

# IMPLEMENTATION OF THE HELSINKI ACCORDS

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## HEARING BEFORE THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE ONE HUNDRED SECOND CONGRESS

SECOND SESSION

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THE YUGOSLAV REPUBLICS: PROSPECTS FOR PEACE AND HUMAN  
RIGHTS

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FEBRUARY 5, 1992

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Printed for the use of the  
Commission on Security and Cooperation in Europe

[CSCE 102-2-11]



U.S. GOVERNMENT PRINTING OFFICE

53-110

WASHINGTON : 1992

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

ISBN 0-16-038301-3

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# THE YUGOSLAV REPUBLICS: PROSPECTS FOR PEACE AND HUMAN RIGHTS

WEDNESDAY, FEBRUARY 5, 1992

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

*Washington, DC.*

The hearing was held in room 192, Dirksen Senate Office Building, Washington, DC, at 2 p.m., Honorable Steny H. Hoyer (Chairman) presiding.

Present: Steny H. Hoyer, Chairman; Dennis DeConcini, Co-Chairman; Commissioners, Representatives Christopher Smith, John Edward Porter, Frank R. Wolf, Senator Harry Reid.

Also present: Senator Albert Gore, Representatives Helen Delich Bentley and Jim Moody

Chairman HOYER. The Commission will come to order.

Today, the Helsinki Commission is holding its second hearing on the political crisis and civil conflict in Yugoslavia. This hearing is certainly a timely one, for it appears as if this conflict, which has brought death and destruction of unprecedented scale for post-World War II Europe, is at a critical stage. The fighting has ebbed considerably, thanks in large part to the efforts of U.N. Envoy Cyrus Vance, but it remains unclear whether the conflict will soon continue and in fact spread to other republics, or whether a peaceful settlement that is acceptable to all the peoples of the region is the course that will now be followed.

Fueling the conflict in Yugoslavia are feelings of universal anger, mutual bitterness and actual hatred in light of specific circumstances in which the country found itself as Europe entered this new age of democratic transformation. The two main antagonists, Serbia and Croatia, certainly perceive that they have been wronged by recent decades of communist rule. In my view, the legitimacy of their complaints is not mutually exclusive. That Croatia sees its future as an independent republic seems quite natural; and, indeed, this has many parallels in today's East-Central Europe and the former Soviet Union. At the same time, one can understand the concern Serbia has for the Serbs which live in Croatia and Bosnia, just as it has for the Serbs who live in Kosovo.

What is particularly disturbing and sad is not that there is legitimacy in the concerns of the various groups, but that these concerns are being addressed in an unacceptable manner, such as the use of force in Croatia or repression in Kosovo. In today's Europe, which has accepted the ten Principles of the Helsinki Final Act as universal standards for the behavior of governments, such methods and changes they create must be rejected. What is more, the course of

events in Yugoslavia has shown that violence and repression do not work, for they have led to the country's disintegration, and the pain of its people. The only way in which a just and lasting solution to the crisis in Yugoslavia will be found is through dialogue and negotiation, and by building democracy and respecting human rights.

We are fortunate to have as witnesses today two individuals who have only recently returned from Yugoslavia. One observed firsthand the repeated use of force while the other documented many human rights violations.

First, we have Ambassador Dirk Jan van Houten, who has been—until the rotation of the EC Presidency from the Netherlands to Portugal earlier this year—the head of the European Community Monitoring Mission in Yugoslavia. Ambassador van Houten was scheduled to appear at our last hearing on Yugoslavia, but the senseless shelling of Dubrovnik which began at that time precluded his departure from Yugoslavia to visit the United States. We are very glad, Mr. Ambassador, to see you here today.

Secondly, we have Jeri Laber, Executive Director of Helsinki Watch. Helsinki Watch has just released two reports on human rights violations in Yugoslavia, including those committed by both sides of the conflict in Croatia. The Commission has a high regard for the substantial and professional human rights monitoring efforts of Helsinki Watch over the years, and we look forward to hearing Jeri Laber's comments in light of her recent visit to the Yugoslav republics.

Let me say that I have had the opportunity to personally work with Jeri Laber over the years and with Helsinki Watch. They make a great contribution to the work of this Commission and to the focus upon human rights abuses all over the world.

It is, indeed, a pleasure to have Jeri Laber, who is such a dynamic, committed and courageous leader of that organization, with us today.

I'd now like to recognize the Co-Chairman of the Commission on Security and Cooperation in Europe, Senator DeConcini.

Mr. DECONCINI. Mr. Chairman, thank you very much. I'm truly looking forward to our witnesses today, and to these hearings. The prospects of peace and human rights in Yugoslavia is something that I have followed for some time. I highly commend Cyrus Vance for the progress he is attempting to achieve, and I believe is achieving, in bringing a ceasefire into the efforts and move a peacekeeping force into place in parts of Yugoslavia.

I also want to say that I welcome the decision of the European Community, and the many other countries, who have recognized the independence of Slovenia and Croatia. Given all that has happened in the past 6 months, I hope that this move will facilitate the achievement of a lasting peace. I would also urge the administration again, as I did when Senator Gore, our friend and colleague who is here, introduced a resolution that the United States should also recognize the independence of some of these republics, if not all of them.

These developments offer some room for cautious optimism, but there is good reason to remain deeply concerned about the fragility of the peace, particularly, in Croatia. Moreover, the increasing ten-

sion in Bosnia-Herzegovina could lead to an eruption of violence there that would be very, very hard to stop, in my opinion. The precarious position in which Macedonia currently finds itself is also very troubling, as some of us learned last week when the President of the republic, Mr. Kiro Gligorov, was here, it was a very disturbing report that he gave us of their inability to cope with a potential assault by the Serbian Army and being caught right between Croatia forces as well as Serbian forces. Meanwhile, the repression of the Albanian population of Kosovo seems to continue with unabated severity. Of course, efforts to stop the massive killings must be our first priority, but in the end, the international community—the European-sponsored peace conference, the CSCE process, and the United Nations—must address these problems as well if the Yugoslav crisis is ever going to be fully resolved.

I hope that this hearing will examine these issues as well, and that we could also take a closer look at what role the CSCE process has played in the shaping the international effort to resolve the Yugoslav crisis. Yugoslavia has presented the CSCE with what appears to be the first major challenge in the post-Cold War Era. While the EC and some other European countries took an active interest in responding to this challenge, in my view the CSCE States collectively fell short in dealing with the conflict. With the convening of the Helsinki Follow-Up Meeting in about six weeks, it would be useful to examine some of the lessons learned from the Yugoslav crisis as the CSCE is further enhanced in Helsinki to deal with the future challenges that might arise along this same area.

Thank you, Mr. Chairman.

Chairman HOYER. Thank you.

First I'd like to recognize other members of the Commission, and then I'd like to recognize Bentley for a few words, but Senator Reid, from Nevada, a member of the Commission.

Mr. REID. I appreciate that, Mr. Chairman. I have a statement, I'll submit it for the record.

Chairman HOYER. Thank you.

Mr. Smith.

Mr. SMITH. Thank you very much, Mr. Chairman. I'll be very brief and ask that my statement be made part of the record.

Chairman HOYER. Without objection.

Mr. SMITH. I welcome the Ambassador, and I look forward to hearing Jeri's comments, and I'm just reading her testimony now.

I was in Croatia and Serbia in the end of August, early September, was in Vukovar Osijek with Congressman Frank Wolf, and saw first hand the tremendous devastation that was being leveled against civilians, buildings, the loss of human life was horrific to behold, and it seems to me that much progress has been made. The EC is to be commended for its work in trying to bring an end, certainly Cy Vance is to be commended for trying to bring the warring parties together.

My hope is that this hearing will be part of that process, to let those belligerents who remain committed to war, rather than peace, know that they have no allies abroad, and that the time for peace is now, and I would hope that we do everything humanly possible.

I would agree with Senator DeConcini, that the time has also come for this country to recognize Slovenia and Croatia. Other nations have taken that important step, we ought to do it as well, and take the same step.

So, I thank the Chair.

Chairman HOYER. I thank the gentleman from New Jersey.

Senator Gore.

Senator GORE. Thank you very much, Mr. Chairman, and to my distinguished colleague who is Co-Chairman, and my colleagues who are here.

I have a very brief opening statement. I have been active in an effort to understand what is at stake in this conflict, and I firmly believe that the testimony we will hear today runs to the heart of the matters at risk and the potential solutions for this whole struggle.

The struggle for self-determination, which Woodrow Wilson championed, is still with us. In fact, the issue of national self-determination was quite hot in the Balkans then in Wilson's day, and it remains so today, now, but national self-determination is an incomplete ideal.

We need to make certain that self-determination and respect for human rights go hand in hand.

Moreover, we have also established a new principle, one which is central to the CSCE Charter and vital to the peace of Europe, that is, that internationally recognized boundaries will not be changed by violent means. That principle is also at risk.

The Commission's record of activity of these areas is a matter of intense pride in Congress, and especially may I say for those who, like our Chairman, Co-Chairman, and the members of this Commission, have been deeply involved in this whole effort, and I would just conclude by saying how much I appreciate your invitation to sit in today.

Chairman HOYER. Thank you, Senator, and we are appreciative of your efforts and the fact that you are here.

The Chair would give Mrs. Bentley the last word, if she wants it, before we turn it over, or she can speak now. You'll take it now.

I want to say a few things about Mrs. Bentley. Mrs. Bentley has relatively strong ideas, as some of you may know, on this issue, but probably is as knowledgeable about the history of Yugoslavia, the Serbian position, as well as the position of others, as just about anybody in the Congress. She works very hard at it and has done some outstanding and in-depth research.

We don't always agree, but I have great respect for her opinions, and she has certainly contributed to the work of this Commission, although not a member of the Commission.

Mrs. Bentley.

Mr. REID. Would the Chairman yield?

Chairman HOYER. Certainly.

Mr. REID. Congresswoman Bentley not only has strong opinions on this, but on everything else.

Chairman HOYER. Senator Reid, those of us from Maryland do not need to be reminded of that, but I'm appreciative of the fact that you are bringing that to the attention of everybody else.

Mr. REID. The other thing I would like to mention is that she was born and raised in Nevada.

Chairman HOYER. The Chair recognizes the distinguished lady from Maryland, Mrs. Bentley.

Mrs. BENTLEY. I thank my fellow Nevadan and my colleague from Maryland for those kind remarks, but I'm just going to summarize quickly my introductory statement, Mr. Chairman, and I ask unanimous consent to have it all included in the record.

