

Serbia, Montenegro and Kosovo: The Views of Local Human Rights Advocates



May 12, 1999

**Briefing of the
Commission on Security and Cooperation in Europe**

WASHINGTON : 2000

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ABOUT THE ORGANIZATION (OSCE)

The Conference on Security and Cooperation in Europe, also known as the Helsinki process, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. Since then, its membership has expanded to 55, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia. (The Federal Republic of Yugoslavia, Serbia and Montenegro, has been suspended since 1992, leaving the number of countries fully participating at 54.) As of January 1, 1995, the formal name of the Helsinki process was changed to the Organization for Security and Cooperation in Europe (OSCE).

The OSCE is engaged in standard setting in fields including military security, economic and environmental cooperation, and human rights and humanitarian concerns. In addition, it undertakes a variety of preventive diplomacy initiatives designed to prevent, manage and resolve conflict within and among the participating States.

The OSCE has its main office in Vienna, Austria, where weekly meetings of permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations and periodic consultations among Senior Officials, Ministers and Heads of State or Government are held.

ABOUT THE COMMISSION (CSCE)

The Commission on Security and Cooperation in Europe (CSCE), also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance with the agreements of the OSCE.

The Commission consists of nine members from the U.S. House of Representatives, nine members from the U.S. Senate, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair are shared by the House and Senate and rotate every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

To fulfill its mandate, the Commission gathers and disseminates information on Helsinki-related topics both to the U.S. Congress and the public by convening hearings, issuing reports reflecting the views of the Commission and/or its staff, and providing information about the activities of the Helsinki process and events in OSCE participating States.

At the same time, the Commission contributes its views to the general formulation of U.S. policy on the OSCE and takes part in its execution, including through Member and staff participation on U.S. Delegations to OSCE meetings as well as on certain OSCE bodies. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from OSCE participating States.

**SERBIA, MONTENEGRO AND KOSOVO: THE VIEWS OF
LOCAL HUMAN RIGHTS ADVOCATES**

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SERBIA, MONTENEGRO AND KOSOVO: THE VIEWS OF LOCAL HUMAN RIGHTS ADVOCATES

Wednesday, May 12, 1999

**COMMISSION ON SECURITY AND COOPERATION IN EUROPE,
WASHINGTON, DC**

The briefing was held at 1:00 p.m. in Room 340, Cannon House Office Building, Washington, DC, Robert Hand, Staff Advisor of the Commission on Security and Cooperation in Europe, moderating.

Mr. HAND. Good afternoon. I would like to welcome the audience to this latest briefing of the Commission on Security and Cooperation in Europe, better known as the Helsinki Commission.

Today we are hearing from local human rights advocates from the former Yugoslavia, talking about the current situation in Kosovo and in Yugoslavia more generally.

Unfortunately, one of our panelists, Sonja Biserko, head of the Helsinki Committee in Serbia, is ill and is unable to make the briefing. It's very unfortunate, and I hope she recovers quickly. She's one of the most dedicated human rights advocates I have known, and I have known her for quite a few years. Given all that's happening in her country, she has her work cut out for her. I wish her the best.

I would say that in the post-Cold War era, where so many other European institutions—the OSCE, NATO, Council of Europe, largely the governmental institutions—have had to re-find themselves and come up with new mandates, new projects and stuff, the one institution, often overlooked, which is as needed in the post-Cold War era as it was during the Cold War era, are the works of human rights monitors. Leading human rights monitors in many of these countries are the Helsinki Committees.

Indeed, they are the ones who kept the CSCE, as the OSCE was formerly known, alive, by bringing human rights to the forefront and trying to hold their governments accountable with their commitments.

While so much else in Europe has changed and human rights work has, in fact, changed as well in the 1990s, still the need for people to monitor human rights—to report on human rights and to advocate respect for human rights—is as needed now as it was back then. In fact, it is needed more probably.

So I am very happy to have the heads of two of the Helsinki Committees—from Kosovo and from Montenegro—here today. The Helsinki Committees have been strengthened by the fact that they are represented by the International Helsinki Federation, which does quite a bit in coordinating work between them, assisting them as necessary, and ensuring that their reports on human rights violations get out to the international community.

The International Helsinki Federation, in fact, represents 39 Helsinki Committees throughout the OSCE region. Today we have the Executive Director of the IHF, which I

should say is also based in Vienna: Aaron Rhodes. I will now turn the floor over to Aaron so he can make an introduction for our two panelists, Gazmed Pula and Slobodan Franovic. They will then make brief opening statements of about 10 minutes each.

Following that, we will open the discussion to the audience. If I call on you, please come to the floor mike, introduce yourself, and then ask your question and also indicate to whom the question is being asked.

So at this point, I will turn it over to Aaron.

Mr. RHODES. Thank you very much. We do appreciate the opportunity to come here and make this presentation. The Helsinki Commission is an important partner for the Helsinki Committees in many cases and a reliable partner in the Helsinki process for us.

Since the late 1980s, the International Helsinki Federation, along with its members, has been trying to raise awareness about the problems in Kosovo. We have made many reports to the international community. We have made many fact-finding missions, which are international teams of observers traveling to Kosovo and developing information based on international standards. The conclusions of the fact-finding missions do not reflect any kind of national or ethnic bias. We have established quite a bit of information about Kosovo in the European media.

We have, most importantly, built a network of local organizations in the region. The IHF has Helsinki Committees in every country in the Balkans now. All of those Helsinki Committees work together to create a citizens' lobby advocating for compliance with the Helsinki Accords and other international standards.

We also work with the members of the IHF to do proactive work in trying to promote human rights. Most recently, this has taken the form of confidence building measures in Yugoslavia. Over the past couple of years, the Helsinki Committees in Kosovo, Montenegro, and Serbia have convened meetings among different members of different ethnic groups in the Federal Republic of Yugoslavia to talk about their common concerns, their common problems.

The most recent one took place in Belgrade in November 1998. It was quite a dramatic meeting on the subject of the relevance of the concept of self-determination in international law to the Kosovo situation. Tragically, a number of the Albanians who attended that meeting are missing or dead as a result of the murderous policies of the Serbian Government.

Most recently, I would like to tell you about the position of the IHF now vis-à-vis the situation in Kosovo and the military efforts to improve it.

By the way, it is not easy to develop consensus among Helsinki Committees on such an issue because of the kind of political fractures that affect civil society in the region. But we have tried hard to do that. The members of the IHF speak through an elected body; the result is an association which has a democratic decision-making process.

First, we simply wanted to emphasize that the killing, the murder and rape, expulsion of these Albanians is still going on now as we are talking. As the international community focuses on a political solution, seeking to satisfy different political structures, these tragedies, these atrocities are taking place.

