

109TH CONGRESS
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H. RES. 24

Expressing the sense of the House of Representatives that the United States should declare its support for the independence of Kosova.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2005

Mr. LANTOS (for himself and Mr. HYDE) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Expressing the sense of the House of Representatives that the United States should declare its support for the independence of Kosova.

Whereas the United States and the international community recognize that a right to self-determination exists as a fundamental right of all people;

Whereas Kosova was constitutionally defined as a sovereign territory in the First National Liberation Conference for Kosova on January 2, 1944, and this status was confirmed in the Constitution of the Socialist Federal Republic of Yugoslavia adopted in 1946, and the amended Yugoslav constitution adopted in 1974 preserved the autonomous status of Kosova as a de facto republic;

Whereas prior to the disintegration of the former Yugoslavia, Kosova was a separate political and legal entity with sep-

arate and distinct financial institutions, police force, municipal and national government, school system, judicial and legal system, hospitals and other independent organizations;

Whereas Serbian dictator Slobodan Milosevic rose to power in 1987 on a platform of ultranationalism and anti-Albanian racism, advocating violence and hatred against all non-Slavs and specifically targeting the Albanians of Kosova;

Whereas Slobodan Milosevic subsequently stripped Kosova of its self-rule, without the consent of the people of Kosova;

Whereas the elected Assembly of Kosova, faced with these intolerable acts, adopted a Declaration of Independence on July 2, 1990, proclaimed the Republic of Kosova, and adopted a constitution on September 7, 1990, based on the international legal principles of self-determination, equality, and sovereignty;

Whereas in recognition of the de facto dissolution of the Yugoslav federation, the European community established principles for the recognition of the independence and sovereignty of the republics of the former Socialist Federal Republic of Yugoslavia and Kosova fully satisfied those principles as a de facto republic within the federation;

Whereas a popular referendum was held in Kosova from September 26–30, 1991, in which 87 percent of all eligible voters cast ballots and 99.87 percent voted in favor of declaring Kosova independent of the Socialist Federal Republic of Yugoslavia;

Whereas, from the occupation of Kosova in 1989 until the North Atlantic Treaty Organization (NATO) military action against the Milosevic regime in 1999, the Albanians

of Kosova were subjected to the most brutal treatment in the heart of Europe since the Nazi era, forcing approximately 400,000 Albanians to flee to Western Europe and the United States;

Whereas in the spring of 1999 almost 1,000,000 Kosovar Albanians were driven out of Kosova and at least 10,000 were murdered by the Serbian paramilitary and military;

Whereas Slobodan Milosevic was indicted by the International War Crimes Tribunal and extradited to The Hague in June 2001 to stand trial for war crimes, crimes against humanity, and genocide in Kosova, Bosnia, and Croatia;

Whereas the United Nations established Kosova as a protectorate under Resolution 1244, ending the decade long Serbian occupation of Kosova and Milosevic's genocidal war in Kosova;

Whereas Kosovar Albanians, together with representatives of the Serb, Turkish, Roma, Bosniak, and Ashkali minorities in Kosova, have held free and fair municipal and general elections in 2000 and 2001 and successfully established a parliament in 2002, which in turn elected a president and prime minister;

Whereas 50 percent of the population in Kosova is under the age of 25 and the unemployment rate is currently between 60 and 70 percent, increasing the likelihood of young people entering criminal networks, the source of which lies outside of Kosova, or working abroad in order to survive unless massive job creation is facilitated by guaranteeing the security of foreign investments through an orderly transition to the independence of Kosova;

Whereas the Kosova parliament is committed to developing a western-style democracy in which all citizens, regardless

of ethnicity, are granted full human and civil rights and are committed to the return of all noncriminal Serbs who fled Kosova during and after the war; and

Whereas there is every reason to believe that independence from Serbia is the only viable option for Kosova, after autonomy has failed time and time again: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that the United States should—

3 (1) recognize the danger that delay in the reso-
4 lution of Kosova's final status poses for the political
5 and economic viability of Kosova and its neighbors,
6 and consequently for the future of Southeast Eu-
7 rope;

8 (2) publicly support the independence of Kosova
9 within its existing borders as a sovereign and demo-
10 cratic state in which human rights, including the
11 rights of ethnic and religious minorities, and the rule
12 of law are respected as the only way to lasting peace
13 and stability in the Balkans;

14 (3) establish a monitoring body in conjunction
15 with the United Nations, and North Atlantic Treaty
16 Organization, and other multilateral organizations to
17 ensure that the new state of Kosova achieves the
18 standards set forth by the UN Security Council, in-
19 cluding the protection of minority rights and secu-
20 rity for all of Kosova's communities, and to facilitate

1 an orderly transition from a UN protectorate to a
2 fully functioning democratic government;

3 (4) work with the Council of Europe to develop
4 and implement anti-racism programs that would be
5 instituted at the level of federal and municipal gov-
6 ernments throughout the Balkans;

7 (5) work with the United Nations and North
8 Atlantic Treaty Organization to facilitate the return
9 of Albanians to their pre-war homes in northern
10 Mitrovica and its environs and Serbs to theirs in
11 southern Mitrovica and other parts of Kosova; and

12 (6) provide its share of assistance, trade, and
13 other programs to support the government of an
14 independent Kosova and to encourage the further
15 development of democracy, rule of law, and a free
16 market economic system in Kosova and throughout
17 the Balkans.

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