COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Parliamentary Assembly
Assemblée parlementaire

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Latest developments in the Federal Republic of Yugoslavia and the situation in Kosovo

Report
Political Affairs Committee
Rapporteur: Mr András Bársony, Hungary, Socialist Group

Summary :

The latest political developments in the Federal Republic of Yugoslavia (FRY) – and in particular the situation in Kosovo – represent a threat to the stability of the country and of the Balkan region as a whole. The Assembly is concerned about the growing influence of political extremists in the FRY, as demonstrated by the participation of the Serb Radical Party of Mr Seselj in the new Serbian government. The continuing tensions in Montenegro should be resolved through political dialogue. The parliamentary elections in Montenegro, scheduled for 31 May 1998, will be an important indicator of respect for democratic standards. Without pre-judging the outcome of the negotiations, a long-term solution to the crisis in Kosovo can only be found on the basis of a greater autonomy for Kosovo, within a democratically reformed FRY. Such autonomy should guarantee respect for the rights of all ethnic groups in Kosovo. The Assembly repeats its call for an immediate start of unconditional negotiations.

The Assembly recommends that the Committee of Ministers examine, in close co-ordination with the United Nations, the OSCE, the European Union and the Contact Group, ways in which the Council of Europe could facilitate contacts and assist in talks between the Yugoslav authorities and the Kosovo Albanian community ; and decide on a follow-up to be given to the Yugoslav request for Council of Europe membership in the light of progress made by the FRY authorities in complying with the requests by the international community, notably with regard to Kosovo.

I. Draft recommendation

1. The latest political developments in the Federal Republic of Yugoslavia (FRY) – and in particular the situation in Kosovo – represent a threat to the stability of the country and of the Balkan region as a whole.

2. The Assembly reiterates its position expressed in Recommendation 1360 (1998) on the Crisis in Kosovo and in Resolution 1146 (1998) on Recent Developments in the Federal Republic of Yugoslavia and their Implications in the Balkan Region.

3. The Assembly is concerned about the growing influence of political extremists in the FRY, as demonstrated by the participation of the Serb Radical Party of Mr Seselj in the new Serbian government.

4. The continuing tensions in Montenegro should be resolved through political dialogue. The parliamentary elections in Montenegro, scheduled for 31 May 1998, will be an important indicator of respect for democratic standards.

5. The Assembly re-affirms its position that, without pre-judging the outcome of the negotiations, a long-term solution to the crisis in Kosovo can only be found on the basis of a greater autonomy for Kosovo, within a democratically reformed FRY. Such autonomy should guarantee respect for the rights of all ethnic groups in Kosovo. The Assembly repeats its call for an immediate start of unconditional negotiations.

6. It welcomes the beginning of the implementation in Kosovo of the 1996 education agreement, which should contribute to a more favourable political climate for any future talks.

7. The Assembly welcomes the constitution of the delegation of the Serbian government, which includes a special envoy of President Milosevic, for talks with representatives of Kosovo Albanian community. The delegation should be authorised to discuss solutions going beyond the existing Serbian constitution. The international community should be represented at these talks.

8. The Assembly also welcomes the constitution of a negotiating team representing the Kosovo Albanian community. It should accept to open talks with the Belgrade authorities forthwith.

9. The Assembly re-iterates its offer to assist in contacts between the authorities and representatives of the Kosovo Albanian Community. The Council of Europe has considerable expertise in the relevant areas, such as human rights, minority rights and education, which it could put at the disposal of the parties.

10. The Assembly considers that the referendum decided by the Serbian Parliament, following a proposal by President Milosevic, on the acceptability of foreign mediation does not contribute to a solution to the Kosovo crisis. The Yugoslav authorities should comply with the requests of the international community, including the mission of Mr Felipe González on behalf of the OSCE and the European Union.

11. The Assembly fully endorses Resolution 1160 of the United Nation Security Council on the crisis in Kosovo, adopted on 31 March 1998. In the light of the request by the Federal

Republic of Yugoslavia for membership, the Council of Europe should be included in consultations between the United Nations, the Contact Group, the OSCE and the European Union.

12. The Assembly takes note of the Yugoslav government's request for Council of Europe membership of 18 March 1998. However, this request can only be considered if the Federal Republic of Yugoslavia respects the principles and values on which the Council of Europe is based, and complies with the requests of the international community, notably with regard to Kosovo.

13. The Assembly calls on the authorities of the Federal Republic of Yugoslavia to:

i. empower the delegation for talks with the Albanian Kosovo Community to discuss all options for autonomy of Kosovo within the Federal Republic of Yugoslavia,

ii. agree to the presence of a foreign representative or representatives to facilitate talks,

iii. comply with other requests of the international community concerning Kosovo and the democratic reforms in the country, as contained in the relevant documents of the United Nations, the OSCE, the European Union, the Contact Group and the Council of Europe.

