

106TH CONGRESS
1ST SESSION

S. 720

To promote the development of a government in the Federal Republic of Yugoslavia (Serbia and Montenegro) based on democratic principles and the rule of law, and that respects internationally recognized human rights, to assist the victims of Serbian oppression, to apply measures against the Federal Republic of Yugoslavia, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 25, 1999

Mr. HELMS (for himself, Mr. EDWARDS, and Mr. HAGEL) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To promote the development of a government in the Federal Republic of Yugoslavia (Serbia and Montenegro) based on democratic principles and the rule of law, and that respects internationally recognized human rights, to assist the victims of Serbian oppression, to apply measures against the Federal Republic of Yugoslavia, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Serbia Democratization Act of 1999”.

4 (b) TABLE OF CONTENTS.—The table of contents of
5 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definition.

TITLE I—SUPPORT FOR THE DEMOCRATIC OPPOSITION

Sec. 101. Findings and policy.

Sec. 102. Assistance to promote democratic institutions in Yugoslavia.

Sec. 103. Authority for radio and television broadcasting.

TITLE II—ASSISTANCE TO THE VICTIMS OF SERBIAN
OPPRESSION

Sec. 201. Findings.

Sec. 202. Sense of Congress.

Sec. 203. Assistance.

TITLE III—MEASURES AGAINST YUGOSLAVIA

Sec. 301. “Outer wall” sanctions by multilateral organizations.

Sec. 302. International financial institutions not in compliance with “outer wall
sanctions”.

Sec. 303. Blocking Yugoslavia assets in the United States.

Sec. 304. Prohibition on issuance of visas and admission to the United States.

Sec. 305. Additional restriction on restoration of normal trade relations with
Yugoslavia.

Sec. 306. Prohibition on strategic exports to Yugoslavia.

Sec. 307. Prohibition on loans and investment.

Sec. 308. Prohibition of military-to-military cooperation.

Sec. 309. Multilateral sanctions.

Sec. 310. Termination or modification of measures against Yugoslavia.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. The International Criminal Tribunal for the former Yugoslavia.

Sec. 402. Ownership and use of diplomatic and consular properties.

Sec. 403. Transition assistance.

6 **SEC. 2. DEFINITION.**

7 In this Act, except as otherwise provided in sections
8 303(g) and 401, the term “Yugoslavia” means the so-
9 called Federal Republic of Yugoslavia (Serbia and Monte-
10 negro).

1 **TITLE I—SUPPORT FOR THE**
2 **DEMOCRATIC OPPOSITION**

3 **SEC. 101. FINDINGS AND POLICY.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) The President of Yugoslavia, Slobodan
6 Milosevic, has consistently engaged in undemocratic
7 methods of governing.

8 (2) Yugoslavia has passed and implemented a
9 law strictly limiting freedom of the press and has
10 acted to intimidate and prevent independent media
11 from operating inside Yugoslavia.

12 (3) Although the Yugoslav and Serbian con-
13 stitutions provide for the right of citizens to change
14 their government, citizens of Serbia in practice are
15 prevented from exercising that right by the Milosevic
16 regime's domination of the mass media and manipu-
17 lation of the electoral process.

18 (4) The Yugoslav government has orchestrated
19 attacks on academics at institutes and universities
20 throughout the country in an effort to prevent the
21 dissemination of opinions that differ from official
22 state propaganda.

23 (5) The Yugoslav government prevents the for-
24 mation of nonviolent, democratic opposition through
25 restrictions on freedom of assembly and association.

1 (6) The Yugoslav government uses control and
2 intimidation to control the judiciary and manipulates
3 the country's legal framework to suit the regime's
4 immediate political interests.

5 (7) The Government of Serbia, under the direc-
6 tion of President Milosevic, has obstructed the ef-
7 forts of the Government of Montenegro to pursue
8 democratic and free-market policies.

9 (8) The people of Serbia who do not endorse
10 the undemocratic actions of the Milosevic govern-
11 ment should not be the target of criticism that is
12 rightly directed at the Milosevic regime.

13 (b) POLICY.—

14 (1) It is the policy of the United States to en-
15 courage the development of a government in Yugo-
16 slavia based on democratic principles and the rule of
17 law and that respects internationally recognized
18 human rights.

19 (2) It is the sense of Congress that—

20 (A) the United States should actively sup-
21 port the democratic opposition in Yugoslavia,
22 including political parties and independent
23 trade unions, to develop a legitimate and viable
24 alternative to the Milosevic regime;

1 (B) all United States Government officials,
2 including individuals from the private sector
3 acting on behalf of the United States Govern-
4 ment, should attempt to meet regularly with
5 representatives of democratic opposition organi-
6 zations of Yugoslavia and minimize to the ex-
7 tent practicable any direct contacts with gov-
8 ernment officials from Yugoslavia, particularly
9 President Slobodan Milosevic, who perpetuate
10 the nondemocratic regime in Yugoslavia; and

11 (C) the United States should emphasize to
12 all political leaders in Yugoslavia the impor-
13 tance of respecting internationally recognized
14 human rights for all individuals residing in
15 Yugoslavia.