The second point they agreed on is that what happened in Kosovo beginning in March on such a massive scale is the absolute responsibility of the Serbian Government. We completely and categorically reject a notion that the allied forces in their attempts to halt this policy of ethnic cleansing can be held responsible for those acts.

The third point they made is that although the tactics of the allies have failed so far to achieve their aims, that lack of success does not detract from the noble principle of humanitarian intervention.

They said that the principle has to be acted upon now. It has to be upheld, and that all necessary and appropriate available means must be deployed swiftly to stop the atrocities and ethnic cleansing to save the Albanians remaining under Serb oppression in Kosovo and to provide for the safe return of those who have fled or been deported. The allied governments must carefully consider mounting an armed protective force for this purpose.

The last point, well there are several others, but the other important point I think made in the statement made over the past weekend is that humanitarian military operations cannot be conducted at no risk, and that the fate of not only Albanian civilians, but also many Serbs, shows that risks that the allied military forces have avoided for themselves have been transferred to people bearing no responsibility in the situation.

We have been in Washington to meet with people in positions of authority in the State Department and the Congress to give our perspective. I am going to start the discussion by asking Gazmed Pula, who is the Chairman of the Kosovo Helsinki Committee to give his.

MR. PULA. Well, thank you. I will first express my appreciation for your interest and this opportunity to address this honorable auditorium with the situation of Kosovo as we see it.

Of course we are a human rights organization. But speaking about human rights at this point in time, especially in Kosovo really, would be too optimistic. In the wake of the catastrophe happening in Kosovo, in which hundreds and thousands of people have been deported; have been subjected to genocide; are being ethnically cleansed; and are being killed and subjected to all kinds of violations of all human rights, it is really optimistic to speak of human rights.

I believe we are speaking at this point in time about a catastrophe of biblical proportions. It is of course directly correlated to the NATO air campaign. Despite the fact that it existed as a tragedy, and as an ongoing humanitarian disaster in 1998, when there was pretty much open warfare between the KLA Freedom Fighters and the Serbian military machinery, the scale of catastrophe to which it exploded after the NATO air strike is simply incomprehensible.

This catastrophe is something which should have been kept in mind as a possibility before the air strikes were planned or during the time that the air strikes were being planned and implemented. It should have been kept in mind as a possibility—more than a possibility, a direct threat made by Milosevic, whose record is clear, and whose record should not have left any doubt that he might deliver on the matter. Having waged three wars on Slovenia, Croatia, Bosnia, and the one in Kosovo now, but kind of a blitzkrieg also in 1990, nobody should have doubted his words.

The people of Kosovo, including myself, have a great appreciation for the U.S.-led NATO bombing campaign of Yugoslavia carried out in order to facilitate a political solution for Kosovo, which was worked out in Rambouillet, a commitment so strong as to put at risk even the lives of U.S. soldiers and the stability of the government itself. Despite all this appreciation, it is my deep conviction that the operation of the NATO bombing operation should have been much better conceived and planned than it was. As a matter of fact, it was very ill-conceived. It was very superficial. It seems to me it was, instead of being flawless, it turned

out to be a reckless operation. It just seems to me that in view of that, it might have been even an irresponsible operation.

I am not disputing the fact that the Serbian outlaw criminal regime has the prime responsibility for the biblical tragedy that the Albanian people of Kosovo are going through. But I believe it was a duty of NATO planners and other Western policy makers to bear in mind that preventing such a catastrophe of the Albanian people was to be the prime objective of this kind of an operation.

The Albanian people are not being saved. They are being killed, deported, ethnically cleansed wholesale. Half of the Albanian people have already been kicked out and deported out of Kosovo to Macedonia, Albania, Montenegro. The other half has remained in Kosovo, hostage to the Serbian regime. The worst, I am afraid, might yet be coming. Most likely we have not yet hit the ground.

Another aspect of this is that the whole issue of the resolution of the issue of Kosovo is an open-ended issue at this point in time. One even speaks of possible partitioning of Kosovo as one of the possible solutions for Kosovo. That in itself, even without having gone through this carnage and the human catastrophe into which Kosovo was subjected to or was immersed into, especially after the NATO bombing campaign, would be a catastrophe in itself, not to speak after this devastation of the country and the people.

I would remind you that, despite the fact that Kosovo comprises about only 10 percent of the territory of what is called Federal Republic of Yugoslavia (which by the way I believe fortunately has not yet been recognized by the U.S.), in this 10 percent of this FRY territory, according to some statistics, about 50 percent of the bombs are falling. I don't know what is going to remain of those people down there in Kosovo, and whether there will be any Albanians left there to enjoy the freedom and democracy and the political solution which the NATO bombing campaign was intent upon bringing about.

As they say, the road to hell very often is paved with the best of intentions. It seems if you choose the language, that this is one of the cases.

I think I have several more minutes left. Right?

If one reviews the objectives of the NATO bombing campaign, first and foremost was the prevention of the human suffering of Albanians and the humanitarian disasters that they were already facing, namely, Albanians in Kosovo. We have been facing this tragedy during the 1990s very intensively. In 1998, it was open warfare in which the Serbian military machinery was hitting not only the Freedom Fighter KLA-controlled areas, but it was hitting other non-affected populations, civilian populations. We had elements of genocide, elements of ethnic cleansing which were being perpetrated by the Serbian military machinery already in 1998.

But the scale of destruction and carnage and humanitarian catastrophe was not present until the bombing started. So I would say that the first objective—preventing this humanitarian catastrophe from happening—actually has not been achieved so far, unfortunately.

The other objective of course was to prevent destabilization of the region. Unfortunately, the region has been thoroughly destabilized, not to mention Kosovo, which has been devastated. Macedonia has been destabilized seriously; Albania as well. Montenegro is on the verge of a coup d'état. Bosnia will experience a very adverse effect and a fallout which will be visible soon. When I say that, I refer to potential human suffering that will come out, result from the destabilization of the area.

One thing achieved by the NATO bombing campaign (not fully achieved, but partially nevertheless) was that the capability of Serbia's military machinery, its ability to wage war, was diminished seriously. That is an achievement, but I want to examine the price: about 750,000 Albanians kicked out of Kosovo, and about 400,000 to 500,000 internally displaced people who have run away to the woods, to the hills, trying to survive and who are dying as we speak, of starvation, of thirst, and illnesses and sicknesses of various kinds. I think that is a very high price to pay.

Then again, I am afraid that we might have not hit the rest. I think that we should have as prime concern the fate of the people of Kosovo, despite the best intentions and efforts of the NATO.

I happen to agree here. I happen to agree and I will emphasize that, despite the fact that we need a world order, an efficient world order, accountability in this world, and adherence to international law, that we uphold humanitarian intervention.