14. The Assembly calls on the leadership of the Kosovo Albanians :

i. to condemn and do their utmost to prevent the use of violence and arms-trafficking,

ii. to enter into talks with the delegation of the Serbian government and the special envoy of President Milosevic.

15. The Assembly recommends that the Committee of Ministers:

i. continue to deal with the situation in Kosovo as a matter of priority within the framework of its political dialogue,

ii. examine, in close co-ordination with the United Nations, the OSCE, the European Union and the Contact Group, ways in which the Council of Europe could facilitate contacts and assist in talks between the Yugoslav authorities and the Kosovo Albanian community,

iii. decide on a follow up to be given to the Yugoslav request for Council of Europe membership in the light of progress made by the FRY authorities in complying with the requests by the international community, notably with regard to Kosovo.

16. The Assembly resolves to remain actively seized on the issue and to send a delegation to visit Belgrade, Pristina and Podgorica as soon as possible.

II. Explanatory memorandum

I. Introduction

1. In the last days of February and in beginning of March 1998, almost one hundred people, mostly civilians, were killed in operations by Serbian security forces against members of the "Kosovo Liberation Army". Following these events, a high-level delegation of the Assembly, led by President Fischer and composed of the leaders of the Political Groups, as well as the chairmen of the Political Affairs Committee and the Committee on Legal Affairs and Human Rights, visited Belgrade and Pristina. The aim of the visit, which took place on 12-13 March 1998, was to discuss the crisis in Kosovo in the context of relations between the Federal Republic of Yugoslavia (FRY) and the Council of Europe. For the report on the visit see Addendum I to the progress report of the Bureau (Doc...).

2. On 18 March 1998 the Standing Committee, acting on behalf of the Assembly, adopted Recommendation 1360 (1998) on the crisis in Kosovo. In this text the Assembly expressed its full support to the decisions taken by the Contact Group on 9 March 1998 and called for an immediate start of genuine negotiations on the future status of Kosovo, based on a greater autonomy within the FRY. The Assembly reaffirmed that the development of relations between the Council of Europe and the FRY would depend on compliance with the requests by the international community.

3. On the same day, the FRY government, in a letter by the Yugoslav Foreign Minister, Mr Zivadin Jovanovic, officially requested Council of Europe membership. The letter and the related press statements by the Secretary General and the Committee of Ministers are attached as Annex 1.

4. The present report is to be discussed in an urgent procedure debate during the April 1998 part-session, requested in the light of the above developments. The Chairman-in-Office of the OSCE, the Foreign Minister of Poland, Mr Bronislaw Geremek, has been invited to take part in the debate, as well as a delegation from the Yugoslav parliament. Representatives of the Kosovo Albanian community have been invited for an exchange of views with the Political Affairs Committee.

II. *Request for Council of Europe membership*

5. The parliament of the former Socialist Federative Republic of Yugoslavia was granted special guest status with the Assembly on 8 June 1989. Following the outbreak of the war in June 1991, this status was first suspended on 25 November 1991 and finally withdrawn on 30 June 1992.

6. On the occasion of the Assembly's high-level visit to Belgrade, the FRY authorities expressed their interest in closer relations with the Council of Europe. They said to be ready to adhere immediately to certain legal instruments, such as the European Convention on Human Rights, the Framework Convention for the Protection of National Minorities and the European Charter for Local Self-Government.

7. The Foreign Affairs Minister, Mr Jovanovic, confirmed to the Assembly delegation that the request for membership was imminent, and that the authorities intended to resolve the Kosovo crisis on the basis of Council of Europe standards in the field of minorities and local autonomy.

8. On 25 March 1998 the Ministers' Deputies took note of the formal request for membership. They decided to inform the Council of Europe Assembly of this request, and agreed to resume consideration at a later meeting. On this occasion the Deputies noted that several aspects of the present situation in the FRY, in particular in Kosovo, were a cause for great concern. The Assembly was not asked to prepare an opinion on the request and only an informal exchange of views between the Assembly and the Committee of Ministers was prepared for the Joint Committee during the April 1998 part-session.

III. The Bonn meeting of the Contact Group (25 March 1998)

9. Following the expiration of the 10-day deadline for compliance with the requests drawn up at the meeting in London on 9 March 1998, the Contact Group held a second meeting on Kosovo in Bonn on 25 March. The Contact Group's statement of 9 March had asked for withdrawal of the special police units, access to Kosovo to the representatives of international community, a public commitment to begin unconditional dialogue with the Kosovo Albanian Community and a constructive co-operation with the Contact Group.

10. The Group's statement of 25 March noted some progress, notably on dialogue and the implementation of the education agreement, but concluded that further progress was necessary.

