Byzantines), "Istocnjaci" (Easterners), etc.

2. Although, the Serbs participated in building whatever Croatia now has and although the Serbs are responsible for prevention of the total extermination of the Croatian people by Ottoman Turks, the present mass media in Croatia has taken all credit of joint ownership by renaming of institutions to names containing prefix Croatian. Thus, one constantly hears Croatian Knowledge, Croatian Schools, Cro-

atian Television, Croatian Radio, Croatian Air, Croatian Forrests, Croatian Cities, Croatian Law, Croatian Police, etc, etc, etc, regardless of the fact that some of these are in all Serb populated areas. One must understand that this is a region where this type of nationalism is insulting to other nationalities.

3. The mass media in Croatia including government officials have pulled out vocabulary coined by Mile Budak, the Croatian Fascist Ideologist of WW II Croatia and is forcing it on population including the Serbs throughout mass media and schools. This Fascist ideologist is the one that proclaimed that one-third of Serbs in the Independent State of Croatia will be killed (they were), one-third were going to be forced out of Croatia and the last one-third were to be Croatized and Catholicized (some were), except that Croatized went back to their religion and ethnicity as soon as Yugoslavia was liberated from Germans and domestic Quislings. Example of words which I have never heard until 1990 are: Vrhovništvo (instead of vlada—government) Krugovalna postojia (instead of radio stanica—radio station) Brzoglas (instead of telefon—telephone) Redarstvo (instead of milicija—police) Zrakoplov (instead of avion—airplane) etc.

It should be noted that none of these words have naturally and spontaneously been created by different linguists or inventors. Rather they have been coined all at a time by a sick mind of Mile Budak, who believed that a certain people, in this case Serbs, Jews, and Gypsies were lower forms of life and had to be exterminated from the then Croatian Fascist ruled lands. This vocabulary is offensive and no majority can force it on any minority. I have been witness to this new language by hearing and by reading. I have also heard from people in Yugoslavia that Croatian teachers are reprimanding Serbian children for not using those words.

4. Croatian authorities are constantly intimidating Serbs in Krajina with the threat of police and denying them permits for holding religious and cultural events, thus for example I have witnessed in October of 1990:

a. Serbian Cultural and Religious Festival of Kordun (Kulturno Duhovni Sabor Korduna) taking place 12, 13, & 14th of October 1990 had in its program the following:

- Consecration of Church under construction in Gornji Budacki.
- Laying of the wreath on the mass grave in Ivanovic Jarak where some 450 Serbs and 15 gypsies were murdered in one day by Croatian Ustashi in 1941.
- Main celebration in Krnjak at the site of Church destroyed in WW II by Croatian Ustashi where presently stands a public school.
- Performance of a play "Jefimija" in Vojnic.
- Literary Evening including the promotion of a book titled "Zavera Protiv Srba" (Alliance Against Serbs).
- The entire 3 day festivities were to be attended by guests from Serbia and Knin including notable writers, poets, historians, etc.

The church consecration in Gornji Budacki took place in presence of several police car squads even though there were only about 30 people of which 5 were priests and one 80+ year old bishop. The police arrived before any of the people and since this church was on the hill, the squad cars could be seen for miles away. The intimidating presence of the police is undoubtedly the reason for poor attendance. It should be noted that the original church was burned in WW II by Communist forces led by the Croats. The laying of the wreath on the mass grave did not take place because Croatian police authorities of Karlovac forbade this event. Dr. Milan Kresojevic, the president of Serbian Democratic Party for Kordun, was questioned 4 times prior by the Karlovac police and was told that this event was not to take place. At the church consecration I heard with my own ears the argument between Dr. Kresojevic and the policeman over the wreath laying subject in which the sympathetic policemen were saying that they understood his feelings but the orders came from above and they had to execute the orders and prevent people from attending the mass grave site. Needless to say, this event did not take place due to fear by the organizers that the people would be abused by the cops.

During the 4 interrogations in the Karlovac Police Station, Dr. Milan Kresojevic was told that visitors from Knin and Serbia including the popular book author were not allowed to join the festivities. Need less to say, most of the notable guests did not come, and only two came from Knin, for fear of persecution. The popular book author also declined to show up for fear of trouble at the hands of Croats.

The main festivity was to take place with dinner for all guests to be prepared by local residents on the presently school grounds, formerly church grounds in Serbian village of Krnjak which is populated 100 percent by Serbs. The Croatian authorities of Karlovac to which county this village belonged, forbade the use of

school grounds for this event. Thus denying spiritual connection of the past with the present. The main festivity nevertheless took place on a plain field in the presence of dozens of heavily armed policemen. Since there were no facilities of any type, the customary dinner preparation could not take place. I personally visited with Dr. Kresojevic and Ilija Saula the so called "Ministarka" in Karlovac who refused to allow this Spiritual and Cultural event to take place at the most sacred and natural place, the site of church which Croatian Ustashi destroyed some 50 years ago. The "Ministarka" told us that she spoke with the Minister of the Interior in Zagreb and he also agreed that the event was not to take place at the desired site. The Literary evening took place in Village Hall in Tusilovic, short of main guests but in presence of undercover cops. I did not know the undercover cops, but Dr. Kresojevic pointed to me two of them.

b. The Croatian authorities have been setting new police stations near by all Serb populated villages where the police stations never existed and staffing them with pure blood Croatian Special police force whose only virility is hatred toward Serbs. I do not recall the names of towns where that took place, except Cetinograd and Slunj and attempts to coerce Dr. Milan Kresojevic to accept these hooligans into the all Serbian town of Vojnic. Detailed intimidation efforts to station these criminal police elements in Serbian areas can be obtained for further review from Serbian Democratic Party.

c. Immediately after elections, in July and August of 1990, I noticed tremendous presence of police all over. The passenger cars including mine was being stopped for routine control at least 2 times per day. Police squad cars stopping motorists were stationed about 5 miles apart on main roads, day and night. Undoubtedly, Croatia under HDZ turned into police state. Police state under Communist rule was to much, much lesser degree. Being stopped by the police was once per week on the average, verses 2 times per day under the so-called Croatian Democratic Union rule.

d. Immediately upon winning of the elections, HDZ implemented its Nazi philosophy and code of conduct of WW II period so that Serbs and Croats that used to be close friends could not remain so any more. I have heard of many complaints of friendship breakups and one typical example follows: My first cousin, Marko Licina from Tusilovic, a Serb, had a good friend in the nearby village of Vukmanic. Among other social events, these two friends visited each other homes for their respective Christmases. Thus my cousin, Marko, would visit his friend in Vukmanic on the 25th of each December for the last 20 years and the man from Vukmanic would visit cousin Marko in Tusilovic for the Serbian Christmas on each January 7th. After the so-called Democratic elections in Croatia, my cousin Marko's friend told him that the times changed and they could not be friends any more. My cousin was devastated. He broke down in tears and to this day does not understand, why?

e. Croatian Police is present at all Serbian events and constantly intimidates the Serbs. For example: Mr. Ilija Saula, a local, Serbian Democratic Party activist residing in Donji Budacki, attended Serbian Christmas Eve Celebration in the Village of Kosiersko Selo where in the open the local people dance a Kolo, the Serbian Traditional Dance. The spot is called Koliste. Several policemen from neighboring Croatian Village of Barilovici arrested Ilija absolutely for no reason and began terrorizing him with pointed pistol against his head and eye. Others repeatedly cocked their rifles at Ilija telling him how they will kill him and that they are Ustashi and this is their job to kill the Serbs. This terror lasted for about one-half hour and finally Ilija was asked to walk in front of squad car with his arms up. He was told if he slips to the side they would pierce his body with bullets. Ilija walked for few minutes until 4 local youths met them and began pleading the Croatian policemen to let the innocent man go. Finally they did, but the fact remains that the man was innocent and subjected to terror. The next day I called Ilija on the telephone for the purpose of wishing him Merry Christmas. He was still in shock as he was telling me the story. He said to me, "I never dreamt in the worst nightmare that something like this could happen to me".

f. Frequently Serbian policemen are gunned down by men armed with automatic rifles who quickly speed away in cars, and it is never found who did the shooting. Stories of these shootings can be retrieved from the newspapers and police files if necessary for backup to this testimony.

g. The Bishop of Serbian Orthodox Diocese of Karlovac died on November 28, 1990. He was laid in state in Diocese Building in Karlovac with the Serbian Church flag at half mast outside of the building. The local Croatian hooligans on several occasions attempted to burn the flag, but the people would run outside the building and repel them. The Karlovac police was notified of this and refused to honor the request to provide protection. The last attempt by hooligans to burn the flag was successful because it preceded with explosions which scared the people inside the

buildings who this time because of fear did not come out. The flag was burned and with this the Bishop did not receive Serbian Orthodox Honors requiring the flag to be at half mast for 40 days. Furthermore, the world was once again told that even the most notable Serbs are openly dishonored by Croatian law. This event is documented in the newspapers and in protests to the Police as well as internal church reports.

h. During my visit to Kordun in the summer and fall of 1990, a battle was being waged between the local newspaper weekly, Karlovacki Tjednik, the Karlovac Radio Station (Radio Karlovac) and local Croatian authorities. The authorities in the City and County governments were all HDZ oriented while the weekly newspaper and the radio station were composed of mixed Serbian and Croatian employees who for many years worked together and got along well. The HDZ city officials were accusing these two institutions of being pro-Serb, pro-Bolshevik oriented which was a pure lie, fabricated just to create friction and anti-Serbian sentiment. I listened personally to Radio Karlovac and read the newspaper Karlovac Weekly and this convinced me that the content of their news, editorials, and the entire programming was probably less biased and more diversified, more free and braver than even the media in this Country. On the radio, one would here one song dedicated to some Croatian hero, and the next minute to a Serbian hero. Similarly, on the same page of the newspaper, one could always find opposing views. From freedom of press and expression point of view, this was the healthiest and most democratic reporting that I have seen in my 40 years of life. Needless to say, the Croatian officials of Karlovac succeeded in busting up this healthy organization and turned it over into all HDZ media. This last story I heard from Dr. Milan Kresojevic when I asked about one of the managers on the Karlovac Weekly. The manager, Simic Sredoje, was fired with many other Serbian employees.

i. I have heard numerous accounts of companies deliberately pushed into bankruptcy to eliminate Serbian managers and to reduce the Serbian work force in these companies. For example, Jugoturbina, Josip Kras, Velebit, etc. all in Karlovac with substantial workforce and management core being Serbian. These bankruptcies are deliberately designed by banks and Croatian authorities by holding of funds or payments, and then after bankruptcy, these companies reopen with new Croatian Managers, exclusively HDZ loyalists. Economic terror has been waged on Tvik corporation of Knin which employs mostly Serbs by bank of Split maneuvering in which case the Republic of Serbia intervened twice to prevent bankruptcy. It is a losing battle because the entire banking system in Croatia is in the hands of HDZ.

j. Croatian authorities, some Croatian Church officials and even the general public are obsessed with insulting the Serbian being in Croatia and worldwide. An example of this is the erection of a memorial plaque in the Catholic Church in Village of Vukmanic. This plaque contains names of local men who lost their lives in WW II. Essentially all these men fought on the side of Nazis and Fascists while one Dragutin Mujic was responsible for some 450 deaths of innocent men, women, & children in the mass killing in Ivanovic Jarak only about 10 miles away from Vukmanic. Sometime after the war, Dragutin Mujic was posthumously declared war criminal in accordance with the International Law. To add insult to injury unveiling of the memorial plaque was attended by the local and state so-called democratically elected officials, namely HDZ loyalists.

k. Croatian authorities have aggressively been removing all reminders of war atrocities, thus the name of a square in Zagreb was renamed Square of Croatian Rulers (which of course include those that declared war to USA and are responsible for over a million of innocent lives) from the Square to Victims of Fascism. Jewish organizations worldwide have protested this act of shame.

l. Croatian authorities have expended exhaustive efforts to irritate Serbian people by denying genocide and reducing number of victims from over one million to 30,000 to 40,000. I have personally witnessed this disgust by reading the Croatian newspapers, and listening to their radio programming. It should be noted that only in the small region of Kordun, more than 33,000 victims fell to the Croatian Ustashi. This number represents one-third of the total population. Many of my relatives and neighbors were slaughtered with knives, many were simply killed with sledge hammers. In one of Churches in Kordun, namely village of Kolaric, 103 victims were killed inside the church. The Serbian people cannot accept these lies.

There are many more instances of human rights violations, intimidations, degradations, and physical abuse, however the time is critical and this document has to be faxed today. But let it be known that Serbs will not stop passing on of the truth and fighting for their freedom and dignity.

Mrs. BENTLEY. To conclude, Mr. Chairman, I would like to pause a little and consider the problem from a wider perspective. The events that are nowadays occurring in Eastern Europe, the Soviet Union, and the Middle East are indeed fateful for many years to come not only for the countries in these regions, but for the rest of the world as well. Eastern European countries are going through a very serious economic crisis while their political transition from communism to democracy has not yet been completely achieved. The Soviet Union is going through horrendous economic difficulties compounded by a political disintegration and rising intestinal nationalistic conflicts, and Yugoslavia is going through similar although somewhat different problems. On the other hand, our young men are poised in the sands and before the beaches of the Persian Gulf in a terrible danger on the eve of a major military effort to push back the invasion of a cruel dictator. In these regions, ranging from the Arctic Circle from the southern tip of Saudi Arabia, the world is in turmoil.

What should be the policy of the United States and what should be the effort of this committee under these circumstances as regards Yugoslavia? Should we let ourselves be swayed by lobbying and pressures from various nationalistic special interests into supporting this and that national group, or this and that republic at the expense of the little stable fabric that exists in this unfortunate country? Should we permit that our discussions contribute further to raising a pitch of chauvinistic fervor of national groups, be it Slovenian, Croat, Serbian, Albanian, or any other? Would this lead to any constructive results? Should this committee take its collective fiddle and start playing while the world is burning? I wonder.

The major effort of our Government in Eastern Europe was to provide a careful assistance to the process of democratization in this region, but without an attempt to interfere in these countries' settling of their own internal political and national problems. I believe that this is a good policy and that a long-term interest of the United States is to help achieve a stability of the region with a quiet support of these countries' efforts and economic reform that would permit them eventually to become full partners in the western free market economy. Such policy should be continued with regard to Yugoslavia. Over a number of years, the United States has established substantial interests in that country which have advanced much further than other parts of Eastern Europe on the path of the market economy. And I do want to point out that the market economy efforts in Serbia and Yugoslavia have been going on for a long time. It is not just recently. Most of these interests, financial or otherwise, based on a state-to-state relationship would be lost with the disintegration of that country.

Our efforts should continue to be a friendly persuasion of political forces in the various republics of Yugoslavia that maintenance of that state is still the best guarantee for the prosperity and stability of all. We should have patience in permitting the working out of the democratization process, which has made great strides in all republics over the past year. It still is not perfect, but so it is in most East European countries, and one should give it time. But one thing we should not do. We should not let our strategic policy toward this part of the world be affected by our likes or dislikes for

this or that political leader or for this or that political party. Political leaders and political parties come and go, but our long-term geopolitical interests remain.

For us this would be the only way to maintain any stability in this part of Europe. The alternative would be a breakup of the country into a number of ministates perennially squabbling over their borders which could never be equitably set because of a severe intermixing of the population in the central part of the country. Such squabbling ministates would only whet hegemonistic appetites in that part of the Europe and generate a serious long-term instability of the region.

Economic conditions in Yugoslavia today are no different than economic conditions in all of East Europe and the world. However, one thing for certain, divisiveness is not the solution. The solution will come from a unified and collective effort.

And I am sorry to have taken so much time, Mr. Chairman, but I just felt I had to say it all.

[The prepared statement of Mrs. Bentley follows:]

PREPARED STATEMENT OF REPRESENTATIVE HELEN DELICH BENTLEY

Mr. Chairman, the title of this hearing—Civil War in Yugoslavia—U.S. View—is interesting, but I must point out that no civil war has broken out yet and the title of today's proceedings might accomplish more if it were titled "Preventing Yugoslavia's Internal Strife—An Accommodation Must Be Found." This body must be very careful not to take sides in a very volatile situation by being perceived as taking the part of any republic against another. And I also need to note that only three of the six republics are represented here.

We must remember that the best possible solution for the United States and indeed for all the peoples of Yugoslavia is the preservation of the territorial integrity of Yugoslavia. We should be helping them reach a solution of their very great problems, which go back many decades, in a peaceful and diplomatic way. We should be the peacebrokers because a united democratic Yugoslavia is vital in the best interest of not only its people, of Europe, but of our country as well. Yugoslavia must be looked at as an important element of the complex and often painful post-Communist restructuring in East/Central Europe. Any testimony which omits the historical/political legacy behind a particular problem, or conflict, is not helpful. In the complex, interlocking Yugoslav mosaic, no piece may be looked at in isolation from all the others. In the same way, once a piece is removed, the whole becomes distorted.

On two previous occasions when the United States was involved in world wars that engulfed South Slav lands, the one ethnic group that always fought on the same side with America was the Serbs. In World War I, the Serbs were joined by the Montenegrans. But none of the other ethnic groups forming Yugoslavia (which means South Slavs) was on the side of the Allies. To the contrary in World War II, the others formed an important segment of the Axis forces.

A great deal of the bitterness between the ethnic groups—whether you count four or six or eight there today does not matter—stems back to the holocaust and blood baths that took place from 1941 to 1945 and subsequently during the Communist domination of the entire country by Broz Marshal Tito. But Tito focused his hatred primarily on the Serbs because they had dared defy him during World War II under the leadership of Gen. Draza Mihailovic, who posthumously was decorated with the Legion of Merit by President Harry Truman and which fact was hidden in the archives until recently. Mihailovic fought both the Communists and the Nazis.

I could go into much more detail, Mr. Chairman, and we will provide it for the record but I just mention the above so you have some knowledge of the history which reflects into today's difficulties in that country.

Another vital historical fact concerns Kosovo, a region inside the largest republic of Serbia. Kosova where the battle for freedom of religion was fought by the Serbians in the fourteenth century—1389 to be exact—is as sacred to the Serbians as Jerusalem is to the Jews, as Rome is to the Catholics, as Mecca is to the Moslems. For your information, Mr. Chairman, it was at the battle of Kosovo that the Ottoman

Turks were stopped from taking over all of Europe and thus the Christian religion was allowed to continue to flourish in Europe.

Once again this area seems to be a battleground between the Muslims and the Christians—the Orthodox—since most the Albanians living there today are Muslims and the Serbians are Serbian Orthodox. Up until World War II, the Serbs and Albanians lived peacefully together in Kosovo. Then because of the civil war which did rip Yugoslavia apart during World War II, many Serbians fled from their homes * * * and Tito did not allow them to return. After the war, Tito also forced many remaining Serbians to leave Kosovo and encouraged Albanians from Albania, which has been part of the Axis, to settle there.

Let me step back in history one more time to note that prior to World War I, Serbia and Montenegro were the only two republics which were independent nations. Yugoslavia was created at the end of the first world war on the basis of President Wilson's "Fourteen Points," the blue print for settling the problem of self-determination of East and Central European nations. As an Allied victory in the Great War appeared increasingly imminent, some Croatian and Slovene politicians started lobbying hard—through a South Slav Committee based in London—to convince the Government of Serbia that they should not be left to the tender mercies of their powerful and expansionist-minded neighbors. Both Croatia and Slovenia then were part of the Austro-Hungarian Empire. One might say that the creation of Yugoslavia in 1918 was, essentially, a way for Slovenia and Croatia to avoid being on the losing side at the end of the war. This fact was well recognized by a leading Croatian politician, Dr. Ante Trumbich, who declared: "Serbia proved ready to sacrifice her state individuality in order that one common state of all Serbs, Croats and Slovenes be created. And so, she attains the absolute right to be called the Yugoslav Piedmont."

Yugoslavia and the USSR are sometimes described as similar. However, there is a major vital key difference between the two—the constituent nations which formed Yugoslavia did so voluntarily—albeit in order to defend their particular national interests. Freely elected Slovenia and Croatian representatives went to Belgrade on December 1, 1918, to press for immediate unification with Serbia—months before the victors converged at Versailles. The new state, far from being a "Versailles creation," offered Croats and Slovenes an opportunity to preserve their territorial and linguistic integrity.

Last, but by no means least, the United States was among the first to recognize the new South Slav state, which—in the considered opinion of the Wilson administration—fully complied with his well-known democratic principles.

The other three republics which form Yugoslavia but which are not represented here today are Bosnia-Herzegovina, Macedonia and Montenegro. As I noted earlier, Mr. Chairman, Montenegro was an independent nation prior to World War I.

Even though if often is claimed that between the two world wars, Yugoslavia was dominated by Serbs, in 1939 Vlatko Machek, the undisputed leader of the Croat people in prewar Yugoslavia, signed a key agreement with the Government of Belgrade, which began with a statement that "Yugoslavia is the best guarantee of the independence and progress of Serbs, Croats, and Slovenes."

In March 1941, when it became apparent that liberty was about to be squashed in the balance of Europe, the Serbs took to the streets of Belgrade in support of an anti-Nazi coup. And Winston Churchill declared before the House of Commons that "Yugoslavia has found its soul." Hitler's subsequent rage resulted in the destruction of the country, which was divided among the victorious Axis and their satellites. Being on the Allied side cost Serbia yet another generation of its youth for the second time in 25 years.

The ensuing holocaust of Serbians, Jews, and Gypsies at the hands of the Ustashi is better related in two recent books published after the records of World War II were accidentally made public and written by an Englishman and an American who were stationed in Yugoslavia during the war and could not understand what was going on—obviously because of the sabotage against the non-Communist Serbs.

Unfortunately, the person who was part of that sabotage was the one who dominated Yugoslavia in the postwar period for 35 years. It was as a result of the Communist control and domination of Josip Broz Tito a Croat that many of today's difficulties in Yugoslavia have arisen. He dominated and chose not to have a successor, but an eight person ruling body with a new president every year. When this decision was made, I told the then Ambassador from Yugoslavia to the United States that it was wrong and would result in chaos in the country. And it has because no one assumed any national responsibility until recently when Ante Markovic took over as Prime Minister and has tried to get the federal republic's economy straight-

ened out. However, there still is a rotation among the eight-head Presidency and there is a question as to who is in charge when.

Tito obviously did not want another person to emerge as a great leader of the Federal Republic of Yugoslavia and, instead, chose to leave the multiethnic, multireligious, multilanguage, multinationality country in a state of turmoil.

And while Tito was in power, it must be pointed out that most of the persons now elected to head up each of the respective republics within Yugoslavia played an important role as a Communist leader or official under the Tito Communist regime, or subsequently as a Communist until the shackles of Communism began falling throughout Eastern Europe.

As I have personally observed in most East European countries (and republics), the dominant Communist party changed its name to socialist or added the area's name before the word democratic or provided some other nomenclature to pull away from the no-no word of Communism. That is why I keep wondering why is the Serbian Government today, elected in the same manner as the others in Yugoslavia, the only one still referred to as the Communist-dominated.

The multiparty elections were held in Serbia and Montenegro in December last year.

Several of us paid our own expenses to form an independent group of observers to check on the election which was the first time in Serbia's recent history that the voters were able to participate in an election that gave them choices spanning the entire ideological spectrum from left to right. There was a question raised about the persons being able to register at the polls on election day, but that was provided for under their election law. I can say that I worked prior to the election to open up television time to the opposition parties—there were more than 30—although I did not agree with the 1½ hours of free time given to one party each day as I felt that the one scheduled first would be forgotten by election. There were similar disagreements over media time in other elections in other countries. I also worked with the opposition parties to provide for observers at all of the polls by members of the opposition parties.

Somehow, because the voters did not make a radical break from the past and re-elected a former Communist running under the label of socialist—similar to what happened in other republics and in other East European countries—the election was perceived as less than legitimate. Although many would have preferred a complete transfer of power, the significant fact is that the present government was elected by people who had a choice in an election that was as free as any in East Europe. Each voter was given two ballots—one to select the president and one to select the member of parliament to represent that voter. The president's ballot was put in one box and the parliament in another. An analysis of the election shows that Presidential candidate Slobodan Milosevic received 3,285,799 votes while the socialist candidates for parliament received 2,305,974. This means that Milosevic received almost a million more votes than the party candidates which apparently means that the people were voting for the man they felt would best protect their interests.

Of special note should be that 56 members of the 250 person Parliament are opposition candidates, and that at least 40 of the Socialist members of Parliament are persons who were picked up at random in villages by the party but who have never belonged to either the Communist nor socialist parties before. Because there were no registered candidates in many of these areas, the leadership asked the priests and other persons in neighborhoods who might be a political candidate.

In addition, it is important to note that the Albanians in Kosovo decided to boycott the election altogether. If they had voted, they could have elected a bloc of 36 members of Parliament, which together with the opposition would have provided a very strong bloc in Parliament.

I believe it is important to emphasize that this is the first time in 50 years there is an opposition in the Serbian Parliament and is being led by a very able person, Dragoljub Micunovic.

When taking the entire tally into account for the parliament elections socialist candidates received 45.84 percent compared with 54.16 percent for all opposition candidates, which means that the opposition actually had 8.32 percent more votes than the socialist party candidates or Parliament. The final results may not be quite as we like, but they now have a foothold in government and have had the experience of running election campaigns. With the additional experience of governing, they will be able to build up their strength in the next election.

It also is important to note that six members of the new Serbian cabinet are persons who have never been members of the Community Party. While the new Minister for Trade and Tourism is Tefik Lugici, an Albanian.

And I am told by persons from the opposition that there would have been more such persons in the new Cabinet, but several declined the responsibility when offered to them.

Mr. Chairman, even against the backdrop, I am the first to admit that problems remain in that Republic. Many members of Congress have legitimate concerns in the area of human rights and it would be a mistake to pretend they do not exist. But human rights issues do not exist in a vacuum. Too many people have been willing to vilify the Serbs in Serbia while ignoring equally serious human rights violations that plague all of the republics of Yugoslavia—including against the Serbs elsewhere. For governments to be democratic as we all know them, the government must follow the democratic criteria and show respect for individuals. Unfortunately, not a single one of the Yugoslavian republics has a clean slate in this regard.

To pick and choose in legislative enactments the ones which the Congress will address not only is counterproductive but, in effect, nullifies any meaningful role the United States might have to play as a positive influence in Yugoslav affairs. We must treat each republic equally and Yugoslavia as one basic unit where the rights of each and every citizen is respected. This will ensure that every nationality in Yugoslavia is respected and treated equally no matter where they live.

Much has been said about human rights violations some real and some alleged—in the Serbian province of Kosovo. And yet, quite properly, we are reluctant to use similar terms of reference when discussing other separatist movements in Europe (the IRA in Ulster, Basques in Spain, Corsicans in France, German-speaking natives of South Tyrol in Italy). Despite many denials, it finally is out—namely that the Albanian “intifada” in Kosovo is a separatist movement, plain and simple, which seeks to detach Kosovo from Serbia and Yugoslavia.

As Dad Binder wrote in the New York Times on February 8, 1991: “Albanian advocates here dream of an ethnic Albanian republic in Kosovo that could one day unite with Albania. They say they dare not express this longing in public for fear of angering the leadership of Serbia.”

No country in history voluntarily has ever surrendered its territory to satisfy separatist demands of an ethnic minority. In 1938 Western powers coerced Czechoslovakia to surrender Sudetenland to Hitler, following months of agitation by the German minority there. Ten years later, those regions were reintegrated into Czechoslovakia, and Sudeten Germans were expelled.

Let us imagine for a moment what would we say if additional millions of Mexicans were to settle in Texas, or Cubans in southern Florida, and proceeded to demand an ethnic 51st Latino state to be created in those areas where they have a majority. Also let us imagine how we would react if they openly planned on secession of that future state from the Union, and its merger with a foreign country! And finally, let us imagine how would we react to any foreign legislature which had the affrontery to condemn us if we took decisive steps to prevent such an outcome. That is precisely how the Serbs feel today.

Before jumping to any conclusions, we need further to ask ourselves the following: Do we need to destroy relations between the United States and another sovereign nation for the benefit of an ethnic minority in one province of that nation? And, further, can we understand Kosovo without looking at its history, at the cradle of the Serbian medieval state, and the way its indigenous Serbian population settled there continuously for over 1,000 years—has been halved since the beginning of this century? Can we close our eyes to the way Serbian families were forced out under pressure from an expanding Albania minority?

Mr. Chairman, you need to know that the Bishop of Kosovo, Bishop Pavle, the newly elected Patriarch of the Serbian Orthodox Church and regarded by many as a “living saint” was himself abused by the Albanians in Kosovo. In addition two nuns of his Diocese were raped along with a visiting Roman Catholic nun.

It is not in the interest of the U.S. to be swayed by temporary sympathies we may feel for individual political leaders in Yugoslavia. Leaders come and go; nations are there to stay.

Finally, let us remember that no discussion of human rights in Yugoslavia can be complete without a comprehensive look at the situation of Serbs in Croatia. During World War II hundreds of thousands of Serbs and Jews in the Nazi puppet-state of Croatia were brutally massacred by the notorious Croatian Fascists, the Ustashi. This fact is well documented even by contemporary German and Italian sources. However, Croatia is ruled today by people who not only deny that the genocide had taken place, but who also readily admit that this so-called state—in the words of Croatia’s present president—“reflected the centuries-old aspirations of the Croatian people.”

This statement is an insult not only to the Serbian victims of the Ustashi, but also to the many Croats who refuse to be held hostage to chauvinist paranoia. The Serbs don't want revanchism, they only want to ensure that history does not repeat itself. Imagine for a moment how the Jewish community in Germany would feel if a government came to power in Bonn which flatly denied that the Holocaust has taken place, and which believed that the Third Reich reflected the true aspirations of the German people!

Human rights of Serbs in Croatia are systemically abused by the authorities in Zabreb, but their plight was not mentioned in the latest State Department report on human rights situation in Yugoslavia. When challenged about this, a prominent U.S. diplomat somewhat lamely replied that "no Serbs had been killed in Croatia since Tudjman took power." This is indeed a remarkable statement! Let us recall that no Jew was killed in Nazi Germany until the Kristalnacht either. Was that a proof that no human rights were violated in the Reich in Hitler's first 4 years in power?

The plight of Croatia's Serbian minority is but one aspect of the complex situation in Yugoslavia, a country which needs to be understood by America, helped by America, but not interfered in—from here or anywhere else.

UNITED STATES LONG TERM INTERESTS AND YUGOSLAVIA

To conclude, Mr. Chairman, I would like to pause a little and consider the problem from a wider perspective.

The events that are nowadays occurring in Eastern Europe, the Soviet Union and the Middle East are indeed fateful for many years to come, not only for the countries in these regions, but for the rest of the world as well. Eastern European countries are going through a very serious economic crisis while their political transition from Communism to democracy has not yet been completely achieved. The Soviet is going through horrendous economic difficulties compounded by a political disintegration and rising intestinal nationalistic conflicts—and Yugoslavia is going through similar although somewhat different problems. On the other hand, our young men are poised in the sands and before the beaches of the Persian Gulf, in a terrible danger on the eve of a major military effort to push back the invasion of a cruel dictator. In these regions, ranging from the Arctic Circle to the southern tip of the Saudi Arabia, the world is in turmoil.

What should be the policy of the United States and what should be the effort of this committee under this circumstances as regards to Yugoslavia? Should we let ourselves being swayed by lobbying and pressures from various nationalistic special interests into supporting this and that national group, or this and that republic, at the expense of that little stable fabric that exists in this unfortunate country? Should we permit that our discussions contribute further to raising a pitch of chauvinistic fervor of national groups, be it Slovenian, Croat, Serbian, Albanian or any other? Would this lead to any constructive results? Should this committee take its collective fiddle and start playing while the world is burning? I wonder * * *

The major effort of our Government in Eastern Europe was to provide a careful assistance to the process of democratization in this region, but without an attempt to interfere into these countries settling of their own internal political and national problems. I believe that this is a good policy and that a long term interest of the United States is to help achieve a stability of the region with a quiet support of these countries efforts in economic reform that would permit them eventually to become full partners in the Western free market economy. Such policy should be continued with regard to Yugoslavia. Over a number of years the United States have established substantial interests in that country which has advanced much further than other parts of Eastern Europe on the path of the market economy. Most of these interests, financial or otherwise, based on a state-to-state relationship would be lost with the disintegration of the country.

Our efforts should continue to be a friendly persuasion of political forces in the various republic of Yugoslavia that maintenance of the state is still the best guaranty for the prosperity and stability of all. We should have patience in permitting the working out of the democratization process which has made great strides in all republics over the last year. It is still not perfect, but so it is in most Eastern European countries, and one should give it time. But one thing we should not do. We should not let our strategic policy toward this part of the world be affected by our likes or dislikes for this or that political leader or for this or that political party. Political leaders and political parties come and go, but our long term geopolitical interests remain.

For us this would be the only way to maintain any stability in this part of Europe. The alternative would be a break-up of the country into a number of minis-

tates perennially squabbling over their borders, which could never be equitably set because of a severe intermixing of the population in the central part of the country. Such squabbling ministates would only wet hegemonistic appetites in that part of Europe and generate a serious long-term instability of the region.

Economic conditions in Yugoslavia today are no different than economic conditions in all of Eastern Europe and the world. However, one thing for certain divisiveness is not the solution. The solution will come from a unified and collective effort.

Senator BIDEN. Congresswoman Bentley, we were delighted to have your statement. We usually ask witnesses for 5 minutes, and we asked you to do that. The reason I did not interfere is because I think you have such insight, and I appreciate it.

I want to assure you that we are not playing our collective fiddles. If we were, Rome would have burned by now after the testimony. I just want to make it clear that that is not the purpose of this hearing if you're inferring that.

Mrs. BENTLEY. No, I didn't infer that.

Senator BIDEN. Now, let me just ask one question, then yield to my colleague. I ask this of both the witnesses. What one thing do you think is most important for the U.S. Government and the American people to understand about Yugoslavia today that we do not understand, in order to determine what the policy should be, if it should change at all?

Mr. MOODY. Well, I think the most important thing for us to understand is that we have a strong historic and very logical interest in the continued existence of Yugoslavia as it now exists. If that country were to begin to break up, I think we would see a great instability in the region. There are several of its neighbors that still have not renounced territorial pretensions for some of those areas. There would be economic chaos as well as political and possibly other chaos. It would be a very unfortunate thing for the region.

Yugoslavia has many faults. It has many hurdles to yet overcome. It has many obstacles it has itself created. But at the same time, Mr. Chairman, if you look back over the last 40 years, Yugoslavia has been a leader in Eastern Europe in moving out of the Communist system and toward something between the old Communist system and what they are now trying to emerge to today.

When I was there in Yugoslavia, it was not possible to travel abroad freely unless you were approved by the government. Since that time, movement in travel has been completely free, long before any other Eastern European country adopted it.

Markets are alive and well in Yugoslavia in many, many ways, not in every way. They use prices to determine the flow of goods and services by and large, very little central planning of the Soviet type.

Human rights, with some exceptions, has generally been pretty good. Political prisoners are at a de minimis level.

There are many good things about Yugoslavia. We tend to focus on the bad. But if this country were to break apart, I think there would be a peck of trouble in that region that we would not want. So, we have a strong national interest in seeing that country remain and to strengthen those forces within Yugoslavia which are trying to hold the country together such as Ante Markovic who, by the way, is a Croatian national, not a Serb. But he is the Prime

Minister, and he has done a yeoman's job as an economist and promoting markets.

This sort of legislation that is being considered in either house I think would go directly counter to our interests. But in sum, we must work to see that Yugoslavia remains together. The human rights of Serbs in Croatia, of Albanian ethnics in Serbia and of any other group that finds itself in a minority position in a region, their civil rights, their human rights, Mr. Chairman, will be better protected by a strong central government than letting this thing break up into pieces.

Senator BIDEN. I think that is a very interesting point. And to make the point also, this hearing was not designed to discuss Serbia. It was designed to discuss all of Yugoslavia, and you made that point at the outset of your statement. But I think that is an interesting insight that you just stated.

Now, Congresswoman Bentley you suggest one thing you think is important for us to understand, in order to determine what our policy should be?

Mrs. BENTLEY. Mr. Chairman, last year when we were in one of these arguments about the picture there, I pointed this out to a couple of my colleagues in the House. I said do you know what we really need to do is some of us who have been involved—and I have been involved in labor disputes and negotiating and mediating them—go over there for a period of 2 weeks, 3 weeks, a long period, not one of these fast in and out trips that Members of Congress are prone to do, and let's really make an effort to get all of the parties together to sit down and talk to each other and work together. That I think could be a very positive contribution that we could make to keep the country together as Mr. Moody has said.

Senator BIDEN. How would that be viewed, Congresswoman, by the central government in terms of selective interference in the domestic policy of Yugoslavia by a group of Senators and Congresspersons? Would that be a welcome thing do you think, or do you think that would be viewed as domestic interference by a group of foreigners in their problems?

Mrs. BENTLEY. I think if it were handled properly from the beginning, that it would be a welcome thing. I mean, if you come in and you say we're going to do this, nobody is going to do it. But I think this is where you need to have a lot of diplomacy and work on it from that level.

Mr. MOODY. Let me add a point, if I could. I think it is very important that anything we do over there on the ground or back here in Congress be perceived as being very fair and neutral between these different groups that are competing and quarreling. We should not in Congress be taking sides in these conflicts.

Senator BIDEN. I share your view. Senator Pressler.

Senator PRESSLER. Thank you, Mr. Chairman. I find this very enlightening. I would like to ask a question, if I could, about the issue of the Helsinki Final Act. I will ask each of the witnesses. Do you believe the current Government of Yugoslavia is abiding by the Helsinki Human Rights Accords?

And we will be hearing from Mr. Schifter of the State Department. The State Department has done its 1990 report on human

rights, and I will place in the record the entire report of the State Department regarding human rights in Yugoslavia.

But I guess the question boils down to do you believe the current Government of Yugoslavia is abiding by the Helsinki Human Rights Accords.

Mr. MOODY. Well, the central government I think is. I would not offer a very educated opinion about every single republic government. I think the central government is committed to abiding by those. As said earlier, that is one of the most positive forces.

There have been human rights abuses in the republics, and certainly there have been human rights abuses in Kosovo and elsewhere. And there certainly is a high level of ethnic fear among minorities in different regions. That would include Serbs in parts of Croatia who are very, very fearful at this time in areas like Knin, as well as ethnic Albanians in Kosovo who are very fearful because of pressure they feel from local authorities. But I think the Government of Yugoslavia per se has a pretty good record at abiding by human rights.

Mrs. BENTLEY. Yes, I agree with Mr. Moody on that, and I think I referred in my statement, Mr. Pressler, that there were human rights violations all over.

I might point out that when that State Department report on Yugoslavia came out and it was mostly focused on Kosovo and Serbia, I called up a very prominent person in the State Department, and I said, you know, "This is not balanced at all. Why don't you cover the Serbs who have been hit in Croatia and that?" And the response was, "Well, nobody has been killed there yet." Do we wait for somebody to be killed before we are worried about human rights abuses?

Senator PRESSLER. Thank you very much, Mr. Chairman.

Senator BIDEN. Thank you.

I also would like to make one note for the record that everyone who sought any interest in testifying was allowed to testify, again in reference to a reference made in your statement. I just want you to know there was no selective choosing of those interests who wished to testify.

Mr. MOODY. If I could just have a minute. In conclusion, I think these hearings are excellent. I salute you for scheduling them, for holding them. The United States has a long historic interest in Yugoslavia. It was Woodrow Wilson more than anyone else in the entire world at that time that was at the helm of the creation of Yugoslavia. America has historic ties of tremendous importance, and I think the Senator does a service to both countries by holding these hearings.

Senator BIDEN. This Senator in particular is learning. I don't profess nor do I have anything approaching the expertise of either of you two, and I mean that sincerely. I am not being solicitous. It is obvious you both have deep roots and a significant up-to-date knowledge of the situation in Yugoslavia, and that is why we are so delighted you are here. It is an education process for me.

Senator PRESSLER. I have to go to the floor, and then I am going to come back. But my absence will be because I just have to appear over there.

Senator BIDEN. Thank you both very, very much. I look forward to working you as this moves on.

Our next panel is an administration panel: Ambassador Schifter and Mr. Dobbins. Ambassador Schifter is Assistant Secretary of State, Bureau of Human Rights and Humanitarian Affairs, and Mr. James F. Dobbins is Principal Deputy Assistant Secretary of State, Bureau of European and Canadian Affairs. And I understand, Mr. Schifter, you have an important appointment at 4:30.

Mr. SCHIFTER. It turns out I can stay longer.

Senator BIDEN. All right. Hopefully we will not keep you that long. But with that, Ambassador Schifter, why don't you begin?

STATEMENT OF HON. RICHARD SCHIFTER, ASSISTANT SECRETARY OF STATE, BUREAU OF HUMAN RIGHTS AND HUMANITARIAN AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. SCHIFTER. Thank you. Mr. Chairman, I shall be testifying on the state of human rights in Yugoslavia. Deputy Assistant Secretary James Dobbins will deal with the broader aspects of our relations with that country.

Having rejected Soviet domination as long ago as 1948, Yugoslavia embarked earlier than some of its neighbors on the road to a more open society and greater respect for human rights. But it has not as yet completed the process. In fact, as distinct from its neighbors, Yugoslavia has not made a clean break with its Communist past. It appears, instead, to work its way out of it gradually, with differing rates of progress in different parts of the country.

The democratic revolutionary fervor which swept the region in 1989 did indeed have its effect on Yugoslavia. The year 1990 saw significant movement toward increased respect for freedom of speech and freedom of religion. The League of Communists lost its monopoly on power and freely contested multiparty elections took place in place in all the republics. Toward the end of the year the Federal Assembly adopted a new press law which guaranteed freedom of information and ended the subordination of the press to the Socialist Alliance of Working People, an arm of the League of Communists.

Though the ideological commitment to communism is now a matter of the past, the forms of repression which were the hallmark of Leninist governmental systems have outlasted it. Moreover, the evaporation of Communist ideology in Yugoslavia has in many parts of the country been followed by the reemergence of rabid forms of nationalism. Even where elections were free and fair, the parties associated with democratic freedoms, respect for the individual, and equal rights for all did not fare particularly well. The utter failure of communism is vividly demonstrated by the resurgence of extreme forms of nationalism which have been repressed rather than eliminated and which are now a threat not only to the basic rights of national minorities in the various republics, but also a threat to the Yugoslav state as an entity.

