

Hearing :: The Western Balkans: Developments in 2010 and Hopes for the Future

HEARING

COMMISSION ON SECURITY & COOPERATION IN EUROPE: U.S. HELSINKI COMMISSION

THE WESTERN BALKANS: DEVELOPMENTS IN 2010 AND HOPES FOR THE FUTURE

THE HEARING WAS HELD FROM 11:00 A.M. to 12:13 P.M. IN THE U.S. CAPITOL VISITORS CENTER, WASHINGTON, D.C
Senate Visitor Center, Room 202/203

WEDNESDAY, DECEMBER 8, 2010

Commissioners Present: Hon. Alcee L. Hastings, Co-Chairman; Hon. Jeanne Shaheen, Commissioner

Members Present: Hon George V. Voinovich, U.S. Senate; Hon. Earl Pomeroy, U.S. House of Representatives; Hon. Russ Carnahan, U.S. House of Representatives

Witness Present: Mr. Thomas M. Countryman, Deputy Assistant Secretary for European and Eurasia Affairs, U.S. Department of State

REPRESENTATIVE ALCEE L. HASTINGS (D-FL): I think we'll go ahead and get started. I'm told that Mr. Aderholt might be here as well as other Members at some point.

Today's hearing focuses on the countries of the Western Balkans: Albania, Bosnia and Herzegovina, Croatia, Kosovo, Macedonia, Montenegro and Serbia. Mr. Secretary, when I was in college, or certainly as a boy, and even when I came to Congress, I never thought I would be able to say that I've visited all of those countries, but over the course of time I've had the occasion to do so and am pleased for having had that opportunity.

From a Helsinki Commission viewpoint, these countries are far from the worst human-rights violators among the OSCE states and they are not the least democratic. In fact, the region has made enormous progress 15 years after the Dayton Agreement ended the Bosnian conflict and a decade since Milošević was ousted in Belgrade. I might add, I had the good fortune of being at a meeting with 22 members of Congress and Milošević and he had no aid, no one in the room

but him. I thought that was a remarkable tour de force for a dictator to take on 22 congress people. It was interesting.

We nevertheless want to maintain our focus on these countries because the United States, the EU and the international community as a whole has invested so much time, attention and resources to achieving this progress. We must make sure the job is complete and we cannot afford to see backtracking. In addition, to varying degrees, these countries are all on the path of Euro-Atlantic and European integration and they're about as attentive to the opinions of Washington and Brussels as any countries are likely ever to get.

As a result, while U.S. foreign policy priorities may be elsewhere - and the European Union grapples with its internal developments - a little time and attention can go a long way in promoting positive change.

If the international community hopes to capitalize on these and, perhaps, other positive developments in the region in 2011 or to overcome the stagnation that still exists, I think that clarity needs to be a key characteristic of U.S. and EU policies. These countries need a concrete sense of direction.

As I look back at my own recent experiences in the region, I often think of the playful Romani children I encountered in Kosovo who were living in very poor and unhealthy camps for displaced persons in the north. I also think of the elderly voter being assisted at the polling station by her grandson in Albania - a woman who, no doubt, had seen a lot happen in her country over the decades.

Because I was in Albania observing elections, I was not in Sarajevo last year. But I did hear the reports of other members of this commission regarding their lunch with university students who no longer wish to be limited by an ethnic label when they, as individuals, are defined by so much more.

As we discuss U.S. policy toward the region with the State Department today, I believe we must be mindful of the fact that our primary goal should be to give the people of the region a better life and to give their children a brighter future. It is, of course, ultimately the responsibility of their elected leaders to take the actions necessary to make these things happen but if - but we can and should play a role in making sure that citizens have the means to hold their politicians accountable, including not only good electoral practices but also a free media and active civil society - and that the rule of law is an absolute imperative.

I think our democracy-building assistance through OSCE field missions or through the efforts of the National Democratic Institute, the International Republican Institute and others has helped tremendously in this regard. I also believe that increased travel, which EU visa liberalization will make possible, can also make the average citizen more aware of what opportunities and benefits they can have if they do make their politicians more accountable to them.

In addition to these efforts of direct benefit to the people, there are some broader goals we should be highlighting. First, we must make renewed

conflict in the Balkans an inconceivable possibility, not only with as a robust and international presence as is necessary but also by taking on anybody who foments ethnic tensions or threatens to change borders unilaterally.

Second, we must confirm that the future of the region is clearly in Europe. The doors of both NATO and the EU should be clearly open to them. The only questions should be their actual preparedness and their own choice as a sovereign state.

Third, we must combat the organized crime and official corruption which pervade the Western Balkans and saps the economies of the region of their ability to become more competitive and attractive to investment. They also work in tandem to make trafficking in persons -- a subject of great concern to this Commission over the years -- a continuing problem.

Finally, we must make sure that we and our European partners understand that our policies do affect lives in the Balkans - and this is not a place to experiment, to coordinate for the sake of coordination or to play other diplomatic games.

I don't want active U.S. engagement to legitimize the European Union's approach to the Balkans if it does not also make the EU approach more substantive and more constructive in the process.

Our other members have not arrived. I'm hopeful that they will. And when they do, if they have additional comments then we'll take them at that time. But ladies and gentlemen, our witness this morning is Mr. Tom Countryman who became the Deputy Assistant Secretary of State of European Affairs with the Balkans portfolio in September.

While relatively new in this post, he comes with a wealth of experience on Balkans issues, having served at the U.S. Embassy in Belgrade in the early 1980s and twice at the State Department office in Washington handling Balkan affairs - the most recent time as Office Director. Senior postings at the U.S. embassies in Rome, and where he and I met, in Athens, likely kept the Western Balkans on his agenda for much of the last decade.