11. It called for a rapid opening of substantive negotiations with the participation of an outside representative or representatives. Pending this, the Group decided to maintain and implement the measures announced on March 9, including seeking adoption of the arms embargo by the UN Security Council.

12. The FRY authorities were told that the resolution of the serious political and human rights issues in Kosovo was a pre-condition to any improvement of country's international standing. On the other hand, concrete progress on these issues would improve its prospects for normalisation of its international relationships and full rehabilitation in international institutions.

13. President Milosevic was urged to accept the mission of Mr Felipe González, which would open the way to address the potential for FRY participation in the work of the OSCE.

14. The Group decided to meet again in 4 weeks time (on 25 April 1998) to reassess the situation.

IV. UN Security Council Resolution 1160

15. On 31 March 1998 the UN Security Council adopted Resolution 1160 (1998), banning the sale or supply to the FRY of arms and related materiel. The vote was 14 in favour to none against, with one abstention by China. The integral text of the resolution is attached as Annex 2.

16. The resolution endorsed the statements made by the Contact Group on 9 and 25 March 1998 and the decisions of the OSCE permanent Council of 11 March 1998.

17. It called upon the Belgrade authorities and the leadership of the Kosovo Albanian community to "enter without preconditions into a meaningful dialogue on political status issues," and expressed support for "an enhanced status for Kosovo, which would include a substantially greater degree of autonomy and meaningful self-administration".

18. The UN Secretary General was asked to keep the Security Council regularly informed and to report on the situation in Kosovo in 30 days following the adoption of the resolution and every 30 days thereafter. Secretary General's reports should take into account the assessments of, inter alia, the Contact Group, the OSCE and the European Union.

19. The Prosecutor of the International Criminal Tribunal for the former Yugoslavia was asked to begin gathering information related to the violence in Kosovo that might fall within its jurisdiction.

20. The resolution emphasised that failure to make constructive progress towards the peaceful resolution of the situation in Kosovo would lead to the consideration of additional measures.

V. The position of the FRY authorities

21. The threat of sanctions after the 9 March meeting of the Contact Group forced the FRY authorities to a number of concessions.

22. The long delayed implementation of the education agreement, signed in September 1996, and was finally agreed on 23 March 1998.

23. A negotiating team, headed by the deputy Prime Minister of Serbia, was set up and sent to Pristina for talks with the Albanian community and other ethnic communities living in Kosovo. While cautiously welcoming this move, the international community expressed criticism concerning the fact that the team represented the government of Serbia and not the federal authorities. This was partially remedied through the appointment of a special representative of President Milosevic to the team, although without specifying what his mandate would be.

24. On 7 April 1998 the Serbian authorities launched yet another (their tenth) public appeal for dialogue. A delegation sent to Pristina was for the first time headed by the Serbian president, Mr Milutinovic. As on the previous nine occasions, the leadership of the Albanian community again refused to meet with the Serbian delegation. It claimed that the other side

insisted on talks within the framework of the existing Serbian constitution, which was a pre-condition and thus not in line with the requests of the international community.

25. The authorities agreed to grant unimpeded access to Kosovo, included to the Drenica region, to representatives of the ICRC and foreign diplomats.

26. No security operations on the scale seen at the end of February and the beginning of March have been carried out after the 9 March meeting of the Contact Group. Anti-terrorist police units of the Serbian Ministry of Interior have been withdrawn to the barracks in Kosovo, while special units of the regular police remained deployed throughout Kosovo.

27. However, the acceptance of the extreme nationalist Radical Party as a coalition partners by the ruling Socialists marked the beginning of a more hard-line attitude of the authorities vis-à-vis the international community.

28. The new Serbian government was formally inaugurated on 24 March 1998. The entry of Mr Seselj's ultra-nationalists came as a last minute surprise, when months long negotiations with Mr Draskovic's Serb Renewal Party finally collapsed. The ruling Socialists had previously been – at least publicly - categorically opposed to any co-operation with Mr Seselj. The Radicals were given 15 out of 36 ministerial posts, including a Deputy Prime Minister post for Mr Seselj.

29. With the new Serbian Government in place, President Milosevic has become even less co-operative, and has refused to meet with a number of international envoys, including with the United States Special Envoy Mr Gelbard. He also categorically refused any role of the international community in the resolution of the Kosovo crisis, including the mission of the Personal Representative of the OSCE Chairman-in-Office and EU Special representative, Mr Felipe González.