I would like to underscore that I agree with the words of the Chairman of the Commission on Security and Cooperation who is hosting this meeting—that NATO manhood, as I read in one of the press releases, should not be proven at the wholesale expense of the people of Kosovo, and that the issue might not necessarily have to be resolved in one round. It is possible that the issue could be resolved in more than one round.

To conclude, I will state my opinion of how it should be approached: first of all, everything should be done and all means should be used—from military ones, which we have seen being used very inefficiently so far, to political means, diplomatic, humanitarian, and economic—to stop the genocide and ethnic cleansing and humanitarian catastrophe that is going on in Kosovo.

Ten bring about an international presence, a solid international force in Kosovo which would make it possible for the refugees that have been kicked out of Kosovo, and the refugees hiding in the hills and the woods trying to survive, to return home. The international force would provide for their return to Kosovo—not only for their return, but security and safety in Kosovo itself.

Given what has happened so far, I believe it would take some kind of an international protectorate, to create the premises for an establishment of a democratic and free society in Kosovo. Otherwise, I don't believe that there will be credible enough arguments to convince all those displaced and all those deported refugees to come back to Kosovo.

Of course, in regard to some kind of a mid-term solution, I believe that a serious international conference of a Berlin or Versailles-type which would do fine-tuning on the entire problematic region, including all these problematic countries without necessarily having to name them, but this problematic region would be very important. And of course placing them under an international security umbrella, which would make sure that such kind of catastrophes do not ever again take place in the Balkans, and for that matter, elsewhere as well.

Thank you. I apologize if I extended the time frame on my presentation.

Mr. HAND. Not at all.

Before turning to Mr. Franovic, I wanted to mention that Congressman Ed Markey of Massachusetts is here in the audience.

You can gladly join us up on the dais if you like, or if you want to make a comment. Could you actually go to the mike, because it's being transcribed?

Mr. MARKEY. Could you give us your background, where you are from, your religion,

what your perspective is?

Mr. PULA. Sure. Well, I think I presented my perspective for these last 15 minutes. My background is that I am an Albanian. If it is of any relevance, I am 45 years of age; a university professor at Pristina University; Chairman of the Kosovo Helsinki Committee for Human Rights, which is a member of the International Helsinki Federation for Human Rights; I am the recipient of the United States and the European Union Award for Democracy, Human Rights and Civil Society in 1998, which was handed over to me in a number of co-laureates at the London United States–EU summit. I have been a visiting fellow at the Institute for Southeast European Affairs in Munich, during which I worked as a visiting fellow and guest scientist on the Albanian issue.

Mr. MARKEY. Thank you.

Mr. PULA. Thank you.

Mr. HAND. I don't know if you wanted to say a quick word too about the Kosovo Helsinki Committee which you head—who its other members are, and just maybe a little bit of background on it, for one or two minutes?

Mr. PULA. Sure. Well, we were established in 1990. It's a non-governmental group of about a dozen people. We have two vice-chairmen who are also, as well as in membership, permanent intellectuals of Kosovo. It's not any kind of a massive organization with hundreds and thousands of activists or supporters or, for that matter, it's not a party that claims or aims at getting any larger membership, but we have been present with our works in the media domestically. Domestically, when I say I mean Kosovo itself, but also in FRY. But we have made a bit of news also abroad as well.

It is a human rights organization involved in monitoring the overall situation in Kosovo. But, given that the human rights situation (which has been horrible for the last 10 years) is closely tied to an unresolved political situation and the issue of Kosovo, the Committee has its political overtones.

The Kosovo Helsinki Committee's prime objective is policy-oriented advocacy work. This is what is obviously reflected in the statements that we have issued. We have operated, interestingly, and uniquely enough, under the umbrella of the International Helsinki Federation and our executive director, Aaron Rhodes; but also with our Helsinki Committee in Serbia and Helsinki Committee in Montenegro. We were working together, trying to push forward some kind of a process towards a solution, some kind of a common ground, on which one could imagine a possible political solution. Well that of course applied to a time before this explosion.

But the idea was basically that Kosovo could be an equal republic, just as Serbia and Montenegro, and the former—or whatever is former Yugoslavia, there's too many former Yugoslavias on the record—but this existing FRY, which prevails over the three countries in its makeup, should have three republican or three lateral constitutional reflections of itself. That is, a three republican federation. That was one of the ideas behind this type of combination.

That was obviously brought to an end with these developments in which Albanians have opted for a compromise which was being advocated by the U.S.-led contact group. But having accepted a compromise which was worked out at Rambouillet, Albanians didn't get an improved political solution; they got genocide. It seems that all options opened up for Kosovo, only not too many of them seem to inspire optimism in anyone.

Mr. HAND. Okay. At this point we will turn to Slobodan Franovic, who is head of the Helsinki Committee of Montenegro.

Mr. FRANOVIC [Speaking through interpreter]. Ladies and gentlemen, first allow me to thank Mr. Hand for his kind welcome, to thank him for the invitation to participate in this briefing, as well as a chance to present the situation in Montenegro.

To say something briefly about himself, he is an attorney. He has been a human rights activist since 1985. Before the breakup of the former Yugoslavia, he was the Chairman of the Committee, the County, the Municipality of Budva, which is a seaside town in Montenegro.

In October of 1994, Mr. Franovic and some of his friends and colleagues formed the Montenegro Helsinki Committee. Their committee is multi-ethnic and multi-confessional. The makeup of the committee is in proportion to the makeup of the population of Montenegro. They have 30 permanent members and a little over 100 people who work with them.

Their network extends through all the counties within Montenegro. Of course the structure of their organization equally respects the gender. Therefore, there is proportionately females and males. They mostly concern themselves with the monitoring of human rights in Montenegro and aiding and helping those who have experienced atrocities or who have had human rights violations, the implementation of international human rights laws and standards into Montenegrin laws, observation of elections and so forth.

He would like to move onto their view of the situation in Montenegro and in general. Unfortunately the situation now in Montenegro is under a very strong influence of this last Balkan war or the current Balkan war. He would like to remind you that conflicts in the Balkans have been present through this century, and unfortunately, they always encompass or include the horrible atrocities, violations of human rights and other violations which we see today.

It is their belief that when the autonomy was taken away from Kosovo, the former Yugoslavia in a way ceased to exist. Everything that happened after this autonomy was removed led to what is happening today, the atrocities which are happening today.

Unfortunately, because Montenegro does not have many citizens and the territory is not that large, it has been marginalized by the international community and not given proper attention. During all the past wars on the Balkans, the Croatian and the Bosnian war, Montenegro has had an anti-war alternative to all this: the preservation of a multi-ethnic society.

It is their belief that the Belgrade regime, headed by Slobodan Milosevic, has led all these wars in the Balkans in order to destroy multi-ethnic society. A positive development in Montenegro was the break-up of the ruling party in Montenegro 2 years ago, where one side of the party supported Milosevic and sided with Milosevic, and the other half of the party wanted to open democratic processes in Montenegro.

