

106TH CONGRESS
1ST SESSION

H. CON. RES. 32

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

FEBRUARY 11, 1999

Mr. ENGEL (for himself, Mr. KING, Mr. OLVER, Mrs. KELLY, Mr. MORAN of Virginia, Mr. ROHRABACHER, Mr. MCGOVERN, Mr. HINCHEY, Mr. THOMPSON of Mississippi, Mr. PASCRELL, Mr. HEFLEY, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. PAYNE, Mr. PALLONE, Mr. FORBES, Mr. GEORGE MILLER of California, Mr. SERRANO, Mr. MALONEY of Connecticut, and Mr. CROWLEY) 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 and numerous other binding international agreements friendly relations among nations are based on the principles of equal rights and self-determination of peoples;

Whereas the Helsinki Final Act, to which the Socialist Federal Republic of Yugoslavia was a party, 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 Kosova was one of the 8 constituent territorial units of the Socialist Federal Republic of Yugoslavia, as provided by the Constitution of the Socialist Federal Republic of Yugoslavia, adopted in 1946, and the amended Yugoslav Constitution, adopted in 1974;

Whereas until 1989 Kosova was a member of the Yugoslav Federal Presidency, a constitutional entity consisting of members from each of the constituent territorial units of the Socialist Federal Republic of Yugoslavia, and served, on a rotating basis, as its president;

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, through the exercise of their legitimate right to self-determination, 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 rump Yugoslavia as the successor state to the Socialist Federal Republic of Yugoslavia;

Whereas the political rights of Kosova and its people 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;

Whereas Kosova meets many of the traditional indicia of statehood, such as defined boundaries, democratically elected national leadership, existing government-style institutions, and a common language, heritage, and cultural identity for more than the vast majority of the population;

Whereas in September 1990, the people of Kosova expressed their overwhelming desire for independence in a referendum on the question of independence for Kosova in which 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, which has governed the overwhelming 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 Albanian students from public schools and the University of Pristina and the firing of more than 100,000 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 during and since 1998, the people of Kosova have been subjected to an ethnic cleansing campaign directed by Serbian and Federal Republic of Yugoslavia authorities in Belgrade, resulting in the deaths of 2,000 Albanians, the destruction of over 300 civilian villages, the burning of thousands of homes, and the creation of hundreds of thousands of internally and externally displaced persons and refugees;

Whereas in 1998, the Senate and House of Representatives passed resolutions declaring that it is the sense of the Congress 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”;

Whereas the United States operates an office of the United States Information Service in Pristina, the capital of Kosova; and

Whereas on February 6, 1999, the international community, including the United States, convened a meeting to negotiate an interim agreement on the status of Kosova in Rambouillet, France: 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 the autonomy of
- 4 Kosova in 1989 and undertaking other unconstitu-
- 5 tional actions, by officially and harshly discriminat-
- 6 ing against the majority ethnic Albanians in Kosova,
- 7 and by committing numerous crimes against human-

1 ity, including ethnic cleansing, against the people of
2 Kosova, Serbia and the Federal Republic of Yugo-
3 slavia (Serbia and Montenegro), especially as ruled
4 by Slobodan Milosevic, have forfeited any right to
5 govern or to determine political status of the terri-
6 tory of Kosova;

7 (2) the United States should support the right
8 of self-determination for Kosova and its people, as it
9 did for the other former constituent territorial units
10 of the Socialist Federal Republic of Yugoslavia,
11 some of which have become independent;

12 (3) the United States should support an interim
13 agreement on the status of Kosova that supports the
14 principle of self-determination by—

15 (A) providing Kosova the right to genuine
16 and enhanced autonomy with democratic and
17 effective self-governance provisions and protec-
18 tion of minority rights during the interim pe-
19 riod at a level greater than provided by the
20 Constitution of the Socialist Federal Republic
21 of Yugoslavia, as amended in 1974; and

22 (B) providing for a referendum on the
23 final status of Kosova, to be held within Kosova
24 on a date certain, which should include inde-

1 pendence as an option, and be guaranteed by
2 the international community; and
3 (4) the United States should support such rep-
4 resentation for Kosova in international institutions
5 as is consistent with Kosova's exercise of the legiti-
6 mate right of self-determination.

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