

MILOSEVIC'S CRACKDOWN
IN SERBIA AND
THREAT TO MONTENEGRO

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**MILOSEVIC'S CRACKDOWN IN SERBIA AND
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MILOSEVIC'S CRACKDOWN IN SERBIA AND THREAT TO MONTENEGRO

THURSDAY, JULY 27, 2000

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

The Commission met in Room 2255, Rayburn House Office Building, Washington, D.C., at 1:38 p.m., Hon. Ben Nighthorse Campbell, Co-Chairman, presiding.

Commissioners present: Hon. Ben Nighthorse Campbell, Co-Chairman.

Witnesses present: Bogdan Ivanisevic, Human Rights Watch; Stojan Cerovic, U.S. Institute of Peace; Branislav Canak, Nezavisnost; David Dasic, Montenegrin Trade Mission.

OPENING STATEMENT OF HON. BEN NIGHTHORSE CAMPBELL, CO-CHAIRMAN

Sen. CAMPBELL. The hearing will come to order. The Chairman will be here in just a few moments. We'll go ahead and start.

Next week marks the 25th anniversary of the signing of the Helsinki Final Act. They should remember the last quarter of a century in Europe in the history books for the struggle for human rights and fundamental freedoms, for good democratic governance, and for the opportunity to prosper and give the next generation a future.

Thanks in large part to the Helsinki process so much has been achieved, particularly in the last decade with the end of the artificial division of Europe. Yet as the title of our hearing today reminds us, the struggle continues due to certain individuals and places like Serbia, where the leader has gone to extraordinary lengths to maintain personal power. While authoritarian regimes continue in places like Belarus and in countries of Central Asia, nowhere in the OSCE region have the principles enshrined in the Final Act been trampled upon more than they have been by the regime of Slobodan Milosevic, an indicted war criminal, responsible for genocide at the end of the 20th Century.

At the beginning of a new century, Milosevic continues to squelch the rights of the people of Serbia, and I would note that this includes, but is not limited to, Serbs. In Vojvodina, for example, there are many other ethnic groups living under precarious circumstances, the largest of which after the Serbs are the Hungarians. They, along with their Serb neighbors in the province first saw their political autonomy stripped. Then they found themselves living in a country waging a nationalistic war against its neighbors, a war they did not support, which forced many younger people to Vojvodina to flee, which ultimately flooded their towns and villages with refugees.

Now they remain vulnerable as minorities, isolated in an undemocratic country devastated by conflict and replete with criminal activity. I hope, as we all do, that as we hear the expert testimony of our witnesses they can provide us with an assessment of the situation throughout Serbia, including Vojvodina and what can be done to protect vulnerable minority populations there.

I also will be deeply interested in the comments made regarding Montenegro, given the threat that republic faces, which was the focus of our very first Commission hearing at the beginning of this year.

As we approach the end of the year, the situation appears particularly perilous as Milosevic intensifies his crackdown at home and threatens to destabilize neighboring Montenegro.

We're fortunate to have before us today a panel of experts on the situation of Serbia, people who have been a part of the struggle for democratic change in that republic, and I hope I get the pronunciations right of your names.

First we will have Mr. Bogdan Ivanisevic.

Mr. IVANISEVIC. Ivanisevic, but it's difficult to pronounce.

Sen. CAMPBELL. A researcher with Human Rights Watch, he has been reporting regularly on the attacks on independent and opposition forces in Serbia, including a student movement OTPOR, or Resistance.

Next we will hear from Stojan Cerovic, a well-known journalist from the independent magazine *Vreme*, or Time in Serbia, who is currently a Senior Fellow at the U.S. Institute of Peace.

Then we will hear from Mr. Branislav Canak, President of the independent trade union Nezavisnost.

Mr. CANAK. That's right.

Sen. CAMPBELL. I'm not very good with these names, and I apologize for that. Mr. Canak testified before the Commission in 1996, and we're happy to see you back.

Finally we are equally fortunate to have a representative of the Montenegrin government, Mr. David Dasic, from the Montenegro Trade Mission here in the United States, who will present his views on the situation especially in the light of the recent constitutional amendments Mr. Milosevic has made to perpetrate his power and bringing Montenegro under his control.

On behalf of the Commission I welcome all of you, and we'll proceed with the first witness, Mr. Ivanisevic.

TESTIMONY OF BOGDAN IVANISEVIC, RESEARCHER, HUMAN RIGHTS WATCH

Mr. IVANISEVIC. Mr. Co-Chairman, ladies and gentlemen, good morning. I would like to thank the Commission for inviting me here to speak about the situation in Yugoslavia and the human rights situation, in particular.

I do have a difficult task though to summarize the situation in five to seven minutes, which is what Mr. Chairman asked me to limit my presentation to. It is a difficult task because unfortunately to give details.

Sen. CAMPBELL. Well, if you have written testimony, we will include that in the printed record.

Mr. IVANISEVIC. I do. I will submit, indeed, a written statement.

Sen. CAMPBELL. That's fine.

Mr. IVANISEVIC. So I am going to summarize briefly here the findings in the statement.

Human rights violations in Serbia have been on the rise since autumn 1998 when the threat of war with NATO became real. During the NATO bombardment and in the period after the war, the situation has only deteriorated.

There may be two main reasons for this deterioration. One is the severance of relations with Western countries on diplomatic and political levels, which have led the Yugoslav authorities to become indifferent to Western criticism, including criticism of human rights abuses.

The other and probably more important reason for this deterioration is the change of the political climate in Serbia. For the first time since the introduction of the multi-party system, the opposition parties seem to have the support of the majority of potential voters in Serbia. For the first time the danger for the authorities to be removed from power as a result of elections is a real one.

In the written statement which I will submit, there is a list of opinion polls taken since October 1999, which show a consistency in the results being in favor of the opposition.

A very important target of government suppression over the last 12 months and longer, is free expression and public debate. In the wake of the NATO war, criminal and misdemeanor proceedings have been initiated against opposition politicians and ordinary citizens who have publicly or even privately criticized the authorities. Some cases have resulted in convictions. Appeals in these cases are still pending, but the very fact that the trials have taken place has a significant deterrent effect.

An even more chilling effect has been produced by the law on public information and its application. The law was adopted in October 1998, and it authorizes misdemeanor judges to impose high fines on media found to have published libelous statement or reports.

As the misdemeanor judges are appointed by the government and depend on it, and can be easily removed if they act independently in politically sensitive cases, the judges identify libel only if petitioners are members of three ruling parties in Serbia. In a number of cases, exceeding 50 in the last two years, officials belonging to these parties or their supporters have recovered damages from independent newspapers and electronic media for alleged assaults on their human dignity and their right to a private life.

These fines have been extraordinarily high and were clearly aimed at exhausting the media financially, in addition to curtailing free expression.

As of January 2000, the independent media in Serbia and Montenegro had been punished for violations of the law on 31 occasions, and the average fine had been 420,000 dinars, whereas pro-government newspapers were fined only six times, with the fine averaging 143,000 dinars. The trend has only worsened since.

The government in Belgrade has always been in full control of the main national media, the RTS, or the Radio-Television Serbia, but it has failed to establish an absolute monopoly in the area of public information. This failure is because in most large towns in Serbia the opposition has been in power since the municipal elections in 1996. Consequently the local media are not in the control of the central government.

There are also three major national newspapers whose editorial policy is independent.

Since 1998, the government has been trying to establish full control. In May of this year, two of the most important outlets, TV Studio B and Radio B92, were taken over by the authorities.

Also, NGO activists, intellectuals and journalists communicating with foreign colleagues have been prosecuted or indirectly threatened with prosecution for espionage. Just yesterday a journalist, Miroslav Filipovic, was sentenced to a seven-year imprisonment in Nis, the second biggest city in Serbia, for alleged espionage and dissemination of false information. His arrest was connected to articles he published earlier this year in an English Internet magazine in which he wrote about war crimes committed against ethnic Albanians in Kosovo during the NATO war and the tensions in ethnically mixed parts of Serbia, specifically in Sanjak, a province in Serbia where the Yugoslav army and police have been deployed after pulling out from Kosovo.

Also in 1999, peaceful demonstrations organized by the opposition or by university students met violent police response. The riot police in Belgrade also beat peaceful protestors in May of this year when thousands took to the streets protesting the closure of TV Studio B and Radio B2-92, which I mentioned a moment ago.

Authorities have resorted to other means to prevent opposition views from reaching a broad audience, which I have described in my submitted written testimony.

The main novelty in the government's strategy is police beatings of opposition activists and members of OTPOR or Resistance, which is an anti-government group mostly comprised of university students.

The group has attracted a lot of sympathy and support among citizens in Serbia, in the last six months in particular. It has sought peaceful political change through free and fair elections, and its activities consist mainly of street actions aimed at ridiculing the government's policies.

The authorities accuse OTPOR of being a terrorist organization, an absurd charge. To understand it better, one should take into consideration that many university professors, human rights activists, artists, church representatives, and members of the Serbian Academy of Science and Arts have publicly supported the group or become its members.

In the last two months, in June and July, on a number of occasions the police have beaten OTPOR activists or refused to investigate attacks on OTPOR and other opposition activists by plainclothes types. The beatings took place in police stations or in city streets where government critics were hanging anti-government posters or simply wearing t-shirts with symbols of OTPOR or opposition parties.

To mention one or two cases, recently a police inspector kicked an 18-year-old during an interrogation of 16 OTPOR activists in the police station. The group was arrested while playing a soccer game for demanding the resignation of the Yugoslav soccer team coach as a metaphor for demanding the resignation of President Milosevic.