30. On 2 April President Milosevic, in an open letter sent to the President of Serbia, President of the Serbian parliament and the Serbian Prime Minister, called for a referendum on foreign mediation in the Kosovo crisis. President Milosevic argued that such a referendum would be an opportunity to prove that the existing policy with regard to Kosovo was not determined by personal or party interests, but based on the interest of all Serbian people. This, according to President Milosevic, would be the best way to refute cynical and interventionist pressures exerted by the international community. President Milosevic finally proposed the wording of the question to be put to voters: "Do you agree to the participation of foreign representatives in the resolution of the problem in Kosovo and Metohija[1]?".

31. The initiative was launched accompanied by an aggressive media campaign in state dominated press and notably on the state television. It received immediate support by the ruling Socialists, their coalition partners Radicals and the Serbian Renewal Movement of Mr Draskovic. The three have an absolute majority in the Serbian parliament, which is empowered to decide on the holding of a referendum.

32. The Serbian parliament on 6 April first changed the law on referendums. The delay in which a referendum could be convened was shortened from 30 to 15 days, in order to allow for its taking place before the next meeting of the Contact Group.

[1] Kosovo and Metohija is the official name for the region, in use since the changes of the Serbian constitution in 1989 and 1990

33. The following day the parliament decided on the holding of the referendum, now scheduled for 23 April.

34. The President of the Assembly reacted to this decision in her statement of 8 April, which is attached as Annex 3.

35. The referendum was strongly criticised by the democratic opposition parties such as the Democratic Party of Mr Djindjic, the Civic Alliance of Mrs Pesic and several regional parties in Vojvodina.

36. The authorities' policy on Kosovo has also been widely criticised by the new Montenegrin leadership. While agreeing that Serbia's borders should not change, the President of Montenegro, Mr Djukanovic, rejected the proposal for a referendum and publicly supported foreign mediation. This position should be seen against the background of the on-going tensions between Belgrade and Podgorica. Many fear that these tensions could culminate on the occasion of the elections for Montenegrin parliament, planned for 31 May 1998. Mr Milosevic, in his new capacity as the federal president, needs a loyal regime in Montenegro. If his ally Mr Bulatovic fails to regain power at the forthcoming elections, President Milosevic's position would be seriously weakened.

VI. The position of the leadership of the Kosovo Albanian Community

37. For the second time "presidential" elections and elections for the self-styled "parliament of the Kosovo Republic" were held on 22 April 1998. Boycotted by many of the political parties of Kosovo Albanians, they were dominated by the Democratic Ligue of Kosovo (LDK), led by Mr Rugova, who himself won nearly 100% of the votes in the presidential contest.

38. Mr Rugova continued to refuse to talk to the negotiating team of the Serbian government, insisting on direct talks with the federal authorities and on the presence of international mediators.

39. Pressured by the international community, Mr Rugova on 6 April set up a four-members negotiating team to represent the Kosovo Albanian community in any future talks with the Belgrade authorities. The team included one of Mr Rugova's closest aides, Mr Fehmi Agani, who had also negotiated the 1996 education agreement. Other members were a former communist leader, Mr Mahmut Bakalli, a journalist and human rights activist, Mr Veton Surroi and the Chairman of the Human Rights Committee of the Kosovo Albanians, Mr Pajazit Nushi.

40. The team did not include representatives of the party of Mr Adem Demaci, who is a rival to Mr Rugova. Mr Demaci is more radical in approach, but more moderate in objectives. He is not a supporter of independence, but proposes instead a confederation of Serbia, Montenegro and Kosovo. However, he recently expressed sympathy for armed resistance against the authorities.

41. Although there have been recently no major confrontations between the security forces and the "Kosovo Liberation Army" (KLA), sporadic incidents, with casualties, have

continued. In the latest of such incidents, six ethnic Albanians, known as Serb sympathisers, were found dead on 6 April, allegedly executed by the KLA.

VIII. Conclusions

42. The position of the international community with regard to Kosovo, as contained in the relevant decisions by the UN Security Council, Contact Group, the OSCE, the European Union and the Committee of Ministers and the Parliamentary Assembly of the Council of Europe, as well as other international bodies, may be summarised in the following requests:

- immediate end to the violence and repression by the authorities,
- condemnation of terrorism by the leadership of the Kosovo Albanian community,
- independent international inquiry into the recent events,
- implementation of the 1996 education agreement,
- immediate start of negotiations on the future status of Kosovo within the Federal Republic of Yugoslavia, with the participation of an international representative (or representatives),
- acceptance by the FRY authorities of the mission of Mr Felipe González on behalf of the OSCE and the European Union,

43. In more general terms, the requests of the international community include the need for immediate implementation of democratic reforms throughout the FRY.

44. The international pressure exerted on the Belgrade authorities has resulted in some, albeit partial concessions with regard to Kosovo. It should be concluded that these concessions, however welcome, are far from being satisfactory.