Tom Countryman is also a friend of the Helsinki Commission, going back to his early career. He worked with commission staff at the meetings of the Helsinki process in the mid-1980s when the human-rights situation in the Soviet Union and its Warsaw Pact allies was so bad that many called on the United States to withdraw from the process on the 10th anniversary of the Helsinki Final Act. And Mr. Secretary, yesterday we received - meaning the Helsinki Commission - an award from NCSJ-Advocates on behalf of Jews in Russia, Ukraine, the Baltic States and Eurasia, being cognizant of that time period and of the work that the Helsinki Commission had done.

Twenty-five years later, we can thank those diplomats like Tom Countryman who pushed human rights as an element in foreign policy and helped turn things around. Ladies and gentleman, his full biography is available at our desk. And with this brief introduction, we now turn to the Deputy Assistant Secretary for his remarks. You have the floor, sir.

TOM COUNTRYMAN: Thank you very much, Co-Chairman Hastings, for the honor you

do me with this invitation, for your kind words about me, for your remarks about the region which I endorse in their entirety, and particularly for the long-time role that the Commission has played in fostering stability, human rights and human development in the Western Balkans. This Commission deserves every award, and congratulations on this latest.

Secretary Clinton made clear during her visit in October that the U.S. commitment to the Western Balkans is unflinching. The United States was there during the most difficult periods of conflict and we are committed today to helping each of these seven countries realize their own aspirations for stability, prosperity and membership in Euro-Atlantic institutions.

Together with Europe, we assist in resolving issues that continue to obstruct political and economic development. We give more than \$250 million a year in assistance targeted precisely at these issues. But as you said, the final responsibility for addressing the challenges each country faces lies with that country's leaders.

In order to help - to address your priority concerns, I will start with an overview of the region's goals, progress and challenges, and then a few key points on each country.

We believe that the strongest possible motivator for enhanced progress in the Balkans remains the prospective EU membership. It's a powerful incentive, greater even than the important incentive of NATO membership.

The U.S. supports EU accession for the entire region not just because this will contribute to stability but because it will contribute to the social and economic development of each country. So we focus our development assistance on helping them meet the key technical requirements of European Union membership, and coordination with Brussels in this regard is a top priority for both United States and the European Union.

In the past 10 years, there have been several encouraging signs in the political and economic development of the region. Most importantly, almost all of the states in the Western Balkans now have a political structure that will enable them to sustain momentum towards membership in NATO and the European Union.

Secondly, in most of these countries, the trend is toward the development of a political center that is no longer dominated by the nationalistic, existential issues that they faced in the 1990s - this is important. Many countries now have a genuine range of parties that lean toward moderate government from the center and governments are focusing more on the daily issues of their people rather than exclusively nationalist agenda. And this trend is strongest in those countries that are making the most rapid progress toward NATO and European Union membership.

The Western Balkan countries have shown increased political will to tackle trafficking in persons. The level of implementation varies within the region but, overall, the shift is positive. Successful prosecution of traffickers is growing but sentences imposed on convicted traffickers need to reflect the heinous nature of the crime in order to be a true deterrent. We have seen a large increase in training within the region on proactive victim identification, and we encourage countries in the region to forge more NGO partnerships to improve victim identification and uncover more of this hidden

population.

Weak institutions in the Balkans continue to slow progress in human rights. The progress in the last 10 years is dramatic and yet more must be done to strengthen fundamental institutions, a free and professional press, civil society and, above all, a strong rule of law before the Balkans can fully enjoy the benefits of the democratic systems they have established. Greater efforts are also needed to reduce institutional and society discrimination and violence against ethnic minorities such as the Roma.

Of the serious regional challenges beyond this, the most important issue for all of these countries and for their future membership in Euro-Atlantic institutions is dedication to the rule of law - the number-one challenge for the entire region. They still face great hurdles in meeting the requirements for NATO and the EU in terms of building effective judicial and prosecutorial systems independent of political influence and capable of acting in a dedicated fashion against organized crime and government corruption.

To give you a few notes country-by-country:

Albania continues to make good progress toward full integration; it became a member of NATO just recently in 2009. And what impresses me is that it takes its obligation, its membership in NATO, not just as an honor but as an obligation that it is meeting. It has more than 300 troops collocated with the New Jersey National Guard in Afghanistan - one of the largest per-capita contributions in the alliance.

Its impressive progress at home has been hampered by internal corruption and by political stalemate. The opposition and government coalition parties continue to dispute details of the parliamentary elections last year. The result has been an extended boycott of parliament by the opposition. This boycott does not serve the interests of the Albanian people and it ought to end.

On November 8th, the European Commission voted in favor of eliminating the short-term visa requirement for Albanians to travel to the EU. This is a recognition of dramatic social and economic progress and, as well as, cooperation with EU law enforcement. The next day, however, came the announcement from the EU that delayed the granting of candidate status to Albania pending resolution of a number of issues including the political impasse that has paralyzed parliament.

Now, these reforms identified by the EU we strongly support and will assist the Albania government to make, not just to help them achieve the goal of EU membership but because they are central to the long-term health of Albanian democracy.

Bosnia-Herzegovina's future is also linked to progress towards integration into Euro-Atlantic institutions. Today I can't say that Bosnia-Herzegovina has yet sufficient institutions or political development to self-sustain its path towards the EU and NATO. The elections in October are a fresh opportunity to resolve obstacles that have limited Bosnia's progress for the last four years. And in my own meetings with the newly elected leaders, they have all expressed a readiness for compromise to make progress towards important reform objectives, and we take them at their word.

The U.S. supports Bosnia-Herzegovina as a single state per the Dayton Agreement. Rhetoric that advocates the succession of an entity or creation of more entities is not helpful. Bosnia can only join the EU and NATO as a single, functional state, though this does not mean it must be a centralized state.

