

108TH CONGRESS
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H. RES. 11

Expressing the sense of the House of Representatives that the United States should declare its support for the independence of Kosova after it develops and consolidates democratic self-government.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2003

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 after it develops and consolidates democratic self-government.

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 separate 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 until the North Atlantic Treaty Organization (NATO) military action against the Milosevic regime in 1999, the human and civil rights of the Albanian residents were routinely violated by the Milosevic regime, forcing approximately 400,000 Albanians to flee to Western Europe and the United States;

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

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 Herzegovina, and Croatia;

Whereas the United Nations established Kosova as a protectorate under Resolution 1244, which created a framework for addressing the future status of Kosova, ending the decade long Serbian occupation of Kosova and Milosevic's aggression against its ethnic Albanian residents;

Whereas Kosovar Albanians have held municipal and general elections in 2000 and 2001, which were judged substantially free and fair;

Whereas ethnically motivated violence against the Serbian residents of Kosova appears to be subsiding and the participation of the Serb minority in the political life of Kosova has been increasing;

Whereas a new assembly for Kosova was elected in 2002, of which 22 members are ethnic Serbs, which in turn elect-

ed a president and prime minister as part of a coalition government; and

Whereas the elected leaders of Kosova understand that they must build representative institutions, ensure the rule of law, respect the rights of all minorities, guarantee freedom of movement and a right to return to all communities and develop constructive relations with its neighbors: Now, therefore, be it

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

3 (1) work with the United Nations and Euro-
4 pean Union to establish effective self-governance and
5 democracy in Kosova in which human rights are re-
6 spected, including the rights of ethnic and religious
7 minorities, as the first step toward sovereignty;

8 (2) encourage the leaders of Kosova to build
9 stable relations with its neighbors;

10 (3) work to end the assistance by all residents
11 of Kosova to parties using violent means to further
12 separatist aims in the region, including organized
13 crime;

14 (4) recognize that a lack of progress in the res-
15 olution of Kosova's final status creates political and
16 economic instability in Kosova and in Southeast Eu-
17 rope;

18 (5) work in conjunction with the United Na-
19 tions, European Union, and other organizations to

1 facilitate an orderly transition to the independence
2 of Kosova; and

3 (6) provide its share of assistance to encourage
4 development of democracy and a free market eco-
5 nomic system in Kosova.

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