106TH CONGRESS 2D SESSION  H. R. 4053

To authorize assistance to the countries of southeastern Europe for fiscal year 2001, to authorize assistance for democratization in Serbia and Montenegro, to require equitable burdensharing in multilateral assistance programs for southeastern Europe, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2000

Mr. Gilman (for himself, Mr. Smith of New Jersey, Mr. Bereuter, Ms. Ros-Lehtinen, Mr. Rohrabacher, Mr. Goodling, Mr. Hyde, Mr. Gillmor, Mr. McHugh, Mr. Army, Mr. DeLay, Mr. Young of Florida, Mr. Spence, Mr. Radanovich, Mr. Cooksey, Mr. Manzullo, Mr. Souder, Mr. Doolittle, Mr. Mica, and Mr. Traficant) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To authorize assistance to the countries of southeastern Europe for fiscal year 2001, to authorize assistance for democratization in Serbia and Montenegro, to require equitable burdensharing in multilateral assistance programs for southeastern Europe, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “United States-Southeastern Europe Democratization and Burdensharing Act of 2000”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—UNITED STATES ASSISTANCE FOR THE COUNTRIES OF SOUTHEASTERN EUROPE

Sec. 101. Finding.
Sec. 102. Policy.
Sec. 103. Authorization of assistance to the countries of southeastern Europe.
Sec. 104. Definition of countries of southeastern Europe.

TITLE II—ASSISTANCE FOR DEMOCRACY BUILDING IN THE REPUBLIC OF SERBIA AND THE REPUBLIC OF MONTENEGRO

Sec. 201. Findings.
Sec. 203. Sense of the Congress regarding reconstruction in the Republic of Serbia.
Sec. 204. Assistance for democratization in the Republic of Serbia and the Republic of Montenegro.
Sec. 205. Prohibition on assistance to the Government of the Republic of Serbia.
Sec. 206. Development of political contacts relating to the Republic of Serbia and the Republic of Montenegro.

TITLE III—ASSISTANCE TO THE REPUBLIC OF MONTENEGRO

Sec. 301. Findings.
Sec. 302. Policy toward the Republic of Montenegro.
Sec. 303. Sense of the Congress.
Sec. 304. Assistance to the Republic of Montenegro.

TITLE IV—ASSISTANCE TO THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

Sec. 401. Policy toward the Former Yugoslav Republic of Macedonia.
Sec. 402. Sense of the Congress.
Sec. 403. Assistance for the Former Yugoslav Republic of Macedonia.

TITLE V—EQUITABLE BURDENSHIRING REQUIREMENT FOR ASSISTANCE FOR SOUTHEASTERN EUROPE REGION

Sec. 501. Equitable burdensharing requirement.
TITLE VI—POLICY REGARDING INDIVIDUALS INDICTED BY THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

Sec. 601. Findings.
Sec. 602. Declaration of policy.

TITLE I—UNITED STATES ASSISTANCE FOR THE COUNTRIES OF SOUTHEASTERN EUROPE

SEC. 101. FINDING.

The Congress finds that assistance provided by the United States under the Support for East European Democracy (SEED) Act of 1989, the Foreign Assistance Act of 1961, and other laws to the countries of Eastern Europe has helped several of those countries to make considerable progress toward democratic governance that respects the rights of all citizens of those countries regardless of ethnic background and toward a market-based economy that may contribute to the prosperity that reinforces democratic government, multiethnic harmony, peace, and stability.

SEC. 102. POLICY.

The Congress declares the following:

(1) As United States assistance programs for several countries of northeastern Europe authorized under the Support for East European Democracy (SEED) Act of 1989 approach their end, the United
States, in cooperation with its allies in the North Atlantic Alliance, the member countries of the European Union, and with other bilateral and multilateral donors, will continue to provide targeted assistance to the countries of southeastern Europe, including the Republic of Slovenia, the Republic of Croatia, Bosnia and Herzegovina, the Republic of Albania, the Former Yugoslav Republic of Macedonia, the Republic of Bulgaria, and Romania, in support of its interest in the larger pan-European and trans-Atlantic community of states.

(2) Programs authorized under the Support for East European Democracy (SEED) Act of 1989 and the Foreign Assistance Act of 1961 will continue to play an important role in assisting the countries of southeastern Europe to address challenges to political and economic reforms.