Constitutional reforms to address human rights issues are necessary for Bosnia to make effective progress and we are ready to assist them as they make hard decisions.

The international community continues to have a key role to play. We continue to strongly support the Office of the High Representative in Bosnia-Herzegovina until the conditions established by the international community for the closure of that office are met. We look forward to the European Union appointing a head of delegation or a special representative who will have the credibility and the resources and the mandate to help Bosnia-Herzegovina towards Europe.

Bosnia's neighbors, Croatia and Serbia, both have a responsibility and an interest in Bosnia's success. Belgrade has come a long way; it can do more by making clear that Bosnia's capital for all of its citizens is Sarajevo and by reiterating, without ambiguity, its support of Bosnia's sovereignty and territorial integrity. Zagreb has played a very constructive role in supporting Bosnia toward the EU and NATO.

To turn to Croatia, it is well on its way towards membership in the European Union. We hope for this development within the next year. It has taken very difficult measures that can serve as model for other states in the region, in particular, identifying at an early time the need to focus on the rule of law and following through on very painful steps.

We support, also, the efforts of the Croatian government to work with the government of Serbia to find long-term solutions to lingering refugee issues from the 1990s, and we welcome in particular the fact that President Josipovic and the Croatian Government have played a very positive role in national reconciliation with both their statements, symbolic actions and concrete actions. Like Albania, Croatia has taken seriously its obligations as a new member of NATO and in its contributions to ISAF.

On Kosovo, the International Court of Justice opinion this summer validated our view that Kosovo's declaration of independence did not violate international law. The status of Kosovo is settled. It is increasingly recognized by the international community, and it is time for all of the international community to acknowledge these facts and work to promote Kosovo's development and integration as a partner on the world stage. This is in the interests not only of the people of Kosovo but of the people of all the region.

U.S., NATO and European Union cooperation on Kosovo is close and strong. We are close partners on the ground, supporting the ambitious EU rule-of-law mission, including with funding and personnel, and we strongly support the EU's efforts to begin a dialogue between Serbia and Kosovo on practical issues. We hope that this dialogue will begin shortly after Sunday's elections in Kosovo, and we fully trust the EU to manage this dialogue productively.

A word about Sunday's elections in Kosovo: For the people of Kosovo, there is a hope that after these elections, the first parliamentary elections since independence, that the new government will urgently turn its attention to important decisions on both building the rule of law and in ensuring economic progress in Kosovo. The two go hand in hand, and they are the primary concerns of Kosovo's citizens.

We remain concerned by recent statements by Serbian officials in Kosovo which seem to threaten violence against polling places that will be located in the north of Kosovo. Unfortunately, these statements have not been sufficiently clearly repudiated by the government in Belgrade.

There was a positive statement issued just today which said that the elections should not be a cause for any kind of violence or unrest in north Kosovo. But still, these threats from last week have had their desired effect: intimidating voters who wish to participate in any way in the public life of the Republic of Kosovo. They are credible threats because they occur in the context of a series of violent incidents directed against Serbs in the north who do cooperate.

The international community and the government of Kosovo are doing everything possible to facilitate the free participation of Serbs throughout Kosovo in this election. Sadly, it appears that it is only Serbs who are using violence to prevent other Serbs from voting.

On Macedonia, we continue to support Macedonia's integration into NATO and the EU. It is vital for peace and stability and for Macedonia's own stability. It has met nearly all of the technical-reform benchmarks set by the EU. To keep up the momentum, we urge the Macedonian government to work hard on improving interethnic relations, implementing both the letter and the spirit of the Ohrid Framework Agreement.

And Macedonia must continue to focus on other reforms, again, particularly in the area of rule of law. The ongoing name dispute with Greece needs to be resolved as soon as possible. We are encouraged by bilateral contacts at the highest level. The two prime ministers have met a number of times, and we believe they are building confidence and making progress on this issue. Both leaders need to take bold and decisive action in their own interests to resolve this issue.

Montenegro has made great strides in joining Euro-Atlantic institutions. It now has a Membership Action Plan for NATO and EU candidate status, although a caveat on the EU process requires progress in several areas, particularly rule of law, before negotiations can begin. We must see if Montenegro is ready to undertake difficult reforms necessary to fight corruption and build its legal institutions.

Finally, a stable, prosperous and democratic Serbia is essential to regional stability and cooperation. The Secretary's visit in Belgrade in October underscored our desire to see a reinvigorated relationship between Belgrade and Washington. We will continue to disagree about Kosovo, but we will also build on our areas of common interest. We will also be clear that we support Serbia's aspirations to join the European Union, and our program and activities in Serbia are all geared towards helping it become a more democratic, prosperous country in harmony with its neighbors and a member of the European

Union.

We recognize the steps the government of Serbia has taken to improve cooperation with the international tribunal, a positive report this week from the prosecutor to the UN. We still call on Belgrade to do everything possible to continue the cooperation and deliver these last two fugitives, Ratko Mladic and Goran Hadžic, to justice. This remains one of the most significant obstacles in Serbia's path towards Europe.

We'll continue to work closely with country leaders, and our European partners who are indispensable partners to encourage and support the region as it moves towards its European future. And with that overview, I'm happy to take all the questions and I'm happy to see familiar faces joining you on the panel, sir.

REP. HASTINGS (D-FL): Thank you very much, Mr. Secretary. Your back was turned, but the room filled up with more than the nine people that were here when you and I began. And we've also been joined by members of the House of Representatives and the distinguished Senator from Ohio, Senator Voinovich, who is retiring but has spent a considerable amount of time dealing with these issues, as I'm sure that you're aware.

I would also like to take cognizance of the ambassadors that are here, which is a signal that what we do here at the Commission does resonate through the representatives that are here, and I'm sure, then, that resonates back home. And I was told that the ambassador from Croatia is here - there she is - and the Serbian ambassador - how are you, sir? Good to see you this morning. The Macedonian ambassador is here.

