

# KOSOVO: A WAY FORWARD?

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## HEARING

BEFORE THE

### COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

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## KOSOVO: A WAY FORWARD?

TUESDAY, NOVEMBER 8, 2005

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
*Washington, DC.*

The committee met, pursuant to notice, at 9:37 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Richard G. Lugar (chairman of the committee) presiding.

Present: Senators Lugar, Hagel, Chafee, Voinovich, Martinez, Biden, Sarbanes, and Bill Nelson.

### STATEMENT OF HON. RICHARD G. LUGAR, U.S. SENATOR FROM INDIANA

The CHAIRMAN. This hearing of the Senate Foreign Relations Committee is called to order. Today the committee meets to discuss the future of Kosovo and the American role in bringing stability to Southeastern Europe.

During 1998 and 1999, the United States and our NATO allies attempted to stop the escalating violence between ethnic Albanians and Serb forces in Yugoslavia's Kosovo Province. These efforts culminated in 1999 in a 78-day NATO bombing campaign against Serbia. In June of that year, former Yugoslav leader Slobodan Milosevic agreed to withdraw his forces from the province and since then Kosovo has been administered by a combination of U.N. and local Kosovar governing structures.

The U.N. mission in Kosovo, known as UNMIK, retains ultimate political authority in the province and is backed by a NATO-led peacekeeping force charged with providing a secure environment. At its inception immediately after the bombing campaign, UNMIK assumed primary responsibility for promoting substantial autonomy and self-governance in Kosovo and for facilitating a political process to determine its future status. In 2004 UNMIK introduced the "standards before status," policy which described economic, political, and social benchmarks that were to be met in Kosovo before a final decision on Kosovo's status was made.

The United States has played a leading role in assisting Kosovo to meet the standards established by the United Nations. Last month, based on the assessment provided in a report by the U.N. Special Envoy to Kosovo, the United Nations Security Council agreed to move to the next phase of this process in Kosovo. I commend the appointment of former Finnish President Martti Ahtisaari to head the upcoming talks on the future status of Kosovo and I wish him well as he seeks to guide the parties to a

compromise that will secure long-term peace in Southeastern Europe.

A peaceful and secure future for Kosovo lies in building democracy, in respecting human rights, and in fostering ethnic reconciliation. A successful conclusion to Kosovo's status is crucial to Balkan reintegration into Europe. Much work is left to be done, however. The U.N. report praises Kosovo's achievements in establishing new political and economic institutions and in developing a legislative framework. But it also details the challenges that remain, including widespread poverty, limited observance of the rule of law, a weak judicial system, and continued ethnic tensions.

While many Kosovar Albanian leaders contend that Kosovo should be granted immediate and unconditional independence, many Serbian leaders have voiced their view that absolute independence for Kosovo is a nonstarter. Bridging this diplomatic distance will require a compromise among the parties and sustained commitment from the international community and especially the United States.

The United States continues to contribute nearly 2,000 troops to the NATO-led peacekeeping force in Kosovo. Because of the outstanding work of American peacekeeping troops and U.S. support for the "standards before status" policy, the United States retains significant credibility in the region. We must work closely with our European allies to improve the climate for peace.

We are pleased today to welcome two distinguished witnesses who bring great expertise to our discussion of Kosovo. First, we will hear from Under Secretary of State for Political Affairs, Nicholas Burns, who will update us on U.S. diplomatic efforts in the region. Then we will hear from Ambassador Richard Holbrooke, one of the architects of United States policy toward Southeastern Europe, who will offer his thoughts and recommendations on the future of Kosovo and the Balkans.

We thank our witnesses for joining us. We look forward to their insights.

I would like to recognize, now, the distinguished ranking member of our committee, Senator Joseph Biden.

**OPENING STATEMENT OF HON. JOSEPH R. BIDEN, JR., U.S.  
SENATOR FROM DELAWARE**

Senator BIDEN. Thank you very much. Let me begin, Mr. Chairman, by thanking you for convening this hearing. Although there is a lot of trouble left in Kosovo, I would just—I would like to point out that our intervention in Kosovo, and before that in Bosnia, has saved hundreds of thousands of lives in my view, at minimal cost, although a single American life is difficult to deal with losing, but with in relative terms a low cost.

I also want to welcome our witnesses, Under Secretary of State Nicholas Burns and former Ambassador Dick Holbrooke, who played such a significant role in bringing this carnage to an end in Bosnia.

But the United States and the people of Southeast Europe, as we all, I think, would agree, are better off as a result of the efforts of Ambassador Holbrooke and our Secretary, as well as present and former administration leaders.

Mr. Chairman, in 1999 the United States led NATO forces in a military campaign to protect the people of Kosovo from the pathological belligerence of Slobodan Milosevic. During the 6 years since that conflict ended, the United States and other countries have devoted billions of dollars and millions of man-hours in pursuit of progress in Kosovo. On a personal note, my own son, when he was at the Justice Department, volunteered and was stationed in Kosovo to try to help rebuild the province's shattered legal system, and it was a worthwhile experience for him. But he was one of just hundreds and hundreds and hundreds and thousands of man-hours that have gone into trying to provide some stability there.

The international community's extraordinary investment in Kosovo I think has few historic parallels. Fortunately, it has produced, I think, very important dividends. In marked contrast to the chaos of 1999, Kosovo's institutions are more credible today and more capable. The province's citizens have participated in several free and fair elections. With the tragic exception of last year's March riots, Kosovo has been largely free of interethnic violence.

These accomplishments should be recognized, but, as you pointed out in your statement, Mr. Chairman, they cannot mask the reality that the current situation in the province is fundamentally unworkable. Kosovo's economy remains a hostage of the province's undefined legal status. Until the status issue is resolved, Kosovars legally cannot receive assistance from international financial bodies such as the World Bank and they will not receive needed foreign investment.

Ethnic Albanians feel, with some justification, I might add, that the international community has been kicking the can down the road on the status issue. They have spent too long struggling to build a society on a foundation of uncertainty, and I think they need and deserve a decision.

Earlier this year, Under Secretary Burns said that the status quo in Kosovo is neither sustainable nor desirable, a statement with which I agree. Personally, I think both the political and economic situation need an extreme makeover. I believe some form of independence for Kosovo is the only solution that will allow the citizens of Kosovo and Serbia to realize a future of stability and modernity.

The political process designed to resolve Kosovo's status is under way, as we know, but in an attempt not to prejudge the outcome of the talks, officials from the United States and many other interested countries have skirted key issues.

Mr. Chairman, I worry that in doing so we will feed the very instability that we are trying to avoid. Trouble in the Balkans is almost always—I emphasize, almost always—in my experience, and I think if you look back well beyond my experience, it is almost always the product of false expectations.

Few cases have demonstrated this phenomenon more vividly than Slobodan Milosevic's misguided assumption that NATO would not act decisively to protect the people of Kosovo from his aggression. Kosovars have spent too many years stuck in a political limbo as a result of that miscalculation and it is time for politicians and diplomats to start leveling with the citizens of this region.

Finding a solution in Kosovo is going to require tough compromises on all sides and, unfortunately, few leaders are proving courageous enough to prepare their people for what lies ahead. To the extent that we fail to spell out the hard facts, we risk becoming accomplices in this dereliction of duty. The people of Serbia and Montenegro must recognize that holding onto Kosovo would be an act of willful sabotage against the future of their country. Generations of Serbs stand to reap enormous benefits from closer ties to NATO and the European Union and that will be possible once the Serb war crimes at The Hague are concluded and Kosovo no longer serves as a drag parachute on Serbia's future.

In stark contrast, Serbia, I believe, will find a future of frustration and isolation if it persists in clinging to the territorial artifacts of its bloody past. Serbia does not have the political stature or practical ability to govern Kosovo. It is time for the Serb leaders, in my view, to publicly acknowledge that reality and to stop obstructing progress in Kosovo. Once that happens, I believe it will be easier to address Belgrade's legitimate interests, such as the protection of Serbian heritage sites and minority populations.

At the same time, the people of Kosovo must understand that a successful outcome to the negotiation process will be virtually impossible unless they and their leadership display substantial flexibility, restraint, and a maturity that I am not certain exists. Unfortunately, many Kosovar Albanians have come to believe that negotiation is a four-letter word. They are wrong. Independence for Kosovo, when it comes, will come because of Kosovars' willingness to seek compromise, not in spite of it.

As a community that spent years as an oppressed minority, Kosovars should be doubly receptive to the concerns of their own minorities. Serb cultural ties to the area and concerns over the safety of Kosovo's Serb population are not legitimate grounds for governing Kosovo from Belgrade, but these concerns must be recognized and respected. They are absolute legitimate concerns for Belgrade and should be concerns for all of Kosovo.

Lastly, Kosovo's large international community should be working overtime to make sure that the Kosovo which emerges from the status talks is in the best possible shape. That is going to take a lot of effort. The economy is stagnant, organized crime and corruption are rampant, and the Serb and Albanian communities remain largely estranged. Those issues will not be resolved before Kosovo's status is decided, but UNMIK and relevant NGOs need to use every ounce of capacity they have now in order to ameliorate these problems before there is an agreement on Kosovo's final status. The long-term success of any status agreement may depend on their efforts as much as anyone else.

Mr. Chairman, I realize that I used some strong words today, but the stakes in Kosovo are too high to risk failure account of politeness. Notwithstanding the challenges ahead, I am optimistic about the future of Southeast Europe and I look forward to the time when the only hearings this committee convenes on the Balkans relate to how we can cooperate with the region's thriving democracies to address problems elsewhere in the world, and I really believe we can get there.



Pristina is one of the few Muslim cities in the world where the United States is not only respected, but revered. As my son said: "Dad, in Kosovo they're naming streets after American Presidents and diplomats. Where else in the world is that occurring?" If we get Kosovo right, Muslims around the world will be reminded how the United States came to the aid of Kosovo's Muslim population, helped them build a strong, independent, multiethnic—emphasis, multiethnic—democracy. That would be a great story, and it is a story that needs to be told. But it will not happen without a lot more work on the part of the Kosovars, the Serbs, as well as the international community.

Mr. Chairman, I look forward to discussing the task before us with our witnesses, two of the most prominent men in this area in the country. As the title of this hearing would suggest, I look forward to finding a way forward in Kosovo.

The CHAIRMAN. Well, thank you very much, Senator Biden.

Senator Hagel, do you have an opening comment?

Senator HAGEL. No opening comment.

The CHAIRMAN. Senator Voinovich, you have long been involved in this area and I know that you have a statement for us.

**STATEMENT OF HON. GEORGE V. VOINOVICH, U.S. SENATOR  
FROM OHIO**

Senator VOINOVICH. Thank you, Mr. Chairman, for holding this hearing and thank you for the opportunity to make some opening remarks, because, as many here today may know, the future of Southeast Europe is an issue that is very near and dear to my heart. I suspect that I have spent more time over there than any Member of the Senate. I visited Kosovo four times since the end of the war with Serbia in 1999 and I have followed the Balkans for most of my career.

What happens there is crucial to our national security and peace in the world. I cannot tell you how important it is to me that our administration continues to pay close attention to this part of the world and lead it on a path to peace, stability, and prosperity.

I want to, as I say, thank you for holding this hearing. It is timely, as you mentioned, because the status talks are going to begin. I would like to also thank the chairman and the ranking member of this committee for cosponsoring my resolution on the future of Kosovo and for helping me get it passed in the Senate. I particularly appreciate Senator Biden's support of that because I know how closely he has been watching the situation there in Kosovo.

Under Secretary Burns, thank you for your leadership on this issue and for coming to speak to us today. I could not be more delighted with the team that Secretary Condoleezza Rice has put in place to deal with the important issues in Southeast Europe: Under Secretary Nick Burns, with whom I have worked closely during his time as Ambassador to NATO and who knows these issues very well; Assistant Secretary Dan Fried, who brings vast experience from the National Security Council and his strong diplomatic career; and Deputy Assistant Secretary Rosemary DiCarlo, who recently came to brief my staff on the situation in Kosovo. These are

people that really understand the region and are not going to have to be there for a year to figure out the nuances.

I know firsthand that the team gets it. They understand the history of the region, how fragile it is and how necessary it is that Kosovo gets the attention that it deserves.

I am also pleased that Kofi Annan has appointed Martti Ahtisaari to head the negotiations on Kosovo's future. Mr. Ahtisaari has a prestigious background as the former President of Finland and a highly regarded U.N. diplomat. I understand that Mr. Ahtisaari was one of the individuals who negotiated with Milosevic to end the fighting in Kosovo in 1999 and I believe his background should make him a good candidate to lead these negotiations.

Clearly, we have a great team and the next important step, of course, is for Secretary Rice to appoint the right individual U.S. envoy to help Mr. Ahtisaari get the job done. It sets the tone for a continued involvement in our commitment to Kosovo, its relationship with Serbia and Montenegro, and the future of Southeast Europe. U.S. leadership in this part of the world is both crucial to the region and to the credibility of the final outcome.

Since 1999, the United States has invested over \$817 million in Kosovo in the form of United States department assistance programs, billions more in United States tax dollars have been invested in the form of military operations and peacekeeping in Kosovo. Great investment. We must send a clear message to our partners in the international community, in the Contact Group, the EU, and throughout the region that we stand by our original commitments to Southeast Europe.

There is no doubt that many of us are disappointed with the progress rate in Kosovo and hope more would have been accomplished. Kai Eide issued a very fair report, citing the lack of progress in several critical areas, and I would like to read some quotes from the report: "With regard to the foundation for a multi-ethnic society, the situation is grim"; "Kosovo police and judiciary are fragile institutions"; "Property rights are neither respected nor ensured"; "Further progress in standards implementation is urgently required."

These are just a few quotes to highlight the fact that the situation is not ideal for status talks and it will call for an even greater commitment to see the situation through. I think, Mr. Chairman, that we ought to be very thankful that President or Prime Minister Kostunica, President Tadic, and Foreign Minister Durazkovic have all gotten together and agreed that they are going to be a team on this instead of doing their own thing. They understand that if this thing is not handled properly it could be exploited by the nondemocratic forces that exist in Serbia-Montenegro today.

I believe that we need to pay immediate attention to the fact that Kosovo continues to be unsafe for its minorities, their property, and their cultural sights. I recall that when I first met with Mr. Rugova and other leaders—at that time he was "Mr. Rugova"—and other leaders in Kosovo at the end of the war, I told them that Kosovo's future would depend on their ability to treat their own minorities in Kosovo the way that they had not been treated by the Serbs in the past.

Unfortunately, they did not take my words to heart, although I reiterated them to President Rugova on at least two other occasions: You treat people the way they did not treat you, you will end the killing of your children and grandchildren in the future and you will start a new chapter in Kosovo's history.

So we need to work on that. I believe it is absolutely critical that the international community act immediately to protect some of the cultural sites and the surrounding minority communities that are most likely to be the targets of destruction and violence in Kosovo. This is one of the suggestions made by Kai Eide and I believe it is one of the most important things that the people of Kosovo could do to build confidence at the outset of these negotiations. In other words, guarantee that the churches and cultural sites that are important to Serbia and Serbia's cultural heritage, and they are also cultural sites of Europe, that they are going to be protected.

I think that people have really not a full appreciation of the impact that the destruction of 30 churches, a year ago last March, had on the relationship between the Serb people and Kosovo, and I think it is really important that it be made very clear that those sites are going to be protected.

Another step that I believe is needed in the near term is to give the Kosovars more authority and hands-on experience in running their own institutions and government. It is no secret that UNMIK has been heavily involved in the process of developing these institutions, often to the detriment of the Kosovars. UNMIK has little credibility with Kosovo because there has been a strong—there have not been strong or palpable results. It is time to cut through the bureaucracy of UNMIK and give Kosovars more freedom to stand up for their own institutions.

Again, we need to let the Kosovars know that the future of Kosovo is in their hands. In turn, the Kosovars need to address the shortcomings of the Eide report and show that their intentions are to make Kosovo a better place by fulfilling the original standards of Resolution 1244. I hope that as the talks ensue there will be some firm benchmarks for achieving these objectives and agreed-upon metrics. I think it is really important that there be agreed-upon metrics as to whether or not progress is being made, so we do not start waltzing when we start to get reports on what is going on there.

In the meantime—and I will finish with this note. In the meantime, Mr. Chairman, it is extremely important that we hold out the prospect of EU and NATO membership to Macedonia, Albania, Croatia, Serbia, and Montenegro. I have long believed that membership in the EU and NATO is the common denominator that can hold the region together despite their borders and their history. I think Slovakia—bringing Slovakia and Bulgaria into NATO has really helped to stabilize that area.

I hope that discussions about EU and NATO membership will be accelerated in the next year. It is absolutely imperative that the EU understand that their hope for stability in the region depends on the prospect of EU membership for all of the countries in the region. Likewise, it is imperative that Serbia and Croatia make the greatest efforts to understand that Mladic, Karadzic, and Gorovina

have got to go to The Hague and that their refusal is standing in the way of their economic well-being.

