

# DEVELOPMENTS IN THE WESTERN BALKANS AND POLICY RESPONSES

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## HEARING

BEFORE THE

## COMMISSION ON SECURITY AND COOPERATION IN EUROPE

ONE HUNDRED THIRTEENTH CONGRESS

FIRST SESSION

MARCH 5, 2014

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# DEVELOPMENTS IN THE WESTERN BALKANS AND POLICY RESPONSES

MARCH 5, 2014

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## **DEVELOPMENTS IN THE WESTERN BALKANS AND POLICY RESPONSES**

**March 5, 2014**

COMMISSION ON SECURITY AND COOPERATION IN EUROPE  
WASHINGTON, DC

The hearing was held at 10 a.m. in room 106, Dirksen Senate Office Building, Washington, DC, Hon. Benjamin L. Cardin, Chairman, Commission on Security and Cooperation in Europe, presiding.

*Commissioner present:* Hon. Benjamin L. Cardin, Chairman, Commission on Security and Cooperation in Europe.

*Members present:* Hon. Eliot L. Engel, a Member of Congress from the State of New York; and Hon. Adam Kinzinger, a Member of Congress from the State of Illinois.

*Witnesses present:* Hoyt Yee, Deputy Assistant Secretary for European and Eurasian Affairs, U.S. Department of State; Tanja Fajon, Member (Slovenia), European Parliament; and Kurt Volker, Executive Director, McCain Institute for International Leadership.

### **HON. BENJAMIN L. CARDIN, CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

Mr. CARDIN. Good morning. Let me welcome you all to this hearing of the Helsinki Commission. We thank you all for being here. Today's hearing is on the Western Balkans. But I think I need to start by at least to acknowledging the extremely serious situation that currently exists in Ukraine. It's very dangerous. Russia's actions violate its OSCE obligations and its obligations under other international organizations. It's a concern to all of us. Russia's announced concern about the Russian ethnic groups within the Crimea could easily be resolved by allowing the OSCE mission which is already scheduled to provide some assistance to Ukraine full access to Crimea. It is clearly aggression on the Russian part that is causing a problem not just in Ukraine but the entire region. So it's a matter of great interest to all of us.

This Commission will continue to do everything it can to use all the tools that we have available to help the people of Ukraine and continue to support the legitimate government of Ukraine from the outside influence of Russia. And I know that also expresses the sentiments of the members of Congress and the administration.

As I said, today's hearing is on the Western Balkans. This Commission has had a longstanding priority in the Western Balkans. We've had numerous hearings since the breakup of Yugoslavia and

the wars of the 1990s. The specific countries have been subject to hearings before this Commission.

And today, we're doing a regional hearing so that we can look at all the countries in the Western Balkans and the progress that they are making. I think it's fair to say that there is a common desire among the countries in the Western Balkans for integration into Europe and many into NATO. Only Croatia has achieved both EU status and NATO membership. So this is an area of great interest to the United States.

And while the Western Balkans is no longer the setting for violent conflict that it was two decades ago, we have had to devote considerable resources—financial, diplomatic and military—to restore peace and to encourage the democratic and other reforms necessary to sustain it. That job is not yet done. We still have work to do in the Western Balkans. Having accomplished so much, we need to see the task of a stable, democratic and fully integrated Western Balkans completed.

These countries have also demonstrated a willingness to contribute to peace operations globally and if they are not already, they should soon be our newest allies in a stronger NATO alliance. It is my view, at least, that their membership in NATO, if they choose to join, enhances our own security. And I hope we'll have a chance during this hearing to talk about the role that NATO is playing and EU is playing in regards to progress in the Western Balkans.

In the past year, we have been particularly encouraged by Croatia's joining the European Union, the progress leading to the normalization of relations between Serbia and Kosovo, the beginning of negotiations for Serbia's EU accession, a smooth political transition in Albania that will hopefully pave the way for that country to begin soon its negotiations as well and Montenegro's ongoing progress towards both NATO and EU membership. Kosovo has just celebrated six years of independent statehood. It still has a long way to go and must confront some undoubtedly major obstacles along the way but has demonstrated a very welcome commitment to moving forward.

While I am encouraged by these developments, we continue to worry that progress in the two most multiethnic states in the region—Bosnia-Herzegovina and Macedonia—has stalled. In Bosnia, we have seen for some time that the political structure created by the Dayton Agreement with their emphasis on ethnic balances rather than good governance has become outdated, undemocratic and divisive. But we are now seeing the implications of trying to maintain the status quo in the form of popular unrest and a public demand for greater accountability. Macedonia, which has made considerable strides in its desire to join both NATO and the EU, today struggles to maintain its democratic credentials and internal cohesive while Greece's dispute with its name has put its aspirations effectively on hold.

Then there are issues that pervade the region—official corruption, trafficking in persons, the plight of the Roma, attacks on journalists and control of the media—which continue to be of concern. Many wounds of the past, wounds in the form of missing persons

and unpunished war crimes, remain open and cannot be left unattended.

Several countries in the region will hold elections this year. The conditions for free and fair contests could use further improvement at least in some of these countries. The Helsinki Commission emphasizes the need for governments to implement the commitments they have undertaken in the OSCE, especially those relating to human rights and democratic development. And I hope we focus on that here at this hearing.

At the same time, given the tremendous role and influence the United States and Europe have in the region, we cannot ignore our own policies and whether they are actually encouraging the progress we expect. We need to look at whether mere promises of NATO and EU enlargement at some time in the future are sufficient leverage for change and what we can do in the meantime to keep these countries on track.

I want to welcome all of our witnesses today and thank them very much for their participation in hearing. Our first panel today is represented by Deputy Assistant Secretary of State Hoyt Yee from the Bureau of European and Eurasian Affairs. He is a career foreign service officer with service in the Balkans and at NATO and became deputy assistant secretary in September of 2013. As the deputy chief of mission at the U.S. embassy in Zagreb, he helped facilitate the Helsinki Commission's visit to Croatia to attend a meeting of the OSCE Parliamentary Assembly in 2011. We're grateful for that. I'm glad that we are continuing to work together and we look forward to your testimony.

**HOYT YEE, DEPUTY ASSISTANT SECRETARY FOR EUROPEAN AND EURASIAN AFFAIRS, U.S. DEPARTMENT OF STATE**

Mr. YEE. Thank you, Mr. Chairman. I'd like to begin by thanking you and also to join you in your expression of concern for the situation in Ukraine as well as solidarity with the people and legitimate government of Ukraine, which I think the situation underscores the importance of continued U.S. and European, NATO efforts to strengthen peace and stability and security in Europe, including through integration with the Western Balkans, which brings me to my testimony.

Mr. Chairman and distinguished commissioners, thank you for inviting me to testify before the Helsinki Commission, which for nearly 40 years has played a vital role in fostering democracy, human rights and security across Europe and beyond. Given your keen interest in the Western Balkans, I am particularly honored to provide an assessment of the region's prospects for Euro-Atlantic integration and overall democratic development. I look forward to discussing how we and our European partners can best encourage further steps along that path.

The appeal of EU and NATO membership has been a positive force for the political and economic transformation of the Western Balkans. I'm pleased to say, as you note, Mr. Chairman, we have some successes to report. In the past year, Croatia became the 28th member of the European Union. Montenegro progressed towards EU accession. Albania had the best democratic transition in that country's history.

And perhaps most remarkably, Serbia and Kosovo signed a historic agreement to normalize relations, a move that has spurred the European Council to begin negotiating a stabilization and association agreement with Pristina in October and to open EU accession talks with Belgrade in January. These advancements and other positive developments in the region are especially encouraging because they are in large part a result of sustained American engagement and assistance.

For more than two decades, the desire to support the aspirations of the Western Balkan states to integrate into Euro-Atlantic institutions has been the animating force behind U.S. engagement in the region. This has been a top policy objective of Republican and Democratic administrations alike because it is the best means of ensuring long-term peace, stability and prosperity in a region that is a critical part of Europe. As impressive as the recent successes have been, they do not obscure the many serious challenges the region still faces, challenges that must be overcome before Euro-Atlantic aspirations can be fully realized.

Progress comes most rapidly when political leaders and other actors break loose from how things were done in the past. We saw this in Croatia where successive governments remain steadfastly committed to the goal of EU membership. The payoff came last July when Croatia became the newest EU member, demonstrating to the entire region that hard work and compromise brings results. We're greatly encouraged by the ongoing dialogue between Serbia and Kosovo.

This EU-facilitated effort created a space in which Belgrade and Pristina tackled the seemingly intractable differences that had prevented them from moving forward on their respective European integration paths. Last April, they produced a landmark agreement on principles for normalizing relations between the two countries. Full implementation of the agreement will not be easy. And the United States must remain engaged with Pristina, Belgrade and the European Union to ensure progress continues.

Both sides will face numerous politically difficult decisions in the coming years. We can expect to see some backpedaling and intransigence. However, I'm confident that Serbia and Kosovo will remain on this path because it is inseparable from their aspirations for EU membership.

Domestically, Serbia's 2012 election produced a coalition government that committed itself to reforms and to growing relationships with the European Union and the United States. As Serbia heads into early elections March 16th, we hope the next government will have a mandate to tackle the important domestic reforms necessary to invigorate Serbia's labor market, business climate and economy.

With Kosovo, we remain focused on helping it strengthen its multiethnic democratic institutions. This includes advancing reforms called for under the EU's stabilization and association process, the measured development of its security sector, expanding recognitions worldwide and sustaining cooperation with the EULEX mission including its investigation into allegations of organ trafficking and other serious crimes.



Albania has also enjoyed a year of progress, highlighted by the successful conduct of last June's parliamentary elections and the smooth democratic transition that followed. While Albania is already a NATO ally, much work lies ahead on its EU path.

In December, the European Council deferred granting Albania candidate status, calling for progress in the fight against organized crime and corruption. The European Council will review Albania's application in June and we are encouraging the government and opposition in Albania to work together and to achieve results in order to strengthen the case for positive decision.

Montenegro, which began EU accession talks last June, recently opened EU chapters addressing the rule of law, judicial transparency and corruption. NATO membership is a further goal. Montenegro needs to improve its efforts in such areas as defense and security sector reforms and in bolstering public support for NATO membership. The prime minister and other officials assured me during a recent visit that they are working to do so.

Unfortunately, progress in the region is not universal. Macedonia's integration into the EU and NATO remains vital for lasting peace and stability in the region. However, the name dispute with Athens continues to stymie progress toward that goal. Both sides in that dispute should be motivated by the desire to seek a solution that ensures the democratic and prosperous development of the Balkan neighborhood.

We are deeply disappointed that the elected leaders in Bosnia and Herzegovina have not fulfilled the basic conditions for EU and NATO accession. As a result of their focus on narrow, short-term interests, the longer term welfare of the people they were elected to represent has suffered. Recent protests that swept the country are expressions of citizens' frustration. Citizens want to see economic improvement and the building of a stable, multiethnic democracy. The outbreak of popular protest underscores the need for the international community to review its engagement with Bosnia-Herzegovina. Voters should take their frustrations to the ballot box in October and choose candidates who are serious about breaking the political logjam.

Official corruption is a daily fact of life across the region and it is preventing democratic and economic reforms from taking firm root. Tackling this pervasive problem is a first step toward meeting the standards of EU and NATO membership. But that should not be the sole incentive. Combating corruption and organized crime is vital and must be pursued vigorously in its own right.

Realizing the full democratic and economic potential of the region is also predicated on the existence of a free press. And this too is a goal that should be pursued regardless of EU and NATO requirements. Many countries can boast a vibrant and diverse media. But limitations on media freedom, often through direct intimidation, are still a problem and in some countries a growing problem. Some progress is being made. In January, two former members of Serbia's security forces were arrested for the murder of Slavko Curuvija, a courageous journalist who was killed in 1999, not long after testifying before this Commission, for challenging the Milosevic regime. However, the recent series of attacks against journalists and media outlets in Montenegro and the drop in Mac-

edonia's media freedom rating by respected international NGOs underscore the need for more reform-minded action.

A further challenge I'd like to raise is the treatment of minority populations. Given the region's long history of interethnic tensions and conflict, we warmly welcome initiatives like the opening of a Serbian language school in the village of Hamel, Albania. Greater strides however must be made to foster a mindset of tolerance for persons belonging to national minorities.