We could settle this problem right here in this room, I would imagine - (laughter) - if we were to just sit here. And the deputy head of mission of the Bosnian Embassy is here as well. Thank you all for being here. And Montenegro, thank you, Mr. Ambassador. I had the good fortune of swearing in Montenegro as the 56th country to the Organization for Security and Cooperation in Europe. That was one of the most pleasurable experiences that I had during my tenure.

Also, Congressman Russ Carnahan from Missouri is the chair of the Congressional Caucus for Bosnia, and my distinguished friend and classmate Earl Pomeroy from North Dakota is an active member of the House Democracy Partnership Commission.

I have several questions. Senator Shaheen of New Hampshire has joined us. How are you? I didn't see you come in over on this side. She is the Chair of the Foreign Relations Subcommittee on Europe in the U.S. Senate. And since we're on the Senate side and so much is going on, if you all don't mind, I'll forgo my questions.

I do have one thing I would appreciate a follow-up on, and that is as it pertains to the rule of law. You and I know that EULEX has been involved substantially. I'm concerned in the north as to any progress that's being made, and more specifically, any interaction and coordination between Brussels and the United States. I guess really, Mr. Secretary, what motivates me in all of this is, I've gone to a lot of countries, seen a lot of elections, and

people think, you had a good election, so everything is okay.

But without the rule of law, we can't have a serious underpinning. I would use a totally different area of the world. I don't see a parallel development of the rule of law in Iraq, for example. All the time that we were there, I'm not hearing about judges and prosecutors and development. So please, give me as much information as you can in that regard.

And Earl, since you came first, if the senators don't mind, I'll go to you for any questions for the Secretary.

REPRESENTATIVE EARL POMEROY (D-ND): I'll be very brief. First of all, I want to congratulate the Secretary for his long, outstanding run on behalf of our country. Our country's interests are advanced immeasurably by people of your extraordinary talent, let alone knack for languages, committing for the long run on behalf of our country. We really thank you for that.

I just want to basically bring you up to date on activities of the House Democracy Partnership relative to the member countries with whom we have parliament-to-parliament relations - Kosovo and Macedonia.

The Macedonia relationship goes back a few years now. We've had a number of member exchanges, staff exchanges. I was able to participate in Macedonia's first parliamentary oversight hearing advanced by and in support with NDI, and its activities we continue to encourage as we try to mentor emerging parliaments. We are relatively new in our relationship with Kosovo, but we hope for more activity in that area.

I know that we're so short before the vote, Mr. Chairman, so I won't say more other than it was my privilege to represent the House Democracy Partnership in the Balkans, including a trip to Serbia, where I had been exchange student in 1973. The Senators were there almost concurrently, our schedules were overlapping. I hope that between the two Congressional Delegations, we were able to signal an interest from the United States, once again establishing warm cooperative relationships with Serbia consistent with our firm commitment to an independent Kosovo.

And I felt like it was a real pleasure to be back in Serbia and meet with some of the outstanding leadership and return to visit some of the family members with whom I had stayed in 1973. With that I yield back.

REP. HASTINGS: All right. Russ, if you would go forward, being mindful that votes are beginning at 11:30 and we have four votes at that time.

REPRESENTATIVE RUSSELL CARNAHAN (D-MO): Thank you, Mr. Chairman, and others on the Commission, it's - I'm pleased to be here joining you, and thank you, Mr. Secretary, for your work.

A couple quick things I wanted to run through. Particularly focused in Bosnia, where I spent a lot of time and effort, looking in terms of going forward postelection, the three-person presidency has just had their first meeting, I understand.

And in terms of opportunities moving forward, I believe, and others, that there is a real opportunity postelection for the U.S. and our European allies to really get the parties back at the table to look at constitutional reforms

again. Tell me what that - what do you think that looks like going forward and how we can best weigh in to support that.

REP. HASTINGS: Go ahead, sir.

TOM COUNTRYMAN: Thank you very much, all the members of the panel for the interest and the dedication that you have shown towards helping our friends in the Western Balkans to realize their own aspirations, and I'm very proud to represent you and the rest of the American people in that effort.

On the role of the EU rule-of-law mission in Kosovo, Mr. Co-Chairman, EULEX, as it's known, is an innovative institution, a deployment by the European Union which includes both financial and personnel support from the United States. And we're proud to do so to fill a very necessary role within Kosovo, the development of a professional legal system, including a police system within Kosovo.

EULEX has done extraordinary work in difficult circumstances, and the difficulty is not only the situation on the ground in both North and South Kosovo but also political, bureaucratic difficulties, if you will, imposed by the fact that the European Union has 22 members who have recognized Kosovo's independence and five who have not. As you're familiar with the complex decision-making process within the EU, it generates a very complex environment in which EULEX operates.

Nonetheless, we are impressed by its work. We are proud to have contributed to it. We have a very urgent task in just the next four days to ensure that EULEX, supported if necessary by the NATO force KFOR, is capable of preventing the threat of violence that has come from some quarters in recent days. And we'll continue to work with them on that.

Following the elections, the international community is determined to continue to extend the rule of law into those areas where the Kosovo government does not yet operate fully. EULEX is an essential means to accomplish that. We will do so deliberately, and we think that there is every opportunity to do so in a peaceful way and much depends upon EULEX's credibility with all the parties. So we seek to support them and cooperate with them in that way.

A word about Bosnia-Herzegovina: Representative Carnahan, I couldn't agree more. The three members of the tri-presidency elected in October are already in office, even though the new government and ministers are not yet in office, and the three presidents have already shown a capability to work together to come to common positions, for example, in statements at the United Nations, at the NATO summit, at the OSCE summit.