Once this happened, several positive steps occurred. The government and the opposition joined in developing democracy. This was confirmed after the presidential and parliamentary elections in Montenegro. Unfortunately, the federal government which operates as an extended hand of Serbia never recognized either of these elections in Montenegro.

Many in Montenegro, including the government which now is multi-ethnic, have taken a different position than Belgrade has in the resolution of the current crisis.

He would like to remind you that the Montenegrin Government, the Helsinki Committee of Montenegro, as well as citizens and others, have supported the Rambouillet agreement and implementation in the future. Unfortunately, Serbia did not support the agreement, as

we know, and the declaration of the state of emergency and then a state of war proclaimed by Serbia and the federal government was not supported by the Montenegrin Government or Montenegro.

All of these developments have led to the further separation of views between Belgrade and Montenegro. Currently we have extreme political, economic, and military pressure on Montenegro from Serbia Belgrade. For example, Montenegro is subject to extreme pressure to breach human rights or violate human rights in certain ways; especially freedom of speech, freedom of media and so forth.

This is escalating with the attempt to arrest prominent leaders and leaders both in the media, otherwise, for example, Miodrag Perovic, who is the founder of "Monitor," which is the first independent political weekly in Montenegro, as well as Nebojsa Redzic, who is Radio Free Montenegro.

The Belgrade regime is trying to cancel out all the positive developments that have been accomplished in Montenegro in the recent past. They are attempting to completely block off or seal off Montenegro, which has in the meantime started developing relations with its neighbors. They are going even so far as to block humanitarian assistance and humanitarian aid from entering into Montenegro.

In Montenegro, there are currently 130,000 refugees, out of which the latest wave from Kosovo is 65,000 persons. This number represents more than 15 percent of the Montenegrins' entire population. So today what we have in Montenegro is, as some call it, a step-by-step coup d'etat. The Committee shares this analysis.

They believe that the international community should help Montenegro to preserve the level that it has currently achieved in human rights, even though they do not believe that the current level of development of democracy and human rights is sufficient. They should be developed further. But they think that the international community should help to preserve the present level so development can continue.

However, they do believe that Montenegro is a positive example in the region and if Montenegro is able to preserve the current situation and develop further, it could be a stability factor for the entire region.

They are expecting that after the war, and all its atrocities—especially the ones mentioned by Pula earlier—stops, that a conference for the entire region should be held, which would include some kind of Marshall Plan for economic and social aid, as well as help to the civil society and development of civil society.

He doesn't know what the solution of the current situation will be. However, he believes that mechanisms should be installed in such a plan to protect, for example, in Montenegro as a question, mechanisms which will protect it from being in the situation it is in today in the future, and also mechanisms which will stop any future regime from doing what Slobodan Milosevic is doing or any future dictator from doing what Slobodan Milosevic is doing today.

He would like to thank you for your attention, and he is open to answer any questions you may have.

Mr. HAND. Okay. Thank you very much, Slobodan.

I think at this point we will open to questions from the audience. If I could take the liberty, however, of being the chair of this briefing and maybe just start with the questioning.

I would like to ask Gazmed if you could say with a little more specificity what it would take to convince the people who have fled Kosovo who are now refugees abroad, to go back

and to rebuild. Obviously they would need some sort of sense that they would be secure. It sounds almost universal that they all want to go back, but that they need some sort of sense that they will be protected while they are there.

I was at a conference in Warsaw a few weeks ago where someone who had been on the OSCE Kosovo verification mission, the KVM, had felt that they were so eager to go back that even by seeing the orange vehicles of the KVM going back, people would start to try to follow and to go back. On the other hand, there is a lot of debate here, does there need to be a NATO force, a UN force. I'm not sure to the people on the ground it makes that much of a difference.

But could you just describe what the people who want to desperately go back, but who have been so traumatized by what has happened to them and their families, what they would need to see to convince them that it is worthwhile going back?

Mr. PULA. Yes. I think that is a key question. My answer is very easy to articulate and formulate, but it is a bit more difficult to bring about in reality. But it's easy to answer that kind of question.

The people of Kosovo would need a credible and robust international force in Kosovo that would guarantee—not just on paper, but would be able to deliver on the ground the possibilities for their return, for one thing, and then their safety and security once they are in.

Of course that is entirely proportional to the degree or the set-up of such an international force in order to achieve its aim, its objective. That is, their return and the safety of people is proportional to the NATO component in itself. So in other words, to make it less complicated, the more of a NATO presence in that international force there would be, the greater the confidence of the Albanian people to return to Kosovo and try to rebuild their devastated life.

Of course it is difficult to see, after in this current standoff between NATO and this outlaw regime in Belgrade, how it could be brought about short of a full military defeat, how it could be brought about that Belgrade accepts the force, especially with the involvement of the Russians and now the new reshuffle out there in Moscow, and with China, how that can be brought about.

The fact of the matter is that the more of a NATO component you have in international force, the more confidence of Albanians to return will be present. Of course vice versa. But how to bring that about, that is of course a question that will have to be resolved at different instances and of course based on the balances of power at this particular point in time.

Mr. HAND. Thank you. Second row?

Actually, Mr. Franovic, if you could make a quick comment first.

Mr. FRANOVIC. (speaking through interpreter) What he wanted to add is that for them, any kind of acceptance of ethnic cleansing is completely unacceptable. They are of course against all ethnic cleansing. The most dramatic proportions are obviously now being in Kosovo. However, in Montenegro, there are also some very mild instances of ethnic cleansing.

He agrees with Mr. Pula that he believes it is very unlikely that any Albanians will return to Kosovo unless there is an international presence.

He would also like to emphasize that it is extremely important that all the people responsible for these horrible atrocities are brought before justice, because it is his belief that the inability to deliver war criminals from the wars in Croatia and Bosnia to justice has convinced the current perpetrators that they will not be punished for what they are doing.

Mr. HAND. Okay. Go ahead. Again, if you could please identify yourself before asking your question.

QUESTIONER. My name is Linda Duncan, from the U.S. Information Agency. I just wanted to commend this gentleman for his extremely organized and useful presentation.

QUESTIONER. I'm Christine Herman with the U.S. Institute of Peace. I have two questions, not very related, for both gentlemen.

First, I have heard, as you have, many people calling for the military force in Kosovo to guarantee security, some sort of a Marshall plan, with international community involvement. My first question is, if these are created and put in place, will they be effective if the current regime remains in Belgrade? Because no one has brought up that issue, as I have heard today.

My second question would be, what do you see would have to happen in the first 100 days after some kind of a peace settlement? Thank you.