I want to touch on a couple of matters—

Chairman HOYER. Without objection.

Mrs. BENTLEY [continuing]. That have been said here today by some of my colleagues.

Number one, that it's the Serbian army that the Macedonians are afraid of. I think we need to have on the record that Serbia has no army, okay? The Yugoslavian army is headed up by Croats.

Now, the bulk of the people—no, the general thought, and the bulk of the members are Serbian, because there were more Serbians in Yugoslavia than there were of any others. I think that's a fact that needs to be on the record here.

Secondly, I don't think anybody really has any objections to the recognition of Slovenia and Croatia per se independent. The concern is about the Serbians in Krajina, and Krajina, Senator Gore, you talk about international boundaries, Krajina was forced into Croatia by the Communists, and this is the issue. Krajina is the area where my parents happen to have been born and raised in, so I'm very familiar with that area, and the human rights violations there, this is where 750,000 Serbians, Jews and gypsies were killed, were massacred, in World War II.

There have been lots of massacres going on there now, violations of human rights there of those people. This is the fear, and I think we need—I'm going to just read a quote from Amnesty International in their November, 1991 report entitled, "Yugoslavia: Torture and Deliberate and Arbitrary Killings in War Zones," "Reports from the war zones of Yugoslavia over the past four months show that all sides in the conflict have blatantly flouted international human rights and humanitarian standards that explicitly forbid the murder and torture of captured combatants and civilians not actively involved in the fighting. Among the thousands of peoples killed in the conflict, mainly in Croatia and in border areas of Bosnia-Herzegovina were unarmed civilians and captured combatants who have been deliberately killed by police, military or paramilitary forces. People who have been detained in connection with the fighting have in some cases also been ill-treated or tortured, in some cases resulting in death. Reports from the media and other sources indicate that those responsible for committing those atrocities come from all parties in the conflict, the federal army, Croatian security forces, and Serbian paramilitaries."

And then, everything that I am saying here today we have looked into very carefully. We have—we have a number of tapes which show the atrocities against Serbians in that area, and these have been distributed. Some of them we know are very real, and some of them may be propaganda, just as the other side has issued a lot along the same line, propaganda as well as some facts.

This we have to look into very carefully, but what I'm saying here is indicative of the mood of intolerance and revenge that has been fueling the current civil war, and of the misinformation that has been obscuring many issues that must be addressed if there is to be a comprehensive solution of the crisis.

The war started because of the human rights concerns of the Serbian minority in Croatia, and their human rights continue to be blatantly violated, not just in the war zones, but also throughout the republic.

The agreements that were made with Cyrus Vance, Senator, already are in the process that they have to be reworked on the Croatian side, and I can tell you, I have talked to the very imminent Cyrus Vance in the last few days, and he says that the Croats were backing off from what they committed to do at an earlier date, and that simply is unacceptable.

And, this is what we have to look into. I mean, we just can't sit here and say that it's all one sided or anything else. I think we need to read that editorial that the Washington Post had the other day, in which it talks about the very subject of the independents' wishes of the cry in the region, and it says in part, "Here is a dilemma of Croatian self-determination. From a distance, Croatia looks like an integral territory easily broken off and accorded recognition on independence in the name of high principle, but what about those Serbs in Croatia who, to this day, have not received constitutional guarantees of their minority rights, and shall in any event resist living in other than a Serbian country." I mean, this is what is the problem, and it isn't that people don't want them to be independent. What happens to these people who are frightened to death?

Thank you, Mr. Chairman.

Chairman HOYER. Thank you, Mrs. Bentley.

Lastly, I will recognize, before recognizing the Ambassador, Mr. Moody of Wisconsin, who has been to Yugoslavia a number of times and although not a member of the Commission, has himself been very active with our work.

Mr. Moody. Thank you, Mr. Chairman.

I recently returned from an eight-day visit to Yugoslavia, a country that I lived in for two years, and for whom I have great respect and admiration for the people, all the people of that country.

In my 2 years of living and serving Yugoslavia, I had many friends in Croatia, Serbia, Bosnia, Macedonia, Montenegro, and elsewhere. I learned the language and learned to respect the culture of each one of those groups of people.

I'll briefly summarize my findings from the recent trip. On that trip I visited with the presidents in Serbia, Croatia, Macedonia, and Bosnia-Herzegovina. In Croatia, I met with not only President Tudjman, but also with General Tus, the General of the Croatian army, and with the Foreign Minister of Croatia. I met with comparable top officials in Serbian. I met at some length with both Serbian and Croatian leaders in Bosnia, as well as with the President.

My conclusions are, Mr. Chairman, that unless decisive action is taken, Yugoslavia stands at the brink of a catastrophic war that (1) could kill tens of thousands of people, (2) destabilize a region that is very important to the United States economically and politically

and historically, and (3) jeopardize the gradual democratization process that is taking place in that region.

There are three points and conclusions I would like to leave with the committee. First, the points: Point No. 1: The war that we now witness is essentially a continuation of an old conflict between Serbs and Croats. It is *not* an ideological struggle over Marxism, as some have alleged.

Point No. 2: The Yugoslav army has its own political and economic agenda which seriously jeopardizes the prospects for peace.

Point No. 3: Despite disagreement on details and timing, there actually are substantial points of agreement on both the Serbian and Croatian government sides that could serve as the basis of an agreement.

My conclusions are again three: No. 1: The shooting must be stopped and remain stopped, as it now is at the moment, as soon as possible, and permanently. The seething distrust and ill-will that exists makes it very hard to put peace back on the table if it is broken again.

No. 2: It is particularly important to prevent any fighting from spreading to Bosnia-Herzegovina, where a spark could ignite a bloody war of endless reprisals, involving not only Serbs and Croats, but also Moslems.

No. 3: The Yugoslav National Army, the second largest and most powerful army in Europe, must be brought under immediate civilian control. It now acts, and has been acting, largely autonomously and has itself become a major player in its own right in the crisis. Its composition has been predominantly Serbian, but it has institutional and political goals that are separate and apart from Serbia.

Let me add the following points: The two crucial concerns that must be addressed for any durable peace to take place in Yugoslavia are, first, the extreme concern by Serbia for the personal safety and free cultural expression of Serbs living under Croatian control. *This insecurity and fear is the single, most emotional element driving the war.* It is not unwarranted. Obviously, it springs from the 1941-1945 experience, when an estimated 700,000 Serbs were slaughtered under the last existing separate Croatian state. Croats were killed also during that period, but in far smaller numbers—and not because they were Croats.

Second, an issue that must be addressed in order for there to be durable peace, is Croatia's absolute insistence on legal and political independence of any and all parts of Yugoslavia. That is where the Yugoslav Army's separate agenda plays a crucial role.

The army's economic needs, and financial needs, because of its bloated size, are far in excess of what could possibly be supported by a reduced Yugoslav state, therefore, the army has a strong independent interest in keeping the state as large as possible and preventing further break up.

I support both sets of concerns, and they must be addressed—both the fear for personal safety and cultural expression of Serbs living in Croatia, as well as the Croatian desire to separate and leave the country.

The key issues will be *how* and *when* these two issues are addressed.

Thank you.

Chairman HOYER. I thank the gentleman for his very thoughtful statement. His statement in full will be included at this time in the record.

Mr. Ambassador, sometimes it must appear to witnesses that they will never get their shot, but it's almost time. Before you speak though, let me also welcome to the hearing room my good friend, Ambassador Hans Meesman. Ambassador Meesman is now the Dutch Ambassador to the United States, but has been an Ambassador to many Helsinki meetings on behalf of the Netherlands, and I might say has been, in my opinion, one of the most outspoken, toughest, forthright advocates of human rights concerns within the Helsinki process. I'm proud that he's my friend and colleague in the Helsinki process, and we're pleased to have him here with us here today.

I'm also informed that I have mispronounced your name, Mr. Ambassador, it's van Houten, not Hooten, and I apologize, but in any event, Senator DeConcini and I mispronounce so many names that it becomes commonplace for us.

Mr. Ambassador, we are pleased to have you with us.

**TESTIMONY OF AMBASSADOR DIRK JAN VAN HOUTEN, FORMER  
HEAD OF THE EUROPEAN COMMUNITY MONITORING MISSION  
IN YUGOSLAVIA**

Ambassador VAN HOUTEN. Thank you very much, Mr. Chairman. I think Mr. Moody has—

Chairman HOYER. If you could bring the microphone closer. I think if you'll push it down, it will go down a little bit. Yes, right. We can hear you, but I think the folks in the back probably cannot unless you speak into it. Thank you.

Ambassador VAN HOUTEN. OK. Well, I think Mr. Moody has certainly given a very clear outline of the problems that should be resolved and the problems as they exist.

Let me first define a little bit what the European Economic Community Monitor Mission has been doing and how it has been set up, because I think there is a lot of confusion about the corridors.

When the conflict started, after the Declaration of Independence of Slovenia and Croatia, an agreement was reached in Belgrade on the 13th of July, in which the federal authorities of Yugoslavia and the parties in the conflict invited the European Economic Community to organize a mission to help stabilize a cease fire, to monitor the return of all armed forces to their previous positions, and to monitor the suspension of the implementation of the Declarations of Independence. This agreement would be running for about three months.

After two months, on the first of September, there was another Belgrade agreement, which extended the area to Croatia. The first agreement was only for Slovenia. And then after that, there was another agreement on Bosnia-Herzegovina on the first of October, in which the mandate was of the Monitor Mission to assist in maintaining the peace and stability and preventing occurrence of possible conflict within that republic. If conflicts would arise, the Monitor Mission will assist in establishing the facts in order to avoid further deterioration.

Now, I cite these few items from the various agreements because it really shows how the Monitor Mission in the going on of the conflict has become involved in something completely different from what it was set out to do. It was set out to monitor cease fires, there were no cease fires, and in the end it was just to try, by means of negotiation, in local conflicts to reach a peace.

The problem in Slovenia was easily solved, because, basically, there was an agreement that Slovenia maybe wasn't really worth the fight.

On the question of Croatia, the situation was very different. In the first place, there was the question of the Serbian minorities. In the second place, as the conflict started, the JNA units in their peacetime locations were being blockaded by the Croatian National Guard, and later Croatian National Army. And then, there are other elements which are based in aspirations of various elements in Serbia to maintain a federation of Yugoslavia, the aspirations to maintain a federation or at least a large Serbia. And, I think this point was very important in the agenda of the Yugoslav National Army.

According to my view, the National Army had developed from a defense organization to an organization which had a lot of self-interests to protect, and, therefore, the conflict is a different conflict for different elements. There's an interest of the federal authorities and the Serbian authorities, and there's an interest of the Yugoslav National Army. These are interests which do not necessarily coincide.

