

## **The Outlook for the Independence of Kosovo**

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Chairman Lantos, Congresswoman Ros-Lehtinen and distinguished Members of the Committee, thank you for the invitation to appear before you to discuss the future of Kosovo, our strong support for its independence and our vision for progress and peace in Southeastern Europe.

The last three American Presidents -- President Bush, President Clinton and President George H.W. Bush -- have all had one vision for Europe since the fall of communism in 1989: a continent that is whole, free and at peace. This ambition has been the most important foreign policy objective for our country during the last one hundred years, as we fought two World Wars and the Cold War to bring about the day when Europe was finally free, peaceful and undivided.

This objective, however, cannot be realized fully and completely without peace and stability in the Balkans. While hundreds of millions of Europeans West and East have found freedom and peace, the people of Southeastern Europe have remained divided and in conflict. This is the last corner of Europe to find its full freedom.

Over the last decade and a half, the United States has repeatedly played the central role to end the wars of Yugoslav succession and to sustain the peace. President Clinton was right to intervene militarily in Bosnia in 1995 to end that terrible war. We were right to oppose Milosevic's attempted ethnic cleansing of over one million Kosovar Albanians in the late 1990s. America was right to keep our troops there alongside of our NATO allies in both places to maintain the peace. The U.S. has had a record of success in the Balkans that has helped people to escape tyranny and to find peace. We must now act quickly in the next weeks and months to finish the job by helping to lead Kosovo to independence.

The cornerstone of our policy in this region has long been the promise of integration of the Balkan countries with NATO and the European Union. This is surely the best way for the countries of Southeast Europe to rebuild their societies, see their economies grow and create new and peaceful relationships with their neighbors. Most of the countries that emerged from the disastrous and bloody disintegration of Yugoslavia are now on a path to membership in the EU and NATO. After years of conflict, our American vision is within reach.

But the region cannot move forward without resolving the last major issue related to Yugoslavia's breakup: the status of Kosovo. When I last appeared before this Committee to discuss Kosovo in 2005, I spoke about the need to deal with unfinished business in the Balkans and to accelerate the process to address Kosovo's status. Since that time, United Nations Special Envoy Martti Ahtisaari has led a thorough and comprehensive negotiating effort with the Kosovar leaders and the Serb government. On April 3, he presented to the UN Security Council his conclusions, including both a detailed set of proposals for Kosovo's

future and a recommendation that Kosovo become independent, subject to a period of international supervision.

Under the Ahtisaari plan, Kosovo will become independent but will continue a period of international tutelage for a limited number of years. NATO, for example, will continue to police Kosovo's borders and maintain internal peace until Kosovo is ready to form its own army. The EU will lead an international civilian effort to ensure the settlement is fully implemented.

### Independence for Kosovo

The United States fully supports President Ahtisaari's recommendations. In particular, we believe that supervised independence for Kosovo is now the only way forward.

After the violent break-up of Yugoslavia and the ethnic cleansing that Slobodan Milosevic conducted in Kosovo, any other outcome, we believe, would result in dysfunctional governance, strengthen the hand of extremists and lead directly to new conflicts. The reality is that ties between Serbia and Kosovo have already been severed since 1999 when the UN Security Council, in resolution 1244, decided to remove Belgrade's authority over Kosovo and place the region under UN administration. Now, over ninety percent of the citizens of Kosovo are Kosovar Albanians. They will never accept continued rule by Serbia. They are manifestly pro-American, having been protected from slaughter and exile by our troops. They will accept nothing less than independence. In the past eight years, Kosovo has strengthened its local governing institutions, including by electing an Assembly, a President, and Prime Minister. We see no credible option for integrating these institutions with Serbia.

Independence for Kosovo will mark the definitive end of the breakup of Yugoslavia, thereby allowing all the states in the region to focus on their future. It will enable Serbia, in particular, to move beyond the tragic and bitter legacy of the Milosevic era.

Kosovo's independence is a legitimate, fair and lawful outcome. While some have argued that independence would be a precedent for other separatist movements, we reject this notion completely. As with solutions to the other conflicts related to Yugoslavia's collapse, the Ahtisaari proposals are tailored to local circumstances and bear no relevance to other countries in Europe or other continents.

The special factors involved in Kosovo -- in particular the non-consensual and violent breakup of Yugoslavia, Milosevic's policy of ethnic cleansing, NATO's decision to intervene, and the UN Security Council's decision that placed Kosovo under UN administration and envisioned a UN-facilitated political process to decide status -- are found nowhere else and are unlikely to be duplicated. I would add that the UN Security Council, beginning with the extraordinary actions it took in 1999, has already been treating Kosovo as a special case for many years. Although separatists elsewhere may seek to link their cause with Kosovo, we know of no situation that is comparable and expect that all responsible governments will reject such comparisons.