Credit must, under the circumstances, be given to the political leaders who continue to appeal to reason, who speak up for principles of democracy, respect for human rights, for cooperation among the republics, for a unified Yugoslavia in which equal rights would

be accorded to all, irrespective of their ethnic background and their place of residence. We wish these leaders well and hope for their success. As I mentioned earlier, freely contested multiparty elections took place in all of Yugoslavia's republics in 1990. In five of these republics, one could not quarrel with the manner in which these elections were conducted. But in one republic, Serbia, in which about 40 percent of Yugoslavia's population reside, the process was marred by late changes in election laws, the boycott of most Albanians in the autonomous province of Kosovo—which contains about 20 percent of Serbia's population—the intimidation of voters, and the manipulation of election procedures by the ruling party. I believe Mrs. Bentley actually covered that point.

Senator BIDEN. Excuse me, Mr. Secretary. So I don't misunderstand, did you understand Mrs. Bentley's point to be that the election was marred?

Mr. SCHIFTER. She made specific reference with regard to the problem of appearance of parties on television. That was one of the aspects of the problem.

Senator BIDEN. Mrs. Bentley, you are sitting there. I misunderstood. I thought you thought it was a fair election.

Mrs. BENTLEY. What we saw, Mr. Chairman, on the day of the election—and there are three or four of the observers who accompanied us—for all intents and purposes it was a fair election. Now, what he is referring to is the changes in election laws. I was partially responsible for those late changes in election laws—I referred to that—which allowed the observers to go to the polls. That was the change.

Senator BIDEN. Thank you.

Mr. SCHIFTER. Mr. Chairman, the point I am trying to make is that, indeed as Congresswoman Bentley says, what happened on election day was that there was a fair election. The problem was in the runup to the election. Persons of all backgrounds were intimidated. I was in Belgrade last year. The democratic opposition told me that they could not get themselves organized. But the fact of the matter is that intimidation lasted longer there than it lasted elsewhere. And as far as the media is concerned, it was rigged in favor of the ruling party.

Although the actual voting in most of Serbia appeared to have been conducted correctly, Serbian authorities manipulated the media which ignored, trivialized, and disparaged opposition candidates, denying them equal access during the electoral campaign. The authorities also denied the opposition equal access to office space and financial resources and harassed opposition leaders by charging them with misdemeanors. The harassment by the authorities extended beyond opposition leaders to voters who were warned not to vote for the opposition or risk dismissal from their jobs. The Serbian elections were also marred by the ethnic Albanian boycott of the process, which was brought about by the repressive measures undertaken earlier against the ethnic Albanian population.

In Serbia it has been the Communist Party, now renamed, which has adopted a platform of nationalist extremism and has made Kosovo the issue which it now is. Kosovo plays a unique role in Serbian history. It was the Serbian heartland, as has been pointed out. In the battle of Kosovo on June 15, 1389, the Serbian kingdom

lost in its last major stand against the Ottoman Empire. The historic memory of the battle of Kosovo has been a part of Serbian national tradition, the subject of songs, for more than 600 years.

But in recent decades, the Serbian population of Kosovo has been on the decline and the ethnic Albanian population on the increase. Serbs in Kosovo increasingly felt that they were being overrun. Many of them emigrated. Those who stayed appealed to Belgrade for help. Given the Serbian historic attachment to Kosovo, which has been so vividly explained by Mrs. Bentley, that help came in the form of repression of aspirations.

The question at issue is what these aspirations are. Kosovo is now, as I noted earlier, an autonomous province within Serbia, though its autonomy has de facto been suspended. Many Albanians want more than mere autonomy. Some support the creation of a Kosovo republic within the Yugoslav federation. Others may advocate secession and incorporation of the area into a greater Albania. Serbians oppose the notion of a Kosovo republic first because it would separate the Serbian historic heartland from the Republic of Serbia and, second, because they see it as a first step to complete secession.

Tension between Serbians and ethnic Albanians in Kosovo has been on the increase for the last 10 years. Conditions have worsened significantly during the last year.

In 1990 there were thousands of arrests of ethnic Albanians for political advocacy, tens of thousands of politically related job dismissals, and widespread police violence. Local self-government was effectively eliminated in July of last year when the Serbian government suspended the activities of governing bodies at the provincial and district level. Later in the year, delegates of the Kosovo legislature in an *ex camera* meeting approved the new constitution which declared Kosovo separate and sovereign within Yugoslavia. In reaction, Serbian authorities arrested 4 of the delegates and sought to arrest the other 107, who avoided that fate by fleeing from Serbia to other republics of Yugoslavia or leaving the country altogether. They also began legal proceedings against former Kosovo government officials.

Serbian authorities also routinely and summarily sentenced thousands of ethnic Albanians in Kosovo to 30 to 60 days in jail, often on misdemeanor charges of disturbing public order. Demonstrations by ethnic Albanians in protest of the Serb measures were broken up by police using tear gas, water cannon, and lethal gunfire. As Serbian authorities broadly define "violence" to include virtually any public advocacy of political change, political speech in Kosovo that calls for republic or independent status for the province is viewed as incitement to violence and inevitably results in prosecution and prison sentences.

In contrast to other republics, restrictions on freedom of the press in Kosovo were especially severe. Almost all of Kosovo's Albanian-language media were completely suppressed, and all local Albanian-language radio and television news broadcasts were halted. The largest Albanian-language newspaper was shut down.

To the human rights problems which I have just described we need to add the growing problem of hunger among the families of some 60,000 unemployed workers and the almost complete collapse

of the Albanian-language school system. Many of the workers lost their livelihood for refusing to take oaths of allegiance to Serbia as a condition for employment. Many others were dismissed for participating in the strikes of September last year. Schools, especially high schools, are being hit hard as teachers are fired for refusing to accept Serbia's new education plan. A number of schools have been closed completely and Albanians in Kosovo expect more to follow.

Meetings of the Democratic Alliance of Kosovo, the largest independent political group in the province, are regularly broken up by the police and the organizers often harassed and beaten up. A particularly troublesome aspect of these developments is the growing feeling among Kosovo Albanians that they have no future within Yugoslavia.

The problem posed by the ethnic Albanians of Kosovo and their treatment at the hands of the government of the Republic of Serbia is not the only problem of interethnic conflict in Yugoslavia, as has been pointed out. A problem involving larger population groups is the conflict between Serbs and Croats. Croatia has a substantial Serbian population which considers itself rightfully deprived of its cultural rights and of equal opportunity in an increasingly nationalist Republic of Croatia. Serbs and Croats constitute significant percentages of the population of the Republic of Bosnia and Herzegovina. In order for there to be civil peace in these two republics, ways must be found for the two ethnic groups to live together. Here, too, the historic memory of a much more recent date stands in the way. Serbs suffered severely during World War II from the brutalities of visited upon them by the Ustashi, the paramilitary force of the pro-Nazi Croatian wartime regime.

Our response to the problems which I have here described has been to call attention to them, express our concern to the Yugoslav authorities and to the authorities of the republics and, as my testimony shows, to offer support to those who are trying so hard to steer Yugoslavia toward democracy, the free market, and respect for the dignity of every single individual. Whether these leaders will succeed will depend above all on the support that they receive from the people of Yugoslavia. The Yugoslavs themselves will have to set their house in order. To the extent to which we can do so, we shall try to be of help.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Schifter follows:]

PREPARED STATEMENT OF RICHARD SCHIFTER

I am here to testify on the state of human rights in Yugoslavia. With me is Deputy Assistant Secretary James F. Dobbins of the Bureau of European and Canadian Affairs, who will deal with other aspects of current conditions affecting Yugoslavia and our relations with that country.

Having rejected Soviet domination as long ago as 1948, Yugoslavia embarked earlier than some of its neighbors on the road to a more open society and greater respect for human rights. But it has not as yet completed the process. In fact, as distinct from its neighbors, Yugoslavia has not made a clean break with its Communist past. It appears, instead, to work its way out of it gradually, with differing rates of progress in different parts of the country.

The democratic revolutionary fervor which swept the region in 1989 did indeed have its effect on Yugoslavia. The year 1990 saw significant movement toward increased respect for freedom of speech and freedom of religion. The League of Communists lost its monopoly on power and freely contested multiparty elections took

place in all the republics. Toward the end of the year the Federal Assembly adopted a new press law which guaranteed freedom of information and ended the subordination of the press to the Socialist Alliance of Working People, an arm of the League of Communists.

Though the ideological commitment to communism is now a matter of the past, the forms of repression which were the hallmark of Leninist governmental systems have outlasted it. Moreover, the evaporation of Communist ideology in Yugoslavia has in many parts of the country been followed by the reemergence of rabid forms of nationalism. Even where elections were free and fair, the parties associated with democratic freedoms, respect for the individual, and equal rights for all did not fare particularly well. The utter failure of communism is vividly demonstrated by the resurgence of extreme forms of nationalism which had been repressed rather than eliminated and which are now a threat not only to the basic rights of national minorities in the various republics but are also a threat to the Yugoslav state as an entity.

Credit must, under the circumstances, be given to the political leaders who continue to appeal to reason, who speak up for principles of democracy, respect for human rights, for cooperation among the republics, for a unified Yugoslavia in which equal rights would be accorded to all, irrespective of their ethnic background and their place of residence. We wish these leaders well and hope for their success. As I mentioned earlier, freely contested multiparty elections took place in all of Yugoslavia's republics in 1990. In five of these republics one could not quarrel with the manner in which these elections were conducted. But in one republic, Serbia, in which about 40 percent of Yugoslavia's population reside, the process was marred by late changes in election laws, the boycott of most Albanians in the autonomous province of Kosovo (which contains about 20 percent of Serbia's population), the intimidation of voters, and the manipulation of election procedures by the ruling party.

Although the actual voting in most of Serbia appeared to have been conducted correctly, Serbian authorities manipulated the media, which ignored, trivialized, and disparaged opposition candidates and denied them equal access during the electoral campaign. The authorities also denied the opposition equal access to office space and financial resources and harassed opposition leaders by charging them with misdemeanors. The harassment by the authorities extended beyond opposition leaders to voters, who were warned not to vote for the opposition or risk dismissal from their jobs. The Serbian elections were also marred by the ethnic Albanian boycott of the process, which was brought about by the repressive measures undertaken earlier against the ethnic Albanian population.

In Serbia it has been the Communist Party, now renamed, which has adopted a platform of nationalist extremism and has made Kosovo the issue which it now is. Kosovo plays a unique role in Serbian history. It was the Serbian heartland. In the battle of Kosovo on June 15, 1389, the Serbian kingdom lost in its last major stand against the Ottoman Empire. The historic memory of the battle of Kosovo has been a part of Serbian national traditions, the subject of songs, for more than 600 years.

But in recent decades, the Serbian population of Kosovo has been on the decline and the ethnic Albanian population on the increase. Serbs in Kosovo increasingly felt that they were being overrun. Many of them emigrated. Those who stayed appealed to Belgrade for help. Given the Serbian historic attachment to Kosovo, that help came in the form of repression of Albanian aspirations.

The question at issue is what these aspirations are. Kosovo is now, as I noted earlier, an autonomous province within Serbia, though its autonomy has de facto been suspended. Many Albanians want more than mere autonomy. Some support the creation of a Kosovo Republic within the Yugoslav Federation. Others may advocate secession and incorporation of the area into a greater Albania. Serbians oppose the notion of a Kosovo Republic first because it would separate the Serbian historic heartland from the Republic of Serbia and, second, because they see it as a first step to complete secession.

Tension between Serbians and ethnic Albanians in Kosovo has been on the increase for the last 10 years. Conditions have worsened significantly during the last year.

In 1990 there were thousands of arrests of ethnic Albanians for political advocacy, tens of thousands of politically related job dismissals, and widespread police violence. Local self-government was effectively eliminated in July of last year, when the Serbian government suspended the activities of governing bodies at the provincial and district level. Later in the year, delegates of the Kosovo legislature in an ex camera meeting approved a new constitution which declared Kosovo separate and sovereign within Yugoslavia. In reaction, Serbian authorities arrested four of the delegates and sought to arrest the other 107, who avoided that fate by fleeing from

Serbia to other republics of Yugoslavia or leaving the country altogether. They also began legal proceedings against former Kosovo government officials.

Serbian authorities also routinely and summarily sentenced thousands of ethnic Albanians in Kosovo to 30 to 60 days in jail, often on misdemeanor charges of "disturbing public order." Demonstrations by ethnic Albanians in protest of the Serb measures were broken up by police using tear gas, water cannon, and lethal gunfire. As Serbian authorities broadly define "violence" to include virtually any public advocacy of political change, political speech in Kosovo that calls for republic or independent status for the province is viewed an incitement to violence and inevitably results in prosecution and prison sentences.

In contrast to other republics, restrictions on freedom of the press in Kosovo were especially severe. Almost all of Kosovo's Albanian-language media were completely suppressed and all local Albanian-language radio and television news broadcasts were halted. The largest Albanian-language newspaper was shut down.

To the human rights problems which I have just described we need to add the growing problem of hunger among the families of some 60,000 unemployed workers and the almost complete collapse of the Albanian-language school system. Many of the workers lost their livelihood for refusing to take oaths of allegiance to Serbia as a condition for employment. Many others were dismissed for participating in the strikes of September last year. Schools, especially high schools, are being hit hard as teachers are fired for refusing to accept Serbia's new education plan. A number of schools have been closed completely and Albanians in Kosovo expect more to follow.

Meetings of the Democratic Alliance of Kosovo, the largest independent political group in the province, are regularly broken up by the police and the organizers often harassed and beaten up. A particularly troublesome aspect of these developments is the growing feeling among Kosovo Albanians that they have no future within Yugoslavia.

The problem posed by the ethnic Albanians of Kosovo and their treatment at the hands of the government of the Republic of Serbia is not the only problem of inter-ethnic conflict in Yugoslavia. A problem involving larger population groups is the conflict between Serbs and Croats. Croatia has a substantial Serbian population which considers itself deprived of its cultural rights and of equal opportunity in an increasingly nationalist Republic of Croatia. Serbs and Croats constitute significant percentages of the population of the Republic of Bosnia and Hercegovina. In order for there to be civil peace in these two republics, ways must be found for the two ethnic groups to live together. Here, too, the historic memory of a much more recent date stands in the way. Serbs suffered severely during World War II from the brutalities visited upon them by the Ustashi, the paramilitary force of the pro-Nazi Croatian wartime regime.

Our response to the problems which I have here described has been to call attention to them, express our concern to the Yugoslav authorities and, as my testimony shows, to offer support to those who are trying so hard to steer Yugoslavia toward democracy, the free market, and respect for the dignity of every single individual. Whether these leaders will succeed will depend on the support that they receive from the people of Yugoslavia. The Yugoslavs themselves will have to set their house in order. To the extent to which we can do so we shall try to be of help.

Senator BIDEN. Thank you very much. Mr. Dobbins, welcome. Good to have you back.

STATEMENT OF HON. JAMES F. DOBBINS, PRINCIPAL DEPUTY ASSISTANT SECRETARY OF STATE, BUREAU OF EUROPEAN AND CANADIAN AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. DOBBINS. Thank you, Mr. Chairman.

Mr. Chairman, let me say that Senator Dole flatteringly referred to the administration witnesses as expert witnesses, and I would just like to say with all modesty that it would be difficult for anybody from the administration to bring more expertise to these hearings than we have already heard from several Members of Congress from whom I have certainly already learned a lot.

Let me summarize, if I might, the elements of my written testimony as they deal specifically with U.S. policy.

The United States policy toward Yugoslavia is founded on support for unity, democracy, dialog, human rights, and market reform. The United States has long supported the unity, independence, and territorial integrity of Yugoslavia. United States support was an important factor in Yugoslavia's resistance to German occupation in World War II and to Stalin's attempts after 1948 to bring the country under Soviet control. An outbreak of violent conflict in Yugoslavia, or indeed anywhere in the Baltics, would set back our hopes for a new era of peace, stability, and cooperation in Europe.

By "unity," we mean the territorial integrity of Yugoslavia, within its present borders. It is, of course, up to the Yugoslavs themselves to decide the structure and political arrangements under which they wish to live. We firmly believe that Yugoslavia's external or internal borders should be changed only by peaceful means with the agreement of all of the parties concerned. We will not encourage or reward separatism or secession.

By "democracy," we mean that Yugoslavia should enjoy democratic rights, civil liberties, and free and fair elections. The United States is prepared to assist Yugoslavia in building and strengthening democratic institutions and the rule of law.

By "dialog," we mean that disputes between republics, nationalities, ethnic groups, or individuals should be resolved only through peaceful means. We call upon all Yugoslavs to avoid violence, provocation, or threats. We would strongly oppose the use of force to settle political differences.

By "human rights," we mean the standards of behavior laid down in international commitments to which Yugoslavia is a party, including the Helsinki Final Act. The United States does not favor or support any nationality, minority, or ethnic group in Yugoslavia over any other.

By "market reform," we mean that we support Yugoslavia's transition to a full market economy open to private ownership and investment.

The consolidation and preservation of peaceful democratic dialog has been the main thrust of our bilateral and multilateral diplomacy with Yugoslavia over the past year. Bilaterally we have been engaged in intensive discussions with Yugoslav leaders at both the federal and the republic level. Our purpose has been to underscore U.S. support for unity, democracy, and dialog, and our strong opposition to the use of force and the violation of CSCE human rights commitments, particularly in Kosovo.

We have encouraged congressional travel to Yugoslavia both to give Congress firsthand knowledge of the situation and to impress on Yugoslav authorities the depth of congressional concerns.

We have also made a several public statements, both last fall and earlier this year, setting forth our overall policy toward Yugoslavia, our views on CSCE commitments regarding free and fair elections, and on the danger of any use or threat of force.

On a multilateral level, the United States took the lead in a coordinated move last August by 17 European states, including the European Community, to invoke the CSCE human dimension mechanism with regard to human rights violations in Yugoslavia and specifically in Kosovo. Since then we have engaged in consulta-

tions with CSCE members and the European Community on how we should best continue to address the Yugoslav crisis.

I should stress that Yugoslavia's commitments under CSCE to respect human rights, fundamental freedoms, democracy, and the rule of law apply to the entire country. We believe the fundamental CSCE tenet of peaceful resolution of conflicts and the Helsinki principle that borders may only be changed by peaceful means with the agreement of all of the parties concerned should be applied to Yugoslavia's internal as well as its external borders. The CSCE process also offers a valuable forum for all European states to foster a peaceful and democratic resolution of Yugoslavia's painful transition to democracy and a free market economy.

Yugoslavia has enjoyed a reputation for innovation and creativity which has distinguished it over the past several decades from other Socialist countries.

Representatives of all of the republics and provinces have begun a dialog now on their future political arrangements. As a longtime friend, the United States sincerely hopes that this dialog, conducted in a mutual spirit of respect and tolerance, will lead to a just, peaceful, and lasting agreement which serves the interests of all of the people of Yugoslavia.

In conclusion I would just make three brief points. The first is that ethnic tension and conflict is nothing new to Yugoslavia. Indeed, it was because of the ethnic tension and conflict in that region that the state of Yugoslavia was created. We have already made reference to the role of the United States in the creation of Yugoslavia following the First World War, a war which was sparked as a result of ethnic tension in Yugoslavia. And the belief was that there was no rational way of designing borders in that region so that each ethnic group could have its own country, and that in order to prevent these ethnic tensions from becoming international conflicts, the creation of a multiethnic state offered the best vehicle for satisfying their desires for self-determination while creating a viable nation and establishing a basis for stability in the region.

While the geopolitical situation with respect to the Soviet Union has changed somewhat in recent years and fears of Soviet domination may have diminished, the centrality of this region and the U.S. interest in stability has not diminished. The history of this century has shown that when conflicts erupt in Europe, the United States is inevitably drawn into them. And so, I believe we have as much interest now as we did in 1918 or at any other time since to promote stability and to avoid situations which could give rise to conflict, in particular international conflict in that region.

There is sometimes a suggestion that there is a tension in our policy between our support for unity and our support for democracy. We do not believe that to be the case. We believe that democracy is most likely to flourish throughout Yugoslavia in the context of continued unity, and we believe that the continued unity of Yugoslavia can be best preserved if there is progress toward democracy throughout the country.

Finally, I would make one point, that while progress toward democracy has been varied throughout Yugoslavia, democracy is on the march everywhere in Yugoslavia. There has been progress in

every republic. There has been significant progress at the national level. There are varying levels, but the trend in every one of those republics is a positive one.

[The prepared statement of Mr. Dobbins follows:]

PREPARED STATEMENT OF JAMES F. DOBBINS

Mr. Chairman, Yugoslavia is a land of many nationalities and ethnic minorities, none of which form a majority of the total population. Since almost the onset of its founding after the First World War, Yugoslav political life has been characterized by frequently differing conceptions among its ethnic groups as to how the state should be organized and governed. Partly as a result of these differences, parliamentary democracy broke down in the 1920's, communal violence between Serbs and Croats broke out in the 1930's and a bloody civil war developed in the midst of the Second World War, in which hundreds of thousands of Yugoslavs perished. After WWII, the country was restructured into a federation of "nations," organized into republics and provinces on the principle of "brotherhood and unity." A succession of constitutions, most recently in 1974, confirmed the Yugoslav state as a federation of "free and equal nations and nationalities." Owing to the history of the region generally, the territorial divisions between republics and provinces did not and could not correspond exactly with the ethnic makeup of the area, leaving significant minorities in most republics and provinces. In one republic, Bosnia-Herzegovina, no single ethnic group has a majority.

Until recently, the country was governed by a Communist monopoly, though a unique variant of the socialist model. Although this arrangement suppressed nationalist conflicts and tensions, it did not eliminate them, and was not validated by the Yugoslav people in a democratic election or referendum.

Responding to the aspirations sweeping Central and Eastern Europe at the end of the 1980's, Yugoslavia embarked on a process of democratization which in 1990 led to multiparty elections in each of Yugoslavia's six republics. The voters in all these elections overwhelmingly supported political parties oriented toward nationalist, rather than all-Yugoslav, platforms and interests. The result was a reemergence of debate over the political and governing structure of the Yugoslav state, reflecting differing conceptions of the locus of "sovereignty," and therefore the future structure and even continued existence of the state. Some in Yugoslavia hold that in the Yugoslav context ultimate sovereignty rests with each "nation," others argue that sovereignty is reserved to the republics. Still others maintain that the federation exercises ultimate sovereignty.

A regrettable upsurge in harsh political rhetoric, threats, and fears between and among republics and ethnic groups, much of it focused on past grievances and resentments, has accompanied this debate. The political atmosphere has deteriorated to the point where some republic leaders believe that current tension could lead to secession, intervention by the military, changes in republic borders, civil war, or the dissolution of the country. The situation is complicated by wide differences over the pace and scope of economic reform and a budget crisis that has weakened efforts of the federal government under Prime Minister Markovic to cope with a deteriorating economy.

Faced with these multiple crises, the leaders of all the republics and the collective federal presidency (which represents the eight republics and provinces) agreed on December 27, 1990, to begin discussions to seek agreement on new political and constitutional structures. Since then, these leaders have met four times, expressing very different ideas ranging from a more centralized federal system to a loose confederation of sovereign states. One republic, Slovenia, held a plebiscite last December in which over 90 percent of the population voted in favor of Slovenia's independence. Slovene representatives to the presidency sessions have indicated that if a confederal agreement satisfactory to Slovenes cannot be reached, Slovenia will negotiate its "disassociation" from the federation by mid-1991. Croatian leaders have expressed a preference for a confederal solution, but state they will leave Yugoslavia if such a solution cannot be achieved. Serbian and Montenegrin leaders support a federal system, but Serbian leaders say that if this cannot be agreed, they will seek territorial changes to include all Serbs in Yugoslavia in a single Serbian state. The leaders of Bosnia-Herzegovina and Macedonia indicate that they will make their own "sovereign" decisions and that they are open to discussing confederal arrangements, and prefer continued inclusion in some form of Yugoslav state.

U.S. POLICY

American support for the unity, independence, and territorial integrity of Yugoslavia dates from the founding of this state, in which the United States had an important role. Ethnic and national conflict in the Balkans played a major role in precipitating the First World War. In the aftermath of that conflict a multiethnic Yugoslav state was created from territory formerly part of the Austro-Hungarian Empire, Serbia, and Montenegro with a view toward establishing a viable, independent state which would meet the aspirations of the people of the region for self-determination, while preventing ethnic conflict from once again becoming a source of regional and global instability.

The United States has long had an interest in preventing foreign domination of the territory of Yugoslavia. U.S. support played a role in Yugoslav resistance to German occupation in World War II, and to Stalin's attempts after 1948 to bring the country under Soviet control.

United States policy toward Yugoslavia is founded on support for the interrelated objectives of unity, independence, territorial integrity, democracy, dialogue, human rights, and market reforms.

Let me explain these.

By unity, we mean the territorial integrity of Yugoslavia, within its present borders. We will not encourage or reward separatism or secession. It is, of course, up to the citizens of Yugoslavia themselves to decide the structure and political arrangements under which they wish to live. We firmly believe that Yugoslavia's external or internal borders should only be changed by peaceful means with the consent of all concerned. The United States will respect any framework—federal, confederal or whatever—on which the people of Yugoslavia peacefully and democratically decide.

By democracy, we mean that citizens of Yugoslavia should enjoy democratic rights and civil liberties, based on freely and fairly elected representatives. The United States is prepared to work throughout Yugoslavia to help build and strengthen democratic institutions, the rule of law, market reforms and respect for human rights.

By dialog, we mean that disputes between republics, ethnic groups, or individuals should be resolved only through peaceful means. We call upon all parties in Yugoslavia to avoid violence, provocations or intimidation. We would strongly oppose the use of force to settle political differences, to change external or internal borders, or to impose a nondemocratic system in Yugoslavia or in any part the country.

By human rights, we mean the standards of behavior laid down in international commitments to which Yugoslavia is a party, including the Helsinki Final Act and subsequent CSCE documents. We attach particular importance to the provisions relating to the treatment of members of minorities and urge all citizens of Yugoslavia to address their mutual relations in a spirit of respect and tolerance. The United States does not favor or support any ethnic group in Yugoslavia over another. We firmly believe that respect for human rights, civil discourse, individual liberty and the rule of law provides a healthy basis for all the peoples of Yugoslavia to live together without fear or repression. We particularly urge all leaders in Yugoslavia to refrain from exacerbating national tensions or fears. It is time for the people of Yugoslavia to look to the future, not to the past. We call upon the Yugoslav government, and the government of Serbia, to take clear and decisive steps to end the serious violations of human rights taking place in Kosovo described today by Assistant Secretary Schiffer.

By market reforms, we mean that we support Yugoslavia's transition to a full market economy, open to private ownership and investment. Along with the IMF, World Bank, and G-24 countries, we have encouraged and supported the reform efforts undertaken by the Federal Executive Council and Prime Minister Markovic. To the extent possible, we will direct our bilateral assistance to those sectors and initiatives which hold the greatest promise of success.

Whether or not these five objectives are realized in Yugoslavia will be decided primarily by the people of Yugoslavia and their leaders at the republic and federal levels. The overriding factor in their ability to do so is the consolidation of peaceful, democratic dialog as the mechanism for addressing their internal differences.

U.S. DIPLOMATIC EFFORTS

The consolidation and preservation of peaceful democratic dialog has therefore been the main thrust of our bilateral and multilateral diplomacy vis-a-vis Yugoslavia over the past 6 months.

On a bilateral level, we have been engaged in intensive discussions with Yugoslav leaders, including the members of the collective federal presidency and its current

president, the Prime Minister, the Secretary of Defense, and the leaders of Yugoslav republics. Our purpose has been to underscore U.S. support for unity, democracy, and dialog, and our strong opposition to the use of force and the violation of CSCE human rights commitments. Our efforts include instructed demarches by Ambassador Zimmermann to the Yugoslav Defense Secretary and to President Jovic, in December and January, where we made strong statements of our opposition to the use of force at what appeared to be moments of particular danger to the process of dialog within Yugoslavia.

We have encouraged congressional travel to Yugoslavia, both to give Congress firsthand knowledge of the situation there and to impress upon Yugoslav authorities the depth of congressional concern.

We have also made a series of public statements, both last fall and earlier this year, which have addressed our overall policy toward Yugoslavia, CSCE commitments to free and fair elections, and the danger of any use of force or intimidation. We believe these statements have had an impact on all of the parties in Yugoslavia concerned.

On a multilateral level, we took the lead in a coordinated move last August by 17 states, including the EC-12, to invoke the CSCE Human Dimension Mechanism with regard to human rights violations in Yugoslavia as a whole, and specifically in Kosovo. Since then we have engaged in frequent discussions and consultations with our allies, with the EC, and other CSCE members on all the elements of our policy approach. We have sought ways in which our European friends and we can best address the Yugoslav crisis. These consultations have made it evident to the people of Yugoslavia and to their leaders that on both sides of the Atlantic there is grave concern about the direction of events in Yugoslavia, especially the potential use of force to settle political disputes. Those consultations have also made it clear that the international community strongly hopes that the process of dialog now underway between Yugoslav republics and federal authorities will result in a Yugoslavia which firmly adheres to CSCE principles and market reform.

In this regard, I would stress again that Yugoslavia's commitments under CSCE to respect human rights, fundamental freedoms, democracy and the rule of law apply to the entire country. We believe the fundamental CSCE tenet of peaceful resolution of conflict and the principle that borders are inviolable, and may be changed only by peaceful means with agreement of all the parties concerned, deserve application to Yugoslavia's situation. The CSCE process also offers a valuable forum for all European states to encourage a peaceful and democratic resolution of Yugoslavia's painful transition to democracy and free market economy.

Representatives of all the Yugoslav republics and provinces have begun a dialog on their future political arrangements. As a longtime friend, the United States expresses its hope that this dialog, conducted in a spirit of mutual respect and tolerance, will lead to a just, peaceful, and lasting agreement that serves the interests of all the people of Yugoslavia. We will continue to use our influence and urge others to use their influence toward this end.

Senator BIDEN. Thank you very much.

Gentlemen, you both obviously all both saw the front-page story in the New York Times today about the action of the Slovenian parliament, it said the parliament "passed a resolution offering a blueprint for dividing Yugoslavia"—I'm reading from the article—"into at least two independent states." And the proposal is to be sent to the parliament, to the five other Yugoslav republics, along with a warning that Slovenia will unilaterally secede if they do not approve it.

My first question is: How seriously do you take that action? Do you think they mean it?

And my second question is that last week the president of Croatia was reported to have declared that Croatia would secede from Yugoslavia along with Slovenia when Slovenia decides to go. Can you comment on both the actions of the parliament in Slovenia and the comment of the Croatian president?

Mr. DOBBINS. Well certainly, Mr. Chairman, we take these statements seriously. We also take them in the context of an ongoing dialog within that country about its future structure. So, on the

one hand, the threat to secede I think is a real one. On the other hand, it is also, in effect, a bargaining position in a negotiation over the future structure. And I think it has to be looked at in both contexts.

I thought the story was interesting because the quotes from—I think it was the president of Slovenia who was being quoted—showed I think considerable appreciation of the international community's attitude toward this, that they could not expect a sympathetic response from the international community unless they had demonstrated that they had made every effort to resolve these problems through dialog, unless they pursued the possibilities of a restructured Yugoslavia, and unless they could secure the consent of the rest of Yugoslavia for their secession.

That seemed to be what he was saying in counseling some of his supporters, as I read the argument, and I think that that shows that our dialog with the republic leaders has impressed upon them the strength of the international community, and not just the American view, that it is important that the future of Yugoslavia be settled democratically, peacefully, and with the agreement of all of the parties concerned.

As to the Croatian statement, I think that you begin to get to the kernel of the problem because while Slovenia has reasonable homogeneity, as I understand it, in terms of its ethnic makeup, Croatia does not. It has substantial Serbian minorities. Serbian leaders have already said that if the country were to break up, the borders would have to be changed so that all Serbs lived in Serbia. The practical effect of that could be to transfer what is currently an internal conflict into an international conflict, and that clearly is something that is not in our interests.

Senator BIDEN. The foreign minister of Slovenia, as I understood it, said: "I'm afraid there's no way back. This is clear. Up to now, we respected the federal constitution. After this, we will make our own laws and without limitation." What the Slovenians apparently envisage and the Croatians as well is something that is at best a very loose confederation.

Well, let me move on. Mr. Ambassador, do you have any comment you would like to make?

Mr. SCHIFTER. No.

Senator BIDEN. Mr. Ambassador, the 1990 State Department report on human rights, prepared under your supervision and issued last month, stated that "there were significant advances in human rights" in most of Yugoslavia, but that the situation in Kosovo had worsened. Now, you spoke to that in your testimony. And according to your report, at least 30 deaths and 100 injuries occurred there last year.

How do these numbers and the kinds of abuses they represent compare to other nations where we have human rights concerns; for example, China, the Soviet Union, or any other country you may wish to use as a comparison?

Mr. SCHIFTER. Mr. Chairman, it is very difficult to make comparisons. If want to take a look at interethnic clashes during 1990, Liberia, Somalia, and Sri Lanka experienced a number of deaths multiple of what you had in Kosovo.

Senator BIDEN. In seeking an answer, I am seeking a qualitative as well as a quantitative comparison that would help assess the relative severity of the abuses and whether they are systematic as opposed to random, so not merely in a quantitative way, but in a qualitative way.

Mr. SCHIFTER. What you have had in Yugoslavia is an effort by the Serbian central government to essentially suspend the political process in Kosovo province because of concern about the possible separation of Kosovo from Serbia and, thus, also from Yugoslavia. So, it was really an effort to suspend the political process. The Albanians responded with a great many demonstrations so the Serbian authorities took unduly repressive police action which resulted in deaths.

Senator BIDEN. Well, is there anything you see on the horizon in Serbia or Belgrade?

Mr. SCHIFTER. Senator, we have all worried about this particular problem and have looked for solutions. I believe that we ought to be working with the religious leaders in the country. This is what we have tried to do.

Last year we were in touch with the Freedom of Conscience Foundation which sent a delegation to Yugoslavia of a Roman Catholic archbishop, an Orthodox priest from the United States, as well as a Moslem representative, and a Jewish rabbi. They met with religious leaders and political leaders in Yugoslavia. We are now in the process of organizing a trip to the United States by religious leaders of various faiths in Yugoslavia. We hope to have them come here and take a look at how we try to deal with interreligious relations.

If there is one particular group that can hopefully affect the situation positively—and I believe it was Congresswoman Bentley who spoke to that before too—it may very well be the religious leaders. We ought to reach out to them and see whether they can have their hands strengthened.

Senator BIDEN. I realize this is again difficult to parse out, but as I have been trying to educate myself on this—and I have only been to Yugoslavia once, and that was when Tito was alive. And as a matter of fact, it was probably the most interesting meeting I ever had in my life. I was with Averill Harriman and Tito at a small table not any wider than the one you are at and one-sixth the length in Tito's home in Split. And both men were very hard of hearing at the time, as you recall. I sat in the middle of them and our now No. 2 man at the State Department was then our Ambassador—I think one of the most talented guys who serves in Government—spoke Croatian fluently and was the interpreter. And neither could hear the other, but they started talking about the old days and World War II. And they were the only two, to the best of my knowledge at the time, living principal participants. And I didn't understand any Croatian, but every time Tito would speak about Stalin, I could see the veins in his neck pop out. And every once in a while he would say to me and Harriman would say to me, thinking I was hard of hearing as well, "Tell them what the young people think, Joe." And Tito was yelling back. Neither could hear the other. It was the most fascinating meeting I have ever attended.

And there used to be a program you and I will remember because we are old enough, *You Were There*. Remember that program? I felt like I was witnessing a major engagement of World War II.

But at any rate, that is the only time that I have been in Yugoslavia, and that was 1979. Since then I have been trying to make a determination for myself—and I have not come to any conclusion, and I am going to ask you if you have—how much of the difficulty relates to the form of government; in this particular instance we have been talking about a Communist government in the republic, not a Communist central government, and how much of it is totally unrelated to that. In other words, how much can the leadership in Belgrade affect what is happening?

Mr. SCHIFTER. I think the answer, Senator, is this. The underlying problem is a historic problem, and it has nothing to do with communism. There are sharp differences among these nationalities that go back for hundreds of years. The historic clashes among the various groups in the region have been part of the problem for a long, long time.

Ethnic differences in western Europe seem to have been composed over the last 50 years. For example, Alsace-Lorraine really was a flash point between Germany and France for a long, long time, and by and large it is gone now. Whoever really worries about Alsace-Lorraine anymore? Who worries about the problems between the Flemish and the Walloons in Belgium?

This has not happened in the Communist sphere. Communist governments continually asserted that they were doing away with all these nationality problems. In fact they exacerbated the problem. So, I would say the answer is the problem has been there for a long time, but the Communists, by trying to sweep it under the rug, repressed and exacerbated it.

You have the same problem between Hungarians and Romanians in Transylvania. You have the problem of the ethnic Turks in Bulgaria. These are issues which are unfortunately endemic to the region. Communism certainly did not do anything to ameliorate the problems. That is why I would suggest we try to see what religious leadership can accomplish there.

Senator BIDEN. Mr. Dobbins.

Mr. DOBBINS. Mr. Chairman, could I add a bit to that?

I think that in a sense communism is responsible because it was the failure of the Communist regime to build other national institutions which could become a basis for loyalty for interaction among the ethnic groups over the last 40 years, which meant that when communism ceased to provide, along with the army, the only existing basis for national unity, there really wasn't anything else there.

And I think it was expected and inevitable that when Yugoslavia went through a process of democratization, the initial stage was going to be a process in which the parties were going to be ethnically based. And the question is whether we can now move beyond—and it is going to be difficult—that stage to a stage where national structures of a democratic and free market nature can be created. It is our view that the answer to this is democratization of a still further intensified sort. It is not going to solve the problem.

You have the IRA. You have Basque terrorists. You have Corsican terrorists, and you have separatist movements that continue in countries with long-established democracies, but these can be handled, ameliorated and contained through democratic structures.

Senator BIDEN. Good answer.

Let me yield to my colleague, Senator Pell, the chairman of the full committee.

The CHAIRMAN. Thank you, Mr. Chairman. I thank and congratulate you on holding this much needed hearing on Yugoslavia.

I would ask unanimous consent that the views of Crown Prince Alexander be placed in the record at this point.

Senator BIDEN. Without objection.

[The letter of Crown Prince Alexander follows:]

LETTER FROM HIS ROYAL HIGHNESS CROWN PRINCE ALEXANDER OF YUGOSLAVIA TO
SENATOR PELL

FEBRUARY 19, 1991.

The Hon. CLAIBORNE PELL,
U.S. Senate,
Washington, DC 20510

DEAR SENATOR PELL: It would be a pleasure to see you again soon. In the meantime I am writing to you with reference to the hearing on "Civil War in Yugoslavia: The United States Response" to be held on February 21, before the European Subcommittee of the Senate Foreign Relations Committee, I would be pleased if you would kindly acquaint the subcommittee with my views.

Though civil war in Yugoslavia is a distinct possibility it has as yet not begun and it is in the greatest interest of all concerned: Yugoslavia, the U.S.A. and the West in general that it should not.

Two factors so far have militated successfully against what can be only described as a tragic possibility. One of these, the memory of the terrible events which took place in Yugoslavia between 1941 and 1945: war with the Axis powers and their occupation of the country during which a fratricidal and bloody civil war took place with the loss of hundreds of thousands of lives and wholesale destruction, is gradually losing its deterrence effect.

The second factor is the constantly rising tension, artificially stimulated, which may well outweigh the fear of a new conflict and defeat the democratic forces of reason and commonsense arraigned against an internecine war which would not stop at the borders of Yugoslavia. Hence the additional importance of the second factor: the moral and political pressure applied by the West in general and the U.S.A. in particular on the powers that be in Yugoslavia to exercise restraint and moderation in their mutual relations and to strictly apply democratic principles of respect for human rights of both individuals and ethnic and religious groups.

Democracy as understood in the West is still a delicate flower in Yugoslavia and needs nurturing and protection. Although all republican governments in Yugoslavia have been now democratically elected old habits—in all the republican administrations the great majority of cadres are or were Communist trained—die hard. Hence the need that the West and the U.S.A. in particular should constantly admonish and warn those who due to their inability to solve growing economic, financial, and social problems may feel tempted to seek cheap popularity by directing the dissatisfaction of their own countrymen against those of a different creed or nationality. Moreover it would be necessary—and this is a crying political need of the moment—to carry on with the process of democratization by holding free and democratic elections for an all-Yugoslav constitutional assembly which would draft a new constitution to accommodate the democratic gains so far achieved.

It is needless to stress that I am prepared to assist the process of stabilization and democratization in Yugoslavia in any useful manner.

With best wishes,

ALEXANDER.

The CHAIRMAN. Thank you.

Yugoslavia's very future is in question at this time. Ethnic ferment runs high. Severe tensions exist among the different republics. Yesterday the Slovenia parliament took dramatic steps to dis-

associate that republic from Yugoslavia. Croatia too is threatening to secede from Yugoslavia if the government will not decentralize. Last month a major confrontation between the Yugoslav military and Croatian security forces was only averted through last-minute negotiations at the 11th hour. Many observers believe the Yugoslavia was at the brink of civil war and it could return to that point at any time.

And the Albanians of Kosovo are all too familiar with the threat of violence. They understand the tenuous nature of the situation in their country. In Kosovo, where the majority of the population is Albanian, Serbian authorities have been waging a vicious campaign of repression and violence. Hundreds of Albanians have been killed or wounded and abuses continue.

For years the United States has pursued a special relationship with Yugoslavia in the hope that unlike its Eastern European neighbors, Yugoslavia would remain distant, independent from Moscow, following a gentler path. In my view, given the changes in the Soviet Union, in other parts of Eastern Europe and in Yugoslavia itself, the time has come for the United States to reevaluate its policy toward Yugoslavia.

In light of the situation in Kosovo, the Slovenian move toward secession, the near use of force by the federal army against Croatia, many observers have begun to question whether the U.S. goals of reform on the one hand and unity on the other have become mutually exclusive. What the answer is I do not know; only history can tell us.