And of all the region's ethnic minorities, none is more vulnerable than the Roma. Roma experience discrimination and violence and frequently live in abject poverty. We will continue to support Western Balkan countries as they implement the reforms needed to fully join the Euro-Atlantic community and tackle the myriad challenges they face in improving human rights, providing new opportunities for growth and development and building multiethnic democracies. But it should not—it should be clear to all that the responsibility lies with the elected leaders of the region to adhere to the path of reform and integration and with civil societies of the region to hold their governments accountable when they stray from that path or stumble along the way. Thank you again for this opportunity. I welcome any questions you might have.

Mr. CARDIN. Mr. Yee, thank you very much for that very comprehensive analysis on the countries in the Western Balkans. You point out in every case it's in the U.S. interest for full integration, not only in Europe, the EU, but also in NATO. You mentioned Montenegro. You mentioned others that are on path.

It was the 2012 meeting in Chicago that Secretary Clinton expressed her desire that the next NATO meeting would be considering expansion of NATO. There's a meeting coming up, I believe in September, in the United Kingdom. What is our position and what is the sentiment among our NATO allies on further expansion and time schedules for further expansion within NATO?

Mr. YEE. Thank you, Mr. Chairman. As you point out, there is a NATO summit coming up in Cardiff, United Kingdom, in September. And one of the issues that will undoubtedly be discussed is the future of the alliance, including future membership by countries aspiring to join NATO.

It is a policy of the United States and other allies that NATO's door remains open and that countries that meet the requirements to join should be included, should be invited to join. There are two countries at least that are very interested in joining and have been working very hard to reach the requirements necessary in order to achieve an invitation—Montenegro and Macedonia.

As you mentioned—and as I mentioned in opening remarks—Macedonia is currently blocked by its dispute with Athens over its name. In the last NATO summit, there was an agreement among the NATO allies that an invitation to join the alliance would be issued to Macedonia when a mutually acceptable solution to the name issue was found. And we hope that that will still be the case. We hope that Macedonia and Greece can reach an agreement on a name. We're actively encouraging both capitals, both governments to work towards that end.

We are to the extent possible providing ideas. And it is ultimately up to those two governments to reach an agreement. In

Montenegro's case, Montenegro has been very active, including through the Membership Action Plan process in preparing itself and making the reforms necessary in order to convince the allies that it is ready to join. It still has work to do.

And what we've told the Montenegrins is that while the door is open, time is running short between now and September, between the time now and when allies will need to make their decisions. Montenegro needs to make progress in its fight against corruption and organized crime. It needs to reform its security services, its intelligence services. And it needs to make the case that its public—its public opinion supports NATO membership.

Public support for NATO membership in Montenegro now according to latest polls is quite low. NATO allies would like to see that it's not only the government but it's the citizens of Montenegro who are interested in joining NATO. So if Montenegro can make significant progress in those areas with the short time remaining, I think there will be great interest in the allies in assessing that progress and in helping Montenegro move forward towards its goal of joining NATO.

Mr. CARDIN. I understand the U.S. position. But your response is encouraging. You're saying that you believe our allies in NATO are prepared to move forward with expansion if the conditions are met.

Mr. YEE. Without speaking for the other allies, Mr. Chairman, I think that all the allies have said repeatedly that NATO's open door policy is real. It's not—it's not an illusion. It's not a false hope for countries that aspire to join. The countries of the alliance understand and have been working with Montenegro in its membership action plan process to prepare it for joining.

No one has told Montenegro that it's impossible to join. We've all emphasized that the time is very short. The remaining months do not leave a lot of time for Montenegro to do what remains to be done. But we're still saying, and have not heard any country contradict this, that the door is open. The door may be open only a small crack at this point. But it is still possible.

Mr. CARDIN. Thank you. You started your comments and I started my opening statement noting a lot of progress that have been made in the Western Balkans, which is real and we've seen a tremendous change from the wars of the 1990s. In Serbia, there appears to be a genuine interest to fully integrate into Europe, which is certainly very encouraging.

And you point out that there is now active discussions taking place between Serbia and Kosovo. Could you just expand a little bit more as to how you see Serbia's interest in joining EU affecting Kosovo, perhaps Bosnia, and resolving those issues and whether it's likely that other countries in EU that have not recognized Kosovo may now formally recognize that independent country?

Mr. YEE. Thank you, Mr. Chairman. I'd be happy to. Serbia's decision, its strategic decision to pursue EU membership in a very active and intensive fashion has been key not only to its own dramatic progress over the last year but also to Kosovo's. Through the dialogue with Kosovo, Serbia, working with the European Union which provided the facilitating role, Kosovo and Serbia have been able to reach agreement on principles, on normalizing their rela-

tionship, a progress, a development which was unthinkable or at least very difficult to imagine a year ago.

This has helped both countries advance towards the European Union in large part because the European Union has made it clear to them that in order to advance towards membership in the EU, they would need to reach an agreement. They would need to agree on a path for normalizing relations. So Serbia I think has shown leadership, has shown initiative and showed courage in reaching out to Kosovo and in the same way, Pristina has shown great leadership and courage in answering that appeal from Serbia to work together towards first agreeing on the principles but also to implement them.

I think this is creating momentum not only for both countries in leaving behind some of the past, leaving behind some of the painful memories of what has been the source of great conflict in order to build a better future for both countries.

It's not only for both Kosovo and Serbia but I think for the rest of the region an example for how this kind of cooperative spirit, this willingness to look ahead, not so much backwards, is a lesson for Bosnia-Herzegovina, Macedonia, Montenegro and others which are in different phases in their own accession process but I think very interested in the pace, the progress that's being made by Serbia and Kosovo.

I think it's very clear that in Bosnia-Herzegovina, as you mentioned, Mr. Chairman, the people, the citizens first and foremost, but also the leaders are paying close attention to what's happening around them. It has not been missed—it has not been gone unnoticed—by the leadership in Sarajevo that the leaders in Serbia and in Kosovo have been able to move much further forward than Bosnia-Herzegovina has been.

The citizens are finally—I think after a long period of time have finally begun to speak up and express their frustration with the lack of progress by their own political leaders, the kind of progress that they see being made in neighboring countries including Montenegro and Serbia and Kosovo. So in short, I think it's a very positive development that is having a positive influence in neighboring countries.

Mr. CARDIN. What is it going to take in Bosnia to get the type of constitutional reforms that allow the country to have a centralized government that will permit full integration into Europe? The Dayton Accords were supposed to be temporary. And yet, we're still living under those accords. As you point out, the public demonstrations are clearly aimed at a more democratic country than currently exists. With Serbia now moving towards integration into the EU, what's it going to take to get Bosnia to really give up its ethnic equations and go towards a centralized, effective government?

Mr. YEE. Well, it's a great question, Mr. Chairman, one we're struggling with now—"we" meaning the entire international community which realizes that the lack of progress which has been underscored by positive developments around Bosnia is in need of being addressed in a more urgent fashion. I think some of the requirements for moving forward and for remedying the problem in—problems in Bosnia-Herzegovina are actually happening. The ones you mentioned, including the progress on the EU track by Monte-

negro, Serbia and Kosovo. I think the expression of the citizens, the willingness of the citizens in Bosnia-Herzegovina to stand up and to protest, we hope peacefully. But we've seen actually in some cases there has been violence which we condemn.

But the citizens actually standing up and expressing themselves is an important ingredient to reaching the solution because it's ultimately dependent on the political leaders to agree on changes to the constitution, to the legislative framework, to procedures under which the governments within Bosnia-Herzegovina have been operating or not operating.

There needs to be reform. In my view, there needs to be fundamental reforms in the constitution in Bosnia-Herzegovina. I fully agree the Dayton constitution was not meant to endure forever as a monolithic, unchanging formula for governance. It was meant to end the war, which it did in large part achieve.

We now are faced—the international community faced with a challenge of helping the leadership of the country realize and accept the importance of now seizing the moment, seizing the opportunity with the support of the international community, with the momentum in the rest of the region to advance towards European Union accession and NATO membership through fundamental reforms.

We now have elections—national elections coming up in October—that places certain limitations, I think as a political reality, on what is possible. But we can—we, the international community, can use this time to work with the leadership in Bosnia-Herzegovina, civil society, the citizens to help them decide on what kind of reforms are going to be necessary when the new government comes into power.

Mr. CARDIN. Thank you.

Before recognizing Congressman Engel, and I will in a moment, let me point out that Congressman Bishop of New York wanted to be here in regards to the concerns on justice for the Bytyqi brothers. We have members of the family that are with us today and we welcome them here. The Bytyqi brothers were killed in Serbia in the late 1990s. They were murdered. They're American citizens and we have been seeking answers to why no one's been held accountable for these atrocities. And they expect our government to do everything we can.

Now that Serbia is moving towards integration into Europe, the opportunities to get closer cooperation may very well exist. Can you give us either in a reply now or written reply the efforts that are being made to bring justice to these cases?

Mr. YEE. Mr. Chairman, I'd be happy to answer that question and also to provide additional details in written form about what the Serbian government is doing. I will say that we at the State Department and the entire U.S. government, all agencies who are concerned with this issue, take the importance of bringing to justice, of ensuring that those responsible are brought to justice extremely seriously. We are dedicated to raising this with the Serbian government at every opportunity.

Deputy Secretary Burns recently met with the prime minister of Serbia and brought it up as one of the first topics of the agenda. Our expectation, the U.S. government's expectation that Serbia

does everything possible to bring to justice those responsible for the murder of the Bytyqi brothers. I would like to reassure you and also the members of the family who are present today of our unwavering commitment.

We will not rest until we ensure that justice is done in this case. It will remain a top agenda item in all of our conversations with the Serbian government. I was recently in Belgrade myself. I met with the prime minister, Deputy Prime Minister Vučić also, and made clear that in our bilateral relations, this case as well as the burning of the embassy in 2008 remain cases that we expect resolution and we expect justice.

Mr. CARDIN. Thank you, Mr. Yee. I will now yield to Congressman Engel, who's our senior Democrat on the House Foreign Affairs Committee and the leading member of Congress in regards to Albanian issues, which is one of the subject matters of today's hearing.

**HON. ELIOT L. ENGEL, A CONGRESSMAN FROM THE STATE OF NEW YORK**

Mr. ENGEL. Well, thank you very much, Mr. Chairman. I appreciate it and I'm just going to ask two questions and just make a quick observation. Welcome, Mr. Secretary. I know that your area of responsibility is now much larger than when your predecessor held this position. With the crisis in Ukraine, it can be difficult to sustain attention on the Balkans when things in general are getting better. But as we all know, the State Department must not lose focus on the Balkans region because the job's not yet done. Bosnia and Kosovo, Macedonia and Serbia all have serious unresolved issues and the region needs U.S. leadership for progress to continue.

I was a long and early supporter of independence for Kosovo and I am very happy that that independence has been achieved for some years now. But what troubles me is that today all the Balkan states other than Kosovo are either NATO members or in the alliance's Partnership for Peace. I believe that Kosovo needs a NATO pathway as well, beginning with an invitation to join the Partnership for Peace. Quite frankly, it would be very unfair to exclude Kosovo, one of the most pro-American, Western-oriented countries in the world.

Denying Kosovo a route to eventual NATO membership would only maintain an island of instability and uncertainty in the region. Conversely, a Kosovo integrated into NATO would mean a region in peace and a military configured to fulfill alliance objectives rather than preparing to meet the challenge of significantly better all neighbors.

So my question to you, sir, is does the United States support Kosovo joining NATO as Partnership for Peace and will we work with our allies and friends in the alliance to make this happen in the not too distant future? And do we support eventual NATO membership for Kosovo as part of its Euro-Atlantic future?

Mr. YEE. Thank you, Mr. Engel. And let me begin by saying I fully agree the Balkans need to remain very much in the forefront of U.S. foreign policy in Europe. I have numerous colleagues who are here with me today behind me who will make sure that that

remains the case, at least in my office. I want to say that yes, absolutely in answer to your question.

The United States government firmly supports Kosovo's goal of joining Partnership for Peace and eventually NATO. We work very hard to help Kosovo make the reforms necessary in order to meet the requirements both for Partnership for Peace and eventually for NATO. We also work closely with other allies who have reservations about, as you mentioned, Mr. Engel, reservations about Kosovo joining the Partnership for Peace.

We think there is a lot that Kosovo can already be doing in order to prepare independently of the political considerations from particular allies who have not yet recognized Kosovo. There recently has been, as you know, a security review.

