

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

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U.S. SENATE COMMITTEE ON THE JUDICIARY SUBCOMMITTEE ON
IMMIGRATION HOLDS HEARINGS ON THE **KOSOVO REFUGEE** CRISIS

APRIL 14, 1999

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U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

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ABRAHAM: We'll begin our hearing at this time and I want to thank so many people who have been involved in helping to put together today's activities. To our ranking member: Senator Kennedy and his staff and to Chairman Hatch and the full judiciary committee staff.

Today's hearing of course, is on the Kosovo refugee crisis. I will make a few opening remarks and then I've asked Senator Hatch, who has a long interest involvement in these issues, to join us today. And he will make some brief remarks, as well. Our ranking member of the judiciary committee, Senator Leahy. And we're also joined of course by subcommittee members Senators Kennedy and Feinstein.

Today we will examine the Kosovo refugee crisis. The hearing will focus on what I consider to be a tragedy of epic proportions. A tragedy that constitutes the single largest humanitarian disaster in Europe since the end of World War II.

On March 24th, just three weeks ago, NATO launched air strikes against Serb targets in Yugoslavia. Mr. Milosevic immediately raised, to a new level, his brutal campaign against the inhabitants of the province of Kosovo. He directed his forces to sweep through towns and villages and target their residents, 90 percent of whom were ethnic Albanians.

Ethnic cleansing is a euphemism. What Slobodan Milosevic's forces did was to rape, murder, and remove ethnic Albanians from Kosovo. It is said that one's home is the safest refuge, but for Kosovar Albanians, this has not been the case. Across Kosovo, individuals, indeed entire families, were forced to leave their houses. Many were awoken (sic) in the middle of the night with a knock on the door or worse. Fathers and sons were removed from their families, leaving women and children to wander toward the border not knowing and perhaps never knowing the fate of their loved ones.

According to U.S. intelligence and other sources, the human rights abuses being committed in Kosovo are immense. In Arlat (ph), Serb forces executed 200 ethnic Albanian men. In Jakovitsa, the bodies of 70 ethnic Albanians were found in two houses and another 33 bodies were found in a local river. In Goden, on March 25th, Serb forces executed 20 men, including school teachers. In Likovac (ph) and Mlishavo (ph) and other towns and villages, they torched homes and burned shops to the ground. And in town after town, and village after village, Serb forces expelled Kosovar Albanians with the numbers soon climbing into the hundreds of thousands.

As difficult to fathom the horror of police and military forces surrounding entire neighborhoods, and forcing those of a particular ethnicity to leave, but that is precisely what has happened. There have been some who have questioned the extent of the atrocities being committed in Kosovo. I think that today's hearing and the testimony we are about to hear, will help resolve anyone and any doubts.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

We will also be addressing the scope and the adequacy of the response of the United States and the international community, focusing on several aspects of this subject. First, it is reported that last week Macedonian police removed refugees from a site there, separating people from their families and forcing them onto planes bound for Turkey. More than \$400,000 in U.S. taxpayer money was used for these flights, which apparently removed many people against their will.

Second, food, shelter, and other times needed by the refugees for their survival were not available for many days after the refugee flow began, and are still in desperately short supply in some places. These shortages raise questions about the level of preparedness for the brutal campaign Mr. Milosevic began as soon as international observers had left Kosovo in anticipation of the air strikes.

Third, the administration announced last week that it might place up to 20,000 Kosovar refugees, whom the United States has offered to accept at our naval base in Guantanamo Bay. This gives rise to some questions about what this plan involves and how it would work in practice.

Finally, we will see what we can learn about what is happening and what is likely to happen to the internally displaced Kosovars, who are still within Yugoslav territory.

This crisis has touched the lives of not only Kosovar Albanians, but also families right here in the United States and in my home state of Michigan. Many Americans are eager to help and have offered food, shelter, and money to aid the refugees.

To give just one example, the Gerber baby products company, based in Fremont, Michigan, has donated 21,984 cases of baby food products for the infants of refugees fleeing from Kosovo. Gerber informed our office yesterday that two truckloads had already arrived in Albania, and that five to eight more truckloads were being readied for shipment. As Michigan's U.S. senator, I want to commend this Michigan company, but all Americans who have made donations for stepping in to help in this needy situation.

Of course, that is not the only way the crisis has affected Americans. In California, Texas, and Michigan and throughout the nation, the fate of Staff Sergeant Andrew Ramirez, Specialist Stephen Gonzalez, and Staff Sergeant Christopher Stone is very much on our minds. The numbers we are dealing with in this refugee crisis are enormous, yet with large numbers, it is often possible to lose the full picture of human tragedy, the human face. For behind every number and every statistic, there is a story that must be heard.

One of the goals of this hearing is to see to it that we do not lose sight of the human face of this tragedy. That is why I'm pleased that we were able to help bring here three people forced out of Kosovo, who will tell their stories. And I would like to thank the International Crisis Group, the Kosovo Action Coalition, Mercy Corps International, the International Rescue Committee, for their help in locating these important witnesses.

At this time, I would like to also mention that not every one who would like to tell their story could be with us here today. We will not hear from people like Iranda Rudari (ph), a 28-year-old ethnic Albanian. A resident of Pristina, Iranda knew the Serbs were removing people from their homes in Kosovo, but she felt relatively safe. She was nine months pregnant, and could not imagine being evicted. But 10 days ago, Serbian troops wearing masks, barged into her apartment and ordered her and her family to leave.

She told them she was about to have a baby. They said they didn't care. Her family drove for four days to reach the Macedonian border, before they were forced to abandon their car. They soon entered a muddy field, where she was forced to sleep in the cold and the rain under plastic sheeting. The next day she made it to a camp with tents, but she is yet to have her baby and can only hope that she will receive the medical care she needs, to ensure the safe delivery of her child.

I hope that we will not forget about Iranda and her child as we consider what actions, we as a nation, must take in regards to the refugee crisis in Kosovo. I look forward to hearing the stories of those witnesses who could be with us here today, as well as testimony from the administration and from refugee organizations involved in facing this

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

tragedy. That testimony should be before the Congress as we continue to consider how we respond to this refugee crisis.

And I want to thank everybody as I said at the outset who has helped us to prepare today's hearing. At this point, I'll turn to the Chairman of the Senate Judiciary Committee, Senator Hatch for his comments.

HATCH: Mr. Chairman, and members of the Subcommittee, Assistant Secretary Taft, representatives of the humanitarian assistance community, and our guests from Kosovo. Thank you all for being here and I appreciate your courtesy in yielding to me, and also Senator Kennedy's courtesy, which he has always shown to me.

I commend Senator Abraham and Senator Kennedy for holding this important hearing so soon after we've reconvened from the spring recess. Senator Abraham and Senator Kennedy have been voices for responsible and humanitarian refugee and immigration policy since both of them first came to the Senate. I was pleased we were able to work together on this very important matter, and I commend the State Department and the non-governmental organizations for everything they have done thus far.

I believe I share with every member of this committee the conviction that Congress should assist in doing all it reasonably can to alleviate the suffering that has been caused by Milosevic's barbarous, barbaric campaign. Barbarism is how one might perhaps, inadequately describe the deliberate and despicable policy Milosevic has unleashed in Kosovo.

Ethnic cleansing has been another term used to describe depopulation of ethnic groups in the Balkans. But that term fails to capture the horror of systematic executions, rapes, and forced exodus of Muslims that have, that we have witnessed in the past weeks. This is, ladies and gentlemen, quite starkly genocide. Applying the legal definitions and the convention on the prevention and punishment of the crime of genocide, we are in my view, confronting the most severe, man-made humanitarian crisis in Europe since World War II.

And another point on definitions. Having read Dr. Dobruna's powerful testimony early this morning, I think we should strictly accept her point and refer to the Kosovars as deportees, rather than refugees. For the purposes of this hearing, we need to adhere to a certain focus that limits our discussions to the deportee crisis at hand. We do not, as of this day, have the comprehensive view of the degree of devastation wrought by Serbian forces against the Kosovars. We have seen over a half million people on the borders of the contiguous nations, but we don't have any idea exactly how many are there.

We do not know today the fate of thousands of men and boys separated from their families. There are credible reports of mass rapes, of children's throats slit in front of their parents. We have no idea as to the dimension of this terror and I hope that one of the first things today's hearings, hearing begins to articulate before the American public, is the level of atrocities committed by Serbian military police and paramilitaries against this civilian population.

While this deportee crisis is inseparable from the broader foreign policy issues confronting this administration, confronting Congress, and NATO today, we will have other forums to debate the broader policy. But two questions have been raised about this deportee crisis that should be addressed today. One has to deal with the charges that NATO's intervention caused this crisis. And the other has to do with the question as to why the administration and its allies were unprepared for the level of humanitarian disaster that we face today.

Let me say here that I find the first suggestion, that NATO's bombings caused this crisis to be completely without merit. We have plenty of evidence that these genocidal plans were already in place, and in fact, were already being slowly implemented before March 24th. Further, we have a clear, historical record that these types of barbarous policies, are what Milosevic perpetrates. The attacks on civilian populations throughout the war in Croatia and Bosnia are well established. Therefore I find it completely unfair and wholly dishonest to accuse the administration and NATO of causing this crisis. To assert this vicious -- causation however, raises a disturbing irony.

I have a vivid and bitter memory of a dramatic discussion I had with then-Bosnian Prime Minister Harris Silajdzic in the Summer of 1995, when he had come to the United States to plead for us to lift our arms embargo against his

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

forces besieged by the well-armed Serbs. He met with me moments after pleading unsuccessfully with Vice President Gore, President Clinton had refused to meet with him. When I asked the Prime Minister what was the Vice President's reasoning, I was told that the administration believed that lifting the arms embargo would cause the Serbs to attack the eastern enclaves of Zepa, Goradze, and Srebrenica.

This is of course, what the Serbs did anyway weeks later. Over seven thousand unarmed men and boys were herded out of town and massacred. In retrospect, I do not know what is more astounding, the administration's completely fallacious logic then, or the fact that within the graves of Srebrenica, is a glaring lesson they were prepared for Milosevic's campaign of genocide unleashed in the last two weeks.

By looking at the numbers of deportees and learning of the new atrocities, I fear that many more Srebrenicas have occurred. If the administration learned the lessons of Srebrenica, then why were they unprepared?

Again I thank you Mr. Chairman for your hard work, your leadership, and your courtesy, and I thank my colleagues, Senator Kennedy and the other Democrats as well for allowing me to go forward.

ABRAHAM: Senator Hatch, thank you very much. We'll now turn to our Ranking Member on this Subcommittee, Senator Kennedy. And again, I thank you for your help in putting the hearing together, Senator.

KENNEDY: Well thank you Senator Abraham. And all of us are deeply appreciative of you to have this hearing this morning. And we thank Chairman and Senator Leahy as well, giving the Senate of the United States an opportunity to hear from our friends and we want to extend to them the warmest welcome. And we know it's never easy to relive these days of terror which each of you have gone through.

But we want you to know at the very start how welcome you are and how important your presence here. And how the American people value one, your extraordinary courage.

KENNEDY: And secondly, your commitment to your families and your loved ones and for your willingness to share with us what is happening over in your homes and in your communities and in your country. So we thank all of you very, very much for being here.

The Slobodan Milosevic's reign of terror has created the largest refugee crisis since World War II and over hundreds of thousands of Kosovar Albanian refugees forced to seek safe haven in other countries. And from the testimony of refugees who have made it to safety, we're beginning to learn the true dimension of brutal atrocities that they have witnessed and suffered.

Serbian forces have terrorized villages and towns throughout Kosovo, forcing the ethnic Albanians to flee their homes on a moment's notice. They have seen Serbs destroy all that they hold dear. They've seen family members, friends, neighbors tortured or murdered. As they fled to save their lives, they saw their homes destroyed. And those who could not run fast enough, like one handicapped man and his wife, were shot as they attempted to flee.

And these refugees have traveled for days, with only the clothes on their back and with little food or water. They've endured every degradation we can imagine: they've been raped and beaten and stripped of valuables, including passports and documents to establish their own identity, families separated, women and children worrying about the fate of their husbands, fathers, brothers, who perhaps were rounded up and murdered by the Serb forces, or spared only to be used as human shields.

Refugees who have reached the safety of camp and forced to live and sleep in muddy open fields, exposed to cold winds and rains in squalid conditions with no sanitation or running water. They are the fortunate ones. An estimated four to six hundred thousand Kosovar Albanians are still trapped in Kosovo. Little is known about their fate. But the few reports we have received are deeply disturbing. And the Kosovo crisis has presented the United States and NATO with a monumental military and humanitarian challenge. And we are meeting the military

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

challenge by spending millions of dollars a day to assist NATO in the war against the Serb aggression. It's a war we intend to win and will as soon as possible.

Equally important is the humanitarian challenge we face. And as a leader in the refugee policy, and the wealthiest country in the world, we must be in the forefront of the international efforts to meet the humanitarian needs of the refugees and ease their suffering. We must be ready to provide the humanitarian assistance in a scale commensurate with the crisis. And I commend the administration for its steps thus far in easing the plight of the refugees and I think we're all very grateful that Julia Taft is a leader in that whole effort. Someone who brings enormous skill and talent and compassion to this position.

We have provided thousands of tents and blankets and water containers and over a million humanitarian daily rations to hundreds of thousands traumatized refugees. In the weeks ahead, we must be prepared to do more. The humanitarian needs in the regions are enormous and will continue to grow. As Mrs. Argata (ph) of the UN High Commissioner, has recommended and as the refugees themselves prefer, we are trying to locate the refugees within the regions. Albania's one of the poorest countries in Europe and has been very generous. The people of Albania have opened up their homes, shared what little they have with the thousands of refugees, and we need to assist Albania with a high cost of caring for them. Be prepared to do more to assist humanitarian efforts in Macedonia, Montenegro to make sure the refugees are treated well.

The Kosovar refugees have suffered enough. They've done nothing to merit the indefinite detention and confinement in a refugee camp. We can do better and we should to the greatest extent possible. We should give them a fitting respite from the violence in their homeland in a manner respectful of their dignity and their liberty until they can safely return to their homes. Refugee organizations in the United States have been flooded with telephone calls from Americans willing to open up their homes to the refugees and I welcome the fact the administration has given second thought to resettlement in Guantanamo and the base.

Finally, we must not forget the hundreds of thousands of internally displaced refugees. We have reports of anywhere from four to six hundred thousand that are really in desperate, desperate conditions. And we're mindful that in the matter of hours, of short days that without the water and food that they're a real danger to their own lives.

And there are, I think, three different options. One is the air drop with all of the complexities and difficulties and wonderment whether you can get the food to the right people at the right time and diversion of those resources and dangers to those who are involved in it.

And secondly, humanitarian corridor, which is always difficult to establish, but has been established. We're -- through a lot of leadership actually in the Congress years ago, we established in B'affra (ph) in other circumstances and it did provide. A third, to work with some countries and where at least their presence, perhaps the Greeks or Russians may be at this time, more acceptable. But we have to move and time hours, hours. This isn't a decision for next week, this is a decision for today and tomorrow. And if we're serious, as I know we are, we have to take one of those three steps and we have to take it now.

Appreciate the chair's indulgence.

ABRAHAM: Thank you very much Senator.

We are also joined today by the Ranking Member of the full Judiciary Committee, Senator Leahy. Appreciate his presence, along with Senator Hatch's.

Senator Leahy, we'll turn to you for a statement.

LEAHY: Thank you Mr. Chairman and I know this is a matter of great concern to you, you've expressed this, not just in this hearing, but in other meetings we have had, both open and closed. And I appreciate you doing this.

The Kosovo refugee crisis is really the most significant humanitarian emergency in Europe in half a century. The number of Kosovar Albanians who have seen their loved one brutalized and murdered before their eyes, have been driven from their homes into a life of misery and uncertainty, has shocked the conscience of the world. It's actually

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

led to the first military operation in 50 years. We're fortunate to have with us today the refugees who recently fled from Kosovo and those who can talk about the relief operations there. As I said to them earlier before the hearing started, I appreciate you being here. I am so sorry for the reason you are here.

Over 600,000 Kosovar Albanians have fled to neighboring countries. That's about the same population of my own state of Vermont. Another two hundred to five hundred thousand are displaced inside Kosovo. Children have been lost, women and girls have been raped, men and boys have been taken away their fates unknown. Those living are living in squalid camps with no idea what the future holds.