Mr. PULA. Well, first of all I would say first, and this is in our statement as well which Mr. Rhodes also mentioned, is that we are deeply skeptical of any outcome where the Milosevic government would remain in power and would exercise power in Kosovo. I certainly hope that after this so-far very flawed effort of the NATO air campaign to save the lives of Kosovar Albanians in there, that much more intensive efforts would be made not to leave Kosovars under the Milosevic authority. That is one thing.

Of course that relates to your question, ma'am, because with the Milosevic regime in power, efficiency of an international force, whether it be of this kind of a setup or that kind of a setup, would be limited and impaired. There's no question about that.

But it is a very imperfect world. You hardly get to ideal solutions. It is of course much better to have them impaired somewhat than not to have them at all.

In the first 100 days, you know, try to give those poor miserable Albanians dying on the mountains and the hills respite first, and (I don't know what the proper English word is), resuscitated, try to get them to survive these hundred days and to get to the next round of their hundred, if they manage to survive.

Of course, to establish law and order, security and safety for all the citizens of Kosovo, irrespective, as the gentleman, Congressman mentioned, of their national, ethnic, religious affiliation or any other affiliation for that matter.

It is first and foremost the safety of the returned, and safety of all the citizens of course that should be provided. Of course as well as the fact that Mr. Milo—Mr. Franovic. Excuse the mistake, it's the name Slobodan that makes one jump into that. But of course he my good friend, and I wouldn't be that mean.

Provided, of course, that those responsible for war crimes would have legal proceedings initiated against them, preferably in the Hague.

Mr. FRANOVIC (speaking through interpreter). He would like to emphasize here that he believes that the international community had an inadequate response to what actually the policies of Slobodan Milosevic were in the past several years. For example, the brutal destruction of Vukovar, the siege of Sarajevo, which in some ways reminded us of the Warsaw ghettos in the Second World War, the Srebrenica massacres, as well as the destruction of Dubrovnic—It is his belief that the only thing the international community did was to strengthen the position of Slobodan Milosevic. So the result of this is that today in Serbia there is no alternative to Slobodan Milosevic, with the exception of a few individuals whom

he greatly admires.

He does not believe in any solution that would be acted out or held up by Slobodan Milosevic. We have witnessed, in the past, a great number of agreements that have been signed and breached, including the latest signed between Milosevic and Holbrooke, and the agreement which was signed with NATO, from October of last year after the Holbrooke agreement was signed.. We haven't seen a copy of that one and don't know what it includes, but we believe that he hasn't upheld them.

Mr. HAND. If I could just ask as a follow-up to that—I agree with what both of you have just said. Many people here in Washington were in a sense fighting against time, hoping that a sufficient opposition could develop in Serbia to Milosevic before we got to the point that we did regarding Kosovo. There is a lot of concern that by dealing with Milosevic, one in fact sustains him and strengthens him in power.

But my follow-up question is, whenever this all ends with the air strikes, if there is some kind of agreement, etc., if Milosevic is still in power at that time, what prospects are there for the resurgence of an opposition, a stronger opposition to Milosevic in Serbia? In a sense, it would be good to have Sonia Biserko here for this question, but it's a question I think that we still need to ask here even with representatives from Kosovo and Montenegro, as to whether there is any hope for Serbia after all of this. Because I think we all ultimately agree that until there's a democratic Serbia, or at least a democratizing Serbia, there is not going to be stability in the Balkans.

Mr. FRANOVIC. (speaking through interpreter) It is very difficult for Mr. Franovic to answer this question. However, nationalism has unfortunately been spread or extended recently, and it will be very difficult to overrun or overrule the existing domination and irrational approach to history and mythic and ethnic historic characters and stories.

He believes that it will be a difficult and long process, and something similar to what we saw after the Second World War. It is difficult for Mr. Franovic to comprehend this hate which exists between the Serbs and the Albanians, because in Montenegro today and before traditionally through history, we did not have such a situation.

This unfortunately has taken on racist proportions. The current prime minister, who unfortunately is of Montenegrin origin, gave a press statement about a week or so ago about rape, in which he said that only a blind man would rape an Albanian woman, which is completely incomprehensible to Mr. Franovic, because in Montenegro, we have always had mixed marriages between Albanians, Montenegrins, and other ethnic groups, and we still do.

He believes that Montenegro has a chance, IF Milosevic is not permitted, with the help of the military, to destabilize and basically get rid of the current democratically-elected civil Government of Montenegro.

If Montenegro is helped, it could be a positive example and positively influence the entire region, including Serbia.

What Mr. Franovic forgot to mention earlier was that it is extremely important now, with all the pressure that the international community is putting upon Milosevic, to include a request to stop him from pressuring Montenegro and the government in Montenegro, in regards to human rights and freedom of the media. Montenegro's law on media or public information law is in accordance with international standards on the level of international standards. Thank you.

Mr. PULA. Something on the issue as well. It is difficult to conceive of a situation in

which what we used to call Serbian opposition would get much more efficient in this postwar period than it was in the prewar period. It was not to be so very greatly commended even before this war and the NATO bombing campaign. It was definitely, to say the least, opportune when it came to trying to contribute to a just and stable solution of the issue of Kosovo.

Political notions of a Serbian opposition, even the democratic, Serbian democratic opposition, were pretty much just as restrictive as those of this outlaw regime in Belgrade. But to be frank, despite the appreciation that Albanians—I can't speak on behalf of Albanians, I can speak on behalf of Kosovars on the Committee, and I guess myself, but frankly, even this so greatly commended Montenegrin pro-Western reformist multiethnic and multi-cultural government has not had much of a great record on the issue of Albanians either. Here I am restricting myself to the issue of Albanians in Kosovo and to the issue of Kosovo itself.

Speaking about Albanians in Montenegro, they have a decent living, and enjoy a multicultural atmosphere in the area in which they live. But the problem of Albanians in Montenegro as compared with the problem of Albanians in Kosovo is entirely different. To be frank, the position of Prime Minister Djukanovic on Albanians has not been very commendable either.

All during the crisis that eventually led to the war in Kosovo in 1998 and this massive NATO bombing which has devastated Kosovo as well, besides diminishing partially the Serbian military machinery, Djukanovic's position has been basically autonomy for Kosovo within Serbia. With an autonomy of Kosovo within Serbia, you don't get anywhere. What you get is war. What you get is ethnic conflict. What you get is the thorough destruction of the region. Frankly speaking, I don't think that was the most constructive step that the Djukanovic government has taken.

Of course I am aware of the fact that he did it for internal political reasons and to not be put under even greater pressure by the Milosevic regime in Belgrade, but nevertheless, I thought, I still think, it was not the optimal formulation of his policy toward Kosovo to say that Kosovo needs an autonomy inside Serbia, because that is the very recipe for war.