In another case, a group of unidentified men seriously injured two people on crutches who are members of the opposition Democratic Party by beating them with their crutches. The victims were wearing t-shirts with symbols of the party. They claimed that the police patrol quickly appeared, but refused to pursue the attackers.

I would also like to say something very briefly about the judicial system in Serbia which operates under the authority of the government. The government has been able to exert strong pressure on judges who appear impartial and professional, and it benefits from those judges and prosecutors who require no prodding for their pro-government bias.

Although most of the judges in Serbia, arguably, are still professionals whose only guide is justice and truth, the structure of the judicial system enables those judges who are intimidated by, or loyal to, the executive branch to shape the performance of the judiciary in a decisive way.

Presidents of the courts in Serbia are elected by the government-dominated Serbian parliament, and these presidents have an important role in running the court, as they can assign politically sensitive cases to reliable judges.

Since juries strictly follow instructions by judges, decisions in political trials reflect the will of the government.

In December 1999 and July of this year, the authorities carried out outright purges of the judiciary. The victims were two judges of the Supreme Court of Serbia, one judge of the Constitutional Court, and 17 other judges of district, municipal and commercial courts. All were removed in breach of the procedure required by the Yugoslav constitution and law, as the Supreme Court had not pronounced upon the proposed removals, as required by law.

In the written testimony I have also included some more details about the Serbian opposition. I think I'm running out of time, so I will not speak about that now.

I would only like to add at the end that in the months ahead we shall probably see more attempts by the authorities to prevent any meaningful elections from taking place—and the municipal, presidential, and federal parliamentary elections are to take place during autumn this year.

If these elections were free and fair, they would probably lead to the defeat of the government, according at least to polls the results of which I submitted. In that context, human rights violations are almost certain to continue and intensify.

As for the role of the United States, direct leverage by the U.S. on the events in Serbia is close to nil, but the U.S. government can do things to help pro-democracy forces in Serbia. It can, for example, engage Russia in a dialogue on democratization and respect for human rights in Serbia. In legislation, the U.S. should resist conditioning the lifting of sanctions on Serbia's membership in international institutions on the achievement of a lasting settlement in Kosovo, as one can envisage a situation in which a democratic government in place in Belgrade might be unable to find a common language with the other side in the conflict, which is the Kosovo Albanian side, in case it chooses to pursue a maximalist position in this case subjecting FRY to sanctions would be misguided. Instead, the Yugoslav authorities should be required to show its dedication to the process leading to an agreement on a settlement.

Finally, we believe that the U.S. government can proactively and directly encourage the development of democracy in Serbia in a couple more ways. It can take steps to reduce the impact of sanctions on municipalities in Serbia in which non-governmental organizations and independent media operate free of pressure from the local authorities. It can increase funding for training programs, technical development, and

human rights awareness for the non-governmental sector, and it can increase support for the NGO sector and independent media through such programs as exchanges and study tours.

In the written statement, which is available now, you can find more details. I'm sorry, I understand that I spoke much longer than five minutes.

Sen. CAMPBELL. That's all right. Your testimony was very interesting to me.

Mr. Cerovic, if you'd like to continue.

**TESTIMONY OF STOJAN CEROVIC,
SENIOR FELLOW, U.S. INSTITUTE OF PEACE**

Mr. CEROVIC. Thank you, Mr. Chairman.

I think that you got pretty detailed presentation of the situation by Mr. Ivanisevic. So if we talk about violation of human rights, I think that I don't have to add too much to what he already said.

Since I'm a media person, I might add something about the media, which I think he forgot to mention. Besides fining media regularly on an almost daily basis, and those fines are proportionally actually very high in Serbia, we have also pressure of the other kind. There is now written media or printing media are now facing cutting of the supplies of newsprint.

So three of the still existing Belgrade dailies, independent dailies, are basically facing very realistic option of not being able to survive. There is only one factory producing newsprint in Serbia, and it's almost, you know, refusing to provide newsprint for independent media.

In the same time, people in the independent media, independent press are not allowed to import newsprint from abroad because authorities refuse to provide licenses for the import of newsprint.

Besides that, in Belgrade the only existing printing plant, which is willing to print independent media, is under strong pressure, and it will probably be taken over by the government very soon. So those still exist in printing independent media are forced to print the circulation somewhere out of Belgrade in different print plants, and it's a very complicated strategy of the media. They are really struggling with survival.

Besides that, Mr. Ivanisevic mentioned all other violations of human rights, and basically the pressures on the opposition parties and this new student resistant movement, and also at the university, there is a strong pressure on the university which was always pretty active in the resistance.

And all of that is apparently — there is a sense, there is a meaning for all of that, and that's Milosevic is namely facing this erosion of legitimacy, which Mr. Ivanisevic also mentioned. According to the polls, support for him and the ruling coalition is going down, and the opposition parties, if united, they can count on a clear majority at the moment.

So Milosevic's problem is real, and he would like to survive. He would like to win the elections, and he is basically doing his best now to create an atmosphere in which he will be able to win.

It's not only a matter of media. Probably even the media issue is not the most important in the next — is not going to be the most important in the next elections, but the — is that my time? No?

Sen. CAMPBELL. No.

Mr. CEROVIC. Nothing to do with it. Okay.

(Laughter.)

Mr. CEROVIC. Even more important is the issue of the control of the elections, and the opposition parties are now talking, and that's their major concern, and that's why the opposition is now divided over the issue of participation in the elections.

They can't be sure. They don't know at the moment whether it's better for them to boycott the elections or to participate, in the first place, because they are not sure whether they will be able to control the electoral process or not, and that's why the opposition now is I would say being notoriously decimated. Now they are probably, well, better united than ever before.

There is only this issue of participation at the elections, which creates division, and on the one side, we have Serbian Renewal Movement, which used to be the biggest opposition party, and the other side are all other parties that are willing to participate even if the conditions are not perfect or far from perfect actually.

So we will have now, as I'm informed—the actions have been called for the end of September. Already it's the news of today, I think. We will have, I believe, a growing pressure and clashes and probably more violence. We will see probably more brutal police actions against any kind of resistance.

There will be more cracks, more bans probably—the independent media will face far more pressure, and still that's all basically—the meaning of all that is, you know, Milosevic had to—he is basically put in the position, I would say, that this indictment at the Hague tribunal for war crimes, it was not really helpful, you know, with respect of replacing, driving Milosevic out of power because he is now cornered and basically sentenced to stay in power as long as possible and at any cost. He is now just doing, you know, whatever he believes is necessary to stay in power.

That's, I guess, the meaning of all this, and I'm afraid there will be far more repression. With respect to human rights, there will be more bad news in the weeks to come.

Thank you.

Sen. CAMPBELL. Okay. Thank you.

Mr. Canak, please.

**TESTIMONY OF BRANISLAV CANAK,
PRESIDENT, THE INDEPENDENT TRADE UNION NEZAVISNOST**

Mr. CANAK. Good morning, everyone. Thank you very much for the invitation, Mr. Co-Chairman.

I have to start with the fact that we are now in the 12th year that we discussed one man's activity. Who in 12 years seriously violated basic human rights of millions of individuals, tens of nations, and national minorities.

In these 12 years, he produced four wars with the result of hundreds of thousands of people killed, millions displaced, entire cities put down, and destroyed the childhood of two generations, and put the elderly people, three generations of elderly people in a very humiliating position that they don't receive even pensions for months.

I don't think that anyone did it in the 20th Century what this man did, and he's still in production unfortunately, and that's our common problem. I think so.

Well, I made a list here of what basic rights he has violated over these 12 years. First that he has violated the right of nations to choose their statehood. It was in the former Yugoslavia when different nations decided not to live together anymore. They found an improved right to live on their own, to create their own statehood, and to maintain their nation's economy and political life the way they want.

He deprived — he tried to deprive their rights, and that's how the first war started over in Slovenia in June 1991.

The war in Croatia started the same way. The war in Bosnia started the same way, and Kosovo is the final, the fourth war. I said "final" because I'm optimistic. It was definitely stopped at least from starting new wars.

Then he is continuously violating the right of minorities in Serbia. It's hard to explain the level of violation, because you should come and talk to these people in the country. The serious violation comes through the southern part of Serbia where Albanians are living. It's not part of Kosovo. It's Serbia, but there are three communities with a population of — any population from 70 percent to 96 percent, and you should talk to them. I'm not here to represent them, although many of them are members of my union, but I'm not here to represent because it's much better that people listen to what they have to say.

I'll give you one example. There was a factory in Presevo. It is one of these Albanian populated cities where there was one factory working very good, producing shoes and exporting them to Italy, and because all work force was Albanians, and then army came there and said, "We need your factory because we don't have our old barracks anymore."

They entered the factory, and 800 people lost jobs, and nobody cares for that.

Then you have a situation involved where others can produce because it's a multinational part, the northern part of Serbia, the Hungarians, Rumanians, Slovaks, Croats and Serbs living together, living together more than 200 years safely and peacefully, but not after this man came to power.

Then he is violating the right to speech, public speech, and it comes in two ways. He is preventing you from speaking publicly or he's punishing you after you have spoken somewhere something.

I'll give you one example of him preventing people to speak. My union started seven months ago a project that's called Partnership for Democratic Changes in Serbia, and we are traveling around the country trying to make sure that people on the local level become more active, to be motivated to come out and vote because we have a fact that 83 percent of the people are for changes, but because of serious misgivings by the opposition, they lost their faith, and someone has to wake up their faith back to political activity.

