

105TH CONGRESS
2D SESSION

H. CON. RES. 312

Expressing the sense of the Congress regarding the right of the Albanian People of Kosova to self-determination and independence from the repressive, authoritarian, and barbaric Serbian regime of Slobodan Milosevic, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 1998

Mr. TRAFICANT submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the sense of the Congress regarding the right of the Albanian People of Kosova to self-determination and independence from the repressive, authoritarian, and barbaric Serbian regime of Slobodan Milosevic, and for other purposes.

Whereas the United States and the international community recognize that a right to self-determination exists as a fundamental right of all people, as set forth in numerous United Nations instruments of which the United States is a signatory;

Whereas international law recognizes a right to self-determination as a right that must be recognized when a group or a people are subjected to persistent and system-

atic denials of political and social equality and severe deprivations of fundamental human rights;

Whereas in 1987, Slobodan Milosevic came to power on a platform of extreme nationalism, advocating violence and hatred and specifically targeting the Albanians of Kosova, whose self-rule he stripped in violation of the former Yugoslavia's 1974 constitution;

Whereas the Albanians of Kosova satisfy the objective requirements for self-determination, in that they comprise more than 90 percent of the total population of Kosova; share a common language of Albanian; are descendants of the Illyrians, the first group to inhabit the Balkans well before the Common Era; share a common ethnicity, and are generally referred to as ethnic Albanians; share a common history in the Kosova region of the Balkans; and share a common cultural identity as ethnic Albanians with an unbroken historic bond in the region;

Whereas the Albanians of Kosova satisfy the subjective requirements for self-determination, in that their desire to secede is predicated on the longstanding principles of self-rule and is exhibited in their collective overwhelming belief that they are a people and a nation of Kosovar Albanians; have their own government, manifest their desire to regain self-rule in the form of independence; seek a democratic form of government with "free and fair" elections; have a defined territory, with a continuous nexus to the territory, and have established a proven history of self-government prior to the Milosevic regime;

Whereas there is a cognizable connection between human rights and international peace and security and the right to self-determination where severe deprivations of fundamental human rights occur, and the loss of any

participatory role in their governance, coupled with well-documented human rights violations tantamount to war crimes, crimes against humanity and genocide (as set forth in the Statute of the International Criminal Tribunal for the former Yugoslavia) that have been perpetrated against the Albanians of Kosova by the repressive and barbaric Milosevic regime is dispositive of the Kosovar's right to self-determination;

Whereas the Albanians of Kosova enjoyed the right to participate with a legal and political status equal to the other 6 Republics within the former Federal Republic of Yugoslavia, and an equal right to participate in the rotating presidency of the former Federal Republic of Yugoslavia; until they were stripped of their self-rule, in violation of the former Yugoslavia Constitution of 1974;

Whereas prior to the disintegration of the former Yugoslavia, Kosova was a separate political and legal entity with separate and distinct financial institutions, police force, government (municipal and federal), school system, judicial/legal system, hospital and other such independent organizations, and as the other former Republics declared their independence, Kosova was forcibly absorbed into Serbia;

Whereas there is reason to believe that independence is the only viable option for the Albanians of Kosova after autonomy failed time and time again, and only the Kosovars have the right to determine their legal and political destiny as a people;

Whereas at the onset of the war in Bosnia, the other former Republics, with equal political and legal status as Kosova were granted independence, and Kosova's claims were summarily and unfairly rejected, in violation of the recognized principles of international law; and

Whereas the Dayton Accords failed to address the issue of Kosova and the legal and political rights of the Albanians of Kosova, the third largest ethnic group in the Balkans, and that a lasting and secure peace in the Balkans is unlikely unless the question of Kosova's independence is legitimately addressed: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
 2 *concurring)*, That it is the sense of the Congress that—

3 (1) the United States should publicly declare
 4 that the Albanians of Kosova have a legal right to
 5 self-determination and that independence is the only
 6 political solution acceptable to the Kosovars;

7 (2) the United States should, in conformity
 8 with its principles and beliefs, support and sponsor
 9 the right of self-determination for the Albanians of
 10 Kosova and this should be a high priority for restoring
 11 peace and security to the region;

12 (3) the United States should provide its share
 13 of any financial or other resources necessary to facilitate
 14 the independence for Kosova;

15 (4) the United States, in conjunction with
 16 members of the United Nations and other multilateral
 17 organizations, should convene a working group
 18 that deals with the specifics of secession in order to
 19 prevent future civil conflict from rising to the level
 20 of a breach of international peace and security and

1 that facilitates constructive dialogue in order to pre-
2 vent violence; and

3 (5) the United States and others should use
4 any and all means necessary to remove impediments
5 to the Kosovar Albanian's right to self-determina-
6 tion.

○