Eventually he got his position evolved with the support of the West to supporting the Rambouillet Accords and to supporting an agreement along international lines more. But just for the record, to put the record straight, I don't think that it has been the most constructive political position that one could have taken on Kosovo by the Djukanovic government in the period preceding this disaster and catastrophe going on in Kosovo now.

Mr. HAND. Did you have a question?

QUESTIONER. This is for either gentleman.

Mr. HAND. Would you identify yourself?

QUESTIONER. Sorry. Colin Lovett from the Voice of America. At the end of the Gulf War, a lot of people in this country lamented that we left Saddam Hussein in power and that it wasn't a U.S. objective to forcibly remove him from power. You talked about how Mr. Milosevic has time and again broken his word and caused problems within the Balkan region.

Can he stay in power? Should it be a NATO objective to forcibly remove him from power if he won't step down voluntarily?

Mr. HAND. Who would like to go first?

Mr. PULA. Who would want to step down from power voluntarily, for one thing? What does the man have to lose? It would be the next thing besides losing political power, and that's not very little either. What he would have to lose is one heck of a lot. You can be sure

that he knows what he would be losing.

Of course it is a question of geopolitics and the other considerations of balances of powers, similar to digest the consequences of an objective that you put in front of yourself. That might have had to do also with a decision not to remove Saddam Hussein from power, probably geopolitical considerations, consequences, costs, things of that kind. So that might be the case as well now.

But of course if you want to make that analogy, which perhaps bears some relevance to the situation, but perhaps is not fully relevant. Assuming your analogy is okay, then at least Kosovo—if it could be taken as a parallel to Kuwait; though it does not have the oil, it has other resources—at least Kosovo should be free. Kosovo is an entity which is a *sui generis* entity outside of Serbia, which was taken over by force of military arm in 1912, and ever since has been under foreign Serbian rule. This has been the cause for all the wars and all the trouble and everything else, including the one which we are seeing now. There, I think the analogy could work.

Not to say that the Schwarzkopf syndrome could not be reversed and the situation, but of course it is a matter for geopolitical considerations. It is a matter for the alliance to consider, to weigh the pros and cons and decide ultimately on the matter. It's definitely not an easy decision to make. I agree with that.

Mr. FRANOVIC. (speaking through interpreter) He already commented on this question earlier. However, he believes that the problem is not just Milosevic. Milosevic is the top of a pyramid. Therefore, he believes that the problem is that there is not a strong democratic alternative in Serbia. For him that is the biggest problem.

Mr. PULA. May I just add to this if I'm not overdoing it? If I may follow up on your question with an additional consideration which I think is very important: should further military means be considered or extension of application or escalation of application of potential military means, especially ground invasions and things of that kind, I think they should be handled. They should be first of all contemplated and then weighted, and then planned with utmost care. They should by no means be as superficial and as ill-conceived and as non-professional and ultimately as irresponsible as they have turned out so far to be. I apologize for the words. That is what my deep conviction is when I see the consequences of what this has brought about.

If further measures of a military kind should be contemplated, they should be very well conceived because potential, you know, what might be placed under the collateral damage term which is a whole lot more for Albanians, but you know, if we place under the collateral damage terms might be horrendous.

I would like to remind you that the refugees are in a horrible position, this half of the Albanian population that has been kicked out, deported. But there is another half of the population, close to a million, which is inside. Albanians inside are basically hostages to the Serbian regime.

Should an escalation of the use of military means (inefficient as it has been so far) occur, they stand out there as potential targets to be sacrificed or to be further victimized. They could be put in the first lines of defense as human shields. They could be placed as human shields in potential NATO target objects. They could be caught in crossfire. At the end, they could be simply retaliated against with summary executions which wouldn't be anything that this regime has not done before.

So I would definitely hope that should solutions of that kind be considered, that they should be considered with utmost care, responsibility, and professionalism. Having in mind also the recommendations which we here in the present have been delivered by the Joint Chiefs of Staff to the policy makers that things can be dealt in this kind of a way efficiently, or it can be dealt in this kind of a way inefficiently, and that you know, perhaps just the NATO air strikes might not be able to come to terms with a madman like the gentleman out there who is running this criminal regime, and which at the end of it has brought about this disaster of half a population kicked out and half a population hostage that might yet be dealt with.

Mr. HAND. Front row here.

QUESTIONER. Thank you. I'm Erika Schlager on the staff of the Helsinki Committee. I have two unconnected questions. First of all, with respect to Kosovo. I am wondering if the Kosovo Helsinki Committee monitors the situation of the Romani minority. We continue to get reports that members of the Romani minority are persecuted by both the Serbs and the KLA.

My second question is for both gentlemen. I am wondering if you could speculate on what the impact might be if Slobodan Milosevic were publicly indicted by the War Crimes Tribunal in The Hague. Thank you.

Mr. PULA. Well, of course we monitor the human rights situation in Kosovo. That includes Romanis, Romas as well, or whatever the proper name is. I think Roma is the term that we use down there. We get reports and we try to do what we can about it. There's not much we can do. We can report about it and we can suggest steps that can be taken.

But I think these stories about Albanians abusing Romas have more to do with the Serbian propaganda that tries to portray Albanians and the KLA and everything related to Albanians as bad guys. It has to do with reality. Then of course Romas are, now that all Albanians have been, or had been—I mean now they have been kicked out of the country. But before this catastrophe happened, Albanians had been kicked out of practically every form of institution alive. They were replaced by Serb and Romas.

Of course, Romas, in order to keep—I cannot generalize, but to the degree that it can be generalized, some of them who have assumed such positions of course might be under certain pressure to make statements of that kind, which does not mean that of course there are not problems with human rights of Romas, as there are all over Europe for that matter. We have our own share of problems as well. But I don't think that's a prevailing issue at this point in time.

Your second question, if you care to remind me, was about speculation—

Mr. HAND. If Milosevic were publicly indicted by the Tribunal in The Hague.

Mr. PULA. You know, that situation has its pros and cons, depending on the perspective that you take. You look at it from the ethical perspective and you look at it from a moral perspective: of course everybody suspected of being responsible for war crimes has to be indicted and put on trial and go through the procedure.

You look at it from the political aspect, if a person in charge who is responsible for all this hell that's broken loose, primarily out there in Kosovo, who created the circumstances that helped him to go out on a rampage against Albanians, politically speaking indictment might have its pros and cons.

The cons: what kind of negotiation could you have with a person who was indicted as a

war criminal? That would probably bring the U.S. on line because the U.S. at the end is going to have to deal with the regime in Belgrade. Whether it be through the United Nations or whether it be through the administration directly, the dealing, the standoff is between U.S.-led NATO and the Milosevic regime.

You might end up in a situation in which President Clinton or somebody from the administration might have to try to work out a deal with somebody indicted for war crimes. That is also a thing that has to be kept in mind.