It seems a simple thing, but it has not always been simple in Bosnia's history, and the fact that the three of them are capable of doing this and capable of speaking the language of compromise and reconciliation not only to each other, but to the people of Bosnia-Herzegovina, we take as enormously positive. We hope that the three presidents will continue to help set the political agenda in Bosnia with their statements.

How the reform process will proceed: There are several urgent tasks for Bosnia at the moment. The first is the formation of a government. We are not deeply

involved in the details of the government formation, but we continue to urge privately and publicly that it be a broad-based government encompassing all three constituent peoples and that it is based upon a program of progress rather than simply upon the division of ministries and portfolios.

Concurrently, all the parties in Bosnia are today saying that there is room for a compromise on the difficult issue of identifying which properties necessary for the Ministry of Defense to work belong to the state, which belong to the entities. This is the one condition that is preventing their joining the membership action plan for NATO, and there is new, more realistic, more compromising talk that we think can lead to a solution fairly rapidly - almost concurrently, perhaps-- with the formation of the new government.

And finally, there is a consensus that the first constitutional amendment must address a particular constitutional provision identified by the European Court of Human Rights in Strasbourg as being contrary to the Council of Europe's Convention on Human Rights. And this particular amendment - though it's called technical, it's actually fairly complex - is the most important condition before Bosnia can formally submit an application for EU membership.

So on these points, there's broad consensus and a lot of detailed work to be done. It's only after they've accomplished those that I think the parties will be capable of talking about more comprehensive constitutional reform.

We do not intend at this time to put our own plan for comprehensive constitutional reform on the table, as we have tried in the past. This has to emanate from the determination of the political leaders who were elected, but clearly they will have strong support from the United States and the European Union.

MR. HASTINGS: Mr. Secretary, I'm sure you heard that sound - that we are in the process of voting. And I apologize to Senator Voinovich and Senator Shaheen for our having to leave. I'll leave the gavel with Senator Voinovich. And if you would be so kind as to stay and entertain their questions, it would be deeply appreciated.

I had a plethora of questions that I wanted to put to you. I'm hopeful I'll be able to talk with you again, specifically regarding your own experiences in Greece and Macedonia. I have a continuing interest in Albania and Kosovo, having visited there in recent times, and would like to follow-up on what's taking place there. And the performance of all of them in NATO is a continuing concern.

And the other question I want to talk with you about is how much is there a tamp-down in, light of the European financial crisis, with the need and want of some to ascend to the European Union. I'm just curious how Brussels is setting timetables and helping to accelerate those who would like to join.

And I'll get with you on the telephone if that's permissible with you.

Senator Voinovich, would you please take over? Thank you, sir.

SENATOR GEORGE VOINOVICH (R-OH): Thank you. Chairman, I'm a member of the minority in the Senate, and I would suggest that maybe that Senator Shaheen chair. She's the chairman of a subcommittee on foreign affairs... -

SENATOR JEANNE SHAHEEN (D-NH): I'm very comfortable with you taking the gavel, Senator, thank you.

SEN. VOINOVICH: -

MR. HASTINGS: Well, let me tell you something: Minorities shift around here fast. (Laughter.)

SEN. SHAHEEN: You should go ahead.

SEN. VOINOVICH: While it lasts she should take advantage of it. (Laughter.) No, no, really, you go ahead.

SEN. SHAHEEN: Well, given that Senator Voinovich is only a short-termer here, and I know how much we're all going to miss him, particularly on issues affecting the Western Balkans, I think that we should really do this as a joint effort. So please, Senator, I also have to leave in about 20 minutes.

I would defer to you, Senator, if you would like to raise some of the concerns. As many of you know, Senator Voinovich and I had the opportunity to visit six of the countries in the Western Balkans earlier this year and are very - I in particular, as a new person in the Senate -- very impressed with the progress that's been made there but recognize we still have some significant hurdles to overcome.

So would you like to begin the questions, George?

SEN. VOINOVICH: Well, first of all, Tom, it's been nice to see you. And it's nice to know that you're still on top of the Western Balkans. As Senator Shaheen said, I think we've made some great progress, but we all know that there are some very serious issues that still need to be taken care of.

I think the issue in Bosnia is one that I think probably is more difficult than any of the issues that we have. We are concerned about what's happening in terms of Macedonia and the Greeks in terms of the name. Are we making any progress there? I'm disappointed that we haven't got that done yet.

Kosovo continues to be an issue. And I, quite frankly, wasn't aware of the recent activity there, but I think we have to stay on top of that and try to get everybody to work together.

But it seems to me the same people got elected in Bosnia. And one of the things that Senator Shaheen and I tried to do is to get early MAP. And the regional partners encouraged NATO to do it. And the only issue was this dividing up of this land in terms of the military.

What makes you think that under the new regime things are going to be any different - more different than they were before the election?

MR. COUNTRYMAN: Thank you very much, Senator. As you come closer to a well-deserved break from Washington, I would just say I could spend half an hour expressing appreciation for everything you've done for the people of the former Yugoslavia and the region and for U.S. interests there. Instead of that, I'll just say, "thank you."

In Bosnia, the grounds for optimism are, from one perspective perhaps, they're slim. But there is a difference today from the situation of a year ago. One of the grounds for optimism I've already mentioned, which is that the three members of the tri-presidency have established a much better way of speaking to each other and working together.

And although they may say that they are not the real executive in the Bosnian constitutional system, their influence is significant. And I do believe that they can set the agenda for the actual party leaders in Bosnia.