We've worked very closely with Kosovo in how to reform its forces in order to be an efficient, modern force that will be eventually able to work with NATO members, other PFP members in a way that it will be economically sustainable, in a way that will meet the needs of Kosovo and also be able to interact in a useful, practical way with other countries in the region.

We work closely with allies who have not yet recognized Kosovo to convince them, to continue trying to convince them that it's in the best interest of the region and of Europe as a whole to have Kosovo first and foremost a member of the Partnership for Peace, of course also of the European Union and of NATO. It's far from complete. Our task is not easy in convincing those countries who have not yet recognized Kosovo. But we remain committed to this task. We see it as vital, absolutely vital to ensure Kosovo's long-term sustainability and security and prosperity, again, not only for Kosovo but for the wider region.

Mr. ENGEL. Well, thank you. I couldn't agree more. So thank you. Let me stick with Kosovo and say that the negotiations between Kosovo and Serbia—I'm very pleased with the fact that both countries have understood that this is a way for both countries to move forward. And I have been a supporter of both countries being involved in the talks.

But despite progress with Belgrade, Kosovo still experiences major challenges, as you mentioned, in its mission for greater EU recognition, including economic, political integration and visa liberalization which is an important issue. So what is the EU doing to address these crucial issues and how is the United States playing a role in this as well?

Mr. YEE. Mr. Congressman, I agree fully on the need to continue the momentum that has been generated by the dialogue facilitated by the EU between Serbia and Kosovo. I think the European Union is committed to seeing this process move forward. They've invested a lot of time and energy and political capital, particularly from the high representative, Catherine Ashton, in ensuring that not only did the two governments agree but they would really implement—they would seriously work to implement the principles agreed in April of last year.

The EU's first focus in helping Kosovo and Serbia in moving along the path towards EU accession is to make the implementation process take place in a timely fashion. In other words, not to allow either Serbia or Kosovo to rest on the laurels of success that

they've achieved in either through the stability and association process or through beginning the negotiation process in Serbia's case, to forget about the very difficult issues that need to be resolved in implementing the agreement, whether it's the eliminations of perilous strictures in the north of Kosovo or the establishment of a judicial system that is under Kosovo law.

There are many challenges. That is I think the most important part of the EU's role in providing the necessary political and technical assistance in order to keep that implementation process moving.

There's obviously a lot of economic assistance also and the EU along with our own USAID, thanks to support from the U.S. Congress, is providing a lot of technical assistance in helping Kosovo make the reforms necessary, helping building civil society in both Serbia and in Kosovo, helping both countries develop market economies that will be more conducive to foreign investment including from the United States.

These are all important ingredients in moving the countries forward, not only towards accession into the EU but to a more prosperous future with jobs and with prospects for their younger generations.

Mr. ENGEL. Well, with regards to that, Serbia, as you know, recently started its negotiation talks with the EU. I think it's very important that Serbia adopt all chapters of the EU agreement, including chapter 36, which is the implementation of the Belgrade-Pristina Agreement. Is there any concern on our part that the calling of early parliamentary elections in Serbia scheduled for two weeks—about two weeks, or a week and a half from now—will delay progress on its negotiations with the EU?

Mr. YEE. Mr. Engel, I think there's no doubt that any time there's an election in the Balkans, or anywhere I should say, there is a tendency to leave aside some of the hard work that could be politically controversial and potentially difficult for candidates to sell to their constituencies. However, the good news is the elections take place on March 16th.

So it's not going to be much longer. Also, I should say that it's our understanding from our EU colleagues and also from contacts through our embassies in Belgrade and Pristina that the work has continued towards implementation of the April agreement.

There is we understand another discussion, another round of talks, dialogue talks scheduled for shortly after the elections in Serbia. So I think, yes, there was inevitably a pause because of the election. But it's not been a long one and we expect the dialogue to continue and implementation to continue shortly after elections.

Mr. ENGEL. Let me ask one final question and that involves Montenegro. Local Albanians in a province called Tuzi have attempted to regain municipality status since 1958. The Montenegrin Prime Minister Đukanović, with whom I've spoken and the ambassador has been very helpful, has promised to hold a referendum on this subject repeatedly. I understand there are ongoing negotiations.

I'm told that they are about to hold a referendum. They're about to have an agreement. But to date, no referendum has been held. I understand some people have raised questions about Tuzi's financial viability. So what is the latest you've heard about this issue



and Tuzi and what is the U.S. doing to facilitate a resolution that would address the longstanding quest of a local Albanian population in Tuzi?

Mr. YEE. Mr. Engel, I will need to get back to you with the latest details and most recent developments on that issue. I do know, as you mention, this has been going on for some time. It was a very important issue while I was consul general in Podgorica from 2002 to 2005. I think what's important is to first of all recognize that the government of Montenegro has taken the issue of minority rights and of minority representation in the government very seriously.

And I think that's a positive indication of its commitment to the OSCE principles, basic human rights and also the importance of political stability within Montenegro. I understand that there has been an ongoing negotiation between the ethnic Albanian parties and the major majority party, DPS, regarding the timing of when to hold a referendum and when to possibly make a change in the status of Tuzi. But I don't know what the latest developments are on that and I'll have to get back to you.

Mr. ENGEL. OK. Thank you very much. I haven't asked a question on Albania so let me just not do that. But let me just state that I hope that Albania, the election that was held there, it's always good to see peaceful transition of parties in a democracy and I think that we can all look at the progress Albania has made through the years and be proud of the role the United States has played. Thank you, Mr. Secretary. Appreciate your good work. Thank you, Mr. Chairman.

Mr. CARDIN. It's nice to have you here. Thank you, Mr. Engel.

Mr. YEE. Thank you, Mr. Engel.

Mr. CARDIN. Mr. Kinzinger, Congressman from Illinois, it's nice to have you here.

**HON. ADAM KINZINGER, A CONGRESSMAN FROM THE STATE OF ILLINOIS**

Mr. KINZINGER. Thank you, Mr. Chairman. And, sir, thank you for being here. I'm not going to take a whole lot of time. Just had a couple of questions I wanted to discuss, specifically Bosnia and NATO expansion, talk about Georgia right now. So obviously with everything we're seeing occurring around the world with Russia's invasion of Ukraine, we talk about the importance of NATO expansion.

Recently a couple of times I've been to Georgia. Obviously they have seen areas occupied by the Russians. In fact, there's a process of militarization or borderization going on right now including the Russians pushing further into Georgia claiming it's for the Sochi Olympics.

And I'll be shocked if they relinquish some of that buffer area that they've created for so-called security. In light of the recent invasion, in light of what we're seeing in Russia, what's your thought, what's the administration's thought in terms of pressing ahead with NATO expansion in Georgia? What's the likelihood of that and where would be the difficulties that we see?

Mr. YEE. Well, I should preface my answer by saying that unfortunately Georgia's not one of the countries I cover. But I do know

that there is—there is active discussion in the U.S. government and also among other allies on how best to help Georgia move forward in its efforts to join Euro-Atlantic institutions. I also am aware that there is not yet consensus among allies on the best way for Georgia to move forward, whether to have Georgia join the Membership Action Plan, for example.

There are many considerations, as you know, Mr. Kinzinger, on the potential impact of having Georgia join the Membership Action Plan or move forward in its NATO track, potential implications for its relations with Russia, for example. There is, of course, in the U.S. government no desire to appease, no desire to compromise on Georgia's interests with the possible implications regarding Russia.

However, it's a reality we do need to take into consideration first and foremost the views of our other allies since we cannot make the decision on our own. But we continue to work with Georgia in preparing it for the types of reforms, to help it make the kinds of reforms that would be necessary for it to join NATO, for it to advance on that track regardless of whether it's in the membership action plan or not. And of course we continue to work with allies to reach a consensus on the best way to make that happen.

Mr. KINZINGER. Yeah, I hope that over the next number of months the discussions happening on Georgia, I hope that we can move forward in understanding. Obviously Russia has an intention of being aggressive against its neighbors and this is one that's known that for far too long. What impact would the inclusion of Georgia or the movement of Georgia towards an MAP or towards NATO inclusion, what impact would that have on the Western Balkans and the region if they saw that occurring?

Mr. YEE. I think the Western Balkans, as the chairman mentioned earlier in one of our earlier questions, are definitely paying attention to what's happening around them and within the Balkans. It's certainly had an impact on the people of Bosnia-Herzegovina when they saw that Serbia and Kosovo and Montenegro and probably in June Albania moving forward and making steps, concrete steps towards European Union accession.

With NATO, I think if there were progress by Georgia, taking a step towards NATO and the Membership Action Plan, I think there would be other questions raised in a positive sense by the people of Bosnia-Herzegovina why Bosnia is standing still, not making progress in either its EU track or NATO. So there could be a salutary effect. At the same time, that's obviously only one of our considerations.

We have to take into account the impact on the wider security picture in Europe. But in direct answer to your question, I think that as more countries move forward towards Euro-Atlantic integration, the message will be even better underscored that those countries are not moving forward, are not only standing still but they're actually moving backwards.

Mr. KINZINGER. When you look at Bosnia and you look at the political leadership and the inability to agree on even some basic constitutional reforms that have been called for by the European Court for Human Rights, why has the international community downgraded its presence and relinquished its powers?

Mr. YEE. Well, first, I would agree that there has not been progress towards implementation of some of the steps the international community has been asking Bosnia-Herzegovina to make, including with regard to implementation of the Sejdić-Finci case, or the European Court of Human Rights decision requiring Bosnia to modify its system of electing presidency because of discrimination against peoples who were not members of the three major constituent peoples.

We think it's very important that this be solved, as well as the other reforms that the international community is asking. I would not agree, though, that the international community has stepped back or reduced its presence. There may be some changes in the numbers of some of our security forces. Certainly the United States in recent years has reduced the number of forces in Bosnia. But that has been by design.

That has been in an agreement with the European Union that the European Union would increase the number of its forces as our forces drew down. And in recognition I think of both the aspirations of the European Union but also of the United States to see Europe play a bigger role in assuming responsibility for security in Bosnia-Herzegovina and in Europe in general. The United States continues to have forces in Kosovo. We continue to have very large diplomatic presences in Sarajevo, in Pristina, in Belgrade, even in Podgorica and in all of the countries in the Balkans.

We have relatively significant assistance programs as well. The European Union also, as some of our aid programs have decreased, has increased its programs, sometimes surpassing and to a large extent the assistance programs that the United States used to have, as it should be. European Union member states also have said they want to integrate these countries. So their presence, their assistance should be commensurately larger than ours.

But I see no lack of commitment from the European Union, from the international community remaining engaged in keeping open the possibility, the real possibility for the countries of the Western Balkans to join Euro-Atlantic institutions. And I think that will continue. And I think particular because of recent developments elsewhere in Ukraine, other parts, we've all been reminded that we cannot avert our gaze. We cannot lessen our vigilance if we want to continue our vision, our mission of Europe whole, free and at peace.

Mr. KINZINGER. And so, your assertion is it may be a shift in power between kind of America and the EU in terms of engagement but there's no overall reduction of international engagement.

Mr. YEE. That would be my assertion, yes, that there may be a reduction in some of the numbers. Certainly our assistance money, for example, unfortunately I would say has decreased. But the European Union has increased its level of assistance.

Mr. KINZINGER. And I have just two more areas I want to hit quickly. We were actively engaged in previous attempts for constitutional reform in Bosnia and I think that was a very commendable approach, didn't obviously succeed. What are some lessons that you think were to be learned from that experience? How can we improve going forward, not necessarily from your end but

what—I guess what are the lessons learned in terms of what we experienced there?

Mr. YEE. I think the first lesson that we learned from previous efforts at constitutional reform since the Dayton Accords were signed almost 20 years ago now is that it is absolutely essential that we in the international community and the people of Bosnia-Herzegovina hold their leaders responsible for making the changes, making the hard decisions necessary in order to reform the constitution and in order to move the country forward.

The international community cannot substitute for the elected leaders of Bosnia-Herzegovina. We cannot sidestep their authority as elected leaders. That is I think the first lesson, that if we do not have the support of the people, if we do not have the engagement of the citizens in the reform process, we will not succeed.

Secondly, I think we've learned that we absolutely need to have a united European Union-United States effort at whatever we're trying to achieve in Bosnia-Herzegovina, whether it's a particular type of reform or if it's in convincing political leaders they need to take a certain step. We need to be together. And this is of course a lesson we're seeing in other parts of Europe. But that's absolutely essential.