The EC Monitor Mission, if I place it in the context of the relations of the European Economic Community countries with Yugoslavia, I would say our relations run according to four lines. The one is the bilateral relations between the embassies, and important in that element is the question of consular relations, consular problems. Mercenaries have been shot, appeals have been made to the monitors to assist in retrieving bodies, and I did not want to get involved in that kind of work because the basis of our activity is to be a neutral broker and to be able to, at any time, speak with all the parties in the conflict and be credible as a neutral authority.

The second element is the personal representative of the President of the Council of Ministers of the Economic Community, Mr. Wijnaendts. He was sent on missions from the presidency in direct contact with the presidents of Serbia, of Croatia, of the Federation, but also he negotiated cease fires, local cease fires with Mr. Hadjic and Mr. Babic.

The third element of contact was Lord Carrington and the Carrington Peace Committee, who negotiated the settlements of the conflicts and the future position of what was known as Yugoslavia.

And then, the fourth level is the level of the EC monitors who, as I explained, had originally been assigned the task of monitoring cease fires, but who, in effect, became negotiators and brokers in local conflicts.

Now, the concrete tasks of the Monitor Mission in the time that I was heading this mission, which was from the 13th of September until the 31st of December, was to execute agreements which had been made at the political level between the presidents of Croatia, of Serbia, of the Federation and the military. And, the first agree-

ment was the cease fire, observing a cease fire, and the second was the evacuation and the deblockading of these peacetime deployed JNA units.

Now, we have been negotiating on that point since the 8th of October, and these negotiations were extremely difficult. The first problem we faced was to keep the parties together at the table, and I think the first day we spent about 12 hours listening to history lessons, and this is one of the things I have learned during my negotiations, that history in Yugoslavia plays a very important role, and this is logical because if you look at the map of Yugoslavia we are at the borderline of the eastern and western Roman Empire, the Hapsburg Empire, and the Ottoman States. We have continuously had conflicts involving Croats and Serbs, and it the Second World War has played a very disastrous role. The churches, to my surprise and dismay I may say, were involved in the conflict, again, for historical reasons. And, we have, among our negotiations, negotiated exchanges of nuns and priests and popes.

So, it's a very—it's a region which is very heavily mortgaged by history, and that is something which is difficult for an outsider to understand.

Now, our problems with reaching—

Chairman HOYER. Mr. Ambassador, you heard that bell. I don't know how much longer you'll be, but we have 15 minutes in which to vote. I will suggest to the House members that we recess, go and vote, and then come back, so that we don't miss anything. Senator DeConcini will be back in 10 minutes. Perhaps, if you have finished your statement by the time we leave, then Senator DeConcini will be back and he can propound some questions until we get back. I just wanted to let you know, Mr. Ambassador, we'll have to leave here at 5 of.

Ambassador VAN HOUTEN. At 5 of.

Chairman HOYER. Excuse me, 10 of, and then we will be gone probably 7 to 8 minutes and return from the vote.

Ambassador VAN HOUTEN. OK.

Well, me just say that the negotiations, we managed to conclude after the European Economic Community, as a sign of exasperation, decided to apply sanctions to both parties because there was no progress in the negotiations, and these were negotiations which were going on the political level and on the ground level, from the 8th of October until the 8th of November. We were getting no where, that is to say, we were getting no where, we were getting someplace in the field, because there were a lot of conflicts, local conflicts, which monitor teams managed to negotiate and managed to prevent from escalating and exploding, but an overall cease fire was not reached and an overall agreement on deblockading was not reached.

What we noticed, and I think this is a point I'd like to make before I stop, is that the conflict in Yugoslavia is not one conflict, it's a sum total of many conflicts, many local regional conflicts, and monitor teams have been able to negotiate in many places cease fires which would hold for a certain time, and in other places cease fires would just occur, more or less, in a spontaneous way.

There were many events which I would like to discuss, but maybe we can have some questions, like the attacks on Vukovar,

the attacks on Dubrovnik, but again, the local elements of these fights they were the biggest problems, the big problem was also that the JNA in its dealing with the problem had become committed on one side and was waiting a war from a distance. Cities or villages were bombarded from a distance. People were terrorized to leave, and a lot of the mopping up operations was left in the hands of irregular forces, and that is, the irregular forces of both sides, that is where the atrocities happened, and that is where the element is out of control.

Mr. MOODY. Excuse me, Mr. Chairman, I couldn't hear that last statement. Would you say that again.

Ambassador VAN HOUTEN. That is—

Mr. MOODY. Both sides, could you say that again?

Ambassador VAN HOUTEN [continuing]. That both sides, on both sides you have irregular units who are in the place, who do the mopping up of the villages, or the cities, or fight each other, and this is the place where atrocities are happening.

These are people, as we have seen it, they are not uniformed generally, they have their own fantasy costumes, and they could be extras in any spaghetti western.

Mr. SMITH. Mr. Chairman, if I could just ask a question on that point. How would you assess the relative strengths of the irregular units on both sides, and under whose command, for example, are the Serb irregulars or, perhaps, the Croatian irregulars.

Ambassador VAN HOUTEN. The Croatian irregulars are usually—let me put the Croatian side of the picture this way—when the fighting started, Croatia had no army. They had their guerrilla trained units, their reservists, but also a lot of volunteers of people who just had guns.

And, there has been a constant process of trying to bring these units under control. How far this has succeeded, I don't really know. There is that attempt.

On the other side, you have various local groupings who have seized arms and as Chestniks or other kind of organizations are active locally.

In our contacts with JNA officers, we were told that it was obvious that Mr. Hadjic or Mr. Babic could not make a cease fire, because he was not in control of that specific region. There were at least 32 different Serbian armies or Serbian barrages and hostages, and that is what makes this conflict so extremely difficult to deal with, and that is the problem we were facing in the field.

Chairman HOYER. Mr. Ambassador, if you will let us break at this time.

Ambassador VAN HOUTEN. OK.

Chairman HOYER. And, we will be back for the balance of your testimony. Before we go to questions and answers, assuming we all get back at the same time, I want to ask Jeri Laber to testify, and then, perhaps, both of you would be available to answer questions.

Thank you, sir. We'll be right back.

(Whereupon, at 2:50 p.m., a recess until 3:09 p.m.)

Chairman HOYER. Mr. Ambassador, I was in error, we had two votes so that's why it took us longer. We had to wait for the first one to be finished, and now we have a third vote that may be coming up in about 20 minutes.

So, let me let you finish, and then I'll recognize Mrs. Laber, and then by that time I'm sure we'll have another vote by then.

Ambassador VAN HOUTEN. Okay.

As I was saying, we had reached finally an agreement on the deblocking and the evacuation of the JNA troops, and we signed an agreement on the 22nd of November, and in this agreement one of the nice points was that we had made an arbitration board to settle problems which might arise on the way.

On the 23rd of November, the United Nations concluded an agreement in Geneva, also on the evacuation and the deblockade, and after that for some time we had some problems, because every time the arbitration board met or took a decision, which was unfavorable for one party or the other, both parties would say, well, the agreement of Geneva supercedes the agreement which we reached on the 22nd of November. And, this was just one instance which has delayed a little bit the evacuation process, but we could manage to solve this problem with Mr. Vance and Mr. Okun, and since that time, since really December, beginning of December, the cooperation between the Monitor Mission on the ground, and to the United Nations representatives when they came to Yugoslavia was very close, and I think that is a very good thing because one element we should always avoid is that the parties in the conflict have the feeling they can pick and choose the mediator which is most attentive to its cause. And, I think everybody is very well aware of that problem.

Let me just, in concluding, say—is this your bell?

Chairman HOYER. That's the Senate, the Senate is not here. We are on the Senate side, but—

Ambassador VAN HOUTEN. Just before concluding, I mentioned shortly the task which the Monitor Mission has had in Bosnia-Herzegovina, and the way we have been dealing with Bosnia-Herzegovina is that a monitor team visits every one of the 110 Opcinas or communities in Bosnia-Herzegovina on a regular basis, once a week, or once every 10 days, depending on the possibilities of the mission.

And, the thing we have noticed in this very volatile situation is that people of different religions, or people of different ethnic background, they don't communicate with each other and it really takes a third party, like a mission of monitors, to get the parties together, or at least to define what the problems are and to find solutions. This has been the work which the Monitor Mission has been doing since the first of October, and with success, there has been no outbreak.

Nevertheless, the situation in Bosnia is very serious and very tense. Everybody, in addition to everything, is armed to the teeth, and Bosnia is really the republic in Yugoslavia which is suffering very much from this conflict. You have material damage from the shellings and the destruction, but much greater is the immaterial damage and Bosnia-Herzegovina is suffering from that.

So, in addition to the very tense situation, you have a deteriorating social situation and economic situation, and we have to be very conscious of that, because Bosnia is a volatile and very dangerous point. I've stressed this many times, and I think in reaching a solution in Croatia and the protection of minorities in Croatia, which is

very important to reach any kind of basic peace, we should never forget the situation in Bosnia, and I think if I could make one recommendation I would very much like to see a United Nations presence or more monitors in Bosnia-Herzegovina.

I think with this I'll conclude my statement, and if there are any questions I'll be happy to answer.

Chairman HOYER. Thank you very much, Mr. Ambassador.

If you don't mind, I would like to now recognize Ms. Laber. I don't know when we are going to have to leave, and we want to hear from her, and then we'll go to questions with both of you, if that's all right.

#### TESTIMONY OF JERI LABER, EXECUTIVE DIRECTOR OF HELSINKI WATCH

Ms. LABER. Thank you, Chairman Hoyer, and thank you for inviting me to testify here today.

I'm Jeri Laber. I'm the Executive Director of Helsinki Watch, and I've just returned from a brief visit to Yugoslavia, certainly not my first.

We found the human rights situation there has worsened dramatically in the past year. As you know, Helsinki Watch takes no position with regard to territorial claims or claims to independence in any of the Yugoslav republics. Our concern is that the human rights of all the individuals there, including ethnic minorities, be respected.

We have found, in our reports and have indicated this, that there are violations of the rules of war in Yugoslavia by all sides to the conflict, by the Serbian paramilitary groups, by the Federal Yugoslav Army, and by the Croatian military forces. And amongst the crimes that we have found, I will just summarize them, are the summary executions of civilians and disarmed combatants; the indiscriminate and disproportionate use of force against civilian targets; the torture and mistreatment of detainees; the taking of hostages; the forced displacement and resettlement of civilian populations; and the killing of and attacks upon a large number of journalists covering the war.