We tried to organize meetings on the local level with the people trying to explain why they're important for democracy, individually important for democracy, and they're preventing us from organizing meetings with them even in private restaurants.

They call the guy who owns the restaurant. "If you organize this meeting with these guys, we'll close your restaurant," and of course, because he wants to stay in business, he calls us on the phone. He says, "I'm sorry. I cannot give you my premises for your meeting."

So this is for me violation of the right to speech, or there's another example, how you're punished after you spoke somewhere. I spoke here in this building, and I was attacked when I got back home, and the attack came from the top level, the Minister of Information at that time. She was running the entire attack against me because I had spoken in the Congress, the American Congress.

I've survived, as you can see, and I'm glad I'm back here.

Then there is the violation of the right to organize. Well, of course, it's from my point of view I'm talking first about the right to organize union workers, but also it is very important. You cannot organize your entire life, political, economic life, on the local level, which is very important. Decentralization of Serbia is a path to democratization of Serbia.

If you cannot organize your life on the local level, individuals like people in Vojvodina, for example, or people in Eastern Serbia, or in Sandjak, what kind of democracy we can expect when you cannot organize because we are different? We are not the same. We don't have the same traditions, same history, and these people must have the right to organize their lives on the local level.

So then, of course, these two gentlemen have already talked about it, the freedom of press. Well, I will add only something that Mr. Cerovic said about the position of these three dailies who are deprived of getting their newsprint from the only factory that produces newsprint, and of course, they cannot get a license to import newsprint.

What they do now, because the factory needs heating oil for the production, they're buying heating oil. Can you imagine? Newspapers are buying heating oil. They give heating oil to the factory in exchange for newsprint. How can you imagine? What is the working day for a newspaper that starts looking around where they can find heating oil and then to produce newspapers?

But they still manage to make good newspapers.

The right to work is a universal declaration of the United Nations, and it should be applied everywhere in the world, but in Serbia we have a 65 percent unemployment and rising. Out of these 35 percent at work, that are employed, only ten to 15 percent really work. The rest are, you know, there to be one of the pillars of Milosevic's picture that everything is okay in Serbia.

Then we have violation of the right of social security. I already mentioned pensioners, retired people. They don't receive their pensions for months.

An average pension in Serbia is \$60 a month. An average need for the medicines in Serbia is \$30 a month for that age. So they have spent half the pension only for medicines.

Then we have a violation of the right to live in peace. To live in peace in our country, we must live in peace with our neighboring countries.

Something that people really cannot understand, and I understand why they don't understand, we are deprived of the right to travel because whoever, any citizen of Serbia who wants to travel abroad has to pay some tax to cross the border.

Since we have the news of the day, the elections, we have been all these years derived of the right of fair, democratic elections. That's what we are aimed to do now with this Partnership for Democracy, at the

beginning—to motivate people and then at the end we are going to monitor and control the elections, trying to prevent Milosevic not to steal as he did it many times, especially '96-'97.

I hope we will succeed this time, but as Mr. Cerovic said, we need one very basic precondition: a united opposition. If they still remain divided in the eve of the elections, we will never motivate the people because they don't see the reason, realistic reason, why they should go out and vote, and then what kind of control could prevent if the opposition is divided? What is the use? Even if we catch him with the hand in the pocket, what's the use of that?

So we need a lot of luck and a lot of work and a lot of unity.

Thank you very much.

Sen. CAMPBELL. Thank you very much.

Mr. Dasic.

TESTIMONY OF DAVID DASIC, MONTENEGRIN TRADE MISSION TO THE UNITED STATES

Mr. DASIC. Thank you, Mr. Chairman.

Ladies and gentlemen, good morning. First, I would like to extend my gratitude for this exceptional opportunity to speak here in the Helsinki Commission on the prospects for further democratic development of Montenegro, especially after the recent constitutional changes of the Federal Republic of Yugoslavia.

Mr. Co-Chairman, it is well known that the Yugoslav Federation is in deep internal crisis today. Relations between Montenegro and Serbia have been on the lowest level ever in the history of the two nations.

That crisis was further exacerbated by the recent changes of the federal constitution, adopted, in a hurry, by the federal parliament, without participation of lawful and legal representatives of Montenegro, prepared in a clandestine way, without cooperation and consent of Montenegro.

The rift between the Yugoslav Federation and Montenegro has become real, with many uncertainties for the future.

The core of the crisis is in different vision of the future developments in Montenegro, in the Federal Republic of Yugoslavia, and in Serbia.

Three years ago, the Montenegrin government initiated, on the domestic scene, profound, sweeping, and far-reaching reforms, broadening the democratic base, and making grassroots democracy ample, visible, and visible elsewhere in Montenegro, making Montenegro different in comparison with Serbia and the Federal Republic of Yugoslavia.

One year ago, the Montenegrin government proposed this platform for new future relations with Serbia in a common democratic state, based on equality between the two republics and democratic values.

So far the state authorities of Serbia have not responded to Montenegro's political offer. Hopefully, the negotiations with the Serbian democratic opposition in respect to the platform have already started with promising outcomes.

On the external scene, Montenegro state policy has become pro-European oriented, aiming to establish ever-closer links with all countries of the world.

Down the road of democratic transition, Montenegro still faces many economic difficulties, humanitarian problems, internal political divisions and tensions, including continuous and persistent attempts of the federal authorities to destabilize the Montenegrin government.

The recent changes of Yugoslavia's constitution are the freshest examples of such behavior. These changes radically changed the basis of the common state of Montenegro and Serbia, created in April 1992.

The major motivation behind the recent constitutional changes is to perpetuate the current posture of the political power in the Federal Republic of Yugoslavia, to create the legal possibility of extending of the power of the current Yugoslav President, Mr. Milosevic, for the next eight years.

The consequences of the recent changes are destructive for Montenegro.

Montenegro is not a more unequal constituent of the federal state.

Practically, president of the Federal Republic of Yugoslavia will never be from Montenegro, because Montenegro has only 650,000 inhabitants and Serbia has ten million inhabitants.

Montenegro lost its capacity to express itself as a state in the federal parliament.

Montenegro's parliament denounced these constitutional changes as illegal and illegitimate, adopting the Resolution on the Protection of Rights and Interests of the Republic of Montenegro and its citizens.

In this resolution, the members of the Yugoslav army are invited not to be allowed to be abused against the citizens, institutions, and state authorities of the Republic of Montenegro.

According to this resolution, Montenegro also will not comply, also, to the set of electoral laws, adopted by federal parliament 3 days ago.

Under the new created unfavorable constitutional conditions, it would be inappropriate to participate in the oncoming federal elections, because it would mean the recognition of the recently adopted constitutional changes, as unacceptable. Of course, within Serbian democratic opposition, there are some different approaches concerning the participation in the federal elections.

Mr. Co-Chairman, the major challenges for the Montenegrin state policy are now how to keep stable and enduring peace, avoid deliberate provocations, avoid nervous reactions and steps that could induce the introduction of direct military rule, escape radicalization of internal antagonisms, prevent a breakout of possible violence or war, pursue democratic reforms and values more steadfastly and resolutely, and maintain favorable political balance.

The constant interest and need of Montenegro is democratic and prosperous Serbia, a democratic and prosperous Kosovo within Serbia, a democratic and prosperous Yugoslavia, as well as a democratic and prosperous entire region.

It is the main reason why the Montenegrin government has been waiting with the persistence and the patience an answer from Serbia to its platform. A lack of response from the state authorities of Serbia to the Montenegrin proposal for new relations could force Montenegro to pursue its own course, opening a constitutional procedure for Montenegro's independence.

It seems that the international community, due to fear of the fifth Balkan war, fatigued and exhausted with the four senseless wars in the Balkans over the last decade, is not ready to support the independence of Montenegro now.

Instead of independence, the international community prefers to support as much as possible the development of democracy in Montenegro, considering it as a very important, integral part of the needed democratization of the Federal Republic of Yugoslavia and Serbia.

The future status of Montenegro, as well as of the Yugoslav federation, will depend mostly on the forthcoming political events that cannot be predicted today.

However, today it is possible to predict only that the people of Montenegro will accept the political solution which will bring to them peace, democracy, prosperity, international affirmation, and integration in European and Transatlantic structures.

Keeping the peace, preventing any drop of blood to be shed has become the task of the highest priority of the Montenegrin state policy.

A violent conflict, if it occurs, regardless of its final result, would be a complete tragedy for all of Montenegro and its citizens. In that case, no one political option would be more viable.

It has been confirmed in the everyday reality that the most efficient weapon in defending peace in Montenegro is further energetic development of democracy. Crucial preconditions for the successful development of democracy and viable democratic peace are the sustained economic growth and economic developed independence of Montenegro.

An urgent international economic support to Montenegro is extremely needed now, replacing aid with investment and creating a climate for doing business.

Montenegro, despite many difficulties it has been facing with its current democratic capacities, has a great chance to successfully reconstruct its society and the economy and to find the best solution for its prosperous future.

I am convinced that Montenegro, with the strong democratic task force surrounding President Djukanovic, will know to use the chance in the proper way, overcoming the grim legacy of the past, finding the right answers to current contradictions, managing political differences, meeting the major challenges of the future, safeguarding its state and national interests, and bringing peace and happiness to its citizens.

All of these comprehensive roles cannot be achieved without concrete and visible support of the international community of our Western and other friends, especially of the United States as a global power and the most important partner in developing democracies around the world.