SEC. 103. AUTHORIZATION OF ASSISTANCE TO THE COUNTRIES OF SOUTHEASTERN EUROPE.

(a) Support for Political and Economic Reforms in Southeastern Europe.—The President is authorized to provide appropriate support for political and economic reforms in the countries of southeastern Europe from the amount appropriated for fiscal year 2001 to carry out the Support for East European Democracy
(SEED) Act of 1989 (22 U.S.C. 5401 et seq.) and the
Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

(b) Support for Political and Economic Reforms in the Kosovo Region.—The President is au-
thorized to provide appropriate support for political and
economic reforms in the Kosovo region of the Republic of
Serbia from the amount appropriated for fiscal year 2001
to carry out the Support for East European Democracy
(SEED) Act of 1989 (22 U.S.C. 5401 et seq.) and the
Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

(c) Limitation on Assistance for the Republic of Serbia.—

(1) Limitation.—Assistance may not be pro-
vided for the Republic of Serbia under any provision
of law, except pursuant to title II of this Act, or for
strictly humanitarian purposes, from the amount ap-
propriated for fiscal year 2001 to carry out the Sup-
port for East European Democracy (SEED) Act of
1989 (22 U.S.C. 5401 et seq.) and the Foreign As-
sistance Act of 1961 (22 U.S.C. 2151 et seq.).

(2) Exception.—The limitation in paragraph
(1) shall not apply if the President determines that
the Government of Serbia has undertaken steps to
become truly democratic and to ensure equal rights
for all citizens of the Republic of Serbia.
SEC. 104. DEFINITION OF COUNTRIES OF SOUTHEASTERN
EUROPE.

In this title, the term “countries of southeastern Eu-
rope” means the Republic of Slovenia, the Republic of
Croatia, Bosnia and Herzegovina, the Republic of Albania,
the Former Yugoslav Republic of Macedonia, the Republic
of Bulgaria, and Romania.

TITLE II—ASSISTANCE FOR DE-
MOCRACY BUILDING IN THE
REPUBLIC OF SERBIA AND
THE REPUBLIC OF MONTE-
NEGRO

SEC. 201. FINDINGS.

The Congress finds the following:

(1) In multi-party elections held in the Republic
of Serbia in 1990, 1992, 1996, and 1997, inter-
national observers found considerable evidence of
election fraud and manipulation of the state-run
media, allowing the ruling Socialist Party of Serbia,
led by Slobodan Milosevic, to maintain power.

(2) On many occasions, and specifically in
1991, 1996, and 1997, Serbian authorities dem-
onstrated a willingness to intimidate and use force
against citizens of Serbia who peacefully exercised
their rights to protest publicly against the regime’s
undemocratic practices.
(3) Beginning in 1991, the Serbian Government formed by the Socialist Party of Serbia sought to enhance its power and counter democratic pressures by fomenting extreme nationalism and instigating interethnic conflict within the former Socialist Federal Republic of Yugoslavia, which, by the time peace was restored in 1999, resulted in the deaths of hundreds of thousands, the torture and rape of tens of thousands, and the forced displacement of nearly 4,000,000 individuals.

(4) In 1992, the Republics of Serbia and Montenegro asserted the establishment of a new “Federal Republic of Yugoslavia”, the government and institutions of which have been dominated by those holding power in Serbia and their political allies in Montenegro, enabling Serbian President Slobodan Milosevic to become the President of the new Yugoslav state in 1997, when his final term as President of Serbia ended.

(5) In 1997 and 1998, forces within the ruling Democratic Socialist Party of Montenegro which supported the building of democratic institutions separated from those allied with the ruling party in Serbia, cooperated with opposition parties, including those representing minority communities, and suc-
ceived, despite threats and intimidation on the part of Serbian officials, in holding elections reflective of the will of the citizens of Montenegro and bringing increased openness and tolerance in Montenegrin society.

(6) In 1998, conflict in the area resumed with an assault by Yugoslav military and Serbian police and security forces on innocent civilians in Kosovo which ultimately led, in 1999, to an all-out campaign to ethnically cleanse Kosovo of its Albanian population.

(7) In 1998, new, draconian laws on information and higher education placed further restrictions on the independent media and academic freedom in Serbia.