The international community is struggling to respond. And the U.S. will do its part. I know we're going to be hearing from Julia Taft later, and I appreciate her being here. And I'll do everything I can as a member of the Appropriations Committee, especially the Foreign Op Subcommittee to support supplementary funding for this relief effort. And we have to acknowledge the tremendous sacrifice Albania and Montenegro are making. They are poor countries, yet they've shared what they have.

Private relief organizations in this country are already doing a great deal as we await for the supplemental request from the administration. Vermonters, including Vermont schoolchildren have been raising money, and collecting and sending food and clothing. And I'll put in the record an article about that, Mr. Chairman.

ABRAHAM: Without objection.

LEAHY: And we're fortunate to have the employees and volunteers of the Vermont Office of Refugee Resettlement and other groups helping all over this country. Now in 1996 I worked closely with those groups, with the then-majority in the Congress, we wrote our Political Asylum Law. I now wished more than ever we had prevailed. And I would compliment two Republican senators who broke with the majority of their party to vote for my amendment to preserve political asylum and this nation's place as a safe haven for oppressed people around the world.

We won the Senate by 51 to 49, Senator Abraham and Senator Hatch voted with me on that. Unfortunately our amendment was replaced in a conference with the House, with provisions making it more difficult who have suffered political, religious, or other persecution, but who lack proper documents to obtain sanctuary in the United States. It was a mean and wrong amendment in American law. It is beneath, it is beneath a great country like ours. Because if we're going to criticize Macedonia and others for not living up to international norms in the treatment of refugees, it's time we recognized our own law, the U.S. laws unfair and unworkable.

And what we did was wrong. Under our law, Kosovar refugees reach our shores to escape persecution, they can find themselves quite possibly, in the next plane home, wherever home might be. They could be expelled summarily without a hearing if they came here without the proper documents. Documents in the 1996 law was unworkable. How many Kosovar refugees have a valid Visa or passport?

And yet the law that we wrote, a stupid law, a mean law, says that they have to have that. But we've watched on television as Serbian police have systematically confiscated and destroyed the ethnic Albanians identification papers, the papers that we would demand they must have. How likely would it be for these Kosovar refugees not fluent in English to ask for political asylum upon their first meeting?

So, we've spoken of refugees from Africa and Asia, we've recalled the refugees from Europe and World War II. Today, our attention's on Kosovo. We're united in this. And Mr. Chairman, we will do our part. If the United States, the most powerful, wealthiest nation on earth, stands for anything: the dignity of people, the humanity of people and democracy, we must help. We must help first and foremost immediately on the refugee problem, but then we must help to get these people back to their homes.

Thank you.

ABRAHAM: Thank you very much Senator Leahy.

We are also joined today by Senator Dianne Feinstein of California. Senator Feinstein, thank you for being here as a member of our subcommittee.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

Would you like to make an opening statement?

FEINSTEIN: Thank you very much, Mr. Chairman. I just want to welcome the three people that are here and tell you that our hearts and thoughts are with you.

I think you know, although there have been many other places on earth where we have seen man's inhumanity to man, I think there's one thing that the United States stands really firmly for, and that is that we are not going to be a part of a world that tolerates this kind of genocide and ethnic cleansing. And particularly as a woman, for me, I believe beginning with Bosnia, is the first time, really since I've been born, that we have really seen rape used as an instance, or as an instrument of terror, as an instrument of war. And I think as far as the women of the world are concerned, we can't stand by and see this happen and tolerate it.

I really look forward to hearing your testimony. I'm one that believes that what we do now is very important. And that how we see you be -- you and your people be able to go home is very important. And whether there's a home there for you to go to is very important.

I am hopeful, and I've suggested this to Mr. Berger, that United States really be the heart of a kind of Marshall Plan of the 1990's, whereby we can in two stages, beginning with Albania and Macedonia, second stage with Kosovo, as soon as it's possible for people to safely go home launch a major effort which is aimed at massive food relief, massive rebuilding of homes, massive help to reestablish the economic infrastructure of your area and Albania and Macedonia.

And I hope that that will be taken seriously because I think for many of us, just solving this with bombs, isn't an appropriate solution. So I look forward to hearing what you have to say today and I thank you very much, Mr. Chairman for holding these hearings.

ABRAHAM: Thank you Senator.

We will now turn to our first panel which consists of three people who were recently forced out of Kosovo. We'll hear from Dr. Vjosa Dobruna, who is the director and the founder of the Center for the Protection of Women and Children in Pristina. We will then hear from Miss Aferdita Kelmendi, who is the editor of Radio 21, an independent radio station in Kosovo. And then we will also hear from Benter Nemani (ph), who is an attorney who helped gather evidence of atrocities for the International War Tribunal.

As everybody knows, all three of our witnesses were recently forced to flee Kosovo and we appreciate their willingness to come before us today and share their experiences. And as I said in my statement, there have been some who have questioned the magnitude of the problem, both with respect to the condition of people who have had to flee as well as to some of the atrocities that have been alleged. And we thought that this panel, perhaps more than anybody we might hear in the Congress, could help put to rest anybody's questions with regard to these issues.

And so we thank you for being here and we appreciate very much how far you have traveled to be with us today. Thank you.

We'll start with you Doctor.

DOBRUNA: Mr. Chairman, members of the Committee, thank you for having me before this committee.

DOBRUNA: My name is Vjosa Dobruna. As a pediatrician and human rights activist, I founded my rape (ph) center for the protection of women and children in Pristina which is community clinic in Kosovo. The Center works with war trauma victims of former wars in former Yugoslavia, families in need and handicapped children. We also cooperate with international, non-governmental, and private organizations to monitor human rights abuses and humanitarian and human right violations.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

I am here to discuss the humanitarian catastrophe in and around Kosovo. I would also like to share with you some of my experiences during the recent weeks of the massive and systematic Serbian campaign of attacks against civilians in Kosovo.

Over one million Kosovars have been forced from their homes and are now outside of Kosovo or stranded inside. As of now, at least 500,000, half million people, civilians, are trapped inside Kosovo without access to food, medical care, or even shelter. Only one reason, for example, which is 20 miles northeast of Kosovo, there are 250,000 displaced persons. And these displaced persons are displaced now all through the year, since April 1998, and they're just searching for safe haven. And finally, there is this territory, 65,000 of them are without shelter for a year.

These figures does not include the approximately 100,000 young men also believed to be missing. Conditions inside Kosovo are completely desperate and full of terror. Children and the elderly are dying right now of starvation and exposure. Only one village yesterday, three old men died and a child.

I am to make an important point here about the people who have left Kosovo. These people, myself included, are not refugees, we are deportees. We have been forced to leave our homes, we did not choose this. We did not run, even though conditions were very bad, we stayed until we are forced out. So I ask you to please refer to us as deportees, not refugees.

Now something about my town. Pristina, which until recently, until two weeks ago, was a city of more than 250,000 inhabitants, now has a population of approximately fifteen to twenty thousand, mostly Serbs. I was among those forced to leave Pristina by Serbian security forces. Before forcing us out of town, Serbian security troops demanded money and beat us, both my sister and I. They beat my brother-in-law very badly, threatened his wife that they will kill him.

Even before I left Pristina, I had changed apartments every night for previous six nights, ever since I was told by a friend that my name was on the list of targeted ethnic Albanians. Other one on the list was not lucky: human right lawyer Bayem Mendi (ph), along with his two sons, one of 16, and another one of 29, was abducted by Serbia's security and paramilitary or paramilitary forces, in front of his wife and grandchildren.

It was Tuesday or Wednesday 10 to one o'clock am in the morning. Serbian police told the family to kiss him goodbye, they would not see him again. Bayem's body was found two days later on the road next to gas station. He had been shot in the head repeatedly. His sons were killed with him. Security forces also targeted civilians who had worked with international organizations.

Local staff, Kwitan Dula (ph) from Jakova, Jakovica in Serbian pronunciation, worked with international organization. He was working with OSCE in Kosovo verification mission, headed by U.S. Ambassador William Walker. Kwitan Dula was killed by Serbian security forces who called him a spy, then shot him when he came to answer his parents' door.

There were widespread reports of attacks through Kosovo, and especially in Pristina, on those who assisted the OSCE monitors. Another friend of mine, a doctor colleague of mine, Izit Hima (ph), was a surgeon at the Jakova Hospital, Jakovica. Serbian paramilitary police executed him and burned him, his house down. And they did it in front of his two daughters and his wife. These were not spontaneous acts of anger, they're premeditated, and Serbian forces had earlier targeted those in position of leadership and respect in ethnic Albanian community in Kosovo.

I was only listed in few cases, few incidents. Summary executions, mass killings, forced expulsion of civilians from their homes. These continue every day through Kosovo, throughout Kosovo. I am presented to this Committee a list of places where summary executions are believed to have taken place since the departure of the verification missions. I am going to present to you after I finish my statement.

The idea that attacks on civilians began only after NATO began bombing is untrue. One night in late February, at 11pm, I received a phone call saying a woman was giving birth on the border between Macedonia and Kosovo.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

The woman was, her name was Abida Ann Mloshi (ph) and she was 29 years and she was from the village, Dinca (ph), in the municipality of Katyanik (ph).

Serbian forces had expelled her and her family from a village in the border district of Katyanik. The next morning, after I located an international marked car, I drove to the border area where I find the woman. She had walked back to her home village to bury the child, who had already died and she was severely ill herself. So I did what I could to help her. As soon as I left, Serbian forces, Serbian security forces appear at her family house and demanded to know what they had been doing talking to foreigners.

The family, including the mother, was forced to walk to through a minefield and into the Macedonia next day.

My center, and other non-governmental organization, international organization, verified hundreds of such cases in the year before the NATO bombing. And these cases were growing rapidly in the months before the bombing began. Practically the new wave of these cases we documented, starting with the Christmas of 1998.

After being ordered out of Pristina myself, I rode with my family to the border. I rode in the back of the car, covered by sheet, so the police would not recognize me as a human rights activist. By the time we reached the long line of cars waiting to cross, we had seven adults and two children in the car. While in line, we were forced by Serbian police to keep the doors shut and windows closed for at least 24 hours. We waited in line for some 56 hours.

As we waited, we saw many trains passing on the railway beside us, carrying thousands of refugees. People in this queue started recognizing the members of the family. People who were really being deported like cattle. We could see their faces out of the windows of the train. There were thousands and thousands of them and the trains were coming every two to three hours at the cross border.

We heard one man in the car behind us crying because he saw his elderly father in the crowded window of one passing train headed for the Macedonian border. Hours later, the train would return empty and new people were loaded and brought to that place.

When we finally reached the Blace border, crossing of the border with Macedonia, the situation was inhuman. The flow of deportees into Blace seemed to be well coordinated between Serbian and Macedonian border guards. The deportees slept in the open, in an enormous muddy pit with little or no water at all. No food for the first two days. There was no proper medical care, and international aid organizations were not permitted access to the camp by the Macedonian police.

I personally was kept from providing immediate aid to 17-day-old baby, citizen of my town, infant suffering from dehydration, the baby died in my hands. The mother didn't want anybody to take her baby away. The mother was 20 year old citizen of Pristina and she had delivered the baby without any medical care in Pristina and she had to flee, forced, she was forced to flee. And she spent 12 hours at the railway station in Pristina before she was deported. She was put in the train and deported in Blace.

Conditions for the deportees outside Kosovo are now improving somehow. However, the situation at the Raduce (ph), which is still controlled by the Macedonian government is appalling. Deportees are treated like prisoners, sleep in the open, have no access to clean water, and international aid agencies and journalists are denied access to the camp. In addition, the forceable relocation of deportees, as you know probably, by the Macedonian authority last week, has ripped hundreds of families apart.

Today information is that in one camp called Bratje (ph), two persons, husband and wife with their child, tried to escape from the camp, passing the wire. And they were caught by Macedonian police, who beat the woman and lacerated the throat with knife on the man. And this case is being documented by human right activists in Skopje, Macedonia.

As bad as the situation is, I am more frightened than ever about the situation inside Kosovo. We know that many terrible crimes are being committed there now. Mr. Chairman, we know from the reports, they are getting in. We

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

know because we have it seen it day after day, month after month for a year in almost every village in Kosovo. We have seen it since 1990 practically, but not in large scale.

We know that people are starving, they are being marched out of their homes, the men are being separated from their families, many of them are being killed. As you can hear from my testimony, the facts about the situation in Kosovo and in the border in Macedonia, speak for themselves. I cannot really add to these facts, but I must say again, NATO bombs did not cause this situation, Milosevic did it. His politics, his regime. NATO bombs did not force me from my home, Serbian forces did. I am grateful for the NATO bombs, really. They were our only protection when we were in Pristina.

Nevertheless, we must have more than bombs in Kosovo and bread in Macedonia. At this moment, inside Kosovo, the majority of civilians are starving, they have practically no food or medicine for weeks. The majority of civilians are not living in their own houses, but they are hiding in basements or dying in fields. Bombing is not protection enough for these people inside Kosovo. It will not stop the executions and it will stop the starvations.

DOBRUNA: Also, bombing will not change the situation in Macedonia or in Albania either. Humanitarian aid for the camps is badly needed. But does the world expect to care for those people forever in border camps? Clearly, the only solution is for them to return to their homes and that's what they want. We ask, we talk with hundreds and hundreds of deportees and they all want to stay near their homes. We shouldn't cut their hope that soon they are going to go back home.

To do that, we must be protected. We must be protected by NATO force inside Kosovo. I know this committee deals primarily with the refugees, immigration, not with military matters. But immigration to Europe and the United States is not the answer for deportees from Kosovo. For us, there is only one answer to go home in safety, to rebuild our lives and to rebuild our homes.

Mr. Chairman, members, thank you for listening to me.

ABRAHAM: Thank you very much, Dr..

DOBRUNA: And I - this list of...

ABRAHAM: Thank you very much, Dr.

We'll now turn to Ms. Kelmendi. Thank you very much for being here as well. We appreciate it.

KELMENDI: Mr. Chairman, members of the committee, my name is Aferdita Kelmendi. I am the director of Radio TV 21 Pristina. And I am honored to appear before you today. I thank you for calling this hearing. And I hope that through my testimony you will understand and those who are watching or listening will understand what the terrible things happening in Kosovo.

I hope you will hear my story and ask yourself how could this happen? But more importantly, I hope you will ask -- how can we stop it? I wish it were over, but I know it is not over, especially for thousands of people still trapped inside of Kosovo. They are starving and they are afraid for their lives. I know this because I was starving too and I was afraid for my life and I was afraid so much for life of my children.

Before I tell you my story, I want to make one important point. The same point my friend Vjosa has made. I'm not a refugee. I did not leave Kosovo by choice. I was forced to leave. And my family was forced to leave. I'm not running from civil war. I am a deportee as all my friends, my journalists, and my people was deported. I was forced to leave by men with black caps and guns who came (OFF-MIKE) to make me leave.

When I came to my radio station on the morning of March 29, before I arrived, I saw from a distance the police raiding the station. They broke down the door and destroyed the entire station and all of its equipment. I stayed back by the car and then I drive quickly to where my family was hiding. Three families were hiding in one house, 21

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

people in two rooms. We were very afraid that they would come to find us. So, we left in three cars, seven people in each car. We were going to hide in another flat. We did not want to leave Pristina.

But as soon as we were on the road, we were stopped by two armored men in green Mercedes. They demanded that we pay the 200 DM, deutsche mark for each car or they would burn our cars with us inside. And of course, we paid. These men then forced us to follow them. When we asked where we are going, they told us to shut up and threatened us with kill. They led us to the edge of the city, out of Macedonia -- to Macedonia. And they told us, told the police at the checkpoint to let us pass, apparently because we had paid.

Once we were on the road, which is only 35 miles to the Macedonia border we were stopped twice. Each time by a group of armored men who demanded more money from us. And thanks God, we had money to give them. Both times, I was not sure whatever we would be killed or allowed to go.

About 1.5 miles from the border, we reached the end of a long line of cars. We stopped there and we waited. We waited there for three days and three nights. We had not food. There were seven in our car and we were all starving. Everyone in all the cars around us was starving. You could hear children crying for a lack of food. We had only a little bit of water. So, we took small sips and stayed very still to conserve energy.

After three days, my son decided to walk to the border to see what was happening. He came back after three hours and he told us that the border was closed to cars. So, we abandoned the car and we all got out and walked one and half miles.

When we reached the border near Blace, we entered the field in no man's zone -- in no man's land. In that field, conditions were horrible. Everyone was exposed to the rain and cold. There was no food, no tents, no medical help. There was only huddled (ph) people, some of whom were very, very sick and some of whom were dying. We were there for seven hours.