Thank you, Mr. Chairman, for allowing me to make this statement.

The CHAIRMAN. Well, thank you very much, Senator Voinovich, for your statement and for your leadership in this area.

Senator MARTINEZ, do you have a comment?

Senator MARTINEZ. No, Mr. Chairman. Thank you for holding the hearing, but I have no comments.

The CHAIRMAN. Thank you.

Well, we appreciate—Senator Sarbanes, do you have a comment?

Senator SARBANES. Not at the moment.

The CHAIRMAN. Very well.

We are delighted that you are here. Your statement will be made a part of the record in full and you may proceed as you wish.

**STATEMENT OF HON. R. NICHOLAS BURNS, UNDER SECRETARY FOR POLITICAL AFFAIRS, DEPARTMENT OF STATE, WASHINGTON, DC**

Mr. BURNS. Mr. Chairman, good morning and thank you very much for inviting me to be with you today. It is a pleasure to see you and members of the committee again. I just wanted to thank all the members who spoke and for the comments that you made. I must say that I agree very much with what I just heard from you, Mr. Chairman, from Senator Biden and Senator Voinovich, first on the fact that we have had a successful Balkans policy for 10 years. For that, I think we have seen a lot of continuity between President Clinton's administration and President Bush's administration. We have to thank President Clinton and Secretary Christopher, Secretary Albright, the gentleman seated behind me, Richard Holbrooke, who did such a brilliant job negotiating the Bosnian Accords 10 years ago this month.

I know that President Bush and Secretary Rice believe that we now need a renewed and more energetic American policy to see remaining progress in the Balkans be made, specifically on Kosovo, also on Bosnia.

Could I also thank Members of Congress and specifically your committee and members here today for your leadership, because I remember the role that you played in the early days before Dayton in arguing that we should be involved in seeking peace there, and certainly the leadership role that Congress played in 1999 in arguing that the Clinton administration ought to go in and stop ethnic cleansing in Kosovo itself.

It is this kind of bipartisan leadership that we need here in Washington, we need in our foreign policy, and we have it in the Balkans. I think it is a great strength of our foreign policy in the region.

I also agree with what many of you said in that it is time to get on with final status talks. It has been nearly 7 years since we fought that war. The hopes of the Kosovo Albanians and the frustrations and hopes of the Kosovar Serbs are evident and they deserve a chance to define their own future. That is what these status talks will be all about.

Finally, I agree with all of you on the need for U.S. leadership. We have to be involved. We are an indispensable country in this equation in the Balkans, and, therefore, our troops have to remain and our diplomacy has to be very active.

That is the basis of what I wanted to say today, Mr. Chairman. I will not read my testimony. I just wanted to submit it for the record. But if I could make a few comments before we go to questions, I would appreciate your listening to those comments.

If you think about our policy post-1989, 1990, in Europe, both President George H.W. Bush and President Clinton and now President George W. Bush have had one common strategic objective, and that is to seek a democratic peace in Europe. There has been tremendous progress in seeking that final objective, but the Balkans is the last finishing piece to the puzzle.

So, in 2006 our administration believes that we have got to turn our attention to the final status talks. We have to be very active in trying to find a way to modernize the Dayton Accords in Bosnia-Herzegovina to create a single Presidency, a stronger Prime Minister, and to help those people break down the Berlin Wall that have separated them in that country for far too long.

As Senator Voinovich said, we cannot forget the past and the Balkans cannot really move on to have a democratic future with the European Union and NATO until the countries arrest Radovan Karadzic and Ratko Mladic. They were the architects of the greatest war crime in Europe since Nazi Germany at Srebrenica 10 years ago. And General Ante Gotovina of Croatia also has to be arrested, and the three of them have to face trial in The Hague for war crimes.

Until that happens, we cannot complete this last piece of the puzzle, we cannot help these countries become fully democratic or fully integrated into NATO or the European Union. That is a challenge for those countries.

As I said, Mr. Chairman, we are facing final status talks. In fact, those talks will begin in just a few weeks time. The Albanians and the Serbs of Kosovo are going to be given a chance to define their own future. You referred to the Kai Eide report. It is very clear, and the United Nations has concluded, that it is time to get on with these talks, that the period of time that we took over the last several years to try to help the parties meet basic standards of democratic governance, that has been time well spent, but we now have to get to the negotiations themselves.

We share your faith in Martti Ahtisaari, the former President of Finland. We think this is an inspired choice by Secretary General Kofi Annan. I met with President Ahtisaari last week. I hosted a dinner for him with members of the Contact Group. I can tell you he has the full support of the Russian Federation, of the European countries, and certainly of our Government.

He intends to put together a team in the coming weeks. He will be based in Vienna. He will probably make two trips before Christmas to the region to begin these talks. Then he thinks in January 2006 the most intensive phase of these talks will begin.

The United States believes that we also need to have an envoy who will assist. Now, President Ahtisaari will be in the lead representing the United Nations. But the credibility of the United

States is such and, frankly, our political weight is such in that part of the world that we believe an American envoy must also be present to assist President Ahtisaari.

I know that the President and Secretary Rice are very close to naming that envoy. I wish I could tell you the name of the person today, but the final decision has not been made. But when it is, I know that that person will want to come up here to the Congress and speak with you and get your advice on the road ahead.

Mr. Chairman, it might be useful just to define the basic elements of what we think a settlement could be. Senator Biden talked about this. Essentially, if you think about what happened over the last 6½ years, we fought a war to prevent ethnic cleansing. That war ended successfully for NATO and the United States, and then the United Nations passed a resolution effectively saying that at some point there had to be a political process to define Kosovo's future. We think that it is now time to answer the question from Resolution 1244 of June 1999: Will Kosovo be an independent state or will it continue under Serb rule with a greater measure of autonomy?

Those are the two basic options that Kofi Annan posed 2 weeks ago when he said it was time to go to final status talks. That is going to be the fundamental argument that these two sides have, and it will surely be an argument, when they sit down together.

We think it is appropriate, but I would be very happy to talk further with Senator Biden and others about this, we think it is appropriate that the United States, at this point, not support a specific outcome to these talks. It is very important that the parties themselves define their own future and answer that question that was first asked back in June 1999: What will the future of Kosovo be?

But we do have some views, and our views are that the basic facts of Kosovo today have to help inform the final outcome. Ninety percent of the people who live in Kosovo are ethnic Albanians and they were treated cruelly, even viciously, by Slobodan Milosevic. They certainly deserve to live in peace and security. The Kosovar Serb population, unfortunately, has been dwindling. There is a net outflow of Kosovar Serbs from the province and that is continuing this very day. But they need to be assured that they have a future in the province and, as Senator Voinovich said, that their church and religious and patrimonial sites are going to be respected.

I visited a Serb family in Obilic in Kosovo in June of this year, and they are people who came and made a home in Kosovo 45 years ago. These are elderly people. Their homes were burned down in March 2004 by an Albanian mob. Those homes were rebuilt with the assistance of the United States and the European Union, and the people have moved back in. I went to them and I said: Why are you staying if you feel that you are surrounded now by the Kosovar Albanian community? They said: This is our home. We built our lives here. We raised our children here.

There are a great number of Serbs who want to stay in Kosovo if they feel that their rights can be protected and if they feel that they are not going to be subject to the kind of attack that we saw just a year and a half ago by a mob of Kosovar Albanians.

So I think that is the fundamental question that we have to weigh. For the Kosovar Albanians, they have to prove to us, the international community, that they can govern democratically, that they can govern effectively, and that they can design a future Kosovo that will protect the rights of the minority population.

For the Kosovar Serbs, they have to make a commitment to stay, and the government in Belgrade of Serbia-Montenegro has to allow them to participate in the political process. You know, the Kosovar Serbs cannot sit in the Kosovar assembly because Belgrade has told them not to. They did not run in the last elections.

When I sat down with President Tadic and Prime Minister Kostunica 3 weeks ago in Belgrade, I said: With all due respect, and we are just outsiders looking into your political reality, we think it has been a major miscalculation to essentially have the Kosovar Serbs boycott the entire political process. They have ceded the ground politically to the majority population. The views of the people are not being represented in the political institutions that we helped to establish.

So there are challenges on both sides of this equation as they sit down together. The Kosovar Albanians, led by Dr. Rugova, who is a very courageous man and unfortunately ill as we speak, they have established a Team of Unity, and that Team of Unity has now to prove its name. Will it be unified? Will all those various political leaders on the Albanian side be able to sit down together, subordinate their personal and political rivalries and negotiate one position for the future of the country? They want independence. They have to prove they are worthy of it. The Kosovar Serbs have to prove that they are willing to stay and be part of that community.

That is how we see the elements, at least the political dynamics, of this negotiation. But it is very important that certain principles be upheld as well; the principles of return of refugees, of decentralization, of respect for minority rights. We do not see partition in the future. We do not see the creation of some kind of greater Albanian state in the future. Those principles will be important for all of these parties to recognize.

So, Mr. Chairman, as we look ahead—and I want to make sure that we leave lots of time for questions and for members to speak—those are the political dynamics and some of the questions that we think are very important. Could I also say, Mr. Chairman, that on the question of Bosnia-Herzegovina, Secretary Rice is going to be hosting a 10th anniversary commemoration of the Dayton Accords on November 22. We are inviting the political leadership of Bosnia-Herzegovina to Washington and we have challenged them to say that they will commit themselves to a political process that will break down the remaining ethnic divisions left in place necessarily by the Dayton Accords.

Can they now look toward a more ambitious vision of their own country by establishing a single state with a single Presidency, a stronger Prime Minister, and a stronger Parliament? Can they commit themselves to arresting the war criminals who are still at large 10 years after the massacres? Can they commit themselves to police reform and implementing defense reform?

We think those are important goals and we hope they will come on the 22nd and pledge their unity on those issues when they meet

with Secretary Rice. She also will be inviting a large number of members of the team who put the Dayton Accords together to a ceremony and a lunch, and, of course, Members of Congress, to commemorate what we did as a country, the United States, so effectively 10 years ago and that is to provide leadership in the Balkans.

I would just conclude, Mr. Chairman, with one story from my last trip to the region. In Sarajevo, Pristina, and Belgrade, I met with young people at every stop. In each of those places, these young students—they were Bosniacs and Croats and Serbs in Sarajevo and they were Muslims and Christians in Pristina and they were young Serb students at the Faculty of Economics in Belgrade—they all said to me: We want to see a multiethnic future for our region; we want to overcome the divisions that our parents put into place when Yugoslavia splintered.

I was struck by their message because these were very different kids in three different places; I was also struck by the fact I did not hear that message from the political leadership. I did not hear it at all. They were not preaching tolerance of minority rights, at least not in a convincing way, in every meeting that I had. They were not saying that the only way forward in Bosnia, Kosovo, and Serbia was multiethnicity. But these young kids were, and I was struck by that and I thought that was a great message and a hopeful message for a trip that was an otherwise very difficult trip, filled with difficult negotiations.

But I want to assure you and the Congress our administration is dedicated to adding American leadership, American energy, American diplomatic creativity to this Kosovo final status talks and to these other questions, and we will rely upon the help and advice of the Congress as we go forward.

Thank you.

[The prepared statement of Mr. Burns follows:]

PREPARED STATEMENT OF R. NICHOLAS BURNS, UNDER SECRETARY FOR POLITICAL AFFAIRS, DEPARTMENT OF STATE, WASHINGTON, DC

#### INTRODUCTION

Mr. Chairman, distinguished Senators, it is a great pleasure for me to appear before you once again today to speak about our hope for a final peace in Kosovo and our broader American policy in the Balkans region. I addressed the House of Representatives on these issues in May of this year, and I am pleased to have another opportunity to discuss this important subject with Congress.

President Bush and Secretary Rice have directed a renewed and energetic U.S. effort to bring peace and security to this troubled region. After a decade of conflicts which had a devastating impact on every part of the former Yugoslavia, after hundreds of thousands killed and left homeless, we are, at last, seeing real progress on undoing the evils of the 1990s. United States policy is designed to point the countries of Southeast Europe toward a democratic future as part of NATO and the European Union.

Since the end of the cold war, three American Presidents have had one overarching strategic ambition in Europe—to seek a democratic peace by unifying the continent in freedom. The Balkans are the finishing piece to this puzzle. That is why we must use 2006 to attain a final status for the long-suffering people of Kosovo, and to help Bosnia-Herzegovina modernize the Dayton Accords by building a more integrated state with a stronger central government. It is why we must send the despicable war criminals—Radovan Karadzic, Ratko Mladic, and Ante Gotovina—to The Hague, as they are responsible for Europe's worst human rights abuses since the Nazis. It is why what happens in the Balkans matters to our coun-



try and why we must use our diplomatic power and ingenuity to help the people of the region chart a new future.

As the history of the last 15 years has demonstrated, the United States has an abiding interest in the Balkans. Thousands of our finest diplomats and soldiers have spent years trying to build a peaceful future there. America and Europe have worked well together—in the 1990s, we ended the wars in Bosnia and Kosovo, and our troops have since kept the peace in both places. In 2004, NATO successfully concluded its historic peacekeeping mission in Bosnia. We have also worked intensively with all the countries of the former Yugoslavia to prepare them for eventual NATO and EU membership. Without stability in the Balkans, we will never see a united, peaceful Europe that can be a true partner for the United States in promoting democracy throughout the world. It is now time to finish the job.

The Balkans region will not be stable, however, as long as Kosovo remains in a state of political suspended animation. The history of the past decade tells us that the United States is indispensable to stability in the Balkans. We must continue to play this key role as we look to support the process that will determine Kosovo's future status. We also look forward to continued coordination with Members of Congress, noting the valuable support Senators and Representatives, including most notably members of this committee, have given to our efforts.

Two thousand six will be a crucial year of decision for Kosovo and the Balkans. The U.N.-sponsored Final Status Talks will begin in a few weeks time, and after more than 6 years of U.N. rule, it is time for the people of Kosovo—Albanian and Serb alike—to be given a chance to define their future. Our partners in the Contact Group—the European Union, France, Germany, Italy, Russia, and the United Kingdom—agree with us that the status quo in Kosovo is neither sustainable nor desirable. Earlier this year, the United States led the way to convince the United Nations to initiate a review of its standards, conducted this summer by Norway's able Ambassador to NATO, Kai Eide. The report concluded that further progress on these issues is unlikely until there is greater clarity about Kosovo's future status. U.N. Secretary General Kofi Annan recommended beginning negotiations to determine Kosovo's future status, a recommendation the Security Council endorsed on October 24. Secretary General Annan has announced his intention to nominate former Finnish President Martti Ahtisaari as the U.N. Special Envoy to lead the process. He is, in our view, a superb choice: An experienced and resourceful diplomat who commands broad respect in the international community.

The Secretary General's actions have begun the process that will lead to an internationally recognized future status for Kosovo. I hosted a meeting of the Contact Group with President Ahtisaari in Washington last week to kick off these efforts. We expect President Ahtisaari will begin his work as soon as the Security Council endorses his nomination this week. The United States will very soon name a senior American envoy to assist in the negotiations and be ready to bring U.S. credibility and influence to bear when and where it can help to promote a settlement.

We understand that diplomatically, this will be tough going. The parties to the talks—the Kosovar Albanians, Kosovar Serbs, and the Government of Serbia-Montenegro—will see their vital interests at stake. We expect them to participate constructively and to restrain more extreme groups from using violence to gain political ends. Although we will be working for a peaceful settlement, NATO troops will have to be ready to defuse potentially violent situations.

#### ELEMENTS OF A SETTLEMENT

After NATO fought and won the 3-month Kosovo war in 1999, we then passed U.N. Security Council Resolution 1244 which called for "facilitating a political process designed to determine Kosovo's future status." That resolution left open the question of what that status would be. Nearly 7 years later, it is time to answer that question: Will Kosovo, in the future, be independent or will it continue under Serb rule with a greater measure of autonomy?

The United States will not support a specific outcome at this stage. It is important that we and our allies remain neutral, because the future of the province is the sole responsibility of the Albanian and Serb people of Kosovo and the Government of Serbia and Montenegro. But the final result should respect the basic facts of Kosovo today—90 percent of the people are ethnic Albanians who were treated cruelly, even viciously, by the government of Slobodan Milosevic. They deserve to live in security and peace. The Kosovo Serb population also needs to be assured that they have a future there and that their churches and patrimonial sites will be respected.

The negotiations will be difficult. Serb and Albanian positions are likely to be mutually exclusive, held with deep conviction and infused with nearly 1,000 years of

history. Kosovo Albanians insist that they can only be secure if they are independent of Serbia. Serbs have promoted a future of "more than autonomy, but less than independence" as the most they could support.

