

In addition, ending the embargo will increase Cuban exposure to the United States. It will bring Cubans into contact with our tourists, business people, students, and scholars. It will bring Americans into contact with those who will be part of the post-Castro Cuba. It will spur more investment in Cuba's tourist infrastructure, helping, even if only a little, to further develop a private sector in the economy.

In May of this year, I introduced bipartisan legislation that would repeal all of the Cuba-specific statutes that create the embargo. That includes the 1992 Cuban Democracy Act and the 1996 Helms-Burton Act. I look forward to the day when that legislation will pass and we have a normal economic relationship with Cuba.

Until that day, I support measures such as this amendment which dismantle the embargo brick by brick. The sanctions on sales of food and medicine to Cuba are especially offensive.

Last year, legislation to end unilateral sanctions on food and medicine passed the Senate by a vote of 70 to 28. That legislation was hijacked by the House in conference. This year we passed similar legislation again as part of the Agriculture appropriations bill. I hope our conferees stand firm and ensure its passage this year, with one correction.

This year the sanctions provisions of the Agriculture appropriations bill contain a new requirement. The bill requires farmers who want to sell food to foreign governments of concern to get a specific license. That is needless red tape which will make it harder to export. Last year the bill we passed had no such licensing requirement. We should strike that provision in the Agriculture appropriations conference this year.

When we begin debate on the bill, one of my colleagues will offer an amendment to address unilateral sanctions on food and medicine from a different angle. The amendment will cut off funding to enforce and administer them. The House passed a similar measure by a substantial majority. We should do the same in the Senate.

Mr. President, I hope that all of my colleagues will vote in favor of this amendment and will support the ultimate lifting of the entire Cuba trade embargo.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. DOMENICI. Will the Senator yield for a unanimous-consent request? Mr. McCAIN. Yes.

Mr. DOMENICI. Mr. President, I ask unanimous consent when Senator McCAIN and Senator GORTON are finished, I might be recognized thereafter. Senator WYDEN is here and he has no objection. He is joining me.

The PRESIDING OFFICER. Is the consent request that after Senator McCAIN and Senator GORTON speak—

Mr. DOMENICI. I be recognized to introduce a bill, and then that Senator WYDEN follow me.

The PRESIDING OFFICER. And Senator VOINOVICH after that?

Mr. DOMENICI. Yes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Arizona is recognized.

(The remarks of Mr. McCAIN and Mr. GORTON pertaining to the introduction of S. Res. 344 are located in today's RECORD under "Submission of concurrent and Senate Resolutions.")

The PRESIDING OFFICER. The Senator from New Mexico.

(The remarks of Mr. DOMENICI and Mr. WYDEN pertaining to the introduction of S. 2937 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

UNANIMOUS-CONSENT AGREEMENT

Mr. DOMENICI. Mr. President, I now ask unanimous consent that notwithstanding rule XXII, following the 11:30 cloture vote the Senate proceed to consideration of the conference report to accompany H.R. 4576, the Defense appropriations bill. Further, I ask consent that there be up to 60 minutes for debate under the control of Senator McCAIN and up to 15 minutes under the control of Senator GRAMM, with an additional 6 minutes equally divided between Senators STEVENS and INOUE, and 20 minutes for Senator BYRD, and following that debate the conference report be laid aside.

I further ask consent that the vote on the conference report occur at 3:15 p.m. on Thursday, without any intervening action or debate, notwithstanding rule XXII, the motion to reconsider be laid upon the table, and any statements relating to the conference report be printed in the RECORD.

The PRESIDING OFFICER (Mr. SMITH of Oregon). Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I ask unanimous consent that Senator DEWINE be recognized to speak in morning business immediately following the remarks of Senator HARKIN.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BALKANS MATTER

Mr. VOINOVICH. Mr. President, the Balkans, with Gavrilko Princip's assassination of Austrian Archduke Francis Ferdinand in Sarajevo, Bosnia in 1914, started the devastation of World War I. World War II had deep ties to the region as well. The Truman doctrine, the basis of American policy throughout the cold war, began with President Truman's decision to support anti-Communist forces in Greece and Turkey, again, in the Balkans. To deal with the historic threat to peace, security and prosperity the Balkans poses, the United States and Europe made a

commitment in the aftermath of the Kosovo crisis to integrate the region into the broader European community. This commitment is consistent with the pillar that has bound the United States and Europe since the end of World War II—a belief in the peaceful influence of stable democracies based on the rule of law, respect for human rights and support for a market economy in Europe.

However, the Balkans continue to be unstable. Slobodan Milosevic constantly stirs trouble in Kosovo and Montenegro. The minority communities of Kosovo are suffering under a systematic effort by extremist ethnic Albanians to force them out. Moderate Albanians in Kosovo are threatened for simply selling bread to a member of the Serb community. As long as this instability remains, the shared European and American goal of a whole and free Europe will not become a reality.

Inclusion of the Balkans in the European community of democracies would promote our Nation's strategic interests. By providing a series of friendly nations south from Hungary to Greece and east from Italy to the Black Sea, we would be in a much better position to deter regional crises and respond to them should they occur. The link to the Black Sea would also provide a link into central Asia in the event that the protection of our national security interests were ever threatened in this area.

The U.S. and the EU account for more than 30 percent of world trade. The EU receives nearly 25 percent of our total exports and is our largest export market for agricultural products. The nations of the Balkans, due to their proximity to the EU's common market, have tremendous potential for American investors and businesses to expand these trading ties. Additionally, many in the Balkans have excellent educational backgrounds and work experience that would be invaluable to an American investor. Many nations currently being considered for EU membership began their transition from command economies in a much worse position than the nations of southeastern Europe. If these nations can make enough progress to be considered for EU membership in the short-term, surely Croatia, Macedonia, Romania, and Bulgaria can as well.

While we have done much as a country to respond to human suffering around the world in recent years, these efforts are made after the fact. This is a mistake that reflects the Clinton administration's lack of foresight. In Kosovo, for example, our lack of preparation for the refugees created by Milosevic's aggression was inexcusable. To prevent this type of tragedy in the Balkans again—the refugees, the homelessness, the starvation—we must remain involved in the region.

I believe that the following steps should be taken to advance our goal of an integrated, whole, and free Europe:

NATO and EU membership—The nations of southeastern Europe must be

involved in these institutions to ensure their long-term peace, security, and prosperity. However, invitations for membership should only be offered once the nations have met the established membership criteria;

Implementation of the Stability Pact—The Pact, initiated by the Europeans to encourage democracy, security, and economic development in the region, must be fully implemented. There has been much talk and promises made about the Pact. Now is the time for action. The Europeans must begin to build the infrastructure projects they have promised in the region.

Open European markets—The Europeans have made a commitment to integrate the region into the broader European community. Lowering tariffs on the import of goods from the region would do much to encourage needed foreign investment. Investment, in turn, would speed development which would lead to the integration for which the Europeans have called.

To make these initiatives work, the Clinton administration must show more leadership than they have since the Kosovo crisis began. With the debacle of Bosnia in its background, coupled with the failed policies for the region over the last 18 months, our record in the region has been dismal. Implementing the above plan will begin to better this record.

THE SITUATION IN THE BALKANS

Mr. President, over the Fourth of July recess, I traveled with a delegation of my House and Senate colleagues to Southeast Europe where I attended the annual Parliamentary assembly Meeting of the Organization for Security and Cooperation in Europe in Bucharest, Romania.