Mr. KINZINGER. OK. And I think with the recent protests and the widespread corruption that we're seeing, the lack of emphasis on democratic ideals, I think it's important that we keep reaffirming to the people that we hear them, we know what their concerns are and we're going to stand with them. So Mr. Chairman, I thank you for the opportunity to participate and I yield back.

Mr. CARDIN. Well, thank you. I appreciate your participation in this hearing. Mr. Yee, thank you very much for your testimony. We want to now move to the second panel. We are very pleased that it consists of two distinguished witnesses from both sides of the Atlantic. They will provide their own independent assessment of the situation in the countries of the Western Balkan region of Europe as well as of the United States and European policy responses.

Tanja Fajon, of Slovenia, is a journalist by profession and was elected to the European Parliament in 2009. She has been active as a proponent of stronger engagement with the countries of the Western Balkans but especially with the people.

She is known as a champion of the visa liberalization process for those wishing to travel to EU countries. I want to thank you particularly for coming here to the United States, knowing full well that European Parliament elections are May 25th. You're a brave person. We thank you. Maybe you're seeking a little bit of rest here. I don't know. But it's nice to have you here in the United States.

And Kurt Volker, who is the executive director of the McCain Institute for International Leadership, which is part of the Arizona State University. Ambassador Volker was a career member of the U.S. Senior Foreign Service with over 23 years of experience working on European policies under five U.S. administrations. And he served as the ambassador to NATO from 2008 to 2009, at the time of the enlargement of the alliance to 28 members.

He also served as principal Deputy Assistant Secretary of State for European and Eurasia Affairs. And he's worked with the Com-

mission in the past. So it's a pleasure to have both of our experts here today to help us sort through the current policy issues in the Western Balkans. We'll start with Tanja Fajon. Thank you.

**TANJA FAJON, MEMBER (SLOVENIA), EUROPEAN PARLIAMENT**

Ms. FAJON. Thank you, Mr. Chairman. Thank you for inviting me to testify here at this very prominent Helsinki Commission. I'm honored to talk to you in the times that are extremely important for the European perspective of the Western Balkan, even more so given the recent and extremely worrying developments in Ukraine, which dominate our concerns to a great extent.

It is necessary that we preserve peace in Ukraine and in the entire region and employ all our diplomatic means to stabilize the country, to build a united country with respect of its sovereignty and integrity and without further even deeper ethnic divisions. And we have to engage ourselves together through the political dialogue and answer especially to the demands of people. But at the same time, we must not lose our focus when it comes to engagement and interest in the developments in the Western Balkan.

Ladies and gentlemen, this year is crucial for future developments in the region. First of all, my testimony will be based on my personal views. As you may already know, I have taken the leading role, as you mentioned, in the European Parliament in making visa liberalization for Western Balkans a reality. And throughout my mandate, I have been encouraging the governments, both in the European Union and in the Western Balkans to engage more actively in pursuing the enlargement agenda.

Based on its own experience, history and geography, my country, Slovenia, plays an active role in the Western Balkans accommodating the challenges of the EU integration. I will outline my recommendations regarding our policy in the Western Balkans, particularly in the light of what should be expected in 2014. Challenges are enormous because of the European elections on one hand and national elections in several countries of the region on the other hand. And the U.S. engagement has always been crucial in the past and it will remain equally important in the future.

Without a common understanding of the situation and the need to act in an appropriate, credible and unified way, without listening to the voices of people as it was well illustrated in Bosnia and Herzegovina recently, we might jeopardize peace and stability in the entire region. But before going into an in-depth analysis, allow me to share with you my personal experience as a rapporteur of the European Parliament for visa-free travel for citizens of the Western Balkans.

The abolishment of visas has been the most tangible achievement for the countries of the region on their European path. It has been a great and historical step in bringing down the walls of bloody wars. It has strengthened political and economic cooperation and, what is of immense importance, people-to-people contacts. We have to do our utmost to preserve this freedom of travel despite some nationalistic and populist attacks across Europe against these recently won freedoms.

And we need to abolish visas for the last country in the Western Balkans, which is still not on the visa-free regime, Kosovo, once it

meets the necessary condition. Needless to say, visa-free travel is crucial for ordinary citizens, politicians and businessmen travel today without waiting in front of the consulates and criminals usually don't apply for visas. It is about citizens and especially about young people. They will get to know the European values and principles only by getting closer to Europe.

Let me start with the country I strongly believe we have to put on the very top of our agenda in the Western Balkan. That's Bosnia and Herzegovina. It is still the most volatile, ethnically divided country. The Dayton Agreement ended the war but it did not provide the legal structure for a functional country. The February demonstrations were the most serious outbursts of violence since the war in the '90s, people calling for change, unsatisfied with their political elites and their personal welfare. Economic, political and social situation in Bosnia and Herzegovina is more than worrying and it urges us to act now more than ever before.

So far, our endeavors lack political will to make a serious policy shift. We need clear messages and consistent policies. We need an internal process which will lead to a wide constitutional reform that can be accepted by the country and its people. However, it cannot be externally imposed. The European Union has to act as a facilitator. The support of its international partners is hereby essential. Bosnia and Herzegovina needs a custom-made accession approach. We must not focus only on Sejdić-Finci case. It should not block a new application.

We have spent countless hours trying to forge a compromise. We should maybe rethink our future or current policy. We need to make use of the elections in October in Bosnia and Herzegovina to develop a new unified policy approach with clear messages, what kind of structural reforms Bosnia and Herzegovina need to implement in order to join European Union. I welcome the intentions of the European Commission to focus on better economic governance and fight against corruption and better implementation of EU-funded projects through the instrument for pre-accession assistance but without any additional further cuts.

And this is not enough. We need to channel the social frustration in a positive direction, away from further ethnic divisions or state dissolution. So far, the demonstrations showed no interethnic tensions at all but a generally tense atmosphere ahead of the elections can easily set the stage for violence on a much larger scale. Therefore, we need a tailored policy for the new government after the elections in October that will help Bosnia and Herzegovina to present new EU membership application as soon as possible, preferably this year.

On Serbia, the country has taken important steps towards the normalization of relations with Kosovo and the dialogue between Pristina and Belgrade is extremely positive for the people and it has opened the way for further steps in the European integration process. But it is necessary that both sides maintain this constructive approach while working on the controversial and very sensitive details that still need to be elaborated and agreed upon. And there is still need for greater transparency and communicating the outcomes of the dialogue and involving the parliaments and civil societies. The negotiators need to build better public trust.

And a very positive outcome of the dialogue were the elections in Kosovo. For the first time they included Northern Kosovo and for the first time they were in line with democratic norms. Serbia, as you know, started the accession talks in January this year and it is committed to continue with necessary reforms. And given the progress it achieved in the recent part, the country has become an important player in the region in supporting and promoting European values. And there will be early elections on the 16th of March which we already discussed and heard about today.

On Kosovo, because of the normalizations of the relations with Serbia, the European Union launched negotiations for SAA agreement with Kosovo and hopefully this agreement will be signed this year, although the authorities need to make further efforts to meet the challenges of the European reform agenda and it is expected as well that Kosovo will hold early elections in June. In European Parliament, we have encouraged in a January resolution the remaining five EU member states to proceed with the recognition of Kosovo and we have called on all EU member states to their utmost to facilitate economic and people-to-people contacts as well as social and political relations between their citizens and citizens of Kosovo.

I visited Pristina two weeks ago and held a press conference in Brussels two days ago, so a day before yesterday, and I re-emphasized the importance of the visa-free travel for the people of Kosovo. There will be an expert mission in Kosovo next week evaluating its readiness and I do expect that the commission will publish its report without further delay.

On Macedonia, as I'm coming from Slovenia, unfortunately there is not much to say. The EU has decided for the fifth year not to open the accession negotiations with the country in spite of the positive recommendation of the commission and of the European Parliament in this respect. And there is growing frustration about the EU in the public opinion. I strongly support the idea that the bilateral issues between Macedonia and Greece should be resolved before the end of the accession process.

But they should not present an obstacle to the opening of the negotiations. And a further delayed process poses a considerable risk to the regional stability. I hope that Greece will use its EU presidency to create a positive environment. But still, it takes two to tango and it seems that no side is capable and ready to develop new initiatives to overcome the current stalemate on the name issue.

There will be the presidential elections coming and early parliamentary elections. It is difficult to believe that there will be a good atmosphere to find a solution. In any case, all the gestures, controversial actions and statements which could negatively impact on good neighbor relations should be avoided.

On Montenegro, it seems to have least problems among the Western Balkan countries. It still shows broad enthusiasm for entering the European Union. Two chapters have been provisionally closed—fight against corruption and organized crime and judicial reform remain top priority as for all of the countries of the Western Balkans. But nevertheless, I want to use this opportunity to once again express my deep shock and concern about at least two bomb

attacks and around half a dozen physical attacks against journalists in the recent past. I've called on the responsible authorities in the country several times to protect journalists and adequately investigate and prosecute all these attacks and threats.

Albania has a new government after the June parliamentary elections and it has improved its reputation significantly after an orderly conducted and peaceful transfer of power. This new government has an ambitious European agenda and significant progress has already been made in the first hundred days of its functioning.

Therefore, I do expect that the EU Council in June will grant Albania a candidate status. It is also true that the political climate in the country must be improved. But delaying the granting of candidate status would mean to risk the momentum for further progress in democratic development of the country. And we must not forget that the country has been the most isolated country of the Western Balkans in the past.

And let me conclude with a few final remarks. First, despite the economic and social crisis in Europe, the enlargement of the European Union towards the Western Balkans countries must remain our priority. The political situation in the region is still very fragile. In particular, Bosnia and Herzegovina shows varying signs of instability. And peace and stability of the region is our common strategic interest. With the support of the United States and its international partners, the European Union must lead a unified, comprehensive policy approach toward the Western Balkans.

We must be capable to shift our policy approach when needed. The economic crisis has hit the Western Balkans very hard. Europe and the United States should seek opportunities for more investments in the Western Balkans.

European Union institutions and the governments need to make use of this year, the year of European elections, to fight nationalism and extremism in the region. Otherwise, it will jeopardize the European integration process. A credible European Union policy towards the Western Balkan demands in-depth understanding of the history of these countries, different political and economic situations, involvement of local authorities, NGOs, experts and the civil society.

And last, the Brdo Process launched by Slovenia and Croatia has the potential to become a strong engine of political and overall development in the region. The July summit of the Brdo Process with French Prime Minister Hollande was a historical event for the region which set the fundamentals for a fruitful common initiative and a successful story of the region. The next summit of the Brdo Process will take place in Croatia in July with Chancellor Angela Merkel already confirmed the participation. Thank you for this opportunity.

Mr. CARDIN. Well, thank you very much for your testimony. Ambassador Volker?

**AMB. KURT VOLKER, EXECUTIVE DIRECTOR, McCAIN  
INSTITUTE FOR INTERNATIONAL LEADERSHIP**

Amb. VOLKER. Thank you, Mr. Chairman. It is an honor for me to be here. I have a written statement I'd like to put into the record and I'll just summarize my views orally.



Mr. CARDIN. Your written statement—all written statements—will be made part of our record, yes.

Amb. VOLKER. Thank you. Thank you. I want to start by commending you for having this hearing to focus on the Western Balkans. It's easy to get lost in the fray. And I think it's good that we do that. So thank you for doing that. I also want to commend you for your comments on Ukraine. You've heard excellent statements from Deputy Assistant Secretary Yee and from Ms. Fajon. So what I'd like to do is offer maybe a slightly broader perspective on the issue.

In my view, any discussion today about the Balkans really doesn't start with Sarajevo or Pristina but perhaps needs to start with Crimea. What we've seen in Europe in the past week and a half is the use of military force to invade a country, to occupy part of it, change borders by force perhaps. Really the gravest threat to democracy, freedom and security in Europe that we've seen in the last 25 years.

We've spent 25 years supporting the rights of people in Central and Eastern Europe to determine their own future, to build democracies, to build market economies, to build security. NATO membership and EU membership have been a means toward that end. And it has been remarkably successful.

I think that nothing can excuse what Yanukovich has done in Ukraine or what Putin has done now by having this quasi-invasion of Ukraine. But I do think that there is a factor here which has been complacency and perhaps some disengagement on the part of the West, Europe, the United States, that you can't blame for these conditions but nonetheless should have had a more proactive policy of supporting reform and supporting the momentum towards really building a Europe whole, free and at peace. I'm afraid that that's what I see in the Balkans as well, a little bit of complacency, a little bit of insufficient engagement from the leaders of the European Union, from NATO, from the United States.