(8) Military intervention by the North Atlantic Treaty Organization (NATO) to compel Yugoslav and Serbian officials to end the repression in Kosovo was used by these officials to attack independent and opposition forces within Serbia, both verbally and physically, and to impose additional restrictions on the rights and freedoms of the people of Serbia.

(9) The chronology of events in Serbia since 1990 indicates a clear relationship between the in-
SEC. 202. POLICY TOWARD THE REPUBLIC OF SERBIA AND THE REPUBLIC OF MONTENEGRO.

The Congress declares that the United States supports the development of democracy in Serbia and Montenegro and those who are committed to the building of democratic institutions, defending human rights, promoting rule of law, and fostering tolerance in society.

SEC. 203. SENSE OF THE CONGRESS REGARDING RECONSTRUCTION IN THE REPUBLIC OF SERBIA.

It is the sense of the Congress that—

(1) the United States should not provide bilateral assistance to rebuild the civilian infrastructure in the Republic of Serbia, but, should provide assistance for purposes of democratization within the Republic of Serbia in order to support a change in the character of its government with regard to policies that foment interethnic conflict;

(2) in the event that the character of the Government of the Republic of Serbia changes through demonstrable implementation of policies in support of democracy, interethnic harmony, and market-based economic reform, bilateral assistance for eco-
nomic reforms may then be made available as well; and

(3) the United States should provide support for civilian infrastructure in the Republic of Serbia, in particular where the local government implements democratic policy, supports interethnic harmony, and seeks market-based economic reforms, through support for programs managed by international financial institutions.

SEC. 204. ASSISTANCE FOR DEMOCRATIZATION IN THE REPUBLIC OF SERBIA AND THE REPUBLIC OF MONTENEGRO.

(a) Funding.—

(1) Availability of amounts for Serbia and Montenegro.—Of the amount appropriated for fiscal year 2001 to carry out the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.) and the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), $42,000,000 shall be available for democracy building and related assistance described in subsection (b) in all regions of the Republic of Serbia, other than the region of Kosovo, and in the Republic of Montenegro.

(2) Availability of amounts for Kosovo.—Notwithstanding section 103(c) of this Act, the
amount appropriated for fiscal year 2001 to carry
carry out the Support for East European Democracy
(SEED) Act of 1989 (22 U.S.C. 5401 et seq.) and
the Foreign Assistance Act of 1961 (22 U.S.C. 2151
et seq.) shall be available for democracy building and
related assistance described in subsection (b) in the
region of Kosovo.

(b) Democracy Building and Related Assistance.—The democracy building and related assistance de-
scribed in this subsection are the following:

(1) Open Media.—Assistance to improve infra-
structure and programming relating to an open
media, including advice, technical support, and edu-
cation, and to help provide legal protection.

(2) Nongovernmental Organizations.—Ass-
stance to train nongovernmental organizations, to
develop regional networks of nongovernmental orga-
nizations, to encourage multiethnic focus on issues
of common concern, and to help provide legal protec-
tion.

(3) Independent Labor Unions.—Assistance
to promote membership in independent labor unions,
to facilitate contacts and cooperation with labor
unions elsewhere in Europe, and to help provide
legal protection.
(4) **Education.**—Assistance to assist independent education networks, to help provide support for those fired for political reasons, and to develop improved teaching materials on democracy and civic responsibilities.

(5) **Judiciary.**—Assistance to train judges on international judicial standards, to support a trial monitoring program, and to help provide support of individuals fired for political reasons.

(6) **Political parties and coalitions.**—Assistance to expand training in grassroots organization, to develop coalition building and campaign skills, and to develop party leadership below the state or republic level.

(7) **Local governance.**—Assistance to provide support to democratically oriented local governments to provide services, to establish local economic development plans, and to increase transparency and accountability of decisionmaking.

(8) **Election administration.**—Assistance to train election officials in transparent election procedures, to provide tamper-resistant electoral supplies, and to develop sound registration and voting procedures.
(9) **YOUTH ORGANIZATIONS.**—Assistance to promote student organizations and to develop and provide for study programs in Europe and the United States.

(c) **ADMINISTRATION OF ASSISTANCE.**—Assistance provided under this section shall be provided to those programs and activities that are determined to be most effective in achieving the objectives of this title and shall be provided to institutions, nongovernmental organizations, and individuals that—

(1) clearly advocate democratic principles in their programs;

(2) do not discriminate on the basis of ethnicity; and

(3) have no known direct involvement in, nor open support for, atrocities associated with the conflicts in the former Socialist Federal Republic of Yugoslavia or any of the independent states which have emerged therefrom, since 1991.