There is, however, potential for common ground. The aspirations of Serbs, Albanians, and Kosovo's other ethnic groups are alike in that they all want a future in which they can live secure lives, participate in democratic government, and enjoy economic opportunity. There is already agreement that Kosovo will be self-governing in some form, that it will also remain multiethnic and will protect the cultural heritage of all its inhabitants. The United States will continue to work to ensure these concepts are incorporated into Kosovo's future status, because to make a political determination without these principles would leave the door open to future conflict and put at risk the war we fought to prevent ethnic cleansing and the strenuous efforts our diplomats and soldiers have made to keep the peace.

As with any process of negotiation, neither side will get everything it wants. To reach a lasting result, both will sometimes be required to make compromises that may seem to violate important interests in the cause of peace. In Kosovo, we face an unprecedented challenge of trying to build stability after a NATO intervention led to the end of government structures that had served to repress, rather than protect, the majority of the population. For 6 years, the United Nations has exercised the functions of a government, but, as foreseen by U.N. Resolution 1244 in 1999, the time has come to enable Kosovo's people to govern themselves consistent with the outcome of the status process to come.

Mr. Chairman, the United States and its European allies have decided on several guiding principles that must shape the process of determining a future status for Kosovo and guide the work of the Special Envoy. We have made clear that a return to the situation before 1999 is unacceptable and that there should be no change in existing boundaries of Kosovo, and no partition. Other principles for a settlement include full respect of human rights, the right of refugees and displaced persons to return to their homes, the protection of cultural and religious heritage, and the promotion of effective means to fight organized crime and terrorism. The Contact Group agreed to exclude those who advocate violence and that, once begun, the status process must continue without interruption.

We will ensure that the result of the process meets three key criteria:

- First, it must promote stability not only in Kosovo, but throughout Southeast Europe.
- It must also provide full democratic rights for all people, especially minorities.
- Finally, it must further the integration of the region with the Euro-Atlantic mainstream.

The United States must remain committed to continued involvement in Kosovo as a status agreement is negotiated, because we have too much invested in Kosovo and the Balkans to risk failure by withdrawing prematurely. This is where the United States, through its participation in the NATO forces in Kosovo, has made a great contribution. U.S. forces, including National Guard contingents from several states, have been essential in deterring conflict, and they have made extraordinary contributions to the communities in which they serve. Our troops have maintained security in a tense and sometimes violent environment. They have volunteered to help build schools, establish clinics, and have cemented strong ties between the people of Kosovo and America. Even after a determination of Kosovo's future status is made, we will remain committed to peace and stability there. As long as a NATO force is required, the United States plans to be part of it.

The United States currently has 1,700 troops in KFOR, down from a high of nearly 6,000 in 1999. During the past few years, we have been able to decrease gradually the level of NATO forces and we hope to make further reductions in 2006 as NATO shifts to a task force organization championed by Supreme Allied Commander General Jones.

#### OUR MESSAGE TO KOSOVO ALBANIANS

The United States has high expectations for both Serbs and Albanians as we begin the status process. I want to use this opportunity to repeat our messages to them.

In October I met with the Kosovo Albanian Team of Unity, established by President Rugova to lead talks. The challenge for the Kosovo Albanian community is for this team to live up to its name. As late as last week, there were troubling signs that Kosovo Albanian leaders are anything but unified. In my two trips to the region since June, my strong and repeated advice to them has been to put aside their political and personal differences. If Kosovo Albanians aspire to independence, this is their greatest opportunity to make the case to the world that, should they become

independent, they will be able to govern effectively and in a way that promotes stability in the region.

I made clear to them that independence must be earned. First, Kosovo must continue to develop a functional, democratic government that can safeguard the rule of law. Second, there must be generous provisions for the security of minorities, including decentralized authority. Finally, Kosovo must be able to assure its neighbors that it will not export instability. The U.N. standards define the goals Kosovo should achieve in preparing for self-government. Kosovo's progress in implementing these standards will be the ultimate measure of how well it makes its case.

I also urged the Kosovo Albanian leaders to be ready to compromise. Finding the right balance between majority rule and minority rights is never easy, but it must be done. To the south, Kosovo's Macedonian neighbors have made important progress in addressing the concerns of their Albanian minority—progress that could provide some useful examples as Kosovo deals with the similar concerns of Serbs and other minorities.

Kosovo leaders should act now to create a positive environment for the status talks and make a convincing case that there would be a secure future for minorities should Kosovo become independent. They should announce that decentralization of government will be pursued throughout Kosovo, and that ethnic interests will be given consideration in drawing municipal boundaries. NATO acted in 1999 to prevent the ethnic cleansing of more than 1 million Kosovo Albanians and it would be a tragic irony if Albanians themselves now tried to inflict a policy of retribution and intimidation against their Serb minority. The United States and its allies will simply not tolerate such an outcome. They should also apprehend and punish those responsible for hate crimes committed against minorities in March 2004. They should state publicly that the independence they seek is only for Kosovo, without any changes to its present boundaries. No country, including the United States is prepared to support an irredentist "Greater Albania" or an independent Kosovo that aspires to exceed its present borders.

If Kosovo leaders want to present themselves as worthy of independence, they must stop all acts of violence and intimidation against minorities. Those responsible for such acts must understand that they are actually undermining the goals which they profess to support.

I warned them that an attempt by either side to use violence as a political tactic during the negotiation will be put down swiftly and firmly by NATO. Whatever the settlement of Kosovo's political status, it must remain multiethnic, and Serbs and Albanians need to work to create conditions under which they will be able to live together peacefully.

In June, I visited a Kosovo Serb family near Pristina. They had recently returned after being forced to flee and having their home destroyed in the March 2004 violence. This brave Serb family continues to have concerns for security and their future prosperity in Kosovo. Though their home had been rebuilt, their situation was still difficult. The Kosovar Albanians must make Serb families like this feel welcome and secure as a result of the settlement.

#### OUR MESSAGES TO THE SERBS

The Kosovo Serb community, and indeed the Government of Serbia and Montenegro, must also assume a heavy share of responsibility for successful negotiations. When I met with Kosovar Serb leaders in October, I urged them to become more involved politically in Kosovo itself. Serbs have told me they would prefer local autonomy for themselves in Kosovo. If this is so, it is in their own interest to participate in the institutions of local government that will be responsible for a future Kosovo. By refusing to participate in elections and in the Kosovo Assembly, Kosovo Serbs are missing a chance to have a say in Kosovo's future.

Belgrade must also help Kosovo's Serbs ensure that they will have a place in whatever political structure emerges. I told Prime Minister Kostunica that his government's policy of having Serbs boycott elections and participation in the Kosovo Assembly has been a major miscalculation. The Serb community is losing political influence in Kosovo and there is now a net outflow of Serbs. As Kosovo will remain multiethnic, it will retain important connections with Serbia regardless of its political status. Many Kosovo Serbs will remain citizens of Serbia in any case and will need access to Serbian Government services. Many important Serbian cultural sites, including some of the most historic Serbian Orthodox churches, are located in Kosovo. The Serb Government will have to look for means to cooperate with a future Kosovo to preserve these cultural treasures. Belgrade will also want to engage in a discussion of security issues to ensure that settlement of Kosovo's status does not undermine the fragile stability of the region.

Whatever Kosovo's future will be, Belgrade can best protect the interests of Serbs by encouraging them to participate in politics and begin to integrate themselves with their Kosovo Albanian neighbors.

#### OVERALL AMERICAN ENGAGEMENT IN THE BALKANS

Mr. Chairman, while Kosovo's future status is the most serious issue to be resolved in Southeast Europe in 2006, there are three other issues that will also be important to building the stability and peace we seek for the region.

First, there will be no real peace in the Balkans until the countries of the region bring the most notorious war criminals to justice. Ten years after the massacre at Srebrenica, the two Serb leaders directly responsible remain at large. In Belgrade, I emphasized that those of us who are friends of Serbia want to see it shake off the remaining burden of the Milosevic era and take its rightful place as a European country, and keystone of stability and prosperity in the Balkans. The United States has been clear that Belgrade must comply with its obligations to the International Criminal Tribunal for the Former Yugoslavia. Until the government turns over indicted mass murderer Ratko Mladic to the Hague, the United States, will not agree to Serbia and Montenegro's participation in NATO's Partnership for Peace. The Serbs are making efforts to hold those accountable for crimes, but they must do more. Of course, the United States also remains determined to see Radovan Karadzic and Ante Gotovina brought to justice in The Hague, and we will continue pressing all concerned parties to see justice done.

Beyond a settlement in Kosovo and the arrest of the remaining war criminals, there is another diplomatic hurdle to a peaceful stable Balkans region in the future: A more unified Bosnia-Herzegovina. Ten years ago this month in Dayton, OH, the United States negotiated an end to the brutal war in Bosnia and Herzegovina. This was a remarkable diplomatic achievement by President Clinton, Secretary of State Christopher and its principal architect and negotiator, Richard Holbrooke. The Dayton Peace Accords have provided the foundation upon which the people of Bosnia and Herzegovina have rebuilt their country and their lives. The Accords have allowed over a million people to return to their prewar homes. On November 21-22, Secretary Rice and the Bosnia-Herzegovina leadership will commemorate the 10th anniversary of the Dayton Accords in Washington, DC, Secretary Rice will note the extraordinary progress that has been made but also focus on the efforts that still need to be made for Bosnia and Herzegovina to become a fully democratic country.

The Dayton Accords were never meant to be set in stone. The people of Bosnia and Herzegovina have already recognized the need for reform if they are to join NATO and the European Union. Just before my visit to Sarajevo in October, the Bosnian Parliament voted, overwhelming, to create a single, unified army and Defense Ministry—for the 10 years since Dayton, there have been two of each. They also agreed on the need to reform their police institutions consistent with EU standards, which has enabled the European Union to recommend launching negotiations on a Stabilization and Association Agreement with Bosnia-Herzegovina this year.

When the Bosnian leadership comes to Washington in 2 weeks, we will be asking them to embrace an even more ambitious vision—erasing major political divisions by agreeing to a single Presidency, a stronger prime ministership and a reformed Parliament. When the Bosnian war stopped in November 1995, the ethnic divisions in the country were frozen in place. It is now time to remove the Berlin Wall of separation between Bosnians and strengthen the institutions that will make Bosnia a true unified state in the future.

There is another issue that demands our attention in the Balkans, the status of Montenegro. The United States supports the Belgrade Agreement and the Serbia and Montenegro Constitutional Charter: Documents that present the opportunity for either republic to hold a referendum on leaving the state union. The United States will support whatever solution the two republics agree on through democratic means, whether that is union or independence. Montenegrin officials have indicated their desire to hold a referendum in 2006 on independence. I told President Djukanovic last month that any referendum must be held peacefully, and as the result of a process that all sides accept as legitimate. The overarching U.S. goal is reform and progress toward Europe for both Serbia and Montenegro, in or outside the state union.

#### CONCLUSION

The people of the former Yugoslavia suffered through a decade of conflicts brought on by corrupt and cynical leaders who put their own power, greed, and ethnic hatreds ahead of the interests of the people. From the ashes of the wars of the 1990s there is now new hope emerging. In my October visit to Sarajevo, Pristina,

and Belgrade, I made a point of meeting with students in each city who will soon be the leaders of their countries and I found these meetings to be extraordinarily encouraging. In Sarajevo, we met with young Serbs, Croats, and Bosniaks who are working together to break down remaining ethnic differences. In Kosovo, I met with extraordinarily courageous high school students from Mitrovica. These Serbs and Albanians, separated by the physical bridge dividing their communities, are trying to create a virtual bridge of computer networks to unite them. I met with young Serbs at the Faculty of Economics in Belgrade who did not hesitate to express their commitment to justice, peace, and democracy for Serbia and the region. I was struck by the fact that in each of these three meetings, in three different places, these students, of all the people we met, were the most courageous in putting forward the proposition that people of different faiths and nationalities should be able to live together in the Balkans of the 21st century. I didn't hear this message from the political leaders, but I heard it loud and clear from the younger people. I hope that their vision and their vision of a more just and peaceful region will come to represent the future for Kosovo, for Bosnia-Herzegovina, and for Serbia and Montenegro.

Mr. Chairman, thank you for the opportunity to speak with you today. I look forward to taking your questions.

The CHAIRMAN. Well, thank you very much, Secretary Burns, for your testimony.

The Chair will ask that we have a first round with 8 minutes so that members can have questions and answers. Of course, we want to respect the fact we have a distinguished witness still to come and questions of him in due course.

I will begin the questions, Secretary Burns, by combining a two-pronged question. The first part is, who should be at the table? In other words, should the Serbs represent themselves, the Kosovar Serbs, as opposed to being represented by Belgrade, or should there be some understanding of who is going to represent the interests of whom there?

Second, after they get seated at the table, Serbian leaders generally have indicated that independence for Kosovo is a nonstarter, as I mentioned in my opening statement, but, nevertheless, a fair number of Kosovar Albanians maintain they will accept nothing less than independence. Can you sketch roughly how these talks are likely to go, what sort of threads there are to work with, given positions that seem to be highly polarized?

Mr. BURNS. Thank you, Mr. Chairman.

First, I think you have asked the most pertinent political question and that is who is going to be party to these negotiations. It is still a little bit unclear. I have made two trips to the region in the last 4 months and in both of my trips, including the one most recently 3 weeks ago, it is clear to me the Kosovar Albanians will be there. Now, their challenge is to be unified and not to have a repetition of Rambouillet, when we saw four or five positions emerge from one delegation. We have told them that that is their great challenge if they want to achieve independence, to show that they have a unified political slate.

The other party at the table will be the Government of Serbia and Montenegro, obviously, because the big question is, Will Kosovo remain part of that state, perhaps with greater autonomy, or will it achieve independence from it?

The third party is the one where I think we are not quite sure how things are going to work, and that is the Kosovar Serb population. I met with some of the Kosovar Serb leaders in October. A lot of them would like to be at the table independently to represent themselves. Others have even suggested it might be good to have

a united Kosovar team, Albanian and Serb together. I think the majority would say they probably ought to sit with the Serb and Montenegrin Government of Prime Minister Kostunica.

But it is a little bit unclear what the configuration of that table is going to be, and we told President Ahtisaari last week that will be one of his first challenges.

I think, Mr. Chairman, you have asked another very good question. Your second question is, How is this all going to work? I think we assume that the international community, President Ahtisaari, the United States, the European Union, will have to be very actively engaged. While he will likely start with a few trips to the region in order to meet people and lay down some of the guiding principles for the talks, it is fairly clear to us that international ideas, options that we would put on the table as part of the international community, are going to be helpful to them in framing the choices that they have and also framing the kind of compromises they are going to have to make as they get closer.

I was struck by something else in both Pristina and Belgrade. I told the Kosovar Albanian Team of Unity that they had to compromise. Senator Biden suggested this as well. They looked at me as if I had said something surprising. I said I could not see them attaining their objective without some compromise.

They have to assure the minority population there is a future for that minority population. They have to assure them that their historical sites and churches are going to be respected. That was not the case a year and a half ago in March 2004.

One of the questions will be, If there is going to be a new state, should it have a military? I think most people would say probably not. We are probably going to have to see a period of time, whatever the outcome is, for NATO to provide security on the military side and for the United Nations to provide some kind of civil administration. Most people believe that the negotiations are going to focus on those issues.

Let me just say, I failed—I should have mentioned this in my opening testimony. We are very proud of what American forces have done in Kosovo. We have 1,700 Americans there. They are mainly from National Guard contingents, currently from California. They have done a great job providing security. They are also rebuilding schools. They are reaching out to the community. We can be proud of them.

The American commitment here to keep our military forces in place through these negotiations is going to be very important.

The CHAIRMAN. Secretary Burns, you have mentioned potential roles for perhaps NATO and even the United Nations. What would be the role of the European Union in the event that negotiations progress toward some semblance of a future for the area? Do you believe the European Union will take a leading role in this situation and offer some continuity in the future, or what do you see the EU doing?

Mr. BURNS. Thank you, Mr. Chairman. I do think the European Union intends to play a very vigorous role here. First of all, at the end of these negotiations we hope that Serbia and Montenegro is going to be pointed toward future membership in the European Union. If they can arrest Mladic, we said we would accept them

into the Partnership for Peace in NATO the next day. Certainly, looking far into the future, we see Serbia and Montenegro as the keystone state in the Balkans and we want them to be a member of NATO and the European Union.

So I think as the Serbs sit down to calculate their interests at these negotiations, they need to see the result as serving this interest of EU membership in the future, NATO membership in the future. If they negotiate in the right way, in a constructive way, and if they are able to compromise themselves, I think that is one of the great advantages for them.

For the Kosovars themselves, it is to find a way forward toward self-governance, greater self-governance, and it is to figure out this question of minority rights balanced by what the majority wants.