Thank you for your attention.

Sen. CAMPBELL. Thank you for your testimony.

I must tell you, particularly Mr. Canak, that I really admire your courage for being here again. You talked about the last time you were here. When you went back, I understand that you were attacked. There are many kinds of attack, through libel or slander or physical attacks. Did you suffer any physical attacks or was it just a matter of trying to—

Mr. CANAK. Well, I prevented physical attacks using one fact that the lady minister was both a Yugoslav and U.S. citizen. So I sent her a letter saying because she started that on the television, Serbian television, in the main programs, prime time program, and it was announcement for the (unintelligible). Then I sent her a letter saying, "Listen. You're not only a Yugoslav citizen. You're a U.S. citizen. If you don't follow the laws of Yugoslavia, you must follow the laws of the U.S."

According to the U.S. Constitution, anyone who is speaking before the Congress should not be punished, and then she stopped that. So that saved me.

Sen. CAMPBELL. Well, hopefully when you return home again you won't be in any danger. I think that's terrible when people speak their mind and have that right to speak, and then they are in some physical danger because they spoke what they believe. So hopefully you'll be safe.

Let me ask Mr. Cerovic about the newspapers. You said that you were having trouble getting the permits to import newsprint and sometimes have to trade to get the proper newsprint. Are most of the newspapers still free economic newspapers or are they — have they become extensions of Milosevic's regime?

Mr. CEROVIC. I was talking only about the independent newspapers.

Sen. CAMPBELL. Independent newspapers.

Mr. CEROVIC. And they're still independent. I mean, Milosevic did not, has not even tried to take over any independent newspaper, except in the case of a daily newspaper that used to be basically Milosevic's, well, in the pro-government camp, and then they tried to become independent, but then after a couple of months basically the regime managed to bring it back.

Sen. CAMPBELL. I see.

Mr. CEROVIC. So it's basically independent news.

You know, you're probably not very fully aware of the difference between the regime-controlled and the independent media in Serbia. It's as though they're covering different countries—a really huge difference. So the regime-controlled media's basic messages are that Milosevic won the war with NATO; that he's rebuilding the country.

Sen. CAMPBELL. The party line.

Mr. CEROVIC. Yeah. You know, basically.

Sen. CAMPBELL. Where do most Serbs get their information? From the newspapers or from radio or TV?

Mr. CEROVIC. Well, like everybody, I think TV is probably the major source of information for many.

Sen. CAMPBELL. TV is?

Mr. CEROVIC. TV. Then radio is also pretty important, and the situation is not as bad as it looks if you look only at Belgrade. Right now in Belgrade there is not any really independent electronic media. So after the government took over Studio B TV station and basically prevented radio B92 to broadcast.

But then out of Belgrade, in the provinces, actually there's a huge network of independent TV and radio stations, many companies. So people are not so poorly informed, and that media institution is really not so favorable for the regime, you know, as it might look.

Sen. CAMPBELL. Is Voice of America or Radio Free Europe heard in Belgrade?

Mr. CEROVIC. Yes.

Sen. CAMPBELL. Yes. There still seems to be, as you mentioned, some independent media in Serbia. Why is that tolerated while others have been closed down?

Mr. CEROVIC. I beg your pardon?

Sen. CAMPBELL. There is some independent media that still exists in Serbia today.

Mr. CEROVIC. Right.

Sen. CAMPBELL. Others have been closed down. Where's the defining line that Milosevic uses to shut down some media outlets and still tolerates others?

Mr. CEROVIC. Well, they never really—they are not doing it as simply as shut it down normally. It's only in the case—

Sen. CAMPBELL. Well, they refuse the newsprint.

Mr. CEROVIC. Well, yeah, that's what they're doing, you know, with everybody basically. There is some kind of pressure on all media. Only in the case of Studio B.

What happened is that many policemen came in overnight and seized this TV station that was the only independent TV channel in Belgrade, not truly independent because basically controlled by one opposition party, which is the Serbian Renewal Movement of (unintelligible). So that channel was very supportive of that party in that particular course of the government.

But it was very important for Milosevic not to allow any independent TV channel in Serbia, but, you know, for a daily newspaper it's not so important. You know, they don't really do the same thing. They never did the same thing to any independent daily newspaper because the impact of the newspaper or the printing paper is far less, you know, than TV.

Sen. CAMPBELL. I see.

Mr. CEROVIC. So basically that's the line, you know. How important is that media? TV would be very important.

Sen. CAMPBELL. Yes. Mr. Canak, as the president of the trade union, are the trade unions in Serbia, like American trade unions, dealing mostly with carpenters, electricians, mechanics? That's what we call the trades in this country.

Mr. CANAK. Yeah, that's right. We organized around the branch basis. We have different industries organized. They're in federations, and then the federations get together into confederation.

Sen. CAMPBELL. Are most of the factory workers members of trade unions?

Mr. CANAK. Well, we used to. At the beginning the metal workers were the strongest union now because in '90-'91, when we founded our union, there were 465,000 metal workers. Now there are 92,000 because the industry has been collapsing all these years. Now that's why they are not anymore.

Now, the teachers union now is the strongest one because they still work.

Sen. CAMPBELL. Is the pressure—

Mr. CANAK. Because they still work, you know. Doctors and teachers, they still work. The rest of the industries—and energy, they still work, and the rest is dying.

Sen. CAMPBELL. Is there pressure by the Milosevic government to prevent active trade unions to prevent membership?

Mr. CANAK. That's right. We have two different strategical pressures. One is they don't let us organize ourselves because we—to organize our union, we need to ask the management for approval, which is against the conventions of our law '87 and '98, but who cares in Serbia for the conventions, you know?

Then another one, they have their own union, which is fully supported financially and materially. When I say “materially,” they supply them with the food, and food now in Serbia is an important thing,

you know. So if you get a free bottle of vegetable oil, you're a lucky man, and we don't have access to that kind of financial resources that we can buy food for our members.

So we are losing members sometimes because they announce they will distribute the food.

Sen. CAMPBELL. Well, I used to be a member of a union and know a little bit about the history of the unions. I think regardless of whether it is here or Serbia or Hungary or Poland or wherever, the unions have always spoken for the working people, the common man, and they've faced a lot of opposition from governments around the world, as you probably know, not just in Serbia, even in this country in years past.

Mr. CANAK. I know.

Sen. CAMPBELL. So I just admire your efforts.

Let me ask a question on the upcoming election that's supposed to be September 24th, and I don't know who should answer this, but as I understand it, the majority of the polls favor the opposition, and yet the opposition is badly divided.

Perhaps Mr. Dasic should answer this. You said that no candidates from Montenegro could win because of the sheer numbers. Did I understand that right? There are many more Serbians than Montenegrins, and so there's little possibility of a Montenegrin winning the election?

Mr. DASIC. Yes. Practically, it's very difficult or maybe it's not possible to elect a president from Montenegro because Montenegro is a much smaller republic, several times, than Serbia.

Sen. CAMPBELL. So if Mr. Djukanovic ran, it's just futile you think?

Mr. DASIC. You know, it's very difficult to predict. I saw some polls, I think organization "Mark Plan" published some data, and the rating of President Milo Djukanovic in Serbia is not so good. I think he's at the third position; the first, President Slobodan Milosevic; the second is Vuk Draskovic; and on the third position is President Djukanovic.

You know, really, the situation is very complex and everything is very uncertain.

Sen. CAMPBELL. Well, the opposition parties are in somewhat disarray, aren't they? I mean they have some friction with each other.

Mr. DASIC. Yes, in Serbia especially.

Sen. CAMPBELL. Well, then, is there a possibility that the opposition parties would even lose the control of local governments in Serbia, too?

Mr. DASIC. I think it is better for people from Serbia to answer this question. I'm from Montenegro.

Sen. CAMPBELL. All right.

Mr. CEROVIC. Well, yes. The discussion of the unity of the opposition is really very important. Let me try to explain.

There will be probably three elections in the end of September. I'm still not sure, but I believe that they are going to call for municipal elections, elections for federal assembly, and for president of Yugoslavia.

Now, in the last one, Milosevic will be a candidate apparently for president of Yugoslavia, and his rating personally is far higher than the rating of any other possible candidate. Like something like close to 25 percent of the electorate trust him more than anybody else.

But then there is also in the polls done in Serbia the people are asked whom they distrust mostly, and Milosevic is in the first place again, you know, and actually the mistrust, the distrust of Milosevic is far higher than trust in him. There are something close to 50 percent of

the people who do not trust Milosevic, which if you really go through it, it means that probably — and that's how opposition parties read these results — is that if they have a candidate and supported by all of the opposition, his chance to win, to out vote Milosevic would be actually pretty good.

Sen. CAMPBELL. It would serve Milosevic well to keep the opposition in some turmoil then, wouldn't it?

Mr. CEROVIC. Right. But now let me just finish with this. The opposition is now, since they are not really united and they are afraid of the parties, they're afraid of not being allowed to control the procedure, they are talking about a boycott.

But then if they go in boycott of the elections, they would have to boycott all elections, not just one, and they would then face this danger that you mentioned, you know, to lose power on the municipal level. They now control most of the larger, bigger cities in Montenegro, including Belgrade. So basically they will then give up those.

Sen. CAMPBELL. It would be self-defeating.

Mr. CEROVIC. Yes. It would be self-defeating that people will not understand what they are doing.

Sen. CAMPBELL. It's unlikely, in my view, that Milosevic will leave power because of an electoral defeat. Let me ask about the student movement that we saw so much about on television in this country.