45. The implementation of the 1996 education agreement should be welcomed as a contribution to a better climate for future talks between the two sides. It should be noted, however, that the agreement was signed almost two years ago. Similar confidence-building measures which would not require constitutional changes and could thus be implemented immediately, would be welcome. Such measures could include the resumption of broadcasting of Television Pristina in the Albanian language.

46. The Serbian government's offer for talks with the Kosovo Albanian community leadership was positive but not fully adequate as it was limited to solutions within the framework of the existing Serbian constitution. It had been through this constitution, adopted in 1990, that the Albanian community lost most of the rights it previously enjoyed.

47. The participation of the Seselj's extreme nationalist Radicals in the new Serbian government and the initiative for a referendum on foreign mediation are casting a serious doubt on the sincerity of the ruling party and President Milosevic's commitment to a search for a peaceful solution of the Kosovo crisis.

48. The continuing tensions in Montenegro, opposing allies of the federal President Milosevic and the supporters of the new Montenegrin President Djukanovic, represent an additional risk to the stability of the FRY. The forthcoming parliamentary elections in Montenegro, planned for 31 May 1998 will be essential for a democratic solution to the

existing situation. Both sides should refrain from acts that could compromise the normal conduct of these elections.

49. The interest of the FRY in closer relation with the Council of Europe has to be seen in the context of the Belgrade authorities' strategy to deal with the Kosovo problem as a minority issue only, which can be resolved without changing the Serbian constitution. However, its declared willingness to accept of Council of Europe standards and legal instruments creates a useful leverage, which can be used by the international community. For this to happen, it is indispensable that the Council of Europe, through its Committee of Ministers, becomes involved in consultations that have been established between the United Nations, the OSCE, the European Union and the Contact Group.

50. Pending the start of genuinely unconditional negotiations with the Kosovo Albanian community and compliance with other requests by the international community, conditions are not yet ripe for any formal follow-up to be given to the FRY's request for Council of Europe membership.

51. The Assembly should continue to be actively seized of the Kosovo issue. A fact-finding mission should be sent to visit Belgrade and Pristina, as well as Montenegro, to discuss the situation in the country in the light of the crisis in Kosovo.

Reporting committee: Political Affairs Committee.

Budgetary implications for the Assembly: to be assessed.

Draft recommendation adopted unanimously by the Committee on 21 April 1998.

Members of the committee: *Mr Bársony (Chairman), Mr van der Linden (Vice Chairman), Mrs Ojuland (Vice-Chairperson),* Mr Baumel(Vice-Chairman*), MM Antretter, Atkinson, Mrs. Belohorska,* MM Bergqvist, Bernardini, Björck, *Bloetzer, Chircop*, Chornovil, Daly *(alternate: Mr Aylward)*, *Davis*, Diacov, *Dokle*, *Domljan, Gjellerod*, *Gül, Hadjidemetriou*, Hornhues, *Mrs Iotti*, MM. Irmer, Iwínski, Kalus, *Mrs Kautto, MM Kirilov*, Krzaklewski, Kuzmickas *(alternate: Mr Zingeris)*, *Mrs Lentz-Cornette, MM Lopez-Henares*, Lupu, van der Maelen, Maginas, *Martínez,* Medeiros Ferreira, *Meier*, Mota Amaral, *Mühlemann, Musto, Mutman*, Nallet, *Oliynik, Pahor, Palmitjavilo Ribo*, Popovski, Prusak, *Mrs Ragnarsdóttir*, Mrs Roudy *(alternate: Mr Lemoine)*, *MM Schieder*, Schwimmer *(alternate: Mr Mautner-Markhof)*, Séguin, Selva, Shokhin *(alternate: Mr Lukin)*, Sinka *(alternate: Mr Boka), Mrs G Smith, Mrs Stanoiu*, *Mrs Stepova,* MM *Thoresen, Toshev*, *Urbain, Volcic, Vrettos, Woltjer,* Ziuganov *(alternate: Mr Zhebrovsky)*.

N.B. The names of the members who took part in the meeting are printed in italics.

Secretaries of the Committee: Mr Kleijssen, Mr Sich, Mr Gruden

ANNEX 1

Translation

FEDERAL REPUBLIC OF YUGOSLAVIA
FEDERAL MINISTER OF FOREIGN AFFAIRS

Belgrade, 18 March 1998

Dear Secretary General,

I am honoured, on behalf of the Government of the Federal Republic of Yugoslavia to submit our application to become a member of the Council of Europe and would be grateful if you would invite the Federal Republic of Yugoslavia, in accordance with Article 4 of the Statute of the Council of Europe, to accede to the Council.

As you are aware, the Federal Republic of Yugoslavia is in a position to satisfy the obligations of international law inherent in its status of sovereign and independent state.