In different circumstances—a more efficient NATO involvement in this air campaign—it might have been difficult. But in these circumstances, where we have seen 2 months of bombing and Kosovo reduced to rubble and half of the population kicked out, the other half kept as hostage to this criminal regime, one might want to rethink that over.

Mr. FRANOVIC. (speaking through interpreter) Speaking as an attorney and looking from the aspect of rule of law, it is completely unacceptable that someone, when evidence exists that he has perpetrated atrocities or has violated human rights, is not brought to justice.

He already mentioned earlier that the inefficiency of the International Criminal Tribunal for the Former Yugoslavia at The Hague, in not bringing charges against enough people for whom there is evidence they have perpetrated atrocities, human rights violations, and crimes in Bosnia and Croatia, has led to the situation today where people are committing such violations because they are not convinced that they will be brought to justice. He believes that a lot of the current perpetrators in Kosovo are confident that they will not be brought to account because of laxity in the past.

Therefore, he is for bringing everybody who is responsible to of justice. However, he is not for drastic measures because their committee is against capital punishment.

He hopes and expects the United Nations to play a more important role in this because, after all, the Tribunal was formed by the Security Council.

Mr. HAND. Aaron, you wanted to make a comment as well?

Mr. RHODES. I would actually. Erika, and really Mr. Franovic, I think, answered the question well. But the point is that the Court is not a political institution, and the decisions should be made on the basis of evidence. Very often in the human rights community, people are coming up to you with petitions. They want you to sign some list of people to indict so and so. God help us if the Hague Tribunal responds to these because that's not a legal procedure. The decision should be made on the basis of evidence. The consequences have to come down wherever they may come down.

Of course in the case of that particular indictment, there would be no possibility to undergo a negotiated political settlement with such a person indicted by a court, I would assume and hope. Unfortunately, I am afraid that might have an influence on the process, because even though the court should be a court, the performance of it is under political pressures. Certainly the assistance given to the court to bring those indicted to it is under tremendous political pressures. Why are these people running around in Bosnia under indictment and nobody is doing anything? Why is that?

You know, probably there are a number of different reasons, one of them being the reluctance to put anybody at risk on the part of the leaders—not the soldiers, by the way, but the leaders.

But the second problem is that nobody really wants to hear their story. Nobody wants to, because a number of those indicted have the goods on many European governments and

maybe the American government too, and that would be deeply embarrassing—it is in almost nobody's political interest to have it exposed.

Mr. HAND. If I could just ask a question related to accountability—it's one that I am personally interested in. That is the situation in the Sandzak region, both Serbia and of Montenegro.

In early 1993, there was this incident where a train coming from Belgrade to Bar was hijacked while it passed through a part of Serb-held Bosnia. Since then, the Montenegrin Helsinki Committee has pursued vigorously accountability as to what happened.

I was wondering if there's any further information as to what happened; and to what extent were authorities in Republika Srpska, in Belgrade, wherever, accountable for what happened and for apprehending those responsible for taking those people—primarily Muslims—off of the train. Many of them were from northern Montenegro, Bijelo Polje, etc.

I was wondering if you could say something about that, and maybe just a few words about the situation in northern Montenegro now where the Muslim population resides.

Mr. FRANOVIC. (speaking through interpreter) That is correct. The Montenegro Helsinki Committee is concerning itself with the kidnapping in Strpci. They have managed to lobby the opening of a parliamentary discussion and investigation of this incident. They have also tried to initiate some other procedures within Montenegro with regard to this incident.

For example, when President Bulatovic was still president of Montenegro, they started the procedure in front of the Republic Committee for the Preservation of Minority Rights in Montenegro.

In our constitution, it is stated and it is so, the president of the Republic of Montenegro is the Chairman of the Committee. The procedures in front of this committee are swift. Unfortunately, the then-president Bulatovic put it in his drawer and it basically never was discussed or never came out.

The situation that Mr. Franovic has mentioned, as well as a few other incidents regarding this incident in Strpci, led them to think that this was an organized incident. Also, they believe that people from the government or elements of the government institutions are involved in this, primarily from Belgrade. However, he does not exclude Montenegrin institutions either.

Montenegrin authorities arrested two persons. One of them is still in jail. The other person was put before the high district court in Bijelo Polje. The monitoring team of the Montenegro Helsinki Committee is monitoring this court proceeding.

He would like to say that at the beginning of the proceeding they believe they were correct and just. However, they were stopped and he believes it was not just. Most probably they, as a non-governmental organization, will apply to Hague Tribunal to take over the case.

As far as the position of the Bosniac Muslims in Sandzak, in the Montenegrin part, he would like to say that it has improved in the last 2 years. However, prior to those 2 years, there were cases where leaders of political parties were prosecuted and chased.

During the war in Bosnia, there was something present which they named a soft ethnic cleansing. For example, as was the region around the Montenegrin town of Plevlja called the Bucovica. Though he would like to reiterate that yes, it has gotten better in the last 2 years. As Mr. Pula mentioned earlier, the level is now getting better. However, it is not a level or standard at which they would like to have it.

If he is permitted to compare the situation in the Montenegrin part of Sandzak, is much better than it is in the Serbian part of Sandzak.

QUESTIONER. Hi. I'm Peter Colohan with the Open Society Institute. Thank you, Bob, for asking that question. I was curious about the condition of the Muslims in Sandzak.

My question is for Mr. Franovic. Earlier you mentioned that there was a step-by-step coup underway on the part of Milosevic in Montenegro. I wonder if you could elaborate on that, and if you could simply characterize the severity of the threat to Montenegro at the moment, and what the Western response should be. But most specifically, what is the severity of the threat and how do you see that potentially happening.

Mr. FRANOVIC. (speaking through interpreter) He says that today in Montenegro there are two authorities or two governments. On one side is the elected Government of Montenegro which has its police or ministry of internal affairs which is loyal to it. On the other side, we have strong pressure from Serbia or the Belgrade regime which is exerted by their military.

The leadership of the military is controlled exclusively by Belgrade. The Montenegrin Government does not respect or uphold the positions of the federal Government of Serbia, the introduction of the state of war and the removal of human rights, the introduction of war courts or war tribunals. However, the military exists to fulfill the procedures which the government instates.

They are trying to bring to the military tribunal a deputy prime minister of Montenegro because of his political beliefs. To be fair, this concerns statements which he gave about the military. However, common citizens should not be put before a military court for political opinion, let alone the deputy prime minister of the government.

They have also tried to mobilize, or draft, our minister of justice. They are trying to censor all the media in Montenegro. They are mobilizing and drafting a lot of Montenegrin citizens who do not want to participate in this war.

They are trying to block Montenegrin borders, the Port of Bar. They are even blocking the arrival or the passing of humanitarian aid across Montenegrin borders. He already mentioned that people who are important for democracy in Montenegro, such as Perovic and Redzic who, along with the media, have had to leave Montenegro because of these military pressures.