### Bringing about Independence

We are now engaged in a period of intense diplomacy to bring about Kosovo's independence as soon as possible, on the basis of the United Nations recommendations. Led by the President

and Secretary Rice, we have begun a period of intensive consultations with our partners in the Contact Group, the UN Security Council and the leaders of Kosovo and Serbia.

We are working closely with NATO and the European Union, whose members agree with us that independence for Kosovo is the only viable outcome. The United States, NATO, and the EU have invested enormous political, economic and military resources in Kosovo and the region -- we have the most significant equities at stake and therefore are most committed to seeing this process through.

The UN Security Council has already begun discussing President Ahtisaari's recommendations. In the coming weeks, the U.S. will sponsor a new Security Council resolution to replace resolution 1244, which established the current regime of international administration over Kosovo. This resolution will not actually confer independence on Kosovo. Rather, it will remove political and legal impediments to independence, as well as provide mandates for Kosovo's post-status international supervision under Chapter VII of the UN Charter. We expect that Kosovo's leaders will subsequently declare their independence. The U.S. and other countries will then recognize the new state. Our goal is to bring the Kosovo status process to a timely and successful conclusion by the end of this spring. We believe that the Security Council will recognize that President Ahtisaari's proposals represent the best chance to achieve a sustainable solution.

We have begun a series of discussions with the Russian government to encourage it to support this process, or at a minimum, not to block it. I met with Russian Deputy Foreign Minister Titov in New York two weeks ago to review the Ahtisaari plan and will see him again in Europe next week. I made two principal arguments to Minister Titov. First, I pointed out that it has been the U.S. and Europe which have made, by far, the greatest commitment of troops, money and political involvement in Kosovo for eight years. It is our troops who will have to cope with the inevitable disturbances if independence is deferred by the Security Council. Therefore, the U.S. and Europe hope Russia will choose to work together cooperatively to maintain stability and peace in the region, which we believe will be realized best by a positive UN Security Council resolution. Second, any attempt to block Kosovo's independence will not succeed as Kosovo's independence is now, we believe, inevitable.

#### Need to Act Now

We cannot afford to wait any longer. Until there is clarity, Kosovo's undefined status will be a source of increasing tension and instability. Already, Kosovo's lack of status has blocked it from accessing badly-needed International Financial Institution lending and discouraged foreign investment. The prolonged period of UN administration has prevented Kosovo from assuming full ownership of its democratic institutions. Most seriously, Kosovo's people have been in state of limbo, not knowing for nearly a decade which country they would ultimately call home. Its ethnic communities have been denied a clear foundation on which to reconcile and build new relationships.

Our judgment is that further delays would worsen this situation, thereby strengthening the hand of extremists on all sides who would seek to exploit the rising frustrations of the people. In fact, we believe the risk of violence is far greater if we delay Kosovo's independence than if we decide it soon. Most experts believe that Southeastern Europe could descend into new war and ethnic conflict, threatening both the United Nations and NATO personnel deployed in Kosovo, if the dream of Kosovo's independence is deferred.

While the vast majority of countries that know Kosovo well support the road to independence, some, like Russia, have called for yet more rounds of negotiations between the parties. President Ahtisaari has concluded, however, based on his experience in the Vienna negotiations, that this is just not possible. He believes that a continuation of the talks, in whatever format and for however long a duration, would not bridge the fundamental gap in the parties' positions. We agree.

To continue this process indefinitely -- to restart the talks, reopen Ahtisaari's recommendations or otherwise delay resolution of status -- would make it harder, not easier, to find a sustainable outcome. We could see the unraveling of the many painful compromises made during the talks. We believe that those calling for such an extension are less interested in finding an acceptable common ground than in thwarting the desires of the majority of Kosovo's people.

We must not allow this to happen. After so many years of uncertainty, the people of Kosovo and the region have a right to know what their future will be. The credibility of the international community -- particularly the United Nations, which has a legitimate and longstanding role to address situations like Kosovo -- is at stake. We must act now.

#### Our Vision for Kosovo

Our vision for Kosovo is of a democratic, peaceful, multi-ethnic state on an irrevocable path to membership in NATO and the European Union.

Since 1999, Kosovo has made substantial progress recovering from war. Under UN tutelage, it now has a functional government, has conducted free and fair elections and operates a professional and multi-ethnic police force. The society has moved forward.

But we want to see greater progress in one key area: the protection of Kosovo's ethnic minorities. Kosovo's Serbs continue to face harassment and discrimination. This is unacceptable.