So I do see the negotiations focusing on those questions. The EU has been a major contributor of economic funds for development. European troops are the majority of troops in the NATO force and will remain so. The Americans are a slim minority of the force. So we do count on the active involvement of the European allies.

The CHAIRMAN. Hypothetically, is it conceivable that Kosovo could, in due course, become a member of the EU or NATO? This leaps ahead, I suppose, on the independence question or what the status may be, but is the state large enough? Is it doable? As you are offering incentives for the Serbs and Montenegro, what do you offer to the Kosovars?

Mr. BURNS. I think we will have to see what the outcome of the negotiations is. If the outcome is of an independent state, then, obviously, it should be, in my view, in the interest of both NATO and the European Union to see all the states of southeast Europe and the Balkans as tied to, associated with, both NATO and the European Union. The American view is—we are a member of only one of these institutions—that NATO's door should remain open and that our strategic aim—and this has really unified President Bush 41, President Clinton, and President Bush 43—should be to see all of Europe democratic, peaceful, united, and that these two institutions, NATO and the EU, should be the pillars of this community.

So, yes; no state is too small to come into NATO. Iceland has 280,000 people; they are a member of NATO. Luxembourg has 375,000 people; they are a member of NATO. Both are charter members of the NATO alliance.

So part of what we have been saying to the parties, the Europeans and the United States Government, is if you negotiate constructively, if you are fair to the other partner, if you look at this as a win-win for both parties, your future can be association with the EU and NATO itself.

The CHAIRMAN. Thank you very much.

Senator Biden.

Senator BIDEN. Mr. Secretary, I am not being solicitous when I say I am delighted, as my friend from Ohio said, that the administration has the team it has in place here, number one.

Number two, I do not disagree with anything in your construct as you laid out how to view this. I would like to focus on two things that do not lend themselves to clear answers, but maybe you could give me your instinct. It seems—when I was a kid in grade school, I was taught by the nuns. Every once in a while I would inappro-

privately—I know this will shock everyone—intervene in a dispute that was going on among my classmates and be told that I should stay after school for having done so.

The nuns used to make you write on the board 300, 200, 500 times, while they were cleaning up for the day, some saying. One I used to have to write quite often, when I would say: But, sister, I was—she would say: Joey, everyone can solve a problem except he who has it. That is the one I used to have to write 500 times.

It seems to me that the path for the Kosovars, as well as Serbs within Kosovo, as well as Serbia, is pretty clear if you were to just sit down and analytically look at it. It is in everyone's interest, if, in fact, Belgrade does not insist upon, would support independence, and it seems it is, obviously, in everyone's interest if, in Pristina, the judgment was made there would be ironclad guarantees for minorities. It seems that that would open the door for both countries in ways that would provide a much, much, much more promising future for both countries.

But I understand 800 years of history or longer and it is difficult. So my first question is—and it is going to sound, it will sound somewhat naive. There has now been a passage of time since the open and direct conflict. Do you get a sense that there is any softening at all on the part of the leadership, not the young people, on the part of the leadership, or a recognition that there are greener pastures if they yield on some things that were unthinkable to think about yielding on a couple years ago?

I mean, has time made this more difficult or has time opened up additional opportunities for people to think somewhat differently about it? I realize that is a very, very broad question and maybe does not lend itself to a clear answer. But what does your instinct tell you?

Mr. BURNS. Thank you, Senator. I think it is a very good question because it really underlines the psychological elements of the situation there and of any outcome.

I think that the 6½ years that separate them from the Kosovar war on the attempted ethnic cleansing of 1 million people, I think they have served to gradually bind up some of the wounds. There are people in Kosovo on the Serb and Albanian side arguing for a multiethnic society. There are Serb leaders—President Tadic is one of them, the President of Serbia, who is arguing for tolerance and arguing for a sense of modernity as the Serbs look at this question, and it is good to see that. But I must say there is too little of it. There is too little of it.

When I sat down with Team of Unity, the five leading Kosovar Albanian politicians, not only were they arguing amongst each other, but they were not really willing at this point even to sit down face to face with the Serb leadership.

Senator BIDEN. Let me ask you a second question. I am of the view, because I think it has had an impact, that international pressure—European, American, not just European, but pressure—matters to the parties here; that, given relatively stark alternatives as to what their future looks like, I think it gets the attention of those people who have been unwilling to yield sufficiently on the broader underlying concerns about retribution, what history dictates, what justice calls for, et cetera, the terminology I always get when I am



in the region, although I have not been there—I have been there I think a dozen times, but I have not been there in the last 2 years.

So, is there an emerging or existing unanimity among the major—among the EU, the NATO members—and, obviously, we are included in the NATO piece—the United States, about what are sort of the basic nonstarters? One is no greater Albania. I mean, that is off the table. No change in borders if there is independence; ironclad commitment to minority rights that are enforceable; return of refugees. That is our position, the elements of our position, without dictating what outcome we are looking for.

Is there pretty wide unanimity there or is there a continued existence of a feeling that I have gotten in European capitals, that an independent Kosovo, even with these guarantees where they do exist, is a nonstarter? There are a number of—there was and has been and continues to be—and I wonder what is happening in France now, whether it exacerbates it—there is, I believe, a European—I was going to say “bias”; that may not be the right word—a sort of a generic concern that exists in most continental European countries about the existence of essentially a Muslim state, a state that is not Muslim in terms of its constitution, but in terms of its population. There is this concern that is always expressed and it is always just beneath the surface, in my view.

So tell me a little bit if you will, Nick, about European attitudes and how they may or may not differ, without mentioning any specific country, from our sort of bottom line—no greater Albania in the future, territorial integrity, minority rights enforceable, return of refugees, among others?

Mr. BURNS. Thank you. Frankly, I think there is a great deal of international cohesion between the Europeans and the United States as we approach the negotiations. Just last week, we agreed on a set of guiding principles for these talks. We sent them to Kofi Annan, we sent them to President Ahtisaari. I sent them to the Serb leadership and the Albanian leadership, as we had chaired the—the United States had chaired the Contact Group meeting.

You mentioned some of them, and there are others, and I can read them to you. I think that Russia, the European Union, NATO, and the other members of the Contact Group—Britain, France, Germany, Italy, the United States—have all agreed on these. That is a tremendous strength for these negotiations. The parties are not receiving mixed messages from the international community.

To get to your second point, it is a very strong one. There is no country that is now saying that independence is a nonstarter. Countries are being very careful, as is the United States. We are trying very hard not to try to script these negotiations. We are not saying, as a government, which outcome we prefer. But we all understand that independence is an option, that continued autonomy or greater autonomy is also an option, and that it would be probably tactically very ineffective for the Contact Group to take a position at this stage. Better to let the parties argue that out, define their differences and then common ground. That will be our avenue to be effective in these negotiations.

Senator BIDEN. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Biden.

Senator Hagel.

Senator HAGEL. Thank you, Mr. Chairman.

Good morning, Mr. Secretary. I would like to follow up on one of Senator Biden's questions, Secretary Burns, and you cover it in your statement that you present to the committee and you have mentioned it a couple of times this morning. I will read from your statement: "In October I met with the Kosovar Albanian Team of Unity established by the President." It goes on. Then you say: "As late as last week, there were troubling signs that Kosovo Albanian leaders are anything but united."

My question is—and again, you have developed that here this morning to some extent—where then will the openings come? Where are the prospects for a starting point to get to where they need to be, as you have laid it out very clearly to them?

Mr. BURNS. Thank you, Senator Hagel. I think there is some common ground. All these parties—the Kosovar Serbs, the Kosovar Albanians, the Government in Belgrade—understand that in its present state, Kosovo, is not an entity that can support itself. There is tremendous unemployment. People, young people, are leaving. There is no opportunity. There is no normal relationship of the people there with the rest of the outside world in terms of bank loans or association with the IMF or the World Bank or regional development banks.

I think they all understand that, 6½ years after the war, it is time to get on and define the future status of this, of Kosovo, so that there can be some benefits to the people there, so that people have a sense of who they are and what their future is. That is common ground.

There is also common ground in democracy. When you go to Belgrade and Pristina, they all want a democratic outcome. They do not want to see this province recede into some type of authoritarian state. They want to see democracy. I think we can take advantage of that common ground, we who will help in these negotiations, along with these guiding principles that we just talked to Senator Biden about, and I think that does provide some of the opening for this admittedly rather difficult negotiation, because these parties are separated and they are not talking to each other right now, and they are separated by 1,000 years of history and they are separated by the horrific events of 7 years ago, and they remember them, obviously. So there is a lot of work that needs to be done.

Could I say one more thing about the Kosovar Albanians just in response to your question, Senator? They need to be unified and they are not presently unified. They need to be willing to compromise and they have an aversion, they say, to that. Third, there can be no reverse ethnic cleansing. It would be a tragic irony if, after we saved, we helped to save, 1 million people from ethnic cleansing, some of those people and their leaders decide that they would as a political tactic in the negotiations try to drive the Kosovar Serbs out of Kosovo.

What we have told them is that NATO is there and that NATO is going to maintain order and will use force if people use violence as a political tactic.

Senator HAGEL. Thank you.

You also note in your statement—and I will read from the statement: "Until the government turns over indicted mass murder

Radko Mladic to The Hague, the United States will not agree to Serbia and Montenegro's participation in NATO's Partnership for Peace, which you have covered in your opening remarks as well."

My question is, Is that the only condition for NATO Partnership for Peace membership; turning over Mladic?

Mr. BURNS. From the American point of view, yes. Three years ago, NATO decided—and we were very much a part of this decision, Secretary Powell was—that we just could not see bringing Serbia and Montenegro into NATO as long as Mladic was at large. The Serbs will even tell you, the Serb Government will tell you, that until 2 years ago he was living on a Serb military base near Belgrade. For 8 years he was protected by the Serb state. Now they say he is at large.

We think he can be captured or convinced to surrender voluntarily, and once they do that, once that happens, we said we would support the Serb Government for Partnership for Peace. That does not mean membership in NATO. It just means, as you know very well, the beginning stage of a relationship with NATO. That is their challenge.

Senator HAGEL. Thank you.

Toward the end of your statement, you say: "There is another issue that demands our attention in the Balkans, the status of Montenegro." Then you go on in that paragraph and say: "Whether that is union or independence, Montenegrans officials have indicated their desire to hold a referendum in 2006 on independence."

Could you elaborate and define that for us as to the status and where you think that is going next year?

Mr. BURNS. Thank you, Senator Hagel. Yes; one of the complicating factors potentially in these Kosovo negotiations is that Serbia and Montenegro, the State Union, may face a political crisis of sorts. The Montenegrans, led by President Djukanovic, with whom I met in Belgrade, say that they want to have a referendum in 2006 on the independence of Montenegro. Now, the State Union Constitutional Charter does present that opportunity.

I told President Djukanovic the United States does not take a position, does not have a position, we do not want to assert a position on this issue. This is really a question for Serbia and Montenegro to work out on its own. But the way you conduct any referendum if you decide to have one has got to be consistent with international norms. There has been lots of advice given to them by the Council of Europe, by the Venice Commission of the Council of Europe, and we think they should pay attention to that, so that any referendum, which would be very consequential, about independence truly reflected the will of the people and was unassailable in terms of the way that it was carried out.

Senator HAGEL. Thank you.

Back to Kosovo, the question is this. Describe the strengths that you see currently in the Kosovo Government; within the institution, where are the strengths to build on? We have talked a lot about weaknesses and conditions. Then, maybe in addition to that, what additional external forces or assistance might be needed as these negotiations continue? But I'm particularly, to begin with, interested in your assessment of the strengths that we can work from that foundation.

Mr. BURNS. There are strengths in Kosovar society. There is no question that the great majority of people have a common vision of the future. There is no question that they understand that 2006 is the critical year for them. I think Dr. Rugova provides strength. He is a courageous man. He has said publicly that he has lung cancer. He is undergoing treatment for that cancer, and yet he is still active politically. We met with him 3 weeks ago in his home. He is obviously ill.

But it was his idea to form this Team of Unity. Just as at Rambouillet, his position has been that Kosovo cannot achieve, or should not try to achieve, a solution by violence. It should be by nonviolence, and there has to be unity. I think there is a chance that there will be unity.

I have mentioned a lot, today, the need for unity because we are worried about the political dynamics in Pristina, and this is a very public way of communicating with them at a hearing like this. But I believe in the end that the political leaders of the Kosovar Albanian community will understand this is a supreme opportunity for them to convince the rest of the world that they are ready for self-government. That is what they want to prove and I think they can do that.

There has also been a lot of very good work done in Kosovo to promote multiethnicity. There has been some good work done on refugee return. So there are strengths that we can build on.

Senator HAGEL. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Hagel.

Senator Sarbanes.

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

Mr. Secretary, I join my colleagues in welcoming you here this morning. First of all, just some basic facts: What do you now estimate the population of Kosovo to be and how is it divided in ethnic terms?

Mr. BURNS. Senator, it is a little bit difficult to say exactly what the population is because of the dislocations of the last 7 years. But roughly 2 million people and most people assume that roughly 90 percent of the people who currently live there are Kosovar Albanians. Now, that does not take into account the many thousands of Kosovar Serbs who left after 1999.

Senator SARBANES. So you estimate the current population would be about 2 million?

Mr. BURNS. Correct.

Senator SARBANES. 1.8 million of them are ethnic Albanians and 200,000 are ethnic Serbs?

Mr. BURNS. And these are very rough estimates, and I would be happy to follow up in written form and give you even the best specific estimates that we have.

[The information referred to above was not made available before the printing of this hearing.]

Senator SARBANES. How many Serbs do you estimate have left Kosovo, that you just mentioned?

Mr. BURNS. Right.

Senator SARBANES. How large is that group?

Mr. BURNS. I would like to get back to you with a written answer because I do not want to mislead you as to the number. But a sig-

nificant portion of the Kosovar Serb community left in 1999 and in subsequent years until today, and when I was there a few weeks ago I was told by the Kosovar Serbs that there is still a net outflow of people from their community leaving Kosovo on a semipermanent or permanent basis.

Senator SARBANES. There is this regional grouping, the Southeast European Cooperation Process, comprised of other countries in the Balkans, and they not too long ago made a strong statement about some of the latest things that have happened there, in terms of attacks on religious institutions and so forth. Should they be involved in this consultative process that is going along?

Mr. BURNS. Yes; and I think they will be. I know that President Ahtisaari is going to represent the United Nations and so he wants to draw upon the influence and the ideas, not just of the Contact Group, the countries that I mentioned earlier, but also some of the neighbors. Certainly Macedonia has a lot to offer in terms of the experience that they have had in trying to promote multiethnicity. Greece is going to be very important and the Greek Ambassador, in fact, is here today in this room because of their historic involvement and also their trade and investment ties. Albanian is a country that will be important to shaping a final outcome.

So, I think it is correct to assume that President Ahtisaari, and certainly we in our own capacity, will be reaching out to these neighbors of Kosovo.

Senator SARBANES. Do you think the Contact Group should consult and meet with the Southeast European Cooperation Process countries?

Mr. BURNS. I think it is a good idea to stay in touch with those countries. We do bilaterally. We, the United States, have in fact. I have had discussions with the Greek Foreign Minister as well as the Greek Ambassador to the United States about what our strategy is and what our hopes are. We are hoping that these countries will be involved.

As to whether or not the Contact Group and the Southeast Europe Group should meet, that is a good idea. I have no objection to it whatsoever. It has not happened to date.

Senator SARBANES. Do you think it might contribute toward peace and stability in the region?

Mr. BURNS. I think that as we go through these negotiations—and nobody knows how long they are going to last—it is going to be important for the neighbors of Kosovo to be involved in giving their ideas and giving their support to the U.N. Special Negotiator; yes.

Senator SARBANES. Earlier you spoke about assuring the protection of minority rights. How do you assure the minority that their rights will be protected?

Mr. BURNS. Well, I think one common denominator of these negotiations will be that it is likely that, whatever the outcome, there will be a continuing need for an international security presence to provide that kind of assurance to the minority population over some period of time, that they can live there and not fear that they will be attacked, that their homes will be burned down, or they will be killed, as was the case in March 2004.

Second, there is going to be some type of international civil administration, whether it is through the European Union or the concept of a high representative or U.N. involvement. I think both of those—there has to be remaining international institutional involvement beyond any settlement in my view to provide the kind of assurances to a minority, the Serb population, that they will need.

Senator SARBANES. The place was under U.N. administration and backed by NATO forces, right? Is that not the current state?

Mr. BURNS. That is right.

Senator SARBANES. And yet in March 2004 there was this desecration and destruction of all of these religious sites, and those forces were not able to prevent it. Now, on the basis of that quite recent history, what are the prospects for assuring that minority rights will be protected? It seems to me you are starting out on a path now to try to negotiate a final status. As I understand it, one of the principles you outlined was the protection of minority rights. How can you assure that, when very recent history was a clear demonstration of an inability to do that?