In addition, while I was in Southeast Europe, I joined several of my House colleagues on a trip to Kosovo and Croatia to get an update on the situation there. I met with UN officials, Serb and Albanian leaders, KFOR commanders, and our American troops, and particularly soldiers from Ohio who are stationed in Kosovo.

I have traveled to the Balkans region three times this year to assess the situation in the region from a political, military and humanitarian point of view.

Besides my most recent trip, I traveled to Croatia, Macedonia, Kosovo and Brussels, Belgium in February and in May, I attended the annual meeting of the NATO Parliament Conference in Budapest, Hungary, and visited Slovenia as well. Based on the observations that I made, I would like to bring the Senate up to date on the current situation in southeastern Europe, particularly in Croatia and Kosovo.

While I was in Croatia this past February, I had the privilege to be the first Member of the United States Congress to personally congratulate Mr. Stipe Mesic on his being elected President of Croatia. During my trip earlier this month, I had a chance to spend time with President Mesic, along with my

colleagues from the House of Representatives, and, again, hear his vision for the future of Croatia.

We also had an opportunity to meet with Prime Minister Racan, who along with President Mesic, is committed to providing to the Croatian people, a government that abides by the rule of law; respects human rights—particularly minority rights; adheres to the goals of a market economy; seeks the ultimate entrance into the European Union and NATO; and pledges to return minority refugees that were ethnically cleansed out of Croatia. This commitment was supported by members of the Croatian Parliament and acknowledged by members of the Serb minority, who are anxious to see the commitment carried out.

I am optimistic about the future of Croatia with its new leadership. Following the December, 1999 death of Croatia's ultra-nationalist President, Franjo Tudjman, Croatia's future was uncertain as far as the West was concerned.

However, the changes that have occurred since the establishment of a new government less than six months ago are stunning. I believe that the new government of President Mesic and Prime Minister Racan will ultimately be successful in guiding Croatia to EU and NATO membership. However, the legacy of Tudjman and his ruling elite—who we are just now learning were a bunch of thieves—poses some serious challenges for the “new” Croatia.

Tudjman drove Croatia deep into debt to a variety of international financial institutions while he and his henchmen “cleaned-out” the national treasury for their own personal gain. Because of Tudjman's mismanagement, President Mesic and Prime Minister Racan are facing a situation where their nation's economy is struggling, and they have little help available from outside creditors because of Tudjman's action.

These economic problems have an impact on another major challenge the new government is facing—the return of refugees. As my colleagues may remember, the Balkan wars of the 1990s created hundreds of thousands of refugees.

These refugees left their homes, abandoned nearly all of their possessions and took to the roads to avoid the bloodshed of ethnic hatred. In order for these people to go back and reclaim their homes and get on with their lives, there must be something to go back to—jobs, especially. There are few areas of Croatia today where jobs are plentiful enough to absorb thousands of returning refugees, which underscores the importance of reinvigorating the Croatian economy.

Despite these problems, I am very optimistic about the future of Croatia if President Mesic and Prime Minister Racan continue to lead their nation towards European integration. I am pleased that the United States is supporting the new Croatian leadership

with financial, diplomatic and military assistance. I am also pleased that NATO has invited Croatia to become a member of the “Partnership for Peace” program.

Mr. President, as I think back to last year, to the time when this nation was engaged in an air war over Kosovo, the President, the Secretary of State, world leaders and the international media all brought to our attention the ethnic cleansing that was being perpetrated by Slobodan Milosevic's Serbian military and paramilitary forces against the Albanian people in Kosovo.

During the height of the air war, President Clinton, in the Times of London, was quoted as saying “we are in Kosovo because Europe's worst demagogue has once again moved from angry words to unspeakable violence.” Further, the President stated, “the region cannot be secure with a belligerent tyrant in its midst.”

Secretary of State Madeleine Albright, before the Senate Foreign Relations Committee claimed “there is a butcher in NATO's backyard, and we have committed ourselves to stopping him. History will judge us harshly if we fail.”

Words such as these were meant to back-up our actions in Kosovo and explain to the American people the moral imperative of engaging in a U.S.-led NATO air war over Kosovo.

In this effort to protect the innocent civilian Kosovo Albanian community from the devastation of Slobodan Milosevic and his Serb forces, few realized at the time that the United States had stumbled across a civil war in progress. A minority of Kosovo Albanians, under the leadership and flag of the Kosovo Liberation Army, the KLA, were pursuing their dream of an ethnically pure Kosovo, dominated by Albanians and independent from Serbia. These extremists were willing to resort to violence to achieve this dream.

On the other hand, Serbia and Slobodan Milosevic did not want to let this province break away, because Kosovo is very important to their history, culture, and religion.

Let me be clear on this. None of these circumstances in any way excuses the devastation the Serb forces brought to the ethnic Albanian community of Kosovo. The systematic plan, hatched by Milosevic, his wife and their inner circle of thugs, to instill fear through rape, torture, and murder was designed to drive the ethnic Albanian community out of Kosovo. Their plan was evil in its inception and execution.

The United States and our NATO allies vowed to put an end to this tragedy. Through our combined military strength, we were able to force Milosevic to withdraw his troops from Kosovo, making it safe for Kosovar Albanians to return to their homes.

And now that the air war in the Balkans has been over for a little more than a year, most Americans assume that the situation in Yugoslavia is now

under control and that Serbs and Albanians in Kosovo have put aside their differences, declared peace and are working towards establishing a cooperative society.

How I wish that was true.

In fact, the reason I have come to the floor today is to make my colleagues and this nation aware what many in the European community already know, and that is, ethnic cleansing is being carried out in Kosovo today.

In the wake of the air war, a backlash of violence is now being perpetrated against minority groups in Kosovo, including Serbs, Romas, and moderate Albanians who are now trying to rebuild Kosovo. They have been attacked and killed by more radical, revenge-driven elements in the Albanian community, their homes and businesses have been burned and Serbian Orthodox churches and monasteries—some hundreds of years old—have been desecrated and destroyed.

I ask unanimous consent to print in the RECORD a document which summarizes the incidents of arson and murder that have occurred in recent months in Kosovo. These numbers were prepared by the OSCE, which is known for its independence.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A report released on June 9, 2000 provides recent numbers associated with violent crime that continues to threaten peace and reconciliation efforts in Kosovo. The report, UNHCR/OSCE Update on the Situation of Ethnic Minorities in Kosovo, provides details on the three most prevalent crimes affecting minorities in Kosovo since January 2000. They are as follows:

ARSON, AGAINST

Serbs, 105 cases
Roma, 20
Muslim Slavs, 5
Albanians, 73
Persons of unknown ethnicity, 40

AGGRAVATED ASSAULT, AGAINST

Serbs, 49 cases
Roma, 2
Muslim Slavs, 2
Albanians, 90
Persons of unknown ethnicity, 9

MURDER, AGAINST

Serbs, 26 cases
Roma, 7
Muslim Slavs, 2
Albanians, 52
persons of unknown ethnicity, 8

According to the report, lack of security and freedom of movement remain the fundamental problems affecting minority communities in Kosovo. Though the Serbian population has been the minority group most affected by criminal activity, the ethnic Albanian community continues to be subject to serious violent attacks on a regular basis.