We have wonderful members of the European Parliament who are engaged. But I think we need to have a more proactive policy because when it's not there, the darker forces rise to the surface and create conditions that make it harder to make progress. And we've seen this in Eastern Europe but I'm afraid we do see it at times in the Balkans as well.

So in that context, I think it is important that we redouble our efforts to bring about and promote the right kinds of reform in the Balkans and to use the prospects of NATO and EU membership aggressively in order to encourage the right reforms and to cement the movement of those societies in a direction that is in the best interests of the people there at their own choosing as well as in the best interest of Europe as a whole. With that as a background, let me give a little specifics about some of the countries there.

Start with Montenegro, it's come up earlier today. Certainly Montenegro has more work to do in terms of political reform, judiciary, dealing with crime, dealing with Russian influence. But let's face it. Other countries had work to do when they joined NATO and the EU as well. And I think we're at a time now where it's time to extend an invitation to Montenegro at the 2014 summit in the U.K. And then progress shouldn't stop there. We should con-

tinue to have expectations for reform and development in Montenegro.

The second one is Macedonia. Likewise, I think it is shameful that the name issue has been a block to progress in Macedonia and a block to progress in the wider Balkans region. It serves no one's interest. It is not in Greece's economic interest to have a Balkan region that is held back by keeping a country away from NATO or EU membership. Moreover, having spent a lot of time with people from both sides of this question, I'm convinced that there is a solution to the name issue, that it can be done as a win-win for both countries and should be an opportunity to move on.

I do however believe that requires a context of U.S. leadership and European leadership to help those countries get to that win-win solution. I think it can be done. And again, I think it should be done using the September 2014, NATO summit as a target. And that invitation could therefore be extended to Macedonia as well.

To move on to other countries, it's come up before on Bosnia and I'd like to address a point you asked in a question, what needs to be done. I think it's high time—it's past time that we have a Dayton II effort to really put the governing issues of Bosnia on the table. They can only be agreed by the Bosnians themselves. But they need the context of U.S. and European leadership to create a framework in which that kind of negotiation can take place.

In the absence of changes to the Dayton framework that currently exists, we see a political and governing structure that reinforces ethnic nationalism, that paralyzes governance, that rewards the politicians who bring some of the worst elements to the table in domestic politics. We need to try to push beyond that.

I want to commend High Representative Catherine Ashton for her work on Serbia and Kosovo. I think that has made substantial progress. I don't see that we're going to have major new breakthroughs. But I think further practical steps should be encouraged and should be supported.

And then one final word I'd like to put in about democracy generally. NATO and EU membership are not an endpoint in themselves. They're a means to an end. The real end is societies that respect human rights, that protect minorities, that function democratically, that build prosperity for the citizens, that are stable, secure and contribute to a good neighborhood in the Euro-Atlantic community.

And NATO and EU are powerful tools on that road but they're not an endpoint. And even for countries that have already joined NATO and the EU, there is often a lot of work yet to do. And we see that with some examples in the Balkans, some examples in Central Europe, some examples, frankly, in Western Europe. And so it's a continuing effort to try to build the right kind of societies. We shouldn't hold NATO and EU out there as a final endpoint after everything has been done but rather to try to use those institutions and those memberships as ways to further promote progress in building a Europe whole, free and at peace, as we have done for the past 25 years. Thank you, Mr. Chairman. And I look forward to your questions.

Mr. CARDIN. Well, let me thank both of you for your contributions to this hearing. And I can tell you, we are going to maintain

our focus in this region. We are very proud of what has been done but we know there's still progress that needs to be made. And we have to balance very carefully the importance of internally-driven solutions but within the context of the international expectations, particularly with Europe and the United States. That's our challenge.

I want to start with a question on a subject we haven't really covered as well. And that is that there are human rights concerns. You mention in your testimony the safety of journalists. The secretary mentioned the corruption issues within the Balkans. Our TIP report shows significant need for progress on trafficking. Can you just share with us your observations as to whether—at what stage these countries are prepared to improve governance and respect for human rights?

Ms. FAJON. Thank you. Thank you, Mr. Chairman, for this very important question, human rights. Of course, I will start from the perspective of what is happening in the regard of visa-free travel because what we are seeing is that a lot of people, especially representatives of the minorities coming from Roma society, are leaving their countries coming from Serbia, from Macedonia or from Bosnia and Herzegovina. And this is one of the greatest concerns, how to ensure a safe environment, the reintegration for this most volatile part of the community.

And certainly the governments are doing a lot. They are in a constant dialogue with Brussels, what is possible to improve the situation. But we have to be aware that we are talking about very difficult economic conditions of the countries where on one hand we have more and more people living on the edge of poverty. And it's difficult even to blame people who are trying to find better life in the western part of Europe, going to search there for asylum or jobs or citizenship. And it's something we have to tackle very seriously.

What is my concern is when I see that people are often misled as well to use the freedom of travel and they often sell all their properties by certain agencies or criminal networks to get the free ticket to Europe and then finally they find themselves in the illegal situation or they are sent back.

So when we discuss about the human rights violation or discrimination, we have growing concern what is happening with those people stopped on the borders because countries, of course, in the region try to prevent abuses of visa-free regime. So we have to ensure that people who are coming from different background or belonging to Roma population or other minorities, that they don't face any discriminatory rules.

Certainly we have to have constant monitoring of the situation. We are doing everything as well in the European Parliament to help the governments, as well with the fundings because it's an extremely difficult economic situation, most part of the region and to try to ensure that human rights are respected to a great extent.

Mr. CARDIN. Thank you. Mr. Ambassador?

Amb. VOLKER. Mr. Chairman, thank you. First, I share your concern about human rights in the region and more generally. I would observe that human rights in the region, while there are challenges, as you mention and as Ms. Fajon mentioned, they are bet-

ter than they have been and they are better than they might be. So we have still a window here where the Balkans has produced some progress. I think the reason that it is not as much progress as we want is because of some of these larger forces that I described. It allows corruption to be an easy way out.

It allows criminality to go a little too far. It creates legal systems and judiciary systems that are vulnerable to the extent that these countries are not firmly on a track into the right institutions with the right kinds of engagement and pressure over a long period. I think that it is worthy of the European Union and the United States to continue to put pressure on human rights on every case that comes up, whether it's journalists or corruption or unresolved murders, as was brought up. Those things are important. And at the same time, we should also keep pressing the engagement with NATO and the European Union and using all the tools at our disposal to bring these countries in because it's only with leaders with the incentives in front of them to clean up corruption, to take a harder track on crime, to fix judiciaries that are really going to tackle these problems in the long run.

Mr. CARDIN. You know, you get basically one shot at this on their transition, to a country's transition to Europe. Once they're members, the leverage is nowhere near as direct or strong. And it seems to me that we have pretty specific expectations on some of the governance issues as it relates to democratic institutions and centralized control of central institutions of government including the military. That's pretty well-defined, what is expected.

On the human rights front, it becomes a little bit more difficult at times to get that specific with changes, particularly with corruption because corruption is not as easy to define as you resolve the problems in your country. We have pretty good information on trafficking. We can, I think, be pretty specific as to what we expect, improvements there on the safety of journalists, there's pretty good information on that.

Roma populations, minority populations are very challenging. As you point out, the economic issues but there's always justifications by pointing to what's happening in Western Europe or other areas to say we are using dual standards. So there is a problem with the Roma populations and other minorities that we have to do a better job in demanding progress to be made.

So I think your testimonies are very helpful in that regard and I'm glad we had a chance to talk about it. I just want to follow up on your point about people-to-people. I couldn't agree with you more. It seems to me people-to-people is how changes are taking place. When I was in Bosnia, I think my best meeting was with the students. When I was in China, my best meeting is with the students.

They are the only group of people from whom I heard something different. You know, they're really very inquisitive and interested in what was going on in the West and very interested in getting their views across. And we had a great debate. In Bosnia, we see the popular expressions on the streets because of their frustration but it's also refreshing to see that the people get it. How do you translate that to the leaders?

Of course, that's part of democracy, how that comes about. And that's going to be our challenge moving forward. Let me just ask the question in regards to Bosnia to both of you. We've heard a lot of the challenges that they have. In your view, what does Bosnia need to do? What would be their priorities for change in order to accelerate a Membership Action Plan for NATO and application for Europe?

Ms. FAJON. Thank you for this actually extremely difficult question because it demands firstly understanding of the situation that in the last few years in Bosnia and Herzegovina we haven't really seen any progress. We have seen many commitments or promises they were given by the political elites in the country. But they were never fulfilling them, especially when it comes to all the points on the European agenda, to the case of Sejdić-Finci, to the coordination mechanism and so on.

And most probably what we've seen with the manifestations and demonstrations on the streets in the recent past, it's somehow the mirror of the society, of what is happening in Bosnia and Herzegovina, the dissatisfaction with the political elite. And recently, as you may know, the commissioner for the enlargement simply gave up the facilitation with Sejdić-Finci talks with the political leaders. It seems that we have to start rethinking our policy when we discuss with the political leaders of the countries maybe where we have to bring it to the level of the institutions.

But seriously, we have to make the pressure. And I'm very happy to see that the society actually actively engaged finally to bring the voice on the streets in a peaceful way to demand the changes of the country. I cannot prejudge what the elections will bring in October. But certainly corruption is a very big problem in the country.

And we have to tackle with the agenda to bring the country closer, to help them with the European reforms and to really continue engaging all the political forces in the country to be united and not only work the politicians in the country for their ethnic community but for the whole country as united. And this is what is lacking in Bosnia and Herzegovina. And of course a proactive approach of European society with United States and international partners has to be much stronger.

And how to achieve that? We are not really bringing the solutions but trying to facilitate, to find a solution, it is probably the most demanding challenge ahead of us. But we should use this momentum now when we have people who are actively engaging and to include the civil society and the experts in the discussion on the future perspective of Bosnia and Herzegovina.

Mr. CARDIN. That's very helpful. Thank you. Ambassador?

Amb. VOLKER. Thank you. If I could address a couple of points that you've raised, one of them is just to recall when I served in Hungary or when I was at the National Security Council, we were very proactive with interagency teams working with interagency teams from each of the candidate countries, developing lists of things that needed to be fixed in order for us to be comfortable offering an invitation to join NATO. Slovenia was a great example as well.

Some of these required very difficult decisions on the part of countries. But they believed that we were serious, that at the end

of the road there would be a membership invitation and that this would come out of NATO and eventually the EU. And so, they made some tough decisions. You're right that once it's done it's harder to exercise influence.

But in that process, a lot can be done. I have a feeling that the countries today don't believe we're serious, that we're not trying to get to that outcome. And so, the pressure is less there for the leaders to make some tough decisions and clean up some things that need to be cleaned up. That comes to your question about Bosnia. The Membership Action Plan was meant to be a tool on the path to a country being ready to become a member. So we don't expect everything to be done. We expect to use the Membership Action Plan for that purpose. You do need an interlocutor and this is where in Bosnia in particular the lack of an effective central government authority, particularly exercising control of the military and military installations and depots, is a problem. It doesn't give us the effective interlocutor that we really want to have.

I think to get there, we probably should be just, as has been done during the course of this administration and they've been focused on this, work to get the central authorities in the strongest position possible to deal with the security issues, to make them an effective interlocutor for NATO.

And then in parallel we do have to work on these bigger structural, political issues in Bosnia that will hopefully create different governing conditions that—what you have now is gridlock in the center and the Republika Srpska or other more local political actors running the show for their own benefit. We need to have a stronger central authority that functions governing a country while respecting the regional differences within the country.

Mr. CARDIN. I think that's very helpful. I agree. It's responsibility on both parties. It seems to me Europe and the United States, NATO need to be very clear about their timelines on membership so that there is clear understanding. I think there's been some mixed signals sent. But clearly the principal responsibility is with the country to be very serious about the reforms. The reforms are important for transition into Europe.

But they're also important for the security of the country itself and their future democratic commitments. So I think it's a dual responsibility here. But I think we could give a clearer message which would be helpful to get the serious progress made on a realistic time schedule. Let me again thank both of you for your testimony. And with that, the Commission will stand adjourned. Thank you.