What happened to the leaders of that student movement? Were they in pretty deep trouble?

Mr. IVANISEVIC. The student leaders...

Sen. CAMPBELL. And it looked to me like the — as I remember, there were two or three major demonstrations in Belgrade, and we don't hear about those now. Did they subside and just quietly disappear? What happened to them?

Mr. IVANISEVIC. The student leaders are in constant danger, but probably not more than other student activists. The movement is rather dispersed, it doesn't have such a strict hierarchical structure, so the activities take place in 50 or 60 towns and cities and villages around the country. These local leaders and activists are harassed almost on a daily basis by the police.

Up until two months ago the form of harassment was detention and interrogation, almost on a daily basis, and it's in the last two months that the police started resorting to violence.

In any case, none of the leaders or activists has been tried or convicted so far. There's only one trial, actually, against a member of OTPOR in Pozarevac, which is the native town of Slobodan Milosevic and his wife, Mira Markovic, for an alleged assassination attempt. The trial is most likely a sham, but we will have to see what the outcome of the trial will be.

As for the demonstrations you asked about, it seems that most of the people in Serbia realize that their potential is limited. There is probably not a country in the world where in the last decade people were in the streets so often as they were in Serbia, and not much has been achieved. Even what was achieved was disproportionate to the amount of energy people had to invest.

Also, there is a very real and well-founded fear among those who take to the streets because of a possible police reaction.

But in case the opposition decides to take part in the elections, we'll probably see demonstrations in the pre-election period.

Sen. CAMPBELL. There's a great deal of reporting about criminal gangs that exist in Serbia. Anyone can answer this.

And the number of assassinations, including people that are associated with the Milosevic regime, what are your views on that? Mr. Cerovic, go ahead. Is that on the rise?

Mr. CEROVIC. I beg your pardon?

Sen. CAMPBELL. Is that on the rise, the gang movement?

Mr. CEROVIC. Well —

Sen. CAMPBELL. In addition to that, it's our understanding, too, that some of the gang movements are involved in the —

Mr. CEROVIC. Assassination?

Sen. CAMPBELL.—trafficking of women for prostitution, things of that nature. I know Chairman Smith is very concerned about this issue.

Mr. CEROVIC. Yes. There are reports about that, and you asked about something that nobody is fully aware of what's really going on, and nobody can provide really a reliable set of information of what's really going on because that's an underground world basically.

I can't say whether it's growing or not, but we really have a very high level of what I would call criminal activity, and in many cases it seems pretty clear that now those mobsters are cooperating closely with the police.

You know, Serbia has been under international sanctions for many years, and most of those criminal activities are related with to smuggling. That's where most of the money is, in smuggling oil, cigarettes, you know, and some products that are not allowed to be imported in Serbia.

So that business is basically done. It seems that that's what government is doing, but since they cannot do it legally, you know, as you do normally, an import-export business, they are basically using the help of mobsters. Too much of the cash is passing through the hands of too many thugs.. There are all sorts of conflicts, and then they are killing each other from time to time, but there are also some assassinations.

Probably the biggest part of that problem is those killings. In the past few years we had several prominent people killed in Belgrade in a manner which will remind you of Chicago of '30s, Al Capone style—and in some cases it seems that motives for them are political as well as criminal. Most of those mobsters are closely related with the regime and with the police. Some of them are probably not.

The last of those killings was actually not very typical, but used as an excuse, you know, for the regime to accuse the opposition and OTPOR students. They were accused of being terrorists, and this was a matter of a leader of Milosevic's party involved with it, and it was actually not really related with any shady business or even political matters.

The problem is really huge, and I will say that Serbia is a highly criminalized society at the moment, but then there is always, you know, room for some decent business. I can't tell whether it grows or not, but it's really very high.

Sen. CAMPBELL. How do Serbs feel about the United States now, and what should our further involvement be?

Mr. CEROVIC. Well, as you may expect—

Sen. CAMPBELL. I mean, I know they have a propaganda campaign going —

Mr. CEROVIC. Sure.

Sen. CAMPBELL. — much against the United States. Do most Serbs buy into that and believe it all?

Mr. CEROVIC. Well, it's a very good question and I think very important. You know, of course, during the national campaign you just couldn't expect Serbs to like those bombs and to say, "Okay. Those are friendly bombs, and they are targeting Milosevic and the regime and not me."

Well, most of the people really felt as if they're a target, you know.

Sen. CAMPBELL. Sure.

Mr. CEROVIC. That was — but then I think that people here might probably have the wrong perception of Serbia with respect to the Serbia feeling for America. I think that Serbs are not genuinely anti-America at all. I would say on the contrary.

Even after this intervention, it seems that Milosevic's propaganda is not really efficient in convincing people to turn their backs to the opposition by blaming the opposition of being friendly toward America. You know, they are basically accusing the opposition people of cooperating with NATO, for trying Serbia, by going abroad and meeting foreign leaders, and so on.

Whoever comes to America would be charged by Milosevic's propaganda with cooperating with the aggressor, and it seems that people are not buying that.

So I would say that the answer to your question would be negative. People are not really so genuinely anti-American, and it seems that they are not buying too much of that propaganda.

Right now probably the anti-American mood would be higher than some, you know, years ago, but still it's not dominant point.

Sen. CAMPBELL. Well, I'm sure you know that America is interested in democratic change in Serbia.

What is the relationship with the European countries? Are some countries in Europe more active than others in participating in trying to bring democratic change to Serbia?

Perhaps Mr. Canak.

Mr. CANAK. Well, Europe was active all of those years, but they were rather confused within their union because they didn't have the same policies. There were different national policies within the European Union, and that caused some troubles to us. That caused some troubles to them, too.

What unified them in the policies, this period after the NATO campaign and especially the pact of stability put them together in one package, that it's framework for the future. So we see the different attitudes now from Germans, different attitudes from British diplomacy, different in the sense of coming closer to the one target, you know.

So it's one good thing of the stability pact that they have the same approach to the region.

When I say to "the region," it's good that they're developing the policy toward the region, not only to Serbia or as a sensitive hotbed, but also they care about the future of the entire region, admitting that the future will not be achieved if Serbia remains like this.

So we use that as a platform in our propaganda, that we animate, we moderate our people saying, "Listen. We are not a promise only to ourselves. We are a promise to everyone. So let's stop that, and we can stop that only with the democratic changes in our country."

So the stability package is something that put together everyone, and it looks like a one way track. I mean, there are no different tracks coming out of that track, and it's good.

I mean you can see, it's easier for us to explain what the international community wants now than it was a year before.

Sen. CAMPBELL. What impact does the Serbian Orthodox Church have? Have church leaders been very vocal about human rights or vocal in their opposition to Milosevic's regime?

Mr. CANAK. Well, they're divided themselves.

Sen. CAMPBELL. They are.

Mr. CANAK. They have two factions. One faction is seriously nationalistic still. One is very much open for understanding civil society, and democracy. They see their role in democratic Serbia.

Unfortunately the first faction is still stronger than the other one, and the first faction still lives in the Medieval Age. That's our problem.

Sen. CAMPBELL. That makes it very difficult to have free elections when there's so much factionalism.

Mr. Dasic, if you could answer on Montenegro. At the Commission hearing in February, we were told about the divisions in Montenegro between the north, where people have stronger affinities to the Serbs, and in the south, where there are some distinctions between the Serbs and the Montenegrins are given greater emphasis. Is that still the case?

Mr. DASIC. Yes. We are facing with divisions in Montenegro. Majority of the Montenegrin population supporting democratic course, laid by President Djukanovic, and democratic coalition government and democratic coalition parties.

But also the so-called pro-Serbian parties in Montenegro—the Socialist Popular Party (SND), leftist party (YUL), and others are connected with the Milosevic regime, and they have its supporters, also in Montenegro.

Sen. CAMPBELL. Are they mostly in the north?

Mr. DASIC. Yes. They are mostly in the north part of Montenegro, but also in the coastal part of Montenegro. In Herceg-Novi, for example, in the recent municipal elections, the opposition parties, the parties and citizens with a pro-Milosevic orientation, won that election and now, I think, seven municipals in Montenegro are against the main democratic course.

Sen. CAMPBELL. So that I'm understanding —

Mr. DASIC. But most of the municipals are in the north part in Montenegro.

Sen. CAMPBELL. Yes. It's our understanding that people in northern Montenegro, they may be opposed to some Belgrade policies, but they still want to remain in the federation with Serbia; is that correct?

Mr. DASIC. Yes, but in Berane, the biggest city in the north part of Montenegro, President Djukanovic won and, you know, the Democratic Coalition Parties won parliamentary elections, and this change in Berane, as a so-called capital of the north part of Montenegro, I think is crucial.

Really, if I can explain the method of how it is possible to change the attitude of the people in the north part of Montenegro is the most important. The north part of Montenegro is less developed than the other part of Montenegro. It's not possible to change this gap with only phrases about democracy, market economy, Westernization or whatever.

They need some concrete practices now I have to stress that the Land of Lakes from Minnesota is doing business very well. The Land of Lakes is investing a lot of technologies and strength and, also, money to teach people in north part of Montenegro how to produce more meat, wheat, milk products.

Sen. CAMPBELL. Yes. Is most of—

Mr. DASIC. Now we have very small businesses in north part in Montenegro, and I have heard, because I am from north part of Montenegro, that the people are starting to learn in concrete ways more about what is the substance of democracy, what is the substance of the market.