We are also concerned about disappearances of both Serbs and Croats in Croatia, and the harassment and repression of opposition political figures and anti-war activists in Serbia.

We also have been reporting for some time now about the persecution of the Albanian minority in Kosovo, which continues, and we are also concerned about restrictions of free expression and press in Croatia, Serbia, and Montenegro.

Now, you've all received a copy of a letter that we brought to Belgrade with us, addressed to President Milosevic. Unfortunately, he was not available to meet with us. We did meet with some generals of the army and with someone in the Foreign Ministry and released the contents of the letter, which deals with violations by the Serbian Government and the Yugoslav National Army. We released this to the press in Belgrade two weeks ago.

We are also sending a letter detailing violations by the Croatian military in the war. We are sending a copy of this to President Tudjman, and as soon as he receives it we will release that, prob-

ably some time next week, and I'll make sure that all members of this committee get copies immediately. We also plan to go and see President Tudjman, if he'll see us, to discuss what's in our letter to him.

I'm going to elaborate very briefly on the summary that I just gave you, because I think some of the details are important to get out here today. In terms of summary executions and disappearances, we have documented 14 cases. I should say that everything I'm talking about today is material, that we've gotten not from the press, and not from various parties with a point of view, but material that we have documented ourselves. Helsinki Watch has sent six missions to Yugoslavia in the last year. We have had one staff member there almost continually in between these missions, and we have been out in the field. We've made three visits to Knin, and we've been behind the lines in Croatia. The information that we report on are things that we have verified to the best of our ability first hand. *It's a war in which it's very hard to get the facts, as I'm sure my colleague here knows.*

We have documented 14 separate instances in which groups of civilians were summarily executed in a very brutal manner by the Serbian paramilitary groups. We have also documented cases where non-Serbs were taken to unknown destinations and remain missing. The unofficial estimate is that more than 3,000 people are missing from the city of Vukovar alone.

We have also documented cases in which Croatian forces have abducted Serbian civilians, and especially a case in which 24 Serbs were massacred near Gospic.

We have compiled our own list of missing persons, and have presented that list to both sides, to the Croatians and to the Serbs, with the hope that they will try to respond and look into some of these cases.

We are also very concerned about the excessive use of force, particularly, by the Yugoslav army, which has resulted in thousands of civilian deaths and injuries in this war.

We are concerned about the fact that Croatian and Serbian forces have been guilty of torturing and mistreating people held in detention.

We are concerned about the harassment and discrimination against Serbian civilians in Croatian-held territory. That seems to be increasing. You may know that in the middle of last year there were loyalty oaths that were introduced, where Serbs living in Croatian territory had to swear loyalty to the Croatian Government. That practice appears to have ceased, but there's never been an acknowledgement of the fact that it was wrong, or no one has been punished for having tried to require it.

We are concerned also about the killings and attacks against journalists. At least 17 foreign and domestic journalists have been killed in Croatia in the past seven months, and although some of them may have been caught in crossfire, we have reason to fear, at least, that some were deliberately targeted because they were journalists.

We are concerned about restrictions on free expression. In Serbia there has been a campaign of harassment against anti-war activists and against the political opposition there. We're concerned about

restrictions on freedom of the press, in both Serbia and Croatia, where there is censorship now about reporting on the war.

And last, but certainly not least, there are the continuing human rights abuses in Kosovo, which are being carried out by the Serbian Government—physical mistreatment of the Albanian minority in detention, systematic discrimination against Albanians. Apparently, over 20,000 Albanians, including 2,000 medical personnel, have lost their jobs because of ethnic discrimination in 1991 alone.

Now, it's usually our practice when testifying in Washington to devote the end of our testimonies to what the U.S. policy should be. Although I don't think we were actually asked to do this today, I must say that I would find it rather hard to know what to say, because as far as I can see the U.S. policy and, unfortunately, the policy of CSCE as well have been virtually non-existent with regard to what's been happening in Yugoslavia.

The European Community, Lord Carrington, Cyrus Vance, these are the people who have been trying to do something. When I was in Yugoslavia I heard nothing but good words about the work that Vance, and before him Carrington, had done there.

I'm not even sure what the United States should be doing right now. I know what it could have been doing some time ago, and we did urge the United States, before the conflict in Croatia broke out, to restrict aid to the Serbian republic and to the Yugoslav Government—which then still existed—but to no avail. I think at that point the United States was more concerned with trying to hold Yugoslavia together than with trying to distinguish between those republics that were abusing human rights severely and those which were not.

Do you have to go now, or shall I—

Chairman HOYER. No, no. Let me explain to you where we are. We now have 15 minutes to make a vote, and because it will then be so close to 4 I will not be able to get back here because I have a 4 meeting with the Speaker. I don't know about Mrs. Bentley, but let's see what we can do for the next 12 minutes.

Ms. LABER. OK. Well, I'm really practically finished. At this point, I don't know what the United States should be doing, quite frankly. I mean, I think it's obviously past the point of holding Yugoslavia together. I think the U.S. Government made the same mistake in the Soviet Union, trying to prop up Gorbachev long after it became clear that it was no longer going to work.

I do think CSCE has a role, and I can understand why it's very new to CSCE to be playing this role, it's new to us also. As an organization that has been monitoring human rights in the CSCE countries for more than a dozen years, it's only in the last year that we have been dealing with the kinds of problems that have suddenly erupted, which involve different sorts of activities, such as mediation, such as peacekeeping. We are not experienced in it, and neither is CSCE, but I suspect and hope that CSCE will become experienced in such things. I don't think it's our role—I don't think it will ever be the role of Helsinki Watch—but I do think it's a role for CSCE.

I think I can end here. I'm very happy to answer any questions you might have.

Chairman HOYER. Thank you.

Your statement will be included in full in the record, and I appreciate your statement.

One of the themes, certainly through what both Congressman Moody and Ambassador van Houten had to say, is that essentially the Yugoslav army is in many respects an independent actor.

Would *rogue army* be too strong a phrase in the sense that there is no central control of the army's policy either from Milosevic or from anybody else. Is that what I hear?

Ambassador VAN HOUTEN. It's not completely there, but that's the way it's going. Local generals, local commanders, take larger liberties. We have witnessed the shelling of Dubrovnik on the 6th of December, which then later was labeled to be a regrettable mistake and a misunderstanding. These kind of misunderstandings happen.

Sometimes I've heard the JNA described as "an army without a country."

Chairman HOYER. Yes.

Jeri, did you want to comment on that?

Ms. LABER. I agree with what you say. It's a very frightening phenomenon.

Chairman HOYER. Now, Ms. Laber was of the opinion that—or lacked an opinion at this point on what the United States really could do.

CSCE, of course, has discussed this, met about it, in effect, both the United States and CSCE took the position that the EC would sort of be lead on this, and I think we're sort of hoping for greater success than occurred.

Mr. Ambassador, what, if anything, do you think the United States could or should do at this point in time? Now, you may not want to comment on that, but if you feel comfortable commenting on that.

Ambassador VAN HOUTEN. It's a question I find very difficult to answer, because it's a situation which is so volatile and so subject to change.

I think rather than what should one do, or what should one not do, I'd rather say what one should not do, and that is do sudden things which upset one party or the other. I think in the question of recognition at this moment, one should be very careful and take into consideration the referendum in Bosnia-Herzegovina, and the problems which are going there. It's more that any action or inaction should be taken with taking into consideration the local situation at any given moment. And, even now, I have been away for two weeks from Yugoslavia and from the situation on the ground, and I just wouldn't know how the local situation is at this moment to make a recommendation.

Chairman HOYER. I have other questions, but because our time is so brief I want to give my colleagues an opportunity. Let me yield to Mrs. Bentley.

Mrs. BENTLEY. I would just like to ask Ms. Laber, Paraga in Croatia, do you know whether or not he is incarcerated now or not? I saw no reference to him.

Ms. LABER. I know he's been charged. I don't know whether he's actually incarcerated at the moment. He's facing charges for things like illegally smuggling weapons and arming paramilitary groups,

and the government of Croatia seems to have distanced itself considerably from his activities.

Mrs. BENTLEY. From him. OK.

Are there any political charges against him at all?

Ms. LABER. Well—

Mrs. BENTLEY. Would that be part of it?

Ms. LABER [continuing]. There may be a political aspect to them. Does it seem so to you?

Mrs. BENTLEY. Well, half and half.

One other thing I'd like to ask the Ambassador then, on old Dubrovnik, we've heard both pros and cons as to whether it was damaged or not damaged. What did you view when you were there, the old part of it?

Ambassador VAN HOUTEN. There has been fighting around Dubrovnik for more than a month. Old Dubrovnik was heavily damaged on the 6th of December.

Mrs. BENTLEY. The old on the 6th of December.

Ambassador VAN HOUTEN. The old part.

Mrs. BENTLEY. Up until then, it had escaped the—

Ambassador VAN HOUTEN. Well, it had received shells, but not substantial. The substantial shelling was on that one day, and that was the day before an agreement was reached on a cease fire in Dubrovnik, which still holds.

Mrs. BENTLEY. OK. That's all I have to ask right now.

Chairman HOYER. Let me ask you, Mr. Ambassador, and then Senator DeConcini will proceed as soon as we leave, which is about in another 3 minutes—what, if anything, do you think the CSCE—realizing that its conflict prevention unit is somewhat new and very small in size, though there have been meetings in Prague about this relatively regularly—could be doing to assist, other than obviously supporting the EC efforts?

Ambassador VAN HOUTEN. I think the CSCE has been assisting this effort in a large way. We always speak about the EC mission, but we forget that there are also four other countries from the CSCE, Poland, Czechoslovakia, Canada and Sweden, who are also involved.

I believe that at this stage in the conflict, the CSCE and any other country should try to give as much support as it can to the EC efforts, to the EC monitors, and to the United Nations, short of getting involved in the conflict themselves.

Chairman HOYER. If, in fact, the army is not subject to any political control at some point in time—you indicated that was the direction it appeared to be moving—would it then be appropriate if that happened for some sort of United Nations action. I suppose one could call upon European forces to accomplish that objective. In other words, if the army just is no longer subject to political control, no longer wants to talk to anybody, do you foresee the possibility of that occurring, where joint international military action might be required?

Ambassador VAN HOUTEN. Mr. Chairman, the fact that you ask this question shows how far we have moved in this last year or two years, from the times when the world was split into the East and West. In the old days, one party would have sided with one side,

and the other with the other side. At this point, everybody is in agreement that this is an absurd conflict.