Mr. BURNS. You are correct, Senator, in my view that March 2004 was a travesty. What happened is that the NATO forces were ordered into the streets to protect the Serb homes and Serb churches that were under attack. Part of the NATO forces responded, did their job, and protected Serbs. Some stayed in their barracks.

Why did they do that? Because they had what we call in NATO bureaucratic parlance, national caveats. The soldiers of certain NATO allies could not actually deploy until they had orders, not from the local NATO commander, but from their capitals. It was the delay in getting those orders, in some cases 24 to 48 hours, that meant that NATO did not do its job.

That produced a crisis of sorts in NATO. I was at NATO at the time as Ambassador. We had to undergo a period of introspection about what went wrong. General Jones has now led over the last year and a half an effort to reform the NATO forces there, to remove all of those national caveats, and so he now can assure us, as he did NATO a couple of weeks ago, that if there is any act of political violence all the NATO troops involved will obey the orders of the local commander.

So I think it is that credibility that is important, and the key to that is the presence of American forces and of the United States, because our credibility is quite high. Our troops, by the way, American troops, did go into the troops in March 2004 and they did their job.

Senator SARBANES. Let me ask one final question before my time runs out. The conflict there is seen through the prism of ethnic conflict, but there are extraordinarily difficult economic circumstances, which some, at least, think also contribute to the confrontation and the difficulties. What are the economic prospects for Kosovo?

I am told that the unemployment level may be as high as 50, 60 percent. There are differing estimates, but everyone seems to agree that it is close to a basket case economically. What is going to happen on that front?

Mr. BURNS. Oh, I think it is one of the great challenges of these upcoming negotiations. There is going to have to be a lot of talk about how a future Kosovo, whatever the outcome is, is going to survive economically. There is a tremendous amount of lignite there. There are some raw materials that can be exploited on a profitable basis.

Very important to increase the trade and investment ties, particularly Greece, which is a leading investor, and some of the other regional countries, and also some of the countries of the former Yugoslavia, Slovenia, Slovakia. Germany is going to be very important. This is not going to be easy. There are no easy fixes to cure the massive economic problems that Kosovo has.

Senator SARBANES. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Sarbanes.

Senator Chafee.

Senator CHAFEE. Thank you, Mr. Chairman.

Welcome, Mr. Secretary. I admire what you are doing in difficult circumstances, and you bring a priority on this area traveling there twice recently. So I applaud what you are doing.

My question is, In your prepared statement you said that the status quo in Kosovo is neither sustainable nor desirable. But Ambassador Holbrooke, if I can steal from his statement, said that prior to the Dayton Accords 300,000 people had died and over 2.5 million people had been made homeless by the worst war in Europe in 50 years, but in the 10 years since Dayton not one American or NATO soldier has been killed or wounded from hostile action. Not one has been killed or wounded from hostile action.

So why is the status quo not sustainable nor desirable? Where is the pressure to make changes?

Mr. BURNS. Thank you, Senator. I agree with Ambassador Holbrooke, the record of American and NATO involvement in Bosnia-Herzegovina is extraordinary in terms of the NATO peacekeeping effort and the record that he talked about and you just quoted.

I would say this. The status quo cannot be sustained because the people of Kosovo will not let it. Kosovo in most people's view is a political pressure cooker. Ninety percent of the people say they want one thing, 10 percent say they want something else.

It is not desirable because we agreed in June 1999 when we passed U.N. Security Council Resolution 1244 that we had to get to this issue of what the future is. We decided to put it on ice, to have things calm down, tempers and passions cool, to work on this issue of standards, readying themselves for a future.

It has been 6½ years and I think it is the political insight of nearly everybody with whom I have talked from every country, whether it is Russia or any European country, that we now have to—they have to face this question and we have to let them face this question of what their future is.

We saw an explosion of sorts in March 2004 and that is another reason why it is not sustainable. NATO, in a very haphazard way and somewhat ineffectively, was able to keep the peace in March 2004. We do not want to see that kind of violence again. So that is why we are imbued with this thought that we have to get on with negotiations to define its future.

Senator CHAFEE. It seems as though that—you mention in your statement that in your trips there you talk about independence. You say—let us see if I can get it here: “If the Kosovo Albanians aspire to independence, this is the greatest opportunity to make their case to the world that should they become independent they will be able to govern effectively, in a way that promotes stability in the region.” You go on to say that: “I made it clear to them that independence must be earned,” and yet it must be a nonstarter for the Serbs.

So back to my original question, it seems as though any movement forward is hazardous. Would you agree?

Mr. BURNS. Oh, I think these are going to be extremely complicated and divisive and difficult negotiations. There is no question about it. This is about as difficult a set of talks as you can imagine diplomatically. On the other hand, I think nearly everyone agrees that if we do nothing, if our message to the Kosovar population was, your situation is going to be frozen for the next decade, that would produce change on the ground that we would not like to see. It would most likely produce—I would not want to ever predict this, but most people believe it would produce a period of instability and probably of violence.

So you have these difficult choices about whether or not you go ahead. What is remarkable—and this gets back to Senator Biden’s question—is that there is a lot of unity in the international community. I sat with the Contact Group last week. I hosted them here in Washington. The Russians, the French, the Germans, the British, the Italians, the Americans, NATO, the European Union, and the United Nations all agree that we now have to let them face this question of what their future will be and they have to decide it.

Senator CHAFEE. You also talked about the students and your meeting with the students. I was struck by the fact that in each of these three meetings in three different places these students, of all the people you met, were the most courageous in putting forward the proposition that people of different faiths and nationalities should be able to live together in the Balkans in the 21st century. I did not hear this message from the political leaders, but I heard it loud and clear from the younger people. There is another—maybe—piece of evidence that maybe if we wait for this new generation to assume leadership roles maybe the status quo is not so bad.

But I hear what you are saying, that the people of Kosovo just cannot be put on ice for another 10 years.

Mr. BURNS. There was a striking contrast between our meetings with these young students in each place and the meeting with the political leadership, striking, because a lot of these young kids are able to face squarely the past. A lot of the Muslims and Serbs want to reconcile with each other. In Mitrovica, which is the great example of the division of Kosovo—it is a divided city, divided by a river and a bridge, the Serbs on the north side, the Muslims on the south. The Muslim cemetery is in the north, the Serb cemetery is in the south. These young kids have taken it upon themselves to unite to provide security for people who want to visit the cemetery. So you are a Muslim, you get a Serb person, Serb men, helping you



to go and visit the graves of your ancestors on the north side of town, and vice versa.

They have computer networks. They are the ones leading. They are showing that multiethnicity can work. The reason I mentioned that in my testimony is that I think that is the fundamental challenge that the older generation, people our age, people who are in charge there, face, to understand that there is only one way forward and that is for Serbs and Albanians to live together in Kosovo.

Senator CHAFEE. Thank you, Mr. Secretary.

Mr. BURNS. Thank you very much.

Senator CHAFEE. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Chafee.

Senator Voinovich.

Senator VOINOVICH. Thank you, Mr. Chairman.

One of the things that I was impressed with when Ms. DiCarlo visited our office is that there were certain principles that everyone has agreed on: There will be no return to the pre-1999 conditions in Kosovo; there will be no partition of Kosovo; there will be no changing borders in the region, i.e., Kosovo cannot join Albania, any advocate of violence will be prohibited from participating in the status talks, if any participant walks away from the negotiations for any reason the negotiations will continue without them. So everyone has agreed to that, is that right?

Mr. BURNS. Well, the United States and our international partners agree to that and we hope the parties will agree to it, too. We cannot see any possibility of a change of borders in the Balkans. That would establish a precedent that would be quite dangerous for the future. We cannot see partition as a possibility, either. So those are the guiding principles that we have put down and we hope very much that the parties will agree to them.

Senator VOINOVICH. Do you really believe that the Europeans understand how important this is to finally integrating southeast Europe into Europe in terms of something that we have talked about? I mean, I always talk about the Balkans is the barking dog of foreign policy. It barks and people do something about it, and then things go back to the way they were before, and then it barks again.

Do they understand this is an absolute wonderful opportunity, maybe the last opportunity they have got, to really bring these folks into Europe?

That is one question. The other is, Do they also understand the fragility of how this has got to be handled? Because if it is done wrong, as I mentioned in my remarks, you are going to allow the Serbian nationalists to exploit the situation for their political purposes. I just wonder, do the Europeans understand that and, by the way, do the Kosovars understand that—that in terms of how this is handled it is going to have a lot to deal—a lot to do with whether or not they are going to have the democratic leadership in Serbia-Montenegro, and that if it fails, that these other people are successful, that the situation will be far worse than it is today, because they will continue this ongoing debate that has gone on for centuries about what happens to Kosovo?

Mr. BURNS. Senator, I do think the Europeans understand the opportunity here. You remember after the failed referenda in the Netherlands and in France in the spring there was a lot of speculation that Europe would trim its ambitions to enlarge the European Union. Xavier Solana and Jean-Claude Juncker, the Prime Minister of Luxembourg, came directly, following those referenda, to the United States and met with President Bush and they said there are going to be a lot of questions about what Europe is and how far European Union goes to expand, but that is not about the Balkans. They said: We are convinced that the Balkans are the heart of Europe and that we in Europe have an obligation to help the Balkan countries, particularly Serbia-Montenegro, Kosovo, and Bosnia, to become attached to Europe and to the European Union.

So you have seen an association agreement now between Serbia-Montenegro and the European Union just in the last month. That is very positive. You have seen the EU reach out with lots of money to underwrite economic development, and in both Bosnia and Kosovo the EU countries, the European members of NATO, are providing the vast majority of troops.

But I think you put your finger on something that we have not talked much about this morning and that is Serbia-Montenegro. That is the key country in the region. That is the country that is trying to find its way forward after the assassination of Prime Minister Djindjic toward a better future. And if the result of these Kosovo talks can be that Serbia-Montenegro is assured a place in association with the EU and if they can work on their relationship with NATO by arresting Mladic, this need not be, these negotiations, any kind of defeat for the Serbs or for Serbia-Montenegro. In fact, it is in our interest to see Serbia-Montenegro strengthened ultimately as a result of all these changes over the last 10 or 15 years in the Balkans, because it is such an important state for the future unity of the region.

Senator VOINOVICH. Do the Kosovars understand how fragile these are—these talks are—in terms of the political situation? I mean, when you come to a negotiation there has got to be some kind of incentives. What are the incentives to the Kosovars to work something out? What are the incentives to the Serbs to work things out? Would one of their incentives be that you would have people that are committed to democracy in Serbia that want to move forward and enlightened and that if it does not work that you are going to get bad people? I mean, do they get it? Do you think that Rugova and the rest of them get it?

Mr. BURNS. I think the enlightened Kosovar Albanian leaders understand that they have to live next door to Serbia and Montenegro for the whole rest of Kosovo's history, and so, therefore, there has to be some kind of rapprochement between the Albanian and Serb populations in the future.

The incentive for the Kosovar Albanians is they cannot achieve what they desire until they prove to the international community that they are capable of the self-government that they say they want, and that does entail unity. The incentive for the Serb Government should be that they want to have strategically a better relationship with NATO and the European Union. That is what

Prime Minister Kostunica has told me and others. That is what President Tadic has said.

If you build those incentives into these negotiations, then you can begin to see your way toward a successful negotiation in 2006, and that is very much a part of the approach that we have, we Americans, to these negotiations.

Senator VOINOVICH. Do you think that the Kosovars understand how important the religious sites are to the Serbs; it is a symbol, that if they were guaranteed that these shrine sites would be preserved and not destroyed, how much that would mean in terms of their ability to move forward with negotiations in terms of their status?

Mr. BURNS. Well, I think actually this is a very important issue for the negotiations, the protection of churches, historical sites, and patrimonial sites, because, obviously, the extremists on the Kosovar Albanian side want to erase Serb history in Kosovo. That is why they attacked the churches and burned them down in March 2004. It is in our self-interest to protect those sites because we cannot see a future of Kosovo without Serbs living in it.

Senator VOINOVICH. How is the rebuilding coming? We had a problem there with Bishop Artemije and now the Serbian Orthodox Church has gotten more involved. Are they moving forward with the restoration of those churches now?

Mr. BURNS. It is hit or miss, and I would be happy to get you a written report on this. But there had been some problems in the wake of the violence in reconstruction. But now we have been able to reconstruct some of the homes. In fact, I visited one of the homes in Obelic that had been reconstructed. And we are doing work on churches, we the international community. It is terribly important to do that.

Senator VOINOVICH. Well, I wish you good luck and we will certainly do what we can to be supportive.

Mr. BURNS. Thank you.

The CHAIRMAN. Thank you very much, Senator Voinovich.

I have no further questions. Senator Biden, do you have additional questions?

Senator BIDEN. I have no further questions.

The CHAIRMAN. Senator Hagel.

Senator HAGEL. No.

The CHAIRMAN. Senator Sarbanes.

Senator SARBANES. No, Mr. Chairman.

The CHAIRMAN. Senator Chafee.

Senator CHAFEE. No, thank you.

The CHAIRMAN. Senator Voinovich, do you have additional questions?

Senator VOINOVICH. No.

The CHAIRMAN. We thank you very much for your statement and for your testimony and for your very forthcoming responses to our questions. It is always great to have you. Thank you, Secretary Burns.

Mr. BURNS. Thank you.

The CHAIRMAN. The chair would now like to call Ambassador Holbrooke to the table for his statement.

[Pause.]

The CHAIRMAN. Ambassador Holbrooke, it is a privilege to have you with the committee again. We look forward to your testimony. As I have indicated to Secretary Burns, your full statement will be made part of the record. You may proceed as you would wish and then the committee would like to ask questions of you. Please proceed.

**STATEMENT OF HON. RICHARD C. HOLBROOKE, VICE  
CHAIRMAN, PERSEUS LLC, WASHINGTON, DC**

Mr. HOLBROOKE. Thank you, Mr. Chairman. What a great honor to be back before this committee, which I first testified before in 1977, and especially to appear today on this very important subject and before so many friends and associates.

Allow me to begin with a very brief reminiscence. Ten years ago today I was at the Wright-Patterson Air Force Base in Dayton, OH, on the 8th day of the 21-day negotiation that brought the war in Bosnia to an end. I am accompanied here today by several of the veterans of that negotiation, including the previous witness. The route to get there had been tortuous and the end came only after about 300,000 people had been killed, over 2.5 million made homeless by the worst war in Europe in 50 years.

Decisive American action had been slow and two administrations had failed to take sufficient action to stop the conflict, leaving the primary responsibility in the hands of the European Union and the United Nations, both of which had utterly failed in the first significant post-cold-war test.

During that long bleak period, members of this particular committee, including Chairman Lugar and its ranking minority member, Senator Biden, had pressed the case continually for active American action. I remember especially, Mr. Chairman, coming before this committee for confirmation as Assistant Secretary of State for European Affairs in 1994. Prior to that hearing I met privately with Senator Biden in a room off the Senate floor and he delivered one of those warnings that most of you in this room are quite familiar with. While Senate rules of decorum prevent me from repeating verbatim what Senator Biden said that day, I can tell you that he was scathing in his denunciation of American inaction and lack of leadership, he was precise in his description of the situation on the ground, he was visionary in his prescription of what had to be done to stop the war, and he was very explicit in his references to which part of my anatomy I would lose if we did not do something about it.

Dayton ended that war and I think that Senator Biden and the rest of you should be pleased at your own unique role in that process. One of the many lessons of the negotiation, one that Senator Biden and you and the rest of you, but especially Senator Biden in my own experience, was so forceful in putting forward, as he has done again in Iraq: The absolute necessity of strong American leadership, which Under Secretary Burns just alluded to.

I would also add one lesson from Bosnia and Kosovo that was not applied in Iraq, with tragic consequences. We took to Dayton a 200-page peace plan, much of which was drafted by my colleague, Roberts Owen, our legal adviser, who is here with us today. It contained detailed documentation covering every aspect of the post-

war period, from giving authority to the military to shoot first and ask questions later, to 11 detailed annexes on political and economic and social issues. Dayton was not perfect, far from it. But it ended the war and, as Senator Chafee has already quoted, contrary to every prediction, there were no American or NATO casualties.

Today, out of the 20,000 soldiers we sent to Bosnia in 1996, only about 150 remain. But they are an essential reminder that we will remain engaged.

So I want to thank my friend, Senator Biden, you, Mr. Chairman, and my other friends and colleagues on this committee for their support and their encouragement in the last decade. I hope you feel that, however imperfectly and belatedly, we achieved the lofty goals that you set out for us and that Senator Biden did not, therefore, have to relieve me of any body parts.

I also should make a footnote that my association with Senator Voinovich did not date to that period, but in a subsequent period of service we also had extensive talks on these issues, and I am most grateful to you for your advice and support as well, sir.