Amazingly, by poor coincidence, I thought we all crossed the field and we met together. We also knew a physician from Doctors of the World, who had come into the field to try to help the sick people. When this physician was going out, she took also Vjosa by the hand. And Vjosa took my hand and I took my child's hand until we had a chain of seven people. We walked to the Macedonia police barrier. The police let out the doctor and Vjosa, but they stopped me and said where are you going with them? I looked him in the eye and I spoke in Macedonian, which surprised him. And I said, I am a doctor and we are taking these people out. So, he let me and my family out. And that was the first of April.

Although my story is horrible, I know many others who's stories are worse than mine. My own friend, Gazmond Barrecha (ph), he was a correspondent for my radio station in Suva Reka, he did not get out. They executed him in the street. I still cannot believe that I will never hear his voice again. I cannot even bear to think about it.

As terrible as that is, and as terrible as my situation has been, what is more terrible is that there are still people trapped inside Kosovo. You know, they have no food. We know they are constantly afraid saying to themselves, maybe today they will come and kill my brother, my sister. Maybe they will put my old mother on the train and force her to leave. Maybe they will take my little son and I will never see him again.

We must help these people. Please, Mr. Chairman, I ask America to help. I want to thank NATO for the help you have already given. When we were in Pristina, we would say we wish we could have bombing 24 hours a day. Only when we hear the bombs dropping, do we know they will not come for us.

But bombs cannot stop these men with guns and black masks. Bombs cannot make it safe for me and for my family to return at my home. We must have protection. We cannot go back without the protection of NATO. If and only if NATO comes to protect us; then the killing will stop; then the starvation will end; then it will be safe to return to our homes -- only after NATO came, not before.

Mr. Chairman, I am a journalist. My good friend Gazmond Barrecha (ph) was a journalist. We set up my radio station, Radio Trans One (ph) to be a voice for the people of Kosovo. The first free independent voice in Kosovo

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

on the radio. We are a voice for peace and for democracy. We are a voice of moderation. But our voices has been silenced. Now, Kosovo has no voice. We hear nothing from Kosovo, only black silence.

So, I want to go back to help give the people their voice back. I know we can start over, even though we have nothing. But we cannot do it without your help and the help of the United States. I hope you will help us. I hope you will give us protection so we can return and start again from the beginning. Thank you very much for hearing my testimony today.

ABRAHAM: Thank you. We all know how hard this has been. And we appreciate what you have done today. Thanks a lot.

Mr. Imani (ph), we appreciate your being here today and we will now give you the opportunity to make your testimony. Thank you.

IMANI (ph): Mr. Chairman, members of the committee, thank you for giving me the opportunity to testify today. My name is Mantron Imani (ph). I work for the Humanitarian Law Center, a non governmental organization monitoring human rights violations in Yugoslavia. Our main office is in Belgrade. I work as the coordinator of the Pristina office. The Humanitarian Law Center worked closely with the International War Crimes Tribunal in the Hague gathering information for the prosecutions of war criminals.

I coordinated two projects. The first project investigated reports of missing persons. The second project monitored human rights in Kosovo after the OSCE, the Organization for Security and Cooperation in Europe, was set up in Kosovo. As part of the second project, our office monitored the trials of persons falsely accused of terrorism. A number of these persons were represented by Mr. Byron Kilmande (ph), a highly respected lawyer and fighter for human rights.

IMANI: After the trials, we would meet in Byron's (ph) office and discuss the cases, which were often political trials. Our office would publish reports discussing aspects of the trials which we considered unfair.

Two weeks before the NATO bombing started, Serb authorities came to our office in Pristina. Luckily, the only one there was a cleaning woman. We were in another city in Kosovo investigating a report of a missing person. The cleaning women later told us that the Serb authorities searched the office to see what we were up to. This was a bad sign. After the visit, we copied important data into disks and erased everything from the computers.

On March 25, the day after the bombing started, I received a call from my boss in Belgrade, who I prefer to leave unnamed. She had received a call from Byron Kelmendi's (ph) wife informing her that Byron (ph) and their two sons had been taken from their home in the middle of the night by a group of armed men in black uniforms with police insignias. Their bodies were found several days after. They had been shot. Byron's (ph) sons were my close friends.

When the bombing started, my co-workers and I knew that it would not be safe to return to the office. During the first eight days of the bombings, I worked at home. People would call me at home to report informations about what was going on in Kosovo. I would type it -- I would type it up and send it to our office in Belgrade. I have brought a few for these reports with me today.

It was difficult to go out into the streets. I heard constant reports of buildings throughout the city being destroyed by Serb forces. One week into the bombing, I learned that our office in Pristina had been looted and destroyed.

On the ninth day of the bombings, my boss from Belgrade, who is a Serb, came to get me out of Kosovo. She feared for my safety. We tried to go to Macedonia, but there was a long line of cars and we could not get -- get in, and we were forced -- the border was closed towards Macedonia, and there was no intention of opening it.

We decided to go to Belgrade instead. My boss had a Serb taxi driver who drove us. She took me, another female co-worker, and my co-worker's brother to Belgrade. En route, we must have passed 20 check points. Each time,

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

the taxi driver, who was the only one who spoke to the authorities, managed to convince the Serb authorities that we were all Serbians.

I hid in my boss's apartment in Belgrade for three days. I did not feel safe there and decided to go into Montenegro. We made it to Montenegro without a problem, but as young man I did not feel safe there as well. My co-worker's brother and I left for Albania. In Albania I could continue my work.

In Tirana I began to talk to other refugees and document their stories. They spoke to me of the ordeals they had suffered and the atrocities they had witnessed. I spoke to one group of refugees from Paya (ph) or Pec, which is in Serbian. They told me that the Serbian authorities had expelled from the -- from -- had expelled them from Kosovo and ordered them to walk to Albania. The men were separated from the women and they were threatened with death if they did not come up with the money. To spare the men, the group gave the authorities all their money. On the way to Albania, two children and an elderly woman died. The group traveled without food or water.

But their worst experience was when they reached to the border. There, Serb authorities forced them to stay the night. While they were trying to sleep in the open, loudspeakers played. On the loudspeakers, they heard the voices of children screaming as if they were being killed. They also heard continuous threat of atrocities that would be committed against them, including descriptions of how they would be killed. One woman I spoke with said that this was the worst experience of her life. She will never be able to recover from this.

Another man and woman from Djakovica (ph), another city in Kosovo, described their escape from that city. Soldiers shot at them as they fled. They believe that 80 percent of the city has been set on fire and destroyed. In one mosque they passed in Djakovica (ph) as they fled they saw as many as 300 bodies of people slain.

I thank you for the opportunity you have given me to tell the American people about what is going on in Kosovo. Everyone must know what is happening.

Now, if I may approach to...

ABRAHAM: Sure.

IMANI: ...to give you the reports that I have brought with myself.

ABRAHAM: Glad to enter it into the record. Thank you very much, Mr. Imani.

At this point, if you will allow us, we have a few questions, I think, from some of the members of the committee here who would like to follow up. We'll begin with our Judiciary Committee chairman Senator Hatch.

Senator Hatch.

HATCH: I would like to ask each of you, how well organized are the Serbs, and when they arrived in your town did it appear like they were working from a well established plan?

DOBRUNA: My understand is that is so. I mean they were organized and they had divided responsibility. And to prove this is that there was a special group of people that were doing a search of the houses and there were -- they were taking activists. And we have a testimony of the wife of the Byron Kelmendi (ph), the lawyer that was executed with two of his sons.

And then we saw that this other police that were evicting us from apartments or taking us from the road to direct us to out of the country, they didn't recognize many activists that were there in that queue of cars or in town. So they were working separately, but very well coordinated with the order that they were getting from one place.

HATCH: Do you agree?

KELMENDI: I think that that was very well coordinated in a way that there was a strategy how to -- how to empty the city of Pristina, for example. The first days there was a threaten by killings, as happened with Mr. Byron Kelmendi

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

(ph) and his family, and then started with entering in the several neighborhoods in Pristina. Entering by force and tell to the people that they have to leave for 15 minutes if they want to stay alive, and then sending them in direction of railway station or in a highway in direction of Macedonia or fulfill the buses in direction of the border with Albania.

So this is not something which is happening during the night, this had to be organized.

HATCH: Imani?

UNIDENTIFIED WITNESS: Yes, I believe so. Everything what happens in Kosovo is in detailed organized by the Serbian authorities and especially the organization as far as my observation can go is done in that sort of a manner that it will make confusion to all the observers and that that confusion will cause not knowing who is responsible for that sort of organization.

That's why they organized in one way the police, in the other way they organized their civilian population by giving them arms, and then by allowing different groups, which we call paramilitary groups, and that they have different names, starting from the group of Arkan and then continuing with group of named with a Black Hand, and other groups which could be gathered, I mean formed from the ordinary criminals, because we had information that Milosevic has taken out of prisons criminals and sent them to Kosovo to do whatever they want to do.

And other informations are that kidnappings that were made especially in Paya were committed by the people which were in a strong link with politicians in Belgrade and that the police have tolerated their activities in that city. These are the informations (OFF-MIKE).

HATCH: One of the horrifying things that we've noticed about this is in the pictures of the deportees there's a distinct absence of men. In fact, we know that the Serbs have been selecting men out of the groups that they eject at gun point. In the last few days, the British government has suggested that as many as 100,000 men could be missing. So I'd like to ask each of you where are the men? Do we have evidence that they've been taken prisoner or even worse? (OFF- MIKE)

DOBRUNA: We still don't have confirmed information about where there are men. We supposed that some of them, we have indication that some of them were made to wear Yugoslav army uniforms and they were walking in front of -- in front of deportees, for example, in the case of near the border with Albanian through mine fields or they were opening graves where they were burying the massacred people. But there are not confirmed information what is done with all that number of young men.

But I have to use opportunity to say something else about population of Kosovo that will help in this case. I mean, population of Kosovo is a very young population, 52.7 percent of whole population are younger than 19. And they are all young people that we are afraid are the ones that were taken and are now in the list of missing.

Another thing that I want to mention is that during -- since the war started the most vulnerable part of the population of Kosovo as well as are women and children, but the number of women and children among displaced is the greatest number ever heard, 63 percent of all displaced persons in Kosovo last year were children younger than 18 and 25 percent were women. Every third woman that was in that group of displaced person was either pregnant or the mother that was breast feeding baby.

It is only when you recognize this data we see how large is the tragedy among displaced and deportees in Kosovo, because it started in primarily the most vulnerable, unprotected population of Kosovo.

KELMENDI: Chairman, I don't have information where are these people, but I pray to God to be -- to be alive.

IMANI: No, no, we don't have any information of confirmation of their whereabouts. The fear are that they might be in somewhere in the cities of Orahovac, Orahovac, or Perizai (ph), but no confirmation until (OFF-MIKE).

HATCH: We're grateful for your testimony and we're grateful to have all three of you here with us today. And we're very concerned and we'll do everything we can to help.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

ABRAHAM: Thank you, Mr. Chairman.

We'll now turn to Senator Kennedy.

KENNEDY: Thank you, Mr. Chairman. And it's I think for anyone that's been listening to these stories it's difficult and -- to hear about it, let alone imagine living through it. And so we thank you again.

Mrs. Lemani, let me ask you, as someone who is an attorney and a human rights attorney, do you think there's sufficient evidence to indict Milosevic as a war criminal?

LEMANI: Yes, because ...

KENNEDY: Do you think we ought to be pulling that information together and presenting it to the authorities and pressing that forward.

LEMANI: Yes, I think so.

KENNEDY: That's a legal question. I mean there's the political issue and I know that there's those that -- probably in the administration, say we shouldn't do it because he's -- we can negotiate still and maybe negotiate the peace. And there are others that believe that if he is defined as a war criminal, then maybe others within the army that find that that is just the final action and that there may be some opportunity then within the army to develop some potential opposition that may be willing to try and work and see some kind of resolution.

I don't -- that's a political -- you can express your view on that or not, but the point is just as a lawyer and as someone who has followed the human rights issues, do you think that there is sufficient kind of information that's available?

LEMANI: From the legal point of view, there are more than enough proof to indict -- indict Milosevic to war crime.

KENNEDY: And will you work to -- with the Tribunal to provide them information...

LEMANI: yes...

KENNEDY: ... that you have available. I would hope, Mr. Chairman, that we would review the materials which we gathered here today and make them available to those involved in the -- in that whole process. And it seems to me that this -- I (OFF-MIKE) had a chance to examine that material carefully or closely, but this is certainly the kind of eyewitness information as well as accumulation of these documents is enormously powerful, enormously powerful.

And I think if the facts are there we ought to, myself, that we ought to certainly move ahead with that process. I think it's a very clear continuation of what we are involved in and that is this extraordinary humanitarian undertaking and involvement. So I would hope either that we could work out with the members of the committee and their staffs and perhaps with the state department, justice department and make that available.

I want to thank you all again for your information. And I would hope, Mr. Chairman, that as far as these witnesses and perhaps others that are associated that we could leave the record open so that there are others that want to be able to make rec -- submissions to us to tell their stories that they would, at least we would have an opportunity to collect that and it would be available to other members and that we would be sort of a vehicle by which that information -- there will be others as well, but we ought to at least have the chance to receive that kind of information and I think that would be very helpful.

ABRAHAM: Senator Kennedy, I think that's an excellent idea. I think probably what we should do is work out a process by which we can accomplish a couple of objectives. First, we can distribute it to everybody here the two submissions that were made to us today and we'll get them to the other subcommittee members' staffs. And I think probably we can -- our staffs can determine a method by which the full subcommittee could perhaps pass the relevant information along on all our behalfs to the appropriate authorities.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

And in terms of the record, why don't we do -- we'll -- I think this is certainly not a topic we're going to leave today and not return to. So we will develop -- let's develop a process we're all comfortable with for receiving additional information as we go forward. Thank you. Senator Leahy, would you like to ask ...

LEAHY: Mr. Chairman, I don't have questions, it's more to just thank all three -- it's been difficult even to keep one's composure listening to what each of you have said. You see the pictures, you don't know how anything could be worse, then you see more, you hear from people like yourselves. I want to compliment that -- Julia Taft -- we change our normal way of doing things. Usually a government official like Ms. Taft would testify first. I think it's an indication of her own responsiveness to the plight that she said that -- let you go first so that we would hear you. And I've heard her comments from the areas of the refugee camps.

Now as a child, I heard stories from those coming back from World War II who'd gone to refugee camps and talked about the terror and wondering why people didn't move quicker, why more things weren't done. And you have to think, Mr. Chairman, that we wouldn't see this today, but we are, just as we have in other parts of the world.

As I said in my opening statement, I wanted to be here not just because of my feelings about our own immigration laws and changes that should be made there -- changes that have been supported by other members of this committee -- but also as a senior member of our Appropriations Committee, where we find the money if it's there for refugee aid.

I can't think of anything that committee could do that's more important right now than getting money into the fray to refugees, to work with the church groups and private groups and others who are funneling aid over there, who work with those -- just the logistics of getting it in, having more people to help, decent sanitation, to make life better for those who are there, people who have suffered horrendous problems, those who've seen family members killed, others to help not only their physical needs but their psychological, mental needs.

I would just like to add, none of us here can realize -- even begin to realize how terrible that must be. And so it is -- if the Congress is to show responsibility here it must act very quickly to get that aid to them. We can find immediately what's necessary for the bombing campaign. We have to realize that we're talking about actually far less money, but even more necessary money to help those who have been displaced.

So Mr. Chairman, wearing both hats, as a member of this committee, and I applaud you for having the hearing and Senator Kennedy, who has had a longer interest in these problems than I or any of us here from his first day as a member of the Senate, but also as a member of the Appropriations Committee will work closely on this.

ABRAHAM: Thank you very much, Senator Leahy. I understand Senator Schumer would like to go, is that...

We would normally go to you, Senator Feinstein, I -- oh yes, we will, but I'm sure you will have time. Please go ahead, Senator Feinstein.

FEINSTEIN: Thank you, Mr. Chairman. I think you made for me three important points, very important. The first is, and I think you speak for the Kosovo people, that you want to go home. You made the point about being deportees, you don't want to go to Guantanamo Bay or France or Belgium or Italy or anywhere else. You want to go home. And I think that's an important thing for this committee and for the United States Senate to hear.

The second point is that you need help and you need protection to go home. And the third point is that the war crimes should be documented and they should be prosecuted. I'm very interested in the men with the black masks -- who they take their orders from, where they come from, the kind of evidence we can get as to their identity and bring them to justice, because no military allow their people to go into peoples' homes wearing black masks. And I gather the masks are all the same. They look like they're government issue.