So, it's a question of, if this thing escalates, and if it deteriorates in the way it does, is there a political will to fill up the vacuum which has been created by the disappearance of the East/West conflict, and that would be an interesting question.

Sorry to answer a question with a question.

Chairman HOYER. We'll all look for the interesting answer.

Ambassador VAN HOUTEN. That's right.

Mr. HOYER. All right.

Mrs. BENTLEY. Mr. Chairman, I'd like to ask the Ambassador and Ms. Laber whether you are familiar with a speech that Mr. Mesic supposedly gave in Germany in the last two or three weeks, in which he said, and he was the last President of the old Yugoslavia as we know it, in which he said that, "The only Serbians that will be left in Croatia will be dead ones." That was quoted in a German publication.

Ms. LABER. I'm not aware of that particular statement. Do you want a comment on it?

Mrs. BENTLEY. Well, no, I just wondered whether you had heard it, but we are trying to get a copy of it.

Ms. LABER. I see.

Mrs. BENTLEY. It was in one of the German publications.

You haven't heard it either?

Ambassador VAN HOUTEN. I heard a statement along these lines by a Croatian parliamentarian, but he was the only one who made the statement.

Mrs. BENTLEY. Okay.

Chairman HOYER. Mr. Smith, did you want to ask questions?

Mr. SMITH. Yes, I would, thank you, Mr. Chairman.

Chairman HOYER. I also want to recognize the presence of Mr. Wolf now. Have you and Chris voted on this last vote?

Mr. SMITH. Yes.

Mr. WOLF. Yes, we did.

Chairman HOYER. You may proceed.

Mr. SMITH. Thank you, Mr. Chairman.

Ms. Laber, welcome to the committee, it's so good to see you again.

Ms. LABER. Thank you.

Mr. SMITH. Earlier in her comments, Mrs. Bentley made the point that—or suggested that the war started because of human rights violations committed against Serbs by Croats in Croatia.

Interestingly, that is a similar line that we heard in Belgrade over, and over, and over again, including—it was spoken by President Milosevic.

Just for the record, in your view is that accurate, or were there other contributing causes, for example, we also heard, and we've seen some evidence that suggests that there's a land grab going on. It's an attempt to create a greater Serbia, despite all the protestations earlier on, one just has to look at the deployment of military, and there is at least some evidence that suggests this is a land grab. If you could answer that question, I'd appreciate it.

Chairman HOYER. Before you do, Mr. Ambassador, I'm looking at the time, John, you've voted as well?

Mr. PORTER. Yes.

Chairman HOYER. OK. Mrs. Bentley and I are the only ones that haven't voted and there's only about 5 minutes to go. We will have to leave, and by that time we will not be able to come back.

I want to thank you on behalf of the Commission, Mr. Ambassador and Ms. Laber, for joining us. Senator DeConcini, I know, will do so on behalf of the Commission as well.

There is great concern and frustration about what we can do, realistically, effectively, in this matter, and I'm not so sure we've resolved that concern, but at least we've investigated a little more on what the situation is.

Thank you very, very much.

Mr. Smith?

Ambassador VAN HOUTEN. The question, is it a war for grabbing land, yes, I think it is. And, that is what makes the whole situation so intolerable, as has been described by Ms. Laber.

The object is not to concur infrastructure or terrain, the object is to destroy the living environment and to force people off the land, and then grab the land and keep it as another—as an extension of the frontier.

Mr. SMITH. Ms. Laber?

Ms. LABER. I happened to be in Croatia in September 1990, which was when this conflict was just beginning, and I traveled to some of the villages the names of which subsequently became familiar to all of us, although at the time they were quite new to me.

My reading of it was this: I think that the Croatian Government came into power with an election campaign that was highly nationalistic in content, using inflammatory symbols that truly terrified the local Serbian population.

I saw some of these Serbian villages, which were barricaded at the time with trees cut down so people couldn't cross the roads. The Croatians were beginning their campaign of disarming the local police stations. They said they were doing so throughout Croatia, but they picked the Serbian villages to start.

It seemed very heavy handed. I don't know how much of it was intentional. Given the past history of the region, it was reasonable enough for the Serbian population to be highly exercised. I think the hysteria we saw was genuine. I mean, it was not an act. People were sleeping in fields at night, afraid to be in their homes.

I also think that President Milosevic capitalized on that hysteria and got it going, so that he could manipulate frightened people and capitalize on misguided slogans by the Croatian Government to increase the war hysteria. There's nothing inconsistent with what I'm saying and what Ambassador Houten is saying. The ultimate outcome is a land grab by the Serbians by exploiting, in the most manipulative and inexcusable way, the fears of these people which stem from very real events in the past.

Mr. SMITH. Thank you.

What possible military significance could the leveling of Dubrovnik have achieved? It's my understanding there is a very small number of Serbs who live there, so any pretense deliberations certainly is, you know, stretching it a bit.

Ambassador VAN HOUTEN. I've heard—I've asked this question many times, and I've heard different answers.

One of the answers is that, just towards the east, southeast of Dubrovnik is a very important missile installation which controls the entrance to the Adriatic, so for the military that is an important place.

Another explanation I heard was that this was a reaction to the occupation by Croatian forces of a JNA vacation resort. I guess another explanation could be that Tuzla, which is in Bosnia-Herzegovina, has a sizeable militia and it's very close to Dubrovnik, and maybe this would give any kind of national setup, regional setup, an outlet towards the sea.

These are three explanations. I don't know which one I'd choose.

Mr. SMITH. Okay.

Ms. Laber, unless you wanted to comment on it, in your testimony you point out that after the fall of various villages and towns, the Serbian forces, many non-Serbs, were taken to unknown destinations and remained missing, and you point out there's some 3,000 people who are missing are from the city of Vukovar, and as I briefly indicated earlier, Mr. Wolf and I were there in late August, early September, and saw this city under siege, saw a large number of people holed up in cellars, and just very fearful just simply to step outdoors, because of the fear of another bomb exploding on their front yard.

Has the EC, for example, has anyone really gotten any kind of word back from Milosevic or any of the Serbian leaders what is becoming of this people?

And, you mentioned 3,000, is there an aggregate that we might have, how many are missing as a result of these bombardments?

Ms. LABER. Well, the figure 3,000 is a rough figure. There's a group in Zagreb that has been trying to compile the names of the missing.

We have personally gathered a couple of hundred names, maybe 300 now, of missing people, but we haven't been going at it as systematically as local groups are doing.

One of the things that was really staggering to me is how little people know of what's really happening. In Dubrovnik, for example: We were told the old city was not bombed; we were told it was bombed, and this seems like a fact that could be ascertained; we should know one way or another whether it was. When you are there you are not sure anymore who to believe. We were told by highly placed people in the army—generals—that there was no bombing of the old city whatsoever.

It's a highly charged atmosphere. As for the missing people from Vukovar, I'm convinced that they are missing, but the number is something else. I think that the victims may be the very people you spoke to who were hiding in their basements. They had reason to be afraid to come out. When they came out, they were taken off.

And, we're afraid that most of them are probably dead.

Mr. SMITH. Two very brief follow-up questions or final questions.

I know, Ms. Laber, you indicated that your organization does not take a position on independence, but if it's possible to take off that hat and give a personal view as to whether or not you think the United States ought to recognize Slovenia and Croatia, and, Mr. Ambassador, if you could answer that as well.

And, secondly, do we know who is in charge in Serbia, really calling the shots? Is it a group? Is it President Milosevic? Is it the army?

Ms. LABER. Do you want to go first?

Ambassador VAN HOUTEN. Recognition is always a very difficult question, because the substantive question of recognition seems to be inevitable, it's a question of timing.

And, again, I've said on the timing, one should be very sure that the recognition of Croatia and Slovenia by the United States does not trigger off other events.

I think one sensitive date in the future is the referendum in Bosnia-Herzegovina on the 28th of February. So, again, I think taking the decision is inevitable, but the timing should be very, very carefully considered with people on the spot, and I have seen, for instance, that your Ambassador, with whom we've had very close contacts throughout, is very well informed about the situation.

Mr. SMITH. Who is in charge? Do we know who is in charge in Serbia?

Ambassador VAN HOUTEN. Who is in charge?

Mr. SMITH. Other than the obvious names we all know.

Ambassador VAN HOUTEN. I think Mr. Milosevic is still in charge, certainly not—yes, Mr. Milosevic, I would say.

Ms. LABER. I would agree that, as far as I can see, Mr. Milosevic is still in charge. He was enough in charge to manage to avoid seeing us.

Mr. SMITH. I saw that in your testimony, yes.

Ms. LABER. As for your other question, you know that Helsinki Watch takes no position on recognition. I'll take off half my hat and say that, although I take no position on recognition, I would say that if the United States were to recognize republics in Yugoslavia, it should recognize all of them, and not just some of them.

Mr. SMITH. Okay, thank you very much for your testimony.

I yield back.

Mr. PORTER. Congressman Frank Wolf of Virginia.

Mr. WOLF. Thank you, John.

I apologize for not being here. I had another meeting and a couple other things that came up, so I'm asking questions with really not even knowing what you said, and you may have covered it. But, let me just ask you three quick questions.

How many displaced people are there who are alive but not living in their homes, Serbs and Croats, do you know how many, roughly?

Ms. LABER. I don't know if that figure is available. Do you?

Ambassador VAN HOUTEN. I don't think it's a verified figure. I have heard—I have heard figures quoted to me about two months ago by the government of Croatia, and the total number would be somewhere in the 500,000, 500,000 or 600,000.

Mr. WOLF. 500,000.

How will they—what are the plans of the EC, the UN, with regard to dealing with a lost land? Is there any talk of that now? How is your—how do you think that will develop, land that was taken to be given back?

Ambassador VAN HOUTEN. I think, except for the principle that no changes of frontiers which have been created by violence will be recognized, aside from that principle I don't think there's any thought at this moment about how we should finally come to a settlement, a resettlement, or a reshaping of the territory which used to contain Yugoslavia.

Mr. WOLF. The other question, you mentioned about U.S. recognition. The February 28th date, why—just for the record, and I think I understand, but is the U.S. recognition important, whether it be February 10th or March 15th, particularly in light of the fact that all the EC countries have recognized them? How many countries have now, 40 some have recognized Croatia?

Ambassador VAN HOUTEN. I don't know, I think about 28.

Mr. WOLF. Twenty-eight.

Ambassador VAN HOUTEN. The last count I've seen was 28, which must have been two weeks ago.

