

Serbian Unity Congress

КОНГРЕС СРПСКОГ УЈЕДНЊЕЊА



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Mr. James B. Steinberg
Deputy Secretary
US Department of State
Washington, DC

Dear Mr. Steinberg:

We have been concerned for some time over the lingering effects of the unresolved issues of the Yugoslav wars of secession 1991-1999 that we believe affect our (US), EU and other participating countries' interests in the region. Eleven years have passed since the guns fell silent in 1999, yet enduring peace remains elusive. We would like to share our perspective and if possible meet with you before the pending Balkan summit.

Problem

Unresolved Issues

Substantial amounts of money and attention were given to the area by the United States and the European Union. Some positive results have been obtained as peace prevailed. Nonetheless, it is also apparent that a number of central and fundamental unresolved political issues left over from the war continue to simmer as a result of certain policies that reflect outdated one-sided solutions and tested but failed approaches. The wounds of war have not healed. We submit that lasting peace will remain unattainable and this state-of-affairs will persist if these policies and underlying facts of the conflicts are not reviewed, if policies are not reassessed in view of those facts, and if the US and the EU allow these policies to continue.. The key remaining unresolved issues as a consequence of the above are:

- a) Dysfunctional state-level institutions in Bosnia and Herzegovina,
- b) Kosovo's unsanctioned independence,
- c) Croatian-Serbian legal charges at the International Court of Justice in the Hague,
- d) Persistent mutual accusations among former combatants as to each other's guilt in the war, and
- e) Lingering aspirations of additional border/boundary changes and territorial claims.

These festering problems have far-reaching impact: they have stunted the potential and progress of the parties involved; they have been costly to the US and the EU; and they have the potential for developing into more serious confrontations that may affect peace and stability in the region and re-involve major outside powers.

Outdated Perspectives

The overarching truth is that there are no saints in the Yugoslav wars of succession. All parties involved have killed, have destroyed and have expunged minority ethnic groups from the territories under their control. We consider killing any non-combatant civilians, whether 100 or 1,000 to be an inexcusable act and a horrible crime against human decency and international laws. The argument that party A did it too, but party B did more of it and therefore B is guiltier is fundamentally fallacious and wrong. Likewise, as the Srebrenica tragedy has been deemed a local genocide, similarly the Jasenovac episode is genocide, indeed many times over, which is firmly imbedded in the memories of the families of the Serbian, Jewish and other victims of Balkan fascists which begs for proper recognition and condemnation. It should be noted that recently elected President of Croatia Ivo Josipovic has made the right and apparently sincere initiatives in this direction.

As to the question of who started the war and why, it is now irrelevant in seeking and recommending solutions. Continuing finger pointing among the parties involved and incessant accusations against one

another are totally counterproductive and only keep the wounds of war open and festering. Nearly two decades of assigning and measuring guilt and manipulating facts need to cease. The US and the EU should decisively discourage local far-reaching agendas in favor of realities of the present and demands of the future. Governments in Washington, Brussels, Berlin, Moscow, Ankara and others should unambiguously reject as obsolete, and no longer allow, parties running to former war friends and allies, lobbying them for unfulfilled war ambitions.

Serbian Unity Congress Recommendations

Therefore, we wish to recommend an approach to dealing and resolving these problems in a fundamental manner. The Serbian Unity Congress and the Serbian-American community have been deeply involved in the past decade with the issues and problems of former Yugoslavia. We have worked with both our government here and governments there to first assist in preventing the war, then to mitigate it and stop it. Thus, we have a wealth of experience, in addition to clear dual perspectives of America and former Yugoslavia. Whenever we have worked together with our government in the past on commonly agreed objectives regarding former Yugoslavia, we have almost always met with success.

Only in the context of proper appreciation for the facts and objective understanding of the fundamental issues can permanent solutions and fair outcomes be attained. As a precondition to a successful resolution of the still unresolved issues itemized above, both the US and the EU need to refresh and update and modify their attitudes and approaches vis-à-vis the parties to the conflicts and apply the same standards in assessing each party's rights and obligations in resolving the disputes. A number of more important facts are listed in the Addendum to this letter, which we hope you will review carefully. They speak for themselves.

All this and more is impeding progress and resolution of remaining key issues of the Yugoslav dissolution wars.

To break with the policy shackles of the past, new approaches need to be bold and objective enough to forge a more positive and promising future for all of these suffering peoples. This process must sincerely start in official Washington and within the EU, which would have Russian and Turkish support and UN facilitation, and then relentlessly and impartially be imparted on ALL parties involved.