Can you give us any information as to what branch of the service they belong to, where they get their orders, have you ever directly seen them yourselves, anything that could be documentation on those who wear the masks.

UNKNOWN: I have seen them myself. They were coming during the night, first night that we were waiting to cross the border on Kosovo side. And they were knocking on the windows of the cars and we had to go out. Usually the

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

one who was driving was the one to get out. And if there were women, those who were driving they were just stripped from their clothes and if they didn't give money were (OFF-MIKE).

FEINSTEIN: You saw this?

UNKNOWN: I saw it. And then if there were men -- in my car there was a man driving so they just told us, you have fifteen seconds to give 1000 German marks, because that's how much it's worth, your life. So we had to do it. And they didn't have any other sign -- the colors of the uniform were dark blue, very dark blue, and the masks were the same color, more -- they go more on black, but they are not really black, they were dark blue-black, only that kind of color. Because I have seen them during the day and during the night when they were extorting money and jewelry or anything what was worth in our cars.

They didn't have any sign. But those who went to arrest Mr. Kelmendi and his two sons, they had some of them, they were not all with masks, but some of them they had masks, but the uniform was the same one, same as to others that didn't have mask and it was a mask here, (OFF-MIKE) and they had on the right shoulder the white eagle, which is a sign that they keep for special forces, special police forces in Yugoslavia.

FEINSTEIN: A white eagle. The people...

UNKNOWN: A white eagle on the right shoulder

FEINSTEIN: ... with a white eagle wore the masks..

UNKNOWN: Yes, in case of, when they arrested Bayon Kelmendi (ph). In cases where we waited in this queue to cross the border, we didn't see those sign and uniform was different, it was darker and it didn't have those mask -- mask here or lines. But the mask was the same.

FEINSTEIN: Thank you very much. Does anyone else have any to add on that?

DOBRUNA?: I cannot say but I can identify someone of them, I remember the face of the guard who stopped us. I'm seeing his face every night, but I don't know for whom he is belong, maybe he is ordinary civilians who have took a gun and who is ordinary criminal, but the most interesting thing is that he had Motorola in his hand. So Motorola is something which can be carry only by police or by some authorities who are talking between each other. And maybe this civilians was linked with police because in every checkpoint they talk to each other and then release us to go. So it is organizing but I cannot say that I know every one of them.

FEINSTEIN: Those who have committed the rapes, do they wear the black masks?

UNKNOWN: We don't have any-- we don't have any about that.

FEINSTEIN: Do you sir?

UNKNOWN: Before the bombing started I was in a fact-finding mission in the town of Pejan (ph) because of the masked people. They would go in the cities in the evening and drive in the car without registration table -- plates. And after the first day of bombing -- of NATO bombing, the first house to be looted was the house OSCE mission was situated.

In that house was an Albanian family, and they have identified one of those masked people, which during the day works as an ordinary police officer and during the night works with the mask. He was a member of special police forces and in Pejan (ph) and he organized a group with other ordinary policemen and we discovered that the group name was named Flashes (ph) which is a flash.

FEINSTEIN: Could you spell that?

UNKNOWN: That's f-l-a-s-g, like flash from camera.

FEINSTEIN: H.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

UNKNOWN: Oh, H, yes. Because they are very fast, they act very fast. And policeman's names -- the policeman's name who heads that group of masked people is known, I know that name, but like two or three days ago I got information that that policeman was killed. But I did not have a confirmation of that.

FEINSTEIN: Thank you very much. Thank you all.

ABRAHAM: This is the first hearing we've had in the new Congress of the Immigration Subcommittee, so this is the first opportunity I've had to welcome to the subcommittee Senator Schumer of New York and we welcome you (OFF-MIKE) working with you during this Congress and now we'll turn to you for ...

SCHUMER: Thank you, Mr. Chairman. I look forward as well, having served on the Immigration Committee in the House for a long time and I'm glad to be here and sad that our first hearing has to be on a subject as awful as this one.

SCHUMER: My question is going to focus on a particular subject, and that is the 700,00 or so Kosovars who were rooted from their homes, were lined -- were coming over the borders, and then abruptly Milosevic didn't let them go to the borders. And to me probably the most urgent question we can face in the next few days is where are these people, are they starving? Do they have any means of eating and preventing death?

I have asked this question of some of the highest-level peoples in our government and in fact one of them is coming over to our office in a little while to tell us what can be done and I will ask the Assistant Secretary that. But I would like to ask each of you, because I think this problem is so pressing, it would be utterly awful if after three, four weeks our air forces accomplished what they hoped to accomplish, and we all pray that they do, and yet hundreds of thousands of people starve to death or whatever within the borders.

And so, can each of you tell me, I know the knowledge is rudimentary, I met with a bunch of Kosovars in New York in my office on Monday and they were pleading, they said before anything else we would like food to get to these people because they've talked to some of them. Can you tell me what you know? I know it would be anecdotal and piecemeal, but I think this is of such immediate urgency that we ought to know as much as we can about what is going on to those 700,000, approximately 700,000 people who face such terrible tragedy now. Would anyone like to -- maybe Dr. Dobruna, you might start?

DOBRUNA: We have some source of information that -- now there are two questions here. One question is 700,000 people that are dislocated in different parts and another question is about these people that are returned back from the border.

SCHUMER: Right.

DOBRUNA: But number it's -- it's different. I mean what we saw from the border -- cross border there were some 10,000 there that were not allowed by Macedonian government to enter Macedonian territory. At one moment, it was third or fourth of April, they were just forcefully returned back. We have information from some women who were in the cars with their families, they manage to go through wires, through this muddy river to pass to the Macedonian side with their children and their husbands were made to go back. We have only one information from that group, the person was, and they said they didn't have any problem until they reached Pristina. When they reached city of Pristina, they went most of them -- they didn't go back to their home, because they were expelled from their home, but they went to other neighborhood that are not ethnically cleansed yet. So afterwards telephone lines were cut even in those neighborhoods so we don't have information. And...

SCHUMER: What about the refugees from Macedonia?

DOBRUNA: The refugees ...

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

SCHUMER: The people who Macedonia returned, but the people who were heading over the borders to Albania, to Montenegro, and then Milosevic cut those borders, you know, stop them from coming on his side of the border, the Kosovo side of the border.

DOBRUNA: The region of Peja (ph) where most of the deportees are being-- where most of the people who have been deported to Macedonia -- to Montenegro was already ethnically cleansed. That is that borderline of 10 kilometers that was cleansed during all this month. So it was only a corridor during the last days of March that was in function. And most of the population were cleansed already, so there is no large number, there are no big expectations about going to pass -- to cross to the Montenegro. So this territory of Durcan (ph?) which is some 100 kilometers north of -- northwest of Pristina and territory of Peja, Pec in Serbian. But on Albanian border -- Albanian side of the border most people that are being deported are from municipality of Djakova, Dakovica (ph), municipality of Klina, Marisova (ph) which is already completely cleansed, and suburb of Prizren. Prizren is one of the town that is not yet burnt, just some neighborhoods. Djakova is a town in Peja (ph) that is 80 percent, 70 to 80 percent burned down completely and of course population was deported. And some of them got to remain there in hiding or most probably they went in the mountains in order to find new chance to escape. So in this situation, these territories were under the siege for many months before, so they are lacking food and medical care long before even January.

SCHUMER: Right.

DOBRUNA: And I would just -- to give an example, in the mountain of Cicavica (ph) 25 kilometers northwest of Pristina there are, there were displaced person that were staying there for weeks without any food. Units in our Pristina office arranged 11 times to go to that territory in order to deliver relief to these displaced -- and they are mostly women, up to 90 percent women and children though we were not allowed access to those refugees -- those displaced persons.

SCHUMER: So they haven't gotten food in weeks and weeks.

DOBRUNA: No. This is what I'm saying now, is three weeks before first NATO air strikes happen.

SCHUMER: And that's continuing now, I would imagine.

DOBRUNA: It's continuing.

SCHUMER: Anybody else?

IMANI: Well, the same informations can be confirmed as well, and for me another information is that the people which have been expelled from Kosovo to Montenegro, they in the need for help and aid and no organization is going there to check them to see what are their needs.

SCHUMER: Miss Kelmendi?

KELMENDI: The same come from -- the same information we have already for -- also at the radio station we had already from before. So, before NATO air strikes...

SCHUMER: So, there's starvation on mass levels going on.

KELMENDI: Yes.

SCHUMER: And the food can't get through right now that is being done locally.

KELMENDI: They are also under the siege of Serbian forces so it's impossible to get there.

SCHUMER: And this number grows all the time, I imagine? Because the borders are now more or less closed, all the borders are closed.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

DOBRUNA: Probably those towns that are under the attack or they are target in several neighborhoods the only way that they can escape, especially after the mass execution that appeared, that they are going to escape in the mountains and so the number of displaced persons in the mountains -- the number is growing -- is growing rapidly.

SCHUMER: One thing, Mr. Chairman, I think we ought to try to focus on in terms of refugees is how immediately we can get them basic necessities particularly rudimentary food to prevent mass starvation, which is what at least I am told could happen if we don't move within the next week or two. I thank you and I understand what you're going through. And we want to do all we can to try and help.

ABRAHAM: Senator, thank you. I know we have been joined by our friend Senator Biden who is on our full judiciary committee and also is the ranking member of the Senate Foreign Relations Committee, and -- would you like to ask some questions?

BIDEN: I would like to ask two questions, and I appreciate the indulgence of the committee. I'm not a member of the subcommittee, as you pointed out, but I thank you, Mr. Chairman.

I have -- I have actually three very short questions for any of you, maybe starting with you, doctor.

Is it your testimony that the ethnic cleansing we're reading so much about in the world is now seen on a mass scale? That cleansing began before the NATO bombing, it was already underway on a smaller scale before NATO began to use air strikes. Is that your testimony?

DOBRUNA: Ethnic cleansing was going on since the strip of autonomy in Kosovo. Data from EU Commission shows that from -- starting with 1990, after 1995, 330,000 Kosovar Albanians had to flee Kosovo because of the repression, different forms of repression. One of that repression was mass firing of 170,000 workers from Kosovo - from their jobs.

And I have to remind the committee that at that time, private enterprises didn't exist, so when people lost-- they were expelled from their job 170,000 that mean that only way of living or earning any money and having a decent life was to work for the state. So -- taken into consideration that average Kosovar family has 7.3 members you just now can have a picture how many people were left at one moment without any meaning for life.

So this is one of the thing that were done to Kosovo citizen, and other abuse of their rights were done on very systematic, daily basis, and that 330,000 had already fled Kosovo before 1990, 95. 95 up to the start of the war, 28th of February 1998, additional 170,000 Kosovars had fled Kosovo. So, ethnic cleansing was done systematically and it were organized long time ago. It was propagated by several politicians, very high rank politicians and governmental officials in this so-called Yugoslavia.

BIDEN: Now, years ago, I went early on to Bosnia and came back and wrote a report for the president and others that no one really believed at the time, saying that there were rape camps had been set up, actual camps that were rape camps, and talked about mass graves and it all turned out to be true in Bosnia.

Do you have any evidence that you can present to us today, any of you, that not -- not that there is rape and pillaging going on, because it is, but that there's any systematic, systematic as there was in Bosnia, organizational structure for camps where women are taken, where women are sent for the purpose of being used or abused physically. Do you have any evidence of that? Not speculation. I believe it occurred, but I'm one-- I -- I come to this, I admit, with a prejudice. A prejudice that I think Slobodan Milosevic is a war criminal, I've thought that for nine years, and so on.

So I don't need to be convinced, but what I -- I'm looking for is if you have any information, hard information or even anecdotal information, that there is a systematic, not a random although frequently occurring, raping and pillaging. But is there any systematic organizational structure that you're aware of or heard of where women are being herded into camps and/or sent off to military bases for purposes of being sexually abused? Do you know of any?

DOBRUNA: The Center, we tried all last year to --to gather facts about a large mass rapes, but we didn't come to the conclusion that those appears. But we had very strong indication that happens and the pattern how it happens

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

in three sites of Kosovo. But we didn't manage document because of several reason, one was a very very strong patriarchal society around, second was that most of man that were witness of those had made their wives, daughters leave Kosovo, paid high prices to take them out because the honor of the family, and especially if it done by enemy, it's ruined. So we didn't succeed to document. Now, we have informations and we believe that it's -- they are true, but nobody can yet document that.

BIDEN: I appreciate your -- your candor, and I'm afraid we're going to be able to document it later, but I appreciate your candor. My last comment, my -- my time is up, but one of the things Americans will often say is that -- and many people here think, is that this is -- has been orchestrated by a rabid nationalist named Milosevic and guys like Arkan and others who are -- let me ask you this simple question, all three of you, if you'd give me some sense. Although in the last ten years the proportion of Serbs in Kosovo is less than it was 25 years ago, you probably had neighbors or co-workers workers, ordinary people, who were Serbs, not Kosovars, not Albanians, but Serbs, not Moslem, but Orthodox Christians.

BIDEN: What is your sense of how those, if you had any co- workers or friends or neighbors who you had lived with in some peace and harmony, what is your sense of their attitude toward what is going on in Kosovo now? If you can characterize it. I understand if you may not be able to.

DOBRUNA: I'll tell you.

BIDEN: Can you pull your microphone very close to you so -- you can pull the mike to you, rather than slide up if you don't want to. Just pick the whole thing up. That's it.

DOBRUNA: I'll tell you their behavior in some cases. For example, there is a neighbor, a friend of mine, a Serb, who for example, for many years they was neighbors and they go to each other and drink coffees, they was in ordinary life very good neighbors. But when everything happened, those days, this neighbor says to his neighbor, you have only five minutes to leave. And my friend couldn't believe that that is happening because he felt that his neighbor is somebody who knows him very well.

And, -- but there is another case for example that there is a Serbian neighbor who is caring about his Albanian neighbor who is closing the doors in, of the building, caring about old building and saying to Albanians, "Don't worry, I am here. And I will try to protect you." There is another case in one place in neighborhood in Pristina where only three families, Albanian families left there and one Serb family when they spy military forces came there. This Serbian neighbor go out with a gun and say to them, "This is my zone, you cannot enter here."

So...

BIDEN: It varies.

DOBRUNA: Yes. So these are the cases, but these are only cases. You cannot say that this is something which is usual.

BIDEN: I thank you Mr. Chairman, I've gone over my time. I'd like to ask unanimous consent for the statement I have be entered into the record.

ABRAHAM: Without objection.

BIDEN: And I thank the witnesses here and for your courage. And I am confident we will be of courage and we will not relent in our effort to see to it that this is righted.

Thank you.

DOBRUNA: Thank you.

ABRAHAM: Senator Biden, thank you for joining us and we'll include your statement.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

We've also been joined by another member of our subcommittee, Senator Specter from Pennsylvania. And so I'll turn to him for his questions at this time.

SPECTER: Thank you very much Mr. Chairman. I join my colleagues in thanking you for coming and certainly understand the tremendous travail and problems that you have sustained. So we appreciate your being here to give us information which will enable us to proceed on quite a number of lines. I could not be here earlier, we're having hearings on independent counsel, but I wanted to come by.

With respect to the sequence of events on the atrocities being committed here by the Serbs, there has been an argument that the NATO bombing has either caused it or expedited it. There has been a very careful analysis to the contrary, that President Milosevic had this planned long in advance and carried it out. And that this was something that was going to occur with or without the NATO bombing. I'd be interested in the sequence of events if some of these atrocities began prior to March 24th on the NATO bombing. Could you shed any light on that, Dr. Dobruna?

DOBRUNA: Yes. I mean, my thinking is that NATO just accelerated the ethnic cleansing. Ethnic cleansing was ongoing for years now and as a citizen of Kosovo, I think that this should be, should have been foreseen.

SPECTER: It has been going on for years you say?

DOBRUNA: Has been going on since 1989 practically, since adoption of the Constitution of Unification of Serbia. That Constitution was adopted 28th of March 1989. So since then, the ethnic cleansing of Kosovo was done systematically perfectly.

And the...

SPECTER: Was it intensified at some point, I mean in the past?

DOBRUNA: It was intensified after the NATO air strikes.

SPECTER: After the strikes?

DOBRUNA: Yes. It has just intensified. But they had already cleansed several territories.

SPECTER: You say they had planned.

DOBRUNA: They have -- yes, they have planned.

SPECTER: How do you know that?

DOBRUNA: It was announced in media. There were documents published in Serbian language, for years that this is going to happen. Several leaders political leaders and high officials in Serbia had announced that of course, they were saying that during their pre- election, during the election campaign.