The importance, again, as I said, it's not really the question of recognition per se, it is the timing, and given the volatility of this situation, especially in Bosnia-Herzegovina, any decision as important as a recognition by the United States should be very carefully considered.

Mr. WOLF. Well, that puts a tremendous burden on the U.S. Does that mean that U.S. recognition was more important than German recognition?

Ambassador VAN HOUTEN. I think at this moment the German recognition is a fact, and the recognition by the United States is a decision which has to be taken.

Mr. WOLF. Well, it seems, and I know there are good people on both sides, and I know there are good people over there on both sides, both sides have suffered tremendously. It seems to me that there really ought to be some sort of spirit of reconciliation, almost from a religious point of view, if you will.

I personally am of the opinion that the United States should not recognize Croatia, the reason being that we said that we would not do it, and we followed the EC. Once you lock in and use that as an excuse that you are not going to do anything that the EC doesn't do, and I, for one, was one who tried to get our Administration to be much more proactive in September when we got back from Vukovar and Osijek to do something more, not recognition necessarily, but to do something. I thought it was important for the United States Government to be involved, because everywhere we went, from Belgrade to Zagreb, they wanted to know, what did the United States government feel. So, apparently, our position mattered a lot.

Now, though, once we said that we were not going to do anything until the EC, we almost give the EC our proxy for everything, which I think personally was a mistake, but now that we've given that proxy it does sort of follow through that you are almost obligated once you give it to follow through with regard to recognition.

So, I think it's an inevitable thing, and, hopefully, there can be some, and this is my last question, some reconciliation as somebody, how do you think the reconciliation—should the patriarch of the church, and the cardinal come together and begin, or where does it begin? How do you begin to put aside the differences and

the wounds and bring people together, because they are going to be both living in that part of the world together, their economies are interrelated in many respects. There have been a number of inter-marriages. There are good people on both sides politically, what do you think the United States should do, but also what do you think has to be done to begin the reconciliation process to put aside so that young people can, you know, go on and live and not have to fight this battle 20, 30, 40 years from now?

Ambassador VAN HOUTEN. I have worked in Yugoslavia very close to the fighting, or in the fighting even, and I've seen that we are, first, with a volatile situation that changes from day to day and, therefore, any long-term plan is very liable to be non-operable because the situation changes again.

At this moment, I think the important thing is to maintain the cease fire and to somehow reach a situation of protection of the minorities in Croatia, which is credible for those minorities.

I think once we reach that stage, we can start addressing other problems.

And, as time goes by, the situation of peace becomes more credible, and then we certainly can address the basic problems, like how can these people live together, and how can they build up a country and their economy, which was in trouble before the conflict started, and which is now virtually destroyed?

And, I guess, again, this basic question is the final question of a long list which has to be addressed, but the first one is to see that this cease fire holds, that it is stabilized, and that we do find a modus to build on the cease fire and develop it into a situation of peace.

Mr. WOLF. Well, let me just make a last comment, it's not a question, and if you want to make a comment to it you can.

I think, as someone who wanted my government to be more involved, because I think people wanted it, wanted us to be involved, I thought we should have sent General Vessey there, who was a military man, who was a spokesman for the President, who could have talked as one military man to another military man, and to let some of those people in the Yugoslav army know that they may very well be held accountable. They can't continue to bomb people with Soviet MIGs and drop bombs.

We saw the buildings, we saw the MIGs, and we saw everything. So, I thought maybe a military man to a military man could have really made a difference.

You all in the EC have a tremendous responsibility. The baton has been passed. This country, for whatever reason, backed off and allowed Europe to take it over.

Whether you've covered yourself with glory or not I think has yet been written, but I think, and personally I'm going to now hold, if you will, the EC responsible for being aggressive and coming in and doing something, because we are out of it, and, apparently, Lord Carrington and others asked the United States to hold off. It certainly is the middle of your area, it's in your sphere of interest, but we didn't get involved, and I think that you are involved. It was your call, so you are going to have to not just stay there until you get the cease fire, but move in and develop means of reconciliation and get the patriarch together, get the cardinal together. Chris

Smith had one of the best ideas, I thought, get the patriarch and the cardinal to come together on television, hold a day of prayer and fasting, and let the nation see the patriarch and the cardinal together.

But, it is really going to be the EC's responsibility to solve this problem, and to stay with it, the same way that the United States, when we got involved in Korea, and we got involved in other—we are still there, we are still in North Korea. It's going to be your responsibility.

So, it's going to be a big, big test, and I hope somebody, I hope our government is making it clear to the EC, not that we are holding you accountable, but that we're expecting them to kind of, now you started, to finish this thing, in a way that when two or three years from now Serbs, and Croats, and people of different face, and religions, and beliefs and backgrounds, can live together and work together and be together. It's your responsibility.

Mr. PORTER. Let me pick up at that point and ask you a question, Mr. Ambassador. Now that the EC nations have recognized Slovenia and Croatia, can you still be a middle ground player in the negotiations and fulfill the responsibility that Frank Wolf just laid upon you, or have you compromised your ability to deal with Serbia by reason of having recognized Croatia? In other words, can you still fulfill your mandate?

Ambassador VAN HOUTEN. That's a difficult question to answer.

At any given moment in a conflict between two parties, a mediator is liable to be accused of favoring one side or the other, that is true. And, I have noticed that the Serbs take that position, vis-a-vis the European Economic Community. However, that position has not been translated to the monitors in the field.

The neutrality of the monitor teams and of the efforts which are going on in the field have always been in place. So, basically, I was caught in this rather schizophrenic situation.

Mr. PORTER. Let me look at this from the other end of the telescope for a minute.

As Congressman Wolf says, the United States really hasn't been very involved. They have deferred to the EC and followed their lead.

A very good argument could be made that by reason of actions and pressures of the United States, Communism fell in the Soviet Union and fell away in eastern Europe, therefore allowing a situation to develop where there was no force left to prevent nationalistic feelings within Yugoslavia. Didn't the United States have a greater responsibility to at least work more up front with the EC in all of this?

What do people like yourself, who have been on the front lines with the EC, feel about the U.S. involvement? Has it been too little? Did we not take a sufficient lead? Would you have liked the United States to work more closely with you, or are you happy with everything that we've done?

Ambassador VAN HOUTEN. In working in the field in Yugoslavia, as I have, I have always been very happy with my relations with the U.S. authorities in Yugoslavia. That goes for the Consulate General in Zegrab and for the Embassy in Belgrade.

On the wider issue, I just can't comment. That is far beyond my brief. I'm a representative of another country. I think whatever, whatever the United States does is important, and, therefore, any decision which is taken should be taken with the element of timing in mind.

Mr. PORTER. Are you able to comment upon the role of the CSCE in all of this? Should the situation in Yugoslavia have been a greater focus to CSCE? Should it have played a greater role? Are you happy with what CSCE did or didn't do?

Ambassador VAN HOUTEN. I think under the circumstances, and the circumstances is that the decision was made to try to mediate in this conflict, the CSCE has done everything it possibly could do.

I have never, in any moment in our activities in the ground, felt that I couldn't work because I didn't have the technical, or the physical, or the financial possibilities to do what I wanted or needed to do.

So, in this sense, I think once the decision had been taken to try to solve this problem, by an effort of mediation, the support was all out.

Mr. PORTER. When is the Bosnian vote going to take place, or has it not been set?

Ambassador VAN HOUTEN. Which vote?

Mr. PORTER. The vote in Bosnia.

Ambassador VAN HOUTEN. I think it was 28th of February.

Mr. PORTER. What do you foresee happening if the people vote for independence?

Ambassador VAN HOUTEN. I think if the vote takes place, it will be a vote for a referendum for independence, because in the—as Bosnia-Herzegovina is structured, the opponents of independence are a minority, and it is that minority which will feel isolated and threatened and might take action, and that is exactly the kind of situation which is so dangerous.

Mr. PORTER. Is there any effort being—or, will there be any effort mounted to try to head that off before it begins?

Ambassador VAN HOUTEN. I'm sure it will be.

Mr. PORTER. And, that would be the EC taking—

Ambassador VAN HOUTEN. I don't know. I have been away from Yugoslavia and this mission as from the beginning of January.

Mr. PORTER. Ms. Laber, I believe, I wasn't here, and I apologize for not getting here earlier, but I understand that you testified that 17 journalists have been killed?

Ms. LABER. That's right, at least 17.

Mr. PORTER. Isn't that an unusually large number?

Ms. LABER. It's an extraordinarily large number.

Mr. PORTER. Does that mean that they are being targeted by either side or both sides?

Ms. LABER. Well, these are examples of facts that are very hard to ascertain. We have reason to believe that at least some of them have been targeted. This has been a war in which the usual protections don't seem to apply. Medical personnel have also been targeted and hospitals have been targeted.

Mr. PORTER. Are journalists identified in some way in the field?

Ms. LABER. Well, they are supposed—yes, as far as I know.

Mr. PORTER. Like Red Cross workers have a red cross.

Ms. LABER. Usually, there's a white handkerchief or something on their car.

It's a complicated war, because you can't tell who is a Serb and who is a Croat, especially if you are a foreign journalist and you don't pick up on the sort of subtle cues that native-born people do.

So, I think it's quite easy for journalists to get confused and to find themselves thinking they are on one side and being on another side. I think some of these deaths were probably accidental, in the sense that the journalists were in the wrong place at the wrong time.

I've noticed also that a lot of the foreign press in Yugoslavia seem to be fairly inexperienced people. You often find that in this kind of a conflict.

However, there is reason to believe that some of them were targeted directly, because they were seen as the enemy.

Mr. PORTER. What about relief efforts for people who are not able to get food or medical supplies? Are you aware of any of this?

Ms. LABER. Well—

Mr. PORTER. Am I asking the right person?

Ms. LABER [continuing]. Well, we are not a relief organization, but I do know that the ICRC is working in Yugoslavia, and they do good work. It's important that they are there and that they have access to people in camps, to refugees and so forth.

I know that there was a medical group that was derailed, hit a mine. There have been some deaths among medical workers also. It's not an easy situation.

Mr. PORTER. Helen Bentley.

Mrs. BENTLEY. Thank you.

Mr. DECONCINI. Excuse me.

Mr. PORTER. Oh, I'm sorry.

Mr. DECONCINI. Mr. Chairman, I'd like to ask a few questions, if you don't mind, Helen, because I have to leave, and we're going to have to call this off after Helen's questions, because we said we wouldn't keep the witnesses much after 4.

But, let me ask just a couple of questions of Ambassador van Houten.