Bosnia and Hercegovina

There are certain key impediments to lasting peace in Bosnia-Hercegovina (B&H) that we believe can be effectively overcome with the following approach.

1. The US and EU need to make it known clearly and forcefully that a solution that imposes one party's interests over others is not balanced, is not acceptable and will not be supported. The key and most basic impediment is the Bosnian Muslim political agenda (dating back to the war) to establish a unitary state. This is neither realistic nor viable.
2. The time has come for the OHR to be closed, and the mandate of the EUSR invoked. It is an example of a spent force, sometimes pushing outdated solutions, that has exceeded its necessary term. Its vague boundaries of authority have allowed long-standing disruptions in the lives of the citizens of Bosnia, the never-ending international prying into affairs that should be handled by local authorities and the continuing abuse and manipulations of this office by some local Bosnian Muslim politicians to further their aspirations. The time is long overdue for this institution to close and for this to happen promptly.
3. The most promising step of rebuilding Bosnia is to update the current Federation and RS comprised B&H construct into one of three greatly autonomous and self-governing entities, one each for the constituent Muslim, Serbian and Croat nations (based on the 1991 Census) with full guarantees for all the people of B&H. It should be designed as a workable,

- democratic and stable state with appropriate common institutions in Sarajevo with streamlined minimal powers for their proper and effective functioning (more decentralized than centralized). The main reason for this is because there are no political figures on either the Serbian or Muslim side that could wield adequate central powers with the trust of the country's entire electorate. B&H Presidency Member H.E. Haris Silajdic could not credibly govern a centralized state with the required support of a majority of Serbians and Croats, just as RS Prime Minister Milorad Dodik could not run the country as a B&H Prime Minister with the necessary support of a majority of Bosnian Muslims. Thus the "trilateral" state, which is already founded within the basic framework of the Dayton Accords, is the proper solution. The Federation is a framework imposed on its constituents and has been unsuccessful, resulting in the outmigration of a huge portion of its Croatian population who, having no alternative and feeling squeezed out in the Federation, have left B&H.
4. Encourage and let the Bosnian leaders and their people work out solutions. It needs to be made clear to all the parties involved that each should work toward an agreement and compromise and that no party can expect favoritism and interference from outside states aligning to promote any one party's individual agenda. Indeed, the US and the EU, as well as Russia and Turkey, will need to assist but only in the full meaning of the word.
 5. The reformed state should be seriously and continually aided by the EU in its preparations to eventually join the Union.

Kosovo

The current Kosovo construct has proven unsuccessful and needs to be refined through renewed negotiations between Serbia proper and Kosovo's Albanian-led authorities. Despite billions of dollars of aid, hundreds of thousands of hours of training and advising at all levels received from the international community to democratize, the most serious human rights offenses have gone unaddressed and show this construct's limitations. Additionally, Kosovo is economically unsustainable as a state and under these circumstances it can have no prospects for altering that status.

Our intent was to create stability and move forward. Instead, the Albanians have not followed through on their own commitments or the expectations of those who funded them to support the right of returns and the property rights of the more than half of the minority population. Even recently we saw riots attacking the international community, attacks on Serbian families who tried to return home in April, unilateral disconnection of all UN-endorsed telecommunication in Serbian enclaves and refusal to arrest Albin Kurti (indicted by both UNMIK and EULEX) who spreads hate on non-Albanians.

Kosovo remains unsettled. Key nations do not accept the independence project as this was an imposed and not a negotiated settlement on the new government in Serbia, even though it has been recognized as democratic and a factor of stability in the region. Kosovo cannot become a state actor or full member of the UN, nor will the remaining key states recognize it if there is no negotiated solution or if Russia & China do not desist from their firmly set policy of vetoing Kosovo's independence absent an agreement with Serbia. Without a negotiated settlement Kosovo can only remain in the current limbo for an indefinite period of time, while Serbia remains in a state of tension in her domestic socio/political and international relations. That status quo runs counter to EU's interests for reduced tensions in the region and the continuation of a peaceful and smooth Euro-Atlantic integration process. If the forthcoming opinion of the International Court of Justice (the UN General Assembly's request for legal clarity on the Kosovo institutions' declaration of independence) is neutral or in favor of Serbia, it should be used to convince Kosovo Albanian officials to sit down with Serbian officials from Belgrade and work out some satisfactory solution out of the current impasse. It should be made clear they should not expect any patron partiality or efforts to intercede or impose an outcome in their favor.

Unchanged, the current situation will exacerbate the already strong sentiment that Serbia has lost everything whilst Albanians were given everything (especially by US). This "zero sum" situation might lead to irreconcilable differences in already severely hampered relations with Serbia and cement the conclusion that US has already made a clear pro-Albanian choice. Additionally, what we do is being watched by the world and sends a message to other nations with secessionist populations.