But nevertheless doesn't excuse, it's not excused that it was only for internal purposes. But we knew it was going to happen, but unfortunately we were not aware that it's going to happen in this large scale. And with all this brutality as it happened these days.

SPECTER: I understand that you wish to be classified as deportees, not refugees, so that you will have status to return to Kosovo. Is that true Mr. Nimani (ph)?

NIMANI: Nimani, yes.

SPECTER: Nimani.

To what extent is the country decimated? How much rebuilding will it take? From what we have seen here, the reports that we have is going to be an enormous rebuilding job. Could you shed any light on that Miss Kelmendi?

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

KELMENDI: I think that before happened, they stole almost biggest part of population, more than 50 percent of Kosovo was already destroyed, so the villages was destroyed during this year of war. In meantime, now the biggest damages are done to the cities. But nevertheless, people are ready to go back.

SPECTER: Is that the general attitude, that people do want to return, and rebuild the homeland?

KELMENDI: Yes. Yes. Of course.

SPECTER: What is your sense as to how it will be to return. What is the future likely to hold with so much animosity and hatred having built up for such a long period of time. Will you be able to return and live in peace?

KELMENDI: Population of Kosovo, already was peaceful for many, many years. And they didn't want to fight. And finally, in Rambouillet they signed the peaceful agreement for solving the problems of Kosovo. And we didn't reach that agreement because of Mr. Milosevic and Serbian government didn't want to sign that agreement. And from my point of view, we didn't ask for NATO bombing, but Milosevic asked for it.

And so, in this direction, we ask for protection. And that protection is as in Rambouillet document. So NATO forces as peacekeeping forces in Kosovo. And as a protection not only for Albanians, but also for Serbs in Kosovo from Belgrade.

SPECTER: Just a quick follow up on what Senator Biden had asked about. The business about gathering evidence, as to President Milosevic is ongoing. And I concur with what Senator Biden has said and many have said it. That we should treat Milosevic as a war criminal. And we have had representatives in Kosovo from the State Department, acquiring the evidence for presentation to the War Crimes Tribunal.

So to the extent that you are able to provide any information, and it's complicated to find the evidence. But if you have to see raping, where there is a superior officer present, or where there are others present who are condoning it, that is a sign of official action. Or where there is torture, or where there is any violation of human rights and people are condoning it as superior rank, that is an indication that others are involved. And we have a system of justice, which will require, not withstanding what Milosevic has done, that we were able to prove these cases in court.

So to the extent that you are able to provide any information along that line, it would be very, very helpful.

Again, we thank you for your courage. Thank you for coming and we will do our very, very best to help you. Thank you.

Thank you Mr. Chairman.

ABRAHAM: Senator Specter thank you.

I want to in conclusion, rather than more questions, I think you have very effectively addressed the questions that all of us have. Thank you again for what you've done, the courage of coming here.

I hope as many of colleagues who are not here today, as possible, will have the opportunity either to see the C-SPAN coverage of this, or to hear and learn more about what you've told us. I hope those who have been skeptics about the nature and degree of the atrocities that have taken place will, because of this hearing, have a better and fuller understanding of exactly what has happened and continuing to happen.

And I hope that people who have some doubts about exactly what you have gone through, will appreciate better what you have. And also appreciate you desire to be able to go back home. There's a tendency I think often when refugee situations or deportation situations, expulsion occurs like this, people jump to quick conclusions that somehow people somehow, want to be somewhere else. Whether it's the United States or it's Germany, or other places where resettlement temporarily occurs.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

But as I think we've learned, most people are alike in the world, they want to be back home. And I think you have all very eloquently made that case. And I hope that we can do, as a Congress, as a country, as much as possible, to make that happen. But also in the interim, to make sure as many people as possible, who are still suffering can be protected and can be as humanitarian way as possible taken care of during the period of time before it's possible for them to go home.

So on behalf of our committee, on behalf of the United States Senate, I want to thank each of you for your courage and for taking a little time to share your experience with us. We are deeply appreciative and we will do our best to follow up in the ways we've already indicated. Thank you.

NIMANI: Thank you, too.

ABRAHAM: We will now ask our Assistant Secretary of State to join us and -- this panel is certainly welcome to stay with us if you'd like. Or if you have other commitments to move on to those at this time.

Our second panel today, on our second panel we will hear from Julia Taft who is the Assistant Secretary of the State Department's Bureau of Population, Refugees and Migration. I too, want to thank you for being with us and for agreeing to allow the refugee panel to appear first. I think it probably puts in context all of what you plan to say and all of our thoughts here today probably as eloquently as it could.

Assistant Secretary Taft is the person who's in charge of refugee matters at the Department of State, which is a serious responsibility even in the best of times. And obviously, an extraordinarily challenging job at the moment. You have served with distinction in this administration and in others. And we all have appreciated working with you over the last couple of years and we look forward to working together as we confront now probably the most serious challenge, not only that we've had recently, but in -- as we've discussed, in a very long period of time.

So thank you for being for here and we'll turn to you for your testimony.

TAFT: Well thank you very Mr. Chairman. During the past three weeks, the world has witnessed one of the most sustained and cruel crimes against humanity during this century. It is a very somber note to be leaving this millennium on and one that I hope that we can work together to try to remediate as soon as possible.

The calculated dislocation of hundreds of thousands of Kosovars during this past year by Serb forces has reached devastating proportions in recent weeks. Since March 24th, almost half a million refugees have been forced from Kosovo and many thousands more may yet flee. I think all of us today have been profoundly moved by the testimonies of the three persons that we've heard. They've really put the human face on this tragedy and I am pleased to have been able to hear them.

I'm also pleased that the NGOs were able to find them and that your committee wanted to have them be here. And that the State Department, in spite of all the things that are going on in Skopje and Tirana, were able to get the visas in a matter of just a day.

I'd like to take this opportunity to share with you, give you an update on the situation as we see it in Macedonia and Albania and our efforts in other countries to provide protection and assistance and what we see ahead. I'll be glad to answer questions.

TAFT: You've set some forward in your remarks Mr. Chairman and I want to make sure that we covered all of those.

The U.S. and it's NATO allies are working with humanitarian organizations to alleviate as much of the crisis as we can.

We will do whatever is necessary to ensure that Milosevic's current campaign of ethnic cleansing does not stand and that refugees can return to their homes, villages and towns and rebuild their lives.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

What we've watched ever since the Rambouillet process is the systematic expulsion of the Kosovar Albanians. I want to emphasize here that this expulsion was well underway before NATO bombing commenced. We've already heard from the previous witnesses. I won't go into detail, but I would like to make a point about the issue of the expulsion and whether they are called deportees, or whether they are called refugees.

A deportee connotes the method in which people led -- left, and in fact the pernicious way and terrifying way in which these people were expelled from their countries does make them deportees. However, as refugees, that connotation should not be diminished either.

These people are deportees and they are refugees because they are afraid to go back home for fear of persecution. So, I hope that we can use both of those references.

While over 680,000 Kosovar Albanians have been forced to flee, hundreds of thousands are believed to be still displaced. The figures that we're operating on in the State Department, are between 700 and 800,000. After a short lull when borders with Macedonia and Albania were closed by the FRG and after large numbers of refugees seem to have disappeared on the FRY side, we saw that this past weekend there was a resumption of small movements into both Monten -- I mean, into Macedonia and Albania.

We haven't talked enough about Montenegro. Montenegro as the chart that the Senator -- Senator Biden has -- has received 36,000 refugees but over the weekend, or the last 24 hours they got 1,700 more. These are coming up from the area of Pec and they are now in Montenegro. So that border is opening...

BIDEN: Mr. Chairman, if I can make a point. I didn't mean to interrupt by putting this up, but this is only current as of 48-hours ago.

TAFT: Yes, sir. Well, that's right.

BIDEN: Thank you.

TAFT: I have as of 6:00 o'clock this morning but...

(LAUGHTER)

BIDEN: My point is your figures are more accurate than mine. That's the point I was making.

TAFT: But the point I wanted to make sir, is that there is still some movement out. Not enough as far as I'm concerned, but there still is movement out and in Montenegro, it -- the port of Bar there are tens of thousands of -- of World Food Program commodities, some of which are being able to be processed within Montenegro by the ICRC, by World Vision, by Mercy Corps International, to get access to -- to use to get access to the people in Montenegro who have been affected by this.

The refugees tell of extreme violence, people forced to leave their homes at gun point. Women and children forcible separated from their husbands. Fathers and sons, homes, and villages torched.

Even more serious are the reports of arbitrary and summary executions of mass graves, and most recently, of the rape of young women and girls. We are extremely concerned about the fate of the 7 to 800,000 thousand who remain in Kosovo and are exploring a variety of ways to meet these people so that they can be given life-sustaining support.

Senator Kennedy, you mentioned earlier, about the three options. I assure you all three options are being pursued and I would be delighted to share -- that's very sensitive about the modalities for how we might be able to reach these people. And we will be glad to give a briefing to you and your staff.

The biggest problem that we have is that the Serb authorities have not provided the security assurances needed for any of the modalities to ensure access by ICRC or other international organizations.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

Last week, Deputy Secretary Strobe Talbott and I visited Albania and Macedonia and other countries in the region to thank them for their support, particularly Albania and --and Macedonia. But also to urge very strongly an open borders attitude. This was particularly difficult in Montenegro -- I mean in Macedonia -- because of all of the doubling, day after day, the influxes were doubling for Macedonia and they were very politically concerned about the destabilization. In fact Milosevic's plan is to destabilize Albania and Macedonia and other front line states. So it was very important for us to go and try to do whatever we could to reassure them that we and the allies stand -- stand by them.

But we stressed very firmly with the government of Macedonia the importance of getting that border open and keeping it open. And I am pleased to be able to say that having worked all night long with them on -- a week ago Saturday, decisions were made to open up the NATO camps, get them ready for opening on Sunday. They were opened up Sunday night. And the people from the border area and no man's land all were processed into those camps by morning of Tuesday, so that the muddy, awful, terrible valley of death that was out there, but there wasn't death. There were 11 deaths, but it was just a terrible humanitarian mess that has now been cleared out and thank -- very much thanks to NATO and the willingness of the Macedonians to let these people come forward.

In spite of the forced expulsions of the Serbs and the stories that we have all heard, I have not nor have any of the relief agencies, or NATO people heard anyone blame the NATO bombings on their plight. In fact, everybody has been very supportive of the efforts that have been made to stop Milosevic's aggression.

On my way back from the region I joined my counterparts and other major donors and countries in the region for an UNHCR conference to see how we can improve the coordination of the response on a multilateral basis and I think that's been -- that was a useful thing to do.

Operation Sustain Hope was announced by President Clinton on March 5th to coordinate our own humanitarian response to refugee -- to the refugee crisis and we have committed \$150 million in financial and material assistance since the crisis began.

This includes \$50 million recently authorized to help address the urgent needs of the refugees, \$25 million of course which is from our emergency account and over \$25-- for \$25 million for Defense Department.

The limited capacity of Albania and Macedonia to cope with these enormous numbers of refugees has -- has really overwhelmed them. And while I'd like to pay special tribute to the generosity to the people of these countries -- you know the first flows of 80,000 of the first people who went into Albania, went into families. And 60,000 that went into Macedonia went into families. The challenge now is making sure those families don't get overwhelmed and to make sure that the assistance that's directed for the refugees also goes to support the families.

I'd also like to commend Turkey for stepping forward on this issue of the absorptive capacity in Macedonia. Macedonia was really getting overwhelmed and they did not believe that they could sustain the constant influx of people.

Unlike Albania which of course is all Albanian, there's a different ethnic balance in Macedonia. For this reason, we offered to try to get other countries to give temporary asylum to these people to help take the burden off Macedonia and the first country to come forward was Turkey.

And they had offered to take 20,000. We offered to assist in the financing of their program as well as to offer temporary asylum to 20,000 for the U.S.

Many other countries have come forward. I've got a whole list of those that have expressed willingness to provide temporary asylum but at this point we think that the Turkish offer, the numbers that are going to Germany, those that are going to Norway, and the ability of Albania to absorb more, has gotten us a respite right now so that the U.S. is not actively transporting any of the 20,000 that we said that we would give temporary assistance to.

NATO I must say throughout the entire effort has been wonderful. They have established air cells and air bridges and there are over 50 flights a day which are coming into Albania and 50 flights a day coming in to Macedonia. It's

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

getting very crowded as you can imagine in the warehouses and in the air strips, but the relief program to undergird the UNHCR, is making a great, great progress.

From the United States side of course we have been providing tens of thousands of -- of HDRs already and we're sending in a million. Those are Humanitarian Daily Rations. We have been underwriting the World Food Program, a third of its costs. We have about 600 military personnel working on the humanitarian program.

In addition, we have just given ICRC the \$3 million to really launch a major tracing program to -- and they've established a hotline in Geneva as well as processing in the various countries of asylum so that we can-- they can work very closely on family tracing.

Let me just spend one minute clarifying exactly what the status of Guantanamo is. Guantanamo is prepared to receive 500 people when we need them, to come out of the region. They are ready in a facility which is -- does not have concertina wire which would be humanely managed, but right now we have not asked DoD to activate this request, they -- but if it's required -- I mean we still have 700,000 people still inside of Kosovo. If they all come out we are really going to be overwhelmed and we will have to do a major airlift.

We all are aware of the problems of Guantanamo. You all are as aware as anyone. And fortunately, at the State Department, the colleague Assistant Secretary Harold Coe was the lawyer in the private sector who sued the U.S. government in terms of the treatment of Haitians and Cubans on Guantanamo, so he and I have been working very closely on this. And we know the constraints on Guantanamo. We've talked with the NGOs and the human rights groups and that is why it is a -- you know -- it is there but we really do not expect to have to use it.

I know -- excuse me -- that a number of your constituents may have been calling you about processing of refugees or their relatives as refugees. I think that it is -- I can say no more about this at this point, except that we believe that most of the people want to stay in the region. They want to go back home to their homes that right now -- that our focus is trying to provide care and feeding and security and safety for those that are in the locations of Albania and Macedonia and we not at this time have a program that we would process any of these candidates for refugees status.

However, we are working to try to collect as much information as we can and should it be -- should it be appropriate we stand ready to come back to you and talk to you about refugee numbers and how we might proceed.

On that, sir those are the highlights that I wanted to share with you and I'm glad to answer any questions.

ABRAHAM: Thank you very much. We will turn immediately to Senator Kennedy. I know he has conflict of schedule here, so we...

KENNEDY: Thank you very much and thank you. Julia Taft has had a long career working on refugee matters and I think all of us are very fortunate to have her services now and I join with others that -- commending the typical courtesy in letting the others speak and then responding to questions now.

Few matters, because we have a number of our colleagues, here just quickly. There are a number of -- I'm sure it's been the experience of other members here, we have a strong Albanian population in my own state of Massachusetts. We have many there, both that have got relatives, they believe in the refugee camps and they are in touch with us. We're trying to be in touch with you.

KENNEDY: But they're interested, if there are going to be movements of people, at least being considered other than going to an interim (ph) step down in Guantanamo. I don't know, and we don't know, the object of our policy is for the safe return.

But as we have seen, picturing the worst kind of case possible, we ought to at least be, I think, having someone thinking about how families we can facilitate the movements of people and whether we can not go through a transition into Guantanamo Bay, but have some other kind of way in which they may be joined either with families or

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

relatives or settled here. I think we -- having someone in your department that's working with these would be an enormously -- would be helpful. And we'd obviously want to cooperate on this.

Secondly, I would always hope -- and this is a long way down the road, whatever's going to happen, NATO's been doing terrific, the troops will be great in setting up these mantas (ph), the tents. I mean it's unbelievable how well and fast -- I mean it's miraculous. I mean it's the one great hope that's happened out there is what has been done when we finally got to it.

We want to hope that they're not going to transition out you know, and be left these other groups that depend, who are inundated with these kinds of challenges and doing so well and have done well in the past and all the rest of it. That they're -- this transition period, I don't see it coming up right now, but it's something we have all learned about and when they transition out, they leave -- they have in the past, when it has not been done well, left these agencies up in the air. And I hope that that would not be the case.

I come back to (OFF-MIKE) Senator Schumer who's been enormously interested as I, others have about the conditions of these other refugees or individuals who were displaced and are facing extraordinary human tragedy. But let me mention three quick areas.

