Parliamentary Assembly
Assemblée parlementaire
https://pace.coe.int

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 1403 (1999)[1]

Crisis in Kosovo and situation in the Federal Republic of Yugoslavia

Parliamentary Assembly

1. The Assembly reiterates the views expressed in its Recommendations 1384 (1998), 1397 (1999), 1400 (1999) and Resolution 1182 (1999) on the crisis in Kosovo and the situation in the Federal Republic of Yugoslavia.

2. It recalls that the provisions of United Nations Security Council Resolutions 1160 (1998), 1199 (1998) and 1203 (1998) and the principles of the proposed Rambouillet Interim Agreement, even if not signed by every party, are the basis for a solution to the crisis in Kosovo.

3. The Assembly reiterates its regret that, due to the uncompromising attitude of the Serb and Yugoslav authorities and the inability of the United Nations Security Council to force them to abide by its relevant resolutions, diplomacy could not put an end to the criminal policy of President Milosevic and resorting to force became inevitable.

4. The Assembly recalls that the Nato decision to take limited military action against the Federal Republic of Yugoslavia was aimed at preventing the already existing human tragedy in Kosovo from worsening and bringing the authorities of the Federal Republic of Yugoslavia to sign the proposed Rambouillet Interim Agreement.

5. So far the military action taken by Nato has not succeeded in stopping the humanitarian tragedy in the region. Since the beginning of the air strikes, the Serb authorities have accelerated ethnic cleansing of Kosovo and increased the risk of spill-over of the crisis into neighbouring countries and of a long war that will destabilise the southern Balkan region even further. The Nato military actions have also caused numerous victims among the civilian population. The Assembly regrets all civilian victims of the conflict and appeals for assistance to them.

6. The Assembly strongly condemns the policy of systematic ethnic cleansing carried out by the Yugoslav military and Serb paramilitary forces in Kosovo which has led to the destruction of entire villages, the killing of innocent civilians, the perpetration of war crimes, particularly the abduction and rape of women as a systematic tool of war, and the expulsion of hundreds of thousands of persons into neighbouring countries.

7. The Assembly holds President Milosevic, the Yugoslav and the Serb leadership responsible for these crimes against humanity.

8. It demands that those responsible for these criminal acts be brought before the International Criminal Tribunal for the Former Yugoslavia. All governments which are in possession of evidence of criminal acts should immediately hand it over to the Tribunal.

1. Assembly debate on 28 April 1999 (12th and 13th Sittings) (see Doc. 8393, report of the Political Affairs Committee, rapporteurs: MM. Bársony and Bloetzer; and Doc. 8394, opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Akçali). Text adopted by the Assembly on 28 April 1999 (13th Sitting).

9. The Assembly recalls that only democratic reforms implemented throughout the Federal Republic of Yugoslavia, the functioning of a democratic political system, the rule of law and the protection of human rights, including the rights of persons belonging to national minorities, can open the way for gradual and conditional integration of the country into the international community, including membership in the Council of Europe.

10. The Assembly expresses its hope that the Yugoslav and Serb people will be able to succeed with democratic changes and underlines that their participation in the completion of the vision of a peaceful Europe united by shared values is indispensable.

11. The position of the Government of Montenegro in the current conflict and its will to continue the democratic reforms despite the threats by the Serbian authorities should enjoy the full support of the international community.

12. The initiatives taken by the United Nations Secretary General and the European Union in seeking to solve the conflict by diplomatic means deserve the Assembly's full support.

13. The Assembly expresses the hope that the peace initiatives undertaken by the Russian authorities will result in an acceptable political solution to the conflict.

14. It welcomes the commitment of the Social Development Fund of the Council of Europe to make two million euros available for the refugees in the crisis area.

15. The Assembly demands that the Council of Europe, as a pan-European organisation, which according to its statute aims to protect human rights, including the rights of persons belonging to national minorities, pluralistic democracy and the rule of law, should play a more active role in finding a political solution to the crisis.

16. The Assembly notes the lack of unanimity between the Council of Europe member states on the use of force in the search for a solution to the conflict.

17. Therefore, the Assembly recommends that the Committee of Ministers:

17.1. do its utmost to contribute to reaching a political settlement of the conflict;

17.2. make full use of its pan-European nature in order to narrow the gap between its member states on the ways to end the conflict;

17.3. ensure that the Council of Europe make available its experience and its resources in its fields of competence in all international efforts to solve the crisis, to overcome its consequences and be associated in negotiations on the future political status of Kosovo;

17.4. mobilise the Council of Europe's Social Development Fund to assist the victims of the atrocities being perpetrated in Kosovo and provide them not only with psychological assistance as recommended in the 22 April 1999 declaration of the Committee of Ministers, but also with all necessary care, including, for rape victims, if they so desire, the means to terminate any pregnancies;

17.5. decide at its next meeting in Budapest to allocate, as an exceptional measure, the unspent balance of the 1998 budget to finance specific activities aimed at assisting refugees and facilitating their return;

17.6. urgently adopt a global long-term stability programme for the Balkan region, which also includes the fight against organised crime and corruption;

17.7. involve the Council of Europe in programmes for reconstruction of the war-torn region, in particular by jointly organising, without delay, with the European Union, the OSCE and financial institutions, such as the European Bank for Reconstruction and Development, the International Monetary Fund, and the World Bank, a conference involving all countries in the region;

17.8. express its support to the government and the people of Montenegro in their efforts to stay out of the crisis and to construct democratic institutions;

17.9. open a Council of Europe Secretariat office in "the former Yugoslav Republic of Macedonia" in order to help that country overcome the difficulties it is facing due to the conflict in Kosovo;

17.10. revise the mandate of the Council of Europe Secretariat office in Albania in order to allow its participation in humanitarian activities;

17.11. prepare the opening of a Council of Europe Secretariat office in Pris?tina with the task of building democratic institutions in Kosovo;

17.12. urge the Serb and Yugoslav authorities:

a. to implement in full and without delay United Nations Security Council Resolutions 1160 (1998), 1199 (1998) and 1203 (1998);

b. to withdraw Yugoslav troops and Serb military forces from Kosovo and to put an end to the ethnic cleansing and the destruction of houses and property;

c. to accept the deployment of an international armed peace-keeping force under the mandate of the United Nations or OSCE to ensure the return of refugees and other displaced persons and the respect of human rights in Kosovo;

d. to accept diplomatic efforts with a view to achieving a comprehensive political solution to the conflict in Kosovo, based on broad autonomy for this territory within the Federal Republic of Yugoslavia;

e. to respect strictly the norms of international humanitarian law;

17.13. demand that all governments reaffirm that rape and torture in armed conflicts constitute war crimes and should be treated as crimes against humanity;

17.14. urge all governments to ensure assistance to women and children victims through specific programmes.