Further Secessionist Aspirations

Inconsistent and contradictory Western government policies regarding secession risk other secessionist ambitions in the region. The EU and the US must take a clear position with a defined policy guiding this issue. Now and in the future, it must be our policy to resolutely discourage any further secessionist ambitions and contemplated partition on the territories of all former Yugoslavia. Those are latent, but exist, notably in Sandzak and Southern Serbia, Vojvodina, Montenegro and Macedonia. Any overt or covert attempt to change borders again by subterfuge would be a most serious endangerment of peace and stability with unforeseen consequences that may also involve major powers in the Balkans once again. The recent elections in Hungary and “the Rise of the Right,” as per Stratfor Global Intelligence (Stratfor, April 13, 2010), “will have regional geopolitical consequences” concern us in particular.

Croatian-Serbian Legal Imbroglia

Croatian charges against Serbia resulting from the 1990s war and then Serbian countercharges make no sense and lead only into a blind alley. As we pointed out, there are no innocent parties in the war. Firm and resolute diplomatic pressures by US and EU should be made on both parties to drop the suits. The cases are simply bones of contention dug up from the ruins of the war which are mutually harmful and counterproductive overall.

Moreover, Croatia should be pressed to become more forthcoming about displaced and/or ethnically cleansed non-Croatians. The properties belonging to non-Croatians should be restituted or fair value compensations should be implemented.

The ongoing rapprochement between Serbian and Croatian Presidents Tadic and Josipović should be encouraged and enlarged.

An Overarching And Needed Act

We believe that a final stop should be put on these destructive attitudes, as no side is blameless. To that end, we recommend that our government and the EU support actively the following outcome: all parliaments of the successor states of former Yugoslavia - Slovenia, Croatia, Serbia, Bosnia & Hercegovina and Montenegro - who participated in the war agree on one single resolution with a single simple text. In it they condemn ALL atrocities and crimes of the war committed everywhere against non-combating civilians and illegal deeds against prisoners of war. Each parliament in the name of its state apologizes for the aforementioned and expresses its regrets. And turn their sights to the future.

Thus, this should end the ongoing cycle of recriminations, lobbying abroad, manipulation of facts, pressures on a particular party to do something to enhance domestic tranquility or stability, attempts to “prove” who killed more or destroyed more wantonly, etc.

Conclusion

We urge our US government to lead the way to a decisive and permanent break with “policies as usual” and to instead adjust policies as needed to reflect current realities, drop failed approaches, apply even-handedness. Failed “policies as usual” have manifested poor outcomes, both in the past decade of the war and in this decade of pseudo-peace in the Balkans.

If this is accomplished, we believe that this tortured region may find peace and distance itself from the legacy of the wars and hatreds of yesteryears.

A confluence of events may just be helpful to promote this new course of actions and initiatives. In Croatia, former President Mesic has at long last left the seat of power. The new president Josipović has so far indicated moderation and good will. Bosnia is indeed fragile, but there are meaningful political energies among all three sides to iron out differences and preserve the state. Politicians and war leaders like Silajdžić are being gradually marginalized – something the US and EU should help.

Another encouraging event has been the recent Istanbul Declaration. It is certainly a step in the right direction. Nonetheless, we hold that a lot of hard efforts and nurturing will be needed to resolve the fundamental issues enumerated in this letter.

Unsettled Kosovo may be helped after the International Court of Justice decides whether the unilateral declaration of independence by the provisional institutions of self-government in Kosovo is in accordance with international law. . As pointed out, if the Court's opinion is not absolving the independence of Kosovo, this will open the door for a new round of more realistic and objective negotiations than in the past. We should always work to improve what we can.

The new democratic Serbia has, under the leadership of President Tadic's administration, demonstrated time and again its flexibility and willingness to find proper solutions.

If needed, we are ready to provide you with more detailed information, an in-depth analysis and further elaborate on our rationale for our recommendations.

Sincerely yours,

Mirjana Samardzija
President
Serbian Unity Congress

Michael Djordjević
Trustee
Serbian Unity Congress

Cc Stuart Jones, Deputy Assistant Secretary for Eurasian Affairs, US State Department
Honorable George Voinovich, Senator
Honorable Melissa Bean and Dan Burton, Co-Chairs of the Serbian American Congressional Caucus

**Addendum to the Letter to James Steinberg
Deputy Secretary of the State Department of the United States**

SOME IRREFUTABLE FACTS OF THE YUGOSLAV WARS OF SECESSION*

Lasting and fair solutions for unresolved issues of the Yugoslav wars for succession cannot be reached without recognizing the validity of these facts and factoring them into the process of negotiated solutions. Legacy of falsehoods of the war still lingers and like a deadly virus is infecting the very core of policies and aspirations in some influential circles in the region.