We have a wonderful friend from Vietnamese refugee days, named Tom Durant (ph), he works up at Mass General, just been over there for two weeks. And I've been in touch in Tom. And it's been, he feels that there's enormous need for vaccinations over there, that we've been free from these contagious diseases almost miraculously. But there's enormous need in terms of vaccinations, and particularly that spread like measles, diseases like measles. And they're going to come back, make some recommendations, I'm just giving you a head's up.

Secondly, there's a -- the health and assistance for children. So many of the children are separated from parents and are separated. And the degree of trauma that children have been going through and what we can do in terms of help and assistance in terms of getting people that you know, obviously are going to be able to communicate with language and culture, and you know their chance to do so. You're not going to have, I suppose, an enormous pool. But being able -- this is an area of special needs.

And then the third area that concerned that he had was the -- which you mentioned in your testimony as about the people in his instance, of a small, tiny cottage in Macedonia where they have 51 people living there. Which you pointed out in your testimony is the first refugees that came there, were settled in these various houses and they have enormous kinds of pressure. And as we're dealing with the humanitarian, we want to be to help and assist people who've really been attempting to -- they're enormously poor people in any kinds of events, and they've opening up their homes. And we want to try and do this.

I'll make sure that the -- some of these, that Tom has, will get to you in a timely way. Very quickly, but if you could take a look at those and then we can follow up with staff with you to see how, those missions would be going on.

Just finally, and I know there are communications, and you mentioned earlier when Senator Schumer wasn't here, the delicacy of these negotiations between air drops between mercy corridors, which we have done -- Biafra was a case -- but we've done it in other humanitarian areas as well with some success, and sometimes it's been impossible, or otherwise working with the Russians or the Greeks as being more acceptable to try and get that in. As I understand, it's better to get that in a situation which is sensitive and therefore, we'd welcome the chance to be able to do that.

I just want to -- and I respect your limitations to be able to talk about it. I think you have gathered the sense yourself and the sense of urgency that many of us have about the hours that are going on and the importance of the immediacy of trying to deal with that issue. It's just one of enormous kind of dimension and incredible need. And I think we have to really take risks for assistance on this. I don't think we can play this with a safe dimension. There's just too much at risk now. So I would hope that we are really going to be as, you know, forthcoming as we possibly can. That is certainly our, at least this individual's hope and expectation on it, and I'll look forward to hearing from you mothers about what the state of play is on it.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

Thank you Mr...

TAFT: We have just a minute. I know you have to leave, sir, but let me just say really quickly, you talk about the miracles here, it was just three weeks ago that the Serbs started. And I am amazed that we don't have outbreaks of disease. There are three instances of measles, 11 people died in Macedonia. This is really amazing, as tragic as any of this. There is a vaccination campaign that is getting started with UNICEF and WHO in Albania and will start in Macedonia.

On the issue of the separation of children, there's a wonderful story I have to just tell you of our ambassador in Albania, Marisha Aleno (ph), who was out at one of these campsites. And she saw a mother with several children, who was crying. And she goes and she talks to her and puts her arm around her and says, you know, I'm so sorry for you, but at least you have your children here. And she said, no. I don't. And she had four young children. And she said, oh? And she said, I have triplets, six-year-old triplets, that got separated from me in Pec, and they ended up on one bus and I ended up on another bus, and I'm in Albania and I don't know where they are.

So our ambassador got in touch with the ICRC in Geneva and said the mother thinks these children went to Montenegro. Can you see if you can find them? And in very short order, they did find these children in one of the camps in Montenegro, because ICRC is still there. And they're not reunited, but at least they know where each other belongs. And I think we're going to find many, many more stories like that as it proceeds.

With regard to the issue of air drops, you know, we're talking about really dangerous, life-threatening interventions, either for NGOs or for the military that fly an air drop or for agencies who are unarmed. And in all of these instances, going in an unpermissive environment is really very dangerous. But we are working on the details with all of the interlocutors that you have mentioned.

And the thing that's been very helpful is we've gotten calls from many members of Congress who have been in touch with their constituents who have been help -- who have helped us pinpoint and map out where these pockets of people are in addition to some of the surveillance we've been able to gather. So we can pretty much figure out where these people are, and in terms of corridors, trying to find very targeted ways to get them.

But it is very dangerous, and it's really a question of how much further is Milosevic going to go in this war against his own people, you know? I mean, if he and his troops will not allow even humane access, it just further underscores the fact that this man, you know, he wants his land but he hates his people. And we've got to figure out who else can get to him on these life bridges because it's, as you say, every minute is perilous there.

KENNEDY: Well, we appreciate it, Ms. Taft, and we obviously can tell from your own reaction, response, your deep desire to try and get some resolution of this. But we'll look forward to working.

TAFT: Good.

KENNEDY: I thank you very much, Mr. Chairman, for this hearing and for the -- look forward to working with you. I think that we're going to have a great deal of work to do over the period of these next days and months, and I think it's been enormously reassuring to have the breadth of interest and support that you've brought through this committee on these issues. And we all in this area of humanitarian concern, there's no question about the uniformity of interest of all the American people. There may be some differences in other aspects of policy over there, but there's absolutely none in this area, and we're going to do everything we possibly can to work with you and all of those groups, independent groups, church groups, others, international groups, that we can possibly help and assist the children, the women, the families and the people that have been so terribly abused. We thank you.

ABRAHAM: Senator Kennedy, thank you. And thank you for working with us on this hearing. We appreciate it and look forward to continuing this effort.

Senator Schumer.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

SCHUMER: Thank you, Mr. Chairman. And I again want to thank you. Some of us people didn't have a chance for an opening statement, but I want to thank you for your efforts and leadership and Senator Kennedy as well over the years. This is an example of Congress working at its best, the Senate working at its best in a bipartisan way.

And I also want to say, Ms. Taft, I appreciate the obvious compassion you show. You're doing a job that's a huge and logistical job, but you haven't -- your feelings are strong.

And I would just like to dwell a little bit more on the area I talked about with the refugees and in fact the NSC is going to brief a few of us on this issue, so there are probably some things that you can't say. But just in general, because to me we do have this immediate crisis on our hands. You know, you are right. Within three weeks the refugee assistance that we have led and NATO has done is nothing short of remarkable. There's a strain on resources. WE need more tents, more food, more blankets. But it's amazing what has been done.

The place that we haven't been able to do anything yet, and where has the greatest immediacy, and relates to this immediate crisis, are the 700,000 internally displaced Kosovars who are in a desperate race against time. We don't know much about their fate, because they're internal. WE know some but not enough. But word is beginning to trickle out. More massacres, rapes, possible starvation.

And I've heard some of these from my own constituents who are in touch with people. Fortunately we have cell phones and you can actually hear some of the anecdotal awful evidence about what is going on. So it seems to me that this calls for immediate action.

Yesterday I talked to Sandy Berger about this, and he said this was the most immediate pressing problem we face at the moment in any sphere. And so, I'd like to ask you the same questions, and I know you might be somewhat constricted in how you can answer, that I will ask the NSC people at our meeting in a little while.

The first is, how much do we know about these however many hundreds of thousands of people within Kosovo who were cleared from their homes, tried to come over the border but then were stopped and are not -- are somewhere in Kosovo? How great are the risks -- you've mentioned the risks -- of each particular type of plan? The obvious one is drop food, and the obvious answer is the C-130 is sort of a sitting duck and the food wouldn't get there anyway. So then the questions of safe havens, third party assistance, which as you say, has been done in part through your efforts in other places. Getting a neutral third party to be involved in this and then maybe having some kind of relief through the air preferably or the ground is probably the best way to go, but one fraught with many difficulties.

Can you comment on these things and give us something, whatever you're at liberty to disclose about what can be done? Because I think all of us feel the angst of these people, particularly when you meet with their relatives who are here and just day by day, minute by minute, living -- hanging by a thread when they don't know what'll happen within the next 10 minutes for their relatives, their friends, their family.

TAFT: Well, the last food deliveries that were made by the network of NGOs and UNHCR, etcetera inside of Kosovo was March 23rd. And then people left. So from then on the normal food deliveries, which were always pretty meager anyway, from Serbia down to Kosovo, those stopped, and it was a question of what was remaining in, you know, in the pipeline or inside of the various stores in Kosovo.

TAFT: All of the UNHCR facilities were ransacked. And a warehouse of WFP's was ransacked. So, we believe there's virtually no externally supported food. So this is what has prompted us -- well, not only, but this is a very sad commentary on what these people are able to have. We had records -- reports that they are eating berries. In Africa we call it famine foods, when you find different ways to cope for the time being.

But this is a big problem and particularly for the elderly and the children.

So, in terms of trying to get at these people, we do have a pretty good idea and I wouldn't say it's just the people who were turned away from the border. There was always a lot of internal displacement and this is what happened

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

even long before the border -- the bombings started -- where the Serbs were displacing people from the villages, and sending them to cities, and the cities like Pristina ended up with 150,000 more people than they had had before the war.

So, a lot of these people were displaced. **Not** all of them had tried to get out and then come back in.

We have aerial photos which you will no doubt be able to see, of where we know where there clusters of people who are out in the open.

SCHUMER: Do you have any idea now many?

TAFT: We have estimates, yes, sir.

SCHUMER: But, might -- can you tell us?

TAFT: It ranges from a few hundred, to several thousands and...

SCHUMER: In each...

TAFT: Yes, sir...

SCHUMER: ... cluster.

TAFT: We can't count them, but you know...

(LAUGHTER)

... and then there is a particular area in the Drenica triangle where we have had some very good reports by constituents of Congressman Engel and probably you and others, who are trying to piece together on the ground estimates. But you know -- estimating populations of displaced persons...

SCHUMER: Very hard...

TAFT: ... is almost a science and I -- after I finish answering your questions, I want to get back to this because this has been a plaguing problem we had in Macedonia and I would like the record straight on that.

But anyway on the issue of where the people are, we can find them. In terms of interventions, the first one every one thinks of is air drops, which have worked in some places, some times, but certainly did **not** work in Turkey when the Kurds were on the mountains in Turkey. Have **not** really worked in Sudan and other places because they're very unwieldy and if you have to drop them from 15,000 feet on pallets with parachutes, you never know who's going to get hit on the ground or whether they will be diverted. And 15,000 feet off the ground is very dangerous for any aircraft going in a non-permissive environment.

SCHUMER: And to go much higher you would risk -- just the food would be...

TAFT: Just, just...

SCHUMER: ... gone.

TAFT: Right. So, so our military has said if anyone is able to do airdrops, a neutral country or a U.N. agency, we will provide guarantees in terms of our air space...

SCHUMER: Right.

TAFT: ... for access. But that does **not** require -- that does **not** enable permissiveness on the part of the Serbs. That has to be done. Safe **havens** require ground troops. Third party neutrals, I've talked **about** in terms of air drops, we also are working with some NGOs to see if they can't negotiate a way to get in.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

And finally, an area that you didn't mention, but I keep on trying to push, is the smugglers routes. The area between Albania and Kosovo has for centuries had various groups -- and this is where the KLA has been able to come in and out. I don't think there's enough structure there but we stand ready to anyone who is able to get their pack animals or go inside to try to assist. And that's another feature.

So, I hope that answers some of your questions. You will get more specifics I'm sure from the NSE but this is on a very urgent, let's look at all sides...

SCHUMER: Yes. Well, that's all I can say...

TAFT: Yes.

SCHUMER: Let's -- I don't know what the answer is and there are no good answers obviously as there are no good answers in this whole region right now but let's just make sure we do everything we can because we rue the day as I mentioned earlier, if the air -- if our air war succeeded three or four weeks from now and then we saw that tens of thousands of people had died, and maybe didn't have to.

TAFT: Well, I'm afraid we are going to find that anyway because of the way they have been treated and displace so brutally for so long.

SCHUMER: At this point do we have reports of -- I mean what is the food level of the people? I guess it's different in many of the different places. Do we know how imminent...

TAFT: Well, you don't actually...

SCHUMER: ... is starvation for some of these folks?

TAFT: Obviously individuals' metabolism operates at different ways, I mean for a real famine in an African context, it takes about two months for the body to -- I mean but you have to have water and you have to have some famine foods.

I am not a nutritionist so I can't really answer that but let me just say that I am sure the situation is dire.

SCHUMER: Thank you again. And Mr. Chairman, thank you. And I thank you for Herculean efforts under the most difficult of circumstances.

TAFT: We've got a lot of people working very hard in a good way, and I want to thank the bipartisan nature of this because I guess I'm lucky in government, because I get to do the humanitarian activities, that everybody has a very strong non-partisan and humane approach to and I've always felt that and I'm really pleased that you are having this hearing.

We've got a -- we've got a lot of work to do together and I appreciate this.

ABRAHAM: Certainly. And Secretary Taft, we appreciate your being here. I also want to thank your view, and the State Department for helping actually to facilitate the participation today of our refugee deportee, or whatever term they chose, or we choose to use. Getting the visas in time for their appearance made I think this hearing more helpful and meaningful.

So, thank you for that.

I want to just ask a couple of questions. In the testimony we heard earlier, there was some concerns raised about very recent actions in the Macedonian camps that sounded obviously very concerning. And I just wondered that, that kind of comes on the heels of something I raised in my opening statement, the concerns that have been expressed with respect to the perhaps in some instances, involuntary removal from the Macedonian refugee areas, of people on planes which was actually reported in the media, is how we came to hear about it.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

I just wondered if in your judgment these situations -- well, let's just start with some of the things mentioned this morning. Are these problems that you're hearing about, or is this information that is new and if it's in the latter category is it something that we can try to address immediately?

TAFT: Let me start with what I know and then what was new to me.

ABRAHAM: Sure.

TAFT: When we were in Macedonia last weekend, last weekend -- no, the weekend of the 3rd and the 4th, it was very clear that the Macedonians were not able to open that border. There was no place for them to go. When we got the camps operational in just a matter of 24 hours, a decision was made that they could open to receive people from no man's land and from the rest of Blace if there was some movement out. The president on down in Macedonia said we have to have an evidence that somebody else is going to help share our burden. At that point Turkey came in and they sent in two flights. They sent in two relief flights, and then they processed out people before IOM and the UNHCR had fully documented them. They say that they didn't force anybody on a plane and I have to believe them because after the flurry came up, they said listen we're not taking anybody else unless IOM and UNHCR process them.

At the same time a number -- 300 buses of people from Macedonia -- the government put on 300 people and sent them to the south, to what ended up being Albania and that was pretty messy. But the people are all under shelter now and there is a UNHCR presence and they are now being documented as are the Turks. I think about 1000 people in total went out in these unregulated ways.

I got a telephone call in Geneva saying Julia, the whole thing is going to collapse if you don't authorize some payment for the Macedonian aircraft to transport people to Turkey. And I said is somebody watching this and they said yes. So, they put people on the planes. The ambassador swears that there were not people who were forced and ripped apart from families and put on planes.

But you never can tell. I mean I was involved in the Vietnamese airlift you know, 24 years ago. And these things tended to be not according to any regime or voluntary or structured way, that the UNHCR, or the U.S. government or IOM wanted.

So, we said we would not pay any more money until there was a process. So, I must say about 1,000 people did get out in an irregular process. Now it's in place. No flights are going to any of these countries whether it's Germany, Norway or Turkey that have not been registered by IOM. We are immediately launching tracing -- we have launched tracing services to pick up all the families that were in these other places, and any one that is split we have an agreement that they will be reunited in the same location.

ABRAHAM: So you feel pretty confident that the relief is going is going forward?

TAFT: Well, this is, this is -- I can't...

ABRAHAM: Let's put it this way, that there are as many safeguards as can be reasonably put in place for the future, that's...

TAFT: Absolutely, and I must say the first couple of days were not done according to any standard that we would want. We're remedying it and getting on with how we really need to do all this...

ABRAHAM: Well, I think the tone of all us should be recognizing the emergency nature that probably we can in post-mortem talk about preparedness and so on, but right now, at least this senator is most interested in going forward in terms of whether or not we feel we've got, you know, a sufficient, now oversight situation, where we can provide those assurances that are reasonable. I recognize that we're not going to be able to operate this situation the way we would in, you know, in the context of an non-warlike circumstance and so on.

But I just want to make sure we are doing and feel comfortable that you've been given the help to do what you need to do in that respect.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

TAFT: Yes, sir and we've invested the resources. We've given \$3 million now to make sure that the systems are working and in place. Let me just say that even during the early hours of this negotiation, there was a concern that Macedonia was going to say if 1,000 leave, we will let 1,000 more in from no man's land. And our position was that is inhumane. You can't do it. We're showing we're moving people out. You have got to move all these people in to shelter, which is -- was being put up. And I said to them, I said you know if you want countries to give temporary asylum they will only give temporary asylum to healthy refugees and they're not going to be healthy if they're out in the rain and the mud. And they then immediately started allowing them to come forward. So, I think it's in hand now.