Secondly, the correct rhetoric is coming from all of the party leaders, even from Mr. Dodik who, in the course of his election campaign as he moved from the prime minister of the Republika Srpska to the president of the RS - his rhetoric was often destructive of the goals that we seek in Bosnia and, frankly, unhelpful for the very goals that he was espousing; that is, the transition from an Office of High Representative with extraordinary powers in Bosnia to a normal state in which Bosnia can be a candidate for the EU. These are things he spoke out in favor of, and yet his rhetoric actually served the opposite purpose.

He has moderated what he says. We still have disagreements with some of his points of view. But I had a very positive meeting with him myself just three weeks ago. And we take him at his word both privately and publicly that he is prepared to make genuine compromise that will assist in the goal of moving towards NATO and the European Union.

SEN. VOINOVICH: I just want to interrupt you a minute-

Did they get it? I mean, what I just heard is that their interpersonal relationship somehow is better than it was. That gives you reason to believe things will be better. President Dodik, you say, is coming along. But do they understand how their working together can better them all? I mean, I got the impression before that, for example, the Republika Srpska figured, "we don't have to do this; we're better off without this, and so we're not going to do it." I mean, do they get it or not?

And then the other question that - following up on is, we have some representatives here from some of the other countries in the region. What influence do they have on it because if this thing not taken care of it hurts the whole region?

MR. COUNTRYMAN: Yes, sir. You're correct on all points. The other positive development I'll mention before I answer is the fact that with elections passed, they don't have any elections for a couple of years. And this is a good thing. (Laughter.)

SEN. SHAHEEN: We would like that here, too. (Laughter.)

MR. COUNTRYMAN: I think they do get it in the sense that they realize the current state of governance in Bosnia is not effective in making the kind of hard decisions you need to make as an EU candidate. And I think all parties recognize that.

What is hard, and understandable, is that EU membership is still a distant

prospect, many years away. I won't be pinned down on predicting how many. But to make compromises that have some effect on your budget or your power or your political standing today in order to advance a distant goal by a marginal amount - that's a hard calculation for any political leader to make.

And I think that timeline - the difference between today's interests and the distance they have to still travel to the European Union -- is a what makes it understandably hard to make these difficult compromises.

It's not only the personal relationships, sir - it's also the tone of what they each say publicly. "Compromise" is not a dirty word for political leaders in Bosnia today. And that's important.

SEN. SHAHEEN: Can I just follow up? Recognizing the long-term challenge as they're thinking about potential EU membership way down the road, what is immediate for them, however, is the potential for MAP, for NATO and potential membership there.

And I was interested in your comment that you think there is the framework of an agreement around how to deal with dividing the defense installations and munitions in a way that would move that forward. Can you talk more about that and how comfortable you are and whether there are other efforts that we might undertake here in Congress or that the U.S. is looking at and how to be helpful?

MR. COUNTRYMAN: Yes, ma'am. The identification and registration of defense properties is the condition that was set at the NATO meeting in Estonia. What has prevented it so far is that until these most recent elections, it was an argument of principles: These belong to the state; no, these belong to entities.

I like principles as much as anybody. But on a question of numbers, there should be a reasonable ground for a compromise on the number that does not require either side to say, we have abandoned our principles. And that is the language that they are talking today.

As opposed to the long timeframe for EU membership, I think all parties are conscious of the fact that a rapid resolution here can lead to the first visible sign of progress toward NATO that Bosnia has seen for many years - the establishment of the Membership Action Plan. So that timeline is a little more real to them.

Again, we have not yet been invited to sit down with parties and help them to list properties and to decide what to do with them. If we're invited, we'll participate. If it's clear despite the expressions of goodwill that they need a push from outside, we'll coordinate on how to do that, and I would look forward to enlisting help from you and from others. But I think for now we have to trust them that they really mean it.

There is also an added advantage besides the NATO membership plan. And that is resolution of what to do with some properties has an economic advantage. If there are properties not needed for defense but can be freed for other use by the governments at whatever level in Bosnia-Herzegovina, there's some economic advantage there. And I think this is also a motivating factor.

SEN. VOINOVICH: You're saying the European Union membership is far away and,

as a result of that, the motivation to reach there is not maybe as good as it should be, so you don't make some of the decisions you have to make. But we've encouraged EU membership for Croatia and for Serbia.

If that could be moved along a little faster and you have two in the European Union - I know Montenegro does have the MAP for NATO. As I say that, as these others move along, don't you think that that would help in terms of motivation toward this end and ask what's wrong with - why aren't we doing the things that we ought to be doing so that it can happen here?

MR. COUNTRYMAN: Absolutely. And it's both as in a positive and a negative way. In the positive way, Croatia - whose decisions in just the last five years I admire so greatly, that have brought them to the edge of membership - can be a very positive example for the rest of the region; in particular, their decision at an early point to focus on rule of law issues, judicial reform, anti-corruption measures.

It's paying off today. It's painful - but it is paying off. And I fear that other candidate countries will delay those difficult decisions until late in the process. And that will turn out to delay their membership. Croatia made the right decision early, and we hope to see the reward for that very soon.

There's also a negative sense, which is at some point you will have new borders - not a shift in the geographic borders, but a qualitative difference. It won't be the same relatively easy crossing between Bosnia-Herzegovina and Croatia, because Croatia will now be part of the European Union. At a later point, if it - if and when it becomes a member of the Schengen, this is going to be a shock to those residents in other Balkan states who were left out.

It's not ideal. It will be painful. But let's hope that it will be a stimulus towards making the kind of decisions that will, again, erase those borders and give people the same freedom of movement that the rest of the European Union enjoys.

SEN. SHAHEEN: I wonder if you could speak a little bit more to what's happening in Kosovo - recognizing that when elections are pending, it's difficult to get decisions. But as you look down the road the post-ICJ decision, do you think there's a framework for a potential settlement between Serbia and Kosovo? And again, how can that be moved along?