Mr. VOINOVICH. Mr. President, in addition, Bishop Kyr Artemije, a leader of the Kosovar Serbs, presented similar statistics documenting the violence and bloodshed that has been carried out in Kosovo since the end of the war in testimony he gave before the Helsinki Commission this past February. His statistics were updated and verified at a recent meeting that I and several

of my House colleagues had with the Bishop over the Fourth of July recess in Kosovo.

I ask unanimous consent that Bishop Artemije's February testimony be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. VOINOVICH. Mr. President, in addition, a July 3 article written by Steven Erlanger for the New York Times, discusses the observations Dennis McNamara, the U.N. special envoy for humanitarian affairs in Kosovo, had regarding the status of the situation in Kosovo today, particularly how minorities have been treated since the end of the air war and how minorities are being pushed out of Kosovo in a continuous and organized manner.

McNamara is quoted as saying that:

(this) violence against the minorities has been too prolonged and too widespread not to be systematic.

McNamara goes on to say;

We can't easily say who's behind it, but we can say we have not seen any organized effort to stop it or any effort to back up the rhetoric of tolerance from Albanian leaders with any meaningful action.

The genocide that was inflicted upon thousands of Albanians is absolutely inexcusable and totally reprehensible. Crimes that are perpetrated against innocent civilians must always be condemned and those who carry out such acts must be prosecuted. That is why I do not understand why the President, the Secretary of State, and others in this administration have not been as vocal about the ethnic cleansing that is now being perpetrated as they were last year.

In fact, the condemnation for the ethnic cleansing that is now occurring in Kosovo is virtually nonexistent on the part of this administration. I am deeply troubled by their silence.

Because I have been following this matter so closely since the conclusion of the air campaign, I have had the opportunity to have a number of off-the-record, informal conversations with people both inside and outside of our Government. While I am reluctant to share this with my colleagues, I feel that I must. There is a feeling by many who are following the ongoing ethnic cleansing in Kosovo that there are some in our Administration who believe that the Serb community in Kosovo is simply getting what they are due.

In other words, the murders, arson, harassment and intimidation that extremist members of the Kosovo Albanian community are committing against the Kosovo Serb community should be expected and accepted given what the Serbs did to the Albanians.

A July 17 article written by Steven Erlanger of the New York Times makes this point as well. It describes how U.N. director of Kosovo administration, Bernard Kouchner, has been working to foster peace and stability

among Albanians and Serbs in Kosovo. He points out that no one is paying much attention now that the tables have turned.

Kouchner says:

I'm angry that world opinion has changed so quickly. They were aware before of the beatings and the killings of Albanians, but now they say, "There is ethnic cleansing of the Serbs." But it is not the same—it's revenge.

And McNamara makes the same point. He says:

There was from the start an environment of tolerance for intolerance and revenge. There was no real effort or interest in trying to deter or stop it. There was an implicit endorsement of it by everybody—by the silence of the Albanian political leadership and by the lack of active discouragement of it by the West.

Mr. President, I ask unanimous consent that these two New York Times articles be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. VOINOVICH. The United States must not now—nor ever—condone this revenge approach in Kosovo in either thought, word or deed. We must maintain and promote our values as a nation—a respect for human rights, freedom of religion, freedom from harassment, intimidation or violence.

If this administration, and the next, does not acknowledge and seriously address the plight of Kosovo Serbs and other minorities in Kosovo, then I think that within a year's time there will not be any minorities still in Kosovo. To prevent this, I believe we should be more aggressive towards protecting minority rights in Kosovo immediately.

If we do not, I am concerned that the extremist members of the Kosovo Albanian community will continue to push out all minority groups until they have achieved their dream of an Albanian-only Kosovo. In other words, if we do nothing, there will be many who will argue that the ethnic cleansing of Kosovo was tacitly endorsed by the lack of leadership in the international community.

It is important to note that the problem does not rest with our KFOR troops, for they have been restricted in what they can and cannot do. These men and women are doing a terrific job under difficult circumstances. I know what they're going through because, last February, I walked through the village of Gnjilane with some of our soldiers, and saw first-hand the restrictions they were under.

While I was in Kosovo over the 4th of July recess, I had the opportunity to visit our troops at Camp Bondsteel. Every soldier that I spoke with talked of their commitment to their mission and ensuring the safety of the citizens of Kosovo. I fully believe that it is because of these troops that there is not further violence.

I do have hope that we can bring an end to the bloodshed in Southeastern

Europe, and I believe that there are some within the Kosovo Albanian community who can prevail upon the better instincts of their fellow man in a commitment towards peace.

Earlier this year, at the headquarters of the United Nations Mission in Kosovo, UNMIK, in Pristina, Kosovo, I had the opportunity to sit down and meet with several key leaders of the Kosovo Albanian community and representatives on the Interim Administrative Council—Dr. Ibrahim Rugova, Mr. Hashim Thaci, and Dr. Rexhep Qosja.

All three leaders made a very clear promise to me that they were committed to a multi-ethnic, democratic Kosovo, one that would respect the rights of all ethnic minorities. I was heartened to hear these comments. This commitment could serve as the basis for long-term peace and stability in Kosovo.

I said that they could go down in history as truly great men were they to make this commitment a reality. I explained that the historic cycle of violence in Kosovo must end and minority rights must be respected—including the sanctity of churches and monasteries.

I also point out to them that “revenge begets revenge” and unless Albanians and Serbs learned to live in peace with one another, violence would continue to plague their children, their grandchildren and generations yet unborn.

It is my hope that they will realize that they and their actions will be keys to the future of Kosovo.

We all want peace to prevail in the Balkans, but we have a long way to go for that to happen. I believe we should listen to the words of His Holiness, Patriarch Pavle, the head of the Serbian Orthodox church, who states, “in Kosovo and Metohija there will be no victory of humanity and justice while revenge and disorder prevail. No one has a moral right to celebrate victory complacently for as long as one kind of evil replaces another, and the freedom of one people rests upon the slavery of another.”

The Patriarch’s call for leadership in protecting all citizens in Kosovo is one that this nation should heed if peace and stability in Kosovo is our goal.

At the OSCE meeting in Bucharest, I introduced a resolution on South-eastern Europe that had the support of several of my legislative colleagues from the U.S. The main point of the resolution that I offered was to call to the attention of the OSCE’s Parliamentary Assembly the current situation in Kosovo and Serbia, and made clear the importance of removing Slobodan Milosevic from power.

Mr. President, I ask unanimous consent that the entire text of the resolution, as passed by the OSCE Parliamentary Assembly, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. VOINOVICH. My resolution put the OSCE, as a body, on record as condemning the Milosevic regime and insisting on the restoration of human rights, the rule of law, free press and respect for ethnic minorities in Serbia. I was pleased that the resolution passed—despite strong opposition by the delegation from the Russian Federation—and I am hopeful that it will help re-focus the attention of the international community on the situation in the Balkans.

In conclusion, Mr. President, I believe that we are approaching a crossroads in Kosovo with two very different directions that we can choose.

The first direction—the wrong direction—involves more of the same of what we have seen in recent months. More bloodshed, more grenade attacks on elderly minorities as they sit on their porch. More land-mines on roads traveled by parents taking their children to school. More intimidation, threats and harassment of minorities walking the streets in mixed villages and towns. All this would lead to the continued fleeing of minorities from Kosovo and the establishment of an Albanian-only Kosovo. Again, ethnic cleansing carried-out under the nose of NATO and the U.N.