On a personal note, 10 years ago today as I was at Dayton my friend and then colleague, Nick Burns, who was then Secretary of State Warren Christopher's spokesman, was flying back to Dayton with his boss, Warren Christopher, for one of the four trips he would make to the negotiating site. Nick, whom I consider one of the outstanding diplomats of modern American diplomacy, was not only a frequent visitor to Dayton—you can leave now, Nick; that is the end—was not only a frequent visitor to Dayton, he was also the only person in Dayton or Washington authorized by all the parties to speak on the record about what was going on.

This experience 10 years ago has been critically important, I believe, in preparing him for the extremely important assignment that Secretary Rice gave him to oversee American policy toward the Balkans. I am very pleased, therefore, that Nick Burns has, at Secretary Rice's direction, reengaged American policy in the Balkans after 4 years of drift and neglect that was at times hardly benign.

Under their guidance—that is, of Secretary Rice and Secretary Burns—a plan to mark the 10th anniversary of Dayton, November 21, with a series of improvements on the original agreement has been put into place. These improvements are long overdue. Police and military reform, movement to a single Presidency, a reconciliation mission, and others are under way, and they have my full support, and there is hardly a word in Nick Burns's testimony that I would disagree with, although as a private citizen, Mr. Chairman, I am free to go slightly further than he has in regard to Kosovo.

There, Ambassador Burns has undertaken an even more daunting task. For if the war in Bosnia is truly over and will not resume, this cannot be said of Kosovo. War could break out there at any time and it would be a bloody, bloody event. Tensions between the two main ethnic groups are as high as ever. The loss of 4 years pursuing a failed U.N.–EU–U.S. theory called “standards before status,” which was really, as Senator Biden said already, kicking the can down the road, a way of avoiding action, that 4 years is irretrievable.

During that time ethnic tensions rose, real opportunities were missed, and events removed or weakened two of the leading political figures in the region, the late Serbian Prime Minister Zoran Djindjic, who was assassinated by paramilitary thugs, and Kosovo President Ibrahim Rugova, who, as you have already heard from Secretary Burns, is now seriously ill.

Now, "standards before status" has finally been removed as an obstacle to progress in implementing U.N. Resolution 1244, which called for these final status talks. The delay was costly, as I have said, but it is time to get on with it and this hearing today I hope launches an intense period of effort in that area.

I am pleased that Secretary Kofi Annan has appointed Martti Ahtisaari as negotiator and I look forward to the appointment in the near future of an American of comparable rank. It will be a difficult task, but it is essential to start.

Now, official negotiators cannot, of course, proclaim in advance to the outcome of a negotiation. That violates all negotiating procedures, and I greatly respect and admire the skill with which Secretary Burns dealt with those questions when you asked them. But I feel that I owe it to you as your friend and as a private citizen to give views which are only mine, and mine alone, to answer the questions you have already raised.

In that spirit, let me be clear. I do not see any final status for Kosovo other, ultimately, than independence. But at the same time—and this must be stressed equally—this cannot be achieved without ironclad guarantees for the safety, security, and protection of the rights of the Serbs who live in Kosovo, the protection of their magnificent religious and cultural and historic monuments, and all the other guarantees that they are due.

While I have said this in the past frequently, whenever I have said it, each side has characteristically quoted only half my statement. So let me repeat: Kosovo's destiny, in my view, is an independent state, but it will not get there unless its Serb minority can live in peace with ironclad guarantees with the Albanian majority.

For the long-oppressed Albanian majority, this would finally rectify, in their view, the events of 1911–12. But independence cannot come simply to replace one form of oppression with another, the reverse ethnic cleansing which Nick Burns already alluded to. Would independence for Kosovo be accompanied by another bloodbath, this time of the Serbs? We cannot let this happen.

I said things along these lines in Pristina less than 2 years ago and repeated them in the Wall Street Journal. I was roundly attacked by the Serbs and the Albanians deliberately ignored the part of my comments concerning minority rights. This is to be expected in any situation as fraught with history and hatred as Kosovo. Think of Kashmir, the Middle East, Aceh, Sri Lanka, and so on.

But there is really no other choice if we are ever to get to the end of this expensive process without further bloodshed, and there is really no choice unless we want to have American and NATO troops in Kosovo indefinitely.

But whatever happens in the negotiations now about to begin, a residual international security force will be necessary in Kosovo. I believe that this is an appropriate function for NATO and that any

international contingent should include American troops. That is the lesson of Bosnia and Kosovo over the last decade.

I know that there are those in the United States Government who have questioned this view, especially given the overwhelming troop requirements in Iraq and Afghanistan. But precisely because we must show the world we do not abandon our commitments, we must finish the job. If we do not, the subsequent costs will be even higher. War could resume and what was done so far will have been wasted.

One last point, Mr. Chairman: The European Union. The long-range goal, which addresses several questions already asked, should be the full integration into a unified Europe of the entire Balkans, including Serbia, Bosnia, Albania, Montenegro, which I believe is probably a separate country in the long run, but that is their decision to make in accordance with the procedures that Secretary Burns discussed, and Macedonia and Croatia.

Nothing would do more for expanding the zone of freedom and democracy eastward, a historic necessity of the highest order. Vast economic benefits flow to the region from such events, and I wish to stress in response to the questions about the economic mess in Kosovo that these opportunities would proliferate if peace were brought to the region and the beneficiaries would be first of all Serbia, second Greece, and third all of Southeastern Europe, because a subunit, a common market, eventually moving to EU membership, would link Greece with the rest of the European Union in a very productive manner.

But to get there will take time, as it also will with Turkey. And the European Union should not—I repeat, not—give away movement toward membership for too low a price, as they have sometimes done in the past. The standards of the European Union should not only be maintained, they should be used as leverage and incentive for the reforms needed in every one of these countries on such critical issues as war criminals, especially of course Karadic, Mladic, and Gotovina, a single Presidency, respect for individual and group rights, press freedom, viable and transparent governments, and so on.

I hope that the Congress, led as always by this great committee, will take the lead in supporting American reengagement in the process and that it will indicate its support for a process that gives true self-determination, security, and respect for individual and group rights to all the people of Kosovo.

Thank you, Mr. Chairman, for this opportunity to appear before you today.

[The prepared statement of Mr. Holbrooke follows:]

PREPARED STATEMENT OF HON. RICHARD C. HOLBROOKE, VICE CHAIRMAN, PERSEUS LLC, NEW YORK, NY

I am deeply honored to be here, before your committee once again, and to appear before so many friends and associates.

Allow me to begin with a brief reminiscence. Ten years ago today, I was at the Wright-Patterson Air Force Base in Dayton, OH, in the 8th day of the 21-day negotiation that brought the war in Bosnia to an end. The route to get there had been tortuous, and the end came only after almost 300,000 people had died, and over 2,500,000 people had been made homeless, by the worst war in Europe in 50 years. Decisive American intervention had been slow, and two administrations had failed to take sufficient action to stop the conflict, leaving the primary responsibility in

the hands of the European Union and the United Nations, which had utterly failed this first significant post-cold-war test. During that long, bleak period, members of this committee, including its current chairman, Senator Lugar, and its ranking minority member, Senator Biden, had pressed the case for American action. I remember especially coming before this committee for confirmation as Assistant Secretary of State for European Affairs in 1994. Prior to that hearing, I met privately with Senator Biden in a room off the Senate floor, and he delivered one of those warnings that most of you in this room are quite familiar with. While the Senate rules of decorum prevent me from repeating verbatim what Senator Biden said that day, I can tell you that he was scathing in his denunciation of American inaction and lack of leadership; precise in his description of the situation on the ground; visionary in his prescription of what had to be done to stop the war; and very explicit in his references to which part of my anatomy would be lost if I did not do something about it.

Dayton ended that war, and among the many lessons of that negotiation is the one that Joe Biden was so forceful in putting forward, as he has done again in Iraq: The absolute necessity of strong American leadership. I would also add one lesson from Bosnia and Kosovo that was not applied in Iraq, with tragic consequences: We took to Dayton a 200-page peace plan, with detailed documentation covering every aspect of the post-war period from giving authority to the military to shoot first and ask questions later, to 11 detailed annexes on political and economic issues. Dayton was not perfect—far from it—but it ended the war, and contrary to almost every prediction, there were no American or NATO casualties. I repeat: In the 10 years since Dayton, not one American or NATO soldier has been killed or wounded from hostile action. Today, out of the 20,000 soldiers we sent to Bosnia in 1996, only about 150 remain, an essential symbolic reminder that we will remain engaged.

So I want to thank my friend, Joe Biden, and his colleagues, for their support and encouragement that day and beyond. I hope you feel that, however imperfectly and belatedly, we achieved the lofty goals you set out for us, and that Senator Biden did not, therefore, have to relieve me of any body parts.

On another personal note: 10 years ago today, as I was at Dayton, my friend and colleague, Nick Burns, then the Secretary of State's spokesman, was flying back to Dayton with his boss, Warren Christopher, for one of four trips he would make to our negotiating site. Nick, whom I consider one of the outstanding diplomats of the current generation, was not only a frequent visitor to Dayton—he was also the only person, in Dayton or Washington, authorized by all the parties to speak on the record about what was going on. This experience 10 years ago has been critically important, I believe, in preparing him for the important assignment that Secretary Rice gave him when he became Under Secretary of State, to oversee American policy toward the Balkans.

I am very pleased, therefore, that Nick Burns has, at Secretary Rice's direction, reengaged American policy in the Balkans after 4 years of drift and neglect that was, at times, hardly benign. Under their guidance, a plan to mark the 10th anniversary of Dayton, November 21, with a series of improvements on the original agreements. These improvements are long overdue, such as police and military reform, movement toward a single Presidency, reconciliation commission—are finally underway. They have my full support.

In Kosovo, Ambassador Burns has undertaken an even more daunting task. For if the war in Bosnia is over and will not resume, this cannot be said of Kosovo. War could break out there at any time. Tensions between the two main ethnic groups are as high as ever. The loss of four vital years pursuing a failed U.S.–EU–U.N. theory called “standards before status”—which was really a way of avoiding action—is irretrievable. During that time ethnic tensions rose, opportunities were missed, and events have removed or weakened two of the leading political figures in the region—the late Serbian Prime Minister, Zoran Djindjic, who was assassinated, and Kosovo President Ibrahim Rugova, who is now ill with a serious disease.

Now, “standards before status” has finally been removed as an obstacle to progress in implementing U.N. Security Council Resolution 1244 of 1999, which called for final status talks. The delay was, as I have said, costly, but now it is time to get on with it.

Where do we go from here? I am pleased that U.N. Secretary General Kofi Annan has appointed Martti Ahtisaari, former President of Finland, as his negotiator to resolve the final status of Kosovo. I look forward to the appointment in the near future of an American of comparable rank to ensure that progress is made.

This will be a difficult task, but it is essential to start. The end result is one that official negotiators cannot, of course, proclaim in advance; no good negotiator would do so. But outside observers, especially when appearing before the U.S. Congress, have an obligation to speak the truth as they see it. In that spirit, let me be clear



that I cannot see any final status for Kosovo other than independence, but at the same time—and this must be stressed equally—this cannot be achieved without ironclad guarantees for the safety, security, and protection of the rights of the Serbs who live in Kosovo. When I have said this in the past, each side has, characteristically, quoted only half of my statement. So let me repeat: Kosovo's destiny is as an independent state, but it will not get there unless its Serb minority can live in peace with the Kosovar Albanian majority. For the long-oppressed Albanian majority, this will finally rectify the events of 1911, and this is a historic necessity. But independence cannot come simply to replace one form of oppression with another. Will independence for Kosovo be accompanied by another bloodbath, this time of Serbs? We cannot let this happen.

When I said things along these lines in Pristina 2 years ago, and repeated them in an article in the Wall Street Journal, I was roundly attacked by the Serbs. And the Albanians ignored the parts of my comments concerning minority rights. This is to be expected in any situation as fraught with history and hatred at Kosovo; think of Kashmir, the Middle East, Aceh, Sri Lanka, and so on. But there really is no other choice if we are ever to get to the end of this expensive process without further bloodshed.

Whatever happens, a residual international security force will be necessary in Kosovo. I believe that this is an appropriate function for NATO, and that any international contingent must include American troops. That is the lesson of Bosnia and Kosovo over the last 10 years. I know that there are those in the U.S. Government who have questioned this, especially with the overwhelming troop requirements in Iraq and Afghanistan. But precisely because we must show the world that we do not abandon our commitments, we must finish the job. And, if we don't, the subsequent costs will be even higher, and what was done so far will have been wasted.

One additional point: The European Union. The long-range goal should be the full integration into a unified Europe of the entire Balkans, including Serbia, Bosnia, Albania, Montenegro (as, I believe, a separate country, but that is their decision to make), Macedonia, and Croatia. Nothing would do more for expanding the zone of freedom and democracy eastward, a historic necessity of the highest order. Vast economic benefits can flow to the region from such events. But to get there will take time, as it will also with Turkey. And the European Union should not—I repeat, not—give away moves toward membership for too low a price, as they have sometimes done in the recent past. The standards of the European Union should not only be maintained, they should be used as leverage and incentive for the reforms needed in every one of these countries on such critical issues as war criminals (especially, of course, Karadzic, Mladic, and Gotovina), a single Presidency, respect for individual and group rights, press freedom, viable and transparent governments, and so on.

I hope that the Congress, led as always by this committee, will take the lead in supporting American engagement in the process, and that it will indicate its support for a process that gives true self determination and security to all the people of Kosovo.

Thank you, Mr. Chairman, for the opportunity to appear before you today.

The CHAIRMAN. Well, thank you very much, Ambassador Holbrooke.

Let me suggest again a round of 8 minutes. That will take us very close to the party policy luncheon time. We hopefully will not have interruptions of rollcall votes and will be spared those interruptions at this point.

I would like to commence the questioning, Ambassador Holbrooke, by picking up on your point about other countries in the region. Discuss in the same candor what is likely to happen with regard to Montenegro and its plans to hold a referendum on independence in 2006 and Bosnia's ongoing efforts to redefine its structures. Could Macedonia be destabilized by the Kosovo status process as it proceeds now?

Mr. HOLBROOKE. For over a decade, Mr. Chairman, the Balkans have been paralyzed, and particularly outside negotiators have been paralyzed, by the fear that action in one area could trigger reaction in another and we would have an August 1914 scenario. That is because, as we all know, every ethnic group is a minority

in one area and a majority in another. You have just mentioned two of the most critical, Montenegro and Macedonia. We constantly hear that if Kosovo becomes independent or if Montenegro becomes independent it will trigger an upsurge of separatism among, in Srbska, in Bosnia.

I do not share that view, Mr. Chairman, because of history. If the American Government will take the lead—and today what you have heard is, I think, some of the most important testimony in the last 4 years showing that the U.S. Government is now taking the lead again, and I am so pleased to support them completely in what they are doing without reservation or any partisanship—I think that can be avoided.

Now, in regard to Montenegro, a few years ago, under European Union pressure, Serbia and Montenegro were linked into a country called Serbia and Montenegro, not Serbia-Montenegro, but Serbia and Montenegro, in other words a country called “SAM.” This country replaced a country called Yugoslavia, which no longer existed. SAM exists on paper. One-half of it is 11 million people, one-half of it is 700,000 people. It has three Presidents, three Foreign Ministers, two currencies, two police forces, internal border control. It does not exist except on paper.

In my view, it was a mistake to create it, but it happened. They have the right to decide their future next year. The European Union has argued that Montenegro, as a separate country, is too small to survive or be viable, despite the fact that at least three countries now in the European Union are smaller—Luxembourg, Malta, and Cyprus—and despite the fact that this creation, SAM, does not function as a country. The President of Serbia and Montenegro, who is a Montenegrin, will tell you that. He will sit in his office, as he told me, and he will say: I do not really have a job.

So what they do is up to them. I am in favor of self-determination. But my view is strongly that we should not oppose that self-determination.

Secretary Burns referred to his meeting with President Djukanovic of Montenegro, but he did not point out that this was a major step forward for American policy. Again, they stepped forward from 4 years of supporting this concept which did not work well. So I congratulate him on making the correct move.

Secretary Albright and I met regularly with Djukanovic, not that we supported him or did not support it, but because of the history of the area. Montenegro was an independent country. Why does it not get the same status as the other former Yugoslav republics?

Finally, if Kosovo were ever to achieve independence there is no chance that Montenegro would stay inside SAM. Or if they got association within the federation, they would not.

So I think Montenegro should be allowed to go its own way with the EU's support. It will be good for their economy as well.

As far as Macedonia goes, the United States played a very good role under the leadership of Ambassador Jim Pardue in settling a near-war there a few years ago. I am hopeful that that will continue and I would like to see, as Secretary Burns would like to see, progress in the right direction.