MR. COUNTRYMAN: Generally, I'm optimistic about Kosovo. It is impressive that less than three years after a declaration of independence that it has a functioning political system. Not a perfect political system, not a conflict-free political system but one that can actually make decisions. And that should impress us.

In terms of a framework for settling issues in Kosovo, we believe that the International Court of Justice has given us the framework for status - that is, the status issue is settled. It is not on the table in the upcoming dialogue between Kosovo and Serbia, but it is determined.

What is on the table are a range of practical issues that any two states would have to face after this divorce. And we are confident. The Secretary heard positive commitments to serious, realistic, incremental negotiations from the

leaders in both Belgrade and Pristina during her trip. We take them at their word. We believe that the European Union has structured a process of dialogue that will be - as I said - incremental, practical, we hope creative - we hope even an educative process for both countries.

It will not be easy, and it can't really start until these elections are concluded and a new government is formed. That's unfortunate, because it leaves time and space for troublemakers to seek to provoke violence or new incidents from either side. But it can't be avoided, in this case.

We do expect the new government to rapidly move to the table with Serbian negotiators and, in a nonpublic, direct discussion, resolve some of the issues in which all the communities in Kosovo have an interest. We will be there to assist, not as an advocate for either party, but providing our full technical support to the European Union in that dialogue.

SEN. SHAHEEN: Okay. I should have said also that I was pleased with the restraint with which Serbia greeted the court decision and the efforts at the U.N. to come up with agreeable language in a resolution about that decision. I think all of that has been very positive.

MR. COUNTRYMAN: I agree. And that has been a focus of the Secretary's conversations in Belgrade, as well: the determination on the part of Belgrade to focus on the goal of EU membership and to manage their different position on Kosovo in a way that does not encourage violence. In my testimony today, I made brief reference to some concerns we have about negative statements - threats, of violence - coming from particular Kosovo Serbs against the elections on Sunday.

We expect and encourage the government of Serbia to do everything possible to cool the atmosphere and to prevent any such violence from occurring.

SEN. SHAHEEN: Thank you.

SEN. VOINOVICH: Well, the real issue is, and they do understand they have got to work something out - basically, the real problem is Mitrovica, isn't it? I mean that it seems that when Jeanne and I were there, it seemed like some of the Serbs in the other parts of Kosovo have worked some things out.

But the real problem is in Mitrovica.

MR. COUNTRYMAN: In Mitrovica, or if you wish, in these northern three districts of Kosovo, I agree with you that issues for the Serb communities dispersed throughout the south of Kosovo are still real but far less serious than they were a few years ago. Cultural and religious sites are protected. Kosovo's ethnic Serbs participated in relatively large numbers in the last local elections. We expect they will participate in the same numbers this time.

Issues about freedom of movement or harassment have not entirely gone away. But as I mentioned, the problem of violence against Serbs in Kosovo is not coming primarily from Albanian communities in Kosovo today. So there is a lot of progress. We remain extremely vigilant on all of the issues that affect the daily life of Serbs in Kosovo. We talk to them regularly. But you're right, it's a very different situation north of the Ibar and south of the Ibar.

SEN. VOINOVICH: Just to follow up on that, the installation of new patriarch went without a hitch, apparently. There was some concern about that. How does the Serbian Orthodox Church feel about what's going on - are they kind of neutral? Is there any kind of position that they've taken?

I'll start out with this - are they satisfied that the patrimonial sites there are getting this kind of protection that they think is appropriate?

MR. COUNTRYMAN: That's a very tough question. And like almost any other church, I'm sure there would be more than one point of view within the Serbian Orthodox Church. To seek to begin with your question - and I'll go back and try to put together a more coherent answer - but the cooperation of the security authorities in Kosovo, which includes EULEX and KFOR and the Kosovo police, with the religious sites in Kosovo is generally very positive.

They have the capability to communicate directly to each other and to express their concerns. I simply don't know if the leaders of each of those religious sites in Kosovo would say openly, "we're satisfied" or "we're not satisfied." I can assure you that the channels of communication and the effort made by all law enforcement authorities in Kosovo are very positive. And of course, we maintain our own direct channels.

What the position of the Serbian Orthodox Church and the new patriarch is, overall, on the questions in Kosovo - I'd have to get back to you, sir.

SEN. VOINOVICH: You still have the problem with Bishop Artemje, who has his own point of view, and it seems to me that that's a different point of view than what we picked up from some of the other people that we talked to.

MR. COUNTRYMAN: I understand that there is, as I've said, disagreements within the church. I'm not expert on their origin.

SEN. VOINOVICH: Well, I think it's important. That's another issue, there, in terms of how they feel about the property, the protection, what is theirs, and what is not theirs.

MR. COUNTRYMAN: Yeah.

SEN. VOINOVICH: That's a big deal. Are you as somewhat optimistic? I mean, in terms of working that out? Where do you think we're going to be - I want to be outside watching - but where are we going to be four or five years from now? What's your prediction about what we're going to see, say, four years from now?

MR. COUNTRYMAN: All right. Somebody volunteer to give me a call four years from now and see if I was even close.

SEN. VOINOVICH: Oh, you've got a perspective.

MR. COUNTRYMAN: Yes, sir.

SEN. VOINOVICH: Your guess is as probably as good as anyone's - it's better than most.

MR. COUNTRYMAN: We are optimistic. And the optimistic scenario would say

that four or five years from now, we have a Kosovo that is fully recognized by the international community, that is on the path towards European Union membership.

We have Serbia that is on the verge of European Union membership four or five years from now; and that they have fulfilled a key condition, which is the establishment of good neighborly relations with all of its neighbors; and within Kosovo, we have protection of minority rights; we have mechanisms for the vital participation of not only ethnic Albanians but ethnic Serbs and other ethnic groups in the political life with full protection of their cultural rights, as well.