**SEC. 205. PROHIBITION ON ASSISTANCE TO THE GOVERNMENT OF THE REPUBLIC OF SERBIA.**

Amounts made available under this Act, including any programs or activities made possible by such amounts, may not be provided or otherwise made available to the Government of the Republic of Serbia, the Government of **
the Federal Republic of Yugoslavia (other than Montenegro), or individuals connected with these governments if either of these governments remains under the direction, command, or influence of Slobodan Milosevic, the Socialist Party of Serbia, or any political party that does not undertake effective measures to ensure true democratic government in the Republic of Serbia that will ensure equal rights of all of Serbia’s citizens, regardless of ethnic background, and reforms intended to create a market-based economy.

SEC. 206. DEVELOPMENT OF POLITICAL CONTACTS RELATING TO THE REPUBLIC OF SERBIA AND THE REPUBLIC OF MONTENEGRO.

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that political contacts between United States officials and those who, in an official or unofficial capacity, represent a genuine desire for democratic governance in the Republic of Serbia and the Republic of Montenegro in accordance with section 204(c) of this Act, should be developed through regular and well publicized meetings.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of State $350,000 for fiscal year 2001 for a voluntary contribution to the Organization for Security and Cooperation in Europe (OSCE) and the OSCE Parliamentary Assembly—
(1) to facilitate contacts by those who, in an official or unofficial capacity, represent a genuine desire for democratic governance in the Republic of Serbia and the Republic of Montenegro, with their counterparts in other countries; and

(2) to encourage the development of a multilateral effort to promote democracy in the Republic of Serbia and the Republic of Montenegro.

TITLE III—ASSISTANCE TO THE REPUBLIC OF MONTENEGRO

SEC. 301. FINDINGS.

The Congress finds the following:

(1) The election of former Montenegrin Prime Minister Milo Djukanovic to the office of President of the Republic of Montenegro in October 1997 was followed by a new program of political and economic reforms in Montenegro and a policy of pursuing greater links between Montenegro and the international community.

(2) In May 1998, the governing coalition headed by President Djukanovic, a multiethnic coalition committed to respect the rights of all of Montenegro’s citizens, regardless of ethnic background, won parliamentary elections in the Republic of Montenegro.
The Republic of Serbia, in cooperation with the president of the Federal Republic of Yugoslavia, Slobodan Milosevic, has sought to obstruct the efforts of the Republic of Montenegro to implement political and economic reforms by means of—

(A) economic boycotts against Montenegro;

(B) manipulation of information in the state-run media with the intent of destabilizing Montenegro;

(C) illegitimate manipulation of the Federal parliament of Serbia and Montenegro; and

(D) alleged support for armed demonstrations in January 1998 in Montenegro against the democratically-elected government.

In May 1998 the Republic of Montenegro ended the transfer of tax revenues to the Federal Republic of Yugoslavia because of the illegitimate appointment of the Prime Minister of the Federal Republic of Yugoslavia and later took control from the Federal Republic of Yugoslavia of the licensing of mass media, the levy of customs duties, and the approval of export and import licenses within the territory of Montenegro.
(5) The Republic of Montenegro has allowed newspapers and periodicals that had been banned in neighboring Serbia to publish in Montenegro.

(6) Officials of the Republic of Montenegro have expressed a willingness to work with investigators from the International Criminal Tribunal for the former Yugoslavia (ICTY).

(7) President Milo Djukanovic of the Republic of Montenegro had supported efforts to maintain peace and address the concerns of ethnic Albanians in the Serbian region of Kosovo by calling for dialogue and the grant of substantial autonomy to the Kosovo region prior to the outbreak of the conflict in Serbia over the region.

(8) Prior to, and after the start of the military operation of the North Atlantic Treaty Organization (NATO) in Serbia, the Republic of Montenegro accepted tens of thousands of refugees from the neighboring region of Kosovo in Serbia.

**SEC. 302. POLICY TOWARD THE REPUBLIC OF MONTE-NEGRO.**

The Congress declares that the United States supports the development in Montenegro of a market-based economy and a democratic government based on equal
rights for all of its citizens, regardless of ethnic back-
ground.

