

107TH CONGRESS  
1ST SESSION

# S. RES. 60

Urging the immediate release of Kosovar Albanians wrongfully imprisoned in Serbia, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 14, 2001

Mr. SMITH of Oregon submitted the following resolution; which was referred to the Committee on Foreign Relations

APRIL 3, 2001

Reported by Mr. HELMS, without amendment

APRIL 6, 2001

Considered and agreed to

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## RESOLUTION

Urging the immediate release of Kosovar Albanians wrongfully imprisoned in Serbia, and for other purposes.

Whereas the Military-Technical Agreement Between the International Security Force (“KFOR”) and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia (concluded June 9, 1999) ended the war in Kosovo;

Whereas in June 1999, the armed forces of the Federal Republic of Yugoslavia (Serbia and Montenegro) (in this resolution referred to as the “FRY”) and the police units of Serbia, as they withdrew from Kosovo, transferred ap-

proximately 1,900 ethnic Albanians between the ages of 13 and 73 from prisons in Kosovo to Serbian prisons;

Whereas some ethnic Albanian prisoners that were tried in Serbia were convicted on false charges of terrorism, as in the case of Dr. Flora Brovina;

Whereas the Serbian prison directors at Pozarevac prison stated that of 600 ethnic Albanian prisoners that arrived in June 1999, 530 had no court documentation of any kind;

Whereas 640 of the imprisoned Kosovar Albanians were released after being formally indicted and sentenced to terms that matched the time already spent in prison;

Whereas representatives of the FRY government received thousands of dollars in ransom payments from Albanian families for the release of prisoners;

Whereas the payment for the release of a Kosovar Albanian from a Serbian prison varied from \$4,300 to \$24,000, depending on their social prestige;

Whereas Kosovar Albanian lawyers, including Husnija Bitice and Teki Bokshi, who are fighting for fair trials of the imprisoned have been severely beaten;

Whereas approximately 600 Kosovar Albanians remain imprisoned by government authorities in Serbia;

Whereas the Geneva Conventions of August 12, 1949, and their protocols give the international community legal authority to press for, in every way possible, the immediate release of political prisoners detained during a period of armed conflict;

Whereas, on July 16, 1999, the United Nations Mission in Kosovo (UNMIK) Special Representative to the Secretary

General, Bernard Kouchner, formed an UNMIK commission on prisoners and missing persons for the purpose of advocating the immediate release of prisoners in four categories: sick, wounded, children, and women;

Whereas on March 15, 2000, the Kosovo Transition Council, a co-governing body with the Interim Administrative Council in Kosovo, repeated an appeal to the United Nations Security Council requesting the release of Kosovar Albanians imprisoned in Serbia;

Whereas on February 26, 2001, the FRY Assembly enacted an Amnesty Law under which only 108 of the 600 prisoners are eligible for amnesty; and

Whereas Vojislav Kostunica, as President of the Federal Republic of Yugoslavia (Serbia and Montenegro), is responsible for the policies of the FRY and of Serbia: Now, therefore, be it

1       *Resolved,*

2       **SECTION 1. URGING THE IMMEDIATE RELEASE OF ALL**  
 3                       **KOSOVAR ALBANIAN PRISONERS WRONG-**  
 4                       **FULLY IMPRISONED IN SERBIA.**

5       The Senate hereby—

6               (1) calls on FRY and Serbian authorities to  
 7       provide a complete and precise accounting of all  
 8       Kosovar Albanians held in any Serbian prison or  
 9       other detention facility;

10              (2) urges the immediate release of all Kosovar  
 11       Albanians wrongfully held in Serbia, including the  
 12       immediate release of all Kosovar Albanian prisoners

1 in Serbian custody arrested in the course of the  
2 Kosovo conflict for their resistance to the repression  
3 of the Milosevic regime; and

4 (3) urges the European Union (EU) and all  
5 countries, including European countries that are not  
6 members of the EU, to act collectively with the  
7 United States in exerting pressure on the govern-  
8 ment of the FRY and of Serbia to release all pris-  
9 oners described in paragraph (2).

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