I would like to ask one specific question either to Secretary Shifter or perhaps more likely to Mr. Dobbins. Some observers feel that Milosevic's campaign against Kosovo is part of a larger scheme to make Serbia the dominant partner or the dominant country in Yugoslavia. What would be your view of that?

Mr. DOBBINS. I don't really feel qualified to give a definitive answer. Certainly Milosevic is insistent that Serbs dominate the traditional territory of Serbia and any other areas in Yugoslavia in which Serbs inhabit. And it clearly is following a quite nationalistic or ethnically based set of policies and priorities. It is not clear that his objective is, in fact, to—that he would, in fact, oppose some elements of the country breaking off as long as the Serbs clearly controlled what was left. What exactly what his objectives are and whether it is to consolidate the Serbian control over Serbian areas or whether it is more broadly to control the territory as a whole, I do not really feel qualified to give you an answer, sir.

Mr. SHIFTER. Senator, I looked up some statistics on that the other day. According to the last estimate, the Serbian population of Yugoslavia is 37 percent. About 40 percent of the population of Yugoslavia lives in the Republic of Serbia, but 8 percent of the 40 are Albanians. On the other hand, you have Serbs in Montenegro which are really Serbian. There are also Serbs in Croatia. The Serbian population therefore would not be sufficiently large in a democratic system to constitute a majority and therefore dominate the country totally. They would have to ally themselves with someone.

We have spent a great deal of time on the issue of Kosovo, and rightfully so because of the repression. But regarding the long-term future of Yugoslavia and the danger of an internal conflict becom-

ing a serious international conflict, the real problem is between Serbs and Croatsians.

You mentioned having met with Tito. I have now had a number of opportunities to have very interesting conversations with Milovan Djilas. When I last spoke to him, he expressed his great concern about the danger of bloody clashes between Serbs and Croats and what impact that would have on Yugoslavia and to the region.

The CHAIRMAN. I think also from an American viewpoint, we are very conscious of what is going on there because we have many good citizens coming from the constituent republics of Yugoslavia and from Albania. I remember that demonstration outside the White House just a few months ago which showed the excitement and the intensity of feeling.

Mr. SCHIFTER. Congresswoman Bentley mentioned her background. I was told by the Yugoslavian Foreign Ministry that my name means "Albanian," but I never knew about that before I was told that in Yugoslavia. So, if there is any conflict of interest, I have stated it. [Laughter.]

The CHAIRMAN. Thank you very much, indeed. Thank you, Mr. Chairman.

Senator BIDEN. I have a lot more questions, but I will reduce it to two.

In my opening statement, I said that the geopolitical situation had changed radically in Central and Eastern Europe. And although I share the administration's predisposition to see a united Yugoslavia and a Yugoslavia intact, I would like to play devil's advocate for a moment. In this postcold war era that we are in, the rationale that we have clung to in the recent past for the need for a united, nonaligned Yugoslavia has almost totally been the consequence of the Warsaw Pact and a powerful and directed Soviet Union. Although the Soviet Union is still powerful, it is clearly not very well directed at this moment, and there is no Warsaw Pact.

That being the case, why is it critical to our geopolitical interests that Yugoslavia be united, as opposed to the constituent republics dividing into individual countries and/or groups of two or three or some configuration other than presently exists, if that appears to be the democratic will of the people in the various constituencies?

Mr. SCHIFTER. Senator, I would endorse what Mr. Dobbins said before. The situation has changed. There's no doubt about that. There are totally different circumstances now. But it may very well be in U.S. interest to look for the same result as before, even though the underlying reasoning would now be different. Today, it is not so much holding the line against the Warsaw Pact as it is achieving stability. We are interested in Europe. We are interested in that particular region. We would like to achieve stability there, and a breakup of Yugoslav federation would be a serious setback.

Again, as Mr. Dobbins has pointed out, considering the fact that there is a significant Serbian population in Croatia, a breakup of the federation would immediately raise the problem as to whether the Croatian boundaries are to be redrawn. Presumably Croatsians will say no. Will that result in an international conflict between Serbia and Croatia? These are the kinds of problems that we would then have to face.

May I just add one other point? In Western Europe, movement has been toward greater economic and political unity. With Yugoslavia, one of the questions that would arise is whether the six republics would be viable as distinct units. It is hard enough for Yugoslavia to be viable as an economy. Wouldn't it be much more difficult for the poorer groups to sustain themselves?

Senator BIDEN. Some suggest that individual republics can survive in a Europe that is moving together and becoming more economically unified. And there is a longing on the part of many Central European governments to participate in the Europe 1992 phenomenon that we are seeing—and because that is occurring it would increase the potential viability for the republics standing alone, because they would have some unit to which they could become attached as opposed to being left adrift, if you will, in a circumstance where there is nothing to which they could find economic access.

Mr. SCHIFTER. Senator, but they might not become attached. After all, a number are now trying to get into the European Community, and the European Community at this particular point is saying let's digest what we have.

It so happens I talked to a high-ranking Slovenian official of the Yugoslav Government the other day. He wondered whether Slovenia could really sustain itself as an independent unit because at the present time, for better or for worse, its economy is integrated with that of Yugoslavia.

Senator BIDEN. Now, I am going to say something that is going to come off in the minds of many in the audience as mildly pejorative, but let's stick to it only in terms of this notion of the ability to maintain themselves in an economic unit. The same argument is being made with regard to the Baltics, that individually they are not able to be maintained as an economic unit. Yet, we have made a judgment that that does not enter our rationale in terms of supporting their independence.

Mr. DOBBINS. Senator.

Senator BIDEN. Yes.

Mr. DOBBINS. Sorry.

Senator BIDEN. No, please. I want to learn.

Mr. DOBBINS. In terms of our policy toward Yugoslavia, I would make a distinction between our interests in its alignment and our interest in its unity. Clearly in a period of East-West tension we had an interest in its alignment. In a period of diminished East-West tension that interest is equally diminished. And in fact, our aid to Yugoslavia last year was \$615,000. It was far smaller than our aid to the other democratizing East European countries. So, I think in a certain sense that particular aspect of our interest is already manifest. But our interest in Yugoslavia unity, as I have said, dates back well before the cold war, and is reflective of our interest in stability and the lack of international conflicts in that region. And I think that is undiminished.

Now, you may be right. Perhaps the growth of a CSCE structure, the attraction of the European Community, maybe those kinds of developments provide an international framework in which these conflicts either would not break out or if they did break out, would be quickly and peacefully resolved. I do not think we want to test

that thesis. I do not think we are so convinced that this system is so mature a year after we have declared the cold war over that we want to test it.

So, I think while we are clearly not going to be more Yugoslav than the Yugoslavs, and we have not said we would reject any particular arrangement that the Yugoslavs worked out among themselves, we view the best way for the stability in the region and the growth of democracy to be in the context of the continued unity of Yugoslavia.

Senator BIDEN. Two more questions and I will let you go.

It is my understanding that under the current law, the administration is authorized to provide bilateral aid to Yugoslavia once open multiparty elections are held throughout the country and there is no gross pattern of human rights violation. Does the administration believe that the current situations fulfill these two criteria?

Mr. SCHIFTER. Yes.

Senator BIDEN. My last question. As both of you know, this committee began a series of hearings last year on Soviet disunion, hearings that will resume next week and continue into next month. As I noted in my opening statement, today I want to explore any comparisons that might be made between how we should respond to the nationalist issues in Yugoslavia and similar issues in the Soviet Union.

It strikes me that the administration has been much more careful in taking a position on the Soviet Union than on Yugoslav unity. While clearly we do not wish to promote a bloody breakup of either country, I do not recall the administration being so insistent on Soviet unity.

What common principles and practical perceptions does each of you believe are applicable to the two situations, if any?

Mr. DOBBINS. Well, I know you are going to be having hearings with Bob Zoelleck next week on the Soviet Union, and so I do not want to get too deeply into that. But I would say—and this is also apropos of your last question with respect to the Baltics—that we do make a distinction between our policy toward the Baltics and our policies toward both the Soviet Union and Yugoslavia. Our policies toward the Baltics are based on the historic fact that we have never recognized their incorporation in the Soviet Union. We believe that they have a right to achieve their aspirations, and their aspirations clearly appear to be to achieve independence.

I think that your points with respect to Yugoslavia and the Soviet Union, of course, also apply to other countries, multinational countries, Czechoslovakia, Canada, in which there is active consideration of forming new political arrangements which could go quite far toward a breakup of those countries. And clearly our overriding view is that we can agree to anything that all of the parties concerned can agree to.

Senator BIDEN. If political disunion came about democratically in Yugoslavia or the Soviet Union, could or should we oppose that?

Mr. DOBBINS. I have a hard time answering the question in its purely hypothetical form. I have indicated that we have not suggested that we would oppose any arrangement that the Yugoslavs agreed to among themselves. Our view is that the best way they

can solve their problems is to remain united, but we are clearly not going, as I said, to be more Yugoslav than the Yugoslavs. I think that would apply to the Soviet Union, although I really am rather reluctant to get too far into that subject.

Senator BIDEN. I thank you both very, very much. I appreciate your testimony and look forward to seeing you again. There are some questions from Senator Helms for Mr. Dobbins, that I would appreciate your answering for the record, if you would, Mr. Dobbins. Thank you very much.

Now, on our next and very patient panel we have Congressman DioGuardi, of the Albanian-American Civic League from Scarsdale, NY; the Honorable Rudy Perpich, former Governor, Croatian-American Association from Minnesota; Ms. Jeri Laber, Executive Director of Helsinki Watch in New York, NY; Dr. Karl Bonutti, of the Slovenian-American Heritage Foundation in Ohio; and Mr. Robert Stone, President of the Serb National Federation, Pittsburgh, PA. I appreciate you all being here.

It is good to see you again, Governor. I have not seen you in a long time. It is a pleasure to see you and you as well, Congressman.

It would be very helpful because we want to get a chance to ask a lot of questions and hear some cross-comments here if you would all do as you were requested prior to the hearing beginning and keep your statements to five minutes. You all were asked to do that. That is not a surprise to anyone, is it?

Mr. DIOGUARDI. It's not a surprise, but it will be difficult. But we are going to try to do that.

Senator BIDEN. Well, I understand for Congressmen and Senators and Governors it is extremely difficult, but we are used to being cut off. So, I am sure you will not mind. For the rest, I hope they will attempt to keep it to 5 minutes as well because we will cut you off.

As the chairman has pointed out to me, there are these lights that we live by here. Any Congressman speaks in 5-minute paragraphs anyway. Isn't that right, Congressman? You have learned the 5-minute rule in the House. You know you never get to speak more than 5 minutes anyway. It is Governors we have the problem with, and the real problem is with Senators. They never stop. But the yellow light will go on when there is 1 minute remaining, and at the red light—your chair will eject you into the ceiling. [Laughter.]

Seriously. I am not going to hold it to 5, but give it a shot, if you would.

All right. Let's begin in the order you were called. Congressman, if you would begin first.

STATEMENT OF HON. JOSEPH DIOGUARDI, ALBANIAN-AMERICAN CIVIC LEAGUE, SCARSDALE, NY

Mr. DIOGUARDI. Thank you, Senator, and let me begin by commending you for this hearing, a hearing that is very, very important to all the groups that share in this partnership called Yugoslavia.

And, Senator Pell, thank you for your leadership last year and your continuing leadership in handling a very difficult issue.

There is no question that the issue that I represent—we can talk about a lot of things about Yugoslavia, but I must confine my remarks to the ethnic Albanians there, Senator and Senator Pell. It is a very complex issue, not well-understood. The Albanian people are not well-understood. It is a dispersed nation. Much like the Jewish nation that was dispersed by the Romans 2,000 years ago, the Albanian nation was dispersed by the Ottoman Turks so that you have 3.2 million Albanians in Albania, you have 3 million in Yugoslavia, almost 3 million in Turkey, over 1 million in Greece. It is a difficult situation for the Albanian nation, but we are going to confine our comments today, Senator Biden, to Yugoslavia, mainly Kosovo because that is where the pot is boiling for the Albanians.

There is much that I heard, Senator, that I disagree with from Congressman Moody's testimony, Congresswoman Bentley's testimony. Obviously, we can be treated to a course in history. That is not the issue here today. The issue today, Senator, is current reality, what is happening. If we had to redraw the map of Europe based on every ethnic group's history, what would we have? We have to look at what is happening.

And in Kosovo today you have 2 million Albanians that are completely disenfranchised. Every independent group that is allowed to go there—and I say allowed because many are thrown out. The European Parliament was evicted several times. I have been evicted. Would you believe, Senator, a former U.S. Congressman, one now that is an advocate for a large group of Albanian-Americans and these people? I have been to Belgrade three times in the past year, Kosovo three times. I have been literally evicted from the international press center in Belgrade just to express my views.

If you thought that you heard a good analysis of the elections, what you should have heard was Mrs. Phyllis Kaminski, who is here by the way. She was involved with the National Republican Institute for International Affairs. They will be issuing a report very shortly on their independent observance of those elections in Serbia and other republics. And she is in the audience, and I saw her moving around quite a bit and disagreeing with what you heard as well. So, I would wish that you would take her report for the record even though you may not be able to take her comments today. That is our U.S. agency AID, and I would hope that we would accept that as an objective report.

But we have 2 million Albanians in this area that today have been reduced to nothing. They have been dismissed from their jobs. They are beaten. They are tortured. They have been killed. There are lists of killings. I just received—and I had to get this by plane yesterday—the latest report dated February 19, 1991. This is the Pristina Branch of the Yugoslav Helsinki Committee. This is a litany of horrors, Senator. I do not think there is a group of people in the world today that is treated as badly as 2 million Albanians who are in a so-called civilized state that our State Department consistently stands for called Yugoslavia. And they have some good reasons from a national security point of view, but let me say international conventions should never allow any group to be treated this way. And may I give you this statement for the record?

Also, let me give you for the record—because this is current. This is not 500 years old. This is not ancient history. Here is a

report issued just last week by the city bar association. Their human rights committee went to Kosovo. They prepared an 80-page report with a press release.

Senator BIDEN. What bar is that?

Mr. DIOGUARDI. Excuse me. The New York City Bar.

And I would like to again put their report, again a litany of horrors.

You have heard about the State Department's country report. I applaud our great Ambassador Zimmermann, Mr. Chairman, for the work he is doing because that report for the first time is an honest assessment of the plight of the ethnic Albanians, and it itself is a litany of horrors.

Let me also put on the record—because I received this by an airplane yesterday from Belgrade. This is the Independent Trade Union of Kosovo report of the general economic and social situation after application of repressive measures in the Kosovian companies, et cetera, February 19, 1991, not hundreds of years old, not history, today. And I would offer this report for the record as well.

What we face today is nothing less than an issue of communism versus democracy. We have democratic leaders in Kosovo. In fact, there are five democratic parties. They cannot freely associate without being harassed or even arrested. Senator Dole told you what happened when he went there. When I went there with Congressman Lantos last June, just for merely expressing our concern and in some cases outrage at the treatment even in front of us, I was banned for 5 years. I am a former U.S. Congressman. Our State Department quietly protested it, but I am still banned. I cannot go, according to the Serbian authorities, back to Yugoslavia to talk about these people. This is the condition that has been imposed on the Albanians today.

Let me not go through the litany of horrors because they are here in my testimony. I have given 8 pages. So, let me shift for a minute to an issue of self-determination because if you talk about human rights, you must be concerned where does that lead.

Senator, why shouldn't 2 million Albanians have the right of self-determination in the state of Yugoslavia? They are the third largest ethnic group in the country. The Slovenes, lesser people, 1.5 million, have a republic. The Montenegrins, even less than that, have a republic. But yet, 2 million Albanians are denied even the thought. In fact, if you go on the streets and use the word "republic," you will be arrested on the spot, and you could be imprisoned from 5 to 15 years under the provisions of the Serbian law.

You talk about the rule of law today. Go to Kosovo and look at the tanks on the streets today. It is an unholy combination of apartheid. It is the Warsaw ghetto all over again. It is every ugly stain that anyone could ever imagine, and it is in Europe today. It is in this day and age, and yet very few people see it because the Serbian government does not want you to see it. Many of the independent groups have been chased away from seeing it. When Senator Dole came, they had dispersed thousands of people before he arrived, and yet he smelled the tear gas. His press secretary took the video and brought it back. It was literally disgusting.

So, why shouldn't self-determination for these people—especially with the oppression that they have been to for 45 years, why

shouldn't that lead to a republic status for the Albanians? What is wrong with that? That is the only guarantee that they have against this oppression. Look at the history of this area. They need to enjoy some sort of autonomy, but within the state of Yugoslavia.

All responsible leaders that I have met with, Congressman Lantos has met with, Senator Dole, have not heard anyone express that they would like to secede and join with Albania. This is the Serbian propaganda machine. And, Mr. Chairman, you cannot believe the propaganda that the Serbs have, their Tanjug and Politika. I know because I have seen my quotes. But do not listen to me. Look at even recent reports in the press. In fact, there was an article in the press just a little while ago that talked about the truth being compromised. And I will probably put my hand on it later, but it was in the New York Times that truth is compromised easily by that Serbian propaganda machine.

And it was used against the opposition, even the Serbian opposition, to create a monopoly of power by a Stalinist Communist. His name is Slobodan Milosevic. And you know something? It is not bad enough that he is a Communist, Mr. Chairman. He is an ardent nationalist. It is the worst of both forms. Usually if you are a Communist—and communism has quelled nationalism in many places. It is with the demise of communism that we see a resurgence of nationalism. This gentleman combines the worst of both. He is a Stalinist bolshevik and he is an ardent nationalist.

And he has used Kosovo as his only platform. When he rose to power in the last 10 years, or certainly in the last 2 or 3, his only platform was to recolonize Kosovo. Can you imagine in this day and age using the word "recolonization"? But that is what he wants to do. If you are a Serb and you move back to Kosovo, you not only get the wage, the government will double the wage. In other words, there are incentives now for Serbs to go back and they are taking the jobs away from all the Albanians so they leave. This has been a plan that has been a dream of Serbs for years. I remember a memo that I read by Mr. Chubrilovic. It was in his plan in 1939 that we must recolonize Kosovo, and they call it their Jerusalem.

Well, I understand the importance of it to them. But the Albanians were there before they came. The Slavs came in in the eighth and the ninth century. The Albanians were already there. The Albanian people are the remnants of the Syrian Empire. They have been there for thousands of years. They share nothing with the Slavs, not their alphabet, not their language, not their culture. And we can see right now they cannot even share a common political denominator because the leaders of the Albanians want democracy.

And 700,000 who have registered with the Democratic Alliance, Dr. Rugova, threw their Communist cards in the bonfire and they are not able to vote. They would not vote. They boycotted the elections because they did want to dignify the fact that Serbia has been imposing their brand of political self-determination on them. And I think they had every right to do it.

My testimony goes for three pages as to why the republic status for Kosovo is a logical conclusion to guarantee their human rights and give these people their self-determination.

And finally, let me just talk about State Department policy, Mr. Chairman, because it is misguided. If this policy were a good policy several years ago, I have to tell you today that it is a lousy policy today. And it is based on three shaky principles that again I go through here.

And by the way, I take issue with something that I think Congressman Moody said because he cited a vote in the House last year 352 to 50 as some kind of a referendum on why the State Department should give aid. That was a misguided resolution introduced by Congressman Broomfield. Broomfield has been one that has stood up on this issue, and we applaud everything that he has done. But that resolution did not have the support of the Albanian-American Civic League. It did not have the support of the Albanian people. It was a weak resolution. The Albanians were not prepared when that came to the floor. We were surprised. But I will give you a better barometer, Mr. Chairman. Within a week, I had to deal with an amendment to the foreign aid appropriations bill. And as you know, that was Congressman Obey's committee. And that passed. It passed unanimously in the Senate, Dole, Nickles, and D'Amato, and many others. In the House there was a problem. There had to be a compromise, but in fact after 13 hours of a conference committee, 95 percent of that amendment passed. And that is I think the indicator that should be looked at in terms of action in the House, to take away aid from any republic that is communist that is imposing its chauvinism on other people.

But the three principles. One, the State Department is tied into the past relationship with Yugoslavia when we needed a broker, when we needed a bridge. We don't need that bridge and broker anymore.

Two, as far as the State Department is concerned, we must prevent the dissolution of Yugoslavia under any conditions or at any cost. I don't buy that.

And three, we must not prevent the process of democratization from going forward.

These, Mr. Chairman, are their expressed policy items because in a letter where they actively lobbied against the amendment that we were for, that ultimately passed, they cited these three reasons in a letter by Assistant Secretary Mullins I believe. And I had to, for the record and in front of Republicans and Democrats, Senate and House, argue against all three and obviously did it successfully because the amendment did pass.

Well, in conclusion, because I know there is a lot that can be said and I will offer much of what I have for the record, Mr. Chairman. It is a complex issue. Kosovo is not going to break up Yugoslavia. You saw it in the papers today. It is happening without Kosovo. In fact, if we deal with the issue of Kosovo honestly, it might help in keeping Yugoslavia together. The Albanians want their place in a confederation within Yugoslavia. They really do.

And it is a shame that Serbian chauvinism and that this Communist Party boss, Slobodan Milosevic, is imposing his brand of a monopolized political system on the others. There is an apartheid that has been created. Unfortunately, the world does not know about it as well as they know about the apartheid in South Africa. And in a press release that I issued today, Mr. Chairman, I call

Kosovo the Kuwait of Europe. Why? It is occupied. There is no question. The Serbs have moved into Kosovo and have assumed every indicia of living, not only economic. The judges are Serbian. The police are Serbian. Everything has been subsumed by the Serbs. So, there is—and make no bones about it—occupation today.

So, I would conclude by saying that we have to question our State Department. We have to question why they inevitably seem to be against any congressional resolution, amendment or statement. They actively lobby. My feeling, Mr. Chairman, is they should be loudly proclaiming the democratic aims of the Albanian people. And if they really believe their own country report, if they have a conscience, they should be working with the leaders in Kosovo in order to give these people self-determination within a confederation so that the experiment of Yugoslavia remains together.

I would like to see Yugoslavia remain together, but I do not think it is going to happen based upon what we have read in the press today and based upon what you are going to hear from these other witnesses.

Thank you, Mr. Chairman, and thank you, Senator Pell.
[The prepared statement of Mr. DioGuardi follows.]

PREPARED STATEMENT OF JOSEPH J. DIOGUARDI

Mr. Chairman, the recently issued State Department Country Report on Yugoslavia for 1990 does a good job in reporting the gross violations of human rights against Albanians in Yugoslavia, especially in Kosovo. I agree with the latest Helsinki Watch Report that the credit for this goes to the staff of the U.S. Embassy in Belgrade, especially our Ambassador, Warren Zimmermann, for excellent work in monitoring and reporting the true state of human affairs in Yugoslavia.

The Country Report describes Yugoslavia as being in a process of change toward democracy with the notable exception of Serbia and Montenegro. Although advances have been made in the northern Republics of Slovenia and Croatia, the situation has deteriorated dangerously in Kosovo. To cite just one outrageous example, a doctor who was not a defendant testified that Serbian police had ordered him to examine Albanian prisoners "to see how much beating they could withstand."

Arbitrary arrests occurred in Kosovo where Albanians are routinely accused on the basis of an unsupported statement by a single policeman. It is believed that over 5,000 Albanians were arrested just for participating in the 1990 demonstrations. Courts are politically motivated, and in Yugoslavia there is strong opposition to the introduction of a genuinely independent judiciary.

While Albanians living outside Kosovo (in Macedonia for example) have also charged that courts are often biased against them, in Kosovo itself (where most of the 3 million Albanians in Yugoslavia live) any semblance of an independent judiciary has disappeared since the Serbian occupation on July 5, 1990. The Country Report writes: "Most ethnic Albanian judicial officials and judges were replaced by ethnic Serbs, and thousands of Albanians were sentenced on a variety of trumped up criminal charges." As a result, the vast majority of those sentenced in 1990 for political offenses were ethnic Albanians (160 out of a total of 190).

In Kosovo, police search homes without a warrant ostensibly searching for weapons, but confiscate hard currency and other valuables. All Albanians in Kosovo are fair game, including the clergy.

Albanian demonstrations have been crushed with the use of excessive force, in violation of all basic human rights. Between January 24 and February 3, 1990, at least 30 Albanians were killed and the number may be even much higher. Even a gathering in Prishtina to welcome a U.S. senatorial delegation headed by Senator Bob Dole last August left 46 Albanians beaten with clubs and subjected to tear gas and water cannons. A few days later, four more Albanians were killed by Serbian police. Following the occupation of Kosovo, almost all Albanian language media were suppressed, including the Prishtina Radio and TV, and the only Albanian daily newspaper, Relindja.

In education, at least 90 university professors were fired. Almost the entire teaching staff of the Medical School in Prishtina—76 instructors—were also fired, all of them Albanian, and all because they refused to take an oath of allegiance to the Republic of Serbia.

Freedom of peaceful assembly and association does not exist for Albanians. Any gathering is seen as being "hostile to the policies of the Serbian government," and ends up in arrest, sometimes accompanied by loss of human lives. This illegal practice is used also against the Albanians in Macedonia. Last February, 107 Albanian demonstrators were detained in Tetova, mistreated by the police and many of them were sentenced to jail. The law against "association for purposes of hostile activities" has been used to prosecute Albanians who advocate Republic Status for Kosovo. The penalty for this verbal expression has been 5 to 15 years imprisonment.

The Country Report confirms that "Serbian election law denies registration to any party that does not accept the territorial integrity of Serbia, a provision that is aimed at Albanian political parties, almost all of which seek separate status for Kosovo within Yugoslavia, but outside Serbia." The measure left no choice for Albanians but to totally boycott the elections in Serbia last December.

Freedom of movement is curtailed, especially for Albanians. Albanian refugees from Albania were sent back in spite of the protests of the U.N. Commissioner for Refugees. Of the 1,241 passports refused, 90 percent were Albanians. With the occupation of Kosovo by Serbia all civil rights of citizens were eliminated. Serbia abolished the Assembly of Kosovo, the Executive Council, the judiciary, and the police of Kosovo, taking full and unbridged control of the region, allegedly for "endangering the territorial integrity of Serbia."

Social prejudice against Albanians is deeply rooted. Macedonia limits social welfare payments to the first three children in a family, a policy aimed primarily at ethnic Albanians. In the last election in Macedonia (November 1990) some of the elected Albanian delegates were denied admittance to the Assembly and, more recently, in local elections Albanians were excluded from town and village councils even in the areas where they represent a majority.

Albanian trade union leaders are routinely jailed. The peaceful Labor Day strike was observed by virtually all the working and school age population. But over 50,000 workers have been fired since then, and private businesses were padlocked by police and not allowed to open. Albanians are also the notable exception with the respect to the right to strike. And finally, a new form of forced labor has been instituted by Serbia in Kosovo, the so-called work obligation where the refusal to work is punishable by administrative and criminal sanctions.

Having cited the many ways in which the Serbian authorities cause human misery for Albanians in Yugoslavia on a daily basis, I would like to now, Mr. Chairman, deal with the Albanian request for Republic Status for Kosovo within Yugoslavia but outside Serbia which seems to be the only way to guarantee equal treatment for the Albanian people there. (By the way, the ample voicing of such a request is now punishable by law, even though this is a gross violation of the right to free speech.)

On July 2, 1990, 115 delegates of the Assembly of Kosovo proclaimed the independence of Kosovo within the Yugoslav Federation/Confederation. Three days later, Serbia declared this constitutional act to be null and void, imposed a military occupation, and destroyed the former autonomy of Kosovo. The Assembly of Kosovo went underground and, on September 7, 1990, the delegates met clandestinely in the town of Kachanik (Kosovo), where they promulgated the Constitution of the Republic of Kosovo. Serbia issued warrants for the arrest of all the delegates. They escaped, and are now either in hiding or in exile.

Let me now, Mr. Chairman, offer the following in support of the actions of the Kosovo Assembly:

A. The proclamation of the independence of Kosovo and the Constitution of the Republic of Kosovo are a reaction to the suppression and the continuous violation of human and national rights of the Albanian majority (about 90 percent) of Kosovo. As was the case for "The Intolerable Acts" of 1774 in the colonial America, which brought America's Independence and our Constitution, 45 years of Serbian repression (1945-90) justified the Albanian resistance by both history and tradition, placing the burden of the conflict on the Serbian Government. The same situation was repeated with the "troisieme Etat" in 1789, in France. When the people were convinced that their grievances went unheeded, they proclaimed themselves the National Assembly, drafted the Constitution, and established the Republic of France. In 1990, Albanians in Kosovo did just that.

B. The demand for a Republic of Kosovo has clearly taken the modern form of the perennial quest for elementary justice. For Albanians this is an effort to avoid

persecution and prosecution, to avoid mass arrests, widespread torture, imprisonment, and deaths in jail or on the streets of Kosovo. Therefore, the establishment of the Republic of Kosovo, free, equal and sovereign within the Yugoslav Federation/Confederation is simply an "insurance policy," an indispensable mechanism of defense against Serbian abuses, and cannot be construed as an obsession to have a state, or as an attempt to secede. It would be foolish for Albanians to accept any "warranties" from a government which has oppressed them for 45 long years.

C. The entire resistance movement in Kosovo is peaceful, nonviolent and civilized, asking only for a dialog among equals and for free elections. In spite of the daily provocations by the occupying Serbian police and Army units—arrests, house searches, beatings, torture, ailing, forceful unemployment, denial of education and health services, the destruction of Kosovo's economy and administration—not one single incident has been provoked by Albanians. A secession movement would inevitably call for violence (for example Northern Ireland, the Basques etc.). In Kosovo, it did not.

It is logical to conclude that the struggle in Kosovo is neither ethnic nor religious, as the Serbian propaganda machine wants us to believe, but a fight between democracy and the residues of Serbian bolshevism in Belgrade.

D. There are 3 million Albanians in Yugoslavia, 45 percent of the Albanian nation in the Balkans. Only about 2 million live in Kosovo. The rest, live in Macedonia (over 700,000), in Serbia Proper and in Montenegro. If the intention of the Albanians were to unite with their mother country, Albania, it is logical to think that they would first ask for the unification of all Albanians in Yugoslavia within a Republic (the way Serbia is now asking for the unification of all Serbs within a "Greater Serbian" State) and then, as a second step, to join with Albania. The present demand for the Republic of Kosovo does not include the over 1 million Albanians outside Kosovo. Any attempt by the Republic of Kosovo to join with Albania by leaving over a million Albanians still in Yugoslavia under Serbia's control would be treated as "an act of treason" by all Albanians. Therefore, such an act will not be undertaken or promoted by any Albanian leader, inside or outside Albanian, now or in the future. Furthermore, if over a million Albanians were left within Yugoslavia as a minority, they would continue to be a constant source of friction between Yugoslavia and Albania.

It is logical to conclude that the joining of the Republic of Kosovo with Albania is not a solution, but merely propaganda contrived by the Serbian Communists to suppress Albanian aspirations for democracy within Yugoslavia.

E. The entire problem of Kosovo has reached disturbing proportions, not because of the Albanian demands to secure for themselves the necessary conditions to live free from fear and free from hunger—which they perceive as achievable under a free, equal and sovereign Republic within Yugoslavia. The real problem in Kosovo are the policies of the present Communist Government of Serbia and its expressed chauvinist ambitions through the statements of its president, Slobodan Milosevic rejecting democracy and trying to create a Greater Serbian State in Yugoslavia which would include, of course, all of Kosovo.

A Republic of Kosovo, democratically established, is a—substantial contribution to keeping Serbian expansion in check, and in safeguarding the unity and integrity of the Yugoslav State (whether it be a Federation or Confederation) through democratic and peaceful means, a solution which is also supported by the policies of the U.S. Government.

The rejection of communism by the Albanian people brought "the democratic opposition" to the surface, initially with the Democratic Alliance of Kosovo, and later with four more political parties, and the Council for the Defense of Rights and Liberties in Kosovo. Their orientation is predetermined by the principles of the U.N. Charter, U.N. Universal Declaration on Human Rights, the 1975 Helsinki Act and more recently the Copenhagen and Paris Charter. (See very recent declaration by democratic leaders attached.)

In spite of all that I and all internationally recognized human rights and public watchdog groups have said about the outrageous "apartheid" that exists in Kosovo today, our State Department, while admitting the wanton abuse of the Albanian people by the Serbian authorities, has argued against and activity resisted every reasonable Congressional Resolution, Amendment and Statement on Kosovo. Why?

If I understand the administration's position correctly, their refusal to actively support democracy in Kosovo and, therefore, in Serbia, is based on three shaky principles. First, it could adversely challenge the U.S. State Department's policy on Yugoslavia. Second, it could precipitate the dissolution of Yugoslavia. Third, it could disrupt the process of democratization taking place in Yugoslavia. As a former

Member who championed this cause while in the Congress from 1985 to 1988, I would like to take issue with the administration on all three points.

As regards the Yugoslav policy of the U.S. State Department. An article in the June 28, 1990, "New York Review of Books" explains that, for geopolitical and security reasons, the U.S. State Department has long credited Yugoslavia with the reputation of a progressive nation, free of major human rights abuses. Given the avowed end of the cold war, the well-publicized divisions in Yugoslavia's collectivized government, and the obsolescence of both the Yugoslav and Soviet models of communism, the old geopolitical reasons can no longer serve to justify the failure of the U.S. Government and Congress to bring to light and loudly condemn the gross violation of human rights that prevail against Albanians in Yugoslavia today, especially in Kosovo.

As regards the precipitation of the dissolution of Yugoslavia. The New York Times of September 6, 1990, describing Serbian repression against the ethnic Albanian minority of Kosovo, quotes a Serbian foreign affairs spokesman as saying "any steps denying Serbia economic aid would spell the dissolution of Yugoslavia." I strongly contend (along with many prominent Senators and House Members, including Senators Dole, Pressler, D'Amato, Nickles, Lautenberg, and Congressmen Lantos, Gilman, Porter, and Brown) that not U.S. economic sanctions but their target—namely, Serbia's ethnically based subjugation of Kosovo is what threatens the integrity of Yugoslavia today. In 1990, while democratic liberalization took hold in Croatia and Slovenia, Serbia's Communist regime retrenched in Kosovo. Because of this and other Serbian outrages, hostility is rising and Yugoslavia is moving ever closer not only toward political disintegration but also toward civil war. Both can be averted, according to The Financial Times of September 1 but only if Serbia ends its ethnically based subjugation of Kosovo.

As regards the disruption of the democratization process occurring in Yugoslavia. The July 15, 1990, "New York Review of Books" suggested that the incipient Yugoslav democratic revolution has been blocked in the Autonomous Province of Kosovo and the Republic of Serbia by Slobodan Milosevic, the President of the Republic and chairman of the Socialist Party of Serbia, formerly the Communist League. Mr. Milosevic was the first to stir nationalist feelings 2 years ago with a campaign to restore Serbian dominance over the Albanians in Kosovo. In a few moves, he transformed Kosovo from a Yugoslav Autonomous Province with a right to home rule to little more than a colony of Serbia without any right to participate in public or economic life. Unless the obstacles of Albanian disenfranchisement are removed, the democratic revolution will not go forward and Yugoslavia will remain the odd-man-out in Europe.

In conclusion, Mr. Chairman, the biggest paradox and shame of Europe today is the ugly situation in Kosovo. Caught between the two Communist regimes in Serbia and Albania, Kosovo remains the only region of Europe where free elections are denied to the local majority population. It is my hope and the hope of all the Albanian Americans and other citizens of good will that a new State Department policy in support of democracy in Kosovo along with continued pressure from Congress in 1991 will eliminate the eyesore in the democratic landscape of a free and prosperous Europe.

Thank you, Mr. Chairman, for the opportunity to testify.

OFFICIAL STATEMENT OF THE DEMOCRATIC LEADERS OF KOSOVO

Being faced with the present oppressive situation in Kosovo, we urge:

- the lifting of the state of emergency and the reinstatement of the constitutional order in Kosovo, as well as the reinstatement of the Assembly of Kosovo, its government, and all the legal institutions of the administration which have been suspended by force;
- the holding of free, democratic and multiparty elections in Kosovo, as they will be prepared by the Assembly of Kosovo and supervised by representatives of governments and international organizations;
- that Albanians be included in the negotiations for the future of Yugoslavia as equal partners, and be represented by their legitimate representatives elected in free and multiparty elections.
- that the work of the news media in the Albanian language (Radio and Television of Prishtine and the newspaper Rilindja) whose activities have been forcefully interrupted through the intervention of the Serbian police, be allowed to continue unobstructed;

- that international organizations and representatives of European governments increase their presence in Kosovo to directly influence the stopping of the repression and the gross violations of civic and national rights of the Albanian people;
- that Europe and the democratic countries around the world indicate their support for the expressed political will of the Albanian people, their right to self-determination and independence;
- that the European Parliament, in cooperation with other international bodies, mediate the solution of the Kosovo problem and the position of the Albanian people, and that they take the necessary steps to give effect to the adopted resolutions on Kosovo, since the situation is deteriorating continuously and is now threatening the peace in the Balkans and in Europe.

DR. IBRAHIM RUGOVA,
*Chairman, Democratic Alliance of
Kosovo.*

DR. HIVZI ISLAMI,
Chairman, Peasant Party of Kosovo.

SHKELZEN MALIQI,
*Chairman, Social-Democratic Party
of Kosovo.*

VETON SURROI,
*Chairman, Parliamentary Party of
Kosovo.*

LAZER KRASNIQI,
*Chairman, Albanian Christian
Democratic Party.*

(Signed February 13, 1991)

ECONOMIC DISPLACEMENT OF ALBANIANS

Kosovo has been transformed entirely into a Serbian colony where the rule of the Serbian Communist minority is complete, despite the fact that it represents no more than 8 percent of the total population. Albanians are excluded from all political, administrative, economic, cultural, health functions/services. etc.

Serbian occupation policies have completely destroyed the economic foundations of Kosovo. To start with, it had liquidated the most important social (state-owned) economic companies, and has attacked the private properties of the Albanians. Before the elimination of the autonomy, 1 out of 14 Albanians was employed. Today, that proportion has grown to 1 out of 30. The Albanian population of Kosovo has been reduced to the status of the poorest population in Europe. As a necessity, it began to emigrate massively to the developed countries of Europe and the U.S.A. Within a few years, the number of those who were forced to leave their homes reached into several hundreds of thousands.

Albanians are also threatened with losing their basic right to education. Many schools have been closed, and the Serbian government has refused to finance the education of children attending first and fifth elementary grades, as well as the freshmen classes in the high schools. These measures have affected nearly 100,000 pupils and about 5,000 teachers. Albanians have the doors to information sealed shut, and their health services all but dismantled.

The terror exercised by the Serbian police over the Albanian population, and the punitive activities undertaken against Albanian families and entire villages, has oftentimes ended in loss of human lives.

INDEPENDENT TRADE UNION OF KOSOVO REPORT ON THE GENERAL ECONOMIC AND SOCIAL SITUATION AFTER APPLICATION OF REPRESSIVE MEASURES IN KOSOVIAN COMPANIES AND INSTITUTIONS BY THE SERBIAN AUTHORITIES—PRISHTINE, FEBRUARY 1991

INTRODUCTION

Until July 5, 1990, Kosovo was a socialist autonomous province and a constitutive element of the Yugoslav federation. The Kosovian Parliament approved on July 2, 1990, its declaration, according to which Kosovo was declared equal element of Yugoslavia and on September 7, 1990, it promulgated the Constitution of the Republic of Kosovo. By this constitution Kosovo was declared as a sovereign republic and equal element of the Yugoslav (confederation) federation.

Kosovo has about 1,900,000 inhabitants. Ninety percent of that population make autochthonous Albanians. The population density is higher than 175 inhabitants per 1 km² and the average age of the population is 27.

Although it is rich in fertile land, rivers, forests, prairies, and underground resources, such as lead and zinc and more than 50 percent of total lignite reserves of Yugoslavia are located in this small region, Kosovo is nowadays one of the most underdeveloped regions of Europe because of the discriminating policy of the Serbian and Yugoslav authorities against the Albanian population. Just after the end of the Second World War the level of the economic and social development was 49 percent of the Yugoslav average and in 1990 it has decreased to 26 percent.

The agriculture was highly neglected and funds were invested mainly in the ore-extraction industry; i.e., mining and energy production in order to provide for cheap raw material and energy for the industry in other republics and first of all for Serbia. As a consequence the Kosovian accumulation was used out of its territory and unemployment grew, although the birth rate was very high (30-40 pro mille).

The political and economic crisis in Yugoslavia in the last few years stroke especially Kosovo as a mostly underdeveloped region. The discriminating policy reached a disturbing scale particularly after 1981; i.e., after demonstration of the Albanian population against the situation of that period.

Serbian and federal measures, pretendedly for returning of Serbians and Montenegrins back to Kosovo stipulated investments toward communities inhabited with Slavic population to the detriment of the Albanian population and this caused the social situation of the latter to become worse.

In 1989 Kosovo participated in the total national income of Yugoslavia with only 2.1 percent and in 1990 it decreased to 1.25 percent. The political and economic activities in 1990 were almost paralyzed, since Albanian workers were thrown out of their work because they had not accepted measures of the discriminating policy and because it was declared as a policy of national and social equality in Yugoslavia.

The very high unemployment rate (in Kosovo every 11th Albanian and every 4th or 5th Serbo-Montenegrin is employed) became more severe after these measures. In the unemployment list are 150,000 persons (130,000 Albanians) without taking into consideration a huge number of workable students, farmers, etc., who are not included in this list. The income of Kosovian workers was almost continuously two times smaller than the Yugoslav and four or five times smaller than the Slovenian average.

After promulgation of Kosovo as independent and sovereign republic of Yugoslavia, on July 5, 1990, the Republic of Serbia suspended unconstitutionally the Kosovian Parliament and its government. The Serbian policemen threw out of their offices all government officials and workers who did not accept the Serbian measures. Later, special police forces occupied RTV Prishtina. A ban was also put on the only daily Rilindja in Albanian language. In that way the Serbian state, helped by federal military forces occupied Kosovo. It passed also special laws of a discriminating character against economic and cultural interests of Kosovian Albanians. Such laws and measures intended to break the Albanian resistance against the Serbian policy in Kosovo.

1. FOUNDATION OF INDEPENDENT TRADE UNION OF KOSOVO (ITU)

The ITU was founded at the beginning of 1990 as a result of workers' indignation and discontent toward the overall situation in Kosovo, and particularly against breaking of basic economic, social, cultural, and trade union rights of Albanian workers.