16 **SEC. 102. ASSISTANCE TO PROMOTE DEMOCRACY AND**
17 **CIVIL SOCIETY IN YUGOSLAVIA.**

18 (a) ASSISTANCE.—

19 (1) PURPOSE OF ASSISTANCE.—The purpose of
20 assistance under this subsection is to promote and
21 strengthen institutions of democratic government
22 and the growth of an independent civil society in
23 Yugoslavia, including ethnic tolerance and respect
24 for internationally recognized human rights.

1 (2) AUTHORIZATION FOR ASSISTANCE.—The
2 President is authorized to furnish assistance and
3 other support for individuals and independent non-
4 governmental organizations to carry out the purpose
5 of paragraph (1) through support for the activities
6 described in paragraph (3).

7 (3) ACTIVITIES SUPPORTED.—Activities that
8 may be supported by assistance under paragraph (2)
9 include the following:

10 (A) Democracy building.

11 (B) The development of nongovernmental
12 organizations.

13 (C) The development of independent
14 media.

15 (D) The development of the rule of law, a
16 strong, independent judiciary, and transparency
17 in political practices.

18 (E) International exchanges and advanced
19 professional training programs in skill areas
20 central to the development of civil society and
21 a market economy.

22 (F) The development of all elements of the
23 democratic process, including political parties
24 and the ability to administer free and fair elec-
25 tions.

1 (G) The development of local governance.

2 (H) The development of a free-market
3 economy.

4 (4) AUTHORIZATION OF APPROPRIATIONS.—

5 (A) IN GENERAL.—There is authorized to
6 be appropriated to the President \$100,000,000
7 for the period beginning October 1, 1999, and
8 ending September 30, 2001, to carry out this
9 subsection.

10 (B) AVAILABILITY OF FUNDS.—Amounts
11 appropriated pursuant to subparagraph (A) are
12 authorized to remain available until expended.

13 (b) PROHIBITION ON ASSISTANCE TO GOVERNMENT
14 OF SERBIA.—In carrying out subsection (a), the President
15 shall take all necessary steps to ensure that no funds or
16 other assistance is provided to the Government of Yugo-
17 slavia or to the Government of Serbia.

18 (c) RESTRICTION ON ASSISTANCE TO GOVERNMENT
19 OF MONTENEGRO.—In carrying out subsection (a), the
20 President is authorized to provide assistance to the Gov-
21 ernment of Montenegro, if the President determines, and
22 so reports to the Speaker of the House of Representatives
23 and the Committee on Foreign Relations of the Senate,
24 that the Government of Montenegro is committed to, and
25 is taking steps to promote, democratic principles, the rule

1 of law, and respect for internationally recognized human
2 rights.

3 **SEC. 103. AUTHORITY FOR RADIO AND TELEVISION BROAD-**
4 **CASTING.**

5 (a) IN GENERAL.—The Broadcasting Board of Gov-
6 ernors shall further the open communication of informa-
7 tion and ideas through the increased use of radio and tele-
8 vision broadcasting to Yugoslavia in both the Serbo-Cro-
9 atian and Albanian languages.

10 (b) IMPLEMENTATION.—Radio and television broad-
11 casting under subsection (a) shall be carried out by the
12 Voice of America and, in addition, radio broadcasting
13 under that subsection shall be carried out by RFE/RL,
14 Incorporated. Subsection (a) shall be carried out in ac-
15 cordance with all the respective Voice of America and
16 RFE/RL, Incorporated, standards to ensure that radio
17 and television broadcasting to Yugoslavia serves as a con-
18 sistently reliable and authoritative source of accurate, ob-
19 jective, and comprehensive news.

20 **TITLE II—ASSISTANCE TO THE**
21 **VICTIMS OF SERBIAN OP-**
22 **PRESSION**

23 **SEC. 201. FINDINGS.**

24 The Congress finds the following:

1 (1) Since February 1998, the armed forces of
2 Yugoslavia and the Serbian Interior Ministry police
3 force have engaged in a brutal crackdown against
4 the ethnic Albanian population in Kosovo.

5 (2) Since the initial assault by Yugoslav and
6 Serbian forces in Kosovo, more than 2,000 individ-
7 uals have been killed and 600,000 individuals have
8 been displaced from their homes.