I am honoured to affirm that the Federal Republic of Yugoslavia wishes to adhere fully to the principles, aims and objectives contained in the Statute of the Council of Europe. The Federal Republic of Yugoslavia's legal system respects human rights, the rule of law and the principle of pluralist democracy.

I am also honoured to affirm that the Federal Republic of Yugoslavia accepts, and is able to fulfil, all the obligations incumbent upon a member state.

.../...

His Excellence
Mr Daniel Tarschys
Secretary General of the Council of Europe
Strasbourg

I am happy to inform you that the Government of the Federal Republic of Yugoslavia, once it has become a member state, will accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Framework Convention for the Protection of National Minorities and several of the Council of Europe's fundamental conventions.

Yours etc

Zivadin Jovanovic

Council of Europe
Conseil de l'Europe

Press Release

19/03/98 - Ref. 186a98
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For immediate release

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Switzerland
"the former Yugoslav Republic of Macedonia"
Turkey
Ukraine
United Kingdom

The Federal Republic of Yugoslavia Seeks Council of Europe Membership

Strasbourg, 19.03.98 – The Federal Republic of Yugoslavia today applied for membership of the Council of Europe in a letter handed to the 40-nation Organisation's Secretary General, Daniel TARSCHYS, by the FRY's Deputy Minister for Multilateral Questions, Branko BRANKOVIC.

Welcoming the application, the Secretary General said he interpreted it as an expression of the FRY's desire to participate in European cooperation and to work towards compliance with the Council's human rights and democratic standards, which are essential ingredients for resolving the country's present problems.The application would open up new opportunities for dialogue, he said.

Membership of the Council of Europe implies important commitments to the other member states and to one's own citizens. It means an acceptance that the protection of human rights knows no frontiers, Mr TARSCHYS said.

As was stressed by the delegation of the Council of Europe's Parliamentary Assembly in Belgrade last week, membership also presupposes that an applicant country has brought its institutions and legal system into line with the basic principles of democracy, the rule of law and human rights. It means free and fair elections, guaranteed freedom of expression, in particular media freedom, respect for cultural diversity and observance of international law, he added.

Underscoring that admission would require signing up to the European Human Rights Convention, Mr TARSCHYS said it was crucial for the spirit of the FRY's application to be reflected in the handling of major issues on the country's political agenda, including the situation in Kosovo.

Finally, Mr TARSCHYS voiced his support for the initiatives of the OSCE and the Contact Group for a peaceful conclusion to the crisis in Kosovo.

The letter from Belgrade will now be forwarded to the Council of Europe's Committee of Ministers which will decide on the further steps to be taken.

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Founded in 1949, the Council of Europe is the oldest European Organisation. Based in Strasbourg, France, it has 40 member countries and covers every policy area except defence. It is separate from the European Union.

Council of Europe
Conseil de l'Europe

Press Release

Ref. 210b98
Council of Europe Press Service
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For immediate release

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Switzerland
"the former Yugoslav Republic of Macedonia"
Turkey
Ukraine
United Kingdom

Application for membership of the Federal Republic of Yugoslavia

STRASBOURG, 25.03.98 – The Committee of Ministers, meeting at Deputies' level, noted today the formal application of the Federal Republic of Yugoslavia to join the 40-nation COUNCIL OF EUROPE.* The Committee considered this application as a signal implying a wish to respect the Organisation's values—democracy, human rights, rule of law—throughout the territory of the Federal Republic of Yugoslavia.

The Ministers' Deputies will inform the Council of Europe Parliamentary Assembly about the application. They agreed to resume consideration of this application at a later meeting.

At the same time, the Committee noted that several aspects of the present situation in the Federal Republic of Yugoslavia, in particular in Kosovo, are a cause for great concern.

**Press release of 19.03.98*

Demande d'adhésion de la République fédérale de Yougoslavie

STRASBOURG, 25.03.98 - Le Comité des Ministres, siégeant au niveau des Délégués, a pris acte aujourd'hui de la demande officielle d'adhésion de la République fédérale de Yougoslavie au CONSEIL de l'EUROPE, Organisation qui compte actuellement 40 membres *. Le Comité a vu dans cette démarche un signal impliquant une volonté de respecter les valeurs de l'Organisation – démocratie, droit de l'homme, prééminence du droit – sur tout le territoire de la République fédérale de Yougoslavie.

Les Délégués des Ministres informeront l'Assemblée Parlementaire de ce dépôt de candidature. Ils ont décidé de se pencher à nouveau sur cette candidature lors d'une réunion ultérieure.

Au même moment, le Comité a estimé que plusieurs aspects de la présente situation en République fédérale de Yougoslavie, en particulier au Kosovo, constituent un sujet de grande préoccupation.