The second direction—the right direction—involves the international community, led by the United States, protecting the human rights of the minority communities of Kosovo. With this protection, the minority groups would feel safe in their homes and be comfortable enough to be involved in UNMIK municipal elections this fall, a key priority for UNMIK. Places of historical significance, especially Serbian Orthodox monasteries, would be safe from destruction from extremists.

Minorities would be safe to travel to the market in their own communities without needing KFOR protection, something that does not happen today. Kosovo Albanians who sell goods to minorities would not be threatened, harmed or killed, again, something that does not happen today. In short, bloodshed would stop under the watch of the international community.

And there is encouraging news.

Just this last weekend, at Airlie House in Virginia, leaders of Kosovo’s Serb and Albania communities met under the auspices of the United States Institute for Peace.

Among other provisions, the representatives agreed to launch a new initiative—a Campaign Against Violence—whereby the representatives of both communities agreed to a Pact Against Violence to promote tolerance, condemn violence, prevent negative exploitation of ethnic issues, and enable physical integration and political participation by all. In addition, the communities agreed on two key provisions to help reduce the power of extremist elements by calling on KFOR and UNMIK to guard and control more effectively all entry into Kosovo, and re-

questing that UNMIK move immediately to start-up a functioning court and prison system.

Also, the Serb and Albanian representatives agreed on several items regarding the return of displaced persons and refugees to their homes, including the recognition that the return of such individuals is a fundamental right and essential to the future of Kosovo. In order to facilitate such returns, the parties insist that UNMIK and KFOR pursue fresh efforts to provide greater security for individuals to return to their homes, and to expand aid for reconstruction and economic revitalization in those communities.

They further agreed that a new model of security and law enforcement is needed, and that the international community must overcome its differences to that UNMIK and KFOR can take much stronger measures to carry out their security and law enforcement responsibilities.

Last but not least, the representatives recognize that the international community will not support a Kosovo cleansed of some of its ethnic communities. Rather, all these communities must work together to build a multi-ethnic Kosovo respecting the rights of all its citizens.

I say “Amen and Hallelujah” to the fact that these two communities can come together and develop such an outline for peace.

There should be a loud voice coming out from this administration—the same loud voice that we heard last year—to the United Nations, to the UNMIK, and to our NATO Allies that we cannot allow ethnic cleansing of any kind to continue.

And I just want the administration to know that I am holding them responsible to make the same commitment to Kosovo now that they made during the war, specifically, to go in and make sure that NATO, UNMIK, and KFOR give the same priority to protecting minority rights today.

It is up to the United States to provide the leadership to make sure that the items that the representatives at Airlie House identified as important are actually carried out by the UNMIK and by KFOR in cooperation with the Serb and Albanian communities in Kosovo.

Individually, none of these entities can guarantee peace and stability in Kosovo. It is only by working together that peace will occur, and it is the primary reason that the U.S. needs to recommit itself to Kosovo.

We, the United States, with our strength and commitment to the protection of human rights, can largely determine which direction is taken in Kosovo. It is in our hands to live up to that potential.

It is in our national security interest. It is in our economic interest in Europe. It is in the interest of peace in the world that we make that commitment.

I yield the floor.

EXHIBIT 1

STATEMENT OF BISHOP ARTEMIJE, HELSINKI COMMISSION, HEARING, FEBRUARY 28, 2000, WASHINGTON, DC

Mr. Chairman, respected members of Congress, ladies and gentlemen. It is my distinct pleasure and privilege to be here with you today and speak about the latest developments in Kosovo. The last time I spoke here was in February 1998, just before the war in Kosovo began and on that occasion I strongly condemned both Milosevic's regime and Albanian extremists for leading the country into the war. Unfortunately the war came and so many innocent Albanians and Serbs suffered in it. Many times we have strongly condemned the crimes of Milosevic's regime in Kosovo while our Church in Kosovo supported suffering Albanian civilians and saved some of them from the hands of Milosevic's paramilitaries.

After the end of Kosovo war and return of Albanian refugees the repression of Milosevic's undemocratic regime was supplanted by the repression of extremist Kosovo Albanians against Serbs and other non-Albanian communities in full view of international troops. Freedom in Kosovo has not come for all equally. Therefore Kosovo remains a troubled region even after 8 months of international peace.

Kosovo Serbs and other non-Albanian groups in Kosovo live in ghettos, without security; deprived of basic human rights—the rights of life, free movement and work. Their private property is being usurped; their homes burned and looted even 8 months after the deployment of KFOR. Although Kosovo remained more or less multiethnic during the ten years of Milosevic's repressive rule, today there is hardly any multiethnicity at all—in fact the reverse is true. Ethnic segregation is greater now than almost at any other time in Kosovo's turbulent history. Not only are Serbs being driven out from the Province but also the Romas, Slav Moslems, Croats, Serb speaking Jews and Turks. More than 80 Orthodox churches have been either completely destroyed or severely damaged since the end of the war. The ancient churches, many of which had survived 500 years of Ottoman Moslem rule, could not survive 8 months of the internationally guaranteed peace. Regretfully, all this happens in the presence of KFOR and UN. Kosovo more and more becomes ethnically clean while organized crime and discrimination against the non-Albanians is epidemic.

Two thirds of the pre-war Serb population (200,000 people) fled the province under Albanian pressure. In addition more than 50,000 Romas, Slav Moslems, Croat Catholics and others have also been cleansed from Kosovo. More than 400 Serbs have been killed and nearly 600 abducted by Albanian extremists during this same period of peace. Tragically, this suffering of Serbs and other non-Albanians proportionally (with respect to population) represents more extensive suffering in peacetime than the Albanian suffering during the war. This is a tragic record for any post war peace mission, especially for this mission in which the Western Governments and NATO have invested so much of their credibility and authority.

Despite the sympathy for all of the suffering of Kosovo Albanians during the war, retaliation against innocent civilians cannot be justified in any way. It is becoming more and more a well-orchestrated nationalist ideology directed towards achieving the complete ethnic cleansing of the Province. The extremists believe that without Serbs and their holy sites in Kosovo independence would then become a fait accompli. The present repression against non-Albanians is carried out with the full knowledge of the

Albanian leaders. Sometimes these leaders formally condemn repressive actions but in reality have not done anything to stop the ongoing ethnic violence and discrimination. Even more, some of them are instigating rage against Serbs developing the idea of collective Serb guilt and branding all remaining Serb civilians as criminals. There is much evidence that the KLA leaders bear direct responsibility for the most of the post-war crimes and acts of violence committed in Kosovo. As soon as KFOR entered the Province KLA gunmen took over the power in majority of cities and towns and immediately organized illegal detention centers for Serbs, Romas and Albanian "collaborators." They began killing people listed as alleged criminals and seized a large amount of property previously owned by Serbs and other non-Albanians. KLA groups and their leaders are directly linked with Albanian mafia clans and have developed a very sophisticated network of organized crime, drug smuggling, prostitution, white slavery, and weapons trading. According to the international press Kosovo has become Colombia of Europe and a main heroin gateway for Western Europe. The strategy behind the KLA purge of Serbs was very simple—quarter by quarter of a city would be cleansed of Serbs and their property would be either burned or sold for a high price to Albanian refugees (including Albanians from Albania and Macedonia who flowed into the province through unprotected borders along with the hundreds of thousands of Kosovo refugees). The KLA, although officially disbanded is still active and their secret police are continuing their intimidation and executions. Now more and more of their victims are disobedient Kosovo Albanians who refuse to pay their "taxes" and "protection money" to extremists. The Albanization of Kosovo is proceeding in a way many ordinary Albanians did not want. The gangsters have stepped into the vacuum left by the slowness of the West to adequately instill full control over the Province. Kosovo is becoming more like Albania: corrupt, anarchic, and ruled by the gun and the gang.