I do believe that we have, maybe, to change something in our attitude toward the behavior of the people, giving them something concrete, how to have better lives tomorrow.

Sen. CAMPBELL. Yes. Everyone wants a better life.

Is most of the industrial base located in southern Montenegro?

Mr. DASIC. Yes, it is.

Sen. CAMPBELL. So the north heavily agricultural?

Mr. DASIC. In the south part of Montenegro, in central part, in north part, a lot of factories are closed. It's a very sad economic situation.

Sen. CAMPBELL. Are there any police forces in Montenegro that are loyal to Milosevic or paramilitary groups that are loyal to him?

Mr. DASIC. You know, we have also military forces VJ in Montenegro: the 2nd Army, the Navy, some part of Air Forces and so-called 7th Battalion, as a special police formation within 2nd Army.

You know, what would be the behavior of all people in this military structure is very difficult to answer.

Sen. CAMPBELL. Oh, sure.

Mr. DASIC. Also, I think majority of these people are for democratic development, or democracy for supporting democratic coalition government, but, you know, maybe also there are some policemen who are on the other side. I don't know exactly. I have no data, but you know, it is the life and everything is possible.

Sen. CAMPBELL. I understand.

Well, I have no further questions, and the Chairman unfortunately was detained on the floor with a series of votes, and when we get those both from the Senate and the House side, we just have to stay there. So I apologize that he was not able to be here.

But we will keep the records open for two weeks if you have anything to add to this, and he may wish to send you something in writing, questions in writing you could answer, too.

But I certainly do appreciate you being here today to testify.

With that, thank you and the Commission stands adjourned.

(Whereupon, at 11:05 p.m., the meeting in the above-entitled matter was adjourned.)

**PREPARED STATEMENT OF
HON. CHRISTOPHER H. SMITH, CHAIRMAN**

While this is the end of the last week before a congressional recess, with an active season of democracy in action ahead of us in the United States, I felt it was nonetheless critical that the Helsinki Commission, which I chair, hold this hearing today.

The Commission has a mandate to monitor human rights, which are being blatantly violated in Serbia and are at risk in Montenegro, and to speak out against those responsible for these violations. In this case, the perpetrator continues to be Slobodan Milosevic and his regime. Moreover, the Congress needs to be informed of ominous developments in Belgrade, because there is near universal agreement that there can be no long-term stability in southeastern Europe—the stability necessary for the United States and our friends and allies to finish their mission in the region—until there is democratic change in Serbia itself.

Many of us in the U.S. Congress are deeply concerned about the situation in Serbia and Montenegro, and we want to do what we can to help. There have been many Commission hearings on the former Yugoslavia since its violent disintegration in 1991, but two previous hearings focused specifically on the struggle for democracy in Serbia and one, held this last February, focused on promoting and protecting democratic development in Montenegro.

The Congress had also pressed the Administration early on not to deal with Milosevic, and we have supported significant increases in the amount of assistance for building democracy in Serbia as well as for economic stability and reform in Montenegro. I am hopeful there will be further legislative efforts in this regard.

In addition, at the OSCE Parliamentary Assembly held in Bucharest, Romania, earlier this month, we discussed the issue with our European parliamentarian colleagues—the Russians and Romanians in particular—and successfully passed a resolution condemning the repressive measures taken by the regime of Slobodan Milosevic to suppress free media, to stop student and other independent movements, and to intimidate political opposition in Serbia. I plan to insert the text of this resolution, put forward by Senator George Voinovich along with Representative Steny Hoyer, in the record of this hearing.

We are fortunate to have before us today a panel of real experts on the situation in Serbia, people who are part of the struggle for democratic change in that republic. First, we have Bogdan Ivanisevic, a researcher for Human Rights Watch who has been reporting regularly on the attacks on independent and opposition forces in Serbia, including the student movement Otpor, or Resistance. Next, Stojan Cerovic is a well known journalist for the independent magazine Vreme, or Time, in Serbia, and is currently a senior fellow at the U.S. Institute for Peace. Then, we have Branislav Canak, president of the independent trade union Nezavisnost, or Independence. Mr. Canak testified before the Commission in late 1996. We are glad to have you back.

Finally, we are equally fortunate to have a representative of the Montenegrin Government, David Dasic, from Montenegro's trade mission here in the United States, who will present his views on the situation, specially in light of the recent constitutional amendments Milosevic has made to perpetuate his power and bring Montenegro under his control.

On behalf of the Commission, I welcome you all here and look forward to your testimony.

**PREPARED STATEMENT OF
HON. BEN NIGHTHORSE CAMPBELL, CO-CHAIRMAN**

Next week is the 25th anniversary of the signing of the Helsinki Final Act. The last quarter of a century in Europe should be remembered in the history books for the struggle for human rights and fundamental freedoms, for good democratic governance and for the opportunity to prosper and give the next generations a future.

Thanks in large part to the Helsinki process, so much has been achieved, particularly in the last decade with the end of the artificial division of Europe. Yet, as the title of our hearing today reminds us, the struggle continues due to certain individuals in places like Serbia who have gone to extraordinary lengths to maintain personal power. While authoritarian regimes continue in places like Belarus and in countries of Central Asia, nowhere in the OSCE region have the principles enshrined in the Final Act been trampled upon more than they have by the regime of Slobodan Milosevic, an indicted war criminal responsible for genocide at the end of the 20th century.

At the start of a new century, Milosevic continues to squelch the rights of the people of Serbia, and I would note that this includes but is not limited to Serbs. In Vojvodina, for example, there are many other ethnic groups living under precarious circumstances, the largest of which after the Serbs are the Hungarians. They, along with their Serb neighbors in the province, first saw their political autonomy stripped. Then they found themselves living in a country waging a nationalist war against its neighbors, a war they did not support, which forced many younger people from Vojvodina to flee and which ultimately flooded their towns and villages with refugees. Now they remain, vulnerable as minorities, isolated in a undemocratic country devastated by conflict and replete with criminal activity.

I hope that as we hear the expert testimony of our witnesses, they can provide us with an assessment of the situation throughout Serbia, including Vojvodina, and what can be done to protect vulnerable minority populations there. I also will be deeply interested in the comments made regarding Montenegro, given the threat that republic faces, which was the focus of our very first Commission hearing at the beginning of this year. As we approach the end of the year, the situation appears particularly perilous as Milosevic intensifies his crackdown at home and threatens to destabilize neighboring Montenegro.

PREPARED SUBMISSION OF BOGDAN IVANISEVIC

Human rights violations in Serbia have been on the rise since autumn 1998, when the threat of war with NATO hung over the country. The repression intensified during the NATO bombing of Yugoslavia (March to June 1999), and has risen still after the war ended. There are two main reasons for this escalation. First, Yugoslav President Slobodan Milosevic and his government face a decisive decline in public support, and have responded to this by stepping up harassment of their critics. Second, since relations between the FR Yugoslavia and Western countries have deteriorated in the wake of the NATO war, Yugoslav authorities are now indifferent to Western criticism, including criticism for human rights abuses. The limited restraint in the harassment of domestic critics which the authorities displayed in the 1990s has now all but disappeared.

Human rights violations in Serbia have been so abundant lately that I can only enumerate the main types of violations in the opening statement. It would literally take hours to say more about each type and to dwell on the cases by point.

1. REPRESSION OF FREE SPEECH

An important target of the government's repression is free expression and public debate. In the wake of NATO war, criminal and misdemeanor proceedings have been initiated against opposition politicians and ordinary citizens who have publicly or even privately criticized the authorities. Some cases resulted in convictions. Appeals in these cases are still pending, but the very fact that trials have taken place has a significant deterrent effect. Ordinary people, traditionally used to criticizing the authorities before their friends or colleagues, now face a genuine risk of prosecution for "insulting the president" if they criticize Slobodan Milosevic in the presence of two or more people.

The Law on Public Information, adopted in October 1998, has had an even more chilling effect. The law authorizes misdemeanor judges to impose high fines on media found to have published "libelous" statements or reports. Misdemeanor judges are appointed by the government and can be easily removed if they behave independently in politically "sensitive" cases. As a result, judges identify libel only if petitioners are members of the three ruling parties in Serbia—the Socialist Party of Serbia (SPS), presided over by Slobodan Milosevic, the Yugoslav Left (JUL), led by Milosevic's wife Mira Markovic, and the extremely nationalistic Serbian Radical Party (SRS) of Vojislav Seselj. In some 70 cases in almost two years, officials belonging to these parties, or their supporters, have recovered damages from independent newspapers and electronic media for alleged assaults on their "human dignity," "honor," and their "right to a private life." The fines paid by the media have been extraordinary high by Yugoslav standards and clearly aimed at crippling the media financially and curtailing free expression. In those blatant instances of libel in which opposition leaders have sued the pro-government media, misdemeanor courts resorted to various procedural pretexts to set aside the charges. In only very few cases were the government-controlled media punished, and even then the fines were much lower than those ordered to be paid by the independent media. As of January 2000, Serbian and Montenegrin independent media had been punished for violations of the media law on thirty-one occasions, and

the average fine had been 420,000 dinars; pro-government newspapers were fined six times, with the fine averaging 143,000 dinars. The trend has only worsened since.

The government has always been in full control of the main national media—the Radio-Television Serbia (RTS), but it has failed to establish an absolute monopoly in the area of public information. This is because in most large towns in Serbia, the authorities do not control the newspapers, TV, and radio stations founded by local assemblies, which since 1996 have been controlled by the opposition. There are also three major national newspapers -- Danas, Blic, and Glas Javnosti -- whose editorial policy is independent.