SEC. 303. SENSE OF THE CONGRESS.

It is the sense of the Congress that—

(1) the Government of the Republic of Montenegro should undertake concrete steps to end cor-
rupt activities within Montenegro;

(2) the Government of the Republic of Montenegro should undertake to ensure that the process of
privatization of state-owned enterprises in Montenegro is fair and transparent;

(3) the Government of the Republic of Montenegro should take steps to divest itself of its control
over the major media outlets within Montenegro to
ensure greater freedom of the media;

(4) the implementation of full economic and po-
litical reforms within the Republic of Montenegro by
a multiethnic government may serve as a model for
such successful reforms and greater ethnic tolerance
within Serbia should a more democratic government
come to power in that neighboring state; and

(5) the United States should join other official
creditors of the Republic of Montenegro in providing
Montenegro with relief from official debt through re-
scheduling and, where appropriate, forgiveness.
SEC. 304. ASSISTANCE TO THE REPUBLIC OF MONTE-NEGO.

Of the amount appropriated for fiscal year 2001 to carry out the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.) and the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), $55,000,000 shall be made available for assistance for political and economic reforms in the Republic of Montenegro.

TITLE IV—ASSISTANCE TO THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

SEC. 401. POLICY TOWARD THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA.

It is the policy of the United States—

(1) to promote the development in the Former Yugoslav Republic of Macedonia of a market-based economy and a democratic government that respects the rights of all of its citizens, regardless of ethnic background;

(2) to support the territorial integrity of Macedonia and to insist that the territorial integrity of Macedonia be respected by all of its neighboring countries and by all political movements within and outside Macedonia;
(3) to support cooperative, bilateral relations between Macedonia and all neighboring countries;

(4) to support preparations for the integration of Macedonia into pan-European and trans-Atlantic economic and security institutions; and

(5) to consider Macedonia to be a priority recipient for economic, financial, humanitarian, and other assistance that may be provided to the region by the United States and other donors due to its important role in the stability of the region and its acceptance of a large share of the economic burden caused by the large influx of refugees into Macedonia during the recent conflict with regard to the region of Kosovo.

SEC. 402. SENSE OF THE CONGRESS.

It is the sense of the Congress that—

(1) the Former Yugoslav Republic of Macedonia is to be commended for efforts undertaken since independence to support the creation of a free media, including the creation of an environment in which privately-owned radio and television stations and newspapers have been established, and should further encourage the growth of a free media by privatizing media outlets and newsprint distribution
enterprises that allow the government to control the
free flow of alternative media;

(2) Macedonia is to be commended for steps
taken since independence to ensure better edu-
cational opportunities for its citizens of ethnic Alba-
nian background, including steps that have resulted
in rising enrollments by those of ethnic Albanian
background in Macedonian secondary schools and
universities and the creation of a Pedagogical Fac-
ulty at Skopje University for the training of ethnic
Albanian primary and secondary school teachers;

(3) officials of the Government of Macedonia
should continue to ensure rising enrollments for
those citizens of ethnic Albanian background in
Macedonian schools and universities;

(4) United States assistance programs in sup-
port of political reforms in Macedonia should be ex-
panded, with a particular focus on privatization of
state-owned media enterprises, improvements in pub-
lic administration at both the central and local levels
of government, and efforts to improve inter-ethnic
understanding and cooperation, particularly in the
area of broadcast and print media operations, both
public and private;
(5) the United States should, in particular, expand its microenterprise credit and loan programs in Macedonia to encourage the growth of small business and job creation that will help alleviate unemployment;

(6) the United States should join other official creditors of Macedonia in providing Macedonia with relief from such official debt through rescheduling and, where appropriate, forgiveness; and

(7) United States assistance programs for the modernization of Macedonia’s armed forces through training and provision of equipment should be expanded, with a particular focus on border security and efforts to increase the representation of citizens of ethnic Albanian background in the officer corps of those armed forces.

SEC. 403. ASSISTANCE FOR THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA.

(a) Assistance for Economic and Political Reforms.—Of the amount appropriated for fiscal year 2001 to carry out the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.) and the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), $43,450,000 shall be made available for assistance for eco-
nomic and political reforms in the Former Yugoslav Re-
public of Macedonia.