I have visited with minority communities and their representatives in Kosovo many times. In October 2005, I visited a group of Serb families in the town of Obilic, many of whom had been forced from their homes during the March 2004 unrest. One older couple had built their home in this historic town in the early 1960's. While their children had moved permanently to Serbia, they wish to stay in Obilic. They often feel threatened by their Kosovar Albanian neighbors. Surely, they must be given the right and opportunity to stay. Their stories of struggle and desire to live in peace made it evident to me that more must be done to protect these vulnerable populations.

Kosovo Prime Minister Agim Ceku and President Fatmir Sejdiu have sought admirably to reach out to all of Kosovo's ethnic groups and in the last six months they have achieved real progress on many of the most important priority Standards. Much more remains to be done. All of Kosovo's leaders have a heavy and urgent responsibility to address these problems. They must do more to protect the rights, security and property of Kosovo's minorities, as well as rein in extremists and prevent social instability.

U.S. officials have conveyed these messages to Kosovar Albanian leaders at every opportunity.

I met with the Kosovar Albanian leadership just last week in New York at the Rockefeller Estate. I told them that independence would be a hollow victory if they are not able to build a more stable and democratic Kosovo. I believe they are committed to the goals of both independence and protection of minority rights. President Sejdiu and Prime Minister Ceku, in particular, understand that the U.S. and United Nations will accept nothing less.

### The Ahtisaari Settlement

Fortunately, Kosovo already has a roadmap for building a better society: the recommendations of President Ahtisaari. During more than a year of negotiations, President Ahtisaari has sought compromises between the parties on many issues important to Kosovo's future, particularly the protection of Kosovo's Serbs.

President Ahtisaari brought the parties together to discuss decentralization of local government, constitutional protections for ethnic minorities, economic issues and the protection of cultural heritage. Secretary's Rice's Representative to the Kosovo Status Talks, the retired U.S. ambassador Frank Wisner, participated in many of these discussions and encouraged the parties to be flexible. Ambassador Wisner, an extremely distinguished and gifted diplomat, traveled to the region repeatedly to help bring the parties closer together on the issues. Calling upon his great experience in world affairs, he supported President Ahtisaari's work and played an important role in advancing the status process.

Although the Serbian side did not engage constructively in many of the discussions, President Ahtisaari was still able to identify significant overlap in the parties' positions. Based upon the proposals submitted by both sides and drawing upon his significant experience mediating other difficult international conflicts, President Ahtisaari has proposed a comprehensive set of governing arrangements for Kosovo. At the heart of his Settlement lies the need to make real, immediate improvements in the lives of Kosovo's minority communities. For example, he proposes mechanisms to ensure minority participation in institutions, enhance the rule of law, protect holy sites and give local communities greater say in their municipal governance.

President Ahtisaari's Settlement will provide a foundation for Serbs and Albanians to build new relationships based on trust and cooperation. His proposal for supervised independence constitutes a grand compromise between unqualified independence and return to an impossible status quo ante. As with any good compromise, neither side is completely happy with all these arrangements. I am pleased, however, that the Kosovo Assembly -- by a vote of one hundred to one -- has already committed to implement fully President Ahtisaari's Settlement. This vote was a sign of great maturity.

### International Presence (ICO/ESDP/KFOR)

The United States recognizes, however, that an independent Kosovo will face enormous challenges. Its new institutions are weak, lacking the ability to fight corruption, organized crime and ethnically-motivated violence. Kosovo will need help implementing the arrangements President Ahtisaari has proposed.

Recognizing this situation, President Ahtisaari has recommended a period of strong supervision of Kosovo's independence by the international community. International civilian and military presences will remain in Kosovo for a short period to oversee implementation of the Settlement and provide for a safe and secure environment.

The United States will participate in the establishment of a new International Civilian Office in Kosovo, which President Ahtisaari has proposed to supervise implementation of the Settlement. This office will be led by a senior European official, with an American as his or her deputy. The head of the office will have executive powers to overturn laws, remove officials or take other action to ensure the Settlement is implemented. He or she will report to an International Steering Group composed of the current members of the Contact Group: France, Germany, Italy, United Kingdom, United States and Russia, as well as representatives of NATO and the EU. A joint U.S./EU advance team has been on the ground in Pristina for months coordinating the post-status transition with local and international officials.

A separate EU Security and Defense Policy Rule of Law Mission will be deployed to Kosovo to focus on the police and justice sectors. This mission will also have executive powers to carry out some of the most sensitive law enforcement functions, like war crimes investigations and the fight against organized crime. It will also focus on building the capacity of the Kosovo Police Service and judiciary, so that these institutions may some day take over all responsibilities from the international community.