But the government since 1998 has been trying to establish full control, chiefly by refusing to issue licenses to the electronic media and by imposing enormous fines on newspapers charged with violations of the Law on Public Information. Two of the most important outlets, TV Studio B and Radio B-92 (later renamed into B2-92), were taken over by the authorities in May this year. Five more local radio and TV stations were closed down in May alone. Most of the independent media, however, have managed to survive so far, due to the persistence, invention, and courage of independent journalists, who are helped by financial support from abroad.

NGO activists, intellectuals, and journalists communicating with foreign colleagues have been prosecuted, or indirectly threatened with prosecution, for "espionage." Two such cases occurred during the NATO bombardment, and one more was initiated just yesterday in Nis, where a journalist, Miroslav Filipovic, stands trial. He is charged with espionage and dissemination of false information because of articles he published in an English Internet magazine at the beginning of this year. The articles deal with crimes committed against ethnic Albanians in Kosovo during the NATO war and with the tensions in ethnically mixed parts of Serbia where the Yugoslav Army and police have been deployed after pulling out from Kosovo.

In autumn 1999, peaceful demonstrations organized by the opposition or by university students met a violent police response. The riot police in Belgrade also beat peaceful protesters in May 2000, when thousands took to the streets reacting to the closure of TV Studio B and Radio B2-92. In some instances, the authorities engaged civilian thugs to disperse the protests.

Authorities have also resorted to other means to prevent opposition views from reaching a broad audience. During live broadcasts of parliamentary debates on RTS, speeches by opposition MPs are voiced over by the announcer. In the months preceding the takeover of Studio B, which is controlled by the opposition Serbian Renewal Movement, the government disrupted the signal when news programs would air in the evening. Essential transmission equipment from a Studio B's transponder unit was stolen in January.

2. ATTACKS ON OTPOR AND OTHER OPPOSITION ACTIVISTS

The main novelty in the government's strategies is police beatings of opposition activists and members of Otpor (Resistance), an anti-government group mostly comprised of university students. The police have also refused to investigate attacks on opposition activists by plainclothes thugs. In June and July ten such cases have been registered by Human Rights Watch, Serbian NGOs, and the independent media. The beatings took place in police stations or on city streets, where government critics were placing anti-governments posters or simply wearing T-shirts

with symbols of Otpor--a clenched fist--or opposition parties. In one case, a police inspector kicked an 18-year girl during an interrogation of sixteen Otpor activists in the police station. The group was arrested while playing a soccer game and demanding the resignation of the Yugoslav soccer team coach, as a metaphor for demanding the resignation of president Milosevic. Also, a group of unidentified men in the town of Sabac seriously injured two people on crutches who are members of the opposition Democratic party, after beating them with their crutches; the victims, whose only fault was to wear T-shirts with the symbol of the party, claim that a police patrol quickly appeared but refused to pursue the attackers.

In May and June, the police detained and interrogated 500 Otpor activists and banned the group, accusing it of being a terrorist organization, an absurd charge. Otpor seeks peaceful political change through free and fair elections, and its activities consist of street actions aimed at ridiculing the government's policies. Numerous university professors, human rights activists, artists, church representatives, and members of the Serbian Academy of Science and Arts have publicly supported the group or become its members. With one exception, Otpor activists have not been convicted or even tried for any violation of law, least of all for terrorism. The exception regards an ongoing trial in Pozarevac, the home town of Slobodan Milosevic and his wife, where an Otpor activist is being charged with attempted assassination of a member of the Yugoslav Left. Serbian human rights groups and independent media assess that the trial is politically motivated. Because of pressure exerted by authorities in Belgrade, the prosecutor and the investigating judge in the case resigned, unwilling to compromise their judicial independence and integrity.

3. JUDICIAL SYSTEM IN SERBIA

The Milosevic government has sealed its authoritarianism through manipulating the courts. It exerts strong pressure on judges who appear impartial and professional, and benefits from those judges and prosecutors who require no prodding for their pro-government bias.

Prominent advocates of judicial independence in Serbia, including former judges of Serbia's Supreme Court and Constitutional Court, claim that a majority of judges in Serbia are still professionals whose only guide is justice and truth. The structure of the judicial system, however, enables the minority intimidated by, or loyal to, the executive branch to shape the performance of the judiciary in a decisive way. Presidents of the courts in Serbia are elected by the government-dominated Serbian parliament. These presidents then have an important role in running the court, since they can assign politically sensitive cases to "reliable judges." Since juries strictly follow instructions by judges, decisions in political trials reflect the will of the government. Numerous trials of ethnic Albanians, arrested during the NATO war and then transferred to prisons in Serbia, were conducted in absolute disregard of fair trial requirements: as a rule, the indictees were convicted even though the prosecution did not produce any evidence to prove the case. A similar pattern emerged in several trials against political opponents in Serbia. The Supreme Court (which in Serbia does not rule on the constitutionality of a case: a separate Constitutional Court is vested with that power) has been more resistant to political influence,

but most of the controversial cases decided by the lower courts since the NATO war have not yet reached the Supreme Court, and it remains to be seen how the court will act.

In December 1999 and July this year, the authorities carried out outright purges of the judiciary. The victims were two judges of the Supreme Court of Serbia, one judge of the Constitutional Court, and 17 judges of district, municipal, and commercial courts. All were removed by the Serbian parliament even though the Supreme Court had not pronounced upon the proposed removals, as required by law.

4. THE POLITICAL ATMOSPHERE IN SERBIA AND THE EFFECTIVENESS OF THE POLITICAL OPPOSITION

As intimated at the beginning of this presentation, the steady decline of support for Slobodan Milosevic and his government is the probable principal cause of the increased harassment of government critics in Serbia. To illustrate the point, I attached below a review of opinion polls taken since October last year. All polls have shown a clear advantage in favor of the opposition -- if it is united. Five out of six agencies have found that the advantage neared the proportion of 2:1 (the sixth agency finds that the proportion is 1.2 : 1). The results are alarming to the government, and, as it seems, surprising even to the opposition and international observers, who have grown used to electoral victories for Milosevic and his allies since 1990.

The Serbian opposition is notoriously divided. The main obstacle to its efforts to achieve a change of government has been the rivalry between its leaders, notably between Vuk Draskovic, president of the Serbian Renewal Movement (SPO), and Zoran Djindjic, president of the Democratic Party. Currently, the critical difference within the opposition relates to the issue of whether the opposition should participate in the forthcoming federal and municipal elections. SPO advocates a boycott of the elections, whereas other parties think the opposition should participate. Interestingly, in the last elections in Serbia—Serbian presidential and parliamentary elections in 1997—the SPO was the only opposition group which took part, thus neutralizing the effect of the boycott by the rest of the opposition. The SPO argues that in 1997 the conditions were more favorable for free and fair elections than they are today. Other opposition parties favor participation for two reasons. First, they say, while in 1997 a boycott would have damaged Milosevic's standing abroad, this time it would not, as Milosevic is no longer interested in the international response. Second, they believe there is simply no alternative to elections. Street protests and other forms of activities have proven insufficient to force Milosevic either to step down or to create conditions conducive to free and fair elections. The best the opposition can do, in this view, is to participate, as long as its capacity to control the electoral process—and the vote-counting in particular—is not so severely restricted as to render the participation meaningless. Finally, in the opinion polls the forces supporting Milosevic seem to lag so far behind that the opposition seems to be willing to tolerate the imperfection of the electoral process.

5. U.S. POLICY

In the ensuing months we shall probably see more attempts by the authorities to prevent any meaningful elections from taking place, as such elections are likely to produce a defeat. Human rights violations, in that context, are almost certain to continue and intensify.

Direct leverage by the United States on the events in Serbia is close to nil, but the United States government can do things to help pro-democracy forces in Serbia. It can, for example, engage Russia in a dialogue on democratization and respect for human rights in Serbia.

In legislation, the U.S. should resist conditioning the lifting of sanctions on Serbia's membership in international institutions on the achievement of a lasting settlement in Kosovo. One can envisage a situation in which a democratic government in place in Belgrade might be unable to find a common language with the Kosovo Albanians, should the latter choose to pursue a maximalist position. In this kind of scenario, subjecting FRY to sanctions would be misguided. Instead, any conditionality should follow the spirit of U.N. Security Council Resolution 1244, which states that FRY should be required to show dedication to the process leading to an agreement on a settlement.

Finally, the U.S. government can pro-actively and directly encourage the development of democracy in Serbia in three ways. It can take steps to reduce the impact of sanctions on municipalities in Serbia in which nongovernmental organizations and independent media operate free of pressure from the local authorities. It can increase funding for training programs, technical development, and human rights awareness for the nongovernmental sector. And it can increase support for the nongovernmental sector and the independent media through such programs as exchanges and study tours.