Serbs and many non-Albanians still do not have access to hospitals, the University and public services, simply because they cannot even freely walk in the street. They are unemployed and confined to life in poverty of their rural enclaves out of which they can move only under the KFOR military escort. The Serbian language is completely banished from the public life. All Serb inscriptions, road signs and advertisements have been systematically removed and the usage of Serbian language in Albanian dominated areas is reason enough for anyone to be shot right on the spot. Thousands of Serb books in public libraries have been systematically burned while all unguarded Serb cultural monuments and statues have been torn down and destroyed.

The Serbs who remain in major cities are in the worst situation of all. Out of 40,000 pre-war Serb population in Pristina today there remain only 300 elderly people who live in a kind of house arrest. They cannot go into the street without military protection and only thanks to KFOR soldiers and humanitarian organizations do they receive food and medicines, which they are not allowed to buy in Albanian shops. Almost all Serb shops are now in Albanian hands. In other areas Albanians are greatly pressuring Serbs to sell their property under threats and extortion. Those who refuse usually have their houses torched or are killed as an example to other Serbs. Grenade attacks on Serb houses; on few remaining Serb shops and restaurants force more and more Serbs to leave Kosovo. If this repression and persecution is continued unabated it is likely that

soon most of the remaining Serbs will also be forced to flee Kosovo.

On one hand, KFOR's presence in Kosovo has given Albanian extremists free hands to do what that want because one of KFOR priorities has been so far to avoid direct confrontation with the extremists in order to escape possible casualties. On the other hand we cannot but say that if KFOR had not been in Kosovo during this rampage of hatred, not a single Serb or Serb church would have survived. We sincerely appreciate the efforts of many men and women from all over the world who are trying to bring peace to Kosovo even with in a rather narrow political framework in which KFOR must act.

An especially volatile situation is in Kosovska Mitrovica the only major city where a substantial number of Serbs remain. During the most intensive wave of ethnic cleansing in June and July many Serb internally displaced persons from the south found refuge in the north of the province in the Mitrovica area. In order to survive they organized a kind of self-protection network and prevented the KLA and mafia to enter the northern fifth of the city together with civilian Albanian returnees. KFOR, aware that the free access of Albanian extremist groups of Mitrovica would cause a Serb exodus, blocked the bridge connecting the southern and northern part of the city. Albanian extremists have since then made many attempts to make their way into the northern part of Mitrovica saying that they wanted undivided and free city. Serbs on the other hand state that they are ready for a united city only if Serbs would be allowed to go back to their homes in the south and elsewhere in Kosovo. Serbs also hold that only Kosovo residents be allowed to return to their homes. A few weeks ago, after two terrorist attacks against a UNHCR bus and a Serb café, in which a number of Serbs were killed and injured, radicalized Serbs began retaliatory actions against Albanians in the northern part of the city causing the death of several Albanian innocent citizens and served to broaden the crisis.

The Mitrovica crisis is not playing out in a void by itself and must be approached only in the context of the overall Kosovo situation. The fact remains that after the war extremists Albanians have not been fully disarmed and have continued their repression and ethnic cleansing of Serbs and other non-Albanians wherever and whenever they have had opportunity to do so. Unfortunately, such a situation as we have now in Kosovo has opened a door for the Belgrade regime, which is now trying to profit from this situation and consolidate the division of Mitrovica for their own reasons. Each Serb victim in Kosovo strengthens Milosevic's position in Serbia. Albanian extremists on the other hand want to disrupt the only remaining Serb stronghold in the city in order to drive the Serbs completely out of Kosovo. Regretfully, the international community seems not to be fully aware of the complexity of the Mitrovica problem and has despite all Albanian crimes and terror in the last 8 months one-sidedly condemned Serbs for this violence.

This skewed view of the problem will only serve to encourage Albanian extremism, confirm Milosevic's theory of anti-Serb conspiracies that he uses to solidify his hold on power and will eventually lead to final exodus of the Serb community in Kosovo. Milosevic obviously remains at the core of the problem but he is not the greatest cause of the current round of violence and purges—the international community must find ways for controlling Albanian extremists.

We maintain our belief that the present tragedy in Kosovo is not what Americans wanted when they supported the policy of

the Administration to intervene on behalf of suffering Albanians. In fact international community now faces a serious failure in Kosovo because it has not managed to marginalize extremist Albanians while at the same time Milosevic has been politically strengthened by the bombing and sanctions (which ordinary Serbs understand as being directed against innocent civilians). Therefore we expect now from the international community and primarily from United States to show more determination in protecting and supporting Kosovo Serbs and other ethnic groups who suffer under ethnic Albanian extremists. A way must be found to fully implement UNSC Resolution 1244 in its whole.

We have a few practical proposals for improving the situation in Kosovo:

1. KFOR should be more robust in suppressing violence, organized crime and should more effectively protect the non-Albanian population from extremists. This is required by the UNSC Resolution.

2. More International Police should be deployed in Kosovo. Borders with Macedonia and Albania must be better secured, and UNMIK should establish local administration with Serbs in areas where they live as compact population. Judicial system must become operational as soon as possible. International judges must be recruited at this stage when Kosovo judges cannot act impartially due to political pressures.

3. International community must build a strategy to return displaced Kosovo Serbs and others to their homes soon while providing better security for them and their religious and cultural shrines. Post war ethnic cleansing must not be legalized nor accepted—private and Church property has to be restored to rightful owners. Law and order must be established and fully enforced. Without at least an initial repatriation of Serbs, Romas, Slav Moslems and others Kosovo elections would be unfair and unacceptable.

4. The International Community, especially, US, should make clear to Kosovo Albanian leaders that they cannot continue with the ethnic cleansing under the protectorate of Western democratic governments. Investment policy and political support must be conditioned to full compliance by ethnic Albanian leaders with the UNSC Resolution 1244. KLA militants must be fully disarmed. The ICTY should launch impartial investigations on all criminal acts committed both by Serbs and Albanians.

5. The international community should also support moderate Serbs in regaining their leading role in the Kosovo Serb community and thus provide for the conditions for their participation in the Interim Administrative Kosovo Structure. Since the co-operation of moderate Serb leaders with KFOR and UNMIK has not brought visible improvement to the lives of Serbs in their remaining enclaves, Milosevic's supporters are gaining more confidence among besieged and frightened Serbs, which can seriously obstruct the peace process. Moderate Serbs gathered around Serb National Council need their own independent media; better communication between enclaves and other forms of support to make their voice better heard and understood within their own community. International humanitarian aid distribution in Serb inhabited areas currently being distributed more or less through Milosevic's people who have used this to impose themselves as local leaders, has to be channeled through the Church and the Serb National Council humanitarian network.