The foundation of an independent trade union was indispensable since the "official trade union" was a stretched hand of the ruling Communist Party. Instead of protecting workers' rights it was continuously accusing Albanian workers, dealt with the so-called ideological and political differentiation which as a measure for driving and persecuting Albanians, pretending that Albanians were acting "as Albanian nationalist and separatists" and against "Serbia and Yugoslavia."

The steering committee of the ITU was founded on April 14, 1990, and very soon 85 percent of Albanian and other workers joined the ITU.

The first foundation congress of ITU was held from June 31 to July 1, 1990, in Gjakovë and its statute and program were adopted. It is to stress that this congress was held under extraordinary circumstances. In spite of the previously obtained permission, in the second day of our congress the police forces besieged the building. Some of them entered the auditorium and made the request to the presiding officer Mr. Hajrullah Gorani to break off the congress. Since he refused such a request the policemen took him away for an interrogation.

The constitution of the assembly of ITU consisting of 85 members was delayed because the Serbian police was continuously hindering the activity of ITU campaigners although the organization and protection of trade union rights are subject of no revocation according to international conventions. The assembly elected the president, the vice president, and the executive council consisting of 19 members.

ITU has 19 branches. Union associations are founded according to statutory principles; one institution—one trade union association with the possibility for an adequate connecting into big economic systems.

ITU has at this moment 250,000 members. Most of them are Albanians. Nevertheless, according to the statute, everyone can become a member of ITU without taking into consideration his national or religious affiliation. ITU can be joined voluntarily by signature of the membership declaration and upon acceptance of the program and the statute of ITU.

Although 1 year has passed since the foundation of ITU and since its congress was held, the ITU is still ignored by the Yugoslav Association of Trade Union and Serbian policy authorities not only hinder our work and the activity of ITU branches, but it continuously exerts pressure on individual campaigners. Most of presidents of ITU branches have been fired and there were also some cases of arrest.

The president of ITU himself, Mr. Hajrullah Gorani spent 1½ months in jail.

ITU has made some contacts with Trade Unions of Slovenia, Croatia, and some trade unions abroad.

2. FORCED FIRING OF WORKERS

The hegemonic regime of Serbia began to persecute and fire workers at the time of adoptions of amendments of Serbian Constitution; i.e., in March 1989. This was done without consent of the Albanian population in Kosovo. Such changes destroyed the autonomy of Kosovo.

This wild campaign began by firing and dismissal of Albanian experts in economic enterprises and was continued in those institutions in which the resistance against the hegemonic Serbian policy was the strongest.

The firing and dismissal was particularly intensified after July 2, 1990; i.e., after adoption of the declaration on the equality of Kosovo with other Yugoslav subjects.

Until the end of 1990, in the frame of its discriminating measures, the Serbian assembly has arbitrarily and illegally applied for a period of 1 year the so-called temporary (forcible) measures in 250 Kosovian enterprises, institutions, among others in the principal economic systems such as lead and zinc mines and smeltery Trepa in electric power facilities and mines Elektroekonomia e Kosovës, Agrokovosa, PTT, Radio and Television of Prishtina, Medical Fakulty, etc.

By mentioned measures the illegal managerial staff (consisting of Albanians) was dismissed and their place was taken by imposed forcible managing staff, mainly of Serbian-Montenegrin ethnic origin, very often without an appropriate qualification.

In all cases in which workers disagreed with these imposed measures they were thrown out by Serbian police.

Until December 31, 1990, more than 43,591 Albanian workers were fired. This procedure is continued and intensified especially these days by masovic suspension of schoolteachers and it is estimated that the number of fired workers has reached almost 50,000.

This extreme corruption, motivated firstly by numerous anti-Albanian charges, followed and realized through measures of politic, economic, and physical violence has aggravated for even more the terrible economic, political, social, and cultural position of Albanian nation in Kosovo.

During this time, in accordance to the so-called YU Program more than 6,000 Serbian and Montenegrin workers have been employed in mines, electric facilities, telecommunications, administration, health institutions, etc. Such methods have increased the enormous disproportions which have been present in favor of Serbians and Montenegrins. Also, this can be illustrated in this data:

In February 1990 the employment structure shows that Albanians participated with 69.82 percent (population structure 88.4 percent), while nowadays their participation has decreased to 60.6 percent, whereas Serbians and Montenegrins participate with 32.80 percent even though their participation in the total population structure is less than 10 percent.

The disastrous social and economic situation of Albanians in Kosovo is reflected by the fact that in the period before the so-called temporary measures were applied in Kosovo lived 60,000 families without any family member employed. To this army of unemployed workforce should be added the number of those who were fired in the last 12 months. Such a situation has almost touched the limit of general hunger.

ALBANIAN WORKERS SUSPENDED BY FORCE SORTED ACCORDING TO THEIR BRANCHES

[May 7, 1990–December 31, 1990]

Branches	No. of fired workers
Industry and Minery:	
Mines.....	6,650
Iron industry and nonferrous metals.....	2,231
Metal industry.....	5,283
Chemical and nonferrous industry.....	2,568
Leather and textile industry.....	2,293
Graphic industry.....	356
Electric industry.....	3,177
Agrocomplexes.....	567
Forestry, wood, and paper industry.....	1,562
Civil engineering and industry for production of building materials.....	4,624
Communications and traffic.....	2,868
Trading, hotel business and tourism.....	661
Craftwork and private economy.....	3,039
State organs, organizations, and social-political communities.....	6,100
Public health and social organizations.....	1,092
Education, scientific, and cultural institutions.....	520
Total.....	43,591

Even though the powerful propagandistic machinery of Serbian government continually illustrates that “* * * Albanian workers are voluntarily leaving their workplaces upon order of Kosovian alternative * * *,” facts speak differently. The truth is that the main reasons regarding massive suspension of Albanian workers can be resumed in these main motivations: political conviction; Albanian ethnic belonging; and joining ITU.

A. Impoverish, frighten, and endanger the Albanian population's existence by intruding its national and human identity within to kneel it down before the Serbian Government.

B. Recolonialize the Republic of Kosovo. The final objective is the drastic demographic changes in favor of the Serbian population, firstly through immigration from political, economic, social, and cultural motives, but also through a forced immigration as it happened in the past years—through potential physical elimination.

C. Solve the so-called technical surplus of manpower by firing Albanian workers. In this way they eliminate the witnesses of robbery of enterprises and other institutions. This is to destroy the economy and institutions of Kosovo.

D. Complete control over economy and culture for an unobstructed and uncontrolled exploitation, providing terms and conditions under which in case of transforming the social property (through share-certificates) the owners would be Serbian and Montenegrins, in the same time eliminating Albanians from this process, which by their sweat and natural resources of this area have created the means and wealth of the Kosovian enterprises and institutions. Also, the economic integration by force of vital economic systems of Kosovo, such as: Electric Industry of Kosova, Railway Enterprises, PTT, etc., is one of the many links of this main purpose.

E. Eliminate Albanian intelligency by keeping employed only nonqualified Albanian workers in areas where Serbian and Montenegrins workers cannot be provided, intending to disable Albanians in managing enterprises and institutions.

F. More than 3,500 policemen and police officers have been suspended, police courts have been locked out, and Albanian judges dismissed and suspended. This enables the Serbian and Montenegrins judges to try based on the daily political criteria and not on laws.

G. Suspend by force or dismiss doctors and medical employees with intention to tighten medical and social care, which would enable them to exert an influence in processes of natality, as well as increase of the number of sick persons suffering from classic diseases as TBC, typhus, malaria, etc., which are not yet completely eliminated. This is a rare case in Europe.

H. Extinguish education, scientific, informative, and cultural institutions by obstructing and destroying any possible process of progressing and affirming Albanian history and language in Yugoslavia, disabling broadcasting of information which would unmask the exploiting chauvinistic Serbian policy.

It could easily be presumed that Albanian workers and intelligency have been suspended and persecuted from their jobs exclusively because of their belonging to Albanian nation, and because their requests for legitimate rights—to enjoy political, economic, cultural, and national rights as equal citizens, in accordance to international conventions and achievements of European civilization. This witnesses that the elementary human and syndicalistic rights are being heavily violated and infringed.

Almost no one of the suspended workers have realized personal incomes during 5 to 10 months so that the existence of their families is being seriously endangered. If abstracting engagement of the Independent Trade Unions and many other solidarity citizens in accumulation and sharing subsidies, these families would face a total hunger. Several international organizations have sent subsidies in clothes and medicine.

As illustration of meanness and nonhumanity of Serbian police government can be used the fact that during this situation it obstructed any form of abovementioned sharing subsidies, and in most cases brutally confiscated the means, nourishments, or medicines, imprisoning those who accumulated and transported these subsidies (the cases of Kumanovë, Tetovë, Ferizaj, Mitrovicë, even the cases of brutal medicine confiscating in churches if Ferizaj and Binçe).

To the arsenal of brutal pressure forms on Albanian workers and population, recently was added the method of confiscating private residences belonging to illegally fired workers, and that happens in these cold winter days when this procedure is rigorously forbidden by any law, not matter what reasons present.

TABLE 1.—Situation of Unity in Kosovo

[January 31, 1991]

Branches	Employed	Fired	Maltreated	Imprisoned	Maltreated and beaten	Injured	Killed
Minery	8,566	7,905	234	4,595	3		1
Iron and colored industry	3,800	2,231	172	23	11		
Metal industry	11,064	5,378	579	66	1,758		2
Chemical and nonmetal industry	3,415	2,530	1,300	30	260		
Textile and leather industry	17,000	2,830	218	13	26		
Graphics and information	1,700	1,400	70	15	6		2
Electroenergetics	11,500	3,175	37	7			1
Traffic and communications	4,230	2,868					
Education, science, and culture	6,056	645					
Public health	12,120	1,096					
Trading, hoteliery, and tourism	17,580	948	78		14		
Construction and construction materials	29,304	4,853	45		6		1
Private economy and technical services	40,240	3,030	65	20	21	2	
Agriculture, fishery, and tobacco industry	6,895	567		6	3		
Communal and residence activity	4,520	1,700	6	2	9		
Forestry, wood, and paper industry							
Financial and business services	2,857	615		2			
Social-politic communities and stately administration	7,028	6,100	23	5	3		
Internal Affairs Service (police)	3,709	3,500	33	39		2	1
Total	186,854	51,381	2,760	4,833	2,118	4	8

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

STATEMENT OF HON. RUDY PERPICH, CROATIAN-AMERICAN ASSOCIATION, HIBBING, MN

Mr. PERPICH. Thank you very much, Mr. Chairman. Mr. Chairman, I thank you for the opportunity to appear, and I would first like to address the issue of human rights in Croatia.

Since the victory in democratic elections in the spring of 1990 of non-Communist governments in the Republics of Croatia and Slovenia, no persons have been convicted there of political offenses

under the criminal code. In Croatia in July, the newly elected government granted amnesty to all 37 political prisoners. In December 1990, the government of Croatia adopted a new constitution which specifically guarantees the rights of all the minorities in Croatia, specifically citing the United Nations Charter.

The democratic government of Croatia is actively pursuing and committed to a democratic society, respectful of human rights and civil rights, a pluralistic political system, a free market economy, and integration with the European Community.

It is also anxious to establish the best possible relationships with the United States. And this is a major opportunity for U.S. economic, and commercial interests to establish an important base in Central Europe, an area where we are clearly being outflanked by European countries.

While looking to the future, the Croatia government's young democracy has been subjected to multiple significant outside pressures. And, of course, the actions of the army have been widely reported in the news media. We have the attachment, and I wish with your permission to have that inserted in the record.

Senator BIDEN. Without objection.

[The information referred to follows:]

(This is the complete text of the "Information on the present situation in the world and Yugoslavia, and on the immediate tasks of the Yugoslav People's Army," signed by the Political Board of the Federal Secretariat for National Defense. As ordered, the information was read in the command posts and units of the YPA on January 24, 1991. It was published in the Zagreb daily newspaper Vjesnik on January 31, 1991.)

Information on the present situation in the world and Yugoslavia, and on the immediate tasks of the Yugoslav People's Army (YPA).

In this information we are pointing out the more important characteristics of the latest events in the world and in Yugoslavia, and the essential tasks of the YPA in 1991, especially the imminent ones.

I

The basic conclusion one can draw out of the appraisal of the current situation is that one stage of development of the Yugoslav society and of the relations in the international community has ended. The end of the ninth decade marks the beginning of a new phase that will essentially differ from the preceding one. Naturally, we do not have in mind any rigid divisions but the essential quality and contents of what has happened, what is happening now, and what is about to happen. There is no doubt that the international scene is characterized by many processes that greatly influence the events in our country.

Although it is not possible to foresee the future development of the situation in the U.S.S.R. with certainty, it is possible to say at this moment that the process of disintegration of this great country has slowed down. The Soviets have started to debate and to realize that the way on which they started does not lead to successful reforms but to disaster. The forces engaged in preserving the federal state and its institutions have reasserted themselves and are growing in strength. These days they are undertaking decisive measures to thwart separatist trends in various parts of the country. These trends are sometimes very problematic, with strong resistance in the country and pressures from abroad. The Soviet Army has been involved, too. Such a development of the situation in the U.S.S.R., regardless of where it will lead, limits the West's freedom of action and the scope of its influence on the events in the world.

Socialism has not been terminated in Yugoslavia either. It is not on its knees. Yugoslavia has withstood the first strike and wave of anti-Communist hysteria, although at a high price. The prospect that Yugoslavia will be preserved as a federal and socialist community is real.

The events in the area of Persian Gulf have not developed according to the initial assessments and expectations of the United States and the West. America has built its civilization on sources of cheap energy. This is the essential reason for their ar-

rival in the Persian Gulf and the outbreak of the war. At the time this information is being sent out, the war is acquiring large dimensions with unforeseeable consequences and complete uncertainty regarding its further course.

In some of the formerly Socialist countries of Eastern Europe the situation is becoming complicated to such a degree that it is, objectively, escaping the control of those who have directed it from abroad.

In the realization of their fundamental strategic commitment to the overthrow of the idea of communism and Socialist option, Western scriptwriters have achieved significant results but not the final goal. They have not succeeded in overthrowing communism in any country where the revolution was autochthonous. This is why the strategists of anti-Socialist raid have been forced to regroup their forces and seek new directions and modes of attack.

The West obstructs economic changes

In relation to their main rival—the Soviet Union—they will probably continue to support disintegrative trends. They will offer some economic aid, primarily out of fear of the problems that would arise in case of a collapse or disintegration of such a large country and might provoke a world catastrophe. Otherwise, the fact that one nation, which until very recently was a superpower and played a gigantic role in international relations, is facing such misery and poverty today speaks for itself.

As for Yugoslavia, people in the West now realize that the idea of Yugoslavism and the commitment to socialism have much deeper roots than they thought, and that overthrowing socialism in Yugoslavia is not as easy as in some other countries. This is why it can be expected that they will modify their method of action and undertake an even stronger attack. It would be exceptionally important for them to achieve complete success in Yugoslavia. It would mean breaking a country where an autochthonous revolution achieved victory. They will probably unfold their further activities on two fronts, with two basic goals. On the first front they will try to overthrow the communists that have remained in power, whether in specific republics or at the federal level. With this goal in mind they will try to impede the realization of economic reforms or to influence them in such a way that social unrest will take place. Then, following the same recipe as in Bulgaria and Romania, they will try to provoke constant repetition of elections until their proteges come to power.

The second front consists in splitting up Yugoslavia and blaming it on the Communists. Such a commitment has already been confirmed by a number of activities. One of them is the well-known CIA report that "Yugoslavia will break up within 18 months." The goal of such reports is well known; they always have a clear function. This also refers to the December 25, 1990, statement by the U.S. Department of State, which contains the threat that the U.S.A. "will strongly oppose any use of force and pressures that would end democratic processes or establish a nondemocratic Yugoslavia." The essence of this message is quite clear: the overthrow of socialism in Yugoslavia, even at the cost of disintegration of the country. The message, at the same time, is a warning to the army not to interfere with this process.

The pleading for democracy by some circles in the West is a transparent demagogue, because to them democracy is whatever furthers their goals and interests. They conceive democracy in our country, in the first place, as antisocialism.

Main activity directed at Yugoslavia will still be channeled through Hungary, since this country is in various ways involved in the game against Yugoslavia.

II

Last year was really dramatic for Yugoslavia. Anti-Yugoslavism and antisocialism were in full swing. There seemed to be no prospects. This year will be more difficult, but unlike last year, some prospects are in sight. One can see the solutions that must take place. This will depend, in the first place, on engaging social forces in the realization of three essential tasks.

First, it is necessary to ensure consistent implementation of the economic reform program in a way that will prevent the collapse of the economy and new social disturbances that might provoke unforeseeable and uncontrollable behavior. This is why secure and stable solutions for the financing of federal institutions, and especially of the YPA, must be found. It is essential to do this because of the intent to overthrow the federation by withholding the funds allocated for it and thus make its operation completely impossible. This cannot be permitted.

Yugoslavia can only be a federation

The continuation of the reform implies changing whatever was not good. This must be done gradually and not by means of sudden interruptions that can cause catastrophes.

Second, the functioning of the federation must be ensured, as a condition for an agreement on the future setup of Yugoslavia. If the policy of fait accompli is continued it will be difficult to avoid bloodshed, and this must not be allowed. Every proposal for a future solution must be discussed in a peaceful and rational way. In order to make it possible, respect for the existing legal system of the country must be ensured. Only within its framework it is possible to seek a solution for the future of Yugoslavia. Everyone can present one's arguments in search of solutions, but it must be done in a normal, democratic, and civilized way.

The permanent armed forces establishment, both as an institution and as citizens of the country, must be engaged in the debate on the future of Yugoslavia. All our experience that concerns it indicates that Yugoslavia can exist only as a state. If it is not a state, it is not Yugoslavia but something else. The confederation that some people in Yugoslavia are proposing is factually not a state, nor can it be one. A state can either be unitary or federal. A unitary state has no chance in Yugoslavia. It cannot and will not be accepted because it has failed the test of history. Yugoslavia can only be a federal union in which federal institutions have some authentic rights and functions. There may and must be a debate about the kind and scope of these rights. It would be good if the debate took into account the solutions accepted by many other federal states.

Third, everything must be done in order to make the League of Communists—Movement for Yugoslavia the main political force in Yugoslavia and the point of convergence of all the left-oriented political parties, associations, and organizations in the next 5 or 6 months. At the moment this is the only Yugoslav political force. It would be very good if there were more parties of Yugoslav orientation.

III

Members of the Army have an obligation toward all three essential tasks. We will commit ourselves to the realization of the first task in its totality, and especially in the part that immediately concerns ourselves. Many concrete obligations are awaiting us in the fulfillment of the second and third tasks. These are our two essential tasks, and the third one is perhaps the most important one.

Our fundamental immediate task must be to develop conditions for the functioning of the federal state. This means, first of all, eliminating the ruptures made in the unity of the armed forces and disarming and liquidating paramilitary organizations in Yugoslavia. The realization of this task will establish basic conditions for a peaceful resolution of the crisis and for democratic transformation of the Yugoslav society. At the same time, it will represent a decisive defeat of nationalist-separatist policy and practice and encourage the forces committed to the preservation and development of Yugoslavia on Socialist foundations.

With the order issued by the SFRY Presidency the fulfillment of this task has begun favorably, especially from the point of view of the affirmation of the social role and prestige of the YPA. This way the public has become acquainted in the most concrete way with our firm determination to implement what has been decided. The adopted resolution has confirmed our determination to act strictly in accordance with the Constitution and the laws, and it has done it in the way most acceptable under the given political conditions. If the order is not implemented, judicial and other bodies will step in with all the consequences that necessarily result from their activity. Competent authorities have irrefutable proofs of the completely illegal way paramilitary units have been formed, armed, and prepared for performing commando, terrorist, and other violent actions. If the order of the SFRY Presidency is not carried out, these overwhelming facts will be made public as a part of the procedure against the perpetrators of these grave criminal acts. Everybody the order refers to must keep in mind that illegal armed units will be disbanded and disarmed, either in the way and within the time determined by the order, or by means of sanctions prescribed by the law.

High degree of combat readiness

Special attention must be paid to ensuring combat readiness of the armed forces units and the functioning and security of the system of leadership and command. It is particularly important to provide the maximum degree of security to the units, since those who are losing their head are ready to undertake desperate measures, such as armed attacks on the barracks, depots, and other military objects, classical commando-terrorist actions, assassination attempts, liquidation of family members, etc. The previous information pointed out very concrete preparations for such activities. This is why the security of persons, objects, and units has never been more significant than it is now.

There are very important tasks of strengthening the unity of leadership and command of the armed forces and handling the process of military duty that has been disrupted by the procedures of the authorities in Slovenia and Croatia.

The decisions regarding the Territorial Defense of Slovenia and the assignment of draftees to military duty will be fully implemented. These two tasks have not been given priority so far because the main efforts were directed at disarming paramilitary organizations.

In relation to the draftees, some measures within our authority will be immediately undertaken. Some recruits from Croatia and Slovenia, assigned to the Fifth Military District, will be transferred to other military districts and to other republics and provinces. The responsibility for the arbitrary change of plans received from the Armed Forces Headquarters concerning the assignment of draftees will be determined, and measures will be undertaken to ensure a more efficient performance of this task. Legal procedure to return these affairs to the authority of the YPA all over the territory of the SFRY has already been initiated.

It is well known that we find ourselves in an exceptionally difficult financial situation. This is why we must very carefully and rationally use our monetary resources. The order concerning reduction of expenses and payment priorities must be taken very seriously and followed very consistently. There was a debate in the Federal Executive-Council on this topic. Some solutions have been arrived at. The solution for a stable financing of the YPA must be found by the end of this month.

All the members of the armed forces, and especially the officers, must understand that in the coming period they will have to fight extremely tenaciously for the integrity and unity of the army cadres. This is a condition for the fulfillment of the constitutional role of the army; it is also a condition for achieving all the social changes in a peaceful and democratic way. The army must remain firm and persevere in the fulfillment of its obligations.

It is exceptionally important that people should think how to continuously adapt to new conditions and situations. People sometimes proceed routinely even in important issues, as if nothing had happened or changed in our society in the last 2 years. The educational activity should develop the capacity and habit of reflecting on every concrete task and its implementation under new conditions when prescribed procedures are not available. Not everything has been covered by our regulations, and there are many things that have to be changed. This will be done in a planned and gradual way.

In addition to the realization of these important tasks, the current life and obligations of units and institutions must not be neglected for an instant. There should be incessant concern with the people, training, order, and discipline. It is a guarantee for the success of the army in the realization of its obligations in the new, complex, and difficult times.

IV

At the same time we must all engage in the formation and strengthening of the League of Communists—Movement for Yugoslavia. The existence of such a party of Socialist orientation is a condition for the existence of federal Yugoslavia and the preservation of the unity and integrity of our army. This makes the task in question so significant

The party achieved victory in the war of 1941-45, on the basis of the ideas of Yugoslavism, brotherhood and unity, freedom, and social justice.

Victory of the League of Communists—Party for Yugoslavia

The League of Communists—Movement for Yugoslavia will presently achieve victory with the same ideas. The army can secure the conditions for a peaceful resolution of the crisis, but it cannot solve the issue of Yugoslavia. This can be done only by a strong political organization whose program is accepted and supported by the broadest strata of the population. All those who work against our country know this. This is why they are against the League of Communists—Movement for Yugoslavia. They would like to ban it, afraid of its growing strength and social influence. If communism is dead, as they say, why are they afraid of this organization?

The sense and significance of the existence of the League of Communists—Movement for Yugoslavia must be patiently explained to the people. Nobody should be forced to become its member. Such a decision must result from personal commitment and conviction. The most immediate, existential interests of the people are at issue here.

It is exceptionally important to prevent the infiltration of the "fifth column" into the ranks of the League of Communists—Movement for Yugoslavia. In the LC-MY there should be people who think differently. They are always welcome. But the

mistakes made by the League of Communists of Yugoslavia—which was destroyed by the “fifth column”—must not be repeated. There is no room in this organization for those who want to destroy it from the inside.

It is of the utmost importance that the party should turn to the young people. Not only because it was young people who made war and the revolution or because they represent the future of any society, but because young people are receptive to the basic ideas of the League of Communists—Movement for Yugoslavia. Patriotism and the Socialist idea find their firmest support precisely among the young generation.

Political Board of the Federal Secretariat for National Defense

[The New York Times, International, Feb. 13, 1991]

FOR YUGOSLAVIA, ANOTHER IMPASSE

A 4TH ROUND OF TALKS FIZZLES, AND FUTURE OF THE DIVIDED NATION IS QUESTIONED

(By Chuck Sudetic)

BELGRADE, Yugoslavia, Feb. 13—Leaders of Yugoslavia's six quarrelsome republics failed in talks today to find a way to overcome major obstacles blocking agreement on the country's future political configuration.

In their talks, the leaders sidestepped the central issues dividing the richer, independence-minded republics of Slovenia and Croatia, and the largest republic, Serbia, which favors strengthening the loose Yugoslavia federation, an aide to a national government official said.

“They avoided polemics that are sure to arise in the future,” the aide said.

The leaders of the republics are scheduled to meet again in Sarajevo a week from Friday.

WHO OWES WHAT TO WHOM

What the leaders did agree to today, the aide said, was a formulation that called bureaucrats of the national government of Belgrade to begin drawing up a balance sheet of what each republic owes and what the central authorities owe to each republic.

Today's meeting was the fourth round of talks among the republics, which began in January. They have faced apparently irreconcilable differences on how loosely or tightly Yugoslavia ethnic-based components should be knit, as well as differences of views on the army's role in politics.

In their most strongly worded statement to date, Croatia and Slovenia demanded on Tuesday night that the current loose Yugoslav federation be transformed within 4 months into an even less centralized community of sovereign states comparable to the European Community.

If relations between the republics worsen even more and an agreement on the creation of a community of sovereign states is not achieved before the end of June, the statement said, Croatia and Slovenia will ask the United Nations and the Conference on Security and Cooperation in Europe to mediate the Yugoslav crisis in order to ensure that it is solved peacefully.

A SECESSIONIST ALTERNATIVE

Both republics are threatening to secede from Yugoslavia if they are not able to work out a federal relationship with the other republics.

“The only possibility is a community of sovereign republics, which will be independent and sovereign states with territorial integrity and inviolable borders,” the statement said.

Serbia's President, Slobodan Milosevic, has emphasized during earlier talks among the republics that Serbia will agree to a confederation only if Yugoslavia's internal borders are redrawn to bring all of the country's Serbs into a single state.

Croatia, whose population is 11.5 percent Serb, opposes changing the present borders because it would mean a loss of territory.

The Communist-dominated Yugoslav National Army, whose officer corps is 70 percent Serb, has in recent weeks threatened to take armed action against Croatia, which has imported arms from Hungary to equip reserve units attached to its interior ministry. The Serbian member of the collective federal presidency, Borisav Jovic, high-ranking army officials and retired generals have warned that the army will take action to ensure Yugoslavia's territorial integrity.

BOYCOTTS AND NONBOYCOTTS

Croatia's President, Franjo Tudjman, boycotted the third round of talks between the republics last Friday because of an anti-Croatian rally conducted by women in front of the office building where the talks were held. A threatened boycott of today's talks did not materialize.

At Friday's rally, the women echoed allegations and demands made by Mr. Milosevic, who has charged that Croatia's government is riddled with neo-Fascists who are plotting genocide against Serbs in the republic.

On Sunday, the main Belgrade daily, Politika, charged the Vatican was working to break up Yugoslavia by negotiating a \$4 billion loan to the Croatian government at nominal interest rates. The charges are the latest in a series carried in the Serbian press and heard among Belgrade intellectuals: that Serbia has been victimized for decades by an elaborate conspiracy involving the Vatican, the Communist International, Islamic fundamentalists, Nazi Germany, the Masons, the United States, Yugoslavia's late leader, Marshal Tito, and other strange bedfellows.

Croatia's government, which regularly refers to Serbia's leadership as Bolshevik, and the Vatican press office denied that the loan story had any substance.

[The New York Times, Jan. 2, 1991]

YUGOSLAVIA WARNS CROATIA TO DISARM ITS FORCES

(By Chuck Sudetic)

ZAGREB, Yugoslavia, Jan. 2—The central Yugoslav Government reportedly warned the republic of Croatia today that the official Croatian armed forces were not exempt from an ultimatum to disarm or face a military crackdown.

The eight-member federal presidency, still dominated by officials appointed by Yugoslavia's formerly Communist-controlled Government, has warned that it would use the Communist-led national army to confiscate weapons from "illegal" paramilitary organizations throughout the country if such organizations did not disarm by midnight tonight. The order is aimed at Yugoslavia's two wealthiest and most Western-minded republics, Croatia and Slovenia, which are pressing for the creation of a loose Yugoslav confederation.

When originally issued, the ultimatum, however, did not spell out exactly which organizations were illegal and which were not.

The Croatian President, Franjo Tudjman, said at a news conference today that the leader of the federal presidency, Borisav Jovic of Serbia, had informed Croatia that the order includes Croatia's Interior Ministry troops. Mr. Tudjman said Mr. Jovic made the assertion this morning at a meeting with Croatia's representative to the collective presidency, Stipe Mesic.

"It can be concluded that the army includes the disarming of the militia in Croatia, which Croatia's political leadership armed in accordance with the tenets of its constitution and laws," Mr. Tudjman said.

Croatia and Slovenia have denied that any units belonging to their respective interior ministries and national guards are illegal; none of the weapons in their arsenals have been handed over to federal military authorities.

CATASTROPHIC CONSEQUENCES

"If the army goes into action tonight, as Mr. Jovic said," Mr. Tudjman warned, "it would lead to catastrophic consequences."

Croatia's police units have been placed on the highest state of alert in anticipation of any action the Yugoslav Army might take, said Mario Nobile, Mr. Tudjman's press spokesman.

"We always suspected that it was a carte blanche for army intervention or any other kind of army action," Mr. Nobile said. "We are still afraid that conservative circles in the army will use the situation in the Baltics and the gulf as cover to carry out a classic coup."

Mr. Nobile was referring to the Soviet crackdown on separatism in the Baltic republics and to the war in the Persian Gulf.

Yugoslavia's highly secretive national army, the direct organizational descendant of the Communist partisans who took control of Yugoslavia after World War II, is the only meaningful all-Yugoslav organization left in this multinational country of six highly autonomous republics.

SEPARATISM OPPOSED

The army dropped many hints in the last few months that it was ready to defend against what it regards as forces working to break apart federal Yugoslavia.

Under a plan for confederation put forward by Slovenia and Croatia, the Yugoslav republic that would each have their own armed forces. Serbia and the most vocal high-ranking officers of the Yugoslav army strongly oppose this idea.

The Yugoslav army's officer corps, which is about 70 percent Serb, has long been suspected of being pro-Serbian. Poorly disguised national army equipment and armored vehicles are being used by Serbia's police to exercise heavyhanded control of the ethnic-Albanian minority in Serbia's Kosovo region; and direct criticism of Serb vigilantes in Croatia has been conspicuously absent in the army's many statements about illegal paramilitary organizations.

"The Croatian Interior Ministry has its regular component, reserve component and special units," Mr. Mesic said in a speech on Saturday. "These we have armed. Croatia, because of the increased size of its police units, sought to obtain weapons from domestic sources. It did not receive them. It turned to its commercial network and obtained them."

"No army can carry out a military coup," Mr. Mesic said. "We would call all men of honor, all Croats, non-Serb peoples, and every democrat not to shoot. The army and Yugoslavia would disappear."

[The New York Times, Nov. 10, 1990]

WHY KEEP YUGOSLAVIA ONE COUNTRY?

(By Jeri Laber and Kenneth Anderson)

Polat, a remote village in Yugoslavia's troubled Kosovo province, is too small to appear on our map. Until the ghastly events of Sept. 13, its name was virtually unknown. We went to Polat in early October to investigate reports of violence by the nationalist Serbian government against ethnic Albanians. We returned with serious doubts about whether the U.S. Government should continue to bolster the national unity of Yugoslavia.

A brilliant autumn sun lit the dry, brown cornfields and tree-covered hills of Polat, but the village was in mourning. Its residents—several hundred ethnic Albanians living at subsistence level—described how, in the predawn hours of Sept. 13, they had awakened to the barking of their dogs, looked out and saw Serbian government tanks in their small courtyards.

Without warning, soldiers and police began firing automatic weapons, shattering windows and stuccoed walls. Besim Latifl, a 22-year-old law student who had come home to help with the harvest, opened his door and was met with a volley of bullets that killed him on the spot.

No one saw what happened to Skender Munolli, 34, whose battered corpse was released to his family a few days later with one bullet in the hip. According to their families, neither young man had had any previous trouble with the police. In addition to the two killings, more than 30 men and women from Polat were beaten and taken off to a jail, where they were tortured for about 24 hours; one young man was forced to lick his own blood from the floor.

Kosovo is a province within Serbia, the largest of Yugoslavia's six fractious republics. Kosovo's population—more than 90 percent ethnic Albanian—is united in a predominantly nonviolent struggle to become independent. In July, after the Kosovo Assembly defiantly declared its independence; at least 10 members of the assembly have been arrested or are being sought.

Slobodan Milosevic, the Serbian Socialist (formerly Communist) Party's demagogic leader, has said that Serbia will pay any price to maintain control of Kosovo, the birthplace of Serbian culture. He is engaged in a calculated policy of colonization that includes relocating Serbians to Kosovo.

An estimated 30,000 Albanians have been removed from their jobs in Kosovo. Several hundred Albanian doctors and medical workers were fired summarily; some were taken away in handcuffs from the hospital, even out of the operating rooms. The Albanian-language press and radio have been abolished. In schools, Albanians are segregated from Serbs.

Kosovo's capital, Pristina, is an occupied territory, with military checkpoints everywhere. Houses are searched without notice, and people are arrested arbitrarily. In the past year and a half, more than 60 Albanians were killed by police. "We live

under glass," an unemployed Albanian professor told us. "I don't know what it is like to laugh. How long can I tell my children to be patient?"

Kosovo is not the only troubled area within Yugoslavia. We visited villages in the Croatian Republic where the tension is equally high; an armed minority composed of Serbs has declared autonomy within Croatia. Franko Tudjman, the nationalist President of Croatia, has said that his government will "invited our entire people to take to arms" if Croatian sovereignty is threatened.

The Slovenian Republic's government, which has also declared its sovereignty, has already taken control of its own defense forces in direct defiance of the central government. Borislav Jovic, head of the Yugoslav Government, recently acknowledged that civil war was looming on the horizon.

Yugoslavia was long the darling of the U.S. State Department. A Communist country independent of Moscow, it was our Communist country as distinct from theirs. Seen as a buffer straddling the East-West divide, it has received most-favored-nation status and has been exempted from any serious scrutiny of its many human rights abuses. But the revolution against communism that swept through Eastern Europe left an ideological vacuum in regions that are now veering away from a center that cannot hold.

The U.S. Government cannot stop that process, even if it leads to inflaming old border disputes between Yugoslavia's nation-states and its larger neighbors. Yet we continue to give economic support to a federal government in Belgrade that is apparently too weak to speak out or act against those who are committing human rights abuses.

Why not acknowledge the government's impotence and offer aid to those republics that will protect the rights of all their citizens? We might be able to help them in a peaceful evolution to democracy.

There is no moral law that commits us to honor the national unity of Yugoslavia. But there are laws, both moral and statutory, that commit us to deny aid to governments that oppose * * *

[The Washington Post, Jan. 11, 1991]

BANK SCANDAL STIRS YUGOSLAV OUTCRY

SERBIAN MONETARY MANIPULATION HEIGHTENS POLITICAL TENSION

(By Blaine Harden)

ZAGREB, Yugoslavia, Jan. 10.—The slow-motion disintegration of Yugoslavia accelerated suddenly this week under the twin shocks of a billion dollar banking scandal and a government order giving the Serbian-dominated Yugoslav Army the right to take guns away from civilians.

The banking scandal and disarmament decree were described by Western diplomats and politicians from Yugoslavia's various ethnic regions as crippling blows to the Yugoslav federation, which has been critically weakened in the past year by the fall of communism as a cohesive governing force and the rise of long-suppressed ethnic hatreds.

"This monetary scandal is a robbery. It destroys not only the Yugoslav economic system, but also the government's free-market and monetary philosophy. * * * And the army has been given a blank check for terror," said Slaven Letica, a senior adviser to the President of Croatia, the second-largest of Yugoslavia's six constituent republics. Other politicians here suggested that the army may be planning to use the world's preoccupation with the Persian Gulf crisis as a cover for military action against two independence-minded Yugoslav republics.

The financial scandal stemmed from action last month by the Serbian legislature, which secretly passed a law allowing the National Bank of Serbia to appropriate \$1.3 billion from the National Bank of Yugoslavia. The legislature is a rubberstamp for Serbian President Slobodan Milosevic, an old-style Communist strongman who has built his power on emotional appeals to Serbian nationalism.

The loan, which the Yugoslav central government said last week was blatantly illegal, was spent on increased pensions, benefits to farmers, and payments to state-owned enterprises inside Serbia, the largest Yugoslav republic, Western diplomats said the money, amounting to one-half the funds planned for infusion into the Yugoslav economy in 1991, was used by the Milosevic government to buy voter support in the republic's December presidential and legislative elections, which it won.

Meanwhile, the leaders of all six republics met today in Belgrade in a long-planned attempt to find a peaceful way in which to manage change in a country that the U.S. CIA has said is tottering on the brink of civil war.

Belgrade radio reported that the six presidents agreed to have Serbia's Milosevic meet separately with his counterparts from the secessionist Yugoslav republics of Croatia and Slovenia, Franjo Tudjman and Milan Kucan, but no dates were set for those meetings. A senior Yugoslav official said that while the participants in today's meeting were civil to each other, there were a number of "irreconcilable differences."

Croatia and its neighbor Slovenia, the two most prosperous republics and ones in which Communist leaders were dumped in last year's multiparty elections, are pressing for a radical loosening of the Yugoslav federation. If Yugoslavia does not devolve into a loosely knit cluster of sovereign states, the two republics say they will secede.

Serbia, however, declared flatly today that the only way it would agree to the breakup of the nation was if the borders of the republics were redrawn. Hundreds of thousands of Serbs now live in Croatia and the republic of Bosnia, and Serbian leaders want them inside an expanded Serbia. Diplomats have said attempts to redraw the borders of the republics are likely to trigger civil war.

The money scandal and the disarmament order have both served to heighten tension between Serbia, on one side, and Croatia and Slovenia, on the other. "This banking scandal was a terrible thing to happen on the eve of negotiations for Yugoslavia's future," said a Western economist in Belgrade.

Economists said the likely effect of the huge illegal loan—which, if it were drawn to the scale of the U.S. economy, would represent a \$50 billion manipulation—is the return of 1989's hyperinflation to Yugoslavia. They said it also is likely to disrupt Yugoslavia's relationship with the International Monetary Fund and World Bank.

The secret Serbian loan was discovered last Friday when someone anonymously mailed documents about it to Yugoslav Prime Minister Ante Markovic, the architect of a tight-money and free-market reform program.

According to the central government officials, the loan "makes impossible the implementation of economic policy set for 1991. By creating false money, it threatens the country's currency reserves."

Both Croatia and Slovenia seem to have interpreted the loan as a straw that has broken Yugoslavia's back. "The republic of Serbia, so that it could finance the preservation of its regime, has destroyed the Yugoslav monetary and economic system by illegitimate means," the Slovenian government said in a statement. "A monetary and hard-currency system * * * based on a minimum degree of trust and honesty is not possible in Yugoslavia anymore."

Here in Zagreb, the Croatian capital, presidential adviser Leticia said the Serbian loan has forced Croatia to speed up its move to pull out of the Yugoslav federation and accelerate its plans to print its own currency.

The Serbian government this week admitted making the loan to itself and justified its action by saying that other republics have been doing the same thing. "It is true that a lot of republics have been skating on the thin edges of the banking law," said a Western diplomat here. "But what they were doing was just a 3 on the Richter scale of theft. What the Serbs did was a 7."

The order to use the army to disarm civilians was issued Wednesday in the wake of reliable reports that Croatia and Slovenia have been importing large quantities of automatic weapons for their rapidly expanding police and militia forces. But, like nearly every issue in this splintering country, deployment of the Serbian-led army set off ethnic alarm bells.

The decision to demand that citizens given up their guns within 10 days was made by the Yugoslav Presidency, a body made up of a representative from each republic. Its current leader is Borisav Jovic, a hard-line Serbian nationalist and close associate of Milosevic. The order was opposed by the representatives of Croatia and Slovenia, and it was approved while the Croatian representative was out of the meeting room.

Slovenia declared the order irrelevant, saying it had a legal right to arm its militia, and Croatia's Council for National Defense said today that it would oppose any army action on its territory.

[Time, Feb. 25, 1991]

BREAKING UP IS HARD

BUT RISING NATIONALISM MAKES IT SEEM INCREASINGLY INEVITABLE, AND THE ONLY REAL QUESTION IS WHETHER VIOLENCE CAN BE AVOIDED

(By Jesse Birnbaum)

It was a measure of the degree of tension, not to say the depths of paranoia be-deviling the country. When they arrived at the federal parliament in Belgrade last week, two Croatian Deputies and their bodyguards were obliged to check their handguns at the door. The gun toters all went home later in one piece, but that was more than could be said for the state of the nation. As of last week, leaders of Yugoslavia's six contentious republics had held four fruitless rounds of talks in an effort to resolve a fateful drive toward secession, and the roiling crisis is tearing the country apart. The only question is whether the process of dismemberment can be achieved without civil war, and if so, how—if at all—the republics can survive as separate entities.

The threads that have stitched together an unwieldy federation of rivalrous ethnic groups since World War II have been unraveling for years. Since 1981, the 1.7 million Albanians in the Serbian-controlled province of Kosovo have been agitating for separate status. Last spring and summer the relatively prosperous northern republics of Slovenia and Croatia voted in free elections to install non-Communist, Western-oriented governments, while Serbia, the largest republic, chose to retain its Communist government—lately renamed Socialist—under hard-line President Slobodan Milosevic. Those divisive events were followed by a landslide referendum in which 88 percent of Slovenia's 2.1 million citizens voted for independence from Belgrade. Since then, the federal tax and monetary systems have all but broken down, and Slovenia stands ready to print its own currency.