(b) ASSISTANCE FOR THE ESTABLISHMENT OF AN
AMERICAN UNIVERSITY IN MACEDONIA.—

(1) IN GENERAL.—Of the amounts appro-
 priated for each of the fiscal years 2001 through
2004 to carry out the Support for East European
seq.) and the Foreign Assistance Act of 1961 (22
U.S.C. 2151 et seq.), not less than $5,000,000 for
fiscal year 2001 and not less than $10,000,000 for
each of the fiscal years 2002 through 2004 shall be
made available for the establishment and support of
the faculty and programs of an American University
for Southeastern Europe at Skopje, Macedonia, or
at another suitable site in Macedonia.

(2) DECLARATION OF POLICY.—The President
should ensure that the curriculum at the American
University for Southeastern Europe is offered in the
English language and emphasizes public administra-
tion, technology, and business administration, with
undergraduate and graduate degrees recognized by
the Macedonian national educational system. In ad-
dition, the Government of the Former Yugoslav Re-
public of Macedonia should ensure that the edu-
cational programs of such an American University for Southeastern Europe are fully accredited as soon as possible and should provide substantial assistance for necessary, interim facilities.

(c) ASSISTANCE FOR MICROENTERPRISE.—Of the amount made available under subsection (a), the President shall make available not less than $4,000,000 for micro-enterprise credits and loans through existing programs funded by the United States in Macedonia.

(d) SOUTH BALKANS DEVELOPMENT INITIATIVE AND RELATED PROJECTS.—Of the amount made available under subsection (a), $5,000,000 shall be made available to the Trade and Development Agency for additional activities under the South Balkans Development Initiative and activities in support of related infrastructure projects in Macedonia, including those projects that, in cooperation with the Republic of Bulgaria and the Republic of Albania, would expedite completion of an East-West trade corridor across those countries.

(e) FOREIGN MILITARY FINANCING PROGRAM.—Of the amount made available under subsection (a), not less than $2,000,000 shall be made available for assistance for the Former Yugoslav Republic of Macedonia under the “Foreign Military Financing Program” account under

(f) INTERNATIONAL MILITARY EDUCATION AND TRAINING.—Of the amount made available under subsection (a), the President shall make available such amount as is necessary and appropriate for assistance for the Former Yugoslav Republic of Macedonia under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.) in order to substantially upgrade the quality and availability of training for officers and non-commissioned officers of Macedonia.

TITLE V—EQUITABLE BURDENSHARING REQUIREMENT FOR ASSISTANCE FOR SOUTHEASTERN EUROPE REGION

SEC. 501. EQUITABLE BURDENSHARING REQUIREMENT.

(a) LIMITATION ON BILATERAL UNITED STATES ASSISTANCE.—

(1) LIMITATION.—Notwithstanding any other provision of law (including any other provision of this Act), the total amount of bilateral United States assistance provided to the countries of southeastern Europe (as defined in section 104), the Republic of Montenegro, and the Kosovo region of the Republic
of Serbia for the fiscal years 2001 through 2005 under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.) may not exceed an amount equal to 15 percent of the total amount of multilateral assistance described in subsection (b) provided to such countries, the Republic of Montenegro, and the Kosovo region of the Republic of Serbia for such fiscal years 2001 through 2005.

(2) Certification; Report.—For each of the fiscal years 2001 through 2005—

(A) the Secretary of State shall certify to the Congress that the amount of bilateral United States assistance provided, and planned to be provided, to the countries of southeastern Europe (as defined in section 104), the Republic of Montenegro, and the Kosovo region of the Republic of Serbia is in compliance with the limitation requirement of paragraph (1); or

(B) if the Secretary of State is unable to make the certification under subparagraph (A) for any such fiscal year, the Secretary of State shall submit to the Congress a report containing a description of the amount by which
the bilateral United States assistance provided, or planned to be provided, to the countries and region described in such subparagraph exceeds the amount of such assistance determined so as to be in compliance with the limitation requirement of paragraph (1).

(3) Subsequent reduction in assistance.—If the Secretary of State submits to the Congress a report under paragraph (2)(B) for any of the fiscal years 2001 through 2005, then, notwithstanding any other provision of law, the amount of bilateral United States assistance made available to the countries of southeastern Europe (as defined in section 104), the Republic of Montenegro, and the Kosovo region of the Republic of Serbia for the subsequent fiscal years under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.) shall be reduced by the excess amount determined under paragraph (2)(B).