Therefore, the government has offered to protect the deputy prime minister and the minister of justice. However, the government is not able to and has not protected the citizens. Therefore, they believe it is extremely important to preserve the rights of citizens to have political opinions or participate in the political life of Montenegro without fear that they will be put before a court or arrested.

In particular, they believe that the freedom of the media must be preserved in Montenegro because it is extremely important for our citizens to know what is actually happening, because the situation in Montenegrin media at the moment, they judge as acceptable.

It is their belief that if the people of Serbia had an opportunity to see what was really happening in Serbia, they would not be in position there today. They also believe that freedom of movement and the freedom to cooperate with neighbors and others should be preserved as well, and of course the freedom for non-governmental organizations such as theirs to exist and function in our country.

What measures need to be taken in order for this to be accomplished is very difficult. To

answer your question, what mechanisms to find is very difficult. From the beginning of the century, it has been a question for which answers have been sought. None have been found yet. There is the Weimar Syndrome—how to stop a dictator from getting control, and enemies of human rights is very difficult.

Because Montenegro is like a needle sticking in Slobodan Milosevic's eye, in Montenegro certain things exist which Slobodan Milosevic has fought against for the past 10 years. Please do not assume that I think, or that Mr. Franovic thinks, that the situation in Montenegro is ideal. He still believes that there is a lot to be done before international standards are reached. However, some processes have been started.

Mr. HAND. Other questions from the audience?

If not, I think I would like to ask sort of the last question, and then I would ask Aaron if he would like to make any closing remarks before we close it.

My final question for Gazmed and Slobodan regards the OSCE. The OSCE had its largest presence in Kosovo with the verification mission that was deployed there. OSCE was previously deployed there in 1993, along with the Sandzak and Vojvodina, has engaged in election observation in Montenegro, et cetera. Those of us back here in Washington who have Helsinki in our names are strong advocates of the OSCE, but want to see it remain what we call the conscience of Europe, to remain true to its original principles contained in the Helsinki final act, and not simply be yet another international organization to implement an agreement no matter what's in that agreement, et cetera.

In light of that fact, I was wondering if the two of you, who represent Helsinki Committees and therefore also have a basis within the Helsinki final act and the diplomatic process it created, if you could just give a few short comments on how you think the OSCE has done in the rather difficult situation in both Kosovo as well as in Serbia and Montenegro.

Mr. PULA. Well, of course there was quite an effort made by the OSCE to try to develop this mandate. Unfortunately, this mandate was not very strong. Its capabilities, accordingly, were quite limited.

Their mandate was nominally labeled a verifier mandate, which was basically just a fancy name for monitoring mandate. With that kind of a mandate and an unarmed mission, and the circumstances where you have armed conflict, one cannot really expect they might be extremely efficient.

At any rate, they were a very encouraging sign of the presence of a strong, credible, and robust international presence that has been demanded by the Albanians as one guarantee of creation of premises for a just and stable solution for the issue of Kosovo.

They did a lot of very useful work in monitoring what was going on, including the fighting which went on. But of course they had to plan a spot where they could monitor what was going on. It wasn't—one could not be so indifferent, and one would get even a bit cynical when one would see those large vehicles and cars out there with monitors on top of them watching, across people were being killed.

But of course they were there. They informed about what was going on, which was a very important step. They had source information and they got an authentic picture of the developments. That in itself has been very useful. Of course if their mandate had been stronger and contained larger authorizations, definitely their presence would have been more useful. But it was useful as it was, but not sufficient to cope with the situation with which we were faced out there.

Mr. FRANOVIC. (speaking through interpreter) Their organization was one of the first organizations which requested that the OSCE establish a mission in Montenegro as well. OSCE was present during the presidential and parliamentary elections of Montenegro. Before the escalation of the current Kosovo crisis, assistant, kind of like an aide OSCE office was established in Montenegro.

Even though the organization did not agree on everything, did not view everything the same way, they believe their presence was very positive. He believes that their presence helped to make steps forward. Concretely they helped in the formulation, actually writing of several key legislation in Montenegro. First of all, the law on public information.

Therefore, this law was a very large step forward because not only did it regulate the information law, it also had within it that international regulations would be incorporated into this law, especially the European Convention on Human Rights as well as precedence of the European unit for human rights. There is also a new election law and other.

For example, you asked what direct move could be made. For example, a decision to establish an office of the OSCE in Montenegro immediately. He doesn't believe that this decision in itself would be a savior as no other decision could be, but he believes that it will help the situation evolve.

Mr. HAND. Okay. At this point I think I'll let Aaron Rhodes make a few concluding remarks, and then we'll close the briefing. Aaron?

Mr. RHODES. Thanks. With those of us who are still here, I would just say that everything that our organization does is based on the work of local organizations. We try to, as a federation, follow the lead of local organizations that are most affected by any particular situation.

In the situation that we are now, the local organizations in Yugoslavia aren't really local any more. Many of the members are in exile, for all practical purposes, and only a few members of the Serbian Helsinki Committee are in Serbia. A number of them are in other countries. The Helsinki Committee isn't really able to function.

Obviously the Kosovo Helsinki Committee isn't functioning in Kosovo. In fact, we don't even know where a number of the members are of the committee. We are afraid for their safety.

The Montenegrin Helsinki Committee also has been under quite a bit of pressure, not from its government, but from other forces in the society that are hostile to its message, do pose threats to its security.

As a result of these things, human rights organizations like ours which are really moving in a direction of being organizations that protect civil liberties, and therefore depend on a relatively somewhat stable environment, can't function. We have to find a solution to this in a kind of exile community, which is going to be an active one, and is going to be attempting to be a kind of bridge to some kind of future in Yugoslavia.

But I would simply like to thank again the Helsinki Commission for the opportunity to speak at this briefing. Since Mr. Colohan is here, I would like also to thank the Open Society Institute for their efforts to set up a schedule for us here in Washington. Thanks.

Mr. HAND. Okay. Thank you, and in a sense that sort of comes back to the opening remarks I made about the continued need for Helsinki Committees and human rights monitors, another similarity from the Cold War era, and perhaps it's even more so now, the continued vulnerability of those who do dare to speak out about what is happening in their countries. It is very sobering to see what has happened in Serbia and in Kosovo and also in

Montenegro, even though there are positive things to report in Montenegro as well.

I look forward to the day when maybe members of the Commission, people I work for, might be able to meet with Mr. Pula in Pristina, as we did back in 1990, as well as to be able to come to Montenegro and meet with the Helsinki Committee people on the ground and in the fields.

At this point, I think I will close the briefing. I would like to thank everybody who was here and is still here for coming. Thank you very much.

(Whereupon, at 3:05 p.m., the briefing was concluded.)

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