Similar secessionist fever in Croatia, meanwhile, nearly erupted in war when Belgrade accused Croatian Defense Minister Martin Spegelj of fomenting an armed insurrection. Federal troops were called in, and a tense standoff was resolved only when Croatia agreed to demobilize—but not disarm—its police reservists. Unrepentant, Slaven Letica, an aide to Croatian President Franjo Tudjman, declared, "If it comes to civil war, Croatia is willing to fight and confident that it will prevail."

What is certain to prevail is the intractable conflict that has riven Yugoslavia's two major nationalities since the country was established. The Serbs, who threw off Turkish rule in the 19th century, are Christian Orthodox; the Croats, who were subjugated by the Habsburg Empire, are Catholics. Their mutual hatred and distrust keep growing more virulent as nationalist ambitions seethe throughout Eastern Europe. Only the suzerainty of socialism imposed by Josip Broz Tito after World War II managed for a time to keep the rivalry in check.

Now that is crumbling. What else can hold the union together? And if Croatia (pop. 4.6 million) should secede, what would become of its 600,000 Serbian minority? "All Serbs," says Milosevic, "must have the right to live in one state." This implies that he would lay claim to a "greater Serbia" by annexing the Serbian regions not only of Croatia but of adjacent Bosnia and Herzegovina as well.

Such a move would also be an invitation to civil strife, as even Serbian nationalist politician Vuk Draskovic concedes. "Many part of Bosnia and Croatia are like a leopard's skin," he says. "There is no magic solution that could peacefully redraw the borders." A greater Serbia, adds Croatian economics professor Zvonimir Baletic, "would include more than 2 million Croats, 2 million Muslims, and 2 million Albanians. That's simply not a solution."

A secessionist Croatia might not be the solution either. But the Croats, along with the Slovenes, are determined to free themselves from the central government's yoke. They complain that Belgrade's policies have become more and more blatantly an instrument for Serbian hegemony. During the last one-quarter of 1990, they say, the National Bank of Serbia secretly handed out \$1.8 billion in loans to the Serbian government, which it spent to keep failing local enterprises—and itself—afloat. They also charge that the National Bank of Yugoslavia, which coordinates monetary policy among the six republics, ignored the transgression, which only served to increase Yugoslavia's grotesque 600-percent inflation rate.

It happens that the country's inflation and high foreign-exchange rate for the dinar do more harm to the foreign trade-oriented regions of Slovenia and Croatia than to the command economy of Serbia. Though Slovenia, for example, accounts for only 9 percent of Yugoslavia's population, it produces more than 30 percent of

its exports to the West; now, because of the overvalued dinar, Slovenia prices are too high.

Equally distressing, Serbia has imposed confiscatory taxes on the local operations of Slovenian and Croatian businesses. In turn, Slovenia and Croatia have stopped paying the sales tax they collect to federal authorities. "Right now all we pay to Belgrade is customs duties," says Jozse Mencinger, Slovenia's Deputy Prime Minister for Economic Matters. "And we pay that because we recognize that an army that gets paid is less dangerous than one that doesn't. To some extent we're destroying the Yugoslav legal system, just like everyone else. But we see no alternative."

Now, having voted overwhelmingly for independence, the Slovenes, like the Croats, are pushing toward complete separation—and, some say, possible disaster. This week the Slovenian parliament will begin introducing amendments to excise all mention of Yugoslavia from its constitution. Says Jozse Pucnik, president of the Slovenian Social Democratic Party: "By the end of June at the latest, Slovenia will be a sovereign country." If so, the republic will only confront new problems, including a doubling of its unemployment rolls from the current 6.1 percent in a workforce of 1 million and a drop in personal income of more than 30 percent.

The Croats won't have an easy time of secession either, though they persist in planning for a prosperous future. "From an economic point of view," says Croatia's Letica, "it is easy to envisage a sovereign territory. There are seven states in Europe smaller than in independent Croatia would be." One strong suit: Croatia earns 90 percent of Yugoslavia's tourism income, primarily in its summer resorts along the Adriatic coast.

Neither the Croats nor the Slovenes seem concerned about how Yugoslavia would pay its foreign debt in the event of a breakup. Of the \$16.7 billion total, Croatia owes \$3 billion, Slovenia \$1.8 billion, and each is responsible for some portion of the \$3.6 billion on the books as federal debt. Says Ante Cicin-Sain, governor of the National Bank of Croatia: "Paying it back shouldn't be a big problem as long as we don't destroy our debt-servicing capacity."

Such destruction, of course, is what would happen if civil war broke out—a real possibility if Serbia remains determined to hold the federation together at any cost. But, says Peter Stanovik, director of Ljubljana's Institute for Economic Research, "politicians in every republic know that Europe is watching. War would immediately dry up the credit and foreign capital we so desperately need."

That alone is reason enough to keep Yugoslavia from violent disintegration. Perhaps the best that Belgrade can hope for is a compromise that would lessen its control overall of Yugoslav's republics and replace the current system with some loose confederation of independent states. That might placate some secessionists, but probably not all of them. Compromise will be on the agenda once again late this week, when the contending parties are scheduled to meet in Sarajevo. It will not be lost on any of them that it was in Sarajevo in 1914 that World War I began with the assassination of Archduke Franz Ferdinand.

Mr. PERPICH. The army's movements have taken on ominous character which could lead to direct military intervention in Croatia and that, of course, was narrowly avoided earlier this year, or there could be a military coup in Belgrade. This last scenario should pose serious concern to the U.S. policymakers given the army's strong Communist commitment.

So, the question remains how the United States can best support democracy and the peaceful resolution of issues facing the constituent nation states of the Socialist Federal Republic of Yugoslavia. In order to do so, the United States need not define the parameters of any solution, and that is the federation, confederation, or independent nations. The United States can and should promote peaceful dialog and democracy and reject any notion of military intervention or threats to the democratic process.

U.S. interests in human rights, democracy, and free market economy are best served by encouraging democratic and economic growth in the republics which are in compliance with the commitments contained in the Helsinki Final Act and Subsequent Conference on Security and Cooperation in Europe accords. Those principles include the respect for human rights and fundamental free-

doms, equal rights, and self-determination of peoples, internal territorial integrity and inviolability of frontiers unless peacefully agreed upon with the full, free, and mutual consent of everyone involved, refraining from the threat of use of force, realizing that a solution brought about by force is not only wrong, but is neither stable nor a long-term solution.

The United States can play a major role in encouraging and ensuring the success of democracy, free market economies and respect for human rights by providing mechanisms for peaceful dispute resolution.

The United States should encourage and support Croatia in its effort to establish a true democratic society and a free market economy.

With all the saber-rattling that is occurring in Yugoslavia, positive messages by the United States Government supporting democracy, human rights, a free market economy and a clear, firm message against threats or use of force will bring home the message to all involved that a peaceful resolution is the only acceptable resolution.

Thank you very much, Mr. Chairman.

[The prepared statement of Mr. Perpich follows:]

PREPARED STATEMENT OF RUDY PERPICH

"Since the victory in democratic elections in spring of 1990 of non-Communist governments in the republics of Croatia and Slovenia, no persons have been convicted there of political offenses under the criminal code."¹ "In Croatia in July, the newly elected government granted amnesty to all 37 political prisoners. * * *"² In December of 1990, the democratic government of Croatia adopted a new constitution which specifically guarantees the rights of all the minorities in Croatia, specifically citing the United Nations Charter.

The democratic government of Croatia is actively pursuing and committed to a democratic society, respectful of human rights and civil rights; a pluralistic political system; a free market economy; and integration with the European Economic Community.

It is also anxious to establish the best possible relationship with the United States. This is a major opportunity for U.S. political, economic, and commercial interests to establish an important base in Central Europe, an area where we are clearly being outflanked by European countries.

While "looking to the future," the Croatian government's young democracy has been subjected to multiple significant outside pressures. The actions of the Yugoslav Army have been widely reported in news media accounts, which are attached to my testimony.

The army's movements have taken on an ominous character, which could lead to direct military intervention in Croatia, narrowly avoided earlier this year, or there could be a military coup in Belgrade.

This last scenario should pose serious concern to U.S. policymakers, given the army's strong Communist commitment.

With the development of incompatible political ideologies, the question remains of how the United States can best support democracy and the peaceful resolution of issues facing the constituent nation-states of the Socialist Federal Republic of Yugoslavia. In order to do so, the United States need not define the parameters of any resolution, such as federation, confederation, or independent nation status. The United States can and should promote peaceful dialog and democracy, and reject any notion of military intervention or threats to the democratic processes.

U.S. interests in human rights, democracy, and free market economy are best served by encouraging democratic and economic growth in the republics which are in compliance with the commitments contained in the Helsinki Final Act and Subsequent Conference on Security and Cooperation in Europe (CSCE) accords. Those

¹ 1990 Yugoslav Section, Annual Country Human Rights Report, Department of State.

² Ibid.

principles include the respect for human rights and fundamental freedoms; equal rights and self-determination of peoples; internal territorial integrity and inviolability of frontiers unless peacefully agreed upon with the full, free, and mutual consent of everyone involved; refraining from the threat or use of force—realizing that a “solution” brought about by force is not only wrong but is neither stable nor a long-term solution; and the peaceful settlement of disputes.³

The United States can play a major role in encouraging and ensuring the success of democracy, free market economies, and respect for human rights by providing mechanisms for peaceful dispute resolution.

The United States should encourage and support Croatia in its efforts to establish a true democratic society and a free market economy.

With all the saber rattling occurring in Yugoslavia, positive messages by the United States Government supporting democracy, human rights, a free market economy, and a clear, firm message against threats or use of force will bring home the message to all involved that a peaceful resolution is the only acceptable resolution.

Senator BIDEN. Thank you very much, Governor. Ms. Laber. Welcome.

STATEMENT OF JERI LABER, EXECUTIVE DIRECTOR, HELSINKI WATCH, NEW YORK, NY

Ms. LABER. Thank you. I am very happy to be here today, and I want to commend you for holding these hearings. I am Jeri Laber, the executive director of Helsinki Watch.

I am not going to try to describe the complex situation in Yugoslavia. That is attempted to be dealt with in my written testimony. And as a matter of fact, I had planned to devote most of my testimony to the situation in Kosovo which is where we see the most severe human rights violations, but I am not going to even do that because I think that the situation there has been very adequately and accurately described by Ambassador Schifter when he listed the human rights problems that he sees in Kosovo province.

Instead, I thought I would just try to describe my own personal experience last September when I was in Kosovo province. I spent a day with a colleague. We drove to a tiny village called Polat, which is about an hour's drive from Pristina down a long, winding dirt road that seems to go nowhere except to this little village. It is small; it is remote. It is a pastoral atmosphere, a farming village that was completely in mourning when we arrived because on September 13, about 2 weeks before we came, in the early hours of the morning before the sun came up, the villagers awoke to see tanks in their courtyards and soldiers firing indiscriminately with automatic weapons at their windows, through the walls of their modest homes. The damage was still evident for us to see and photograph, and we spent the day taking testimony from the villagers.

Two young men were killed that morning. One was 22 years old, the other 34 years old. Besem Latifi was shot dead when he opened his door to see what was going on. No one knows exactly what happened to Skender Munoli. He was taken away and his corpse was returned to his family several days later in a condition that indicated that he had probably been beaten and tortured to death. In addition, 33 people from 7 families were taken off the jail where they were tortured and beaten, and one young woman who was kept separately may have been raped.

³ Reference, Helsinki Commission statement on Yugoslavia by Senator Dennis DeConcini.

The two men who died had no police record. One was a law student at Pristina University who had come home to help with the harvest. There was no reason to think that they had been in trouble in any way.

And our conclusion was that the whole thing was an attempt to intimidate this village and many other villages we hear like this village. It was on the eve of a meeting that was subsequently held a day later by the suspended parliament of Kosovo province in which they declared their independence, and I am sure that the Serbian authorities must have known that this was about to take place.

In addition to the problems in Kosovo, we are also concerned with the fact that human rights monitors, people like ourselves, had been expelled from Kosovo when they go there to conduct investigations. One of the interesting things is that a delegation of a group affiliated with ours which was expelled and then created a great deal of protest tried to get themselves back into the country and were told by the Federal Government of Yugoslavia that it could not control the Serbian Republic's and that it was the Serbian Republic that had expelled them.

Now, Croatia is not the only area in Yugoslavia where there are problems. We also visited Serbian villages in Croatia where we also saw a very frightened Serbian minority being threatened and intimidated by Croatian police. I cannot go into all of this right now.

I just want to say that in light of the discussion we have heard so far today, my own view is that it is both nationalism and communism that are factors in what is going on in Yugoslavia today and to warn that democracy where it exists is certainly not assured anywhere in that country.

Helsinki Watch does not take a position on the political status either of Kosovo or of the entire Federal Republic of Yugoslavia. Our concern is that the human rights of all the citizens should be respected in each of the republics of Yugoslavia.

I said before that I agreed with Ambassador Schifter's analysis of what is happening in Kosovo, but oddly Helsinki Watch does not come up with the same conclusions based on his evidence. We urge that the U.S. Government use its economic leverage against the Federal Government of Yugoslavia because we judge the situation in Kosovo to be a consistent pattern of gross violations of internationally recognized human rights.

And specifically we would like to urge that pressure be kept up between now and May with regard to the provision of the foreign assistance law that bars bilateral financial assistance to Yugoslavia and requires United States representatives to international financial institutions to oppose loans to Yugoslavia. I would even urge that this probationary period be extended if there is no real improvement seen by May.

We also would like to call into question loans—that the United States oppose loans by international financial institutions under Section 701 of the International Financial Institutions Act and also all loans by the United States under Section 116 of the Foreign Assistance Act.

I would say in closing that if it is judged—and I think this is one of the most complicated of all the questions for us—that the Feder-

al Government of Yugoslavia actually lacks control, lacks the authority, the ability to control what the Serbian Republic is doing to people within its own republic, then as far as possible, we would urge that aid be directed away from the Serbian Republic. Any aid that we do give to Yugoslavia should not be given to the federal government or to the Serbian Republic.

Thank you very much.

[The prepared statement of Ms. Laber follows:]

PREPARED STATEMENT OF JERI LABER

Thank you, Chairman Biden, for holding this important hearing and for inviting me to testify. My name is Jeri Laber, and I am the executive director of Helsinki Watch, a human rights monitoring organization associated with Human Rights Watch. We appreciate your attention to the growing human rights crisis in Yugoslavia, and your commitment to human rights generally.

Helsinki Watch has a number of concerns with regard to human rights in Yugoslavia. We are especially concerned about the situation of Albanians in the Kosovo province of Serbia, in particular, the arrests of ethnic Albanians in Kosovo and their mistreatment while in detention, the use of excessive force by Serbian police units in confronting ethnic Albanian demonstrators (with more than 50 people killed in 1990 alone), the closing of Albanian newspapers and radios, and the general discrimination and marginalization of the ethnic Albanian population. We also have concerns about the excessive use of force by Croatian authorities in quashing unrest among the Serb minority in Croatia.

Background to the Present Situation.—The 1989 revolutions in Eastern Europe had an effect on Yugoslavia, but efforts to reform and eliminate the apparatus of the one-party state have been mixed with and, in many respects, overtaken by ethnic struggles within Yugoslavia's six republics that threaten the unity of the Yugoslav federation. Helsinki Watch takes no position on whether Yugoslavia should or should not stay together as a country, whether as a federation, a confederation, or under still other political arrangements. Our concern is that the human rights of each individual be respected, regardless of the political system.

There have been calls in recent months from center-right governments in Slovenia and Croatia for Yugoslavia to become a loose confederation of individual states. If a confederation proves impossible, the governments of Slovenia and Croatia speak of outright secession from federal Yugoslavia.

On the other hand, the government of Serbia, strengthened by contested multi-party elections in December 1990 which affirmed the nationalist leadership of Slobodan Milosevic, has opposed moves either to create a confederation or to allow secession by Croatia and Slovenia. It has instead propagated calls to maintain a single Yugoslavia, while calling for greater Serbian influence in Yugoslavia. Serbia's leading politicians have said that any breakup of the Yugoslav federation will have to be accompanied by a redrawing of internal republic borders within Yugoslavia, by force if necessary, in order to take account of Serbian minorities living in Croatia, Bosnia-Herzegovina, and elsewhere. The Slovenes, and especially the Croats, are vehemently opposed to the redrawing of internal republic borders.

The federal government of Prime Minister Ante Markovic increasingly appears to lack authority in both the economic and political spheres. The Slovenian and Croatian governments advocate rapid free-market economic reform. The Serbian government, in which the Socialist (formerly Communist) Party holds a majority, is more cautious in calling for a quick transition to a free market. The Serbian government has imposed tariffs and duties on goods shipped from Croatia and Slovenia, and Croatia and Slovenia have done the same. It is becoming increasingly difficult for Prime Minister Markovic to implement successfully any economic reforms on a national level.

A few weeks ago, the Yugoslav Army announced that it would move to disarm the police and militia of Slovenia and Croatia. The situation was particularly tense in Croatia, where both the Croatian police force and the Yugoslav Army were placed on high alert and the prospect of a civil war was imminent. At the last minute, tensions between the Croats and the Yugoslav Army were diffused. This "truce," however, has been short lived; Yugoslav President Borisav Jovic, who is commander-in-chief of the armed forces, has again warned the Croatian government to disarm its militia and police forces or face army intervention. In the interim, roundtable discussions between the respective republican leaders have reached a stalemate and

there is a real possibility that military force will be used to solve the country's political problems in the near future.

From September 29 to October 6, 1990, a colleague and I visited Yugoslavia to investigate the human rights situations in Croatia, Kosovo, and Macedonia. Our conclusion was that Yugoslavia's human rights situation appears to be getting worse as interethnic intolerance on all sides affects respect for human rights throughout the country.

The Situation in Kosovo.—Treatment by the Serbian government of ethnic Albanians in the province of Kosovo constitutes one of the most severe situations of human rights abuse in Europe today. Ethnic Albanians in Kosovo are being arrested, beaten, and in some instances tortured in prison, and subjected to mass firings from their jobs solely on account of ethnicity. Serbian police units have repeatedly used excessive force in confronting ethnic Albanian demonstrations, killing more than fifty people in 1990 alone.

Security forces of the Serbian government have attacked ethnic Albanian villages. The Serbian government has suspended the Kosovo parliament and other institutions of government in which ethnic Albanians participated, shut down for extended periods of time the main ethnic Albanian daily paper, Rilindia, and taken all Albanian language programming off Kosovo television and radio. It has embarked on a program to disenfranchise and marginalize the ethnic Albanian population in ways constituting racism, impermissible ethnic discrimination and a grave violation of the rights of ethnic Albanians to free expression and equal political participation.

The Serbian government has therefore undertaken an ambitious program to resettle Serbs in Kosovo in order, in effect, to retake the province. This resettlement is being accomplished by a racist policy of displacing ethnic Albanians from government, schools, and workplaces. The policy has led to severe violations of human rights and the imposition of a military occupation on the civilian population.

In the past, Helsinki Watch reports have found much to criticize regarding the treatment of both Serbs and Albanians by earlier governments in Kosovo, including governments composed predominantly of ethnic Albanians. We found some basis for the view that repression by the Serbian government against ethnic Albanians, who comprise some 90 percent of the province's population, was at least partly an attempt, albeit abusively carried out, to protect the Serbian minority in the province, rather than simply an attempt to subjugate ethnic Albanian identity. Serbian and other minorities had suffered abuse in earlier years. Now, however, there is no justification for any claim that the Serbian government's intervention in Kosovo aims more than marginally to protect the Serb minority.

Nor does the Serbian government seriously make such a claim. Its assertion of power over Kosovo province is, as Slobodan Milosevic has stated in his speeches, a matter of Serbian pride of control over Kosovo as the ancient birthplace of Serbian culture.

During our visit to Kosovo in October 1990, we investigated reports of an attack on the ethnic Albanian village of Polat, which is reached by a dirt road some kilometers beyond the town of Podujevo in Kosovo province. In the predawn hours of September 13, 1990, the village was reportedly surrounded by several dozen Serbian police vehicles, including what appear from eyewitness accounts to be armored personnel vehicles and small tanks with mounted weapons. The village was assaulted by gunfire and two young men were killed. Police forces sprayed indiscriminate automatic weapons fire at houses in the village, penetrating the windows and walls of some buildings. Thirty-three villagers from seven families were rounded up, taken to a police station, held for several days and severely beaten and tortured.

Although the government described the action at Polat as the killing of two "terrorists," our investigation did not yield any evidence that would support this account. On the basis of available evidence, it appears more likely that the assault on Polat was an attempt to intimidate the ethnic Albanian rural population. A Western diplomat informed us that similar attacks on other villages appear to have occurred at the same general time.

The timing of the police assault, at dawn on September 13, does not appear to have been coincidental. On September 14, members of the banned Kosovo parliament, dissolved by the government of Serbia a few months before, met secretly to declare Kosovo an independent republic within the Yugoslav federation and no longer a province of Serbia. Such a position was absolutely unacceptable to the Serbian government, which moved to arrest various ethnic Albanian ex-parliamentarians, many of whom fled to safety in Croatia or Slovenia. Helsinki Watch takes no position on the political status of Kosovo. Our concern is that the human rights of all individuals, of whatever ethnic group, be respected in Kosovo.

Helsinki Watch has called for a full-scale investigation of the events in Polat and punishment for the perpetrators. We have called for investigations in other villages where similar atrocities may have occurred. We ask the U.S. Government to bring pressure upon the Serbian government to prevent such abuses from continuing.

The Situation in Croatia.—In Croatia, we investigated the conflict between the Croatian government and the Serbian minority in that republic. The election in Croatia on April 22-23, 1990, of a nationalist Croatian president, Franjo Tudjman, raised great fears among the Serbian minority living within Croatia. The Serbian minority bears strong memories of atrocities committed against it by the Fascist Croatian regime during World War II. The Serbian minority generally refused to participate in the Croatian elections or else aligned itself with parties in Serbia calling for either the maintenance of a strong federal Yugoslavia which, in its view, would better protect its minority status in Croatia or else the outright annexation of its villages into Serbia.

Following the official Croatian elections, the Serbian minority set up barricades along roads and railways in Croatia, in their view, to prevent Croatian authorities from entering Serbian-populated villages and towns. In September 1990, the Serbian minority organized its own unofficial referendum on its minority status, posing the question of whether there should be Serbian autonomy within Croatia. The new Croatian government characterized the referendum as illegal but it retreated from its threat to stifle the referendum by force. Instead, it merely called the referendum unofficial and therefore without legal significance. The referendum went forward among the Serbian population during August and September 1990, with the unsurprising result that the Serbian minority declared its autonomy within Croatia. The result has increased tension between Croatia and Serbia over the status of the Serbian minority in Croatia.

In late September a new crisis developed involving an attempt by the Croatian government to collect weapons from reserve caches in police stations throughout the republic. We visited the site of demonstrations against the weapons collection in the town of Petrinja, observed a protest meeting organized by Serbian political parties in the Serbian village of Glina, and visited a Serbian village, Dvor na Uni, that was, in effect, under occupation by Croatian government militia forces. We took testimony from individuals at these locations and, in addition, met with Croatian intellectuals and politicians in Zagreb and with the Roman Catholic Cardinal of Croatia.

It appears that sometime around September 29 or 30, 1990, the Croatian government began to carry out plans to retrieve weapons cached in local police stations. The weapons had long been kept in these locations as part of a defense reserve and militia program, but, as tensions increased over the question of Serbian autonomy within Croatia, the Croatian government apparently decided that the availability of these weapons posed a possible threat to public order. This decision was also likely influenced by the fact that most policemen in Croatia are Serbs and that Serbs continued to block roads and impede railway transportation in and around the town of Knin since late August.

The Croatian government's decision to collect the reserve weapons apparently became known to the residents of Serbian towns and villages in Croatia, and, in some cases, the residents seized the weapons before the government forces arrived. Serbs apparently believed that the current arms seizures would put them at the mercy of the Croatian government, a fear that was compounded by the fact that the arms seizures initially were carried out by special Croat-only police units, apparently hastily assembled and trained, and mainly in villages and towns that were predominately Serbian. When special Croatian government forces (composed of Croat nationals, not Serbs) arrived, generally late at night, in various towns to pick up the rifles and other munitions, they were met by Serbian demonstrators. The government forces arrested many of the demonstrators and used tear gas and other forms of intimidation to disperse them.

Helsinki Watch does not dispute the authority of the duly constituted Croatian government, in the interest of public safety to require that private arms be turned in or to collect reserve militia arms, and to use appropriate steps, under rule of law, to enforce such orders. However, Helsinki Watch believes that excessive force was used by Croatian police in some Serbian-populated villages. There is reason to believe that the intent was to intimidate the Serbian population as well as to bring about compliance with otherwise lawful orders to collect arms.

Other Human Rights Concerns.—Helsinki Watch is concerned about the treatment of asylum seekers and refugees in Yugoslavia. On February 11, 1991, Helsinki Watch sent a letter to President Jovic protesting the forcible return of Albanian escapees to the Albanian government, which has reportedly imprisoned returned escapees for up to 3 years. Helsinki Watch expressed its concern that Yugoslavia is forc-

ibly repatriating Albanian escapees before they have been interviewed by representatives of the Office of the United Nations High Commissioner for Refugees (UNHCR).

Yugoslavia also has a record of expelling international human rights monitors. The Serbian government, in particular, has treated international human rights monitors with hostility, especially those who have gone to Kosovo to investigate charges of human rights abuse. For example, on September 4, 1990, four members of a delegation of the International Helsinki Federation (IHF) were detained overnight in Kosovo by Serbian secret police. They were interrogated at length by Serbian police, and one member of the delegation, an Austrian citizen of Albanian descent, was threatened with imprisonment. The delegation's notes and papers were seized by police and the members were told to leave Yugoslavia within 24 hours. Passports of the delegation's members were stamped indicating *persona non grata* status for a period of 3 years.

Diplomatic protests as well as nongovernmental protests to the Yugoslavia government were appropriately harsh. Nevertheless, the Yugoslav government took days even to acknowledge that the expulsion had taken place. Subsequently, revealing the increasing weakness of the Yugoslav federal government in relation to the Serbian republic government, the federal government took the view that the expulsion order could be revoked only by a competent court in the republic of Serbia. After a month of negotiation, the expulsion order and *persona non grata* stamps were finally expunged. The IHF sent a delegation back to Kosovo in November 1990.

The IHF expulsion was not an isolated incident. In July 1990, another human rights activist, Ms. Eva Brantley, was detained in Kosovo and expelled from Yugoslavia. And in October 1990, notwithstanding previous apologies of the Yugoslav government for the IHF expulsion, Mr. Bjorn Funnemark of the Norwegian Helsinki Committee, an affiliate of IHF, was similarly detained in Kosovo. In these actions, the government of Serbia has blatantly defied international human rights standards.

U.S. Policy.—During the cold war, U.S. and Western European policy toward Yugoslavia was based on the goal of keeping it independent of the Warsaw Pact. As part of this policy, Western governments avoided criticizing Yugoslavia's human rights practices. Their aim was to keep Yugoslavia stable and thus invulnerable to Soviet pressure. With the end of the cold war, and the growing recognition that no foreign influence may suffice to hold Yugoslavia together in its current form, such attitudes are changing.

As noted previously, Helsinki Watch takes no position on whether Yugoslavia ought to remain a single federal country, a confederation, or break up entirely. Its only concern is that the human rights of all individuals, including members of minority groups, are respected throughout the territory. Accordingly, it urges that economic sanctions be imposed by foreign governments to persuade Yugoslavia and its internal republics to comply with international human rights standards.

In point of fact, the European Community is by far the most important trading partner and economic actor with respect to Yugoslavia, both now and in the foreseeable future. As a consequence, the European Community and its members have the greatest ability to pressure Yugoslavia to improve its human rights record.

The United States also has some leverage. On November 5, President Bush signed into law the legislation which appropriates foreign assistance for fiscal year 1991. It included a provision (which takes effect 6 months after enactment, or in May 1991) which bars bilateral assistance to Yugoslavia and also requires U.S. representatives to international financial institutions to oppose loans to Yugoslavia unless all six of the individual republics of the Federal Republic of Yugoslavia have held free and fair multiparty elections and are not engaged in a pattern of gross violations of human rights. (Humanitarian assistance is exempted from this provision.) The law permits the President to waive the provisions if Yugoslavia is found to be making "significant strides toward complying with the obligations of the Helsinki Accords and is encouraging any Republic which has not held free and fair elections to do so." Now that multiparty elections have been held in all the republics there is reason to fear that the provision may be deemed satisfied despite the ongoing abuses that are taking place in Kosovo. Helsinki Watch would oppose such a move until gross abuses in Kosovo are curbed, and calls upon the Bush Administration to use the period between now and the May deadline to inform the Yugoslav authorities of the seriousness of its concern about abuses, particularly in Kosovo. The Bush administration should insist that the Yugoslav government permit access to all areas of the country to human rights monitors, end its practices of arbitrary detention, torture, and mistreatment of ethnic Albanians in Kosovo, and prosecute securi-

ty force officials who engage in improper use of deadly force in dealing with crowds in Kosovo and elsewhere.

Yugoslavia stands to receive considerable assistance from international financial institutions. Section 701 of the International Financial Institutions Act requires the United States to oppose such loans to any country engaged in a consistent pattern of gross violations of internationally recognized human rights. Again, Helsinki Watch urges the United States to oppose such loans because of the violations of human rights in Kosovo.

Various Members of Congress, some acting in response to ethnic constituencies in their home districts, have taken an interest in Yugoslavia and brought considerable publicity to human rights issues, particularly in Kosovo.¹ The U.S. Ambassador to Yugoslavia, Warren Zimmermann, has also scrupulously attacked violations of human rights by all perpetrators. Ambassador Zimmermann has not hesitated publicly to criticize and denounce violations; members of his staff have actively sought out information on abuses and brought them before government authorities. The record of the U.S. Embassy in this regard has been exemplary, especially as the crisis in Kosovo deepened.

Nevertheless, as a matter of policy, Ambassador Zimmermann and the U.S. State Department do not support the suspension of U.S. bilateral and/or multilateral economic assistance. The State Department makes the traditional argument that a stable, unified Yugoslavia is important to U.S. security interests. In addition, an argument has been made against economic sanctions on human rights grounds. Economic sanctions against Yugoslavia, it is said, particularly if imposed in a way that undermines the Yugoslav federal government, will inevitably tend to drive Yugoslavia to break up, with human rights virtually guaranteed to suffer. Conversely, it is argued, strengthening the Yugoslav federal government, while publicly denouncing the abuses engaged in by its constituent republics, aims at the best human rights outcome. Helsinki Watch recognizes the strengths and good intentions of this argument.

Nonetheless, Helsinki Watch does not endorse this position. As a human rights monitoring group, we do not take positions on which political arrangements within Yugoslavia or which political strategies may or may not ultimately serve to protect human rights. Rather, Helsinki Watch believes that the United States should distance itself from abusive governments and express its disapproval by ending most forms of economic support, as provided by U.S. human rights law. Section 116 of the Foreign Assistance Act provides that governments engaged in a consistent pattern of gross violations of human rights should be given no economic assistance except that which benefits the poor, or meets basic human needs. Such gross abuses—including torture and arbitrary killings—are being committed in the province of Kosovo because of the policies of the Serbian government. Because the federal government in Belgrade continues to be, formally at least, the government of all Yugoslavia, it must under U.S. law be held responsible for human rights abuses that occur in Kosovo.

Helsinki Watch also takes the position that sanctions should be directed not only at the government formally responsible for preventing abuse, but also at any abusing agencies, such as abusive security forces or abusive local governments. If, in fact, the federal government of Yugoslavia lacks control over the security forces of its various republics, as more and more appears to be the case, then it becomes increasingly important that to the extent possible economic sanctions be applied directly against the republic governments engaged in abuse, as would be possible in the case of development aid or loans that might bypass the central government.

Helsinki Watch thus urges that economic sanctions be used against the federal government of Yugoslavia and, when possible, against the government of the republic of Serbia which is involved in egregious human rights abuses in the province of Kosovo. (For example, Helsinki Watch would not oppose targeted assistance programs in republics which do not have serious human rights problems, where the local government or private organizations administer the aid, as opposed to the federal government of Yugoslavia.) We also urge that the situation in other republics of Yugoslavia be carefully monitored, especially in Croatia where there is a potentially explosive human rights situation, and that economic sanctions be applied in the future to any Yugoslav republic engaged in egregious human rights abuses.

Thank you again for this opportunity to appear before you.

¹ For example, public statements by Senator Dole while he and other members of a U.S. congressional delegation were in Kosovo in September received wide press attention in Yugoslavia and elsewhere. See Reuters, September 7, 1990.

Senator BIDEN. You took my one question out of my mouth. You indicated in the early part of your testimony that you were told by the central government that the Serbian Republic could not be controlled and your safety depended on that. They couldn't guarantee it. And I was going to ask whether you believe that, and you just said it is a difficult question for you. Is that right?

Ms. LABER. It was a difficult question, but I thought it was a very telling response also because I do believe that in this particular case which became a source of public embarrassment, the federal government really did want to invite these people back in but they showed how weak they were in relationship to the Serbian Republic.

Senator BIDEN. Thank you. Dr. Bonutti, welcome.

STATEMENT OF DR. KARL B. BONUTTI, PRESIDENT, SLOVENIAN-AMERICAN HERITAGE FOUNDATION, PEPPER PIKE, OH

Dr. BONUTTI. Mr. Chairman, thank you for the opportunity to testify on the current status of the Republic of Slovenia. Let me mention at the outset that this morning I had the opportunity to talk by phone with the Prime Minister of Slovenia, Mr. Lojze Peterle, who asked me to convey to you, Senator Biden, and the distinguished members of the subcommittee his deep appreciation, as well as the appreciation of the Slovenian government for holding these hearings.

The 300,000 Americans of Slovenian descent are proud that Slovenia, the land of their ancestry, after 45 years of one-party Communist rule, on April 8, 1990, was the first among the six republics of Yugoslavia to opt for free elections and a multiparty system of government.

They were equally proud when 3 months later on July 8, 1990, under the freely elected leadership, the Slovenian nation solemnly carried out an act of reconciliation bringing to an end 45 years of repressed antagonisms between two opposing ideologies. With this the new government committed itself to building a future not on hatred and recrimination, but on understanding and cooperation with national priorities transcending political and sectarian goals.

More recently on December 23, 1990, when it became clear that the federation of the Yugoslav republics could not reach a workable consensus for future relations, again by the most democratic process, a national plebiscite, 93 percent of the eligible voters approved by a 95-percent majority the creation of an independent democratic country based on respect for human rights and nationality rights. The Slovenian people empowered the Slovenian parliament to begin the process of negotiations to lead to political and economic independence within 6 months. And yesterday the Slovenian parliament unanimously voted officially to disassociate and disengage from the Yugoslav federation. These expressions of democratic values are rooted in the history of the Slovenian nation. As stated on the U.S. Senate floor in 1967 by a great Slovenian and a great American, Senator Frank J. Lausche, "For over a thousand years, Slovenians believed that the power to govern rested with the people who were to be governed not those who were governing.

They believed that their rulers should be men of the people, of all the people."

It is because of these deeply felt principles that Slovenians strongly objected to the continuing Serbian leadership's repressive methods against Albanians of the Kosovo region, albeit the cradle of the Serbian nationhood, but over 90 percent populated by Albanians. Strong Slovenian stand in support for human rights for the Albanian minority created a rift between the two republics which has been continuously worsening to this day.

Slovenia is one of the smallest Yugoslav republics. Of the 23 million people living in Yugoslavia, approximately 8 percent are Slovenians. In Slovenia 90 percent of the population is ethnically Slovenian. Economically Slovenia is by far the most prosperous and economically advanced, producing 25 percent of the Yugoslav GNP and 35 percent of the hard currency exports. Bordering on Austria and Italy, it sees itself as part of western rather than Eastern Europe and hopes eventually to integrate in the European Common Market. Because of its export-oriented economy, the 1990 reforms implemented by the Yugoslav Prime Minister, Ante Markovic, severely damaged Slovenia's economy. With an overvalued dinar, Slovenia's products became too expensive on international markets contributing to the collapse and the bankruptcy of profitable Slovenian businesses.

Equally detrimental for the future of Slovenia are political developments. With only 8 percent of the Yugoslav population, Slovenia seeks a loose confederation of Yugoslav republics similar to Benelux while Serbia, with 40 percent of the Yugoslav population, supports a strong central government of federated republics. In ethnically pluralistic societies like Yugoslavia, majority rule often means majority dictatorship rather than democracy. Such societies need a democratic regime based on consensus instead of opposition where inclusion rather than exclusion is emphasized.

Unlike the United States, a country created by immigrants who list the United States as their own, even though many might call themselves German Americans, Italian Americans, African Americans, Yugoslavia is a county of individual nations who freely joined the Yugoslav federation. In fact, only 5 percent of all the Yugoslav citizens in the 1980 census declared themselves members of the Yugoslav nation. The other 95 percent listed their——

Senator BIDEN. Only 5 percent you said?

Dr. BONUTTI. Only 5 percent listed Yugoslavia as their nation, while the other 95 percent listed their nation as Serbian, Croatian, Slovenian, Albanian, et cetera.

The Slovenian and Serbian leaderships have been at odds on this issue and there is no solution in sight. The relationships have deteriorated to the point where the Serbian Republic has unilaterally imposed a 50-percent tariff on all products from Slovenia. The recent electoral victory by the leader of the former Communist Party of Serbia, Mr. Slobodan Milosevic, who received a clear mandate with the strongly centrist, one-party policies of the past years has strengthened these repressive policies.

At this time the outlook for major agreements among the various republics of Yugoslavia is purely academic. How can western European democracies and the United States support a regime that

clearly represents and supports the former Communist mentality? Having freely chosen democracy and a market economy, what choice has the Slovenian nation, but to opt for an independent Slovenia, a status which will enable it to continue the peaceful process of democratic development.

As the leading democracy in the world and champion of the human rights, the United States cannot ignore national aspirations and the right of self-determination even though this might mean a rupture of the Europe political mosaic. The United States must encourage and support the democratic process and its implementation wherever it appears.

Yugoslavia and the Soviet Union, the two federations of nationalities who are presently experiencing secessionist tendencies within their existing federations, should be made aware that the United States Congress is determined to defend and support free expressions and basic freedoms. These democratic movements which have been set in motion with the lifting of the iron curtain cannot and should not be stopped. They are at the forefront of a new world order, one where universally guaranteed individual human rights will lift the human spirit to ever greater and challenging frontiers of democracy.

Thank you.

[The prepared statement of Dr. Bonutti follows:]

PREPARED STATEMENT OF KARL B. BONUTTI

Thank you for the opportunity to testify this afternoon.

The 300,000 Americans of Slovenian descent are proud that Slovenia, the land of their ancestry, after 45 years of one-party Communist rule, on April 8, 1990, was the first among the six republics of Yugoslavia to opt for free elections and a multiparty system of government.

They were equally proud when 3 months later, on July 8, 1990, under the freely elected leadership, the Slovenian nation solemnly carried out an act of reconciliation bringing to an end 45 years of repressed antagonisms between two opposing ideologies. With this, the new government committed itself to building a future not on hatred and recrimination, but on understanding and cooperation, with national priorities transcending political and sectarian goals.

More recently, on December 23, 1990, when it became clear that the federation of Yugoslav republics could not reach a workable consensus for future relations, again by the most democratic process, a national plebiscite, 93 percent of the eligible voters approved by a 95-percent majority, the creation of an independent democratic country based on respect for human and nationalities rights. The Slovenian people empowered the Slovenian parliament to begin the process of negotiations to lead to political and economic independence within 6 months. These expressions of democratic values are rooted in the history of the Slovenian nation. As stated on the U.S. Senate floor in 1967 by a great Slovenian and great American, Senator Frank I. Lausche, "For over a thousand years * * * Slovenians believed that the power to govern rested with the people who were to be governed not those who were governing. They believed that their rulers should be men of the people, of all the people * * *"

It is because of these deeply felt principles that Slovenians strongly objected to the continuing Serbian leadership's repressive methods against Albanians of the Kosovo region, albeit the cradle of Serbian nationhood, but over 90 percent populated by Albanians. Strong Slovenian stand in support for human rights of the Albanian minority created a rift between the two republics which has been continuously worsening to this day.

Slovenia is one of the smallest Yugoslav republics. Of 23 million people living in Yugoslavia, approximately 8 percent are Slovenians. In Slovenia 90 percent of the population is ethnically Slovenian. Economically, Slovenia is by far the most prosperous and economically advanced, producing 25 percent of the Yugoslav GNP and 35 percent of the hard currency exports. Bordering on Austria and Italy, it sees itself as part of Western rather than Eastern Europe and hopes eventually to inte-

grate into the European Common Market. Because of its export oriented economy, the 1990 reforms implemented by the Yugoslav Prime Minister Ante Markovic severely damaged Slovenia's economy. With an overvalued dinar, Slovenia's products became too expensive on international markets contributing to the collapse and bankruptcy of profitable Slovenian businesses.

Equally detrimental for the future of Slovenia are political developments. With only 8 percent of the Yugoslav population, Slovenia seeks a loose confederation of Yugoslav republics similar to Benelux (Belgium, Holland, and Luxembourg) while Serbia, with over 40 percent of the Yugoslav population, supports a strong central government of federated republics. In ethnically pluralistic societies like Yugoslavia) majority rule often means majority dictatorship rather than democracy. Such societies need a "democratic" regime based on consensus instead of opposition, where inclusion rather than exclusion is emphasized. Unlike the United States, a country created by immigrants who list the United States as their own (even though many might call themselves German Americans, Italian Americans, African Americans, etc.), Yugoslavia is a country of individual nations who freely joined the Yugoslav federation. In fact only 5 percent of all Yugoslav cities in the 1980 census declared themselves members of the Yugoslav nation. The other 95 percent listed their nationalities as Serbian, Croatian, Slovenian, Albanian, etc. The Slovenian and Serbian leaderships have been at odds on this issue and there is no solution in sight. The relationships have deteriorated to the point where the Serbian republic has unilaterally imposed a 50-percent tariff on all products from Slovenia. The recent electoral victory by the leader of the former Communist Party of Serbia, Mr. Slobodan Milosevic, who received a clear mandate to continue with the strongly centrist, one-party policies of past years has strengthened these repressive policies.