9 (3) The majority of the individuals displaced by
10 the conflict in Kosovo have been unable to return to
11 their homes and have been forced to find temporary
12 shelter in Kosovo or outside the country.

13 (4) The activities of the Yugoslav armed forces
14 and the police force of the Serbian Interior Ministry
15 have resulted in the widespread destruction of agri-
16 cultural crops, livestock, and property, as well as the
17 poisoning of wells and water supplies, and the
18 looting of humanitarian goods provided by the inter-
19 national community.

20 (5) Since February 1998, 20,000 homes in
21 Kosovo have been demolished and more than 500
22 villages have been partially or completely destroyed.

23 **SEC. 202. SENSE OF CONGRESS.**

24 It is the sense of Congress that—

1 (1) humanitarian assistance to the victims of
2 the conflict in Kosovo, including refugees and inter-
3 nally displaced persons, and all assistance to rebuild
4 damaged property in Kosovo, should be the responsi-
5 bility of the Government of Yugoslavia and the Gov-
6 ernment of Serbia;

7 (2) under the direction of President Milosevic,
8 neither the Government of Yugoslavia nor the Gov-
9 ernment of Serbia has provided the resources to as-
10 sist innocent, civilian victims of oppression in
11 Kosovo; and

12 (3) because neither the Government of Yugo-
13 slavia nor the Government of Serbia has fulfilled the
14 responsibilities of a sovereign government toward the
15 people in Kosovo, the international community offers
16 the only recourse for humanitarian assistance to vic-
17 tims of oppression in Kosovo.

18 **SEC. 203. ASSISTANCE.**

19 (a) **AUTHORITY.**—The President may use authorities
20 of the Foreign Assistance Act of 1961—

21 (1) to provide humanitarian assistance to indi-
22 viduals living in Kosovo, and refugees and individ-
23 uals displaced by the conflict in Kosovo currently re-
24 siding in Montenegro, Albania, Bosnia and

1 Herzegovina, and the former Yugoslav Republic of
2 Macedonia;

3 (2) for direct legal and other assistance to indi-
4 viduals and their families from Kosovo who have
5 been victims of atrocities in that province; and

6 (3) to support Kosovar community organiza-
7 tions in their effort to build civil society in Kosovo.

8 (b) PROHIBITION.—No assistance may be provided
9 under this Act to any group that maintains within its
10 ranks any individual whom the President has determined
11 to have committed terrorist acts or any other gross viola-
12 tions of internationally recognized human rights.

13 **TITLE III—MEASURES AGAINST** 14 **YUGOSLAVIA**

15 **SEC. 301. “OUTER WALL” SANCTIONS.**

16 (a) APPLICATION OF MEASURES.—The sanctions de-
17 scribed in subsections (c) through (g) shall apply with re-
18 spect to Yugoslavia until the President determines and
19 certifies to the Speaker of the House of Representatives
20 and the Committee on Foreign Relations of the Senate
21 that the Government of Yugoslavia has met the conditions
22 described in subsection (b).

23 (b) CONDITIONS.—The conditions referred to in sub-
24 section (a) are the following:

1 (1) Agreement to resolve peacefully the conflict
2 in Kosovo.

3 (2) Compliance with the General Framework
4 Agreement for Peace in Bosnia and Herzegovina.

5 (3) Implementation of internal democratic re-
6 form.

7 (4) Settlement of all succession issues with the
8 other republics that emerged from the break-up of
9 the Socialist Federal Republic of Yugoslavia.

10 (5) Cooperation with the International Criminal
11 Tribunal for the former Yugoslavia, including the
12 transfer of all indicted war criminals in Yugoslavia
13 to the Hague.

14 (c) INTERNATIONAL FINANCIAL INSTITUTIONS.—
15 The Secretary of the Treasury shall instruct the United
16 States executive directors of the international financial in-
17 stitutions to oppose, and vote against, any extension by
18 those institutions of any financial assistance (including
19 any technical assistance or grant) of any kind to the Gov-
20 ernment of Yugoslavia.

21 (d) ORGANIZATION FOR SECURITY AND COOPERA-
22 TION IN EUROPE.—The Secretary of State shall instruct
23 the United States Ambassador to the Organization for Se-
24 curity and Cooperation in Europe (OSCE) to oppose and
25 block any consensus to allow the participation of Yugo-

1 slavia in the OSCE or any organization affiliated with the
2 OSCE.

3 (e) UNITED NATIONS.—The Secretary of State shall
4 instruct the United States Permanent Representative to
5 the United Nations—

6 (1) to oppose and vote against any resolution in
7 the United Nations Security Council to admit Yugo-
8 slavia to the United Nations or any organization af-
9 filiated with the United Nations; and

10 (2) to actively oppose and, if necessary, veto
11 any proposal to allow Yugoslavia to assume the
12 membership of the former Socialist Federal Republic
13 of Yugoslavia in the United Nations General Assem-
14 bly or any other organization affiliated with the
15 United Nations.