There are some unresolved problems between Macedonia and Greece which also have to be dealt with, and that is why officially

we still refer to them as the Former Yugoslav Republic of Macedonia, even though there is no Yugoslavia. So there are some unresolved issues, but most of the issues were dealt with during the Dayton negotiations, prior to the Dayton negotiations. I have worked very closely, particularly with Senator Sarbanes, on that issue.

In the end, this region needs to be stabilized for our national security interest as well as peace and stability in Europe.

The CHAIRMAN. Ambassador, you mentioned that, frankly, you thought the outcome should be independence, but at the same time you listed some very important standards that had to be observed if that is to work. Now, at the end of the day, what is likely to be the reaction of the Security Council to that independence, even with the standards that you have mentioned?

Mr. HOLBROOKE. When you—I would like to make two points, Mr. Chairman. When you talk about the Security Council, you are really talking about five countries, the permanent countries. China does not have a vested interest, so we are down to four. Three of the four, Britain, France, and the United States, are more or less in the right ballpark as far as I understand it. Nick may wish to nuance that.

The fourth of the four, Russia, has a real problem here. They have always been open about it. There are Serb-Slav ties that are very historic and important and legitimate, and the Russians are concerned about precedents. "Precedents" is a codeword for Chechnya and other autonomous republics within the Russian Federation.

So it will not be easy in the Security Council, but in the end the Russians, the Chinese, the Security Council, will go along with what President Ahtisaari negotiates. I am absolutely sure of that. That is the history of the Balkans over the last decade.

The CHAIRMAN. You have mentioned the importance of a continuing American presence. Perhaps this could be through NATO in a peacekeeping presence at that point. Is that your idea? In other words, our presence would come because we are a member of NATO and NATO would be involved, as opposed to some other presence outside of that construction?

Mr. HOLBROOKE. That would be my preference, Mr. Chairman. But it is no secret that there has been a significant disagreement on this point in regard to both Bosnia and Kosovo over the last 5 years. The Pentagon, under troop pressures and perhaps a different point of view about the Dayton and Kosovo events, has often shown a public desire to remove all the troops from the region.

President Bush went to Camp Bondsteel in Kosovo in 2002 and said, "We came in together, we will leave together." That pledge is of immense importance in the region and I believe it should transcend the solution, the settlement, of Kosovo's final status because of the Serbs. Anyone who has been there, anyone who saw the horrendous, inexcusable destruction of some of the most beautiful religious and cultural sites in Europe in Kosovo by Albanians, knows that this problem is not over, that the ethnic hatred is so deep that it must be dealt with with a residual force.

Now, back to the United States, there are two points of view: Let the Europeans do it and let us be part of it. I, like Secretary Burns,

come unreservedly down in the latter camp. Why? Because history for over a century shows that when the Europeans unaccompanied by Americans muck around in the Balkans bad things happen. It is a long historical problem.

The United States remains the dominant moral-political force in the region. A lot of this has to do with history, long tight ties between people of the Balkans and the United States in States like my own State of New York, Senator Voinovich's State of Ohio. These things matter out there.

We cannot walk away. So yes, sir; I hope it would be a NATO force with the United States involved and not what they have done now in Bosnia, which is NATO is replaced by an EU force and the Americans are set aside in a separate camp. I do not think that was the right solution, but it is less critical in Bosnia.

The CHAIRMAN. Thank you very much for those responses.

Senator Biden.

Senator BIDEN. Thank you, Mr. Chairman. You have asked three of the four questions I wanted to pursue and it will not surprise anyone here, I agree completely with the answers given by the Ambassador.

I also want to—I acknowledge the Ambassador's very kind remarks, but I am sure no one here thinks I would have been passionate about this issue early on nor threatened in any way the Ambassador at the time.

Let me skip because, Mr. Ambassador, I really do—every single thing you have just stated I concur with 100 percent, particularly NATO and U.S. presence. I think it is—and I was one of the few who was not happy with the European Union replacing NATO in Bosnia. I think it was not a good thing.

But, having said all of that, let me—you have answered—you have spoken of the Security Council, Russia's particular concern. You have spoken to the issue of the sort of coalescing of three or four important domestic issues in Belgrade relating to Montenegro, relating to Srbska, relating to Kosovo. There is a lot on the plate there and a lot of the historical tensions among the nationalists of all stripes have been sort of heightened here. There is a lot going on. This is the final throes of, in my view, the final throes of the dissolution of this country called Yugoslavia. It is not done yet. There are still some spasms left and how it takes place can impact a lot on what finally happens.

Which leads me to this question. If we are—speaking for myself, I think if we are to be fair and balanced about this, we have to acknowledge that the present Serbian leadership in Belgrade has some real pressure on it with all that I have described and we have talked about happening. And there are a lot of crosscurrents in Serbia on these issues. So it leads me to this question: How would you characterize the status and the strength of present leadership in Kosovo?

These are hard decisions, no matter how you cut it. No matter even if all the equities are on the other side—and they are not—this is a very, very difficult political—I sit here as a politician thinking, OK, I am now, I am leader in Belgrade, and I can sit down and analytically listen to all these Senators and other people from around the world saying, look, it is in your interest if there

is an independent Kosovo, it is in your interest if you have a different relationship with Montenegro, it is in your interest if you are able to lead the path to joining NATO and the European Union. But whoa, getting from here to there is pretty hard politically at home.

Talk to me a little bit about what you see—and you always have these arching—this capability, unlike anybody I have known since Kissinger, to sort of take these disparate pieces and kind of put them together. Tell me what you think is going on in Belgrade? What are the political equities and considerations, and what is the nature of the political leadership, the strength of it, to be able to do what I think if you dropped in from Mars and said, OK, analytically this is what has to happen? Where are we?

Mr. HOLBROOKE. Senator Biden, first of all before I answer your question, let me state for the record that you did never threaten me, and I really—I am afraid because we have been friends for so long I neglected to really make the other point, which is that, for the record, I would never have been confirmed as Ambassador to the United Nations without your friendship and support and advice. Everyone else on this panel also was supportive, and I thank all of you.

But I do want to put the t's in the context of the facts. You have asked a very critical question. You asked about the leadership. I want to say briefly the Albanians and then talk a little more about the Serbs.

Nick Burns already alluded to the fractious nature of the Albanians. At Rambouillet there were 17 Albanian representatives representing 17 different points of view. I was not at Rambouillet, but I was in close contact with the group that was. Rugova is the only Albanian who seems to have overall stature. His illness is a tremendous, tremendous tragedy for the region as well as personally.

They are very fractious people. It comes with their history and their territory, and it will be, I predict, the single most difficult issue in the end will not be in Belgrade—I will get to them in a minute—it will be in Pristina.

In regard to Belgrade, this is extremely difficult for any Serbian, any Serb politicians. They are well aware of the fact that Kosovo was lost by Milosevic as part of his progressive process of losing parts of Yugoslavia. First he lost Slovenia, then he lost Croatia, then he lost Macedonia peacefully, then he lost Bosnia-Herzegovina, and then he lost Kosovo and then he ended up in The Hague.

But because of the unique place Kosovo has in Serb history and the sense of the Serb nation, it is virtually impossible for any leading political figure in Belgrade to talk about the possibility that Kosovo could become an independent country. So the Serbs, what have had a terrible run of bad luck historically in the last 15 years, are faced with a cruel dilemma, and I believe it is up to the United States and the European Union and the United Nations, but the United Nations is really the vehicle—it is really a United States-European Union negotiation—to help Belgrade through this process.

The most important aspect of this on the positive side is Brussels, the European Union. In the end, the Serbs in Belgrade will have to choose between Brussels and Kosovo. It is as brutal as

that. If they want to become part of the European Union, they will have to—they will have to figure out how to let Kosovo gently go and make sure they get guarantees.

Meanwhile, the Albanians must know that if they do not give the kind of guarantees that Nick Burns and I have talked about, they will not get to their desired goal. So you have an extraordinarily difficult negotiation. It will take a lot of carrots in Belgrade to make the Serb leadership see the value for them and it will take some very heavy pressure on the Albanians not to think that they can just grab Kosovo and then drive the remaining Serbs out of their ancestral home.

This is going to be one tough negotiation. I have a lot of confidence in Ahtisaari, but he will need strong U.S. backing, because left to their own devices the Europeans, as a group, will not be able to create a coherent negotiation.

Senator Biden, I hope that addresses your very complicated point.

Senator BIDEN. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Biden.

Senator Voinovich.

Senator VOINOVICH. I am interested in your stressing the importance of KFOR. Three or four years ago I visited Tusla with several Members of Congress and they took us around in their jeeps and we saw the houses being rebuilt and so forth. I asked one of the servicemen: What happens when you leave? His first response was: They are going to start killing each other again. My wife asked the same question and that was the answer that she had.

Mr. HOLBROOKE. Was this in Bosnia, sir, or in Kosovo?

Senator VOINOVICH. It was at Tusla.

Mr. HOLBROOKE. At Tusla.

Senator VOINOVICH. Yes, right.

From your point of view, have we supported KFOR to the extent that we sent a signal out to the Albanians in Kosovo that we are serious about what we are doing there and have the caveats that Secretary Burns made mention of been removed to the extent that they should be, and do they have the training in terms of antiriot control and the equipment that they need to get the job done?

In other words, I guess the question is, Are they formidable enough that they send a signal out that if someone thinks that they can take to the streets that they can get away with it?

Mr. HOLBROOKE. This question goes to the heart of why I believe, and I think Senator Biden made the point too, that the United States must remain involved. Technically, yes; they are strong enough, but there is something missing in the European deployments. Now, Nick Burns alluded to the change in national asset rules, but I am more skeptical in that. Time and time again, in Sarajevo when the Serb suburb of Gerbovitsa was burned down by the Bosnian Serbs themselves in March 1996, when the thugs drove Serb families that had lived in Sarajevo for 3 centuries or more out of their apartments and houses because they wanted to destroy moderate community, NATO stood by. Again last year, as Senator Sarbanes and Senator Biden mentioned, the NATO troops stood by in Pristina and only the Americans acted.

So it is not a question of the ability, the logistics of the armaments. It is a question of will. The United States is just better at this. I do not want to sound chauvinistic about it. I have just seen it on the ground. So I hope that KFOR will remain a NATO assignment with a significant American presence, because I truly believe, Senator, that that is part of the essential way to protect the Serb minority if and as we move forward.

Senator VOINOVICH. Do you not think it is also a condition precedent for the Serbs at the negotiating table to agree to do certain things that might give more autonomy to the Kosovars and say, yes, we are willing to give you. Now, I was there a year ago. They said: Give us the ball, we will carry it, we will do what we are supposed to do, but we cannot be dealing through the U.N. mission in Kosovo because we do not have a lot of confidence in them.

Mr. HOLBROOKE. You are talking about the Serbs in Pristina or in Belgrade?

Senator VOINOVICH. I was talking about when I was in Pristina talking to the Kosovars. They were saying: We want more authority to get the job done, and give us the ball and we will do it; we are being held back by the UNMIK folks.

Mr. HOLBROOKE. I had the same experience.

Senator VOINOVICH. OK. So to the Serbs you say, here is the ball, we are going to let you carry it, you got it, but there has got to be some guarantee back in Serbia and in Belgrade that if it does not work people are not going to get killed and they are not going to burn down the monasteries and the other patronymic sites. Do you not think that is a condition precedent for them to move forward in terms of their political situation?

Mr. HOLBROOKE. No question.

Senator VOINOVICH. OK. The next question is this. If this thing is not handled properly, do you not believe that the Milosevic forces and the Seselj forces from a political point of view could end up taking over and we would lose Kostunica and Tadic and that group?

Mr. HOLBROOKE. There is a risk of that and that is why it is so important that this negotiation move fast and why I feel it is such a tragedy that we lost the last 4 years and the life of Zoran Djindjic and Foreign Minister Slivanovic, both of whom would have wanted to move faster. That was a tragic—the standards before status concept was just wrong. But now we have the move.

Senator VOINOVICH. The fact of the matter is, I am very critical of UNMIK. Even with Steiner, I thought he was going to do the job and they did not dot the i's and cross the t's. I think they just fuzzed it over. Now we have Petersen there. The question is, Once negotiations are finished who is going to be responsible for implementing what has been negotiated? Is UNMIK going to do it, or who is going to be the one to do that?

I think the Kosovars will have some real concern about who is going to make sure that it gets done.

Mr. HOLBROOKE. You are asking me to speculate, so allow me to just speculate. I believe UNMIK will have to be disbanded when and if a final status is agreed upon, and I hope it will be succeeded by a smaller, slimmed down international civilian presence roughly

along the lines of the Office of the High Representative in Bosnia, which I would stress to you, Senator, is not a U.N. operation.

When I was at Dayton, we did not let the United Nations come to Dayton because they had made such a hash of the Balkans and they were not given the responsibility. Lord Ashdown, Ashdown's mission is not a U.N. mission.

Now, I agree with you about UNMIK, and UNMIK made three or four fatal mistakes. One, they never devolved enough authority to the local people, as called for in 1244. Two, they created their own international bureaucracy and did not help with the economic situation. Three, they got caught up with their own bureaucracy. And four, they did not implement the final status talks.

So that is all over with now. Ahtisaari is a negotiator and a very good one. You have already outlined one of the things I think the Serbs ought to push for, which is a residual security presence including NATO and U.S. troops. The other one is opening the door toward movement toward European Union membership. Those two things plus guarantees for the Serbs are necessary.

But in the end they are going to have to still bite the bullet on a much tougher issue, which is the future status of Kosovo itself, with all the history that that carries.

Senator VOINOVICH. The last thing I would like to say is that people have to be incented to do things. I know again a year ago I spent 3 days, 2 days, in Belgrade, just everywhere I went saying: You have got to choose The Hague or you have got to choose your economy.

Do you not believe that some action on the part of the European Union and on our part to give the Serbian people confidence that this will move them forward in terms of having a better standard of living would make also a great deal of difference in terms of what their leaders are going to be able to do at that table?

Mr. HOLBROOKE. Yes, sir; I do, absolutely, no question.

The CHAIRMAN. Thank you very much, Senator Voinovich. Senator Nelson.

Senator BILL NELSON. Thank you, Mr. Chairman.

Mr. Ambassador, thinking back to that troubled region, in early 2004 the President of Macedonia was killed in a plane crash. He seemed to be something of a consensus-builder. What was his influence on the Kosovo situation?

Mr. HOLBROOKE. He played a very important role in keeping the ethnic tensions from spreading into Macedonia, which was very close to a brutal breakup between the Albanians in the southwest area around Tetovo and the Macedonians up around Skopje. So it was a tragedy.

But Macedonia has held together and here I think American diplomacy under both President Clinton and the current administration has been a success. Then I should mention—excuse me, Senator—one name that has not been mentioned today, Mr. Chairman, is my former colleague, Chris Hill, who would be here today except that he is in Beijing working on the North Korean negotiation. Chris was with us at Dayton, did a brilliant job, was our first Ambassador to Macedonia, and deserves a lot of credit for what has happened.



Senator BILL NELSON. If the inevitable trend is, as you would suggest, independence and the economy is in such dire straits right now with regards to Kosovo, what do you recommend that the United States should do in this interim until such time that it might be apparent that independence would include protections of the minority?

Mr. HOLBROOKE. The first and most important thing for the United States to do is to reengage in the area after these 4 years of neglect, and the testimony you have heard today from Under Secretary Burns speaking for Secretary Rice and President Bush is dramatic testimony that the 4 years are over and they are moving in the right direction. That is why I am here today as a bipartisan witness actually to endorse 99 percent of what Nick said.

The second thing to say is that the United States should not pull out of the region because history shows when we do, bad things happen. The specifics, which we have covered in detail, may all shift, but the United States does have a vital national security interest in stability in Europe. This area lies in the heart of Europe, with NATO members to its south and east, Turkey and Greece, and just beyond them the area of maximum danger to the United States and the whole world, Iraq, Syria, Iran, and so on.

I want to say one other thing, Senator, which I had not mentioned earlier. Had we not acted in Dayton 10 years ago and had we not written into the agreements that we gave ourselves the unilateral right to use military force to root out foreign elements, foreign freedom fighters—we called them mujahedin then; we had not heard the name at Dayton “al-Qaeda”—we now know that the Dayton agreement and the actions in Kosovo stopped Usama bin Laden and al-Qaeda from building in the Balkans what they built in Afghanistan that much closer to us and that much closer to the heart of western Europe.

So I say all that because everywhere you go people are so concerned, legitimately, with Iraq and Afghanistan. They say, well, the Balkans is yesterday's news. We came that close to having the war we are having in Afghanistan in the deep ravines and hills and caves of the Balkans, which would have been not much fun. As we all know, 44 Nazi divisions were tied down in Yugoslavia by the partisans in World War Two.