**Communiqué de presse du 19.03.98*

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United Nations

ANNEX 2

S/RES/1160 (1998)

31 March 1998

RESOLUTION 1160 (1998)

Adopted by the Security Council at its 3868th meeting, on 31 March 1998

The Security Council,

Noting with appreciation the statements of the Foreign Ministers of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America (the Contact Group) of 9 and 25 March 1998 (S/1998/223 and S/1998/272), including the proposal on a comprehensive arms embargo on the Federal Republic of Yugoslavia, including Kosovo,

Welcoming the decision of the Special Session of the Permanent Council of the Organization for Security and Cooperation in Europe (OSCE) of 11 March 1998 (S/1998/246),

Condemning the use of excessive force by Serbian police forces against civilians and peaceful demonstrators in Kosovo, as well as all acts of terrorism by the Kosovo Liberation Army or any other group or individual and all external support for terrorist activity in Kosovo, including finance, arms and training,

Noting the declaration of 18 March 1998 by the President of the Republic of Serbia on the political process in Kosovo and Metohija (S/1998/250),

Noting also the clear commitment of senior representatives of the Kosovar Albanian community to non-violence,

Noting that there has been some progress in implementing the actions indicated in the Contact Group statement of 9 March 1998, but stressing that further progress is required,

Affirming the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Acting under Chapter VII of the Charter of the United Nations,

1. Calls upon the Federal Republic of Yugoslavia immediately to take the further necessary steps to achieve a political solution to the issue of Kosovo through dialogue and to implement the actions indicated in the Contact Group statements of 9 and 25 March 1998;

2. Calls also upon the Kosovar Albanian leadership to condemn all terrorist action, and emphasizes that all elements in the Kosovar Albanian community should pursue their goals by peaceful means only;

3. Underlines that the way to defeat violence and terrorism in Kosovo is for the authorities in Belgrade to offer the Kosovar Albanian community a genuine political process;

4. Calls upon the authorities in Belgrade and the leadership of the Kosovar Albanian community urgently to enter without preconditions into a meaningful dialogue on political status issues, and notes the readiness of the Contact Group to facilitate such a dialogue;

5. Agrees, without prejudging the outcome of that dialogue, with the proposal in the Contact Group statements of 9 and 25 March 1998 that the principles for a solution of the Kosovo problem should be based on the territorial integrity of the Federal Republic of Yugoslavia and should be in accordance with OSCE standards, including those set out in the Helsinki Final Act of the Conference on Security and Cooperation in Europe of 1975, and the Charter of the United Nations, and that such a solution must also take into account the rights of the Kosovar Albanians and all who live in Kosovo, and expresses its support for an enhanced status for Kosovo which would include a substantially greater degree of autonomy and meaningful self-administration;

6. Welcomes the signature on 23 March 1998 of an agreement on measures to implement the 1996 Education Agreement, calls upon all parties to ensure that its implementation proceeds smoothly and without delay according to the agreed timetable and expresses its readiness to consider measures if either party blocks implementation;

7. Expresses its support for the efforts of the OSCE for a peaceful resolution of the crisis in Kosovo, including through the Personal Representative of the Chairman-in-Office for the Federal Republic of Yugoslavia, who is also the Special Representative of the European Union, and the return of the OSCE long-term missions;

8. Decides that all States shall, for the purposes of fostering peace and stability in Kosovo, prevent the sale or supply to the Federal Republic of Yugoslavia, including Kosovo, by their nationals or from their territories or using their flag vessels and aircraft, of arms and related matériel of all types, such as weapons and ammunition, military vehicles and equipment and spare parts for the aforementioned, and shall prevent arming and training for terrorist activities there;

9. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a committee of the Security Council, consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) to seek from all States information regarding the action taken by them concerning the effective implementation of the prohibitions imposed by this resolution;

(b) to consider any information brought to its attention by any State concerning violations of the prohibitions imposed by this resolution and to recommend appropriate measures in response thereto;

(c) to make periodic reports to the Security Council on information submitted to it regarding alleged violations of the prohibitions imposed by this resolution;

(d) to promulgate such guidelines as may be necessary to facilitate the implementation of the prohibitions imposed by this resolution;

(e) to examine the reports submitted pursuant to paragraph 12 below;

10. Calls upon all States and all international and regional organizations to act strictly in conformity with this resolution, notwithstanding the existence of any rights granted or obligations conferred or imposed by any international agreement or of any contract entered into or any license or permit granted prior to the entry into force of the prohibitions imposed by this resolution, and stresses in this context the importance of continuing implementation of the Agreement on Subregional Arms Control signed in Florence on 14 June 1996;

11. Requests the Secretary-General to provide all necessary assistance to the committee established by paragraph 9 above and to make the necessary arrangements in the Secretariat for

this purpose;