ABRAHAM: OK. And -- well let us know, too. I think this is situation where if we are going to have the kind of congressional involvement that I'm sure you want and support, that if there are problems developing probably better that on the front end we try to address them or give you, you know, whatever, if there's help that's needed.

Back to the earlier panel, and you were going to address that as well. Is there any -- are -- were some of the reports that we heard from our first panel, about ongoing problems, ones that are consistent with the reports that you've been getting or is this something new?

TAFT: I hadn't heard about the two people that had left Brazda camp, sort of escaped and gotten beaten up and I -- that was news to me. My colleague said that she had read a report. I'm going to find out about that.

The issue that we have there is what do we want NATO to do? What do we want the host country security forces to do, police forces to do and what do we want the U.N. system and NGOs to do?

And these are starting to get mixed up. NATO has put the infrastructure in, they are trying now to turn it over to the UNHCR and to NGOs.

TAFT: We're trying to make sure that there's no gap and there's no precipitous handover. NATO does have -- has done an incredible job in doing these camps virtually overnight, but there needs to be a seamless transfer here and a lot more involvement of the UN to help that happen.

The question then comes, what do you use the NATO forces for? Would they do perimeter security or internal camp security? There's -- and this has not been resolved.

And in the meantime, since they are in -- and I'm mostly talking about Macedonia, since these camps in Macedonia are really in the jurisdiction of Macedonia, their police have a responsibility.

But I must say they were quite heavy handed and not well trained for this and we are aware of that. And we are trying to work out a way to make sure that they just do perimeter security and we have some other ways to deal with inside the camp system.

ABRAHAM: Good. Well I think it's important to convey that concern too. I mean I'm not -- I'm sure you're trying to the, obviously to the Macedonian officials because we've had visits just yesterday from the Macedonian ambassador to the United States came up to the Hill.

And I know they're interested in securing some support and help in their efforts. And I think maybe that's harder to obtain if the information we're getting is of the sort we heard this morning.

Now the transfer, as you described it, were sort of NATO to volunteer agencies in terms of running of these camps, do you have a time table on when that is expected to be happening?

TAFT: I think it's -- it is different from each camp -- for each camp. And I find this quite concerning. Each of the various NATO troops on the ground have been helpful in setting up a camp. So the Germans put up a camp. And the Turks put up a camp. And the Brits put up a camp.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

And they are now negotiating with certain NGOs that are active in Macedonia that we're supporting to do pieces of services in those camps. My feeling is, and we've been talking with the UNHCR about this -- these should all be UNHCR camps and that there needs to be a clarity of which NGOs are going to be the partners to do what services in each of those camps.

We can't go around this region and having an Italian camp here, a USA camp here. I mean, it just -- this is not rational. And I think the biggest challenge, and I'm going to have to go out there again this week, is to see if we can't come up with a proper organized way to deal with the military on this and to have a system which is accountable to the international community and have the NGOs provide those services.

NATO has told us they are not going to pull out their support until there is a proper turnover. So -- but I think it has to happen fairly soon.

ABRAHAM: I agree. Back to just the general question of the population still within Kosovo, and the possibility that it -- there might be -- that if somehow the opportunity for them to leave occurred and they in larger numbers did so, we -- I know everybody, and I'm sure your office more than anyone, is shuddering at the possibility of having to deal with another surge of that sort.

Are we prepared in your judgment to deal with that? Or do we have to do more, given the potential numbers? And if so, what can we do?

TAFT: Well, given the difficulty it is to reach these people inside of Kosovo, I really pray they can get out. I don't care if we have to work harder than we're working now.

ABRAHAM: Sure. Everything we've heard today is -- I think indicates that ...

TAFT: Well, we're looking at -- let me just say that -- that Macedonia is probably at its absorptive level. Turkey will take more. Albania -- we're working on some campsites in Albania. Albanians politically want to have these people stay there, and we're trying to figure out how we make it an asset rather than a liability.

I'm sure Italy will take more. We have pledges from many countries to take more who come out, if they are able to get out.

One of the unknowns here also that we haven't talked enough about is Montenegro and whether or not only the 65,000 refugees that are in Montenegro might go out through Croatia or to Bosnia. We don't know, but we're ready for those.

I don't know. I think we will be because we now know who our partners are. We now know where every tent in the world is. We now have a sense of the magnitude of this, and that's one of the reasons in Albania we're trying so desperately to move the people from the mountainside Kukes where they've come across the border; down into other parts of Albania because if there is another influx, that's where they're going to come in and they're going to need to be taken care of.

In Macedonia, that no man's land in Blace is all cleaned out, and they're now sanitizing it and putting up another area to be able to receive more people. We will be -- we will be I think in OK shape. But the people who come across will not be. And so we may need to identify real hospital -- field hospital sources and things like that if they were to come out, and I'm sure contingencies are working on that.

ABRAHAM: Well I think that's reassuring information, though, because I -- you know, I -- as I say, I don't -- there will be time for post-mortems, but I think the concern I'm getting from some of my constituents, and we have large populations of people from these areas in our state, is just that given the tenor of things leading right up to the initiation of the bombing, the sense that this might happened seemed at least to a lot of people in my -- in the communities in my state -- as a very real possibility. And they're deeply concerned now that there wasn't more preparation, whether that was proper or not in terms of assessment. The concern now is if there is another -- now that we're there, now that we've got this potential -- are we getting ready and will we be ready if something additional happens to the (OFF-MIKE) war.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

TAFT: Just to disabuse your constituents, and to set the record straight, UNHCR was in Albania for instance working on contingencies for out-flows. We had expected 60,000 people last June into Albania; only 18,000 came, so that they still had a process where they could absorb 60,000 there, and about 20,000 in Macedonia.

We also had prepositioned or in the procured pipeline enough food for 400,000 people for six months. We of course thought that was going to feed the people inside Kosovo, but it still was available for redirecting for them outside.

I think that everybody was surprised at the intensity and the unbelievable inhumanity of the expulsion of these people so dramatically. But I -- you know, if you think about being able to serve a half a million people without the incredible problems that you could anticipate in very inhospitable areas, particularly in Albania, I think it really is amazing how well it has gone. But we have a lot of work to do, both in contingency, but I don't think it was because we were so unprepared.

Also very fortunate to have NGOs that had been working in Kosovo, knew the people, had really good systems in place. They evacuated to Macedonia and then Albania, and they're the ones we're going to have to rely on in the next months ahead.

ABRAHAM: But one of -- so one of the problems is just that, well, we had food -- it was in Kosovo.

TAFT: Some was -- 1,000 metric tons was in Kosovo. Some was in Serbia. We had a lot in Bar -- the port of Bar, and it's still there in Montenegro. Plus we had food on the high seas and call-forwards around the world. The World Food Program did. So that's not been -- that's not been the problem. Right now is just how do you get enough food up one road going up into Albania, which is the same road that you need to bring people down on to get them away from the border.

So it's -- it's going to be probably more difficult if we don't have NATO around to construct yet again lost more tents, but I have been assured that if we need them for another surge, they will do whatever is necessary.

ABRAHAM: The last question I'm going to ask, and it's just sort of to follow up on your comments with regard to Guantanamo and the possibility of temporary resettlement there to meet America's commitment. You indicated that that -- you don't foresee the likely need for that at this point. If this overflow -- if there was an overflow from people who are -- who have been prevented from leaving were to take place, is it likely that would trigger the need to ...

TAFT: I think it would -- I mean, depending on how big an overflow it is.

ABRAHAM: Sure.

TAFT: I do believe it would. Now, what we need to do right now, and I really do need guidance from the committee here and the House Judiciary Committee, too. There are a variety of ways to bring refugees in. There are a variety of ways to protect refugees off-shore. And, you know, whether it's parole; whether it's temporary protected status; whether it's bringing people in as refugees with a round-trip ticket to go back home -- we have a variety of options.

The bottom line is: How do we process -- whatever we're going to do -- how's the best way to process it? And I come out right now that we will probably need to process people closer to home than -- we certainly can't do it in Albania. It's too dangerous. You don't have the infrastructure, and Macedonia would be difficult. So we might have to bring them to Guantanamo and process them in for whatever status they might have in the United States. We really need to think through this and what would make the most sense.

In the meantime, we are going to try to collect as much data information we can about people who do have relatives, and that if we find these people, we will be ready to move with those that would more likely want to come to the United States. But I don't think we're there yet. You know, I really think we have to talk about it, and we want to have these contingencies. That's why we have Guantanamo as a contingency. But let's hope we don't need to have it.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

ABRAHAM: Well hopefully that's true. You know, the other issue I know that may be raised in the next panel is the question of whether or not it's more cost efficient, as opposed to the costs that would be involved in bringing people to Guantanamo and housing them there in a humane way, to perhaps support the housing of people in closer -- perhaps in Albania or other places where right now they may have reached a limit, but with assistance perhaps less expensive costs than would be incurred if we ...

TAFT: We're doing that. We are doing that.

ABRAHAM: How much do we have -- I mean, in other words ...

TAFT: We have identified the sites. We have identified the sizes of the encampments we would have.

ABRAHAM: Sure.

TAFT: DOD just needs to figure out how they're going to pay for it, and I need to have money to pay for the social services of the NGOs inside of it, but we have planned to go ahead with that. And so anything ...

ABRAHAM: Would that be an option, though, for the 20,000 ...

TAFT: Yes sir. Yes sir. But you know, if 700,000 more come out, 20,000's a drop in the bucket. You know?

ABRAHAM: Sure. No, I understand.

TAFT: So we really have to have broader contingencies, but what we're doing now is responding to the interests of the Albanians, the plea of the UNHCR, and the plea of the refugees themselves that they want to stick close to Kosovo.

ABRAHAM: I agree.

TAFT: So we're going to do this 20,000 -- well, it's not a big camp of 20,000, but several locations. And we will pay for it and we will get that up and running and it is in process of the design, and hopefully will be up in just a few weeks.

ABRAHAM: OK. Well, I'm going to end questions for this at this time. I'm certain we will continue to work together with your office and our committee, and also perhaps follow up with additional hearings at appropriate points, if that's called for. But we appreciate what you're dealing with right now, and I think frankly having this hearing was in part, for us at least, an opportunity to catch up a little bit; also to expose people here to exactly the magnitude of the challenge you confront.

And so what I will do is leave the record open, since a number of our colleagues had to leave, for additional questions they may want to submit to you in writing, although perhaps some of that will happen just as a matter of our ongoing relationship.

So thank you very much. We have a third panel and what we're going to do is take -- is to adjourn until one-thirty, and then we will start up again at that time so people can have an opportunity to make some lunch plans as well as other accommodations, and then we'll begin again.

The meeting is temporarily adjourned.

(RECESS)

ABRAHAM: The hearing will resume at this time. Let's begin by welcoming our audience here, who stayed with us, or perhaps just arrived.

We have one panel remaining, and I appreciate -- want to thank the panelists for the patience they've shown, both to stick it out this long, and also to agree to this interruption for the -- for the break we too.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

We stressed, I think, in the last panel that this is an issue that certainly is not going to consume only one day of attention from this subcommittee. I expect we'll be on this issue, or the issue of the refugees here from Kosovo, for some time. And so we may well be inviting the people back on other occasions.

But right now we'll hear from our panel which includes two representations from organizations that have been very important with respect to this crisis. We'll hear first from Bill Frelick, who is the senior policy analyst for the United States Committee for Refugees; and then we'll hear from Maureen Greenwood, who is the advocacy director of Amnesty International for Europe and the Middle East.

Again, I think that -- in light of the fact that there aren't a lot of other senators likely to attend, we'll now put the lights on here. We would ask you to keep the length of your remarks reasonable, but we're not going to keep you to a five-minute limit if there's important information we should share.

So, we'll start with you, Mr. Frelick, thank you for being here.

FRELICK: Thank you, and I will submit my written remarks for the record.

ABRAHAM: Without objection, that will be included.

FRELICK: And what I'd like to do is to just make a few highlights, bearing in mind especially the testimony that you've already heard today and I think we're all very impressed with that and note that.

The situation has been incredibly fluid, and what I might have said here last week when we were first planning this session, and what I say today could be very different. Our priorities have shifted throughout.

The -- I think that the real -- the real turning point was the unilateral declaration of the cease-fire by Milosevic, accompanied by the absolute closure of the border at that point. If there was ever any doubt prior to that that this was a mass expulsion, that this was a spontaneous movement based on the bombing campaign alone, those doubts were laid completely to rest.

And I think that we can mark that as a changing point in terms of the improvement of the situation for those people who had managed to escape up to that point. But it also presents a grave warning for the safety of the people who are left inside Kosovo today. And so I'd like to address both of those groups.

First, looking at the refugees outside the country, as has been mentioned earlier today, and I would reiterate, what -- because the situation is so unstable and so unpredictable, we need to be preparing now for the next influx. And one issue that we have heard addressed is the pre-positioning of aid and assistance, and the pipeline of aid to these very inaccessible areas.

But the other that I think we really need to underscore is the issue of protection at the border so that we don't have a repeat of the conduct of Macedonia when they were treating refugees, traumatized people, in extremely summary fashion, in a deplorable fashion, really, given the conditions. I would take issue, although I agreed with most everything that Julie Taft said earlier, when she used the word "processing" to describe the herding of these people in the dead of night; without UNHCR; without any transparency; and splitting up families. I think that was a poor choice of words.

What we need to do now, beyond focusing on the camps -- I think we've put a great deal of focus on the camps this week, and getting assistance to the camps. That's fine. That's one thing. And the camp that was mentioned to you in particular that's the Macedonian government-run camp is a cause of great concern.

However, I would like to draw your attention to the need, the critical need to support refugees who are staying in private homes. It's the culture of the Balkans not to keep people in camps and to get them into private homes as quickly as possible. We've seen that in Croatia. We've seen that in Bosnia. And yes, we've seen it in Serbia as well -- Serbs opening their homes to Serbian refugees.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

In Macedonia, according to the latest figures that I have, 60 percent of the refugees are actually staying in people's homes. And in Albania, even more remarkable, in this short period of time it's up to 80 percent now that are actually in people's homes.

I myself have slept in the private homes along the northern Albanian border -- extremely poor people, houses filled with refugees. They made a little more space available for me coming up there. I know the kind of hospitality. I know the ethnic solidarity for this region. And what we need to do is to facilitate that and to promote that. There's not enough -- we're getting enough food into the camps. We don't have enough food going into these people's homes so they can keep them open. And that's something that I think is extremely important.

I also want to simply mention that -- and I think the government has come around on this -- that the idea of having a massive evacuation to third countries, including to the United States, really puts the cart before the horse in the way that you approach a refugee emergency. And I don't want to dwell on that, but I do want to say in particular that Guantanamo is still on the table. Whatever improvements they're talking about making to it, which would certainly be welcome, it's still a rights-free zone. A baby born there is still a stateless person.

We're taking people who are traumatized; who need succor; who need healing; who need support -- and you isolate them out there. And I think that that's the wrong way to treat people. It's not a humane thing to do. No matter how you sugarcoat Guantanamo, it's still Guantanamo, and I've been there as well.

So I think the emphasis has to be the traditional emphasis. In refugee emergency, it's providing asylum, safe asylum in the region; getting assistance there as quickly as possible; and then helping the local community to try to build the infrastructure. They need sewage lines. They need water piping. They need roads; electricity -- you name it. We could be putting a great deal of money into that.

If the people are able to return home quickly, which you heard from all the refugees here, and that I've heard from refugee testimonials as well, that's what they want to do. They want to return home. Then fine -- then you've rewarded Albania and possibly Macedonia for their good behavior; for their generosity.

But if this becomes an even more protracted conflict; and if they can't go home soon, you want now to begin creating the opportunity for local integration so that people will be able to remain in the region where they share the same culture.

I'd like to turn my attention now to the question of internally displaced people. I was heartened to hear the questions that Senator Schumer was asking earlier today. These are the same questions that we've been asking ever since that border was closed.

What we see are all the signs of a genocide, an impending genocide or a genocide that's ongoing. Genocide does not have to be massacres and gas chambers, although we may well hear quite a bit of evidence about massacres. And again, speaking from personal experience, I was outside of Srebrenica and Jeppa (ph) when they fell. I was interviewing refugees as they came out of the woods. I interviewed the women who were separated from their men just hours before, and of course they've never seen those men again. I remember that very clearly.