And that there is established, as has been discussed many times before, appropriate mechanisms by which Serbia is able to maintain the right kind of relationship with Serbs in Kosovo.

That's what we would like to see. I think it is attainable. It will take an awful lot of work. And Bob Hand is going to check this for me five years from today. (Laughter.)

SEN. VOINOVICH: How about Macedonia? What's your guess on whether that's going to be worked out?

MR. COUNTRYMAN: My guess is "yes." As I mentioned, it is a positive thing that the two prime ministers have spoken to each other so many times. In my view, what was lacking for several years in the relationship was the capability of the two sides to speak to each other directly, confidentially and respectfully. I think they've now achieved that. And that hasn't yet brought them to a solution, but those are certainly the preconditions for a solution. And that's what makes me optimistic.

I think both prime ministers recognize that this is in the interests of not only stability but economic growth in the region to have a solution to this issue. I think both prime ministers recognize that any compromise will be painful for both sides. And that's why the process of discussing it, perhaps, is slower than any of us would like to see. But I have no doubt that they both feel the urgency of resolving an issue. So I'm optimistic, but I won't make a prediction on exactly when.

SEN. VOINOVICH: Well, my observation when we were there -- and since that time -- when we spoke to the Greek ambassador when I was in Athens he seemed -- at that time, he just taken over -- he was anxious to try and work something out. The opinion I got from Gruevski from Macedonia was that he said "yes," but it seemed that the political issue was very difficult for him.

And so much of this, I think, is to get somebody to get in their head that the tough decisions that may be politically unpopular are the kind of decisions that one has to make for the benefit of their people. And you have to take risks.

And that to come to the conclusion that, you know, I may be out of office because of this but if we moved along, I done a great -- a great thing. That's what I'm hoping for, that people realize they have got to rise to the occasion and look to the future for the benefit of their respective countries.

I was pleased to see that there's a good bit of dialogue between President Tadic and President Josipovic. And I don't know - I haven't really got into it, and I haven't talked to the ambassador about it -- but in terms of Prime Minister Kosor with President Tadic, is that working out? I mean, that it appears that there's a good discussion going on that didn't seem to be there in the past.

MR. COUNTRYMAN: Yes, Senator. We're very encouraged by the efforts made by both the presidents and the governments in Zagreb and Belgrade in their connection with each other and reaching out to each other. As I noted, President Josipovic has been a leader in the region in talking about reconciliation, about expressing regret in meaningful and symbolic ways for the terrible things that happened in the 1990s.

And this is important not only politically but psychically for the people of the region. So we very much welcome these courageous steps by President Tadic and President Josipovic. At the same time, it's not only reconciliation in history. Serbia and Croatia are working together well. We understand they have a strong dialogue on refugee issues that remain from the 1990s, and that they hope to make real progress in settling that painful issue that still affects tens of thousands.

So both on the symbolic level and the real level, it's a very strong dialogue. We welcome it.

SEN. VOINOVICH: We've seen pictures of the flooding in Albania and Bosnia. How would we respond to that? And what impact is that going to have on the economic and political development?

MR. COUNTRYMAN: One of our best diplomats, Alex Arvizu, just gave his credentials this week in Albania as our new ambassador. And in his first act, he provided \$50,000 of emergency relief for the Albanian Red Cross to address the consequences of the flooding in several parts of the country.

At the moment, we're studying together with colleagues from the Department of Defense what the next need will be. At the moment, there are still over 10,000 people displaced from their homes in Albania. What concerns us is that this is just the beginning of the winter. Reservoirs are full, the grounds are already saturated. We are very concerned that any more severe weather could make it worse.

And we're studying what we can provide and seek and to coordinate that with what the government of Albania believes that it needs. It's of course, not just the U.S. The more immediate neighbors of Albania - Greece, Turkey and others have already provided helicopters for delivery of food and evacuation of people that are proving absolutely invaluable today.

So at the moment, we've begun with just this small cash contribution. But we're looking very actively at what's needed next.

SEN. VOINOVICH: Well, I'd like to conclude by saying that I'm very happy with where you're at. It seems from observing the Secretary of State and the Vice President, they seem to understand that we have a real interest in the area. I think that if you work at it, we're going to continue to see progress there.

But the thing that has always been a great concern to me is that so often, we have so many issues on our plate that we kind of move off into another direction and then forget about finishing the work that we have to do. And I'm hoping that the European Union understands how important it is for them to continue their presence there.

But I have talked with everyone there, and they said, "yes, it's the European Union's responsibility." They have the most to gain from a Europe free and at peace. But that we still need the United States to be very concerned about what's going on, and to be a facilitator as often as we possibly can be.

So I think that we've spent a lot of time there. And I don't know how much time you got left in the Department, but I would hope that - and I know that --
you share my vision, that -

MR. COUNTRYMAN: Absolutely.

SEN. VOINOVICH: - the day will come when they are all in the European Union, and those that want to be are in NATO and that we have written a new chapter in the history of that part of the world.

I think one of the hardest things - we're starting to see it overcome - is that we're so tied up with the past. And the past has not been good. I've talked with some of the ambassadors. I know it well - from my own family. The fact of the matter is that we have to look to the future. That's the most important thing.

I think it's really important, also, to the young people that are there. I must tell you that Jeanne and I were very frustrated. I've spent some time with young people in Bosnia, and there are some really outstanding young people. But the leaders have got to understand that if they don't get their act together, these young people who are going to contribute to their economy, who could be the new leaders of their country, are going someplace else.

So it's a big challenge - and I think, also, to make sure that the people in the United States know that we do have interest there. And that is in our best interest of our national security that we - that we finish the job that we've started a long time ago.

So thank you very much, and with that I'm going to adjourn this hearing.

MR. COUNTRYMAN: Thank you, sir.

(END)