At this time the outlook for major agreements among the various republics of Yugoslavia is purely academic. How can Western European democracies and the United States support a regime that clearly represents and supports the former Communist mentality? Having freely chosen democracy and a market economy, what choice has the Slovenian nation but to opt for an independent Slovenia, a status which will enable it to continue the peaceful process of democratic development.

As the leading democracy in the world and a champion of human rights, the United States cannot ignore national aspirations and the right of self-determination even though this might mean a rupture of the European political mosaic. The United States must encourage and support the democratic process and its implementation whenever it appears.

Yugoslavia and the Soviet Union, the two federations of nationalities who are presently experiencing secessionist tendencies within their existing federations should be made aware that the United States Congress is determined to defend and support free expressions and basic freedoms. These democratic movements which have been set in motion with the lifting of the iron curtain cannot and should not be stopped. They are at the forefront of a new world order, one where universally guaranteed individual human rights will lift the human spirit to ever greater and challenging frontiers of democracy.

Senator BIDEN. Thank you, Dr. Bonutti.

Mr. Stone, you are last, but certainly not least. I appreciate your patience.

Mr. STONE. In view of my patience, perhaps you might permit me an extra minute if I need it. [Laughter.]

STATEMENT ROBERT RADE STONE, PRESIDENT, SERB NATIONAL FEDERATION, PITTSBURGH, PA

Mr. STONE. Thank you, Mr. Chairman.

Permit me to say at the outset that I as a former elected official cannot lay claim in the past or now of being a paid lobbyist, a paid public relations person, nor can I lay claim to election contributions from any person or any group represented here today. I am an American and I am proud of that. I am of Serbian parentage and I am proud of that. I am anticommunistic and I am proud of that.

This hearing today, as I understand it, is a factfinding review, and it is intended to be fair and unbiased. And I believe in that. We sincerely hope, Senator Biden, that unlike a prior U.S. congressional human rights caucus meeting, that some predetermined resolution has not already been prepared by this committee before this hearing today for presentation to the Senate tomorrow.

Senator BIDEN. I want to make it clear to you and everyone else, there is no resolution before this committee. There is none under consideration. This is a factfinding mission.

Mr. STONE. I just want to make it clear that that is what happened already in the U.S. Congress.

Senator BIDEN. I can tell by the look in your eye that you were serious, and that is why I want to make it clear that there is none here. [Laughter.]

Mr. STONE. It is important that we are both emphatic on a point that is the truth. Thank you much.

Senator BIDEN. It is important at this point there be a little humor injected.

Mr. STONE. Thank you much.

Senator BIDEN. Go right ahead. [Laughter.]

Mr. STONE. Since this is a factfinding hearing, permit me to stick to the facts. Unlike our Western press and media, which tends to paint the Serbians as Communists, if not worst, let us without taking sides review some facts.

Call Serbia or its leaders as you might. It is a fact that 40 percent of Yugoslavia is Serbian and has been. And unlike the United States of America, Yugoslavia is the only place in the world except South Africa where the majority is not permitted to be the majority.

In fact, even with 40 percent of the population, political gerrymandering by Communists—Tito, a Croatian, Kardelj, a Slovenian—the Serbians were so dispersed that they control only one republic and have one-sixth of the power of that country even though they have 40 percent of the population of that country.

Recently the Republics of Croatia and Slovenia demanded independent states as opposed to Serbia which demands a federation. In fact, Serbia during the start of some of the problems here demanded a federal law prohibiting discrimination anywhere in Yugoslavia. Sound familiar? It ought to. It is the United States of America's system, a democratic government.

Serbia and Serbians are accused of being too ethnic and/or nationalistic. But the facts are that they are the last in Yugoslavia to claim their Serbian rather than Yugoslav ethnic national identity and pride, but it was forced upon them.

For example, in Zagreb the banks are Zagreb banks, but in Belgrade they were Yugo Banks. The language of Zagreb, Croatia is Croatian, and Belgrade Serbo-Croatian. In Zagreb they claim to be Croatian, but in Belgrade until recently they were Yugoslavs.

When one ethnic group pushes theirs, the other obviously demands theirs.

The Serbians have no protest to self-determination, but when Mr. Tudjman, the president now of the Republic of Croatia, invites the Ustashi back to his independent state of Croatia, he rekindles

the fear, the peril and the genocide of Serbians, Jews and Gypsies in the Republic of Croatia today.

Nazi Germany, in exchange for Croatia and Croatian alliance in World War II, declared an independent state of Croatia. That independent state of Croatia, that state of the Ustashi, Fascist Croats, provided a bloodbath of genocide in that Ustashi state, and 700,000-plus Serbian Orthodox, Jews, and Gypsies were massacred in the unforgotten holocaust. Regretfully the church in Croatia did not even cry out, but rather paid homage to it. A shame.

Today 600,000-plus Serbians live in the Republic of Croatia and they are in jeopardy of another holocaust in the Republic of Croatia with President Tudjman's call for the Ustashi, Fascist Croats, to return to his and their Croatia.

In 1984, I led a fundraising program to reconstruct the Serbian Orthodox Church in Jasenovac where the Croatian Ustashi had their concentration camp. Relative to the area known as Kosovo in the Republic of Serbia and on June 28, 1989, I carried the United States American flag in front of 2.2 to 3 million people celebrating the 600th anniversary of the battle in which the Serbians saved the Christian world from the onslaught of the Islamic Ottoman Empire.

It is today commonly said in Kosovo that 90 percent of that area today is Albanian, but it is more commonly and universally forgotten, ignored, or deliberately passed over that the Serbians, allies of the United States in two wars and the savior of 600 United States airmen shot down over Yugoslavia during World War II, got their "reward" first from Nazi Germany who with their Axis ally, Albania, displaced the Serbians from Kosovo where they were the majority before World War II and where that area for centuries was the cradle of Serbian orthodoxy leading back to the 13th century.

Second, from the same Axis forces with their Axis ally, Albania, hundreds of thousands of illegal aliens from the country of Albania were imported into Kosovo to reduce the Serbian majority and to begin an Albanian majority with or without Yugoslav Albanians.

And the final "reward" was at the hands of the communistic and atheistic leaders, Tito and Kardelj, who first systematically gerrymandered the republics to cut the country's Serbian majority and more importantly refuse to permit the displaced Serbian majority after the war's end to return to their own prior homes and to their ancestral home.

But you, Senators, must stop to wonder what the Serbians feel today as allies of the United States of America in two wars and its allies then, but today they are treated as if they are the enemy and without even a fair consideration, let alone a just regard.

It is interesting to note the international word for Kosovo that area is called Kosova with an "O." Senator Dole says Kosova which is an Albanian phrase. He used that phrase before he went into Yugoslavia for his visit. He put out press releases with the phrase in it before he went there, and when he was in Pristina and when he met with the Serbian Orthodox clergy, he in an accusatory nature asked them to justify what was happening in Kosovo even though the bishop there, as Congresswoman Bentley mentioned, is regarded as almost a living saint. He was abused. Two of his nuns

were raped, and a visiting Roman Catholic nun at that same time was also raped by the Albanians in that area.

Our Western press and many of this Senate and Congress overlook a very obvious and glaring fact, that all of the present-day leaders in all of the republics of Yugoslavia were communistic government leaders yesterday. When does a Communist become a democratic advocate? One day, a week, 1 year, or when it serves their need or when by rhetoric they use the key catch phrases that we Americans like to hear: freedom, democracy, human rights, our rights? A law professor of mine once said "You can put a sign on the side of a horse and say it's a cow, but it still is a horse." Need I say further?

Let me factually look at some recent elections. In Slovenia and Croatia seven or eight candidates, all admitted communistic governmental functionaries, were candidates in a quick election. Mr. Tudjman, an admitted Communist, won in the Republic of Croatia. That election was neither multiparty nor democratic by any stretch of the imagination. Some don't care for the results.

Disregard then the results then in the election in the Republic of Serbia. There we found 32 parties and an almost equal amount of candidates. That was truly multiparty and multicandidate. Like it or not, it was a fair election. I was an observer there. The Republican Institute and the Republicans not being in my political persuasion also were observers, and when I spoke to Lynn Martin, she confirmed that their group found it to be fair.

It is noteworthy to mention that the Republic of Serbia chose as its leader Milosevic not because he was a Socialist, not because he was a former Communist or now, but rather they chose him as an individual rather than a party person because he was a tested leader and considering the present complex and traumatic problems that existed in that country today, they believed that he was the best candidate leader to lead them today.

U.S. Senators are not naive, and they were not born yesterday. You have heard facts and you have heard rhetoric and idle words many times before. You are to use that common, God-given sense given to you.

I believe the United States of America is the greatest country in the world. It is great and it will remain great so long as we deal fairly and justly with all objectively. And without prior prejudice, directed targets, predetermined conclusions and/or support of paying or contributing clients.

The situation that exists in Yugoslavia today is a complex one and needs more than a mere cursory review. I have had the opportunity to travel the whole country, and I can say to you that I found people everywhere there to be fine people. I did not and will not share with the governmental officials that exist in all of the republics that they are other than primitive, regressive, discriminatory, self-serving and obviously intended to even inflict death if it be necessary to pursue their goals.

Let us honestly, justly, and fairly judge this situation before decision. It is the American way only if you Senators do it that way.

And if I may, let me just add a couple of points and I quit.

My respected colleague from Minnesota who I have heard well from, the Governor, has quoted some words, and that is accurate.

But I think he does not go far enough. It is admitted by the Republic of Croatia that even though they say everyone will have equal rights, they will not permit the Serbians to have their Cyrillic alphabet in the republic nor their cultural clubs. And in addition to that, they are now doing a purge of their police, and anyone who has any Serbian blood in the last four generations will be fired from the police department in the Republic of Croatia. And I have a cousin who is in that position ready to go.

As for Mr. DioGuardi, he made an accurate statement. He was a U.S. Congressman. When he goes to another country, he as I have to learn that we are not DeGaulle going into Quebec. We have to respect that country. And if you want to agitate in their country, they have a right to do something, as we would do, if someone came here to agitate.

I just want to say I found all the people well. It is regretful because I believe that country is a jewel if it were able to hold itself together.

I thank you for the time. [Applause.]

[The prepared statement of Mr. Stone follows:]

PREPARED STATEMENT OF ROBERT RADE STONE

Permit me to say, at the outset, that, as a former elected official, cannot lay claim, in the past or now, of being a paid lobbyist, nor a paid public relations person, nor can I lay claim to election contributions to my past U.S. Presidential campaign, from any person or group, represented here today.

I am an American and proud of that. I am of Serbian parentage, and proud of that.

This hearing today, as I understand it, is a factfinding review, and intended to be fair and unbiased.

We sincerely hope Senator Biden, that, unlike a prior U.S. congressional human rights caucus meeting, that some predetermined resolution has not already been prepared by you, or through you or by this committee before this hearing—today, for presentation—to the Senate—tomorrow.

Since this is a factfinding hearing, permit me to stick to the facts.

Unlike our Western press and media, which tends to paint the Serbians as "Communists," "and the worst," let us, without taking sides, review some facts.

Call Serbia, or its leader, as you might, it is a fact that 40 percent of Yugoslavia is Serbian.

Unlike the U.S.A., Yugoslavia is the only place, except South Africa, where the majority is not permitted to be in majority.

In fact, even with 40 percent of the population, political gerrymandering, by Communists. Tito, a Croatian, and Kardelj, a Slovene, the Serbians were so disbursed that they control only one republic and have one-sixth of the power, to date, even with 40 percent of the population.

Recently, the Republics of Croatia and Slovenia demand "independent States" as opposed to Serbia, which demands a Federation.

In fact, Serbia was the leader—demanding a federal law prohibiting discrimination—anywhere in Yugoslavia.

Sound familiar? It ought to. It is the United States of America system—a democratic government.

Serbia and Serbians are accused of being too ethnic and/or nationalistic. But—the facts are—they were the last in Yugoslavia to lay claim to their Serbian, rather than Yugoslav, ethnic national identity and pride but it was forced upon them. For example, in Zagreb—the banks were Zagreb banks, in Belgrade they were Yugo banks, the language of Zagreb, Croatia—was "Croatian" and in Belgrade—Serbo Croatian. In Zagreb, they claimed to be Croatian, but in Belgrade, until recently, they were Yugoslavs.

When one ethnic group pushes theirs, the other—demands theirs.

The Serbians have no protest to self-determination, but when Mr. Tudjman, the president of the Republic of Croatia invites the Ustashi back to his "Independent State of Croatia," he rekindles the fear, peril, and genocide of Serbians, Jews, and Gypsies in Croatia.

Nazi Germany, in exchange for Croatia's and Croatian alliance in WWII, declared an "Independent State of Croatia."

That "Independent State of Croatia"—the State of Ustashi (Fascist Croatia) provided a blood bath of genocide—in that Ustashi State; and 700,000 plus Serbian Orthodox, Jews, and Gypsies were massacred in that "Forgotten Holocaust." Regretfully, the Church in Croatia did not cry out, but rather paid homage to it. A shame.

Today, 600,000 plus Serbians, living in the Republic of Croatia are in jeopardy of another Holocaust in the Republic of Croatia—with President Tudjman's call for the Ustashi (Fascist Croatians) to return to his and their Croatia.

In 1984, I led a fundraising program to reconstruct a Serbian Orthodox Church in Jasenovac, where the Croatian Ustashi had their concentration camp, and 1 year prior to that, using ultraviolet rays, they found additional mass graves, so now, in excess of 1 million Serbian Orthodox, Jews, and Gypsies lost their lives, due to genocide, in that "Forgotten Holocaust" in the Republic of Croatia.

Relative to the area known as Kosovo in the Republic of Serbia, it is commonly said that 90 percent of that area today is Albanian, but it is more commonly and universally forgotten, ignored, or deliberately passed over that the Serbians, allies of the United States in two World Wars, and the savior of 600 U.S. Airmen shot down over Yugoslavia during World War II, got as their "reward"—first—from Nazi Germany, with its Axis ally, Albania displacement of the Serbians, from Kosovo, where the Serbians, were the majority and where that area for centuries was the "Cradle of Serbian Orthodoxy," leading back to the 12th Century. Second—from same Axis forces, with their Axis ally, Albania, hundreds of thousands of illegal aliens, from the country of Albania, were imported to Kosovo, to reduce the Serbian majority and to begin an Albanian majority, with and without, Yugoslav Albanians. And their final "reward"—was, at the hands of the Communist and atheistic leaders, Marshall Tito and Kardelj, who first systematically gerrymandered the republics—to cut the country's Serbian majority, and more importantly—refused to permit the displaced Serbian majority, after the war's end, to return to their own prior homes and to their ancestral home—their Vatican * * * their Jerusalem * * * their Canterbury, and * * * their Mecca.

But—you Senators, must stop to wonder what the Serbians feel, as allies of the U.S.A. and its allies—then, but—today, they are treated as if the enemy and without even a fair consideration, let alone a just regard.

Our Western press and many of this Senate and Congress, overlook a very obvious and glaring fact—that all of the present day leaders, in all of the Republics of Yugoslavia were Communist governmental leaders—yesterday.

When does a Communist become a democratic advocate * * * a day, a week, a year, or when it serves his needs, or when by rhetoric, they use the key catch words, we, Americans, like to hear "freedom, democracy, human rights."

There is a Serbian saying "Ko to Kaze Ko to Laze (who is saying, who is lying).

My law school professor once said, "You can put a sign on the side of a horse and say it is a cow, but—it is still a horse."

Need I explain further?

Let us factually look at the recent elections.

In Slovenia and Croatia, seven or eight candidates, all admitted Communist governmental functionaries, were candidates, in a quick election. Mr. Tudjman, an admitted Communist won in the Republic of Croatia.

That election was neither multiparty, nor democratic by any sketch of the imagination.

Some don't care for the results.

Disregard the results, then, in the elections in the Republic of Serbia. There we find 32 parties, and an almost equal amount of candidates.

That was truly multiparty and multicandidate.

Like it or not, it was a fair election.

I was an observer. The Republican Institute (not of my political persuasion), also were observers, and also agreed.

It is noteworthy to mention that the Serbians of the Republic of Serbia, chose as its leader Mr. Milosevic, not because he was a Socialist or a Communist, but rather they chose him as an individual rather than a party person because he was a tested leader and considering the present complex and traumatic problems that existed in that country today—they believed that he was the best candidate to lead them—today.

I have attempted to make a point to request you Senators to address the facts. You U.S. Senators are not naive, nor were you born yesterday. You have heard facts, and you have heard rhetoric, and idly words, many times before.

You are to use that common God-given sense, given you.

I believe the United States of America is the greatest country in the world. It is great and will be great, so long as, we deal fairly and justly with all objectively; and without prior prejudice, directed "targets," predetermined conclusions and/or support of "paying or contributing clients."

The situation that exists in Yugoslavia, today, is a complex one and needs more than a cursory review.

Let us honestly, justly and fairly judge this situation, before decision.

It is the American way, if you Senators do it that way.

Senator BIDEN. It will be very regretful for all of you who are clapping to leave, and I will make you leave if I hear one more word and you miss my questioning because my questioning is about to be brilliant. So, you should be good. If you are not—I am not joking—you're all out of here. Everything has been going well so far. There has been no revolution. It is the magic of America. Just think about it, by the way. Just think about what other country is this likely to take place in.

As you were all talking, I was thinking of California, the only State in America, Governor, I have always thought was sort of out of America. I have an increased respect for it. They have more people in California with greater ethnic diversity than you have in the country of Yugoslavia, and they live very, very well. There is some magic about America that seems to be missing in other parts of the world starting with a country that I hail from, Ireland, and my forbearers and clearly your ancestors' region of the world.

So, let's keep it on that level for just a little bit longer.

I am going to have to recess for 3 minutes to take a phone call, literally 3 minutes. It is about 3 minutes after 5 o'clock now. By 6 after we will reconvene. I have a question for each of you, and hopefully we can end the day, as we began and have continued through the day, with a dialog and not a strong disagreement that results in us having our own cheering sections. OK? We will recess for 3 minutes.

[A brief recess was taken.]

Senator BIDEN. I would like to congratulate everyone. It seems everyone is here. We have the same number of people as when I left. It must be the presence of that woman with the American flag on her dress. I do not know who she is, but I compliment her. Although I warn you, had Senator Dole's flag amendment passed, you might be locked up in jail. [Laughter.]

Mr. STONE. Senator, I would be remiss if I didn't tell you that that girl's father was one of our faithful soldiers. He has a tremendous record with the United States.

Senator BIDEN. Well, I want to tell you something. The flag helped. It calmed everybody down. Thank you for being here.

Now, I realize there is nothing humorous about this difficult situation, and I mean this sincerely and from the bottom of my heart. I have nothing but appreciation for the depths of the feelings of those of you who have testified here and particularly those of you who are representing groups of Americans who have strong and deep ties to various parts of and various republics in Yugoslavia. So, I do not mean to make light of it. My attempt at humor is only an attempt to lighten things up—and I am not very good at it, as the Governor knows. But I do appreciate you all being here—not merely the witnesses but also the audience for being as well-man-

nered as you have been. And I know, as I said, the feelings run deep.

But let me ask some questions again in my attempt to educate myself and hopefully in the process educate many of us in the Senate who do not have either the academic or political background that you all have that leads you to a clear understanding of parts, if not all of Yugoslavia.

Let me begin in a somewhat random way. I want to go back to you, Ms. Laber. I want to pursue the last point you and I began to talk about before I stopped because I didn't want to interfere with the other witnesses' testimony.

Your group's recommendation is that—I assume you speak not only for yourself, but you speak for your organization.

Ms. LABER. Yes, I do.

Senator BIDEN. Your recommendation is that the United States should—and you listed the various forms of financial aid direct and indirect in which we participate for or with the country of Yugoslavia, that should be terminated unless things radically change in Kosovo.

And by the way, as you have all observed, I am terrible at pronunciations. I do not mean to sound it with an "O" or an "A." I don't know what I mean. OK? [Laughter.]

I'll call it the big K. There is trouble in the big K? [Laughter.]

Anyway, you indicated, though, that there was the possibility that the central government might not be able to control what you perceived to be, your organization perceives to be, human rights violations that are taking place at the hands of the Serbian Republic. Is that correct?

Ms. LABER. That is correct.

Senator BIDEN. Who would you leave the determination to were you writing legislation? And this is not the purpose of this committee. You made a specific recommendation, cutting off financial aid and economic aid. Who would you leave the determination to as to whether or not the central government was able to control it and therefore should or should not be, in effect, punished? "Punished" may be the wrong word. The whole attempt of this is to get a change in policy, and if the central government cannot control the policy, it cannot change the policy. Who would you leave that judgment to? Or has your organization not thought through that process?

Ms. LABER. I don't really see that as a problem in the sense that the central government is ultimately the responsible party. If there are gross violations of human rights taking place, as we believe there are, in Kosovo at this moment, then ultimately the central government is responsible and should be denied aid under U.S. law.

What I see as a problem is I am not quite sure logistically how it would work. I am sorry I didn't have a chance to speak to Senator Dole about it, to deny aid to a specific republic in addition to the central government. In other words, that would imply giving directed aid to what we perceive of as democratic republics within the federation.

Senator BIDEN. Well, the reason I ask is as a policy matter, assuming the Congress or the President agreed with your assessment of the situation, I assume you would not want to punish the other

five republics for what may or may not be the doing of only one republic, if your assessment is correct. And that is why I asked the question.

Ms. LABER. That is where it becomes complicated. There may be certain kinds of directed project aid that can go specifically to a republic that we feel is observing human rights.

Senator BIDEN. Now, Doctor, I appreciate your passing on the comments of the president of the republic. It is appreciated.

In light of your apparent access, based on your comment, tell me a little bit about your assessment of the seriousness of the action taken by the Slovenian parliament and whether or not it is, as suggested by one of the gentlemen from the State Department, an opening gambit in a bargaining process or an irreversible statement that can lead only to conflict or departure from what is now the nation of Yugoslavia.

Dr. BONUTTI. Obviously, it is an irreversible decision that has been made by the parliament on the basis of the plebiscite that they had. And so, at this point really Slovenia is a separate entity. Whether this entity will join some other structure, some other configurations, a confederation, that is something that will be decided at a later date.

Senator BIDEN. So, from your Slovenian parliamentary perspective now, the government of the republic at this moment considers itself, no longer part of the present Yugoslavian Government or the present configuration of the six republics?

Dr. BONUTTI. That is correct.

Senator BIDEN. Does that mean, as I read in the paper today, that they are serious about raising their own army, for example?

Dr. BONUTTI. Well, they are not so much interested in having an army per se, only in the sense of internal security. But they are thinking seriously and they already have the necessary plans to establish their own currency, to have their own plans for a central bank, they want to fulfill all the obligations that they incurred while part of Yugoslavia, especially foreign financial obligations. So, they do not want to shy away from anything that has happened that requires their own continuing commitment. They will do that.

Senator BIDEN. Now, explain to me, if you will, one other thing, and then I have questions for others on the panel, actually all of you.

What is the meaning of the report? And all we have thus far are the press accounts of what took place just yesterday.

Dr. BONUTTI. Yesterday at 4 o'clock in the afternoon their time.

Senator BIDEN. The press account indicated that something was—I forget the wording—being sent to each of the other republics. Let me see if I can find the quote.

“I’m afraid there’s no way back. This is clear, and until now we respect the federal constitution. After this, we will make our own laws and without limitation.” That is not what I was looking for.

Dr. BONUTTI. Well, they are informing the other republics about their decision to remove themselves from the Yugoslav federation.

Senator BIDEN. It was a resolution they passed to send around to the other republics.

Dr. BONUTTI. Well, in that sense the resolution to inform.

Senator BIDEN. It is not invitational.

Dr. BONUTTI. No.

Senator BIDEN. It is informational.

Dr. BONUTTI. Informational.

Senator BIDEN. I see.

What is your expectation as to the response of Croatia in light of the statements made earlier by the Croatian leadership indicating that they would not move unless and until Slovenia did? I am paraphrasing. I hope I am correct. And then they would move with Slovenia.

Dr. BONUTTI. Well, Mr. Chairman, we have to take into account the fact that these are two nationalities, independent nationalities. Each one decides on its own what is the best for themselves. Now, if both the Slovenian government and the Croatian government decide to establish some closer ties, that will be on the basis of a free democratic decision made by the two governments. However, at this point we don't know what exactly will be done by the Croatian government.

Senator BIDEN. How much of the action do you think was motivated by the economic disparity?

Dr. BONUTTI. It is only a partial reason for disassociating that has something to do. On the other hand, I must say the economic reforms of Ante Markovic have been very detrimental to Slovenia. Before those reforms, the standards of living of Slovenians were equal to 80 percent of the Austrians. In a matter of few years, their standards declined to 35 percent of the Austrians, which shows the huge change that happened in such a short time because of these reforms. Obviously, the economic reforms have hurt very badly the Slovenian Republic.

Senator BIDEN. Mr. Stone, what if anything do you think the U.S. Government should do relative to its policies about the situation in Kosovo? Let's assume that your characterization of the situation is accurate for the sake of this question. Is there anything? Obviously, you are acknowledging there is difficulty. You are acknowledging there is a problem in Kosovo. Now you do not see it the same way as other witnesses have testified to it, but it is a problem. From your perspective, if you were essentially writing U.S. policy at the moment, would it just be hands off, no comment, business as usual? Would it be an attempt at mediation? What would it be? What would you or your organization suggest?

Mr. STONE. If you will pardon me for what I am about to say—

Senator BIDEN. Oh, go ahead. A lot of things have been said.

Mr. STONE [continuing]. About some of your colleagues in the Senate and also in the Congress. If they had not been playing games with the country there, I think that the country itself would not have been manipulating the United States Congress and Senate by what they are doing in Yugoslavia today.

Senator BIDEN. Well, let me ask you this now. At least I think I know how I would like to rewrite history. As a student of history, I think I know how I would like to rewrite it. We would like to go back and make things different than they are. Rather than looking back, from this moment on, what would you suggest should be U.S. policy?

Mr. STONE. Are we talking about Kosovo?

Senator BIDEN. Yes.

Mr. STONE. What you are saying, you stole my house. Now let's talk about today. You don't walk away with my house and figure I am going to forget about it and let's talk about today. So, what I do tomorrow it is still your house. Then it's OK?

Senator BIDEN. No, no. What I am trying to do is get us to the point that we look at the situation as it is today, not necessarily don't say we're going to change it. There is an old expression—you're a lawyer—in English jurisprudential law—excuse the expression in this group, but it is the system upon which our legal system is based. And it is called possession is nine-tenths of the law.

Now, how do we deal with that to bring about what I assume you want? Let me state what I think you want, and I may be wrong. You would like to continue to see a united Yugoslavia, all six republics part of Yugoslavia, and you would like to see the 40 percent Serbian population have a greater influence in the totality of that. Am I wrong about that?

Mr. STONE. Not really even that. I was just trying to point out that even though everyone in our Western press would like to make Serbia and Serbians the worst people in the world—

Senator BIDEN. I do not find them to be that.

Mr. STONE [continuing]. Even though they are 40 percent of the people, they have never had 40 percent of the word. That's the point there.

Let me just say this much. As I have indicated, I have traveled most of Yugoslavia. I found the people all to be fine no matter what republic they came from. As crazy as it may seem, I think Milosevic, call him a commie or call him worse than that if you want—and as I indicated, I am anti-Communist. I think his idea was not really a bad one, and that was that if the country had a federal law like the United States of America, no discrimination anywhere—it shouldn't be in Kosovo. It shouldn't be in Croatia. It shouldn't be in Vojvodina or anywhere. I think that that is perhaps what is necessary.

Let me just offer, if I may, this point. The Serbs have no war against the Slovenians because the Slovenians saved Serbians during World War II and vice versa; they saved one another. But I think that everyone who thinks that they can break away—Slovenia may have some other problems with its other neighbors as to whether or not those even prior conditions may be that it is my time to pick back and get part of Slovenia. The other one might be with Croatia, whether they will be satisfied with Italy making some claim on some of their properties. It may be that the parts will not equal the whole. It may be that they find out in the final analysis, whether they like one another or not, that it is in their common progress if they bound together.

Let me just say this much. I don't believe, whether it be in Yugoslavia, the United States or anywhere else, that no peoples in this modern civilized world should be discriminated against.

Senator BIDEN. I believe you believe that. What I am trying to figure out is whether or not U.S. policy recognizing for whatever the reason that there is apparently some discrimination—it goes both ways. One of the advantages of not knowing a great deal about this is I can ask the stupid questions.

Assume for the sake of discussion that the discrimination is two ways in Kosovo. What should U.S. policy be now from your perspective? Should it basically be let it be worked out over there, or is there anything we should be doing to right the injustices that you see or to speak to them, the ones that you see? Or should United States policy be let it be taken care of within the confines of the present boundaries of Yugoslavia?

Mr. STONE. Wherever there be discrimination, I think the U.S. Government should see that it is abated. I believe, however, that if you divide up money by republics rather than the national level, that you are exacerbating the situation.

Senator BIDEN. You are a democrat with a small "D."

Mr. STONE. Capital "D" too.

Senator BIDEN. With a capital "D" as well. [Laughter.]

I have always liked Serbians. [Laughter.]

Obviously all of you are deeply committed democrats, to democracy. I do not doubt that.

Let me ask you this question, Mr. Stone. And I am not trying to be pejorative. I am truly trying to get your impression. Do you believe that the present government of Serbia, the republic, is democratically elected?

Mr. STONE. Yes. Let me just say this much. That is all qualified because all over the country is the same situation. But ask yourself whether they have made any strides in this year as opposed to last year. I think all of them have. I think Congresswoman Helen Bentley answered it well, and that was that there is now opposition in the Republic of Serbia. In fact, they do not even have that in the other republics.

Senator BIDEN. Now, that leads me to my last question for you, and that is this. You are knowledgeable about Serbia and the present government and the opposition. Is there any genuine debate among Serbs in Serbia about the present republic government's policy in Kosovo? Is there a debate about that? Is there a debate about how it is being handled, or is it uniformly viewed that the government is handling the situation properly?

Mr. STONE. I think the people there would like that issue resolved somewhere along the line. I think, however, the situation is not as resolvable as it might be not because of what is happening on top, but because of some of the agitation there and here of the people there.

Senator BIDEN. Governor, I do appreciate your coming. I know this is not an easy trip for all of you.

Last week, as I understand it, the president of Croatia reportedly declared that it would secede from Yugoslavia, as I have made reference to, "along with Slovenia when Slovenia decides to do so." Now, how close to reality is that assertion do you think? How do you assess it?

Mr. PERPICH. I don't know, Mr. Chairman. I am sure it is true of each one of the people that are here making testimony. We really have our roots through our parents and grandparents and we are here really not officially representing any one of the republics.

It is very, very difficult to say. You and I have been in this process for a long time, and what is a public statement is often consid-

ered to be different than what is happening in the negotiations or the talks that they are having on an individual basis.

What I believe is that those republics need breathing room, and that is how it all started. It much like when the governors get together, and it is us against what is happening in Washington, rules and regulations. And then within the Governors, you have those that feel for every dollar they are sending into Washington, they are only getting back, like Minnesota I guess, about 59 or 58 cents. And then if you were to put on top of that a very strong party structure that came from Washington, you could see the problems that it would create. And I think this is what happened in Yugoslavia. It was many of the problems of the central government, the central party. All of a sudden things began to change very dramatically, and probably the central government didn't recognize that there had to be some give and give these republics the breathing room that they needed.

I think initially that the republics recognized the need for the national defense and probably in the banking system a number of things that would have to be done as a country, but that they wanted more freedom, not only political but economic freedom. And going from, as they call it, the social sector to the private sector, that in itself in Croatia 8,000 enterprises that are really working overnight trying to become privatized. So, you put that all together, and if you have a central government that is not recognizing what is happening and giving them some opportunities to breathe, this is why you are at a crisis that we have over there.

So, it is really difficult to say again I am not privy what is happening, what they do publicly and what is happening in those negotiations they are having. But it is I think far more serious. I have been in all four times since I lost the election in November, and I think it is far more serious than what one feels from the testimony that I have heard this afternoon.

And this is why I think it is very, very important for those in leadership here in the United States because we literally have hundreds of thousands of people that are living here in the United States that are from Yugoslavia. Their roots are there. And therefore, the United States becoming more involved is not going to be looked at as an intruder. It is almost like a cousin coming home and trying to help.

There has always been a very friendly, very supportive feeling, very cordial, as I say, because of the roots and the numbers of people we have on the North American Continent from there. There is a real love for Americans and a love for America. You turn on the radio and what do you hear? You don't hear the tambouritzas. That's what I thought was going to happen when I went over there, and what did I hear? I hear more of what I'm hearing at home.

So, they could have a very positive influence of what is going on. I think if they continue in the policy that they are having right now—I am talking about our foreign policy—that we are inviting disaster over there.

Senator BIDEN. I found it to be such a magnificent country, such a beautiful country. And I had a chance to go through about two-thirds of it. It was magnificent.

Congressman, you indicated in your testimony that you believe that those living in Kosovo of Albanian ancestry, ethnic Albanians, did not have as their goal to separate from Yugoslavia and associate with Albania. My staff informs me that Radio Free Europe reported last week that according to a poll of ethnic Albanians in Kosovo, most believe the best solution to the province's problems would be a merger with Albania. Would you comment on that and do you see another solution that might be more likely to improve the conditions in Albania.

Assuming you are correct that Albanians in Kosovo are the victims of repression—assume that to be true, as you certainly do—where does the solution lie? So, back to my original question. Do you believe that the Radio Free Europe poll is incorrect? And what is the answer because I doubt whether you are going to tell me that after a thousand years, you are going to be able to rectify attitudes about who stole whose house when?

Mr. DIOGUARDI. Let me begin by again thanking you, Mr. Chairman, for your patience.

Senator BIDEN. I have more questions than you have time to answer I'm afraid. [Laughter.]

Mr. DIOGUARDI. I am impressed by your patience and by the conciseness of your questions.

Let me say this. You have been in politics a long time. I was only in politics 4 years. I was a CPA for 22 years.

Senator BIDEN. Well, you kept your hair. I lost mine.

Mr. DIOGUARDI. Well, that's debatable. [Laughter.]

But let me say this. What polls do you believe and what polls don't you? I don't know how that poll was taken. I don't know how the questions were framed.

Senator BIDEN. I don't either.

Mr. DIOGUARDI. And you don't either. But let's assume for a basis of discussion that the poll was prepared along the lines that would be prepared, let's say, for one of your elections and somehow it came out on that basis. I might be surprised up front, but then I might think about it and say what is the hope for these Albanian people. Why do they even consider answering a question like that? Well, there is such oppression. They are looking for some hope, and Lord knows at the time that question was asked, they may have said that.

But let me tell you why that will not happen, Mr. Chairman. The present leadership of Kosovo, the democratic leadership has said—and by the way, this is what cost me the 5-year ban. It wasn't because I was a bad boy. I was with Congressman Lantos. He sent a letter to the State Department.

Senator BIDEN. Congressman Lantos used to work for me. He did foreign policy for me, so I know you were in trouble if you were with him. [Laughter.]

Mr. DIOGUARDI. He was going to be here, but I don't think he could make it.

But let me say this.

Senator BIDEN. I am only kidding.

Mr. DIOGUARDI. We tried to be as civil, we tried to be as noncontroversial as possible. And everything was going fine until I covered an area because, as I said before, there is a magnificent propa-

ganda machine in Belgrade. And I found the article. It was in the New York Times September 13. "Truth is a casualty of the partisan Yugoslav press." This is written by our press in the New York Times. And especially since they monopolize the media, it is difficult for the Albanians to contend with that propaganda. But they did, Mr. Chairman, except for one item which I disposed of with Congressman Lantos in June of last year, and that is what resulted in the 5-year ban because Mr. Milosevic did not want to hear it.

But let me tell you what it is. It is very simple and it will guarantee the fact that the Albanians will never leave Yugoslavia, and that fact is that the democratic leadership of Kosovo has announced that it is willing to put in their constitution, the Kosovo constitution, a point that the Serbian minority can veto any secession from Yugoslavia. So, they have gone on record. I have gone on record, and this was the last big piece of propaganda that Slobodan Milosevic had. He didn't want to hear it. He doesn't want to hear from me anymore because now the Albanians have a spokesman for a change. But I am saying to you that no matter what that poll said, you can see the record for itself. The leader of the democratic party there, the Democratic League of Kosovo, the alliance, Dr. Rugova, has said that in the constitution of Kosovo for republic status they will allow the Serbian minority the right to veto any secession from Yugoslavia. What more could you say?

Senator BIDEN. As I said, I have a lot more questions, but I have really trespassed on your time already, especially those of you who have to catch planes.

Mr. DIOGUARDI. If you are going to conclude, I just wanted to make one other point, Mr. Chairman.

Senator BIDEN. Sure.—

Mr. DIOGUARDI. We can answer a lot of the assertions that were made, and we won't. But I think there is one thing, getting back to State Department policy, that you should be aware of because I believe that the most important aspect of this meeting, Mr. Chairman, is that the State Department address the issue of its accountability to all the people in Yugoslavia. And obviously, we have concerns from a national security point of view. There is no question about that.

But one of the things that I would want to alert you to that you may be aware of already is that the current leader of Serbia—and I have nothing against the Serbian people. I think many of them are very fine people. I am dealing with the Serbian authorities when I speak about that. The current leader has expansionist goals. There is no question. Even in the press recently, he announced his designs on parts of Croatia. He literally wants to come back to the greater Serbian dream that was there years ago. He has used that in Kosovo to get elected, and he is not stopping. And this is the problem that we are now seeing with Croatia. He would love to see Slovenia leave. He would love to see Croatia leave if he can keep part of that Dalmatian Coast, which would be very dangerous—and I will tell you why in a minute—because he knows he can subjugate the Macedonians, the Montenegrins and the Albanians. He literally has a design for greater Serbia. He does not care if Yugoslavia breaks up as long as he keeps all of Kosovo and he is able to deal with the others.

But our State Department better do a better job than they did in Kuwait because if we had been positioned in that part of the world and our intelligence was better, we would not be losing men and women right now on the front. We had to react, and we shouldn't be reacting right now. We should have been better. They are making the same mistake today in Yugoslavia because we know that if Serbia gets its designs and they then get a warm water port, we are now playing into the hands of the Soviet Union. They have been looking for that warm water port for years.

And let me tell you. Mr. Milosevic and Mr. Gorbachev have a very comfortable relationship. They have many times for hours in private rooms, and I do not know what they are talking about, but our State Department better be put on notice that if Slobodan Milosevic gets his way and somehow Serbia extends to the warm waters, we will undermine another State Department policy and that is keeping the Soviet Union away from a warm water port in that area.

Mr. STONE. Senator Biden, may I just do one point? I would like if the former Congressman would tell us if he and Congressman Lantos, after being in Pristina and Kosovo, were not in Tirana in Albania afterward.

Senator BIDEN. I would like you not to answer that question. You all can settle that afterward.

Mr. DIOGUARDI. There is nothing to settle.

Mr. STONE. The only reason I mentioned that. Dr. Rugova is in Tirana today.

Mr. DIOGUARDI. There is nothing to settle.

Senator BIDEN. By the way, with all due respect, I quite frankly don't care whether you were expelled or not expelled, what you said or what you didn't say, where you were or where you weren't. As far as I am concerned, any Congressman or American should be able to go anywhere and say anything they want whenever they want to say it. And if they get themselves in trouble in that area, they get themselves in trouble. As long as they don't try to keep you.

Mr. DIOGUARDI. Mr. Chairman, I will not answer that question, but—

Senator BIDEN. I did not want to get into that.

Now, I have a proposal. If we could just get everyone to move to California, we would settle this situation because Jerry Brown is running for the Senate out there this time, and I think he needs more help. [Laughter.]

I want to thank you, Congresswoman, for spending all this time here. You obviously care deeply about the issue. It is unusual. For those of you who don't know, the longest walk in America is the walk from the House side to the Senate side, except that the House Members think it is even longer for Senators to walk to the House side, but that is only because we are less welcome there. [Laughter.]

I am only kidding.

And I want to make one other thing clear. I want to close on hopefully a happy note. Congressman Lantos I think is one of the finest Congressman in Congress. I was joking. I wasn't joking,

though, about the fact he was my foreign policy adviser which will make some of you happy, some of you not so happy. [Laughter.]

But he was before he went home and ran for the House of Representatives. He concluded if Biden can do this, anybody can do it. He went home, got elected, and figured why work for me. And he did it well, and he is doing it extremely well.

I want to thank you all again, particularly those of you in the audience. As I said, it is very, very difficult when you feel as strongly about an issue as you do to go through the depths of your being to hear people make statements to which you are diametrically oppose, disagree, and remain silent. But that is the democratic process. You let it work today. I am impressed by it and I thank you all very, very much.

The hearing is adjourned. [Applause.]

[Whereupon, at 5:47 p.m., the subcommittee was adjourned, to reconvene at the call of the Chair.]



APPENDIX

PREPARED STATEMENT OF DAVID E. BONIOR

I'd like to thank Chairman Joseph Biden for holding today's hearing. The suffering of ethnic Albanians in Kosovo is an issue of great concern and personal interest. It is important that this issue is raised to make more Americans aware of this ongoing tragedy.

Last April, I entered a statement at a hearing held by the Congressional Human Rights Caucus about the repression Communist dictator Slobodan Milosevic is inflicting upon ethnic Albanians. Sadly, the situation has only gotten worse since then.

Reading the 1990 State Department Country Report on Human Rights Practices brings out the magnitude and severity of the abuses occurring in Kosovo. In summary, the report states, "In the province of Kosovo, Serbian authorities continued and intensified repressive measures that featured in 1990 thousands of political arrests, tens of thousands of politically motivated job dismissals, widespread police violence against ethnic Albanians. This violence included the use of excessive force by the police to disperse peaceful demonstrators, including random and at times unprovoked shooting by police, resulting in at least 30 deaths and hundreds of injured."

The report contains an eyewitness account of how "one (ethnic Albanian) prisoner had a cigarette lighter held to his fingers to revive him after he had been beaten unconscious." It also tells of the widespread practice of making new prisoners "run the gauntlet" through a line of police who beat them with batons.

At least 5,000 ethnic Albanians were imprisoned last year for participating in political demonstrations. Over 40,000 workers were fired for participating in peaceful strikes.