You said in your statement, Ambassador, that the situation in Bosnia-Herzegovina is very serious. Do you think that the EC and the United States are doing enough to encourage the peacekeeping forces to be extended if, in fact, they get in this part of the world at all, do you think we've done enough and the EC has done enough to get them there? According to Cy Vance, he has very strong reservations about sending them there and expanding their area of jurisdiction.

Ambassador VAN HOUTEN. It's a very difficult question. I think what I meant to say is that, anything we can do or not do in order to keep the situation in Bosnia-Herzegovina stable, as it is, is a good action. Any action we take which rocks the boat, so to say, is very dangerous.

Mr. DECONCINI. I understand, and along that line, Ambassador, I conclude from that that you think a U.N. peacekeeping force in Bosnia-Herzegovina would be a very positive thing.

Ambassador VAN HOUTEN. I'm not sure. What I mean is that, if that is necessary, and if the situation in Bosnia-Herzegovina tight-

ens up or gets worse, then the communities which I visited once a week might have to be visited once every two or three days.

Mr. DECONCINI. For right now, if the peacekeeping force was to move tomorrow or next week into Slovenia, and Croatia, and other troubled spots there, do you think that is most important? I gather you do not think it's necessary right now for them to go into Bosnia-Hercegovina.

Ambassador VAN HOUTEN. I think the peacekeeping forces, as they have been foreseen by the United Nations, which are police units or military units, are not the kind of units which would contribute to stabilizing the peace in Bosnia-Hercegovina.

Mr. DECONCINI. And, maybe you don't want to give an opinion of this, but what is the attitude of the EC Community about the United States not following the EC Community on recognition of independence of any of the republics.

Ambassador VAN HOUTEN. That is very difficult. That is something I find very difficult to answer.

Mr. DECONCINI. I mean, do just—

Ambassador VAN HOUTEN. Let me put it this way, I don't think that the—I don't think that the EC had expected the United States to follow its lead in the question of recognition. I don't think it's—for the EC it's an important item, the important item is the attempts to keep the situation in Yugoslavia from exploding.

Mr. DECONCINI. Well, if it isn't an important item, why did they do it then?

Ambassador VAN HOUTEN. Why did they do it?

Mr. DECONCINI. Yes.

Ambassador VAN HOUTEN. Why did the European countries do it, because that was—it was a decision which was based on another set of priorities.

Mr. DECONCINI. Well, are you telling us because the Germans were going to do it, and they didn't want to be left out with just the German Republic doing it, is that really what you are saying, that those were the priorities, and they just decided, well, we better go along with Mr. Kohl and his initiative? I'm not trying to put you in a bad spot, I'm just trying to understand how the EC decided to recognize, because I have so much trouble with the United States not doing it. On the other hand, Ambassador Zimmerman certainly argues a very compelling case for us not to do it. That case is partly, if we do recognize them as the EC did, this will make it worse. I don't know how it could be much worse, but I suspect it could be, and, yet, the EC did do it, and now we are not on board. And, I just want to find out how the EC feels about that, and maybe without putting you on the spot maybe you can help us understand that.

Ambassador VAN HOUTEN. Let's see. The decision of the EC Community was a political decision, and it was based on a lot of sympathy, which the Croats had at that moment from the public opinion.

And, it was not a decision which was aimed at the solving of the Yugoslav problem per se, it was a decision taken on different criteria.

Mr. DECONCINI. Thank you.

Ambassador VAN HOUTEN. The way I have been arguing here is, taking Yugoslavia as the top question on the list of priorities, and

now I know that in any policy decision there's a list of priorities, and maybe Yugoslavia is not number one.

Mr. DECONCINI. Well, Ambassador, thank you very much, and—

Mr. WOLF. Would the Senator yield?

Mr. DECONCINI. Sure.

Mr. WOLF. But, I think what Senator DeConcini has brought out is really a very important point. Now that you have taken the action, though, you really have, it says in the Bible, "To whom much is given, much is expected." You've been given the role, and you are now really going to be expected, and the EC really does have to go through.

And, I think this is—the top priority should be saving lives and bringing about peace, because how we respond and act in this will have an impact on throughout the Soviet Union and many other places.

So, it can't be, you know, you are in it now, and now you've got to kind of suck up your gut and get your mind and your heart together and go kind of do it and do it right.

Excuse me. Thank you, Senator.

Ambassador VAN HOUTEN. If what you are saying is that once the EC decided to get involved in this conflict by monitoring and by organizing the peace agreement and so on, and has made a commitment to the solution of the problem of Yugoslavia, I agree with you.

Mr. DECONCINI. Ambassador, let me ask you about the downed helicopter. Those were, in essence, your people, is that correct?

Ambassador VAN HOUTEN. Correct.

Mr. DECONCINI. There's no question that that was done by the Yugoslavia army, is that correct?

Ambassador VAN HOUTEN. The Yugoslav Air Force, that's correct.

Mr. DECONCINI. The Yugoslavia Air Force.

And, what involvement did the Serbian Republic and the political leaders of Serbia, in your judgment, have, if any, with that downing?

Ambassador VAN HOUTEN. I don't really know at this moment. I know there is an investigation going on. I don't know if the investigation has reached conclusions.

Mr. DECONCINI. Investigation by the Federal Army or by the Serbian?

Ambassador VAN HOUTEN. By the federal authorities, in which they had invited participation of the European Economic Community of Italy and France. It was Frenchmen and a number of Italians who died in this incident.

And, the General of the JNA involved told me that he hoped that by this investigation he would be able to establish discipline and find the people who were responsible. That is the last I know.

Mr. DECONCINI. From your opinion, from your observations, is the National Army truly independent of the Serbian Republic government?

Ambassador VAN HOUTEN. I think it's a marriage, it's a marriage of convenience.

Mr. DECONCINI. A marriage, which means to me sharing resources, sharing ideas, communicating, and knowing a lot what goes on, if not everything, is that right?

Ambassador VAN HOUTEN. And, not necessarily agreeing always.

Mr. DECONCINI. Not always necessarily agreeing.

Ambassador VAN HOUTEN. Right.

Mr. DECONCINI. And, that takes me to the next question, the shelling of Dubrovnik, as was mentioned, and the Yugoslav Army's attack on Vukovar, do you think those, in your opinion, were sanctioned by the Serbian authorities, the Serbian government? Do you think they knew about them before they happened?

Ambassador VAN HOUTEN. I think the shelling of Vukovar was something that went on for months, I'd be surprised if they did not.

Mr. DECONCINI. If they did not, how about Dubrovnik?

Ambassador VAN HOUTEN. Dubrovnik also has been under pressure for more than a month.

Mr. DECONCINI. Well, there's little question in your mind that the Serbian leader, particularly, Mr. Milosevic, and others there, knew about it and haven't been able to stop it or want to stop it, perhaps.

Ambassador VAN HOUTEN. I don't know if he would have wanted to stop it, but I have never seen any attempt to stop it.

Mr. DECONCINI. To stop it, from the Serbian side.

Ambassador VAN HOUTEN. From the JNA side.

Mr. DECONCINI. Yes.

Now, last question, really for Ms. Laber. Let me just ask you, Ms. Laber, have you seen any indications that the Serbian authorities will take any action whatsoever in Kosovo?

Ms. LABER. I'm sorry to say, no. The situation there seems to be getting worse and entrenched.

Mr. DECONCINI. Can you explain worse to us? Does that mean more troops, more authoritarian, more arrests, more human rights violations, or just what?

Ms. LABER. You just explained it.

Mr. DECONCINI. Okay, thank you. That's all I have.

Mrs. Bentley?

Mrs. BENTLEY. Thank you, Mr. Chairman.

Mr. Ambassador, when England and France agreed to go along in the recognition with Germany of the EC, weren't there certain conditions that they attached to their recognition? I mean, it was a conditional recognition, as I read it in some of the press.

Ambassador VAN HOUTEN. I think there was a concern about the situation of the minorities and the legislation in Croatia, I think that is correct.

Mrs. BENTLEY. And, has that been violated? I mean, have those problems been resolved, or have they been aggravated?

Ambassador VAN HOUTEN. I believe that the legislation was found to be adequate when the recognition took place.

Mrs. BENTLEY. Well, about President Tudjman the other day, he said that they were not going to have to change their constitution or any of their legislation to accommodate the minorities. And, as I read that, that was a violation of that agreement.

Ambassador VAN HOUTEN. If he said a thing like that, that would be, yes.

Mrs. BENTLEY. And, also, as I also understand it, when the U.N. troops go in, they go in on a 6-month basis that's renewed, and renewed and renewed, until an agreement is reached, until negotiations are settled, am I right or wrong on that?

Ambassador VAN HOUTEN. I wouldn't know.

Mrs. BENTLEY. You don't know.

Well, that's what Mr. Vance told me. And, as I understand also, the other day President Tudjman said that they would only allow the U.N. troops to be in there for six months, one year at the most, regardless of any agreement. Would that be a violation of that agreement then, the EC agreement?

Ambassador VAN HOUTEN. I think this would, if anything, this would be a change by Mr. Tudjman in the agreement with the United Nations.

Mrs. BENTLEY. Yes.

And then, as I also understand from what Secretary Vance told me, that one of the points that he was pushing in getting the Serbian side, in particular, those in Krajina, to agree to accept the U.N. troops and to drop their arms, was that the local police would be the ones who would be enforcing the law there. And, as I now understand it, President Tudjman has said they will not allow that to happen. Is that in violation?

Ambassador VAN HOUTEN. In violation of the agreement which was—

Mrs. BENTLEY. Of the U.N. agreement.

Ambassador VAN HOUTEN. —made with the U.N.

Mrs. BENTLEY. Yes.

Ambassador VAN HOUTEN. It would appear to be so, yes.

Mrs. BENTLEY. Okay.

Then, Mr. Ambassador, you said, as I was leaving to go over to vote, that this was a land grab of Croatian land by the Serbians. Do you really think that the people in Krajina are taking someone else's land?

Ambassador VAN HOUTEN. I don't know, but they are certainly—there's been heavy fighting in the area, and part of the fighting has been around the old town of Zada. I don't know where this conflict involving Krajina is going. I don't know what the motives are, but there certainly has been an element of trying to expand the frontiers, yes.

Mrs. BENTLEY. And, the people, the residents of Krajina, or the people grew up there and have lived there all their lives, have considered this their homeland, their area, I think, you know, going back many, many decades, as my parents came from that area, and that, I can tell you, their family was there to 100, 150 years ago, and I would think that they would—those that were left would certainly resent saying that they are trying to grab somebody else's land. And, I think there are many, many families around there, and I think that's something we have to think about.