BOSNIA

Essentially, the war in Bosnia was ignited because the three major ethnic groups had conflicting visions of what their future country would be: Muslims wanted a unitary state run from Sarajevo where they had political dominance as the largest minority; Serbs and Croats wanted either to join their native homelands and people, or at least not be in a state controlled by Muslim plurality.

It is now indisputable that the number of all the people who were killed in the war in Bosnia is 97,000. It is also established that the Bosnian Serbs suffered 30,707 (32% of the total) casualties in the war. Therefore, based on the percentage of prewar population where the Serbs had one-third of the total Bosnian inhabitants, they too have been victims in the war.

The same proportional suffering and loss by Bosnian Serbs is indicated by the number of destroyed homes, commercial buildings, farms, churches, etc. as per the UN and other reports.

ETHNIC CLEANSING

Here are indisputable statistics and facts about Serbs driven out of their ancestral lands:

Bosnia	550,000 (or 40% of the Serb population) Sarajevo alone -- about 150,000 plus (plus killed 6,635)
Croatia	about 486,000 (381,000 Serbians and 105,000 Serbians who were declared to be Yugoslavs before the war)
Kosovo	230,000

Thus, this is a total of 1.4 million ethnically cleansed Serbs in the war. This total is by far larger than any other ethnic-religious group has suffered.

TERRITORY

It cannot be disputed that Serbians have lived and populated in Krajina, Bosnia and Kosovo for many centuries. The aforementioned ethnic cleansing, loss of Serbian homeland territories is as follows:

Bosnia	Before the war Serbians held land/property titles to approximately 65% of the territory of Bosnia and Herzegovina. Now it is 47.5%.
Croatia	In the Krajina region Serbs were expelled from and not allowed to return to approximately 18,000 sq. km (or one-third of the territory of Croatia).
Serbia proper	With the loss of control over Kosovo, the country of Serbia has lost control of over 15% of its pre—war territory.

OVERALL DAMAGES

Serbian material and other damages and losses caused by the wars are incalculable; however, even a conservative approximation of these losses exceeds by far total losses of all warring parties together. Who can ever price the terrible effects of decade long sanctions? The NATO bombing of Serbia proper, for example, has by conservative estimates destroyed anywhere between \$65 to \$100 billion of assets in Serbia alone.

SERBIA and KOSOVO

Today, Serbia is the most multi-ethnic, multi-religious state in the region, with all up-to-date laws and prerogatives for all minorities. The country is abiding by international laws and is meaningfully contributing to peace and stability and democracy in the Balkans and in general.

- Some may question ICTY cooperation. Not denying the necessity to close the Mladic/Hadzic page, it is rarely mentioned that only Serbia has shown a level of cooperation that very often left serious scars on Serbia's public and political face.
- Only Serbia transferred to the Tribunal two former presidents of the Republic, a former Prime Minister, three former Chiefs of the General Staff of the Army, a former Chief of the Security Service and ten military and police generals. The search for the remaining ICTY indictees is continuing while Serbia's will to close this is indisputable.
- What kind of message is sent when, persons like Haradinaj (Kosovo) or Oric (B&H) are released regardless of numerous proofs of killing or threatening witnesses of their crimes against Serbians, and on top of it all, even encouraged to actively engage in political life.

Kosovo is currently the main factor of instability and major potential for long-drawn controversies continuing to extend well beyond the Balkans. The record of the Albanian rule is far from satisfactory: Kosovo is mono-ethnic, intolerant of minorities and economically not viable. It will need substantial investments of time, funds, organization and learning about basic governance and how to govern democratically. With its unresolved status continuing, this onerous task will be even more difficult to accomplish.

CONCLUDING REMARKS

The above accounting and summary of facts, albeit insufficient and wanting, is rendered not to defend or absolve or create sympathy for the Serbians. The reason for bringing this forth is simply to separate facts from war propaganda and to stop the perpetuation of self-serving actions of certain former combatants and their supporters in the USA and EU and elsewhere. Sound policies and actions aimed at democracy, stability and progress in the region will be decisively helped by putting to rest this tragic past and move forward with the vision of a better future for all of the people.

Serbian Unity Congress
April 20, 2010

* All of the above data is derived from a number of reputable sources, none of which is from the former Yugoslavia.