Not surprisingly, the police investigations of their own unprovoked attacks that left at least 30 ethnic Albanians dead are characterized by the State Department report as a "whitewash."

Severe restrictions on the press and freedom of speech are also listed in the report. In Kosovo, the Albanian-language newspaper, Rilindja, and all local Albanian-language radio and television news broadcasts were shut down. Ethnic Albanians were arrested for merely shouting "Kosovo republic" or flashing the "V for victory" sign.

In addition, the government of Kosovo, which had enjoyed autonomy since 1974, was completely suspended. Several delegates to the Kosovo legislature were arrested and legal proceedings were started against Premier Jusuf Zejnulahaj and Police Chief Jusuf Karakushi. All this for having the courage to declare their desire for self-determination and separate identity within the Yugoslavian federation.

The human rights abuses contained in the State Department report are echoed by the New York City Bar Association's mission to Yugoslavia and other human rights reports.

The so-called election returning Slobodan Milosevic to power was a complete sham. The State Department report details a "smear campaign" against the opposition, harassment of opposition leaders and the denial of financial resources to the opposition.

Any claim to democratic legitimacy by Milosevic is completely undercut by the recent revelation of his illegal order to print \$1.8 billion to pay federal workers, and in essence buy votes.

It is especially important for the State Department to continue its comprehensive documentation of these gross violations. Last year, Congress passed legislation requiring the halt of United States aid to Yugoslavia unless free elections were held in all six republics. I call on the State Department to remain steadfast to a high standard of democratic freedom in deciding whether we will continue to send aid.

While I realize that the situation in Yugoslavia is extremely unstable, and we do not want to hurt those republics where non-Communist governments were elected

in free balloting, we must not continue to be a party to the terrible repression being inflicted on Kosovo.

PREPARED STATEMENT OF DR. JOVAN RASKOVIC

The history of the relationship of the Serbians in Croatia is outlined in attached documents and is too involved and complex to go into detail here. Suffice it to say that prior to WWII, the two groups lived quietly together despite differences in religious beliefs and ethnicity.

However, as soon as the Nazis invaded Yugoslavia in 1941, the Nazis together with the Ustashi (the terrorists of Croatia) formed the Independent State of Croatia which declared war on the United States and the allies (incidentally the declaration of war has never been withdrawn). (Recently published books based on documents being declassified support all of what has been stated).

The genocide of 700,000 Serbs, Jews, and Gypsies by the Ustashi during WWII in the Lika portions and elsewhere in Croatia remains fresh in the minds of the citizens there who have become frightened since Dr. Franjo Tudjman has invited the Ustashi to return to Croatia.

Therefore, Serbs living in Lika have become fearful for their lives while at the same time seeking to have basic human rights. The Serbs are asking for the privilege to have their own schools with their own Cyrillic alphabet, a television network, newspaper, and other cultural freedoms. These are basic rights Albanians in Kosovo enjoy, but Serbs living in Croatia do not.

At the same time, the officials of Croatia have given every indication that they intend to "purify" those who work and live within the Croatian boundaries by (1) allowing persons to be employed on the police force only if they are third and fourth generation "pure" Croatian, (2) dismissing persons who are employed within the government (and elsewhere since the government controls all industry and business) if they are linked to a Serbian in any way—a Serbian-in-law or spouse for instance (see comment of Colonel Dragash, a retired U.S. Air Force colonel which is enclosed).

When Serbians and Jews recently sought to lay wreaths on the graves of the thousands who were buried en masse at the holocaust site of Jasenovac, their peaceful walk was halted by Croatian authorities who would not allow the wreaths to be placed on the graves.

This series of antihuman rights events, coupled with the return of the Ustashi, has caused the Serbians whose families have lived in the area for generations to refuse to turn over their defensive weapons kept in their homes. The Croatian police have endeavored to forcefully seize the weapons, creating tensions in the area.

After Croatia recently declared itself an independent state, free of the federal government in Yugoslavia, the Serbs again became fearful of a repetition of 1941 and endeavored to hold a peaceful referendum which was antithetical to the local state government which tried to stop the elections. Tensions have been rising since.

The Serbs in Croatia want what Kosovo had—autonomy. Unfortunately, Kosovo abused its autonomy first, by persecuting the Serbian minority. Second, by demanding much more than autonomy. Third, by associating with a foreign power which has tended to destabilize Yugoslavia.

I have every confidence that the Serbs of Croatia will not engage in any such acts.

[New York Times, Feb. 10, 1991]

ALBANIANS IN U.S. SHARE HOMELAND'S BURDENS

(By David Binder)

WASHINGTON, Feb. 8.—Albania's cautious move from Communist dictatorship toward multiparty democracy has kindled hope among Albanian-Americans that they can help speed the process.

"It is true, there is a second awakening," said Arshi Pipa, a poet and scholar, referring to the impact of Albanian events on the small but vigorous community of Albanian-Americans here. He said similar feelings were stirred in 1981, during a crackdown on ethnic Albanians in the Kosovo region of Yugoslavia.

"I was sort of apolitical," said Dr. Pipa, a 70-year-old retired professor of literature who writes about Albanian issues. "What happened in Kosovo woke me. Now all of a sudden the question of Albania itself has come up."

An estimated 175,000 people of Albanian origin live in the United States, most around New York, Boston, Chicago, and Detroit. Most of them have relatives in Albania or in the Yugoslav province of Kosovo.

Now that democratic political parties have sprouted in Albanian and Kosovo, where repression nonetheless continues, many Albanian-Americans find themselves torn over which region deserves more of their attention.

In Detroit, Ekrem Bardha, chairman of the Albanian American National Council, said that while he and his friends were mainly preoccupied by the situation in Kosovo, Albanian-Americans welcomed "democratization" in Tirana, the Albanian capital. He said the community was "ready to help and rebuild Albania."

S. Bitici, a New York restaurant owner, said that Albanian-Americans wanted to show their solidarity with the democratic movements surfacing in Albania, "although we don't know how to do it." He noted that the authorities in Tirana had barred the new democratic parties from receiving outside assistance for the campaigns leading up to Albania's first contested elections on March 31.

Mr. Bitici is a cofounder of Albanian Kosovar Youth in the Free World, a group dedicated to defending the rights of ethnic Albanians in Kosovo. Up to now he said, "I have been concentrating on Kosovo 100 percent."

Albanian advocates here dream of an ethnic Albanian republic in Kosovo that could one day unite with Albania. They say they dare not express this longing in public for fear of angering the leadership of Serbia, the dominant Yugoslav republic, which treats Kosovo as an integral part of the republic entirely subject to the authorities in Belgrade.

Campaigners with relatives in Albanian have been similarly reluctant to condemn the government in Tirana.

"Many Albanian-Americans suffered personal losses during the 46 years of Communist rule in Tirana. Dr. Pipa said his brother was killed and that he himself spent 10 years in prison before escaping from the country. Mr. Bardha said one of his brothers was executed by the Communist authorities in 1953.

They have acquired considerable political clout in Congress and have used it to lead their case.

Through extensive lobbying, Albanian-Americans have persuaded Congress in recent years to approve resolutions and laws supporting the cause of the 2 million Albanians in Kosovo and condemning repressive actions by the Serbian leadership.

[New York Times Book Review, Feb. 10, 1991]

A COFFIN FOR MIHAILOVIC

(By David Binder)

This work—part memoir, part exegesis of new archival material, part polemic—contends that in the middle of World War II, Britain betrayed a loyal guerrilla ally and sided with a devious guerrilla ally in occupied Yugoslavia.

The loyal ally was Draza Mihailovic, the Serbian officer who headed the Yugoslav Army of the homeland, better known as the Chetniks. The devious ally was Josip Broz Tito, the Stalin-schooled Communist who headed the National Liberation Army, better known as the Partisans. Nazi Germany and its allies, Fascist Italy, Hungary, and Bulgaria, had brutally divided and virtually devoured their country.

Mihailovic and Tito, in the course of fighting these common enemies, soon found themselves fighting each other. The principal stake was Serbia, the heartland of Yugoslavia and home of its most numerous nationality. Tito was the victor in this civil war, and he had Mihailovic executed in 1946.

The argument over the relative merits and allegiances of Mihailovic and Tito has lasted some 48 years and shows no signs of abating—despite a lopsided advantage on the Tito side, thanks in part to his many defenders and apologists in the West. Now comes Michael Lees, a British officer during World War I with impeccable credentials as a guerrilla fighter on the side of the doomed Mihailovic. He offers fresh and astonishing material in "The Rape of Serbia," culled from long-secret files that turned up in the Public Records Office in London.

What makes this material relevant now is that Serbia is troubled again. One could even make a case that Serbia's current agony, ignobly pitting it under a remnant Communist leadership against virtually all other parts of Yugoslavia, had its origins in the "rape" of which the author speaks.

Tracking his own experiences in Serbia from June 1943 to May 1944 against some newly discovered files of Britain's wartime Special Operations Executive, the office

responsible for overseeing paramilitary operations, Mr. Lees paints a grim picture of official doubledealing. He documents how James Klugmann, a Communist, and Basil Davidson, a self-described leftist, both stationed in the Cairo headquarters of the Special Operations Executive, systematically discredited Mihailovic while undermining British material support for his forces. Their methods included manipulating battle maps and messages from the field, and attributing successful Chetnik military actions to the Partisans.

* * *

Mr. Lees goes on to show that William Deakin and Fitzroy Maclean, both British emissaries to Tito and both intimate with Winston Churchill, helped persuade the Prime Minister to abandon Mihailovic and back Tito, which Churchill did with finality on Dec. 10, 1943. Until then the Chetniks had received only 30 tons of weaponry from the British, while the Partisans had got 18,000 tons. Tito turned many of those British guns against the Chetniks.

Mr. Lees points out that Brigadier Maclean and Captain Deakin derived their evidence for accusing the Mihailovic forces of collaborating with the occupiers almost entirely from Partisan sources, which were blatantly biased. Neither spent any time with the Chetniks.

Yet for more than four decades, Fitzroy Maclean and William Deakin—both prolific writers—have been the main architects of the widely accepted view that Tito was a positive figure and Mihailovic a negative one. It is because he contests this received wisdom so passionately that Mr. Lees wrote his book.

Mr. Lees' fierce assault is leavened periodically by affectionate recollections of his days as a British liaison officer between sabotage raids in the hills of southern Serbia in 1943: "Our simple needs were tended to by two giggling daughters of the house, Milunka and Zagorka, who seemed to enjoy carrying over a pot of bean soup twice daily for our meals, plus our breakfast at dawn—according to Serbian custom, a double slug of double-strength rakija (brandy)."

[The European, Feb. 1-3, 1991]

SECRET SERBIAN CAMERAS ROLL ON CROATIAN UNREST

(By Dusko Doder)

In a mad moment during Yugoslavia's internal convulsions last weekend, the Yugoslav high command put on a half-hour television program about a plot being hatched in Croatia, the country's second largest republic. The timing was delicate. At that very moment, federal army troops backed by tanks were in a state of maximum combat readiness throughout Croatia. The republic's 60,000 heavily armed police were backed up by thousands of armed nationalist militants.

The film, to put it mildly, was highly inflammatory. It was shot by operatives of the Serbian-dominated army who set up clandestine cameras in the private homes of senior Croatian leaders who were seen conspiring against army personnel. The footage, whose authenticity could not be verified, showed Croatia's Defense Minister, Gen. Martin Spegelj, talking of the need to kill the wives and children of army personnel. In a country which has lived though a uniquely ferocious and widespread tribal war between Catholic Croats and Orthodox Serbs, the general's remarks revived memories of the uniquely violent times during the Second World War.

The Croats first dismissed the army's film as a Bolshevik fabrication, then said that Spegelj was engaged in a "counterintelligence ploy" to mislead army agents. The authenticity of the footage soon became irrelevant, however. Croatian President Franjo Tudjman said: "We were on the brink of civil war," after a compromise was reached at 3 a.m. on Saturday.

The facesaving deal defused tensions, but only for the moment. As part of the compromise, the army high command ordered its troops back to barracks while President Tudjman demobilized 22,000 police reservists called up for active duty earlier in the week. The Croats also agreed to allow the military to prosecute individuals involved in creating and arming "paramilitary formations" in Croatia.

Whether or not the weekend's "historic" agreement is a positive development may become apparent later this week, at a summit where Yugoslavia's leaders will discuss the future shape of this multinational country which has been splitting along ethnic lines for several years.

There is little ground for optimism. The country's leaders seem to have skirted around the crucial issue that precipitated the Croatian crisis: arms.

The military high command had originally placed its troops in combat readiness to enforce a federal order to collect illegally imported weapons and to disband armed "paramilitary" units.

The army's revealing film—apart from the unpalatable methods used, which revealed the authoritarian approach of the Communist-dominated military—provided evidence that Croatian ministers had made clandestine purchases of Kalashnikov arms from Hungary last year. Two members of the Croatian cabinet, including General Spegelj, were shown to have made secret trips across the border to supervise weapons transfers. There were no reliable figures on the numbers of Kalashnikovs and other automatic weapons; estimates ranged between 30,000 to 80,000.

Croatia's leaders subsequently confirmed the purchases, but insisted that they had sought foreign weapons only after their requests to buy domestic-made arms were turned down by factories in Serbia. The Serbian minority in Croatia is heavily armed and Serbian militants have been in a state of open rebellion against the Croats for several months now. Serbs account for 12 percent of Croatia's 4.6 million population.

Since President Tudjman's victory in the first free elections in Croatia last spring, the nationalist Croat government has bought arms from Hungary and Singapore. Croatia's request to buy U.S. weapons was rejected by the Bush administration. The Croats argue that they need more arms to equip their newly created special police units and an elite police guard. President Tudjman has increased the number of police in Croatia from 16,000 to 60,000.

The Serbs argue that Croatia is planning to set up its own army and that its leaders are preparing to break up the Yugoslav federation of six republics. The crux of the conflict is that the Croats see the future of Yugoslavia as a loose confederation. Serbia, on the other hand, demands a more centralized federation.

[New York Times, Jan. 26, 1991]

YUGOSLAVIA TENSE OVER TV FILM ON CROATIAN ARMS

(By Chuck Sudetic)

ZAGREB, Yugoslavia, Jan. 25.—Tensions rose tonight after Yugoslav television stations aired film footage purporting to show Croatian government officials as they allegedly purchased weapons abroad, planned attacks on national army officers, and talked of waging a merciless civil war.

As much of the nation debated the meaning and authenticity of the film that had been supplied by the federal defense ministry, top federal authorities and Croatia's leaders met into the night in what aides described as a stormy emergency session aimed at heading off a possible armed confrontation between the Communist-led Yugoslav National Army and Croatian police forces.

Representing Croatia was the republic's President Franjo Tudjman, while the federal authorities included all eight members of the country's collective Presidency and the Prime Minister Ante Markovic, as well as leading officials from the national defense ministry.

Mr. Tudjman also met fact-to-face today with Serbia's hardline Communist President Slobodan Milosevic, in a session that was reported to have amounted to an angry exchange. In the welter of regional antagonisms that enmeshes all six Yugoslav republics, the harshest rivalry is between Serbia, the largest republic, and Croatia, the second-most-populous one.

In a 40-minute broadcast on Belgrade television tonight that is certain to send shock waves throughout Yugoslavia's fractious multiethnic society, the federal defense ministry ran film, purportedly taken with hidden cameras, that it said showed Croatia's Defense Minister Martin Spegelj, allegedly working out a deal to buy 4,600 automatic rifles from Hungary.

The broadcast included what the narrator said were recordings of Mr. Spegelj and Croatia's Interior Minister Josip Bojkovac, discussing other arms imports.

The film's audio was not clear, and the broadcast included subtitles to clarify the discussions.

During the film, Mr. Spegelj was said to have claimed that the Croatian government had "support in the West, and 2 days ago the Americans offered us 1,000 armored personnel carriers."

On Croatian television, Mr. Spegelj charged that the voices recorded on the film's soundtrack were fake. "In a few days, everyone will be able to see the falsifications

in all of this," he said. He said his government had technical means to discredit the film.

The U.S. Ambassador Warren Zimmerman, said no American military aid had been offered. "We have not given, we have not offered, and we have not promised any military assistance to Croatia," he said.

SUBVERSIVE TERRORIST ACTIONS

While showing the film on Belgrade television, its narrator said Mr. Spegelj and Mr. Bojkovac helped draw up plans for "subversive terrorist actions" against Yugoslav Army personnel in Croatia and other republics to establish an independent Croatia.

"Each member of the army will be slaughtered; we have to kill everyone so that not a single soldier reaches his barracks alive," Mr. Spegelj was purported to have said in the film, taken during a November meeting with top officers. The officers apparently acted as if they would participate in one possible plot. "There will be a civil war in which there will be no mercy toward anyone, not women or children."

[Financial Times, Jan. 27, 1991]

YUGOSLAV PRESIDENTS DEFUSE CROATIAN TENSIONS

(By Laura Silber)

Fears of military intervention in the Yugoslav republic of Croatia eased at the weekend following a crisis session of the country's state presidency.

The six-man presidency, comprising the presidents of the six republics, averted late on Friday night the possibility of a confrontation between Croatia and the military after the independent-minded republic agreed to demobilize, but not disband, what the government termed "illegal paramilitary units."

They will meet again today to seek ways of keeping the country, a fragile federation, together.

Mr. Franjo Tudjman, Croatian President, said Yugoslavia had gone through its worst crisis since the Second World War.

"We were on the verge of an all-out war with the military and it is a miracle it didn't happen," he told AP.

The Croatian government had strengthened its military forces to cope with the 600,000-strong Serbian minority, some of whom have formed armed militia groups.

But it agreed to demobilize reserve units after the Yugoslav People's Army said it would "lower the level of combat readiness" for troops stationed in Croatia, who had been threatening a crackdown.

The agreement will allay, for the moment, fears among Croats who believe the Serbian-dominated army and Serbia, the biggest republic, is planning to crush the republic's move toward independence and impose a centralized, federal system. Croatia and Slovenia want a confederal system which would grant considerable autonomy to the republics at the expense of the central government.

The presidency's 11th-hour ruling coincided with Yugoslav television broadcasting an army-made film which showed Croat officials planning an assault on the region of Knin, where Croatia's Serbs are demanding autonomy.

The film also reported how Croatia had purchased thousands of arms for its militia and had smuggled in two lorry loads of AK-47 assault rifles from neighboring Hungary. The Hungarian Government rejected the allegations in a formal protest issued at the weekend.

The nationwide half-hour documentary showed videotaped "secret" sessions involving Mr. Martin Spegelj, Croatia's Defense Minister, and Mr. Josip Boljkovac, the republic's Interior Minister. The film alleged they were planning to arm the Croatian Democratic Union, the republic's ruling party.

Mr. Spegelj, who is a retired general and the former commander of the fifth region, which includes Croatia and Slovenia, accused the army of producing a "Stalinist falsification * * * designed to destroy democratic processes in Croatia."

His comments are likely to increase tensions between Croats and Serbs, still haunted by memories of a brutal civil war in 1941.

Mr. Tudjman said yesterday: "Showing the program on Spegelj means that those circles which want military intervention and civil war are still on the scene and remain a factor."

PREPARED STATEMENT OF DAVID VUICH, PRESIDENT, SERBIAN AMERICAN VOTER ALLIANCE

I. BASIC FACTS

It is a fact that the formation of Yugoslavia in 1918 was the result of the struggle and sacrifice of Serbia during World War I. The Serbian army and government fought for the unification of the Yugoslavs. It was the Serbian army which determined the frontiers of the future Yugoslavia and prevented de facto the application of the 1915 London Pact. Serbian victories in WWI enabled Yugoslavs from the defeated Austria-Hungary to switch to the camp of the victors. It was because of the Croats and Slovenes that Serbia broke with her prewar ally Italy.

It is a fact that Serbia missed the historical opportunity in 1918 to establish her national territory and integrity, which was made for the sake of Yugoslavism. The alleged "Serbian hegemony" in Yugoslavia basically expressed the sacrifice of her individuality, her historical tradition of independent statehood, and her national individuality. Instead of a dictate to the defeated, Serbia resorted to a compromise for the sake of unity.

It is a fact that Yugoslavia in 1918 was organized by the center (the Serbs making over 40 percent of its population) while Yugoslavia in 1945 was dictated by the anti-Serbian periphery, which resulted in a balkanized version of the defunct Habsburg Monarchy.

It is a fact that the subjugation of the Serbian people and the splitting of the Serbian nation in contemporary Yugoslavia is the result of a Serbophobia which originated, was developed and applied during the interwar period, during World War II and the postwar period. Both the extreme right and the extreme left turned against the Serbs (the Nazis as well as the Comintern). The result was an unprecedented genocide against the Serbs during the war and the division imposed to the Serbs in the postwar Communist Yugoslavia.

It is a fact that the Serbs fought in two world wars on the side of the Western allies. The putsch on March 27, 1941, in which according to Winston Churchill "Yugoslavia found her soul," was the Serbian resistance to Nazi Germany, which originated in Belgrade and was supported by the Serbs. (Hitler's orders to invade Yugoslavia refer only to Serbia, his main target.)

It is a fact that Serbian vitality and dynamism had to be broken either by the "Independent State of Croatia," a Hitlerian puppet state, or by the application of the policy of the Comintern.

It is a fact that the "second Yugoslavia" which emerged from the Communist directed resistance during World War II expressed an anti-Serbian posture. It was caused by twofold reasons. Until the end of the war Serbia resisted, under General Michailovich, both the Nazi and Communist totalitarianism. The anti-Serbian coalition prevailed in the Communist movement, inspired by the prewar policy of the Comintern. The 1943 AVNOJ decisions to create new nations by parcelling the Serbian body were brought by an appointed revolutionary body, without democratic procedures, plebiscite or referendum, in absence of Serbian representatives. The Serbian Communist Party was formed only in 1945, after the war ended.

It is a fact that the postwar Yugoslav federation expressed the dismemberment of the Serbian nation, the subdivision of the Serbian Republic with two autonomous provinces and the separation from the Serbs in Montenegro (which in history played the role of Serbian "Sparta"). The slogan of the new Yugoslav establishment was "Weak Serbia—Strong Yugoslavia" with all the tragic consequences for the Serbs and for Yugoslavia, in which the periphery destroyed the center.

The fact is that the Serbs, in spite of humiliation, genocide, and parcelling are still the main supporters of Yugoslavism and Yugoslavia.

II. PROPOSED ARGUMENTS IN SUPPORT OF THE SERBIAN CASE

After carefully examining sources and historiography concerning the post-World War I European settlements it is not possible to find any legal obligation of the United States, United Nations, or the Court in Hague to endorse the rejection of the contemporary situation in Yugoslavia (obligation based on the approval of one state versus ministates).

1. *Wilson's 14 points.*—Wilson's policy toward the formation of the new Yugoslav state in 1918 underwent substantial changes during the last years of WWI.

When defining the war aims of the allies on January 5, 1918, Lloyd George denied that the breakup of the Habsburg empire was the goal of the allies. Instead he proposed the application of "genuine self-government on true democratic principles" to be granted to nationalities in Austria-Hungary. In other words he had in mind the

federalization and survival of the Habsburg empire, motivated by the fear from a vacuum created in Central Europe, exposed to the influence of the bolshevik revolution in Russia in 1917.

President Wilson espoused the idea in his 14 points. The Article 10 reads: "The freest opportunity of autonomous development to the peoples of Austria-Hungary, which is not intended to destroy."

From the very beginning of the war all allied powers (including Lloyd George and Wilson) pledged restoration of Serbia (and Montenegro). President Wilson added "the access to the sea to be given to Serbia." In 1915 the allies offered to Serbia Bosnia and Hercegovina for her concessions to Bulgaria in Macedonia.

In the speech delivered February 11, 1918, President Wilson stressed four principles guiding the allies in the war: 1. Essential justice; 2. National self-determination; 3. Territorial settlements for the benefit of the population concerned; and 4. "Well-defined national elements to be accorded the utmost satisfaction."

Wilson revised his attitude toward the Habsburg Monarchy after the Congress of Oppressed Nationalities in Rome in April 1918. Along with the general sympathy for Serbia and her suffering, which dominated in the Western world, Wilson declared at the beginning of June that the "national aspirations of Czechoslovaks and Yugoslavs for liberty have the lively sympathy of the U.S. Government."

On June 28, 1918, Wilson clarified the position of the United States: "All branches of the Slav race should be completely freed from German and Austrian rule." It meant the approval of the breakup of the Habsburg empire. This policy guided the United States during the armistice negotiations in October, during the Versailles peace treaty negotiations and in the Italo-Yugoslav conflict over the application of the London Pact.

2. Versailles and the St. German Peace Treaty.

a. *Paris Peace Conference.*—During the first phase of peace negotiations in Paris a legally awkward situation appeared. The de facto participation of the new Yugoslav state at the conference was based on Serbia's war allegiance with the powers of the entente. The official protocols listed the "Delegation of Serbia" while the delegation itself labeled itself the "Delegation of the Kingdom of Serbs, Croats, and Slovenes." While the conference addressed itself to the delegation of Serbia, it received answers from the "Delegation of the Kingdom of Serbs, Croats, and Slovenes" (At one occasion Clemenceau said to a Croatian representative: "Who are you—You were on the other side of the barricade.") The memorandum presented to the conference by the SHS Delegation stated that "Serbs, Croats, and Slovenes constitute one nation, with their own civilization and spiritual unity" and called upon the "principles of nationality and the right of people for self-determination."

On January 18, 1919, the Great Powers refused to admit the Serb-Croat-Slovene plenipotentiaries to the Paris Conference recognizing only the representatives of Serbia. The United States was the first ready to recognize the new state at the beginning of February 1919. It was on May 1, 1919, that the conference recognized the delegation of SHS. On June 2 and 6, England and France respectively recognized the new state which signed the peace treaty with Germany on June 28, 1919. Italy still refused to recognize it.

In Paris the Yugoslavs had pending disputes with six neighboring states (Greece was the only exception). The territorial requests were based on nationality (Serbs, Croats, and Slovenes—conscious of their nationality), ethnicity (Ruthenians and Slovaks), as well as strategic, historical, and economic factors. All demands were based on "justice and morale" resulting from Serbia's sacrifice and contribution to the victory in the war. The main conflict emerged from the Italian territorial requests based on the London Pact (1915). President Wilson strongly supported the Yugoslav cause in the conflict.

b. *Peace Treaties.*—The Balkan settlement resulted from the peace treaties concluded during 1919-20 between the Principal Powers (United States, the British Empire, France, Italy and Japan), the allied and associated powers (Belgium, China, Cuba, Greece, Nicaragua, Panama, Poland, Portugal, Romania, The Serbo-Croat-Slovene State, Siam and Czechoslovakia) on one side, and Austria, Hungary, Bulgaria, and Turkey on the other side. Treaties were signed in Saint Germain-en-Laye with Austria, Trianon, with Hungary, Neuilly-sur-Seine with Bulgaria, Sevres with Turkey—the latter was changed in Lausanne in 1923). Peace treaties were accompanied by provisions for the protection of minorities. These provisions were regarded by the Yugoslav government as a limitation of State sovereignty which deferred for 4 months the Yugoslav signature of the St. Germain Treaty with Austria.

The preamble of the St. Germain Treaty (concluded with Austria on September 10, 1919, and with some modifications at Trianon with Hungary on June 4, 1920) recognized the partition of Austria-Hungary. Besides Czechoslovakia, "the union of

certain portions of the said monarchy with the territory of the Kingdom of Serbia as a free, independent, and allied State under the name of the Serb-Croat-Slovene State" was recognized. Austria and Hungary respectively recognized the "complete independence of the Serb-Croat-Slovene State" (Article 46 in St. Germain, Article 41 in Trianon).

c. *Conclusion.*—Treaties made in 1919–20 resulted from a specific situation created at the end of WWI and legalized the formation of the successor states in Eastern Europe, among them Yugoslavia, Poland, Czechoslovakia, the enlarged Romania, and the reduced parts of the Habsburg Monarchy Austria and Hungary. During the following 70 years the post-WWI European establishment went through dramatic and fundamental changes. The issues involved in World War II and the results of the war reshuffled the previous political and social order in Eastern Europe and willy-nilly were recognized in the contemporary world. The Kingdom of Serbs, Croats, and Slovenes was renamed in 1929 Yugoslavia, and after WWII changed three times its name (DFJ, FNRJ, SFRJ).

I do not see any legal ground or obligation of the United States to reopen the question of one-state versus ministates through the United Nations or the International Court in Hague, which are based on the 1919 Peace Treaties. They belong to history and to the epoch in which they were made. The old Latin principle in law says: "Lex posterior derogat priori": international treaties concluded later annulled the previous ones. Among the signatories of the St. Germain treaty are the representatives of the former British empire: of the Dominion of Canada, the Commonwealth of Australia, the Union of South Africa, the Dominion of New Zealand and of India. Not to mention Cuba, Nicaragua, Siam etc. To call upon the St. Germain Treaty would equal the request to restore the British empire, recognized in 1919 as a whole. The tragic consequences for the Serbian people in transforming Yugoslavia into ministates are not relevant for the international law. Formally, Yugoslavia, recognized as an independent state, and appearing as an independent subject in international relations is beyond foreign intervention in domestic affairs. The struggle for Serbian human, political, and national rights has to be based on another ground.

The eventually valid argument in questioning the post WWII splitting of the Serbs could be the conditional approval of the United States of the general settlement in Eastern Europe, reached at the Yalta Conference in February 1945. On that occasion the United States approved the Tito-Subasic agreement (concerning domestic Yugoslav affairs). However, the approval was made under the condition, valid for the entire Eastern Europe, that "broadly representative governments of all democratic elements of the population" based on "free elections of governments responsible to the will of the people" be established. The Yugoslav elections in 1945 were carried out by a Stalinist regime and the Constitution was modeled after the 1936 Stalin Constitution. This did not comply with the Declaration of Liberated Europe which proclaimed the "sovereign right of self-determination."

3. *The Comintern.*—The orchestration of anti-Serbian politics was initiated and carried out by the Comintern. It directed the national policy of the CPY before and during World War II and was projected in the postwar organization of the Yugoslav federation.

a. The anti-Slav and anti-Serbian attitude was already present in Karl Marx' writing. He called the South Slavs "petty bullheaded nations" and labeled Serbs as "a set of robbers."

b. Inaugurated in March 1919 the Third International (Comintern) expressed three goals: I—To organize and direct the world Communist movement; II—To subordinate it to the U.S.S.R. as a branch of the Soviet State; III—To destroy and revise the European settlement resulting from Versailles.

c. After the formative period (the 21 conditions approved in 1920), at the Fifth Congress of the Comintern in Moscow in 1924 foreign Communist parties came under unconditional subordination to Moscow and Stalin's rising star. In 1924 the Executive Committee of the Comintern was empowered to annul all decisions taken by Central Committees of the subordinated parties, to expel their members and to appoint their leadership. The "bolshevization" of Communist parties produced an obedient "centralized, quasireligious, quasimilitary movement devoted to the revolution and service to the Soviet State" (Adam Ulam).

d. The Yugoslav State, recognized at Versailles, was a part of the postwar European settlement. It followed the traditional Serbian policy oriented toward France and England (the Little Entente and later the Balkan Pact). As such it became the target of the Comintern and had to be destroyed. The Serbs who were the backbone of the country had to share its destiny.

A Special Resolution on Yugoslavia, brought at the 5th Congress of the Comintern in 1924 accused the "Serbian bourgeoisie" for hegemonism and instructed the CPY to fight for the establishment of separate independent republics in Croatia, Macedonia, and Slovenia. Soon after an independent Montenegro was added as a republic.

The resolution coincided with the sojourn in Moscow of the Croatian leader Stjepan Radić who at the time flirted with the Comintern. The Comintern instructed the CPY to find allies among all anti-Yugoslav elements, right or left: the Internal Macedonian Revolutionary Organization (IMRO), the Croatian fascists Ustaša and the Montenegrin separatists. The Comintern constantly supervised the activity of the CPY, intervened in its internal fractions and directed its policy until WWII and 1943 when it was dissolved. During Stalin's purges in the late 1930's some 800 Yugoslav Communists were executed.

e. The Socialist Worker's Party of Yugoslavia (Communist) split in 1919 with the Social Democratic Party of Yugoslavia and joined the Comintern. The CPY was organized at the Constituent Assembly in Vukovar in June 1920, and denounced parliamentarism, espoused the revolution and the terrorist activity (the "Red Justice"). This activity caused the suppression of the CPY by Yugoslav authorities in 1921.

f. As a disciplinary section of the Comintern, the CPY declared "Yugoslavia to be the product of the imperialistic world war in which the Serbs are the ruling nation." The solution of the national question was to break Yugoslavia into separate national states (CPY resolutions 1924-1928) and to join them in a Communist Balkan Federation. The policy against "Serbian hegemonism" resulted in a search for allies among the fascist Ustaša, IMRO, and Montenegrin separatists. The CPY journal "Proleter" (No. 28, Dec. 1932) stated: "The Communist Party greets the Ustaša movement * * * and is taking completely its side."

g. When Hitler came to power in Germany the Comintern changed its tactic and supported Popular Fronts opposed to fascism. The CPY obediently followed the switch and was entangled in the zigzagging policy of the U.S.S.R. on the eve of World War II. During the 1938 Munich crisis and the 1939 invasion of Czechoslovakia the CPY preached the "defence of the country." When Stalin reached in 1939 the agreement with Hitler the slogan was reversed: "We oppose the imperialistic war which is fought for the benefit of Western capitalists." A similar attitude prevailed during the invasion of Yugoslavia until Hitler attacked Soviet Russia on June 22, 1941. The Communist resistance in Yugoslavia started in July of the same year, with the main slogan "to support the heroic struggle of the U.S.S.R."

h. It was during World War II that the first misunderstanding between Stalin and the Yugoslav Communist leadership appeared. It was due to the cautious Soviet policy toward the Western allies and the radical Communist resistance in Yugoslavia which openly aimed at a Communist revolution in the country. The prewar policy of the CPY was modified during the resistance in WWII, by joining together the national to the social revolution. The geographical distance and the incapacity of Soviet Russia to offer a more substantial support to the partisans, as well as the support obtained from England loosened the ties between CPY and Moscow. Instead of breaking Yugoslavia a red-colored Yugoslavia a promoted and a federation of Yugoslav nationalities was accepted. However, the slogan of "unity and fraternity of Yugoslav peoples" was applied along the ideas inherited from the past. It manifested the principle of "weak Serbia—strong Yugoslavia" and resulted in the formation of new nations: the Montenegrin, the Macedonian, and (in 1970) the Muslim. The Serbian Republic was divided into three parts, including two autonomous Provinces (Kosovo and Vojvodina) which obtained sovereign rights to veto the legislation of their Republic (Constitution in 1974). Serbs in Croatia (15 percent of the population) were refused the autonomy accorded to Albanians in Serbia. The result is the tragic exodus of Serbs from Kosovo and the limitations imposed to their national rights in other Yugoslav republics.

CONCLUSION

1. The structure of the postwar Yugoslav federation is detrimental to the Serbs. The 1974 Constitution which deprived the Serbian Republic from the jurisdiction over its territory has to be revised in order to place Serbia on equal footing with other Yugoslav republics.

2. The recent national uproar in Serbia and Montenegro is the reaction to national injustices inflicted on the Serbs. It expresses the popular movement for national survival according to democratic traditions. It opposes a petrified, obsolete, and oppressive regime. As such it is not directed against Yugoslavia but, to the contrary, wants a strong Serbia for the sake of a strong Yugoslavia.

3. The Serbs belong to the Western world to which their culture, tradition, and history are closely connected. The myth of Serbian neo-Stalinism are part of the anti-Serbian campaign instigated in Yugoslavia and the Western world by former Nazi Ustaša, Albanian irredentists, Slovenian and Croatian separatists and extremists as well as other centrifugal Yugoslav elements. Anti-Serbianism is rooted in the heritage from the defunct Habsburg Monarchy, the interwar policy of the Comintern, including defeated Germany.

4. The Serbian movement conforms to the traditional U.S. policy of integrity and independence of Yugoslavia as well as to the balance of powers in Southeastern Europe. A hostile or indifferent policy toward the tragic Serbian exodus from Kosovo as well as from other parts of Yugoslavia is detrimental to the interests of the United States. The historic dynamism of the Serbian nation is crucial for the existence of Yugoslavia. To alienate Serbs means to jeopardize Yugoslavia and to push them, in desperation, toward the other side of the divided world. A strong Serbia means the victory of democracy and human rights.

[New York Times Book Review, Feb. 10, 1991]

REBECCA WEST: THIS TIME, LET'S LISTEN

(By Larry Wolff)

In a hotel in Belgrade in 1937, Rebecca West watched businessmen at the bar lifting their glasses and slapping each other on the back. "That I might have seen in London or Paris or New York. But in none of those great cities have I seen hotel doors slowly swing open to admit, unhurried and at ease, a peasant holding a black lamb in his arms." There he stood, waiting, "still a Byzantine king in a fresco, while the black lamb twisted and writhed in the firm cradle of his arms." Rebecca West recorded the image with reverence.

In that same hotel there was a Slovene chambermaid, "the gentlest and sweetest of women," who believed herself terribly sensitive to the scent of foreigners. She "staggered from room to room on her round of duties, almost in need of a gasmask when she came to making the beds." The German guests smelled bad in 1937, and the French smelled "wicked and puzzling," but she fully refreshed her suffering olfactory sense in the exquisite fragrance "which hung about the rooms occupied by Croats, Serbs, and Slovenes." This susceptible servant, who might make beds in the magical fictional worlds of Gabriel Garcia Márquez or Salman Rushdie or Patrick Süskind, was, in fact, in the historical Yugoslavia of Rebecca West. She cherished the chambermaid, because she wanted to believe that Eastern Europe was different from Western Europe, even perhaps magically different. For she had come to Yugoslavia, in a decade of deepening political nightmare, believing that civilization was at stake in Europe (and it was), seeking to enlarge her understanding of that civilization. When "Black Lamb and Grey Falcon" was published in 1941, Hitler had made himself the master of Eastern Europe, Yugoslavia had been bombed and abolished, and Rebecca West found that she had been a visitor to a now lost world. At that moment in history, Rebecca West's book challenged Britain and America to cherish an image of Europe in its full moral and political dimensions, to recognize unequivocally that Eastern Europe was a necessary part of Europe.

"I know you did not really want to come to Yugoslavia at all," she said to her husband, the banker Henry Andrews, in their sleeper on the train, as related on the first page of the book. "But when you get there you will see why it was so important that we should make this journey." This injunction was directed at the reader as well, about to embark upon a work of more than a thousand pages, bafflingly resistant to classification by genre: travel memoir, historical meditation, philosophical encyclopedia, political prophecy. Yet it was recognized immediately in 1941 as a weird masterpiece and it has since become the supreme literary monument of one of the most brilliant writers of the 20th century.

If Rebecca West's journey was important 50 years ago, it is no less so today, when all of Eastern Europe has undergone a revolution and waits on the threshold of an uncertain future, while its cultural relation to Europe as a whole remains a matter of evasion and uncertainty. The Iron Curtain of the cold war so emphatically defined Eastern Europe on all of our mental maps that it was almost impossible to see that curtains of less solid stuff had been drawn across the continent for two centuries. The idea of Eastern Europe as the continent's backward half was invented in Western Europe, to illuminate by contrast the greater glory of "Western" civilization. Rebecca West was a journalist on the trail of that dishonest, self-serving appro-

priation of Eastern Europe, seeking to invert a tradition of condescension and to re-define the mapping of civilization in Europe.

After first visiting Mozart's birthplace in Salzburg, she boarded a train to Zagreb, in Croatia, that was coming from Hitler's Berlin. She found the German passengers "hideous." Zagreb, however, was not escape enough, for in Croatia she felt the shadow of past Austrian rule and German influence, somehow ruining even the patterns of regional embroidery. In the intensely bitter rivalry between Serbs and Croats that was tearing apart Yugoslavia in 1937, as it is today, Rebecca West was a partisan of the civilization of Serbia and the unity of Yugoslavia.

The Yugoslavia created after World War I was a union of lands with dramatically different cultural and political histories: of the Ottoman, Hapsburg, or Venetian empires, of the Eastern Orthodox, Roman Catholic, or Muslim religions. Royal authority in Belgrade met resistance to centralized administration throughout the inter-war period, and after World War II Communist Yugoslavia assumed its contemporary form as a union of federated republics: Serbia, Croatia, Slovenia, Macedonia, Montenegro, and Bosnia-Herzegovina. Rebecca West in 1937 was politically committed to one unified Kingdom of Yugoslavia, but the literary structure of her travel narrative recognized the historically diverse lands as she journeyed from Croatia and Dalmatia to Bosnia, Herzegovina, Serbia, and Macedonia.

In Bosnia, at Sarajevo, she meditated upon the assassination of the Austrian Archduke in 1914, her sympathies with the Serb assassin. She watched peasant women at the Sarajevo market, guessed that they were illiterate, but found that their behavior reminded her of a natural aristocracy: one woman demonstrating an unpolished elegance of manners, another exhibiting a sharp and ready wit. In Macedonia, at Skopje, Rebecca West celebrated Easter in a moonlight procession and marveled at the magic of the Orthodox ritual, the beauty of Byzantium, "the sweetness spilled from the overturned cup of Constantinople" that consoled Eastern Europe during its terrible historical convulsions.

In the 1930's Rebecca West was already celebrated in Britain and America for her fiction and criticism; she was "the incomparable Rebecca" to Alexander Woollcott, who also commented on her extraordinary beauty. Born Cicely Isabel Fairfield, she assumed the pen name Rebecca West in 1912, writing as a feminist and suffragette; she sometimes employed the complementary pseudonym of Rachel East. As Rebecca West she published her first novel, "The Return of the Soldier," in 1918, and in 1928 a controversial book of literary criticism, "The Strange Necessity," which began by making fun of the poetry of James Joyce. She was an increasingly important British voice in American journalism, writing reviews and articles for the *New York Herald Tribune*, the *New York Times*, and the *New Yorker*. When Clifton Fadiman reviewed "The Black Lamb and Grey Falcon" in the *New Yorker* in 1941, praising its brilliance, he invoked precisely the perspective that she sought to efface: "Why should this highly cultivated Englishwoman make pilgrimage after pilgrimage to these dark lands and these violent and often primitive peoples?" Her husband asked too, for she had been there once before without him. "Was it so wonderful there?" She replied: "Well there is everything there. Except what we have. But that seems very little." The appetite for life, the still vital traditions, the unswerving religious faith Rebecca West found in her travels seemed to her to present a profound contrast with the insecurity and exhaustion that characterized Western Europe in the 1930's.