There are several other things that we've gotten reports on. I haven't had them confirmed, but supposedly there are 17,000 Croatian National Guard troops on the western border of Hercegovina, which is within the Republic of Bosnia-Hercegovina, and that the Croatian troops took the airport of the city of Mostar yesterday

and, yet, the EC has said nothing about it. Have you heard anything on that?

Ambassador VAN HOUTEN. I heard nothing about it.

Mrs. BENTLEY. There are a couple of other similar instances that supposedly have been occurring there in the last two weeks, Mr. Chairman, and on that part, I think those things need to be explored too.

And, one last question to Ms. Laber and then I'll shut up. Have you had the opportunity, or any of your people had the opportunity to talk to this Italian journalist, the woman who saw these 41 babies who were killed in, I think it was, Vukovar, the Serbian children that were killed, slaughtered, and she was taken away then by some of the troops. And, when she came back everything was cleaned up.

I have her on tape making her statement, and I'm just wondering whether the Helsinki Watch or anybody else interested in human rights has troubled to go see her.

Ms. LABER. I don't think we've seen her. I am under the impression that there is some serious question about the veracity of that report.

Mrs. BENTLEY. Well, I know about the—I know the questions, and I also know that her life has been threatened, and that she's under police guard.

Ms. LABER. Where is she at this point?

Mrs. BENTLEY. She's in Italy.

Ms. LABER. In Italy.

Mrs. BENTLEY. Yes.

Ms. LABER. Well, she might be worth seeing. We should pursue that.

Mrs. BENTLEY. Yes, I think it would be worth talking to her.

I thank you, Mr. Chairman.

Mr. DECONCINI. Congressman Porter, to finish up.

Mr. PORTER. Just a quick question.

Ms. Laber, you indicated that the ongoing human rights abuses in Kosovo have increased in intensity. What should the CSCE be doing now to try to reduce that intensity, and what should this CSCE nation be doing?

Ms. LABER. Well, to the extent that anyone can prevail upon President Milosevic, he should ease the pressure there. This situation is similar to what goes on in other parts of the world. It always seems tremendously counterproductive when governments put a large ethnic minority under martial law and military pressure. I've been in Kosovo. I have seen the spirit there. It's a powder keg ready to explode. It's amazing to me, as a matter of fact, that nothing has happened yet. There were violations on both sides. At the beginning of this—it's not unlike what happened in Croatia, really—there were Serbs whose rights were being violated by the Albanian minority, and that was used as a pretext to put the entire minority under repressive control. The kids aren't going to school there. The whole society has more or less come to a stop and nothing seems to be happening.

Mr. PORTER. Do the Albanians in Kosovo pose a military threat to the Serbs? Are they worried they are going to have two fronts, two religions even, opposing them?

Ms. LABER. At this point, of course, everything is a possible military threat because the country is at war.

Initially there may have been some concern about separatism, joining, rejoining the country of Albania. I've been told that that's not the wish of the people of Kosovo, and from what I hear about Albania right now, I can understand why they might not want to become part of it, because of the economic situation that Albania is in.

The Albanians wanted a form of autonomy, and they didn't get it.

Mr. PORTER. Thank you very much.

Mr. DECONCINI. Thank you, Congressman.

I want to thank our witnesses for staying as long as they did. Ms. Laber, thank you for your testimony and your report. And, Ambassador van Houten, thank you very much for your perspective from the vantage point you have been in.

We are most grateful, the Commission is, for your taking all this time and giving us your views.

The Commission will stand in recess.

[The hearing was concluded at 4:26 p.m.]

## APPENDIX

STENY H. HOYER, MARYLAND, CHAIRMAN  
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Statement of Steny H. Hoyer, Chairman

Hearing on  
**THE YUGOSLAV REPUBLICS:  
PROSPECTS FOR PEACE AND HUMAN RIGHTS**  
February 5, 1992

Today, the Helsinki Commission is holding its second hearing on the political crisis and civil conflict in Yugoslavia. This hearing is certainly a timely one, for it appears as if this conflict, which has brought death and destruction of unprecedented scale for post-World War II Europe, is at a critical stage. The fighting has ebbed considerably, thanks in large part to the efforts of U.N. Envoy Cyrus Vance, but it remains unclear whether the conflict will soon continue and in fact spread to other republics, or whether a peaceful settlement that is acceptable to all the peoples of the region is the course that will now be followed.

Fueling the conflict in Yugoslavia are feelings of universal anger, mutual bitterness and actual hatred in light of specific circumstances in which the country found itself as Europe entered this new age of democratic transformation. The two main antagonists, Serbia and Croatia, certainly perceive that they have been wronged by recent decades of communist rule. In my view, the legitimacy of their complaints is not mutually exclusive. That Croatia sees its future as an independent republic seems quite natural, and, indeed, this has many parallels in today's East-Central Europe and the former Soviet Union. At the same time, one can understand the concern Serbia has for the Serbs which live in Croatia and Bosnia, just as it has for the Serbs who live in Kosovo.

What is particularly disturbing and sad is not that there is legitimacy in the concerns of the various groups, but that these concerns are being addressed in an unacceptable manner, such as the use of force in Croatia or repression in Kosovo. In today's Europe, which has accepted the ten Principles of the Helsinki Final Act as universal standards for the behavior of governments, such methods and the changes they create must be rejected. What is more, the course of events in Yugoslavia has shown that violence and repression do not work, for they have led to the country's disintegration. The only way in which a just and lasting solution to the crisis in Yugoslavia will be found is through dialogue and negotiation, and by building democracy and respecting human rights.

Over

We are fortunate to have as witnesses today two individuals who have only recently returned from Yugoslavia. One observed firsthand the repeated use of force while the other documented many human rights violations.

First, we have Ambassador Dirk Jan van Houten, who has been -- until the rotation of the EC Presidency from the Netherlands to Portugal earlier this year -- the head of the European Community Monitoring Mission in Yugoslavia. Ambassador van Houten was scheduled to appear at our last hearing on Yugoslavia, but the senseless shelling of Dubrovnik which began at that time precluded his departure from Yugoslavia to visit the United States. We are glad to see him here today.

Second, we have Jeri Laber, Executive Director of Helsinki Watch. Helsinki Watch has just released two reports on human rights violations in Yugoslavia, including those committed by both sides of the conflict in Croatia. The Commission has a high regard for the substantial and professional human rights monitoring efforts of Helsinki Watch over the years, and we look forward to hearing Jeri Laber's comments in light of her recent visit to the Yugoslav republics.

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Hearing on  
**THE YUGOSLAV REPUBLICS:**  
**PROSPECTS FOR PEACE AND HUMAN RIGHTS**  
February 5, 1992

Statement of Dennis DeConcini, Co-Chairman

I am looking forward to hearing the views of our two expert witnesses regarding the prospects for peace and human rights in the Yugoslav republics.

As a Senator who has followed the course of events in Yugoslavia for quite some time, I highly commend Cyrus Vance for the progress he has achieved in bringing a ceasefire into effect and preparing for the deployment of peacekeeping troops.

I also want to say that I welcome the decision of the European Community, and the many other countries, who have recognized the independence of Slovenia and Croatia. Given all that has happened in the past six months, I hope that this move will facilitate the achievement of a lasting peace. I would also urge the Administration to join the ranks of the more than forty governments that have already recognized independent Yugoslav republics.

These developments offer some room for cautious optimism, but there is good reason to remain deeply concerned about the fragility of the peace in Croatia. Moreover, the increasing tension in Bosnia-Herzegovina could lead to an eruption of violence there that would be very hard to stop, despite the best efforts of very capable leaders in that republic. The precarious position in which Macedonia currently finds itself is also very troubling, as some of us learned last week in meetings with the President of that republic, Kiro Gligorov. Meanwhile, the repression of the Albanian population of Kosovo seems to continue with unabated severity. Of course, efforts to stop the massive killing must be given first priority, but in the end, the international community -- the European Community-sponsored peace conference, the CSCE, and the United Nations -- must address these problems as well if the Yugoslav crisis is to be fully resolved.

I hope that this hearing will examine these issues as well, and that we could also take a closer look at what role the CSCE process has played in the shaping the international effort to resolve the Yugoslav crisis. Yugoslavia has presented the CSCE with its first major challenge in the post-Cold War era. While EC and some other European countries took an active interest in responding to this challenge, in my view the CSCE States collectively fell short in dealing with the conflict. With the convening of the Helsinki Follow-Up Meeting in about six-weeks, it would be useful to examine some of the lessons learned from the Yugoslav crisis as the CSCE is further enhanced in Helsinki to deal with the future challenges for Europe which lie ahead.

STATEMENT OF LARRY E. CRAIG  
UNITED STATES SENATOR

February 5, 1992

MR. CHAIRMAN, I WANT TO THANK THE COMMISSION FOR HAVING THIS HEARING AND OUR WITNESSES FOR COMING AND SHARING THEIR THOUGHTS AND IMPRESSIONS ON THE CONFLICT IN THE FORMER YUGOSLAVIAN TERRITORY.

WE CONTINUE TO READ REPORTS AND NEWS ARTICLES FILLED WITH THE HORRORS AND ATROCITIES BEING COMMITTED IN CROATIA; THE NATURE OF THESE VIOLENT ACTS IS VERY DISTURBING. IT IS DISCONCERTING TO SEE SUCH BLATANT DISREGARD FOR HUMAN LIFE IN THIS CONFLICT. THERE HAVE BEEN CONFLICTING REPORTS COMING OUT OF YUGOSLAVIA, MAKING IT DIFFICULT TO SIFT THROUGH TO FIND THE TRUTH. I, PERSONALLY, LOOK FORWARD TO GAINING A BETTER UNDERSTANDING OF THE SITUATION THERE.

SINCE THE BEGINNING OF THE CONFLICT MANY CONCERNS HAVE BEEN RAISED BY AMERICANS, ESPECIALLY THOSE WITH FAMILY AND FRIENDS STILL LIVING IN THE FORMER YUGOSLAVIAN REPUBLICS, ABOUT HUMAN RIGHTS ABUSES, OUTSIDE INVOLVEMENT IN THE CONFLICT AND WHAT DIRECTION WILL BEST LEAD TOWARD PEACE.

MANY HAVE SUPPORTED THE POSITION THAT NATION-STATES IN THE INTERNATIONAL COMMUNITY SHOULD IMMEDIATELY RECOGNIZE THE OPPOSING PARTIES AS INDEPENDENT ENTITIES. SOME COUNTRIES HAVE ALREADY