NATO, which has been the prime stabilizing factor in Kosovo and the region, will remain. The NATO-led Kosovo Force, which currently numbers approximately 16,000 troops -- including about 1,600 U.S. National Guard soldiers -- will continue to provide security. NATO will also supervise the establishment of a small, lightly-armed Kosovo Security Force. Development of the Kosovo Security Force will be important for hastening the day when Kosovo can provide its own security and NATO can draw down its forces from the region.

## Economy

Kosovo's independence will not be sustainable unless we move quickly to spur economic development. The years of conflict and uncertainty have ruined the Kosovo economy. Unemployment in Kosovo is high, direct investment is minimal and Kosovo's infrastructure is poor

To help Kosovo with its immediate development needs, the World Bank and the European Commission are planning a major Donors Conference. The Administration is prepared to make a sizeable contribution to this effort. The President's 2007 Supplemental Budget requested \$279 million for U.S. foreign assistance in Kosovo. \$151 million is requested in the President's 2008 Budget. Together, these budgets amount to approximately 22-25% of the anticipated international contribution.

A large percentage of this assistance will be dedicated to manage Kosovo's share of Serbia's debt. This is critical to ensure that Kosovo does not begin its life as an independent state with a crushing debt burden. We will also assist in projects to tap Kosovo's economic potential, particularly in the energy sector.

## Serbia

As we move to the conclusion of the Kosovo status process, we must look comprehensively at the entire region, particularly to the future of Serbia. Serbia, a friend and ally of the United States in two world wars, is of immense regional importance. The Milosevic era of the last fifteen years was a tragic anomaly in our long history of warm relations. Now, however, the people of Serbia are charting a new course for their country, a path of integration and normal

relations with their neighbors. After having rejected Milosevic's policies of nationalism and division, Serbia seeks to return back to the European mainstream.

Today's leaders in Serbia oppose the independence of Kosovo. Many of them feel they are being punished for the crimes of a previous regime. It is true that Serbia today is much different from the country of Milosevic. Although Serbia's current leaders did not perpetrate his crimes, they do have a historic and moral responsibility to deal with the legacy of its past. We are encouraging Belgrade to leave the baggage of the Milosevic era behind as it walks through the door to the Euro-Atlantic community. First, Serbia needs to meet its international obligation to cooperate fully with the International Criminal Tribunal for the former Yugoslavia. Cooperation with the ICTY -- in particular, the apprehension of indicted war criminal Ratko Mladic -- is of great importance to the normalization of Serbia's relation to the world.

But Serbia also has responsibilities with respect to Kosovo. We strongly encourage Serbia to support implementation of the Ahtisaari Settlement, in particular by encouraging Kosovo Serbs to take advantage of its broad and far-reaching provisions. President Ahtisaari went to great lengths to address Belgrade's legitimate interests in Kosovo. We also look to Serbia to establish normal political and economic relations with Kosovo, just as it has with the other successor states to the former Yugoslavia.

The United States believes that Serbia has a bright future, one that includes greater integration into the Euro-Atlantic community, rapidly escalating private investment, job growth, and more social and economic interaction with its neighbors. U.S. businessmen have a nose for detecting future trends -- and, after only a few years of activity, now are the second largest group of foreign investors in Serbia, with over \$1.3 billion invested in a wide variety of activities, from manufacturing to media to banking.

The United States will encourage our partners in both the EU and NATO to do more to recognize Serbia's potential and accelerate its Euro-Atlantic integration. For example, last fall, at the NATO Riga Summit, we supported Serbia's entry into the Partnership for Peace program. We already have substantial assistance programs underway in Serbia, and we are considering doing more, consistent with current legislative restrictions. The next few months will be difficult but we and our European friends will continue to help the Serbian leadership stay on track, keep focused on a brighter future and bring their society closer to the Euro-Atlantic family of democracies.

## Conclusion

This is the American vision for Southeastern Europe. This vision, however, cannot be realized until both Kosovo and Serbia move beyond the conflicts of the past and set themselves on an irrevocable path to the European Union and NATO. Therefore, we must act now to solve the last major issue related to Yugoslavia's bloody collapse.

Mr. Chairman, members of the Committee, with the resolution of Kosovo's status, the region of Southeastern Europe is poised to enter a new chapter, one that provides a better future for its people. The United States, which has played the central role in bringing peace to this region, is absolutely committed to bringing about Kosovo's independence. With your support, I believe we are capable of achieving a historic, bipartisan success for U.S. foreign policy.