The figure of the cultivated traveler to the dark lands of Eastern Europe was as old as the idea of Eastern Europe itself. The Italian Renaissance confidently preserved the classical perspective on Europe, the civilization of the South disdaining the barbarism of the North; this was Europe viewed from Rome, Florence, or Venice. In the 17th century, however, new centers of culture and commerce—Paris, London, Amsterdam—began to suggest a different perspective on the map of Europe, and in the 18th century the Enlightenment accomplished a conceptual re-orientation: a civilized Western Europe in contrast to a backward Eastern Europe.

In Russia, in 1765, Casanova purchased a 13-year-old girl as a sexual slave for 100 rubles and set about improving his property by teaching her to speak Italian and to wear French clothes. The Italian Abbé de Fortis, in 1770, felt that he was leaving "the polite parts of Europe" in crossing the Adriatic to Dalmatia. Yet the Count de Ségur, traveling east in 1784, declared that "when one enters Poland, one believes one has left Europe entirely." By the beginning of the 19th century such observations were becoming fixed and formulaic. Mme. de Staël defined Russia as a "mélange of European civilization and asiatic character." Balzac applied the same formula more broadly: "The inhabitants of the Ukraine, Russia, the plains of the Danube, in short, the Slav peoples, are a link between Europe and Asia, between civilization and barbarism."

Rebecca West was conscious of these condescending categories of analysis and wrestled with them as she traveled. She might relish intimations of the Orient, but she refused to cast Yugoslavia as a missing link between civilization and barbarism. Among the Muslim Slavs of Sarajevo, she saw a veiled woman in lilac silk, then caught a glimpse behind the veil of a face "completely un-Oriental, as luminously fair as any Scandinavian." Indeed, the lesson Rebecca West learned from Yugoslavia, and preached to Britain and America in "Black Lamb and Grey Falcon," was that Eastern Europe, in defiance of the formulas, emphatically belonged to Europe, that Europe was incomplete without it, that Western Europe alone was poor and sick without the complement of Eastern Europe's health and wealth. "We are Europeans," she might have cried on behalf of the Slavs in 1937, but in fact that affirmation was made by Mikhail Gorbachev 50 years later, denouncing the still pervasive equation of Europe with Western Europe. In a peculiarly seamless historical fit, the clichés of the cold war have followed and reinforced the formulas of the Enlightenment, dramatizing the distinction between Western Europe and Eastern Europe. Rebecca West saw the error in that equation 50 years ago.

When Lady Mary Wortley Montagu visited Belgrade in 1717, that highly cultivated Englishwoman found it an Ottoman fortress, entirely of the Orient. She described in her "Turkish Embassy Letters" how her host in Belgrade, Achmet-Beg, introduced her to Arabic love poetry, and she appeared oblivious to Serbia as a Slavic land: "I really believe I should learn to read Arabic if I was to say here a few months." For Rebecca West in 1937, Serbia was a land triumphantly reclaimed from Ottoman oppression, if not yet enthusiastically embraced by Western Europe. Her host in Belgrade was a Serbian poet and Yugoslav official of Polish Jewish descent, called Constantine in the book; he was in love with Rebecca West, as the reader may guess. Her hostess was Constantine's German wife, called Gerda, whom Rebecca West hated from the moment they met at the Belgrade station, Gerda's "grey eyes so light and clear that they looked almost blind." She is the mesmerizing villain of "Black Lamb and Grey Falcon," a German villain for the 1930's, despising Yugoslavia and the Slavs, enraging Rebecca West. The narrative acquires the quality of a nightmarish novel when the English couple find themselves accompanied not only by Constantine but also by Gerda as they entrain for Macedonia. The train trip through the Balkans was a literary device of the 1930's in England, used in Graham Greene's "Stamboul Train" of 1932 and in Agatha Christie's "Murder on the Orient Express" of 1934. In 1937 Rebecca West offered her enemy the window seat, perhaps politely, perhaps provocatively. "That would be interesting, no doubt," said Gerda, "if one had the slightest intention of looking out of the window."

In refusing to look at Yugoslavia, Gerda spat upon Rebecca West's pilgrimage of visions and revelations. "When I see these people I feel I am not in Europe," said Gerda in Macedonia. There was, she maintained, "no order here, no culture, but only a mish-mash of different peoples who are all quite primitive and low." In 1937 this was also the language of scholarship about Eastern Europe in Nazi Germany: a geographer at Göttingen was writing in that year about Lithuania and its "primitive settlements without inner order." Gerda was there at the war memorial to the German soldiers who died fighting against Serbia in World War I, and watching her Rebecca West was certain that they "intend to come back and do it all over again as soon as they are given a chance." Gerda was also there at the French war memorial, to comment by the graves, "Think of all these people dying for a lot of Slavs."

* * *

Rebecca West cherished the Slavs, and described them as remarkably handsome: "This man was a Slav. The fair hair, the high cheekbones, the sea-blue eyes showed it." Her recurring attention to physiognomy was in strange and defiant counterpoint to contemporary anthropology in Nazi Germany, where the prominence of cheekbones, among other measurements of the skull, was studied as racial science, and construed to establish the inferiority of Jews and Slavs in Eastern Europe. Rebecca West laughed at the ideal of the Aryan German, comparing it to the reality of the "pear-shaped" German tourists in Yugoslavia. She and her husband took Nazism seriously though, and recognized Gerda as its voice. Europe would have to brace itself for "Gerda's assault on those who are not Gerda," and perhaps endure the establishment of "Gerda's empire."

The black lamb in the hotel bar in Belgrade was only an intimation. The black lamb of the title awaited the travelers in Macedonia, where it was sacrificed upon a huge rock, amid cocks' heads and candles, in a bloody fertility rite. Rebecca West was revolted, but she did not see the sacrifice as evidence of barbarism in Eastern Europe. On the contrary: "I knew this rock well. I had lived under the shadow of it

all my life. All our Western thought is founded on this repulsive pretence that pain is the proper price of any good thing." To express her own rejection of that pretense she invoked the spirit of Mozart while standing at the rock in Macedonia, Mozart whose music conceded nothing to the sordid indulgence of pain and sacrifice.

Rebecca West was solemn in her passion for Yugoslavia, never more so than at the battlefield of Kosovo. It was there in 1389 that Serbia fell to the Ottoman empire. Contemplating Kosovo, she imagined imperial rule as "the night of evil," five centuries long, compelling subject peoples to a life of "sheer nonsense, the malignant nonsense of cancerous growth." She hated the idea of empire, the Ottoman empire that shadowed Serbia, the Hapsburg empire that shadowed Croatia; she hated and dreaded Gerda's empire that was yet to come.

At the same time the author herself was implicated: "I was born a citizen of one of the greatest empires the world has ever seen." Rebecca West even had a weakness for beautiful empresses, and in the opening pages of the book, meditating upon the assassination of the Empress Elizabeth of Austria in 1898, she imagined Elizabeth saying to her subject peoples: "Look, I am the Empress, but I am not evil." The plea was perhaps appropriate to Rebecca West herself, traveling from Western Europe to Eastern Europe, sensitive to the inevitability of being reviewed as "this highly cultivated Englishwoman" in "dark lands" among "primitive peoples," reviewed in the fraught language of past travelers, which was not too the language of Gerda.

It was at Kosovo that Rebecca West heard the poem of the gray falcon, recited by Dragutin, the handsome chauffeur. A gray falcon came to the Serbian czar on the eve of the battle and offered him the choice between an earthly kingdom in victory or a heavenly kingdom in defeat. So he chose defeat. Rebecca West hated his choice. "I do not believe that any man can procure his own salvation by refusing to save millions of people from miserable slavery." For it was evident to her in 1937 that "the whole world is a vast Kosovo," that the black lamb and gray falcon worked together to betray the virtuous, offered in sacrifice "to Gerda's knife." Rebecca West did not spare herself: "I had sinned in the same way, I and my kind, the liberals of Western Europe," who could not "cast off this infatuation with sacrifice." In 1938 the black lamb was Czechoslovakia. Neville Chamberlain was high priest in the cult of the black lamb and the gray falcon, and when he went to Munich Rebecca West thought, "I have been here before" and remembered, Kosovo.

When she was finally finishing her enormous manuscript, the Battle of Britain had begun. "Now we in England stood alone. Now we, who had been unchallenged masters of the world, were poor and beset like the South Slavs." She took pride and inspiration from Yugoslavia's defiant resistance to Hitler. She thought of the bombing of Belgrade as German bombs still fell on London, and prayed for courage: "Let me behave like a Serb." Or else she would put a record on the gramophone, the chambermaid Susanna's aria from the last act of "The Marriage of Figaro," "Deh, vieni, non tardar" ("O come, do not delay"). An explosion overwhelmed the aria, but then the song continued, testifying to art, to civilization. It was in the mountains of Montenegro in 1937, where both the landscapes and the features of the inhabitants appeared utterly alien and unnaturally beautiful, that Rebecca West said to herself, "My civilization must not die." Her pilgrimage to Yugoslavia taught her to believe in her civilization, and just in time.

One day in Yugoslavia, Rebecca West met "a good-looking young man who was stripped to the waist." There are so many good-looking young men in "Black Lamb and Grey Falcon" that the reader may at first be no more aware than the author that this one was special. "You may wonder why I approached you when my torso is nude," he said, "but I did so in full confidence for I am sure that you are people who have swept all unwholesome prejudices out of your minds, and are open-minded and receptive to such healthful ideas as sun-bathing." He said he was a Communist. The bemused report of his conversation suggests that Rebecca West did not appreciate the significance of this encounter with the future of Yugoslavia. In fact, she was later outraged when Churchill supported Tito's partisans against the Nazis, instead of the royalist resistance to Hitler led by Draza Mihailovic. She remained loyal to the young King Peter of Yugoslavia, envisioning him in 1941 as another Byzantine king in a fresco, like the kings of medieval Serbia, "rigid in his kingliness, as the earlier dynasty in their jeweled tunics and colossal diadems."

Rebecca West was never reconciled to the postwar Yugoslav Government; communism appeared less benign when fully clothed. Though she took pride in Yugoslavia's resistance to Hitler in 1941, she was unable to appreciate Tito's achievement when Yugoslavia became the first country in Eastern Europe to achieve independence from the Soviet bloc, in 1948. Rebecca West's passion for Yugoslavia conditioned her postwar anticommunism, which, sadly, then alienated her from the

Yugoslavia she loved; she never went back. She died in 1983, 3 years after Tito. The two of them, with their very different visions of Yugoslavia, were exact contemporaries, both born in 1892.

Our problem today is that for 50 years the single issue of communism has completely colored all our conceptions of Eastern Europe, especially in defining its distinction from Western Europe. Our challenge will be to discover Eastern Europe anew, and recognize it without the ideological marks that have served for simple identification; our challenge will be to accept it as part of Europe, and not the lesser part. "Black Lamb and Grey Falcon," almost 50 years after its initial publication, astonishes us by the weight and depth of what Rebecca West knew about Yugoslavia, but above all it overwhelms us with the passionate urgency of her need to know, our need to know.

LETTER FROM EDWARD SLAVKO YAMBRUSIC, PRESIDENT, NATIONAL CONFEDERATION OF AMERICAN ETHNIC GROUPS, INC., TO SENATOR BIDEN

FEBRUARY 27, 1991.

Senator JOSEPH R. BIDEN,
221 Senate Russell Office Building, U.S. Senate,
Washington, DC 20510-0802

DEAR SENATOR BIDEN: Since I did not have the opportunity to testify at the recent hearing, "The Civil War in Yugoslavia: The United States Response"—which you chaired as chairman of the Subcommittee on European Affairs, I would like to give you the views of my organization on the present political situation in Yugoslavia.

As it is evident from the document, "Information on the Present Situation in the World and Yugoslavia, and on the immediate tasks of the Yugoslav People's Army," signed by the Political Board of the Federal Secretariat for National Defense, and published in the Zagreb daily newspaper Vjesnik on January 31, 1991, the reactionary conservative Communist elements at the highest levels of the Yugoslav Army and the Federal Secretariat of the National Defense are engaged in a deliberate, calculated social engineering of the peoples of Yugoslavia. This military junta—with strong pro-Serbian tendencies—would like to save the present socioeconomic system of Yugoslavia and its political order at any cost short of civil war.

The strategy to achieve this is (1) to preserve the stability by carrying out the economic reforms with the assistance of the United States and Western Europe, and (2) vigorous enforcement of the federal (including military) laws that no longer reflect the societal infrastructure and the political will of more than half of the country in the democratic republics of Croatia, Slovenia, Bosnia and Hercegovina, and Macedonia.

Following in the steps and sharing in the experience of similar reactionary forces in the Soviet Union, this last-ditch effort of the "Communist Alliance" to save Yugoslavia is at loggerheads with the progressive democratic forces present in the Western republics. The sovereign right of the republics and self-determination of peoples expressed in freely, democratically held elections is diametrically opposed to the deliberate and desperate attempts to save Yugoslavia with its present centralistic regime under the guise of "federalism" that will merely replace the "unitarism" in the implementation of the historically chartered political designs of a Great Serbia and eventual assimilation and/or elimination of peoples who will stand up and defend themselves against this last vestiges of imperialism and despotism on the European continent. In these infamous genocidal plans there is, as in the Soviet Union, an unholy alliance between the Communist forces, the Serbian Orthodox Church, and the ardent Serbian nationalists led by Slobodan Milosevic, guided by the Serbian intellectuals gathered in and around the Serbian Academy of Sciences—Milosevic's "think tank."

In line with these expansionist policies, Communist Serbia has already changed the internal borders of Yugoslavia by annexing Kosovo province, to which it claims disputable historic rights, and Vojvodina province, which has historically been a part of Hungro-Croatian Kingdom and later Austro-Hungarian Empire, and organizing a coup in the southern republic of Montenegro. By these illegal maneuvers, the Republic of Serbia now has four votes in the Yugoslav collective presidency against one vote for each of the western democratic republics.

At issue here is the faith and destiny of "captive nations" whose sovereignty, political independence, and the right of self-determination cannot be denied under the pretext of protecting the privileged position of the minorities of their occupiers and/or exploiters. We no longer can afford to view this mortal struggle between democracy and despotism as merely disputes or squabbles of ethnic groups. On the con-

trary, the line of demarcation—indeed the theodosian line—is once again clearly drawn. Croatia, the “bulwark of Christianity,” has become the “bulwark of democracy.” The two irreconcilable worlds are on the brink of explosion. Only an urgent, energetic, and decisive action on the part of the United States and the European Community can still prevent the civil war in Yugoslavia.

In view of the foregoing, it is imperative that the United States send a clear signal to the reactionary Communist elements that the United States will not tolerate, let alone support, a Yugoslavia based on force and violence.

For this reason, we support and encourage the kind of legislation introduced by Senator Dole (S. 9) and Congressman Rotuabacher (H.R. 1080), which makes it “the fundamental aid policy of the United States” to give U.S. assistance directly to democratically elected republic governments.

As Senator Dole pointed out in his testimony, ours is a time of historic opportunities and responsibilities. It is time for the United States and the rest of the free world to decide between democracy and freedom and brutal repression and despotism. Let us not forget the brave people of Croatia, Slovenia, Bosnia and Hercegovina, and Macedonia in their struggle to defend freedom and democracy.

Respectfully yours,

EDWARD SLAVKO YAMBRUSIC.

INFORMATION ABOUT THE SITUATION IN THE WORLD AND IN YUGOSLAVIA

Enclosed are highlights of an extraordinary document, titled “Information about the situation in the world and in Yugoslavia and about the imminent tasks of the Yugoslav army,” signed by the Central Political Commissariat of the Yugoslav army and ordered to be read to all commanding officers of the Yugoslav army on Friday, January 25, 1991—that is, in advance of the most inflammatory Serbian television program showing the clumsy bolshevik fabrication, a video “documentary” purporting to show how the democratic government of Croatia is “endangering” the poor Serbo-Stalinist Yugoslav army. The extraordinary document was published by the leading daily Vjesnik on January 31 and subsequently by most Yugoslav newspapers. Please note that the head of the new “Communist Party—A Movement for Yugoslavia” is Mrs. Mirjana Milosevic, the wife of Serbia’s Stalinist dictator Milosevic. It is obvious that Serbian Communists consider the Yugoslav army to be a Serbian army and an instrument for the restoration of communism in Yugoslavia and/or the creation of “Greater Serbia” on the ruins of Yugoslavia.

● “The progressive forces in the Soviet Union have regrouped after realizing that ‘reforms’ are leading to catastrophe * * * the Soviet army is becoming engaged and active—to the distress of the capitalist West.”

● “* * * In Yugoslavia socialism also has not been defeated or thrown on its knees. Socialist Yugoslavia has withstood the first wave of anti-Communist attacks and hysteria.”

● “* * * The events in the gulf region are not developing according to the initial scenario of the United States and the West. The United States has built its whole civilization on cheap sources of energy—the essential cause of the gulf war. Now the war is beginning to engulf the whole region with unpredictable consequences and total uncertainty of its outcome.”

● “* * * In socialist countries of Eastern Europe the situation is becoming complicated, it is improving, and is not anymore under the control of the West that orchestrated and directed the upheavals.”

● “* * * The Western manipulators achieved significant results in their primary objective—the destruction of communism and the socialist society. However, they did not achieve their ultimate goal at all—in most Communist countries communism is neither destroyed nor defeated now the West is regrouping for new attacks. We can only expect even stronger attacks from now on.”

● “* * * In Yugoslavia the Western European governments and the United States will try to overthrow the Communist governments in those Yugoslav republics where Communists remain in power. They will organize and create social unrest as in Bulgaria and Romania, and will drive for constant democratic reelections as long as necessary until their anti-Communist fifth column do not obtain power.”

● “* * * Explicit proof of this strategy is the U.S. State Department’s threat ‘that the United States will energetically resist any use of force and intimidation against democratically elected governments in Yugoslavia’s republics and against democratic processes in Yugoslavia.’ The essence of this statement and threat is obvious—a threat to the Yugoslav army not to resist the destruction of Communism and socialism in Yugoslavia.”

● “* * * The concern of the United States and Western Europe for democracy is transparent demagoguery—under democracy they really mean anticommunism.”

● “* * * The army needs to organize the progressive forces in Yugoslavia. The Yugoslav army and its commanding officers, as an institution and as citizens, are leading political factors of our country. Our new party, under the new name ‘Communist Party-A Movement for Yugoslavia,’ should become within the next 5 to 6 months the strongest political force and a gathering center for all left and progressive forces.”

● “* * * We need to liquidate the forces that broke the lines of defense of our Socialist society; we need, by our actions, to encourage the progressive forces that want to preserve socialist Yugoslavia.”

● “* * * We have documents that illustrate detailed plans for attacking military installations, arms stores, and for other terrorist actions, including murder of our commanding officers and their families. Therefore, we have to act resolutely * * *”

● “* * * We also have to resolve the issue of continued financing of the Yugoslav army. The hostile forces have discontinued or have threatened to discontinue its further financing.”

● “* * * Comrades, ask yourselves why the enemy within and outside of Yugoslavia is so against our Communist Party-A Movement for Yugoslavia. If Communism is indeed dead and finished as they say, why are they so afraid of our party?”

● “* * * In some of the Yugoslav republics anti-Communist ‘democracies’ won the elections in part because of the traitors within their local Communist leadership. It is especially important to liquidate such people from our party the party that is led by our commanding officers. We should not repeat the errors made in the recent past; we should liquidate the fifth column among us * * *”

THE CENTRAL POLITICAL COMMISSARIAT
OF THE YUGOSLAV ARMY.

As you can see, there is an explicit and imminent threat of the use of violence by Serbian Communist hardliners (in the army and Serbia’s Communist government) against the peaceful and democratically elected governments of Croatia and Slovenia. These democracies need all our help and support against the evil alliance of Serbian Communists, ultranationalists, and religious fundamentalists.

PREPARED STATEMENT OF DOBROSLAV PARAGA, PRESIDENT, CROATIAN PARTY OF
RIGHTS

Mr. Chairman, I appreciate the opportunity to submit a statement to the Subcommittee on European Affairs of the Senate Foreign Relations Committee as president of the Croatian Party of Rights concerning the current situation in Croatia and Yugoslavia.

My homeland, Croatia, rages these days with military storms provoked by the Federal Communist Army from Belgrade, still the capitol city of Yugoslavia.

The idea of a Yugoslav federation or confederation patterned after the Soviet model has completely exhausted its reasons for existence in the western republics of this country after 72 years of forced union. Yugoslavia by its origin was never a voluntary union of different peoples, religions, customs and cultures, and because of this has only been able to preserve itself by the use of lies and force. The right to self-determination as stated in Wilson’s Fourteen Points has never been realized in this artificially created country.

The eastern part of Yugoslavia, industrially behind and clothed in communism, has taken upon itself with all possible means at its disposal to not allow the sovereignty of non-Serbian people in this multinational country. These great Serbian politics from its headquarters, the central Parliament in Belgrade, have once already brought about the breakup of Yugoslavia in 1941 and now threaten, by use of force and the holding of small nations at all costs in the Yugoslav federation, to not only bring the people currently in Yugoslavia but even neighboring countries who have parts in Yugoslavia into bloody war and an international conflict.

As with the international coalition of forces in battle against the occupation of Kuwait, it is now necessary to form a coalition for the peaceful separation of the nations of Yugoslavia. Let’s be consistent. The occupation of Kuwait and southern Vietnam unjustly denies the right of those people to self-determination just as the occupation of Croatia, Slovenia, and Kosovo, etc. And had international politics been consistent all along Kuwait would not find itself in the tragic position that it does now.

Respected Senators, do not be negligent. Do everything that you can under the auspices of the international community to bring about the self-determination of the

peoples of Croatia, Slovenia, Kosovo, and Macedonia. Such a solution is infinitely better than one of force, arms, and war.

Belgrade through its centralized politics, propagated by Serbia in the name of Yugoslavia, has not allowed the non-Serbian nations to express themselves under this domination by Serbia. The Croatian, Slovenian, and Albanian people are battling for their countries' freedom independent of any kind of Yugoslavia in a situation similar to that of Lithuania, Estonia, and Latvia seeking their freedom and independence from Moscow and the Soviet Union.

To maintain Yugoslavia through force is the grossest violation of human rights and the Universal Declaration of the Rights of Man. Expect conflicts, wars, and a Lebanon in Europe if the Great Serbian terror over Croatia, Kosovo, and other non-Serbs continues. The right to self-determination and even separation by those occupied in Yugoslavia has to be realized.

Yugoslavia is collapsing because the forced joining of different peoples in a country is a crime against humanity, freedom, and democracy for all those people forcefully joined just as the forced separation of a single people is a crime as has been the case until recently in Germany or still continues to this day with the Albanians, Koreans, and other peoples.

The uniting of the forcefully separated and the separation of the forcefully united should be the main assignment of the United Nations, the United States, and all humanity.

The territory upon which today's Yugoslavia is located contains the boundary of two different worlds, cultures, religions, and civilizations. The east on one side and the west on the other. This is the line dividing the western and eastern Roman Empires, the boundary line between the Catholic and Protestant religions on one side and the Orthodox and Islam religions on the other side.

These divisions, incomparably stronger and historically deeper than the Berlin Wall, cannot be erased by creating through the use of force any kind of an artificial country which instead of being a heaven is a living hell for these peoples and countries.

Because of this collision of the West with Asia, democracy with domination, tolerance with hegemony, democracy in Yugoslavia is hard to come by and the small steps that it sometimes does make die even quicker. From such a place as this, or more accurately from the epicenter in Serbia, their concern is for the conquest and domination of their neighbors. This has already brought about a number of wars in this century including two Balkan wars and the First World War with the Sarajevo assassination because of the Serbs' desire for territory which was never Serbia or Yugoslavia.

Two different peoples, the Croatians and Slovenians in the northwest and the Albanians in the south, desire their freedom and independence from the dictates of Belgrade at any cost.

The United States is going to great efforts to not recognize this process. The United States Senate, for the first time in Yugoslavia's 72 years of existence, condemned Yugoslavia on Aug. 4, 1989, for abuses of human rights with unanimous adoption of S. Res. 169. The situation though has remained the same because Belgrade still continues to receive support from official United States policy which actually undermines the progress made by the Senate with S. Res. 169.

Today's situation with its somber chronicles of the killed and imprisoned only serves as a confirmation of persecution while some of the perpetrators against whom there are claims of atrocious abuses have even become cabinet ministers of the new "democratic" Croatian Parliament. Yugoslavia cannot be reorganized or become a democratic country with equality for all people. Titoists, their followers and their successors, were and are a big lie which the West has tolerated with closed eyes believing this to be in the West's own best interests.

Today the Helsinki Watch recommends governing sanctions against the rule of Belgrade, which myself and others have for over a decade been calling for. But these are useful only if they do not postpone the resolution to this Yugoslav, Balkan, and even European crisis. Governing sanctions without the separation of peoples joined together by force will not help much.

It is hard for you to believe that by supporting Ante Markovic, the Yugoslav Premier, that you are not saving Yugoslavia but rather postponing its disentanglement and prolonging the agony of the Croatian, Slovenian, Albanian, and even the Serbian people on whose behalf the Belgrade politics oppress the other people.

We do not wish to continue enduring this atrocity without end in the name of a united Yugoslavia.

In Prague, Ambassador Edward Rowney and the leading dissidents of the world signed a resolution for the disunion of the peoples of Yugoslavia and the Soviet Union.

In Washington, Ambassador Jean Kirkpatrick and Ambassador Sheik Al-Sabah amongst others also signed a resolution for the dissolution of the peoples of Yugoslavian and the Soviet Union.

Until 1918, that is until the creation of Yugoslavia, Serbs and Croats were never at arms against each other but rather had good neighborly relations. Whereas after this forced union a hell ensued for not only Croats, but also for Albanians, Slovenians, and others. The divorce of the Serbs, Croats, and others from this artificial country can alone bring peace and the return of equal neighbor status to this part of the world.

I urge this most respected world body, the Congress of the United States, to appeal to the United States administration, the United Nations, and the Conference on Security and Cooperation in Europe to allow the self-determination of the freedom-seeking peoples of Croatia and other nations in Yugoslavia. Please devote the same attention which you have to the gulf crisis for reasons equally dangerous and potentially more threatening to world stability and help to realize the peaceful separation of the peoples of Yugoslavia and the establishment of democratic governments in its place.

Thank you, Mr. Chairman.

PREPARED STATEMENT OF PROF. EDWARD J. DAMICH

I. The existence of the current Yugoslavia will not contribute to regional peace in the long run.

Even if United States policy is not concerned with self-determination, democracy, and free markets, but is merely concerned with regional stability, propping up the current Yugoslavia will not contribute to this goal.

The current Yugoslavia can only be preserved by force of arms. As has been repeatedly demonstrated in world history, a state composed of militarily subjugated peoples is inherently unstable. Now that Yugoslavia is surrounded by states that have thrown off one-party rule and are moving toward democracy and free markets, it is improbable that a military dictatorship would ensure stability. This is even more true for the republics of Slovenia and Croatia, which share borders with Italy, Austria, and Hungary. Only the severest oppression could prevent Slovenians and Croats from constant contacts with these countries. There would thus be a constant traffic of arms and other assistance, and the subjugated republics would always be on the verge of revolt. The end result would be a "Lebanonization" of Yugoslavia.

II. A stable Yugoslavia is dependent upon voluntary cooperation among its constituent republics.

If Yugoslavia is to continue to exist without being a military dictatorship, it must be a voluntary union of its constituent republics. Dr. Franjo Tudjman, the President of Croatia, has repeatedly expressed the interest of the Croatian people in a union with the other peoples that make up current Yugoslavia. The structure of this union is to be worked out in good-faith negotiations among equals; otherwise, the union would be doomed. Tudjman has been frustrated at every turn in attempting this solution. Most recently the Serbs have branded him a national criminal for writing to the President of the United States, with the result that he might very well be arrested if he sets foot in Belgrade to participate in negotiations about the future of Yugoslavia.

III. It is not in the Serbian interest to transform Yugoslavia into a free association.

A. Accepting the principle of self-determination and free association would undercut Serbia's attempt to dominate—indeed, seemingly to eliminate—the 95-percent majority of Albanians in Kosovo.

B. A free association of Yugoslav republics would likely not agree to the massive subsidies to Serbia that flowed from the more prosperous republics (i.e., Croatia and Slovenia). Since Serbia has opted to retain a state-run economy with all of its attendant shortages and inefficiencies, Serbia is even more likely to require tribute from Slovenia and Croatia in the future.

C. Serbia would lose its most effective tool in controlling the other republics for its benefit—the Yugoslav Army. Seventy percent of the officer corps in the current Yugoslav Army are Serbs and most of them are hard-line Communists. Yet, Serbs make up only about 30 percent of the Yugoslav population. The rank and file rough-

ly reflect this percentage; thus, the Serbian officer corps would cease to dominate a large army in a new Yugoslavia. Furthermore, a new Yugoslav Army would doubtless have an officer corps more reflective of the various nationalities. The fear that the current Serb-dominated Yugoslav Army instills in the other peoples of Yugoslavia can perhaps be better appreciated by an analogy to an American situation. If a police force in a major American city with a black population of 70 percent was only 30-percent black, this would constitute prima facie discrimination.

IV. The issue of the Serbian minority in Croatia is a subterfuge.

The Serbs in Croatia are accorded the same rights as any other citizens of Croatia. They were and are not denied the right to vote, and they are permitted to form political parties and engage in lawful political activities. President Tudjman has offered the Vice Presidency of Croatia to a Serb.

Milosevic, the hard-line Communist President of Serbia, has played upon the fears of the Serb minority in Croatia and has fomented civil unrest to create a pretext for invasion and suppression of the freely elected government of Croatia by armed force. Unfortunately, there is a store of Serb resentment against the Croats because of their treatment by the Nazi puppet regime. This regime, however, was not democratically elected and did not represent the vast majority of the Croatian people. Prior to the Nazi invasion, the Croatian people voted by a 90-percent majority for the Croatian Peasant Party. That party did not cooperate with the Nazi puppet regime; indeed, its president was imprisoned for the duration of the war. The present government of Croatia is democratically elected and welcomes the participation of the Croatian Serbs. The President of Croatia actively fought the Nazi puppet regime. In this context it is absurd to equate the Croatian government with the Nazi puppet regime of World War II.

V. The current geographical boundaries of the republics must be guaranteed.

It is physically impossible to bring every Serb into a Serbian state just as it is impossible to bring every Croat into a Croatian state, because in many cases the areas inhabited by Serbs and Croats are not contiguous with the main concentrations. The Croatian minority in Vojvodina, for example, does not live in a bloc next to the boundary of the Republic of Croatia nor does the Serb minority in Croatia live in a bloc next to the boundary of the Republic of Serbia. Milosevic knows this as well as anyone; therefore, making this unreasonable demand is not consistent with self-determination, but rather is a ploy to continue the current Yugoslavia.

The principle of self-determination is satisfied when the vast majority of a particular ethnic group living in its historical boundaries is given the right to decide its own fate. For isolated pockets of the ethnic group, all that can reasonably be expected is that they be given human and civil rights, including the right to their language and the right to foster their culture.

If the Croats were to adopt the irrational Milosevic principle, they could press for areas of Vojvodina, Bosnia, and Montenegro. Such demands and counterdemands would result in endless conflict. Instead, President Tudjman is willing to give up these claims for the sake of a Yugoslav agreement.

VI. The United States has a moral duty to prefer states that are liberal democracies, that provide for economic freedom, and that are anti-imperialist.

The Serbian government is composed of the former Communist leader of Serbia and all of the former Communist officials, all of whom now have changed their names to "Socialist." Milosevic has also repeatedly reaffirmed his belief in a state-run economy. If the Yugoslav Army subjugates the other republics, there is every reason to believe that similar regimes will be installed.

Serbian treatment of the Albanians in Kosovo and the many minorities in Vojvodina is a clear warning. These autonomous regions were unilaterally and forcibly annexed by Serbia. In the case of Kosovo, even the Helsinki Commission has recognized signs of genocide. One might sympathize with the desire to keep the historical homeland of Serbia within Serbia, but one cannot excuse the persecution of the current inhabitants. Furthermore, Serbia is not even consistent with its own principles. At the same time that it claims to have annexed Kosovo and Vojvodina, it continues to use Vojvodina and Kosovo delegates to the federal government to vote on federal measures.

Croatia, by contrast, elected by a vast majority a president who had been imprisoned by the former Communist regime. In addition, President Tudjman has repeatedly expressed his desire to return Croatia to a free market economy. The Serbian minority in Croatia, unlike the Albanian majority in Kosovo, enjoys full civil and human rights. President Tudjman has no imperialist designs on other republics nor does he wish to bring Croatian minorities into a great Croatian state.

VII. It is in the best interests of the United States to foster either the development of a new Yugoslavia on a free and equal basis or to allow the republics of Yugoslavia to devolve into sovereign states.

Long-term stability in the region depends upon democracy, self-determination, and economic growth. To this end, those governments of current Yugoslavia that pursue these goals ought to be encouraged and protected. All money and other forms of aid that go to the central Yugoslav government will be arrogated to the use of Milosevic and his clique. (It may be recalled that one-third of the Yugoslav currency was recently expropriated by Serbia.) Even worse, much of this money may find its way into the Yugoslav Army which is the most destabilizing force in Yugoslavia. It is imperative, if the nascent democracies of Yugoslavia are to survive, that the United States directly support them in their efforts to rejoin the West.

Vuk Draskovic, the Serbian nationalist leader who ran in opposition to Milosevic, upon learning of the results of the Serbian election, stated that Serbia had chosen "Bolshevism and darkness." The United States should try its best to make sure that Bolshevism and darkness do not reengulf all of Yugoslavia.

PREPARED STATEMENT OF BERNARD M. LUKETICH, PRESIDENT, CROATIAN FRATERNAL UNION OF AMERICA

The Croatian Fraternal Union is the largest organization for people of the Croatian identity on North American Continent. We are numerically the most important group among the immigrants from Yugoslavia, numbering in excess of 2 million people who are honorable and appreciative citizens of the United States.

We are very concerned about our families and relatives who still reside in the newly elected democratic Croatian Republic, which guarantees the freedoms that we enjoy in America. We are more concerned by the fact that the master plan, grand scheme, or design for a "Velika Serbia," (Greater Serbia) has cleverly been revived in a sophisticated manner to guarantee an expansionistic process by the Communist leader Slobodan Milosevic and his followers with the support and blessings of, and execution by, the Yugoslav Army.

The events or happenings of the recent past provide indisputable testimony that the aspiration for a "Velika Serbia," (Greater Serbia) has advanced beyond rhetoric to a very real crisis to physically crush any opposition by force. The civil strife in Yugoslavia cannot go unchecked and it is important to know that the national conflict in Yugoslavia predates the establishment of the Yugoslavian State in 1918.

In the 19th century, the Croats and Slovenians, as well as some Serbians, lived in Austria-Hungary. The bulk of the Serbians, however, lived in the Independent Serbian State which emerged from the anti-Turkish uprisings of the early part of the 19th century. The leaders of Independent Serbia from the 1840's on were determined to unite all of their fellow Serbians within a Great Serbian State. This plan, initiated by a Serbian Statesman named Garasanin, was at odds with the aspirations of those Croats who opted for the unity of the South Slavs within a state in which all would be equal and sovereign.

One might conclude that from the end of the 19th century, two competing ideas were confronting themselves on the territory of present-day Yugoslavia. The first, represented by Serbian expansionism, fueled by the notion that the Croats can be Serbianized, crossed swords with the second, the idea of national equality represented by the majority of Croatian political leaders.

Greater Serbianism caused the Balkan Wars of 1912-13; contributed to the expansion of Serbia in the aftermath of those wars, and provoked the assassination of the Austrian heir to the throne, Franz Ferdinand, in 1914. The assassination, in turn, triggered the beginning of World War I.

The Yugoslav State that emerged at the end of the war was originally meant to be a free and equal house or home for all of the South Slavic people. Unfortunately, what emerged was a state that benefited, mainly, a very narrow layer of Serbian chiefs headed by the Serbian Dynasty. For the Croats and other non-Serbs, the experience of the first Yugoslav State was that of inequality and discrimination. Their leaders were persecuted—some even assassinated on the floor of the Belgrade Parliament. They were not represented in the governmental agencies and were practically excluded from the army and the police.

During World War II, Yugoslavia was occupied by the Axis Powers wherein the Germans and Italians took advantage of Croatia's disenchantment with the Yugoslav State and set up an independent administration. The claims that the Croats themselves were responsible for the excesses of this regime are unfounded and frequently exaggerated for political reasons. During this period, Croats themselves

were exposed to various attacks, including massacres on the part of the Serbian Chetniks.

Given the lack of accord among the South Slavs as a result of the abortive Yugoslav experiment and wartime tragedies, it is unlikely that the postwar Yugoslav State would have been revived at all had not the Communist Party emerged as the country's chief political force in the course of the wartime drama. After the war, the Communists set up a federal system that was meant to redress the inequities of the prewar Serbian-dominated regime.

The Communist system, however, was dictatorial, so that all advantages that accrued in the reordering of relations among the constituent national groups were reversed through examples of very specific forms of Communist dictatorship. It cannot be claimed, as the proponents of Great Serbian ideas frequently do, that Marshal Tito favored his own Croatian national community to the detriment of the Serbians. If anything, his need to conciliate the Serbians frequently made him obliging to the demands of Serbian Communists.

After Tito's death, the Great Serbian idea once again resurfaced. As the bonds of the dictatorship appeared to be loosening, Serbian Communists actively changed position by movement to initiate the old notions of Serbian supremacy within the organizational framework of the Communist Party.

Slobodan Milosevic, the leader of the Serbian Communists since 1987, is as much a remnant of the old Communist system as he is a throwback to Serbian expansionism of the 19th century which is exemplified in the changing of the Constitution of the Republic of Serbia by annexing the Autonomous Provinces of Vojvodina and Kosovo, while preserving the representation of the two provinces in the Yugoslav Presidency. The action provided communistic Milosevic political clout with two puppet votes in the National Presidency to guarantee a Serbian majority of three in the decisionmaking process to the disadvantage of other Republics who have a one vote say in the affairs of the Yugoslav Government.

It was Communist Milosevic, more than anybody else, who upset the whole system of Tito's federalism, provoking the storm that is now raging throughout Yugoslavia. Milosevic was weakly resisted by the Communists of the other republics. As a result, the democratic opposition in these republics increasingly took center stage, especially after the collapse of communism throughout Eastern Europe in 1989, in the elections that took place in all of the Yugoslav republics in 1990, where democratic forces prevailed in Croatia and all the other Yugoslav republics with the exception of Serbia and Montenegro.

For American statesmen who are in a position to consider the problems of Yugoslavia, it is most important to note that the third attempt to construct a Great Serbia is presently being led by politicians, like Milosevic, who have transformed the Communist Party of Serbia into an agency for Serbian national aggrandizement.

The Yugoslav Army is yet another factor in the Yugoslav Question. Predominantly Serbian in the makeup of its officer corps, the army is Milosevic's tactical ally against the democratic governments in Croatia and Slovenia. But, whereas Milosevic tries to hide his Communist origins and the Communist organizational model in the operation of this party-state, the army is unabashedly Communist and openly a threat to the democratic republics of Croatia and Slovenia. It is also strongly anti-American, having recently condemned the United States for its role in supposedly, by their logic, instigating the Persian Gulf conflict.

Should the United States take sides in the conflict between Serbia and the other Yugoslav Republics? Should it ignore the threats of the Yugoslav Army? The answer depends upon the importance one attaches to the Yugoslav crisis and its disruptive potential. For as long as Serbian leaders wish to create a Great Serbian State on the ruins of Tito's Yugoslav Federation, the chances of conflict (including armed confrontation) are imminent. The only way to assure a peaceful resolution of the current crisis is by having the United States and other Western powers offer their services for a negotiated solution of the crisis. This can best be done by insisting that the current boundaries of all republics be honored and remain unaltered. Further, those republics who elect to follow the principles of democracy and who respect the rights of others should be rewarded.

The U.S. policy can be put to test in the predominantly Albanian Province of Kosovo. Serbian leaders are presently practicing, in Kosovo, a policy that they most certainly would pursue in every part of Yugoslavia should they prevail, which would mean a return to brutal police measures and forcible Serbianization.

Although the United States has put Milosevic and the Serbian Government on notice that the violation of human rights in Kosovo jeopardizes Yugoslavia's integration within the New World order, a more effective way of delivering this message would be to suspend American aid to Serbia and any other republic that vio-

lates human rights. There must be a greater differentiation between those republics which maintain the standards of democratic behavior (Croatia and Slovenia) and those, (Serbia), who consistently abuse them.

In closing, the recent experience with the aggressive and expansionist policies of Saddam Hussein can be viewed as a dramatic analogy to the current situation in Yugoslavia. Initially, Saddam Hussein was not taken very seriously. In fact, at certain points, he was provided aid and support as a lesser evil. It would be a serious mistake to commit the same error with Slobodan Milosevic and his leadership in Serbia. Should he be encouraged or even ignored, it is likely that he will misread the sentiments of the Free World and take his country and the whole of Southeastern Europe to an adventure that could potentially be as ominous as Saddam Hussein's seizure of Kuwait.

The United States now has the opportunity and the moral duty to act in a preventive manner, so that tomorrow there will be no need to engage American or allied troops in an effort to restore decency and order in the heart of Europe.

We thank the committee for its consideration given to this report on behalf of American citizens of Croatian descent, whose relatives and family members in Croatia support the American ideal and pray for a measure of American assistance to help ensure their new-found democratic freedoms.

RESPONSES OF MR. SCHIFTER TO QUESTIONS ASKED BY SENATOR PRESSLER

Question. Mr. Schifter you are familiar with human rights abuses throughout the world. Are there any distinguishing aspects of the human right situation in Yugoslavia that make it stand out, or make it exceptional?

Answer. No. I am afraid that the ethnic rivalries which are the principal causes of human rights abuse in Yugoslavia are problems which are in evidence in many other parts of the world as well

○