There's a track record here and in tracking genocide, we have to be aware of the willingness, the intent, as well as the capacity to commit genocide, and we're seeing both occurring now.

So one thing is massacres, the other is expulsion. Milosevic has already succeeded in expelling 25 percent of the population. But what I want to focus on today is the question of starvation -- using food as a weapon. In Bosnia, we saw a tactic and we saw it again and again and again, where Serb forces surrounded areas, besieged them, shelled them, and cut them off from food. That was the strategy. Rarely did troops engage each other in direct battle. That's not the way the war in Bosnia was fought. The targets were civilians. They were not combatants and the tactic was to besiege them and to starve them out.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

What I saw last year when I was in Kosovo was a systematic campaign to deprive and to deplete the food resources in Kosovo, and I want to just highlight four or five of the points very quickly that were used at that time, and we can see the effects today.

First, there were severe restrictions on basic commodities moving into Kosovo from Serbia proper. I went in on an international rescue committee vehicle. It was thoroughly searched. Every box was opened. We had humanitarian daily rations. They opened up every single box and examined every one of them. Commercial trucks had a very, very difficult time getting through, and on page eight of my written testimony there is a list of the controlled commodities, which includes just about everything that you need to live.

Secondly, there was a scorched earth campaign; pretty well documented, but most people were focusing on the direct atrocities that were committed against people. I'd like to draw your attention to the burning of fields, the destruction of crops, burning of haystacks, burning of food stores themselves, killing of livestock. Paramilitaries went through, killed livestock, and dropped their carcasses into wells to contaminate the water.

Next was a sniping campaign. Serb snipers prevented ethnic Albanian farmers from harvesting their crops. So even if aerial photography was showing the crops were full, the crops couldn't be harvested. And for the spring planting, for the crops that should be coming up now or soon, they were not able to do the planting for the same reason -- fear of snipers and the actual shooting of farmers when they went out to their fields.

And finally, there were the creation of 300,000 internally displaced people last year. And what those people did was they stayed in the private homes of other people and they ate their winter stocks.

So between destruction of food, consumption of food, and the prevention of production of food, we had a systematic campaign to deplete the food resources of Kosovo such that Kosovo became completely dependent on the provision of humanitarian aid from outside sources. And we've gotten some indication from Julia Taft about what that pipeline looked like.

The situation now is that that pipeline has been completely and utterly destroyed. Those food warehouses have been looted and burned. None of the agencies that were operating there, including the International Committee of the Red Cross, UNHCR, all of the nongovernmental organizations that are international, plus very importantly, the local NGOs that did heroic work there last year -- they've all been either removed from the country or in the case of the local ones, completely decimated.

So now we're faced with a critical food situation, and this brings the question of the fatal miscalculation that we're still seeing today; we saw in President Clinton's remarks yesterday, about grinding down the Serbs; we saw in the lead editorial of the New York Times yesterday about wearing out the Serbs. This is a war of attrition. We're hitting the supply lines of the Serbs. But you -- in the time it's going to take for a bombing campaign to grind down the military machine, that -- these people will be dead.

The discussions about the decision to deploy these helicopters -- even after that decision was made -- we're told that it will take another month for them to come in. We don't even have a decision on ground troops yet, and we were told in that same New York Times editorial that for just 70,000 troops, and I've heard talk of 200,000 before they would enter, that that would take another six weeks before they could be deployed.

So the military timeline is completely out of sync with the humanitarian needs in Kosovo. And I think that is the reality that we're staring in the face right now. Civilians will starve before men with guns; before soldiers.

So what do we do about it? We're all grappling with this question and I, as I say, I appreciate Senator Schumer's concern. I know all the reasons -- I've heard all the reasons for not doing food drops. However, I think that we need to bust food in there through the air, through the ground, however we can do it, to get food in as quickly as possible.

I would caution against the creation of safe havens. And I do this because we have a very unhappy history with safe havens per se. They've been a half measure. They've been death traps. They've been used to prevent

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

people from seeking asylum abroad. And what we've seen, whether it be in Srebrenica in eastern Bosnia, or Kadejo (ph) in southwestern Rwanda, or Urbile (ph) in northern Iraq is that people there are not genuinely protected and they can actually be subject to massacres as well.

So time is not on our side. And I think that what we have to do is a rapid deployment of troops to come to the rescue of starving people and people that are on the executioners block in Kosovo. Julie Taft said one other thing that sort of caught me the wrong way. She talked about the responsibility of Milosevic for his people.

The fact of the matter is, Milosevic does not see the ethnic Albanians as his people. If we keep maintaining the fiction that these are his people, and we keep assigning responsibility and expecting him to act responsibly towards them, we are going to be faced with an immense tragedy. We have to make the decision that they are not his people. They don't want to be his people. He doesn't want him to be -- he doesn't want them to be his people. And we need to draw the line and realize that Serb police and ethnic Albanian civilians don't mix.

Thank you very much.

ABRAHAM: Thank you, Mr. Frelick. We'll now turn to Ms. Greenwood. Thank you for being here, and again I apologize for the delay in getting this panel started.

GREENWOOD: Mr. Chairman, thank you for inviting me here today to discuss the Kosovo refugee crisis. I think it's so important that you are paying attention to this issue.

For the last three weeks, we've all watched the images of these refugees flash across our TV screens -- a lost child, a mother's tears, an exhausted man's blank face. Each of these pictures is a fleeting glance at a very dark nightmare come to life.

We've already heard extensive details about what's happening actually to the refugees. Many of the points that I wanted to make have already been mentioned, and they're in my written testimony which I submit for the record.

ABRAHAM: It's all in the record.

GREENWOOD: But I did want to focus on international norms for treatment of refugees, and U.S. responsibilities.

The refugees in northern Albania currently have eyewitness tales of systematic extrajudicial executions carried out by Yugoslav and Serbian security forces and paramilitary groups. In short, Yugoslav security forces and paramilitary units are conducting a calculated campaign of mass expulsion and refugee crisis is a direct result of these policies.

Now, while Kosovo is mainly just come to American attention in the last few weeks, Amnesty International for the last 10 years has been calling it a human rights crisis, and trying to alert the world about its potential to explode. Ever since Yugoslav President Slobodan Milosevic dissolved the autonomy of Kosovo and disbanded the parliament in 1990, Amnesty has been talking about systematic human rights violations, including torture, ill-treatment by police, death in police custody, unfair trials for political prisoners.

The frustration and anger built up in Kosovo and it's precisely because these long unaddressed grievances have erupted in this kind of anger that has led to the violent conflict.

None of the abusers for the past 10 years in human rights violations in Kosovo have yet been brought to justice. Amnesty International has people in the field right now directly taking testimony from refugees. We're also going to be monitoring the treatment of refugees in Europe and if they go to any other places.

One thing about that terminology -- yes, the refugees said that they would prefer to be called deportees, but we are also calling them refugees as Assistant Secretary Taft noted, because refugees means that they have certain legal rights according to the 1951 United Nations Convention on Refugees.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

GREENWOOD: The treatment of refugees is governed by clear legal standards, all of which the U.S. has accepted. These are the following principles: Macedonia, Albania, and Montenegro are obligated to allow all refugees at their border to enter and to provide them with protection, at least until other solutions are found such as voluntary resettlement to a third country or voluntary repatriation when it is safe to do so. Refugees must be accorded basic rights such as access to termination procedure for status and respect for the principles of family unity, reunification, and choice. No refugee can be moved to a third country involuntarily. Other countries must share in the responsibility for protecting refugees. The principle of Non Refuma (ph) is the cornerstone of refugee protection. Refugees should not be returned to their country if they have a well-founded fear of persecution.

From the outset of the crisis Amnesty International has called on the international community to provide adequate assistance for countries neighboring Kosovo including offering resettlement opportunities. But the wishes of the refugees must come first. They need to be respected and must be foremost in any consideration of what happens. We are keenly aware of the enormous stress that the refugee crisis has placed on Kosovo's neighbors, and we welcome the offers that have come from third countries to assist in relocating some of these refugees. However, we strongly condemn the involuntary nature of the significant number of these relocations carried out by the Macedonian authorities, as well as the fact of family separation. That topic has already been discussed today.

Other governments are expected to admit Kosovar refugees under a temporary protection agreement. We are troubled by the lack of international consensus regarding the meaning of temporary protection. For instance in Bosnia-Herzegovina, temporary protection was used as an excuse in some cases to forcibly return Bosnian refugees before it was safe for them to go home. We believe that any temporary protection status should not be used as a means of circumventing full refugee status, and the U.S. Government has an important role to play in standard setting in terms of influencing its European partners in the treatment of refugees.

We also have related concerns about the suggestions that have been advanced about Guantanamo. I understand that the plans are currently on the back burner. Amnesty representatives have visited Guantanamo on several occasions when it housed Cubans and Haitians, the last time in November 1994. Rather than being a place of welcome and despite the best intentions of the military, Guantanamo had many of the attributes of a prison camp with concertino wire and restrictions on movement. It is unacceptable to confine these refugees for the duration of their stay in the U.S. to Guantanamo. They should have the right to full and fair U.S. asylum determination procedures once they are under the control of the U.S. authorities. Neither Guantanamo, nor Guam, nor any other U.S. territory should be used as a dodge to evade U.S. obligations under its own and international law. While in most major displacements most refugees prefer to go home, the international community has a responsibility to offer these refugees protection if that is what they choose.

Finally, the terrible cost of this human rights and humanitarian catastrophe demands once again that we seek more effective ways to address chronic abuses of universally recognized human rights before they explode into civil wars, uncontrollable hatred or genocide. For many years Amnesty has been documenting the human rights abuses in Kosovo. We can't help but wonder how things might have been different if the U.S. Government and its allies in Europe had devoted a little bit more sustained and serious attention to these abuses over the last 10 years. What if Western Government had spoken more strongly and more consistently against the repression of the Serb independent media, non-governmental organization, and Serb dissidents and against the repression of Albanian institutions and culture in Kosovo? Perhaps this crisis could have been avoided if NATO Government had promoted peaceful resolution to the conflict in Kosovo much earlier. Perhaps the ethnic Albanians would not have been persuaded to join the KLA and resort to violence.

If the U.S. and its allies had denounced the atrocities committed by Croatian forces against Croatian Serb civilians in 1995 and 1996 and had pressured the Croatian Government to pursue justice for the victim, perhaps the Serbs would cling a little less ardently to the conviction that they have been victimized by the West. If the international community had embraced more vigorously the work of the International Criminal Tribunal for War Crimes in the former Yugoslavia, perhaps some of those now conducting some of the human rights violations such as Arkan would now be arrested.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

We will never know for sure about these what ifs, but I urge the U.S. Government to ensure that we consider questions like these before they turn into crises. What can the U.S. Government do now? One thing that the U.S. Government can do is to share all intelligence including satellite photos and Yugoslav Security Force radio communications with the International Tribunal as Senator Kennedy mentioned the need to share information with the Tribunal. The Tribunal has told Amnesty and it has been reported that they have been greatly disappointed with the amount of intelligence that they are receiving, which is what Graham Bluit (ph) the Deputy Prosecutor said last week.

Secondly, NATO Forces need to arrest incited war crime suspects. Third, we need sufficient financial support for the Tribunal. In addition, U.S. support for International Criminal Court would also be a factor in deterring abuses and the lack of such support is regrettable. The U.S. Government needs to take the lead in refugee protection and in human rights throughout the world. Thank you.

ABRAHAM: Thank you both. I guess there are a lot of questions and we may submit some of them in writing and we will keep the docket open for other members as well. But let me just ask one question before we adjourn here and you leave U.S. Each of you, I think, has expressed great concern about the possibility of trying to bring people to Guantanamo or some other location far removed from Kosovo. What would you - succinctly, what do you think would be a more sensible approach for U.S. to take, which would at the same time maybe meet the commitments that have been made by the United States, yet at the same time be more humane and more perhaps appropriate for the people who are refugees?

FRELICK: Well Albania, I think we need to understand has made an offer with no ceiling, no upper limit, that they would take as many refugees as come including refugees that would be expelled from Macedonia. So there is a remarkable offer that you don't often find in a refugee crisis of this magnitude. A neighboring country that shares the culture that is in very strong solidarity with the refugees themselves that says just give U.S. the wherewithal and we will do it. We will double up, triple up, quadruple up. So I think what we really need to do is to help the Albanians build their infrastructure. Give them building materials if it comes to that. Give them all the support we possibly can.

I was very gratified to hear Julia Taft talk about the actual plans now for building a camp, which I think we should think of in terms of a transit camp with transitioning people into private homes to the extent possible. That is where I would put my emphasis entirely. If it comes to a more protracted issue, because I think even on an emergency basis we can keep them there, we can manage to do that particularly now that we have the kind of presence that we have there. If it comes to a protracted situation where people cannot return home, at that point I think we could talk about various avenues for bringing them to the United States through our refugee resettlement program which you are very familiar with, Parole Authority if that is the appropriate vehicle to use on an emergency basis for medical evacuations and that sort of thing. I would just reiterate we are not at that stage now. It complicates the issue incredibly to try to do this kind of massive evacuation when you are really trying to get the assistance on the ground.

UNKNOWN: Yes, I also just have to say, it seems to me if you begin the process of taking people and displacing them far away from Kosovo that you, almost seems to me, encourage the continued forcing out of people and make it more and more difficult to produce a situation where everybody ever goes back.

FRELICK: It certainly seems to me to send the wrong signal to Milosevic.

UNKNOWN: My sentiments but I don't want to preempt, so please Ms. Greenwood if you would comment on that as well.

GREENWOOD: I would say the Amnesty position is similar but not entirely the same as what Bill said. Essentially, although it is preferable probably both from the refugees point of view and for other reasons that they be in neighboring countries, we also believe that the refugees have a right to choose. There is a responsibility sharing in terms of the entire international community in terms of resettlement. We would see Guantanamo as an option for extreme short term as well as options to the U.S. mainland, but we would just object to Guantanamo if it was over an extended period and they were not allowed access to asylum processing procedures.

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

ABRAHAM: Were you surprised at that proposal when you heard it given the previous experiences with Guantanamo?

FRELICK: I would say that when I first heard it which was -- again situations change - when I first heard it there was a huge mass of people at the border. There were more people behind them that we knew about and it didn't look like there was going to be a stop in the flow. We didn't know about the clarity of the Albanian offer as we thought they had reached their capacity and the Macedonians were blackmailing the international community at that point to put it frankly.

So it was an ad hoc response, it was a hurried response for understandable reasons, and I think that we need to again, as you indicated in your questioning of Julia Taft, we have to be somewhat charitable and second guessing what they were doing at that time. I think we are in a different situation now. I applaud the flexibility of people in the MSC and State Department and whatnot who didn't feel that they had committed themselves, painted themselves into a corner, and felt that they had to just go on auto pilot here and are willing to reconsider this. I think that we need to applaud that flexibility.

GREENWOOD: Yes, we were surprised. Most of our European allies don't have Guantanamos where they can bring refugees in, and if we are trying to model good behavior with our colleagues of the treatment of refugees, Guantanamo is certainly a strange option.

ABRAHAM: Well I want to thank you both again for helping U.S. with this. We will obviously be continuing the process of both monitoring what is happening and trying to help in the crafting of solutions. With the uncertainties that exist in any kind of war it is very hard, as you both have said, to ascertain today where we are going to be in another week to two weeks and a lot of views may change. I think we should in some sense establish for the record that there has to be a lot of flexibility here because we really can't prejudge things too far down the road.

Hopefully as I have said and maybe in just sort of summary remarks about today's hearing, we have sent out strong signals to people who have had doubts about the depth of the problems and the atrocities that have been committed. In fact today we have established clearly that no one should be in the dark any longer. I think we have established that there is a strong bipartisan willingness on the part of this committee and I think probably the broader Judiciary Committee in the Senate certainly to try to work together to provide assistance to find solutions. But we will need the ongoing involvement and ideas of people who are interested in and have experience with these refugee issues and other issues that pertain to this type of tragic condition.

Certainly as the Chairman of the committee, I am very interested in reaching out to as many people as possible who want to help. I am hopeful that we will see the generosity of our country on display here, not just in terms of what government can do, but as we have already begun to see what individuals can and will do. With that I thank this panel. I thank the audience and our earlier panels as well and we will adjourn the hearing at this time.

END

Notes

Unknown - Indicates Speaker Unknown

Inaudible - Could not make out what was being said.

off mike - Indicates could not make out what was being said.

Classification

Language: ENGLISH

U.S. SENATOR SPENCER ABRAHAM (R-MI) HOLDS A HEARING ON THE CRISIS IN KOSOVO

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