## APPENDICES

### PREPARED STATEMENT OF HON. BENJAMIN L. CARDIN, CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

At today's hearing, we will focus on developments in the countries of the Western Balkan region of Europe, as well as U.S. and European policy responses. While we all have recently focused our attentions on the critical situation in Ukraine—and the Helsinki Commission will certainly continue to do this as well as focus on human rights problems in Russia, the countries of Central Asia and elsewhere—we should also be proactive and focus on situations before they become, as the Western Balkan region once was, disturbing headline news.

The Helsinki Commission has focused its attention on specific countries in the Balkans many times in the past, but a regional overview is more important than ever before. Each country is at a different stage of achievement or preparedness in meeting their Euro-Atlantic and European aspirations, but they all share an interest in each other's advancement and stability.

The United States and Europe continue to have a vested interest in seeing this progress take place. While the Western Balkans is no longer the setting for violent conflict that it was two decades ago, we have had to devote considerable resources—financial, diplomatic and military—to restore peace and to encourage the democratic and other reforms necessary to sustain it. That job is not done. Having accomplished so much, we need to see the task of a stable, democratic and fully integrated Western Balkans completed.

These countries have also demonstrated a willingness to contribute to peace operations globally, and, if they are not already, they should soon be our newest allies in a stronger NATO Alliance. It is my view, at least, that their membership in NATO, if they choose to join, enhances our own security. More than that, as NATO allies and EU partners, the countries of the Western Balkans will be bound to each other's security and better able to find reconciliation among themselves, to strengthen their ties and to focus on their collective potential. Having gone through so much, the people of the region certainly deserve this brighter future.

In the past year, we have been particularly encouraged by Croatia's joining the European Union, the progress leading to the normalization of relations between Serbia and Kosovo, the beginning of negotiations for Serbia's EU accession, a smooth political transition in Albania that will hopefully pave the way for that country to begin soon its negotiations as well, and Montenegro's ongoing progress toward both NATO and EU membership. Kosovo has just celebrated six years of independent statehood. It still has a long way to go and must confront some undoubtedly major obstacles along the way, but it has demonstrated a very welcomed commitment to moving forward.

While encouraged by these developments, we continue to worry that progress in the two most multi-ethnic states in the region—Bosnia-Herzegovina and Macedonia—has stalled. In Bosnia, we have seen for some time that the political structures created by the Dayton Agreement, with their emphasis on ethnic balances rather than good governance, have become outdated, undemocratic and divisive, but we are now seeing the implications of trying to maintain the status quo in the form of popular unrest and a public demand for greater accountability. Macedonia, which had made considerable strides in its desire to join both NATO and the EU, today struggles to maintain its democratic credentials and internal cohesion while Greece's dispute with its name has put its aspirations effectively on hold.

Then, there are issues that pervade the region—official corruption, trafficking in persons, the plight of Roma, attacks on journalists and control of the media—which continue to be a concern. Many wounds of past conflict—wounds in the form of missing persons and unpunished war crimes—remain open and cannot be left unattended. Several countries in the region will hold elections this year, but conditions for a free and fair contest could use further improvement in at least some of them.

The Helsinki Commission emphasizes the need for governments to implement the commitments they have undertaken in the OSCE, especially those relating to human rights and democratic development, and I hope we focus on that here at this hearing. At the same time, given the tremendous role and influence the United States and Europe have in the region, we cannot ignore our own policies and whether they are actually encouraging the progress we expect. We need to look at whether mere promises of NATO or EU enlargement at some time in the future are sufficient leverage for change, and what we can do in the meantime to keep these countries on track.

PREPARED STATEMENT OF HOYT YEE, DEPUTY ASSISTANT SECRETARY, COMMISSION  
ON SECURITY AND COOPERATION IN EUROPE

Mr. Chairman and distinguished Commissioners, thank you for inviting me to testify today before the Helsinki Commission, which, for nearly 40 years, has played a vital role in fostering democracy, human rights and security across Europe and beyond. Given your keen interest in the western Balkans, I am particularly honored to have an opportunity to provide an assessment of democratic developments and prospects for Euro-Atlantic integration in the region, and I look forward to discussing how we and our European partners can best encourage further progress.

The appeal of EU and NATO membership has been a positive force for the political and economic transformation of the western Balkans, and I'm pleased to say we have some successes to report. In the past year, Croatia became the 28th member of the European Union. Montenegro progressed toward EU accession. Albania had the best democratic transition in that country's history. And, perhaps most remarkably, Serbia and Kosovo signed a historic agreement to normalize relations, a move that spurred the European Council to begin negotiating a Stabilization and Association Agreement with Pristina in October and to open EU accession talks with Belgrade in January.

These advances and other positive developments in the region are especially encouraging because they are, in large part, a result of sustained American engagement and assistance, which includes providing \$315 million in development aid over the past two years. For more than 20 years, U.S. engagement has been driven by a desire to support the aspiration of western Balkan states to integrate into Euro-Atlantic institutions. This has been the top policy objective of Republican and Democratic administrations alike because it is the best means of ensuring long-term peace, stability and prosperity in a region that is a critical part of Europe—historically, geographically and culturally. Recent progress, however, has not blinded us to the fact that there are still many challenges that must be overcome before Euro-Atlantic aspirations are fully realized.

As we have seen time and again, progress comes most rapidly when political leaders and other actors break from how things were done in the past. When people are no longer mired in the past, but inspired by the future, they start thinking realistically about what needs to be done to improve their countries and begin making the tough decisions to get there. We saw this in Croatia, where successive governments stuck to an overarching goal—EU membership—and they committed the resources and relentlessly pursued the reforms needed to achieve it. The payoff came last July when Croatia became the newest EU member, demonstrating to the entire region that the door to EU integration is still open. In order to enter, however, states must display the same level of commitment and ability to institute needed reforms. We are very pleased to see that Zagreb is now sharing lessons it learned with its neighbors who aspire to join the EU and NATO.

#### SERBIA AND KOSOVO

We're greatly encouraged by the ongoing dialogue between Serbia and Kosovo, brokered by EU High Representative Catherine Ashton, which has already yielded many successful breakthroughs. The United States supported the EU's tireless efforts to build a framework for dialogue between Belgrade and Pristina. This EU-facilitated dialogue became a space in which the two sides tackled seemingly intractable differences that have prevented them from moving forward on their respective paths of European integration and improving the lives of their citizens. Last April, this dialogue produced a landmark First Agreement of Principles Governing the Normalization of Relations between the two countries. The so-called April 19th agreement has been followed by regular high-level and working-level meetings aimed at translating those principles into functional reality on the ground.

Full implementation of the April 19th agreement will not be easy, and the United States must remain engaged with Pristina, Belgrade, and the EU over the long term to ensure progress continues. Both countries will face numerous politically difficult decisions in the coming months and years. We can expect to see occasional backpedaling, delays, or attempts to reopen or reinterpret what was agreed. However, I'm confident that both Serbia and Kosovo will remain committed to normalizing relations, because it is indivisible from their aspirations for EU membership. The very same mechanisms the EU has in place to guide both countries forward on their EU paths will serve to systematically measure their progress toward normalization. Normalization and EU accession progress will also provide important economic benefits for both countries.

Serbia's performance in the Dialogue reflects its current leaders' pragmatic approach to invigorating Serbia's standing in the world, and this progress also makes



it possible to deepen the U.S. bilateral relationship. Serbia's 2012 election produced a government that committed itself to reforms and to growing relationships with the EU and the United States. Serbian officials recognize the need to enact economic and legal reforms that will be difficult, but necessary as part of the EU accession process and for economic revitalization. We expect that Serbia's March 16 elections will produce a government that continues along the path that the current government has charted. The United States continues to urge Serbia to bring to justice those responsible for the murder of the Bytyqi brothers and the 2008 burning of the U.S. embassy.

Kosovo celebrated the sixth anniversary of its independence on February 17th. Still the youngest country in Europe, it has made tremendous progress in its development as a fully sovereign, independent state and in building modern, multiethnic, and inclusive democratic institutions. The signing of the normalization agreement with Serbia and the launch of Stabilization and Association Agreement talks with the EU last year were significant achievements. The end of supervised independence in 2012 was another milestone reflecting Kosovo's accomplishments toward realizing the principles enshrined in its declaration of independence and constitution. In law enforcement, the Kosovo Police is integrating ethnic Serb officers who had previously served in parallel police forces under *de facto* Serbian control in the north, and Kosovo is cooperating with EULEX and its Special Investigative Task Force looking into the very serious allegations contained in the 2010 Council of Europe report (the "Marty Report") on organ trafficking and other serious crimes. In the security sector, NATO declared "full operational capability" for the Kosovo Security Force, and the KSF has made impressive efforts to recruit Kosovo Serbs. A soon to be released security sector review, which the U.S. Defense Department has helped facilitate for the past two years, is aimed at developing Kosovo's security institutions in a way that deepens Kosovo's relationships with Euro-Atlantic institutions and contributes to regional stability.

We know that Kosovo faces many challenges. National elections this year must sustain the positive momentum of last year's well-organized municipal elections. Further strengthening rule of law and tackling corruption; ensuring the rights of minorities including returnees are fully protected in practice, expanding economic opportunities, and building on the already 105 countries around the world that recognize independent Kosovo remain among the central tasks Kosovo's current and future leaders and citizens face. The United States remains committed to helping them with this, as we support Kosovo's progress toward full Euro-Atlantic integration.

#### ALBANIA

Albania has also enjoyed a year of strong progress, highlighted by the success of last June's parliamentary elections, which marked the country's smoothest democratic transfer of power without violence or allegations of vote rigging. The new government took office in September, and like its predecessor, continues to hold Albania's strong partnership with the United States as a key strategic priority. We have been strengthening our military-to-military relationship with Albania, a process that has been enhanced by some welcome reforms and innovative programs undertaken by the new defense minister. For example, Albania enjoys close partnership with the state of New Jersey and this year will start sending new Albanian officers to train at the state's National Guard officer candidate school (OCS) alongside American officer candidates. That said, much work still lies ahead for Albania.

Despite the European Commission's recommendation that Albania be granted candidate status, the European Council decided in December to hold off and give Tirana six months to demonstrate additional progress under the new government, in particular in fighting corruption and organized crime. Albania must convert the initial steps it has taken to improve the efficiency of investigations and prosecutions into tangible results. We are encouraging the government and opposition to work together to develop a track record by the time Council meets in June to reconsider whether to grant candidate status. Time is short, so Albania will need to act quickly.

#### MONTENEGRO

Montenegro, which began accession talks last June, recently opened the two most challenging EU *acquis* chapters, ones addressing rule of law, judicial transparency, and corruption. To close these chapters, it, too, will need to establish a track record of fighting organized crime and high-level corruption. Government officials are motivated to make needed reforms not only by their desire to follow Croatia into the EU but also by their aspirations to join NATO. In his annual report issued in late

January, NATO Secretary General Rasmussen noted that “good progress” has been made in meeting NATO standards, but Montenegro still needs to do more to fight corruption, reform its intelligence apparatus, and modernize its defense. We are also concerned about the relatively low level of Montenegrin public support for NATO membership, which largely stems from misconceptions about the responsibilities and benefits of membership. To bolster support, the government has launched a public awareness campaign, and our Embassy in Podgorica last month provided grants to nine governmental and non-governmental organizations to aid this effort, and we are encouraged to see some positive results from these efforts.

We and other Allies continue to review Montenegro’s reform progress and readiness for membership. The prime minister and other top officials assured me during a recent trip to Montenegro that they are committed to the process of implementing the reforms needed to demonstrate full readiness to join NATO. Some Allies would like NATO to take up enlargement at the September summit in Wales, a position several members of this commission endorsed in a recent letter to Secretary Kerry. At Washington’s suggestion, the NATO International Staff was tasked in December with assessing each aspirant nation’s progress toward NATO membership and providing a summary of their findings by June. At that time, we will review the report in light of the upcoming summit.

#### MACEDONIA

Macedonia’s integration into the EU and NATO remains vital for lasting peace and stability in the region. However, the name dispute with Athens continues to stymie progress toward this goal. Both sides in that dispute should be motivated by the desire to seek a solution that ensures the democratic and prosperous development of the Balkan neighborhood.