6. The last but not least, the issue of status must remain frozen until there is genuine and stable progress in eliminating violence and introducing democratization not only in Kosovo but also in Serbia proper and the

Federal Republic of Yugoslavia. It is our firm belief that the question of the future status of Kosovo must not be discussed between Kosovo's Albanians and Serbs only, but also with the participation of the international community and the future democratic governments of Serbia and FRY and in accordance with international law and the Helsinki Final Act.

We believe in God and in His providence but we hope that US Congress and Administration will support our suffering people, which want to remain where we have been living for centuries, in the land of our ancestors.

EXHIBIT 2

U.N. OFFICIAL WARNS OF LOSING THE PEACE IN KOSOVO

(By Steven Erlanger)

As the humane "pillar" of the United Nations administration in Kosovo prepares to shut down, its job of emergency relief deemed to be over, its director has some advice for the next great international mission to rebuild a country: be prepared to invest as much money and effort in winning the peace as in fighting the war.

Dennis McNamara, the United Nations special envoy for humanitarian affairs, regional director for the United Nations high commissioner for refugees and a deputy to the United Nations chief administrator in Kosovo, Bernard Kouchner, leaves Kosovo proud of the way the international community saved lives here after the war, which ended a year ago.

Mr. McNamara helped to coordinate nearly 300 private and government organizations to provide emergency shelter, food, health care and transport to nearly one million Kosovo Albanian refugees who have returned.

Despite delays in aid and reconstruction, including severe shortages of electricity and running water, no one is known to have died here last winter from exposure or hunger. Up to half of the population—900,000 people a day—was fed by international agencies last winter and spring, and a program to clear land mines and unexploded NATO ordnance is proceeding apace.

But Mr. McNamara, 54, a New Zealander who began his United Nations refugee work in 1975 with the exodus of the Vietnamese boat people, is caustic about the continuing and worsening violence against non-Albanian minorities in Kosovo, especially the remaining Serbs and Roma, or Gypsies. He says the United Nations, Western governments and NATO have been too slow and timid in their response.

"There was from the start an environment of tolerance for intolerance and revenge," he said. "There was no real effort or interest in trying to deter or stop it. There was an implicit endorsement of it by everybody—by the silence of the Albanian political leadership and by the lack of active discouragement of it by the West."

Action was needed, he said, in the first days and weeks, when the old images of Albanians forced out of Kosovo on their tractors were replaced by Serbs fleeing Kosovo on their tractors, and as it became clear that the effort to push minorities out of Kosovo was continuing and organized.

"This is not why we fought the war," Mr. McNamara said. He noted that in recent weeks there had been a new spate of comments by Western leaders, including President Clinton, Secretary of State Madeleine K. Albright and the NATO secretary general, Lord Robertson, warning the Albanians that the West would not continue its support for Kosovo if violence against minorities continued at such a pace and in organized fashion.

But previous warnings and admonitions have not been followed by any action, Mr.

McNamara noted. In general, he and others suggested, there is simply a tendency to put an optimistic gloss on events here and to avoid confrontation with former guerrillas who fought for independence for Kosovo or with increasingly active gangs of organized criminals.

"This violence against the minorities has been too prolonged and too widespread not to be systematic," Mr. McNamara said, giving voice to views that he has made known throughout his time here. "We can't easily say who's behind it, but we can say we have not seen any organized effort to stop it or any effort to back up the rhetoric of tolerance from Albanian leaders with any meaningful action."

In the year since NATO took over complete control of Kosovo and Serbian troops and policemen left the province, there have been some 500 killings, a disproportionate number of them committed against Serbs and other minorities.

But there has not been a single conviction. The judicial system is still not functioning, and local and international officials here say that witnesses are intimidated or killed and are afraid to come forward, pressure has been put on some judges to quit and many of those arrested for murder and other serious crimes have been released, either because of lack of prison space or the inability to bring them to trial.

Only recently has the United Nations decided to bring in international prosecutors and judges, but finding them and persuading them to come to Kosovo has not been easy. And foreign governments have been very slow to send the police officers they promised to patrol the streets.

Now, some 3,100 of a promised 4,800 have arrived, although Mr. Kouchner wanted 6,000. The big problem, Mr. McNamara said, is the generally poor quality of the police officers who have come, some of whom have had to be sent home because they could neither drive nor handle their weapons. And coordination between the police and the military has been haphazard and slow.

"The West should have started to build up institutions of a civil society from Day 1," Mr. McNamara said. "And there should have been a wide use of emergency powers by the military at the beginning to prevent the growth of this culture of impunity, where no one is punished. I'm a human rights lawyer, but I'd break the rules to establish order and security at the start, to get the word out that it's not for free."

Similarly, the NATO troops that form the backbone of the United Nations peace-keeping force here were too cautious about breaking down the artificial barrier created by the Serbs in the northern Kosovo town of Mitrovica, Mr. McNamara said.

Northern Mitrovica is now inhabited almost entirely by Serbs, marking an informal partition of Kosovo that extends up to the province's border with the rest of Serbia, creating a zone where the Yugoslav government of President Slobodan Milosevic exercises significant control, infuriating Kosovo's Albanian majority.

"Having allowed Mitrovica to slip away in the first days and weeks, it's very hard to regain it now," Mr. McNamara said. "Why wasn't there strong action to take control of Mitrovica from the outset? We're living with the consequences of that now."

In the last two months, as attacks on Serbs have increased again in Kosovo, Serbs in northern Mitrovica have attacked United Nations aid workers, equipment of offices, causing Mr. McNamara to pull aid workers temporarily out of the town. After promises from the effective leader of the northern Mitrovica Serbs, Oliver Ivanovic, those workers returned.

Another significant problem has been the lack of a "unified command" of the peacekeeping troops, Mr. McNamara said. Their overall commander, currently a Spanish general, cannot order around the troops of constituent countries. Washington controls the American troops, Paris the French ones and so on.

And there are no common rules of engagement or behavior in the various countries' military sectors of Kosovo.

"The disparities in the sectors are real," Mr. McNamara said. And after American troops were stoned as they tried to aid French troops in Mitrovica last spring, the Pentagon ordered the American commander here not to send his troops out of the American sector of Kosovo.

While the Pentagon denies a blanket ban, officers in the Kosovo peacekeeping operation support Mr. McNamara's assertion. They say no commanders here want to risk their troops in the kind of significant confrontation required to break down the ethnic barriers of Mitrovica.

The United Nations has had difficulties of organization and financing, Mr. McNamara readily acknowledges. "but governments must bear the main responsibility," he said, "Governments decide what the United Nations will be, and what resources governments commit to the conflict they won't commit to the peace."

Governments want to dump problems like Kosovo onto the United Nations to avoid responsibility, he said. The United Nations should develop "a serious checklist" of requirements and commitments from governments before it agrees to another Kosovo, Mr. McNamara said, "and the U.N. should be able to say no."

U.N. CHIEF IN KOSOVO TAKES STOCK OF TOUGH YEAR

(By Steven Erlanger)

Bernard Kouchner, the emotional chief of the United Nations administration in Kosovo, has made it through a tumultuous year.

Last November, when the province's water and power were almost nonexistent, the West was not providing the money or personnel it promised and the cold was as profound and bitter as the ethnic hatred, Mr. Kouchner was in a depression so deep that his staff thought he might quit.

