

105TH CONGRESS
2^D SESSION

S. CON. RES. 105

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 1998

Referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the sense of the Congress regarding the culpability of Slobodan Milosevic for war crimes, crimes against humanity, and genocide in the former Yugoslavia, and for other purposes.

Whereas there is reason to mark the beginning of the conflict in the former Yugoslavia with Slobodan Milosevic's rise to power beginning in 1987, when he whipped up and exploited extreme nationalism among Serbs, and specifically in Kosovo, including support for violence against non-Serbs who were labeled as threats;

Whereas there is reason to believe that as President of Serbia, Slobodan Milosevic was responsible for the conception and direction of a war of aggression, the deaths of hundreds of thousands, the torture and rape of tens of thousands and the forced displacement of nearly 3,000,000 people, and that mass rape and forced impregnation were among the tools used to wage this war;

Whereas “ethnic cleansing” has been carried out in the former Yugoslavia in such a consistent and systematic way that it had to be directed by the senior political leadership in Serbia, and Slobodan Milosevic has held such power within Serbia that he is responsible for the conception and direction of this policy;

Whereas, as President of the Federal Republic of Yugoslavia (Serbia and Montenegro), Slobodan Milosevic is responsible for the conception and direction of assaults by Yugoslavian and Serbian military, security, special police, and other forces on innocent civilians in Kosovo which have so far resulted in an estimated 300 people dead or missing and the forced displacement of tens of thousands, and such assaults continue;

Whereas on May 25, 1993, United Nations Security Council Resolution 827 created the International Criminal Tribunal for the former Yugoslavia located in The Hague, the Netherlands (hereafter in this resolution referred to as the “Tribunal”), and gave it jurisdiction over all crimes arising out of the conflict in the former Yugoslavia;

Whereas this Tribunal has publicly indicted 60 people for war crimes or crimes against humanity arising out of the conflict in the former Yugoslavia and has issued a number of secret indictments that have only been made public upon the apprehension of the indicted persons;

Whereas it is incumbent upon the United States and all other nations to support the Tribunal, and the United States has done so by providing, since 1992, funding in the amount of \$54,000,000 in assessed payments and more than \$11,000,000 in voluntary and in-kind contributions to the Tribunal and the War Crimes Commission which preceded it, and by supplying information collected by the

United States that can aid the Tribunal's investigations, prosecutions, and adjudications;

Whereas any lasting, peaceful solution to the conflict in the former Yugoslavia must be based upon justice for all, including the most senior officials of the government or governments responsible for conceiving, organizing, initiating, directing, and sustaining the Yugoslav conflict and whose forces have committed war crimes, crimes against humanity and genocide; and

Whereas Slobodan Milosevic has been the single person who has been in the highest government offices in an aggressor state since before the inception of the conflict in the former Yugoslavia, who has had the power to decide for peace and instead decided for war, who has had the power to minimize illegal actions by subordinates and allies and hold responsible those who committed such actions, but did not, and who is once again directing a campaign of ethnic cleansing against innocent civilians in Kosovo while treating with contempt international efforts to achieve a fair and peaceful settlement to the question of the future status of Kosovo: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
 2 *concurring)*, That it is the sense of the Congress that—
 3 (1) the United States should publicly declare
 4 that it considers that there is reason to believe that
 5 Slobodan Milosevic, President of the Federal Republic
 6 of Yugoslavia (Serbia and Montenegro), has committed
 7 war crimes, crimes against humanity and
 8 genocide;

1 (2) the United States should make collection of
2 information that can be supplied to the Tribunal for
3 use as evidence to support an indictment and trial
4 of President Slobodan Milosevic for war crimes,
5 crimes against humanity, and genocide a high prior-
6 ity;

7 (3) any such information concerning President
8 Slobodan Milosevic already collected by the United
9 States should be provided to the Tribunal as soon as
10 possible;

11 (4) the United States should provide a fair
12 share of any additional financial or personnel re-
13 sources that may be required by the Tribunal in
14 order to enable the Tribunal to adequately address
15 preparation for, indictment of, prosecution of, and
16 adjudication of allegations of war crimes and crimes
17 against humanity posed against President Slobodan
18 Milosevic and any other person arising from the con-
19 flict in the former Yugoslavia, including in Kosovo;

20 (5) the United States should engage with other
21 members of the North Atlantic Treaty Organization
22 and other interested states in a discussion of infor-
23 mation any such state may hold relating to allega-
24 tions of war crimes and crimes against humanity
25 posed against President Slobodan Milosevic and any

1 other person arising from the conflict in the former
2 Yugoslavia, including in Kosovo, and press such
3 states to promptly provide all such information to
4 the Tribunal;

5 (6) the United States should engage with other
6 members of the North Atlantic Treaty Organization
7 and other interested states in a discussion of meas-
8 ures to be taken to apprehend indicted war criminals
9 and persons indicted for crimes against humanity
10 with the objective of concluding a plan of action that
11 will result in these indictees' prompt delivery into
12 the custody of the Tribunal; and

13 (7) the United States should urge the Tribunal
14 to promptly review all information relating to Presi-
15 dent Slobodan Milosevic's possible criminal culpabil-
16 ity for conceiving, directing, and sustaining a variety
17 of actions in the former Yugoslavia, including
18 Kosovo, that have had the effect of genocide, of
19 other crimes against humanity, or of war crimes,
20 with a view toward prompt issuance of a public in-
21 dictment of Milosevic.

22 SEC. 2. The Secretary of the Senate shall transmit
23 a copy of this resolution to the President.

Passed the Senate July 17, 1998.

Attest:

GARY SISCO,
Secretary.