#### BOSNIA AND HERZEGOVINA

We are deeply disappointed that the basic conditions to move Bosnia and Herzegovina ahead on its EU and NATO paths remain unfulfilled despite constant encouragement and support from U.S. and EU officials. Bosnia and Herzegovina has yet to comply with the 2009 European Court of Human Rights ruling in the Sejdić-Finci case, which found the Bosnian constitution is discriminatory because the tripartite presidency and seats in the upper house of parliament can only be held by Serbs, Croats, or Bosniaks. To date, politicians have been unable to muster the political will to agree on a new constitutional formula to comply with the ruling, despite numerous pledges to do so, nor have they resolved the immovable defense property issue, which the Alliance established as a prerequisite for activating the country’s NATO Membership Action Plan (MAP).

Bosnia and Herzegovina’s Euro-Atlantic aspirations will remain stalled as long as its political leaders remain focused on parochial, short-term political interests rather than the long-term welfare of the people they were elected to represent. This unwillingness to compromise for a better future was on full display when EU Enlargement Commissioner Stefan Füle convened the leaders of the seven main political parties two weeks ago in an effort to push forward on implementing Sejdić-Finci. Nine hours of negotiations ended in yet another failure as no leader was willing to budge, leading Füle to abandon his facilitation efforts. Recent protests that swept the country are expressions of citizens frustrated by self-serving politicians, bad governance and poor economic conditions. The protests underscore the need for the international community to review its engagement with Bosnia and Herzegovina and see if a new approach might be warranted. We also urge Bosnian voters to take their frustrations to the ballot box in next October’s elections and vote for political leaders who will be serious about breaking the political logjam.

#### ORGANIZED CRIME AND CORRUPTION

Bosnian protestors have voiced particular frustration with the country’s intolerable level of corruption. Bosnia and Herzegovina is not alone, however. Official corruption is a daily fact of life across the region, and it is preventing democratic and economic reforms from taking firm root. Tackling this pervasive problem is a first step toward meeting the standards of EU and NATO membership, but that should not be the sole incentive. Combatting corruption, and its close cousin organized crime, is vital for ensuring brighter futures for all Balkans countries and should be pursued vigorously in its own right.

For too long, the fight against organized crime and corruption consisted of little more than those in power complaining about and targeting their predecessors. Governments across the region are implementing anti-corruption and judicial reform

strategies needed for proactive investigations and prosecutions. Now that police and prosecutors are being given the necessary tools, we would like to see these tools put to use in a consistent and even-handed manner. Political leaders must make it clear that no target is off limits.

Organized crime and corruption cannot be curbed without enhancing cross-border cooperation, which is a primary objective of our rule of law assistance and training in the region. When countries put aside longstanding differences and cooperatively address a common challenge the results can be impressive, as we saw last December when Montenegrin and Serbian law enforcement officials smashed a human smuggling ring. Twenty-two members of known criminal groups were arrested and charged with smuggling some 500 asylum seekers from Africa and Asia to the EU via Montenegro and Serbia. The smuggling route also reportedly included Greece, Albania, and Kosovo.

#### TRAFFICKING IN PERSONS

Enhanced cross-border cooperation is also needed to better address trafficking in persons (TIP), another pressing problem fueled by corruption and organized crime. We applaud Albania's Minister of Interior for recently proposing to his Italian and Greek counterparts that a joint maritime security area be created to tackle human trafficking, and we urge Rome and Athens to respond affirmatively. Nevertheless, we are dismayed that countries in the region have not made greater headway in addressing this scourge. In fact, the State Department's annual Trafficking in Persons Report found that some countries are losing ground. In 2013, Albania fell from Tier 2 to the Tier 2 Watch List and Croatia slipped from Tier 1 to Tier 2, while all other countries maintained the previous year's rankings.

All our diplomatic posts in the region are deeply committed to encouraging their host government to confront and eliminate trafficking, and they push for improved performance regardless of tier ranking. Last January in Macedonia, a Tier 1 Country, one of our political officers and his local assistants visited 15 different towns and cities, meeting more than 600 students, local officials, and concerned citizens to educate them about TIP and how they can prevent it. Although this effort was conducted in support of President Obama's proclamation of January as National Slavery and Human Trafficking Prevention Month, I can assure you U.S. embassies across the region engage in robust anti-TIP efforts year round.

#### PRESS FREEDOM

Realizing the full democratic and economic potential of the region is also predicated on the existence of a free press. Although many countries can boast of vibrant and diverse media, limits on media freedom, including direct intimidation, are still a problem. Progress is being made, as witnessed by the January arrest of two former members of Serbia's security services for the murder of Slavko Curuvija, a courageous journalist who was killed in 1999—not long after testifying before this Commission—for challenging the Milosevic regime. We were also pleased to see Bosnia and Herzegovina, Kosovo, Serbia, and Albania improve their standing in the latest Reporters Without Borders World Press Freedom Index.

The recent series of attacks against journalists and media outlets in Montenegro and the precipitous drop in Macedonia's media freedom ratings underscore that much more still needs to be done. Even in Croatia, which is fully integrated into NATO and the EU, there is considerable room for improvement. During the EU accession process, Croatia amended its constitution to include specific reference to media freedom and the right of access to information. However, parliament adopted other changes empowering itself to appoint the director general of Croatia Radio-Television (HRT), as well as members of the state-run broadcaster's program council and monitoring committee. This effectively gave the ruling political party control over HRT's broadcast content.

#### TOLERATING ETHNIC AND RELIGIOUS DIVERSITY

Perhaps the greatest challenge governments in the region face is how to better promote and protect social diversity, especially the accommodation of ethnic and religious minorities. Given the Balkans' long history of inter-ethnic tensions leading to instability, we warmly welcome efforts such as those of the Albanian officials responsible for the recent opening of a Serbian-language school in the village of Hamil. This is but a small step; greater strides must still be made. Evidence of the need to do more to create an environment that fosters inter-ethnic tolerance is overwhelming. In January, for example, graffiti mocking the mass killings in Srebrenica and promoting Serb nationalism appeared in the town center of Pljevlja, Monte-

negro. There were bitter protests in the Croatian town of Vukovar late last year, sparked by the government's efforts to comply with minority protection laws by installing dual Latin and Cyrillic signs in areas with large Serb populations. A leading Croat soccer player also chanted fascist slogans at an international game.

Of all the ethnic minorities facing discrimination, none is more vulnerable than the Roma. Living on the margins of society—often in abject poverty—Roma across the region routinely experience discrimination and violence. Serbian Roma activist and musician Olah Vince, for instance, was attacked by six unknown assailants as he and his wife were walking near their home in Novi Sad on Orthodox Christmas this year. Vince said he had received a series of anonymous threatening telephone calls and text messages that started soon after he publicly accused city officials of corruption and discrimination.

Fostering social integration is the best means of preventing attacks such as this and other maltreatment, and our embassies in Belgrade and elsewhere are actively engaged in efforts to move Roma from the margins to the mainstream. One particularly successful effort has been the USAID-supported Romani youth education project in Macedonia, a \$4.5-million initiative that has aided more than 2,500 Roma students over the past 10 years. The project has markedly improved access, retention, and school performance at all levels from pre-school to university, and, perhaps even more importantly, had a catalytic role in attracting interest in the donor community and from the host government.

Governments generally respect religious freedom, but they are frequently accused of giving preferential treatment to a favored religious group and selectively enforcing the legal rights of others. It is not uncommon for minority religious groups' property to be the target of theft, vandalism or desecration, as we have seen with Serbian Orthodox sites in Kosovo and Croatia. Restitution of religious properties expropriated during World War II and the communist era is moving forward slowly, where it is moving at all.

Over the past year in Bosnia and Herzegovina, a number of political and religious leaders took positive steps to promote much-needed inter-faith dialogue. In November, Montenegro's first provisional synagogue opened in Podgorica, two years after the government granted the Jewish community official minority status, and construction of a proper synagogue is expected to be completed in 2015.

#### CONCLUSION

What I have laid out are just a few of the numerous challenges western Balkans countries face in strengthening the protection of human rights, opening new opportunities for growth and development, and building multi-ethnic democracies. The United States and its European partners will continue to assist these countries in any way that we can to implement the reforms necessary to tackle these challenges, particularly those impeding progress on their Euro-Atlantic paths. While our commitment to helping create a brighter future is unwavering, it should be clear to all that the ultimate responsibility for adhering to the path of reform and integration rests with the region's elected leaders, and civil societies must be prepared to hold their governments accountable when they stray from the path or stall along the way.

Thank you again for the opportunity to testify before the Commission.

PREPARED STATEMENT OF TANJA FAJON, MEMBER (SLOVENIA), EUROPEAN  
PARLIAMENT

Honorable Chairman Mr. Cardin, distinguished members from the Senate and the House of Representatives, members from the Departments of State, Defense and Commerce, other representatives of the staff, guests and invitees of the Helsinki Commission...

Good morning!

Thank you for inviting me to a hearing of this very prominent Commission. I am honored to talk to you in the times that are extremely important for the European perspective of the Western Balkans.

Even more so given the recent worrying developments in Ukraine which dominate our concerns to a great extent. It is necessary that we preserve peace in Ukraine and employ all our diplomatic means to stabilize the country, to build a united country with respect of its sovereignty and integrity and without further— even deeper— ethnic divisions. We have to engage ourselves through the political dialogue and answer the demands of people.

But at the same time, we must not lose our focus when it comes to engagement and interest in the developments in the Western Balkan.

Ladies and gentlemen, this year is crucial for future developments in the region!

First of all, my testimony will be based on my personal views. As you may already know, I have taken the leading role in the European Parliament in making visa liberalization for Western Balkans a reality and throughout my mandate I have been encouraging the governments both in the European Union and in the Western Balkans to engage more actively in pursuing the enlargement agenda.

Secondly, I will present my views on the developments in the region based on my experiences gained through the work in different parliamentary commissions and delegations for the Western Balkans, actively engaged in the democratic development and progress of the region. Based on its own experience, history and geography, my country Slovenia plays an active role in the Western Balkans, accommodating the challenges of the EU integration.

Thirdly, I will outline my recommendations regarding our policy in the Western Balkans, particularly in the light of what should be expected in 2014. Challenges are enormous because of the European elections, on the hand, and national elections in several countries of the region, on the other hand. The US engagement has always been crucial in the past and it will remain equally important in the future. Without a common understanding of the situation, of the need to act in an appropriate, credible and unified way, without listening to the voices of people—as it was well illustrated in Bosnia and Herzegovina recently—we might jeopardize peace and stability in the entire region.

Before going into an in-depth analysis, allow me to share with you my personal experience as a Rapporteur of the European Parliament for visa free travel for the citizens of the Western Balkans. The abolishment of visas has been the most tangible achievement for the countries of the region on their European path. It has been a great and historical step in bringing down the walls of bloody wars. It has strengthened political and economic cooperation and, what is of immense importance, people to people contacts. We have to do our utmost to preserve this freedom of travel despite some nationalistic and populist attacks across Europe against these recently won freedoms.

We need to abolish visas for the last country in the Western Balkans which is still not under visa free regime—Kosovo—once it meets the necessary conditions. Needless to say, visa free travel is crucial for ordinary citizens! Politicians and businessmen travel without waiting in front of the consulates. And criminals usually don't apply for visas. It is about citizens and especially about young people! They will get to know the European values and principles only by getting closer to Europe.

BOSNIA AND HERZEGOVINA

Let me start with the country I strongly believe we have to put on the very top of our agenda in the Western Balkans. It is still the most volatile, ethnically divided country. Dayton agreement ended the war but it did not provide the legal structure for a functional country. The February demonstrations were the most serious outburst of violence since the war in the nineties: People calling for change, unsatisfied with their political elites and their personal welfare. Economic, political and social situation in Bosnia and Herzegovina is more than worrying and it urges us to act now more than ever before!

So far, our endeavors lacked political will to make a serious policy shift. We need clear messages and consistent policies. We need an internal process, which will lead

to a wide constitutional reform that can be accepted by the country and its people. However it cannot be (It must not be) externally imposed!

The European Union has to act as a facilitator. The support of its international partners is hereby essential. Bosnia and Herzegovina needs a custom made accession approach. We must not focus only on the Sejdić-Finci case; it should not block an EU application. We have spent countless hours trying to forge a compromise.

We should rethink our current policy. We need to make use of the elections in October to develop a new, unified policy approach, with clear messages what kind of structural reforms Bosnia and Herzegovina needs to implement in order to join the EU.