12. Requests States to report to the committee established by paragraph 9 above within 30 days of adoption of this resolution on the steps they have taken to give effect to the prohibitions imposed by this resolution;

13. Invites the OSCE to keep the Secretary-General informed on the situation in Kosovo and on measures taken by that organization in this regard;

14. Requests the Secretary-General to keep the Council regularly informed and to report on the situation in Kosovo and the implementation of this resolution no later than 30 days following the adoption of this resolution and every 30 days thereafter;

15. Further requests that the Secretary-General, in consultation with appropriate regional organizations, include in his first report recommendations for the establishment of a comprehensive regime to monitor the implementation of the prohibitions imposed by this resolution, and calls upon all States, in particular neighbouring States, to extend full cooperation in this regard;

16. Decides to review the situation on the basis of the reports of the Secretary-General, which will take into account the assessments of, inter alia, the Contact Group, the OSCE and the European Union, and decides also to reconsider the prohibitions imposed by this resolution, including action to terminate them, following receipt of the assessment of the Secretary-General that the Government of the Federal Republic of Yugoslavia, cooperating in a constructive manner with the Contact Group, have:

(a) begun a substantive dialogue in accordance with paragraph 4 above, including the participation of an outside representative or representatives, unless any failure to do so is not because of the position of the Federal Republic of Yugoslavia or Serbian authorities;

(b) withdrawn the special police units and ceased action by the security forces affecting the civilian population;

(c) allowed access to Kosovo by humanitarian organizations as well as representatives of Contact Group and other embassies;

(d) accepted a mission by the Personal Representative of the OSCE Chairman-in-Office for the Federal Republic of Yugoslavia that would include a new and specific mandate for addressing the problems in Kosovo, as well as the return of the OSCE long-term missions;

(e) facilitated a mission to Kosovo by the United Nations High Commissioner for Human Rights;

17. Urges the Office of the Prosecutor of the International Tribunal established pursuant to resolution 827 (1993) of 25 May 1993 to begin gathering information related to the violence in Kosovo that may fall within its jurisdiction, and notes that the authorities of the Federal Republic of Yugoslavia have an obligation to cooperate with the Tribunal and that the Contact Group countries will make available to the Tribunal substantiated relevant information in their possession;

18. Affirms that concrete progress to resolve the serious political and human rights issues in Kosovo will improve the international position of the Federal Republic of Yugoslavia and prospects for normalization of its international relationships and full participation in international institutions;

19. Emphasizes that failure to make constructive progress towards the peaceful resolution of the situation in Kosovo will lead to the consideration of additional measures;

20. Decides to remain seized of the matter.

Council of Europe
Conseil de l'Europe

ANNEX 3

Press Release

Ref. 241a98
Contact: Cathie Burton
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For immediate release

40 Members

Albania
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Bulgaria
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Denmark
Estonia
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Germany
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Hungary
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Liechtenstein
Lithuania
Luxembourg
Malta
Moldova
Netherlands
Norway
Poland
Portugal
Romania
Russia
San Marino
Slovakia
Slovenia
Spain
Sweden
Switzerland
"the former Yugoslav Republic of Macedonia"
Turkey
Ukraine
United Kingdom

Leni Fischer condemns Kosovo referendum

STRASBOURG, 08.04.98 - Council of Europe Parliamentary Assembly President Leni FISCHER today strongly criticised the decision by the Serbian parliament to hold a referendum on foreign mediation in the Kosovo crisis.

"This decision, taken on the initiative of the Yugoslav President, Mr Milosevic, is an attempt to create an alibi to reject the international mediation and continue with the policy which has already led to diplomatic isolation and near economic collapse of the Federal Republic of Yugoslavia. The political crisis in Kosovo cannot be resolved through such a referendum. Moreover, the present political situation and the overwhelming influence of the state dominated television makes the result of the vote known in advance. This initiative and the acceptance of Mr Seselj's radicals as coalition partners in the new Serbian government are casting a serious doubt on the sincerity of the ruling party's commitment to a peaceful solution to the Kosovo crisis. Such moves are not going to contribute to the reintegration of the country in Europe" said Mrs Fischer.

"However, President Milosevic is right in saying that people have the right to decide. I therefore urge him to allow the people to exercise this right by introducing the democratic reforms, recommended by the international community, and organising general elections in accordance with Council of Europe standards" she continued.

"With regard to the crisis in Kosovo, the Yugoslav authorities are expected to comply with the requests of the international community, including the acceptance of the role of Mr Felipe Gonzalez as OSCE and European Union Special Representative" concluded Mrs Fischer.

* * *

Founded in 1949, the Council of Europe is the oldest European Organisation. Based in Strasbourg, France, it has 40 member countries and covers every policy area except defence. It is separate from the European Union.

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