He spoke darkly then of "how hard it is to change the human soul," of the quick fatigue of Western leaders who prosecuted the war with Serbia over Kosovo and had no interest in hearing about its problematic aftermath, of the impenetrability of the local Serbs and Albanians, with their tribal, feudal passions.

"I've never heard an Albanian joke," he said sadly, looking around his dreary office, the former seat of the Serbian power here. "Do they have a sense of humor?"

Now, in a blistering summer, Mr. Kouchner's mood has improved. A French physician who founded Doctors Without Borders because he became fed up with international bureaucracy, he is not an international bureaucrat, sometimes uneasy in his skin. He still goes up and down with the vagaries of this broken province, with its ramshackle infrastructure, chaotic traffic and lack of real law or justice. And without question, he admits, some of those problems can be laid at his door.

"Of course I'm not the perfect model of a bureaucrat and an administrator," he said. "But we have succeeded in the main thing": stopping the oppression of Kosovo's Albanians by Belgrade, bringing them home and letting them restart their lives in freedom.

And yet, he said, "I have not succeeded in human terms" with a traumatized population. "They still hate one another deeply."

He paused, and added: "Here I discovered hatred deeper than anywhere in the world, more than in Cambodia or Vietnam or Bosnia. Usually someone, a doctor or a journalist, will say, 'I know someone on the other side.' But here, no. They had no real relationship with the other community."

The hatred, he suggested, can be daunting and has plunged him and his colleagues into despair. "Sometimes we got tired and exhausted, and we didn't want a reward, not like that, but just a little smile," he said wilyly. "I'm looking for moments of real happiness, but you know just now I'm a bit dry." But he is proud that everyone has persisted nonetheless.

As for himself, he said, "my only real success is to set up this administration," persuading Albanian and some Serbian leaders to cooperate with foreign officials and begin to share some executive responsibility.

When the head of the local Serbian Orthodox Church, Bishop Kyr Artemije, and the leaders of perhaps half of Kosovo's Serbs decided to join as observers, "we were very happy then," he said. "We were jumping in the air. We believed then that we were reaching the point of no return."

But even those Serbs left the executive council set up by Mr. Kouchner, only to return after securing written promises for better security that have prompted the Albanian Hashim Thaci, former leader of the separatist Kosovo Liberation Army, to suspend his own participation.

Bishop Artemije's chief aide, the Rev. Sava Janjic, said carefully: "Kouchner has not been serious in his promises, and the efforts to demilitarize the Kosovo Liberation Army are very inefficient. But he is sincere, and this written document is important on its own."

A senior Albanian politician said Mr. Kouchner was "the wrong man for the job," which he said required more forcefulness and less empathy. "After a year, you still can't talk of the rule of law." Still, the politician said, "Kouchner's instincts are good—he knew he had to co-opt the Albanians, that the U.N. couldn't run the place alone."

Less successful, most officials and analysts interviewed here said, is Mr. Kouchner's sometimes flighty, sometimes secretive management of the clumsy international bureaucracy itself in the year since Secretary General Kofi Annan sent him here to run the United Nations administration in Kosovo.

Alongside the bureaucrats are the 45,000 troops of the NATO-led Kosovo Force, known as KFOR, responsible to their home governments, not to Mr. Kouchner or even to the force's commander. And while Mr. Kouchner was able to persuade the former commander, Gen. Klaus Reinhardt of Germany, to do more to help the civilian side, they were both less successful with Washington, Paris, Bonn, Rome and London.

The affliction known here as "Bosnian disease"—with well-armed troops unwilling to take risks that might cause them harm—has settled into Kosovo, say Mr. Kouchner's aids and even some senior officers of the United Nations force.

Consequently, some serious problems—like the division of the northern town of Mitrovica into Serbian and Albanian halves that also marks the informal partition of Kosovo—appear likely not to be solved but simply "managed," no matter how much they embolden Belgrade or undermine the confidence of Kosovo Albanians in the good will be of their saviors. It was on the bridge dividing Mitrovica—not in Paris—that Mr. Kouchner chose to spend his New Year's Eve, making a hopeful toast, so far in vain, to reconciliation.

Nor will the peacekeeping troops do much to stop organized crime or confront, in a se-

rious fashion, organized, Albanian efforts to drive the remaining Serbs out of Kosovo and prevent the return of those who fled, the officials say.

The discovery last month of some 70 tons of arms, hidden away by the former Kosovo Liberation Army and not handed over as promised to the peacekeepers, took no one here by surprise.

"It was a success," Mr. Kouchner said, "not a surprise."

In fact, senior United Nations and NATO officials say, the existence of the arms cache was known and the timing of the discovery was a message to the former rebels, who had recently used some of the weapons, to stop their organized attacks on Serbs and moderate Albanian politicians.

But few here expect the arrest of former rebel commanders who are widely suspected of involvement in corruption or political violence. The reaction may be volatile, officials say: troops could be attacked and the shaky political cooperation with the Albanians undermined.

Is the United Nations peacekeeping force too timid? Mr. Kouchner paused and shrugged. "Of course," he finally said. "But what can we do? Everything in the international community works by compromise."

Foreign policemen are also too timid and take too long with investigations that never seem to be finished, Mr. Kouchner says. But at least now, more than 3,100 of the 4,800 international police officers he has been promised—even if not the 6,000 he wanted—are here, and a Kosovo police academy is turning out graduates.

One of Mr. Kouchner's biggest regrets is the slow arrival of the police, which bred a culture of impunity. More than 500 murders have taken place in the year since the United Nations force took complete control of the province, and no one has yet been convicted.

There are still only four international judges and prosecutors in a province where violence and intimidation mean neither Serbs nor Albanians can administer fair justice.

What depresses him most, Mr. Kouchner says, is the persistence of ethnic violence even against the innocent and the caregivers. One of his worst moments came last winter, he said, when a Serbian obstetrician who cared for women of all ethnic groups was murdered by Albanians in Gnjilane, in the sector of Kosovo patrolled by American units of the United Nations force.

"He was a doctor!" Mr. Kouchner exclaimed, still appalled. "It was the reverse of everything we did with Doctors Without Borders."

While Mr. Kouchner says he has put himself alongside "the new victims," the minority Serbs, he carries with him his visit to the mass graves of slain Albanians.

"I'm angry that world opinion has changed so quickly," he said. "They were aware before of the beatings and the killings of Albanians, but now they say, 'There is ethnic cleansing of the Serbs.' But it is not the same—it's revenge."

He does savor the international military intervention on moral and humane grounds. "I don't know if we will succeed in Kosovo," he said. "But already we've won. We stopped the oppression of the Albanians of Kosovo."

Mr. Kouchner paused, lost in thought and memory. "It was my dream," he said softly. "My grandparents died in Auschwitz," he said, opening a normally closed door. "If only the international community was brave enough just to bomb the railways there," which took the Nazis' victims to the death camp. "But all the opportunities were missed."

That, he said, is why he became involved, early on, in Biafra, the region whose secession touched off the Nigerian civil war of

1967-70, in which perhaps one million people died. And it was what drives him in Kosovo.

Mr. Kouchner, now 60, holds to the healing power of time. He points to the reconciliation now of Germany and Israel, and of France and Germany.

