

105TH CONGRESS
2D SESSION

H. CON. RES. 313

Expressing the sense of the Congress with respect to self-determination for the people of Kosova, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 1998

Mr. ENGEL (for himself, Mr. KING, Mr. MORAN of Virginia, and Mrs. KELLY) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the sense of the Congress with respect to self-determination for the people of Kosova, and for other purposes.

Whereas under the United Nations Charter, friendly relations among nations are based on the principles of equal rights and self-determination of peoples;

Whereas under the International Covenant on Civil and Political Rights, to which the United States and the Socialist Federal Republic of Yugoslavia are parties, all peoples have the right of self-determination;

Whereas equal rights and self-determination of peoples are among the Principles Guiding Relations Between Participating States enshrined in the 1975 Helsinki Final Act,

to which the Socialist Federal Republic of Yugoslavia was a party;

Whereas the Helsinki Final Act states that “all peoples have the right, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social, and cultural development”;

Whereas the Constitution of the Socialist Federal Republic of Yugoslavia was founded upon the right of every nationality to self-determination, including the right to secede;

Whereas in the Constitution of the Socialist Federal Republic of Yugoslavia, adopted in 1946, and the amended Yugoslav Constitution, adopted in 1974, Kosova was described as one of the 8 constituent territorial units of the Socialist Federal Republic of Yugoslavia;

Whereas until 1989 Kosova had a representative on the Yugoslav Federal Presidency, a constitutional entity consisting of members from each of the constituent territorial units of the Socialist Federal Republic of Yugoslavia;

Whereas several former constituent territorial units of the Socialist Federal Republic of Yugoslavia, including Slovenia, Croatia, Bosnia and Herzegovina, and the Former Yugoslav Republic of Macedonia, have exercised their rights to become independent, and Montenegro retains the right to do so in the future;

Whereas the borders of Yugoslavia were altered in the 1990’s when Slovenia, Croatia, Bosnia and Herzegovina, and the Former Yugoslav Republic of Macedonia became independent;

Whereas the United States and the international community do not recognize the Federal Republic of Yugoslavia as the successor state to the Socialist Federal Republic of Yugoslavia;

Whereas the political rights of the people of Kosova were curtailed on March 23, 1989, when the Government of Yugoslavia revoked the autonomous status of Kosova by amending the Yugoslav Constitution without the consent of Kosova, as was constitutionally required, and by other unconstitutional actions including further amendments to the Yugoslav Constitution obtained by unconstitutional means;

Whereas in September 1990, in a referendum on the question of independence for Kosova, 87 percent of those eligible to participate voted and 99 percent of those who voted supported independence for Kosova;

Whereas throughout the 1990's, the people of Kosova have peacefully operated a shadow government separate from the Serbian and Yugoslav authorities, and that shadow government has governed the majority of the population of Kosova;

Whereas since 1989 the majority of the population of Kosova, 92 percent of whom are ethnically Albanian, has been subject to official discrimination including the removal of ethnic Albanian students from public schools and the University of Pristina and the firing of more than 100,000 ethnic Albanians from the civil service and police;

Whereas since 1989 the people of Kosova have been subject to egregious human rights abuses, and according to the Department of State's Country Reports on Human

Rights Practices for 1997, the most widespread and worst abuses in Serbia and Montenegro were committed by the police against the ethnic Albanian population of Kosova;

Whereas on July 17, 1998, the Senate passed Senate Concurrent Resolution 105 declaring that it is the sense of the Congress that “the United States should publicly declare that it considers that there is reason to believe that Slobodan Milosevic, President of the Federal Republic of Yugoslavia (Serbia and Montenegro), has committed war crimes, crimes against humanity and genocide”; and

Whereas the United States has opened an office of the United States Information Service in Pristina, the capital of Kosova: 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) by illegally revoking of the autonomy of
 4 Kosova in 1989 and undertaking other unconstitu-
 5 tional actions, by subsequently promoting official
 6 policies of harsh discrimination against the majority
 7 ethnic Albanians in Kosova, and by flagrantly violat-
 8 ing the human rights of the people of Kosova, Serbia
 9 and the Federal Republic of Yugoslavia, especially as
 10 ruled by Slobodan Milosevic, have forfeited the le-
 11 gitimate right to govern or to determine political sta-
 12 tus of the territory of Kosova;

13 (2) the United States should support the right
 14 of self-determination for the people of Kosova;

1 (3) the United States should support any reso-
2 lution of the question of the status of Kosova, in-
3 cluding independence, if such resolution is arrived at
4 by means of legitimate acts of self-determination, in-
5 cluding a free and fair referendum in Kosova;

6 (4) the United States should support the same
7 right of self-determination for Kosova that the inter-
8 national community has recognized for the other
9 former constituent territorial units of the Socialist
10 Federal Republic of Yugoslavia, some of which have
11 become independent;

12 (5) the United States should encourage other
13 countries, especially members of the Contact Group
14 of Nations for the Former Yugoslavia, to support
15 the right of self-determination for the people of
16 Kosova; and

17 (6) the United States should support such rep-
18 resentation of Kosova in international institutions as
19 is consistent with the exercise of the legitimate right
20 of self-determination by the people of Kosova.

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