(b) Multilateral assistance described.—The multilateral assistance described in this subsection is assistance—
(1) provided by the United States, the European Union, member countries of the European Union, and member countries of the North Atlantic Treaty Organization (NATO); and

(2) provided under the “Stability Pact for Southeastern Europe” program or under other multilateral assistance programs established or carried out for the region of southeastern Europe.

SEC. 502. STATEMENT OF POLICY ON THE PARTICIPATION OF THE EUROPEAN UNION IN THE INTERNATIONAL POLICE IN KOSOVO.

It shall be the policy of the United States to strongly encourage the member states of the European Union to make a far greater effort to provide suitably and adequate numbers of personnel for the International Police in Kosovo so that the goal of an effective 4,700-officer International Police in Kosovo force is attained as soon as possible.

TITLE VI—POLICY REGARDING INDIVIDUALS INDICTED BY THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

SEC. 601. FINDINGS.

The Congress finds the following:
(1) On May 25, 1993, United Nations Security Council Resolution 827 established the International Criminal Tribunal for the former Yugoslavia located in The Hague, the Netherlands (hereinafter in this title referred to as the “Tribunal”), and gave it jurisdiction over all crimes arising out of the conflict in the former Yugoslavia.

(2) This Tribunal has publicly indicted 93 individuals for war crimes, crimes against humanity, and genocide arising out of the conflict in the former Yugoslavia, including the indictment of Slobodan Milosevic and other senior political leaders, and has issued a number of indictments under seal.

(3) The Convention on the Prevention and Punishment of the Crime of Genocide defines genocide as “any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; [or] (e) Forcibly
transferring children of the group to another

group.”.

(4) There is reason to believe that known war
criminals live freely in the former Yugoslavia, not
fearful of arrest, and any lasting peace in the region
must be based on justice for all, including the most
senior officials of the government or governments re-
sponsible for conceiving, organizing, initiating, di-
recting, and sustaining the Yugoslav conflict and
whose forces have committed war crimes, crimes
against humanity, or genocide.

SEC. 602. DECLARATION OF POLICY.

(a) In General.—The Congress declares that it is
the policy of the United States to assist the Tribunal as
fully as possible in its apprehension and prosecution of
individuals indicted for war crimes, including Slobodan
Milošević, and to encourage the other members of the
North Atlantic Treaty Organization (NATO) and other in-
terested countries to do the same.

(b) Additional Declarations of Policy.—The
Congress further declares the following:

(1) The United States should make collection of
information that can be supplied to the Tribunal for
use as evidence to support the prosecution of indi-
viduals indicted for war crimes a higher priority,
with any such information already collected immediately turned over to the Tribunal.

(2) The United States should provide an adequate amount of any additional financial or personnel resources that may be required by the Tribunal in order to enable the Tribunal to adequately prepare for, indict, prosecute, and adjudicate allegations of war crimes, crimes against humanity, or genocide posed against President Slobodan Milosevic or any other individual arising from the conflict in the former Yugoslavia, including in Kosovo.

(3) The United States should publicly declare that it considers that there is reason to believe that Slobodan Milosevic, President of the Federal Republic of Yugoslavia (Serbia and Montenegro), is responsible for genocide.

(4) The United States should urge the Tribunal to promptly review all information relating to President Slobodan Milosevic’s possible criminal culpability for conceiving, directing, and sustaining a variety of actions in the former Yugoslavia, including Kosovo, that constitute genocide, crimes against humanity, or war crimes.

(5) The United States should engage with other members of the North Atlantic Treaty Organization
(NATO) and other interested countries in a discussion of information any such nation may hold relating to allegations of war crimes and crimes against humanity or genocide charged against President Slobodan Milosevic and any other individual arising from the conflict in the former Yugoslavia, including in Kosovo, and urge such nations to promptly provide all such information to the Tribunal.

(6) The United States should engage with other members of NATO and other interested countries in a discussion of measures to be taken to apprehend individuals indicted for war crimes or crimes against humanity with the objective of concluding a plan of action that will result in the prompt delivery of the indictees into the custody of the Tribunal, and such plan should include the imposition of economic and political sanctions on any country known to be harboring an indicted individual.