RESULTS OF OPINION POLLS IN SERBIA SINCE OCTOBER 1999

NATIONAL DEMOCRATIC INSTITUTE FOR INTERNATIONAL AFFAIRS (WASHINGTON DC)

OCTOBER 1999

- forced choice ballot test: coalition Socialist Party of Serbia (SPS)/ JUL 18 per cent, Serbian Radical Party (SRS) 9 per cent
- open-ended question SPS 16, JUL 2, SRS 7
- forced choice ballot test: Alliance for Change (SzP) 47, Serbian Renewal Movement (SPO) 11
- open-ended question: SzP 30, SPO 9, Democratic Party (DS) 4, Civic Alliance 1, Social Democracy 1, other opposition parties 6

JANUARY 2000

- INSTITUTE OF SOCIAL SCIENCES (Belgrade)
- coalition SPS/ JUL 13 per cent, SRS 4 per cent
- SzP 12, SPO 7, Democratic Party of Serbia (DSS) 3, no data about smaller parties

FEBRUARY 2000

- MARK-PLAN (Belgrade)
- coalition SPS/ JUL 21, plus coalition SPS/JUL/SRS 14.3
- if running separately, SPS 26.9, SRS 9.2, JUL 3

- united opposition 55.2
- if running separately, SPO 19.7, Democratic Party (DS) 9.4, DSS 8.4

APRIL 2000

- INSTITUTE OF SOCIAL SCIENCES (Belgrade)
- coalition SPS/JUL 18, SRS 6
- united opposition: 46
- if running separately: Alliance for Change (SzP) 30, SPO 9

MAY 2000

- STRATEGIC MARKETING (Belgrade)
- SPS/JUL/SRS 22
- united opposition 30
- JUNE 2000
- MEDIUM (Belgrade)
- SPS/JUL/SRS 25.3
- united opposition without SPO 33.6, SPO 10

JULY 2000

- MARK-PLAN (Belgrade)
- (Results to be read accumulatively)
- coalition SPS/ JUL 14.3, plus coalition SPS/JUL/SRS 9.5
- united opposition 32.2, plus SzP 18.2, plus Union of Democratic Parties 2.9

STRATEGIC MARKETING (Belgrade)

- if united SPS/JUL/SRS 30.9
- if "relatively united", coalition SPS I JUL 25.5, SRS 6.8
- if separately, SPS 23.6, SRS 6.9, JUL 1.1
- united opposition 37.6
- if "relatively united", SzP 16.3, SPO 10.8, DSS 3.6
- if separately, SPO 12.1, DS 5.1, DSS 4.3, Civic Alliance (Gradjanski savez) 2.2, other parties 6.9

- CENTER FOR RESEARCH OF THE ALTERNATIVES (Belgrade)
- if united SPS/JUL/SRS 19
- if separately, 17 in total
- united opposition 44
- united opposition without SPO 33, SPO 8

if "relatively separately," SZP 7, SPO 7, "block of democratic opposition" (other parties & Otpor & G-17) 9

**PREPARED SUBMISSION OF DR. DAVID DASIC,
CHIEF OF MISSION, TRADE MISSION OF
THE REPUBLIC OF MONTENEGRO TO THE USA**

Good morning. First of all I would like to extend my gratitude for this exceptional opportunity to speak in the Congress, in the Helsinki Committee, as a representative of the Government of Montenegro, on the prospects for further democratic developments of Montenegro, especially after the recent changes of the Constitution of the Federal Republic of Yugoslavia.

Allow me to commence my opening statement with some necessary general political considerations.

As it is well known, the Yugoslav federation is in a deep internal crisis today.

Relations between Montenegro and Serbia have been on the lowest level ever in the history of the two nations.

That crisis was further exacerbated by recent changes of the Federal constitution, adopted, in a hurry, by Federal parliament, without participation of lawful and legal representatives of Montenegro, prepared in clandestine way, without cooperation and consent of Montenegro.

The rift between the Yugoslav federation and Montenegro has become real, with many uncertainties for their future.

The core of the crisis is in a different vision of the future developments in Montenegro, in the Federal Republic of Yugoslavia and in Serbia.

Three years ago the Montenegrin government initiated, on the domestic scene, profound, sweeping and far-reaching reforms, broadening the democratic base and making grass-roots democracy ample, visible and feasible elsewhere in Montenegro, making Montenegro different in comparison with Serbia and the Federal Republic of Yugoslavia.

Montenegro has become a model for multi-ethnic democracy, tolerance and mutual understanding in the region.

One year ago, the Montenegrin government proposed its Platform for new future relations with Serbia in a common democratic state, based on equality between the two republics and democratic values.

So far the state authorities of Serbia has not responded to Montenegro's political offer. Hopefully, the negotiations with the Serbian democratic opposition in respect to the Platform have already started, with promising outcomes.

On the external scene, Montenegrin state policy has become pro-European oriented, aiming to establish ever-closer links with all countries of the world.

Instead of sanctions and isolation, Montenegro has become a welcome partner in the international community, including its beneficiary status in the Pact of Stability for South East Europe. The government of Montenegro signed a very important agreement with OPIC for protection of private US investment from political risk.

Down the road of democratic transition, Montenegro still faces many economic difficulties, humanitarian problems, internal political divisions and tensions, including continuous and persistent attempts of the federal authorities to destabilize the Montenegrin government.

The recent changes to the Yugoslavia's constitution are the freshest example of such their behavior.

These changes radically changed the fundamentals of the common state of Montenegro and Serbia, created in April 1992.

The major motives of the recent constitutional changes are to perpetuate the current posture of political power in the Federal Republic of Yugoslavia, to create legal possibility for extension of the power of current Yugoslav president, Mr. Milosevic, for the next eight years.

The consequences of the recent constitutional changes are destructive for Montenegro.

Montenegro is not more an equal constituent of the federal state.

Practically, president of FRY will never be from Montenegro, because Montenegro has only 650,000 inhabitants and Serbia has 10 million inhabitants.

Montenegro lost its capacity to express itself as a state in the federal parliament.

The Montenegro's Parliament denounced these constitutional changes as illegal and illegitimate, adopting the Resolution on the protection of rights and interests of the Republic of Montenegro and its citizens.

In this Resolution the members of the Yugoslav Army are invited not to allow to be abused against the citizens, institutions and state authorities of the Republic of Montenegro.

According to mentioned Resolution Montenegro will not comply, also, to the set of electoral laws, adopted by federal parliament three days ago.

Under new created unfavorable constitutionally conditions, it would be inappropriate to participate in the oncoming federal elections, because it would mean the recognition of the recently adopted constitutional changes, as unacceptable. Of cause, within Serbian democratic opposition there are some different approaches concerning the participation in the federal elections.

The major challenges for the Montenegrin state policy are how to keep a stable and enduring peace, avoid deliberate provocations, avoid nervous reactions and steps that could induce the introduction of direct military rule, escape radicalization of internal antagonisms, prevent a break out of possible violence or war, pursue democratic reforms and values more steadfastly and resolutely, and maintain favorable political balance.

The constant interest and need of Montenegro is a democratic and prosperous Serbia, a democratic and prosperous Kosovo within Serbia, a democratic and prosperous Yugoslavia, as well as a democratic and prosperous entire region.

It is the main reason why the Montenegrin government has been waiting, with the persistence and the patience, an answer from Serbia to its Platform.

Yugoslavia as a common state of Serbia and Montenegro, in any possible constitutional form—whether as a federation, confederation, union, commonwealth, association or community—could exist only as a liberal democratic state, as an open civic society, as a tolerant society and as an integral part of Europe. It is, also, the only precondition for the practical survival of the Yugoslav idea.

A lack of a response from the state authorities of Serbia to the Montenegrin proposal for new relations could force Montenegro to pursue its own course, opening of a constitutional procedure for Montenegro's independence.

Montenegro was an independent state for centuries. The republic of Montenegro could become, again, an independent state. It is up to the citizens of Montenegro to decide whether to create an independent state or remain in Yugoslavia.

There are certain domestic and international predictions that the formal step towards the independence of Montenegro could eventually provoke a violent reaction. It seems that the international community due to a fear of the fifth Balkan war—fatigued and exhausted with the four senseless wars in the Balkans over the last decade—is not ready to support the independence of Montenegro now.

Instead of independence, the international community prefers to support as much as possible the development of democracy in Montenegro, considering it as a very important integral part of the needed democratization of the Federal Republic of Yugoslavia and Serbia.

The future status of Montenegro as well as of the Yugoslav federation will depend mostly on forthcoming political events that cannot be predicted today. However, today is possible to predict only that the people of Montenegro would accept the political solution which will bring to them a peace, democracy, prosperity, international affirmation and integration in European and transatlantic structures.

Keeping the peace, preventing any drop of blood to be shed, has become the task of the highest priority of the Montenegrin state policy. A violent conflict, if it occurs, regardless of its final result, would be a complete tragedy for all of Montenegro and its citizens. In that case no one political option would be more viable.

The Montenegrin government, by persistently developing democracy, has shown its political wisdom, skills, patience and prudence in preserving peace, security and stability in Montenegro so far.

It has been confirmed, in the every day's reality, that the most efficient weapon in defending peace in Montenegro is further energetic development of democracy.

Crucial preconditions for the successful development of democracy and for a viable democratic peace are the sustained economic growth and economic independence of Montenegro.

An urgent international economic support to Montenegro is extremely needed now, replacing aid with investment and creating a climate for doing business.

Montenegro, despite of many difficulties it has been facing, with its current democratic capacities, has a great chance to successfully reconstruct its society and economy and to find the best solution for its prosperous future.

I am convinced that Montenegro—with the strong democratic task force surrounding President Djukanovic—will know to use this chance in the proper way, overcoming the grim legacy of the past, finding the right answers to current contradictions, managing political differences, meeting the major challenges of the future, safeguarding its state and national interests and bringing peace and happiness to its citizens.

All these comprehensive goals cannot be achieved without concrete and visible support of the international community, of our western and other friends, especially of the USA, as a global power and the most important partner in developing democracies around the world.

Thank you for your attention. With great pleasure I would like to answer your questions.

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