I welcome the intentions of the European Commission to focus on better economic governance, on fight against corruption (there is no doubt about political elites in the country being increasingly corrupt) and better implementation of EU-funded projects through the Instrument for Pre-Accession Assistance (IPA)—without any additional cuts! But this is not enough. We need to channel a social frustration in a positive direction—away from further ethnic divisions or state dissolution. So far, the demonstrations showed no interethnic tensions at all, but a generally tense atmosphere ahead of the elections can easily set the stage for violence on a much larger scale. Therefore we need a tailored policy for the new government after the elections in October that would help Bosnia and Herzegovina to present the EU membership application as soon as possible! Preferably this year!

#### SERBIA

The country has taken important steps towards the normalization of the relations with Kosovo. The dialogue between Pristina and Belgrade is extremely positive for their people and it has opened the way for further steps in the European integration process. It is necessary that both sides maintain this constructive approach while working on the controversial and sensitive details that still need to be elaborated and agreed upon. There is still a need for greater transparency in communicating the outcomes of the dialogue and involving the parliaments and civil societies. The negotiators need to build better public trust.

A very positive outcome of the dialogue were the elections in Kosovo: For the first time they included northern Kosovo and for the first time they were in line with democratic norms.

Serbia started the EU accession talks in January this year and it is committed to continue with necessary reforms, notably in the area of the judiciary, fight against corruption, and the reform of the public sector.

There will be early elections on the 16th of March. But most likely the present coalition will remain in power. (Best case scenario for 2014: to close chapters 23 & 24 and open 32 and then 35 (the one on Kosovo).

Given the progress it achieved in the recent past, Serbia has become an important player in the region in supporting and promoting EU-values.

#### KOSOVO

Because of the normalization of the relations with Serbia the EU launched negotiations for a Stabilization and Association Agreement with Kosovo. Hopefully the Agreement will be signed this year although the authorities need to make further efforts to meet the challenges of the European Reform Agenda. It is expected that Kosovo will hold early elections in June.

In the European Parliament we have encouraged in the January resolution the remaining five EU Member States to proceed with the recognition of Kosovo and we have called on all EU Member States to do their utmost to facilitate economic and people to people contacts as well as social and political relations between their citizens and citizens of Kosovo. I visited Pristina two weeks ago and held a press conference in Brussels a day before yesterday. I re-emphasized the importance of the visa free travel for the people of Kosovo. There will be an expert mission in Kosovo next week, evaluating its readiness. I expect that the European Commission will publish its report without further delay.

#### MACEDONIA

Unfortunately, there is not much to say. The EU has decided for the fifth year not to open the accession negotiations with the country in spite of the positive recommendation of the Commission and the European Parliament in this respect. There is growing frustration about the EU in the public opinion.

I strongly support the idea that the bilateral issues between Macedonia and Greece should be resolved before the end of the accession process but they should

not present an obstacle to the opening of the negotiations. A further delay poses a considerable risk to the regional stability. I hope that Greece will use its EU-Presidency to create a positive environment.

But still: it takes two to tango and it seems that no side is capable and ready to develop new initiatives to overcome the current stalemate on the name issue. There will be the presidential elections in the country, and it's difficult to believe that there will be a good atmosphere to find a solution.

#### MONTENEGRO

Montenegro seems to have least problems among the Western Balkans countries. It still shows broad enthusiasm for entering the European Union. Two chapters in the negotiations have been (provisionally) closed, fight against corruption and organized crime and judicial reform remain top priorities.

Nevertheless, I want to use this opportunity to once again express my deep shock and concern about at least two bomb attacks and around half a dozen physical attacks against journalists in the recent past. I have called the responsible authorities in the country several times to protect journalists and adequately investigate and prosecute all these attacks and threats.

#### ALBANIA

Albania has a new government after the June Parliamentary elections and it has improved its reputation significantly after the orderly conducted and peaceful transfer of power.

This new government has an ambitious European agenda and significant progress has already been made in the first 100 days of its functioning. Therefore I do expect that the EU Council in June will grant Albania a candidate status.

It is also true that the political climate in the country must be improved. But delaying the granting of candidate status would mean to risk the momentum for further progress and democratic development of the country. We must not forget that the country has been the most isolated country of the Western Balkans in the past. There still exists blood revenge today. Two main parties run the country and corruption is a serious problem.

We need to support the country and its current government on its European path. It is important, especially for Albanian youth, which is ambitious, well-educated and open minded, as well as willing to push for further EU integration.

Ladies and gentlemen: Let me conclude with a few final remarks:

1. Despite the economic and social crisis in Europe, the enlargement of the EU towards the Western Balkans countries must remain a priority. The political situation in the region is still very fragile. In particular Bosnia and Herzegovina show worrying signs of instability! Peace and stability of the region is our strategic interest.

2. With the support of the USA and its international partners the EU must lead a unified, comprehensive policy approach towards the Western Balkans; we must be capable to shift our policy approach when needed.

3. The economic crisis has hit the Western Balkans very hard. Europe and the USA should seek opportunities for more investments in the Western Balkans.

4. EU institutions and EU governments need to make use of this year—the year of European elections—to fight nationalism and extremism in the region; otherwise it will jeopardize the European integration process.

5. Credible EU policy towards the Western Balkans demands in-depth understanding of the history of these countries, different political and economic situations, involvement of local authorities, NGO's, experts and the civil society.

6. Brdo Process, launched by Slovenia and Croatia, has the potential to become a strong engine of political and overall development in the region. The July Summit of Brdo Process with French Prime Minister Hollande was a historical event for the region, which set the fundamentals for a fruitful common initiative and a successful story of the region. The next summit of Brdo process will take place in Croatia in July with Chancellor Merkel already confirmed the participation.

PREPARED STATEMENT OF KURT VOLKER, EXECUTIVE DIRECTOR, MCCAIN INSTITUTE  
FOR INTERNATIONAL LEADERSHIP

THE SITUATION IN THE WESTERN BALKANS

Thank you Chairman Cardin, Co-Chairman Smith, and all the distinguished Members here today, for the opportunity to testify about the Balkans region.

As you know, I had the privilege of serving as US Ambassador to NATO in 2008-2009, and served in several other senior positions at the State Department, the National Security Council, and the office of the NATO Secretary General. I worked on issues dealing directly with the Balkans region at several points in my career, and have continued to remain engaged in my post-government career.

The starting point for any discussion of the Balkans today begins not with Sarajevo, or Pristina, but with Crimea.

What is happening in Ukraine today—with Russia deploying military forces to occupy Crimea—represents the most serious challenge to freedom, democracy, and security in Europe since the end of the Cold War.

For 25 years, we have worked to support the rights of people throughout Central and Eastern Europe, as they sought to build free, prosperous, stable, and secure societies. The results have been nothing short of remarkable. A dozen countries, representing over 100 million people, have built modern, democratic societies and long-term security for the future, after a horrific past. To be sure, there have been and remain challenges within this transformation, but the major trend-line is clear.

Russia's 2008 invasion of Georgia was a bellwether. Borders in Europe were changed by force of invasion by a neighboring country. Russia's occupation of parts of Georgia and Moldova is a continuing grave concern.

But the insertion of Russian forces into Ukraine in the past week in order to take over Crimea and challenge authorities in Kiev should be a wake-up call for all of us. The post-cold-war order of people having the right to choose their own government and political orientation democratically, the inviolability of borders, and the rejection of the notion that military force can be used to dominate neighbors are all under threat.

A strong U.S. and European response—to support the rights of all Ukrainians to determine their own future, and to support the principles of the post-cold-war peace in Europe—is absolutely essential.

There is no excuse for the excesses of the Yanukovich government in Ukraine. Yet at the same time, a contributing factor to the situation in Ukraine today was a relatively disengaged, complacent attitude in Europe and the United States. By failing to continue to press forward with the development of a Europe whole, free and at peace, working actively with those Ukrainians seeking to implement reforms and build a better society, we helped create a vacuum filled by the worst elements of Ukrainian politics, and now by Russia.

That same attitude of minimal engagement, complacency, and lack of commitment to creating a Europe whole, free, and at peace, for all the peoples of Europe, is how I would characterize policy toward the western Balkans over the past several years. As in Ukraine, in the Western Balkans we have seen darker elements fill the void. And as in Ukraine, the risks of more catastrophic failure are real, despite the genuine progress that has been made.

The reasons for such a minimalist Western approach to the Balkans are perfectly understandable. The need to tackle more pressing challenges in Iraq, Afghanistan, or the Middle East. The financial crisis. The Euro-zone debt crisis. Recession. Public fatigue with difficult foreign engagements. Perceptions, however dubious, that EU enlargement has led to mass immigration, loss of jobs, and diminished prosperity in Western Europe.

It is easy, in this context, to justify a minimalist engagement, and to point a finger at leaders in the Western Balkans themselves for failing to strengthen their own societies better. But as Ukraine now reminds us, we in the democratic, prosperous, and secure part of the transatlantic community have a clear responsibility as well.

Despite our own difficulties, we must recognize that the costs of reversing the progress already made are far greater than the costs of a proactive, affirmative policy of promoting democratic development and completing a Europe whole, free and at peace.

In this context, let me offer the following policy observations and suggestions:

- There has been no forward movement on NATO enlargement since the Bucharest Summit of 2008, when Croatia and Albania were invited to join NATO. Montenegro still has work to do in key areas—but so did other nations when they were invited to join NATO. Especially in the current context, it is important symbolically to renew momentum in the Balkans, by offering NATO mem-



bership for Montenegro at the 2014 Summit in Wales, in exchange for completion of a few remaining reforms.

- Likewise, it is time to press for a settlement on the name issue and an invitation for Macedonia to join NATO as well. Macedonia should be a vibrant crossroads of the Balkans—linking Greece to the north and linking the Western Balkans to Greece and the Mediterranean. The current stalemate on this issue serves no one’s interests. It harms Greek economic interests by retarding development in the Balkans more generally. It prevents Macedonia from taking a proper place in European and transatlantic institutions. And it creates a political limbo in which ethnic rivalries in the Western Balkans could again resurface—which again would damage Greek interests as much as anyone else’s.

I believe there is a framework for a settlement that can be seen as a win-win for both Greece and Macedonia. I suspect both sides know this, and are ready to reach such an agreement. But context is important. The United States and key European allies should play an active role in seeking such a genuine agreement, providing support and guarantees as needed, and on that basis proceed with an invitation for Macedonia to join NATO at the 2014 Summit.

- Developments in Bosnia continue to be held back by the dysfunctional governing arrangements put in place by the Dayton Accords. Essential to end a war nearly two decades ago, those arrangements are now preventing Bosnia from moving forward. They reinforce ethnic divisions, rather than overcome them. They establish political structures that promote deadlock. And they reward politicians with narrow ethnic agendas, rather than inclusive, national, developmental goals. It is long past time to open a “Dayton Two” negotiation on new government arrangements. Such arrangements can only be agreed by Bosnians themselves—but they can only do so in the context of a wider, transatlantic framework led by the United States and European Union.
- The progress in relations between Belgrade and Pristina is the main bright spot in the region over recent years. We should commend both governments, as well as the European Union High Representative, Catherine Ashton, for their work in this area. In this case, it is probably not possible to press for more of a permanent solution at this time, but we should continue to press forward with concrete, practical steps, in the context of a wider region that is settling old issues and moving toward full transatlantic integration.

I would add one final word about democracy and reform: NATO and EU membership is not an end-point in itself, but an extremely powerful tool for building good societies—societies that respect the human rights of all citizens, respect minorities, treat political opposition fairly, promote market-driven economic growth, contribute to greater security and stability in the Euro-Atlantic area as a whole.

There are plenty of examples in countries that have already joined one or both institutions, where democracy, and democratic institutions, should be strengthened. This fact should not lead to a conclusion that including those countries in NATO or the EU—even long established NATO and EU members have their own challenges—and neither should it be used to raise the bar or prevent others from joining NATO or the EU.

Especially in the context of Ukraine today, we should remember that it is far easier to deal with these challenges proactively, and within the institutional frameworks we have created. We should not wait, and risk darker forces rising to fill the vacuum.

Europe has made extraordinary progress since the world wars of the last century. But millions of people in Europe’s South and East, including in Russia, are still not living in free, prosperous, secure stable societies. Europe remains divided—though in different ways and across different lines than in the past.

The success of Europe will never be complete, and never 100 percent secure, until all of Europe shares in the dream of a Europe whole, free and at peace. American and European leaders need to keep that vision on the front burner, and continue working toward it. And America should play a key leadership role in that effort, alongside Europe, as it has for the past 60-plus years.

Thank you Mr. Chairman, and Mr. Co-Chairman, for the opportunity to raise these views before this Committee.



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