So this is an area of great importance to the United States and this committee, as I said already, has played a tremendously important role in keeping interest alive. We just have to keep doing it, and in this particular case on a totally bipartisan, nonpartisan basis.

Senator BILL NELSON. All of the military commanders that I have talked to over the last number of years have expressed their intent to find these war criminals that are still on the run, and yet it has not occurred. What would be your recommendation so that we could be more effective, and what more should we do to bring them to justice?

Mr. HOLBROOKE. Thank you, Senator. I am constantly asked, particularly right now on the 10th anniversary of Dayton, was Dayton a success or a failure? I always say it was a success because it ended the war and it achieved our goals, even though it was full of flaws.

Then the question you raised always comes up. The basic thing I would say is this. People when analyzing Dayton confuse the agreement and its implementation. The agreement provided for the capture of these men. The implementation did not succeed. This is critical.

Now, why was not Karadjic, who is the most important of this group, and Mladic right behind him, captured? The hard sad truth, as I wrote in my book and have said repeatedly, is that NATO failed to go after them in the spring of 1996 when Karadjic's green Mercedes Benz was parked outside his office in Poli. President Clinton said later he considered the actions of this admiral insubordination. But at the time the U.S. Government failed to insist.

So Karadjic—in June 1996, I went back to Belgrade as a private citizen, negotiated with Milosevic the full removal of Karadjic from his public positions and he went into hiding, where he has been for 9 years. I believe that he has cut off his big dramatic white hair. He may have grown a beard. I would bet that he is in a monastery somewhere in the triangle between eastern Bosnia, Serbia, and Montenegro. It is just a guess—protected by paramilitary thugs, extreme ultranationalists, and this kind of corrupt mafioso which has pretended to be Serb nationalist for so long but actually has cheated and stealed and weakened the Serb people and denied them their chance for their rightful role in Europe.

Karadjic also actively is undermining the implementation of Dayton whenever he possibly can. Mladic, as Secretary Burns said, was in a military base, now seems to be somewhere else. Capturing these two people is essential. It is not just symbolism, although symbolism is important. They are, particularly Karadjic, are clear and present dangers to stability in the Balkans.

They will not be captured by sweep operations. You do not capture people by sweep operations in deep ravines with hundreds and thousands of little villages. I am sure, Senator Voinovich, when you drove, as I did, from Tusla through the area—I looked at these villages and I said, supposing you had intelligence that Karadjic was in that village; to seal it off, close it, and search it house by house, you would tip them off way in advance. You could not do it.

Remember that Saddam Hussein was not captured through a search operation. They had left that farmhouse when a farmer said: Take another look. So they looked again and they found his spider hole. That is the way you capture these people.

There is a very big reward out for these men and we have to redouble the effort. Senator, I never felt we made enough of an effort under either, the administration I was part of, or the current administration. Now, officials of both administrations will tell you we have tried. I am just telling you as a private citizen and my obligation to your committee, I do not believe the effort was ever sufficient. But it has to be an inside job. You are not going to do it through sweep operations.

Senator BILL NELSON. Thank you, Mr. Chairman.

Mr. HOLBROOKE. And by the way, all of this, what I have just said, I believe applies equally to Usama bin Laden. We are not going to find him by searching through the caves in Tora Bora. You have to get intelligence and somebody turns him in.

The CHAIRMAN. Thank you, Senator Nelson.

Senator Voinovich, do you have additional questions?

Senator VOINOVICH. Mr. Chairman, I would just like to emphasize again, you just talked about Karadjic and you think that he is still someone that we will have to reckon with, and the same way with Mladic. I do not want to beat a dead horse, but I certainly hope that people understand the political situation in Serbia and Montenegro today. You have got Kosovo and then you have got the whole issue of what is going to happen to Montenegro, and you have kind of a very slim coalition; and that if this should, these negotiations, should precipitate a change in the leadership there, what a horrible thing that would be for the region and a great setback.

Would you like to comment on that?

Mr. HOLBROOKE. I completely agree with you, and that is why both Nick Burns and I have said it is going to be a tough, long negotiation. The dilemma is you cannot let yourself be paralyzed by the risk that action will trigger the collapse. But you do not want to trigger the collapse, either. And this was true in Dayton, sir. It is true in all these negotiations. It is true in the Mideast today. You are always confronted with the internal politics as a factor that could constrain you.

Therefore, you have to give Tadic—and I share Nick Burns's positive assessment of Tadic; I like the man, I have worked with him. I think he is trying his hardest. You have to give Tadic and Kostunica, who is a very intelligent man, a serious, serious man who combines great love of his country and a serious legal mind, you have to give these leaders enough benefits so that they do not appear to have betrayed 1,000 years of Serb tradition.

Benefits in the form of guarantees for the safety of the Serb minority in Kosovo, which we have already discussed, and economic incentives involving the European Union are the two core things. It will be a tough negotiation, and the United States must be part of it because, in my view, the Serb really respect the United States more than any of their European neighbors.

Senator VOINOVICH. And we are the largest investor in Serbia today of any of the countries. It is interesting. The United States is the biggest investor in Serbia today than any of the other nations.

Mr. HOLBROOKE. I did not know that.

Senator VOINOVICH. Thank you, Mr. Chairman.

The CHAIRMAN. Well, thank you very much, Senator Voinovich.

Ambassador Holbrooke, we thank you again. We appreciate your underlining the purpose of our hearing, Kosovo, a way forward, and the thought that this does present another opportunity. We wanted to hear from the administration, and Secretary Burns has done a splendid job in outlining that point of view. You have been most generous in your support, as you say, of 99-percent-plus of this in a bipartisan way, underlining from your own experience the joys and the heartaches and the difficulties that are involved.

Senator Voinovich, because of his experience as a committee member, offered a special testimony in his own way.

We thank you very much for coming. We thank our previous witness, and the hearing is adjourned.

[Whereupon, at 12:00 noon, the hearing was adjourned.]

#### ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

##### RESPONSE OF UNDER SECRETARY OF STATE NICHOLAS BURNS TO A QUESTION SUBMITTED BY SENATOR LUGAR

*Question.* I understand that on January 1, NGOs will no longer be exempt from taxes in Kosovo. What are the potential implications for the NGO community? What steps is the United States taking if any, to rectify the matter?

*Answer.* In general, the United States supports the alignment of Kosovo's tax structure with accepted European standards while also facilitating the donation of goods to the people of Kosovo. The U.S. Agency for International Development in Kosovo has asked Kosovo's Minister of Finance and Economy to delay removal of the tax exempt status for NGOs until June 1 in order to allow more time for the government and international community to study this issue. We are awaiting the Kosovo Government's decision, and will at that time, decide what—if any—further action is required.

##### RESPONSES OF UNDER SECRETARY OF STATE NICHOLAS BURNS TO QUESTIONS SUBMITTED BY SENATOR BARBARA BOXER

*Question.* Mr. Burns, you have said that the status quo of Kosovo's undefined future is "not sustainable or desirable." Yet I'm sure that you know, better than perhaps anyone, what we are up against.

In a Washington Post article last month, Ivo Daalder, a Balkans specialist at the Brookings Institution, said of the upcoming negotiations that "this has the makings of classic conflict . . . The American view is to lean toward independence; the European Union will say, 'Let's figure out a way not to make that decision'; and the Russians on the opposite side saying, 'Over my dead body.'"

- What is your response to Mr. Daalder's claim?
- Does he accurately describe the American, European, and Russian perspectives? If so, how can we forge a consensus that achieves long-term stability in Kosovo and the Balkans?
- What, in your view, should a final political settlement look like? Is there a solution short of full independence that Kosovo's ethnic Albanians will be able to live with?

*Answer.* The United States continues to work closely with the European Union and Russia throughout the Balkans, particularly within the Contact Group, which consists of France, Germany, Italy, Russia, the United States, United Kingdom, and the European Union. The Contact Group has worked well together over recent years in support of the U.N. Interim Administration Mission in Kosovo (UNMIK) and agreed to the start of Kosovo status talks.

While the Contact Group does not have a preferred status outcome, it did state in its November 2005 Guiding Principles for Kosovo status talks that any settlement ". . . must be fully compatible with international standards of human rights, democracy and international law, and contribute to regional security." Additionally, the partition of Kosovo or its union with any country or part of any other country is not an acceptable outcome because it would threaten the multiethnicity of Kosovo and further the efforts of irredentists throughout the region.

At this stage of the status process, the United States believes it would be premature and unhelpful to offer any views on what the outcome of a status settlement should look like beyond those principles outlined by the Contact Group. The United States fully support and will lend its weight when needed to the efforts of U.N. Special Envoy Martti Ahtisaari to bring together both sides to try and reach a compromise solution that furthers the U.S. and international community's goal of a secure and stable Balkan's region.

*Question.* The United States has been involved in the Balkans for more than a decade, and I would like you to discuss what lessons the United States has learned in dealing with the ethnic conflict there. I ask this question because it seems to me that the crux of the conflict in the Balkans—reaching power-sharing and territorial agreements between the various ethnic and religious groups—is similar, in some respect, to what the United States is facing in Iraq today.

- What should we have learned from Kosovo that we could have applied to our engagement in Iraq to avoid the quagmire we are in today?

- What should we take from our involvement in Kosovo—both the good and bad points—to help us make the right decision when weighing whether to become involved in future conflicts?

Answer. Establishing democracy and freedom in regions that have only known authoritarian, oppressive rule is a challenging and difficult task, but one that can be undertaken successfully. While no two conflicts are identical, the United States joined with its European allies to prevent the further violence and oppression wrought by Slobodan Milosevic and his corrupt regime in Kosovo and Bosnia and Herzegovina. Milosevic, like Saddam Hussein, had a lengthy track record of human rights violations and both leaders presented threats to the overall security and stability of their regions and the world at large. In both cases, the challenge for the United States and its partners has been to assist in the transition from the politics of ethnic or religious identity to the politics of issues and interests.

What United States and international efforts in the Balkans and Iraq have demonstrated is that through a continued commitment and partnership with those who share our goals, progress can be achieved. While sustainable results require time—as evidenced by the work that is still required in Kosovo—thousands of people once displaced have returned home in Croatia, Bosnia and Herzegovina, and Kosovo and efforts to slowly incorporate this region into Euro-Atlantic institutions are beginning to bear fruit.

In Iraq, the political transition laid out in the Transitional Administrative Law and unanimously endorsed by the U.N. Security Council, has already resulted in successful national elections, the ratification of a permanent constitution, and the foundations for elections under the constitution on a more inclusive basis.

*Question.* It is my impression that greater ties with the European Union and eventual EU membership holds the most promise for—resolving in a meaningful way—the long-term instability that continues to plague the Balkans. Yet the failed referendums on the EU Constitution in Holland and France earlier this year—and the problems surrounding the potential accession of Turkey into the European Union—suggest that the EU is not ready to really take on the membership of Balkan countries.

- Short of full membership, how can the EU embrace these countries in a meaningful way?
- Is there any hope that their membership can be considered within a reasonable timeframe?

Answer. Despite the outcome of the votes in France and the Netherlands, the European Union continues to view the prospective membership of the Balkan countries very seriously. In addition to Turkey, on October 3, the EU granted candidate status to Croatia. Also on October 10, the EU began Stabilization and Association Agreement (SAA) negotiations with Serbia and Montenegro. In addition, the European Commission on November 9 recommended that the European Council provide candidate status to Macedonia and that formal accession negotiations could commence as soon as Macedonia met certain membership criteria. The European Union has also opened SAA negotiations with Bosnia and Herzegovina on November 25. Pursuant to the 2003 Thessaloniki Agreement, the EU is committed to advancing the candidacies of the countries in the Balkans as EU Member States as they complete extensive membership criteria.

*Question.* Although I strongly believe that the international community is entering into the upcoming status negotiations on Kosovo with the best of intentions, there remains the very real possibility that tensions within Serbia and Kosovo could become worse instead of better as a result. Again, we are dealing with two diametrically opposed entities, and one party is not going to get everything that it wants.

- For instance, what would full independence for Kosovo mean for Serbs in the region?
- And how would full independence for Kosovo impact neighboring areas with sizeable Albanian populations, such as Macedonia and Montenegro?
- Could we see a push for a greater Albania?
- Is the international community prepared to respond if problems in the region become worse as a result of our efforts?

Answer. As noted in Norwegian Ambassador Kai Eide's October 2005 report on the political situation in Kosovo, "There will not be any good moment for addressing Kosovo's future status. It will continue to be a highly sensitive political issue. Nevertheless, an overall assessment leads to the conclusion that the time has come to commence this process." Following the release of Ambassador Eide's report, the U.N. Security Council agreed with the general conclusions of the Eide report and supported U.N. Secretary General Annan's launch of a political process to determine

Kosovo's future status, as called for in U.N. Security Council Resolution 1244 (June 1999).

Regardless of the status outcome, it is important that Kosovo's future political status contribute to regional security and ensure sustainable multiethnicity in Kosovo. As part of any settlement agreement, the rights of all communities in Kosovo must be protected and those individuals and families that continue to live in displacement must be afforded the opportunity to return home. An important component to creating sustainable multiethnicity in Kosovo is devolving more responsibilities to local governments. While the United States is encouraged with the start of several decentralization pilot projects earlier this year, Kosovo officials must do more.

The Contact Group has clearly stated "There will be no changes in the current territory of Kosovo, i.e., no partition of Kosovo and no union of Kosovo with any country or part of any country." A final status outcome that enhances rule of law and stability in Kosovo, while upholding the inviolability of regional borders, will improve security for all of Kosovo's neighbors and the wider region. Meanwhile, Macedonia is making its contribution to regional peace, security, and stability by having completed the legislative implementation of the 2001 Ohrid Framework Agreement and moving forward on related democratic reforms that are bringing it closer to eventual, full Euro-Atlantic integration.

In Montenegro, the United States continues to work closely with our allies, especially the European Union, to support democratic developments and further Montenegro's integration with the region and the European Union. Developments in Montenegro remain separate from the Kosovo status process, but the United States has encouraged leaders in Montenegro to continue to ensure that any referendum in Montenegro enhance regional stability and not interfere with the Kosovo status talks.

Additionally, there is no connection between a Kosovo status process and the situation in Bosnia and Herzegovina. While some may seek to draw parallels between Kosovo and the Republika Srpska entity in Bosnia and Herzegovina, Bosnia and Herzegovina's international borders have been clearly defined by the Dayton Peace Accords and the U.N. Security Council.

While extremist elements may try to use the status talks as a platform to further their political aims, the NATO-led Kosovo Force (KFOR), which includes approximately 1,700 U.S. troops, is prepared to respond to any unrest in Kosovo. The international community has also made clear that individuals who use or condone the use of violence will have no role in the status talks. We will continue to encourage all governments in the region to remain vigilant and to take appropriate action when necessary to prevent any possible extremist violence from affecting the status talks.

*Question.* Shortly after 9/11, the State Department launched a public diplomacy campaign aimed at reaching out to the Muslim world. One of the highlights of the campaign was to point out that the United States intervened on behalf of Muslims in both Bosnia and Kosovo. Yet, it appears as though highlighting our efforts on behalf of Muslims in the Balkans failed. Today, the disapproval rating toward the United States remains staggeringly high within the Muslim world.

- Why do you think our efforts in the Balkans on behalf of Muslims had so little impact on the wider Muslim world?

*Answer.* America's relationship in the Muslim world is broad and complex, influenced by history, policy, and personal relationships between our peoples. With so many factors influencing the way we view one another, it would be difficult to pinpoint precisely why the story of our success in freeing the people of Bosnia and Herzegovina and Kosovo has not had a larger impact. We do, however, believe it is an excellent example of America's will to act in support of freedom for all people, and will continue to highlight it in the Muslim world and elsewhere.

As you know, under the direction of Under Secretary for Public Diplomacy and Public Affairs, Karen Hughes, the administration is moving forward with an aggressive public diplomacy strategy highlighting our efforts to support freedom and democracy for all people. Engaging Muslim populations, particularly its youth, remains an important objective in our overall public diplomacy effort.

*Question.* If Kosovo's borders remain unchanged, and Kosovo is granted full independence or some type of conditional independence, what are the prospects for a peaceful coexistence between ethnic Albanians and Serbs within Kosovo?

If a final status agreement is reached, will Kosovo's Serb population need continued protection from the international community or from a regional peacekeeping force?

Answer. Any settlement on Kosovo must provide effective constitutional guarantees that ensure the protection of all its people. A key component to creating sustainable multiethnicity in Kosovo is empowering local governments, including minority communities, by giving them greater control over issues such as health, education, police and justice.

In addition to these constitutional guarantees, the international community recognizes that a continued NATO presence and a follow-on international civilian mission will be needed in Kosovo to ensure implementation of the settlement agreement and protection of minority rights. The nature and time line for both missions will be discussed during the status talks.

