



Recommendation 1376 (1998)¹

Crisis in Kosovo and situation in the Federal Republic of Yugoslavia

Parliamentary Assembly

1. The Assembly is deeply concerned with the recent deterioration of the situation in Kosovo. It reiterates its position expressed in [Recommendation 1368 \(1998\)](#) on latest developments in the Federal Republic of Yugoslavia and the situation in Kosovo, [Recommendation 1360 \(1998\)](#) on the crisis in Kosovo and [Resolution 1146 \(1998\)](#) on recent developments in the Federal Republic of Yugoslavia and their implications for the Balkan region.
2. While their right to protect citizens from terrorist acts cannot be disputed, the authorities of the Federal Republic of Yugoslavia, and President Milošević personally, bear a primary responsibility for this new escalation of violence, as the evidence from the ground suggests that the use of force in Kosovo has often been excessive and indiscriminate. The systematic exclusion of international observers from the areas of conflict makes it difficult to establish whether force has only been used against the perpetrators of terrorist acts or to what extent it has been, directly or indirectly, used against the civilian population.
3. Those who have committed terrorist acts must also be held responsible for the deterioration of the situation and for undermining perspectives to achieve a peaceful solution.
4. Security throughout Kosovo, for the Albanian population as well as others living in Kosovo, is vital for the resumption of meaningful negotiations on the future status of Kosovo.
5. The Yugoslav authorities should immediately end those operations harmful to the civilian population and create conditions for the resumption of negotiations with representatives of Kosovo Albanians.
6. The leadership of the Kosovo Albanian community should, on its part, do its utmost to prevent a further escalation of violence.
7. No lasting solution for Kosovo is possible without profound democratic changes in the Federal Republic of Yugoslavia, and an immediate follow-up should be given to the recommendations made by the OSCE Special Envoy, Mr González, in December 1996.
8. The Assembly welcomes the victory of the pro reform parties in Montenegro in the recent parliamentary elections which created an opportunity for a start to democratisation in this republic and the Federal Republic of Yugoslavia as a whole. President Djukanovic should enjoy the support of the international community provided that he continues to respect his reform commitments. The wide support for the ruling coalition among ethnic Albanians and Muslims in Montenegro is particularly encouraging.
9. The Assembly calls on President Milošević to establish political dialogue with the new Montenegrin leadership and abstain from interference in the democratic processes in Montenegro.
10. The Assembly notes the joint statement issued after the meeting between President Yeltsin and President Milošević in Moscow on 16 June and calls for full compliance with the commitments that were undertaken.

1. Assembly debate on 24 June 1998 (21st Sitting) (see [Doc. 8149](#), report of the Political Affairs Committee, rapporteurs: MM. Bársony, Bloetzer and Van der Linden ; and [Doc. 8150](#), opinion of the Committee on Migration, Refugees and Demography, rapporteur: Mr Iwinski). Text adopted by the Assembly on 24 June 1998 (21st Sitting).



11. A positive attitude by the authorities of the Federal Republic of Yugoslavia should open the way for gradual and conditional integration of the country into the international community. However, in case of failure to abide by the requests of the international community and the continuation of violence against the civilian population, all options at the disposal of the international community, including military ones, should be kept open to prevent further bloodshed.
12. The Assembly calls on the authorities of the Federal Republic of Yugoslavia to:
 - 12.1. immediately end the armed operations and all other operations harmful to the civilian population in Kosovo ;
 - 12.2. reduce its security forces in Kosovo to the minimum necessary for the maintenance of public order and border control ;
 - 12.3. agree to the deployment of international observers in Kosovo on a sufficiently large scale to monitor the activities of the police and the Yugoslav army, as well as armed groups of ethnic Albanians ;
 - 12.4. create the security and the material conditions necessary for the return of refugees and displaced persons ;
 - 12.5. allow international humanitarian organisations effective free access to all parts of Kosovo ;
 - 12.6. resume unconditional negotiations with representatives of the Kosovo Albanian community and refrain from acts which could undermine their normal continuation ;
 - 12.7. commit themselves to the implementation of a programme of democratic reforms based on the recommendations made by Mr González in December 1996.
13. The Assembly calls on the leadership of the Kosovo Albanians to:
 - 13.1. condemn perpetrators of terrorist acts ;
 - 13.2. do their utmost to prevent a further escalation of violence ;
 - 13.3. use their political influence for the disarmament of the "Kosovo Liberation Army (KLA/UCK)" ;
 - 13.4. agree to the resumption of talks, once the operations affecting the civilian population cease ;
 - 13.5. establish dialogue with the representatives of Kosovo Serbs and others in order to promote inter-ethnic tolerance and build confidence.
14. The Assembly calls on the neighbouring countries to make an effective effort to ;
 - 14.1. prevent, in co-operation with the international community, the smuggling of arms to Kosovo ;
 - 14.2. co-operate with relevant international agencies to provide assistance to refugees.
15. The Assembly calls on the member states of the Council of Europe:
 - 15.1. to respond generously to the funding appeals launched by the humanitarian organisations, in particular the United Nations agencies and those of the International Red Cross and Red Crescent Movement, on behalf of the victims of the Kosovo crisis;
 - 15.2. to act generously in granting asylum to refugees and asylum seekers from Kosovo, having special regard to the specific needs of women and children;
 - 15.3. not to send back to the Federal Republic of Yugoslavia Kosovo Albanian asylum seekers whose asylum applications have been rejected until such time as they can return in safety and dignity.
16. The Assembly recommends that the Committee of Ministers:
 - 16.1. closely monitor the Federal Republic of Yugoslavia's compliance with the requests of the international community, including the specific demands made in this recommendation, by appointing a special Council of Europe delegate;
 - 16.2. prepare specific proposals for the Council of Europe's continuing active presence and assistance concerning democratic reforms in the Federal Republic of Yugoslavia as recommended in the González report, to be carried out in particular with representatives of civil society and other forces committed to the promotion of democracy, human rights and the protection of minorities in the country.