"Working with Klaus Reinhardt is a good memory," he said. "He called me his twin brother." They both came of age in the Europe of 1968. "I'm a Frenchman and he's a German," and 50 years ago, he said, "no one could imagine this."

"It's much easier to make war than peace," Mr. Kouchner said. "To make peace takes generations, a deep movement and a change of the spirit." He smiled, looked away. "It's why I sometimes want to believe in God."

EXHIBIT No. 3

RESOLUTION ON SOUTHEASTERN EUROPE

The OSCE Parliamentary Assembly,

1. Recalling that conflicts in the former Yugoslavia since 1991 have been marked by open aggression and assaults on innocent civilian populations, have been largely instigated and carried out by the regime of Slobodan Milosevic and its supporters, and have caused the deaths of hundreds of thousands of people; the rape, illegal detention and torture of tens of thousands; the forced displacement of millions; and the destruction of property on a massive scale, including places of worship;

2. Viewing the overall rate of return of refugees and displaced persons throughout the region to their original, pre-conflict homes, especially where these persons belong to a minority ethnic population, has been unacceptably low;

3. Reaffirming the necessity of fulfilling in good faith UNSC resolution 1244 for the settlement of the situation in Kosovo, Federal Republic of Yugoslavia;

4. Condemning the continuing violence in Kosovo against members of the Serb and other minority communities, including hundreds of incidents of arson and damaged or destroyed Serbian Orthodox church sites, and dozens of aggravated assaults and murders;

5. Reaffirming the commitment to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, as stipulated by UNSC resolution 1244;

6. Noting that the OSCE and the United Nations High Commissioner for Refugees (UNHCR) have jointly reported that a lack of security, freedom of movement, language policy, access to health care and access to education, social welfare services and public utilities are devastating the minority communities of Kosovo;

7. Expressing concern for the situation of missing Albanians, Serbs and people of other nationalities in Kosovo and for ethnic Albanians kept in prisons in Serbia;

8. Noting that reports indicate that hundreds, and perhaps thousands, of ethnic Albanians, transferred from Kosovo to jails in Serbia proper around the time of the entry of international forces into Kosovo, have not been released in the year since, that several have received harsh sentences in show trials, and that problems regarding access to and treatment of such prisoners continue;

9. Recalling that the people and governments of the former Yugoslav Republic of Macedonia and Slovenia have positive records of respect for the rights of persons belonging to national minorities, the rule of law and democratic traditions since independence;

10. Welcoming the commitment of the newly elected leadership of Croatia to progress regarding respect for human rights, refugee returns and the elimination of corruption;

11. Believing that the people of Serbia share the right of all people to enjoy life under democratic institutions;

12. Viewing democratic development throughout Serbia and Montenegro as essential to long-term stability in the region, including the implementation of agreements regarding Bosnia and Herzegovina and Kosovo;

13. Noting that the regime of Slobodan Milosevic has been engaged in a planned effort both to repress independent media, and to crush political opposition, in Serbia, through the use of unwarranted fines, arrests, detentions, seizures, blackouts, jamming, and possibly assassination attempts, and also engaged in an effort to stop student and other independent movements;

14. Recognizing the importance of the Stability Pact to the long-term prosperity, peace and stability of southeastern Europe;

15. Supporting OSCE Missions throughout the region in their efforts to ensure peace, security and the construction of civil society; and

16. Recalling the legally binding obligation of States to cooperate fully with the International Criminal Tribunal for the former Yugoslavia, contained in UN Security Council Resolution 827 or 25 May 1993, including the apprehension of indicted persons present on their territory and the prompt surrender of such person to the Tribunal;

17. Insists that all parties in the region make the utmost effort to ensure the safe return and resettlement of all displaced persons and refugees, regardless of ethnicity, religious belief or political orientation, and to work towards reconciliation between all sections of society;

18. Encourages members of all ethnic groups in southeastern Europe, especially in Kosovo, Bosnia and Serbia, to respect human rights and the rule of law;

19. Reiterates its call upon all authorities of the Federal Republic of Yugoslavia, in accordance with international humanitarian law, to continue to provide for the ICRC ongoing access to all ethnic Albanians kept in prisons in Serbia, to ensure the humane treatment of such prisoners, and to arrange for the release of prisoners held without charge;

20. Encourages the newly elected leadership of Croatia to continue their efforts to reform and modernize their country in a manner that reflects a commitment to human rights, the rule of law, democracy and a market-based economy;

21. Condemns 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, all in blatant violation of OSCE norms;

22. Urges the regime of Slobodan Milosevic to immediately cease its repressive measures and to allow free and fair elections to be held at all levels of government throughout Serbia and monitored by the international community;

23. Calls upon Slobodan Milosevic to respect human rights and other international norms of behaviour in Montenegro;

24. Calls upon the international community to fully implement the Stability Pact, under OSCE auspices, in an effort to integrate the nations of South-Eastern Europe into the broader European community, and to strengthen those countries in their efforts to foster peace, democracy, respect for human rights and economic prosperity, in order to achieve stability in the whole region;

25. Encourages all representatives of the international community operating in southeastern Europe, including the OSCE, the United Nations, the North Atlantic Treaty

Organization and other non-governmental organizations to actively promote respect for human rights and the rule of law;

26. Urges participating States to provide sufficient numbers of civilian police to those international policing efforts deployed in conjunction with peacekeeping efforts in post-conflict situations such as Kosovo;

27. Calls upon the international community to target assistance programmes to help those persons returning to their original homes have the personal security and economic opportunity to remain;

28. Calls upon the participating States to organize, including through the OSCE and its Office for Democratic Institutions and Human Rights (ODIHR) programmes that can assist and promote democratic change in Serbia, and protect it in Montenegro; and

29. Reiterates its condemnation of any effort to provide persons indicted by the International Criminal Tribunal for the Former Yugoslavia, and its support for sanctioning any State which provides such persons with any form of protection from arrest.

The PRESIDING OFFICER. The Senator from Iowa.

TENTH ANNIVERSARY OF AMERICANS WITH DISABILITIES ACT

Mr. HARKIN. Mr. President, I ask the indulgence of the Senate to do something that I did 10 years ago; that is, to recognize the 10th anniversary of the Americans with Disabilities Act by doing what I did on the floor 10 years ago. I will do a little bit of sign language with respect to that.

(Signing.)

Mr. President, what I just said in sign language was that 10 years ago I stood on the floor of the Senate and spoke in sign language when we passed the Americans with Disabilities Act. The reason I did that was because my brother Frank was my inspiration for all of my work here in Congress on disability law.

That was the reason that I became the chief sponsor of the Americans With Disabilities Act. I further said that I was sorry to say that my brother passed away last month. Over the last 10 years, he always said me that he was sorry the ADA was not there for him when he was growing up, but that he was happy that it was here now for young people so they would have a better future. Mr. President, we do celebrate today the tenth anniversary of the Americans With Disabilities Act, which has taken its place as one of the greatest civil rights laws in our history.

When you think about it, ten years ago, on July 25, 1990, a person with a disability saw an ad in the paper for a job for which that person was qualified, and went down to the business to interview for the job. The prospective employer could look at that person and say: we don't hire people like you, get out of here. On July 25, 1990, that person was alone. The courthouse door was closed. There was no recourse for that person because there was no ban on discrimination because of disability. We banned it on the basis of race, sex, religion, national origin, but not disability. So on July 25, 1990, a person