16 (f) NATO.—The Secretary of State shall instruct the
17 United States Permanent Representative to the North At-
18 lantic Council to oppose and vote against the extension
19 to Yugoslavia of membership or participation in the Part-
20 nership for Peace program or any other organization affili-
21 ated with NATO.

22 (g) SOUTHEAST EUROPEAN COOPERATIVE INITIA-
23 TIVE.—The Secretary of State shall instruct the United
24 States Representatives to the Southeast European Cooper-

1 active Initiative (SECI) to actively oppose the extension of
2 SECI membership to Yugoslavia.

3 (h) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that—

5 (1) the President should not restore full diplo-
6 matic relations with Yugoslavia until the President
7 has determined and so reported to the Speaker of
8 the House of Representatives and the Committee on
9 Foreign Relations of the Senate that the Govern-
10 ment of Yugoslavia has met the conditions described
11 in subsection (b); and

12 (2) the President should encourage all other
13 European countries to diminish their level of diplo-
14 matic relations with Yugoslavia.

15 (i) INTERNATIONAL FINANCIAL INSTITUTION DE-
16 FINED.—In this section, the term “international financial
17 institution” includes the International Monetary Fund,
18 the International Bank for Reconstruction and Develop-
19 ment, the International Development Association, the
20 International Finance Corporation, the Multilateral In-
21 vestment Guaranty Agency, and the European Bank for
22 Reconstruction and Development.

1 **SEC. 302. INTERNATIONAL FINANCIAL INSTITUTIONS NOT**
2 **IN COMPLIANCE WITH “OUTER WALL” SANC-**
3 **TIONS.**

4 It is the sense of Congress that, if any international
5 financial institution (as defined in section 301(i)) approves
6 a loan or other financial assistance to the Government of
7 Yugoslavia over opposition of the United States, then the
8 Secretary of the Treasury should withhold from payment
9 of the United States share of any increase in the paid-
10 in capital of such institution an amount equal to the
11 amount of the loan or other assistance.

12 **SEC. 303. BLOCKING YUGOSLAVIA ASSETS IN THE UNITED**
13 **STATES.**

14 (a) **BLOCKING OF ASSETS.**—All property and inter-
15 ests in property, including all commercial, industrial, or
16 public utility undertakings or entities, of or in the name
17 of the Government of Serbia and the Government of Yugo-
18 slavia that are in the United States, that hereafter come
19 within the United States, or that are or hereafter come
20 within the possession or control of United States persons,
21 including their overseas branches, are hereby blocked.

22 (b) **EXERCISE OF AUTHORITIES.**—The Secretary of
23 the Treasury, in consultation with the Secretary of State,
24 shall take such actions, including the promulgation of
25 rules and regulations, and employ all powers granted to
26 the President by the International Emergency Economic

1 Powers Act as may be necessary to carry out the purpose
2 of this section. Such actions shall include prohibiting pay-
3 ments or transfers of any property or any transactions in-
4 volving the transfer of anything of economic value by any
5 United States person to the Government of Serbia, the
6 Government of Yugoslavia, or any person or entity acting
7 for or on behalf of, or owned or controlled, directly or indi-
8 rectly, by any of those governments, persons, or entities.

9 (c) SUSPENSION OR TERMINATION OF LICENSES.—
10 The Secretary of the Treasury, in consultation with the
11 Secretary of State, shall take such actions to suspend or
12 terminate licenses or other authorizations in effect with
13 respect to any property described in subsection (a) as of
14 the date of enactment of this Act.

15 (d) PAYMENT OF EXPENSES.—All expenses incident
16 to the blocking and maintenance of property blocked under
17 subsection (a) shall be charged to the owners or operators
18 of such property, which expenses shall not be met from
19 blocked funds.

20 (e) PROHIBITIONS.—The following shall be prohib-
21 ited as of the date of enactment of this Act:

22 (1) Any transaction within the United States or
23 by a United States person relating to any vessel in
24 which a majority or controlling interest is held by a

1 person or entity in, or operating from, Serbia re-
2 gardless of the flag under which the vessel sails.

3 (2) The exportation to Serbia or to any entity
4 operated from Serbia or owned and controlled by the
5 Government of Serbia or the Government of Yugo-
6 slavia, directly or indirectly, of any goods, tech-
7 nology, or services, either—

8 (A) from the United States;

9 (B) requiring the issuance of a license by
10 a Federal agency; or

11 (C) involving the use of United States reg-
12 istered vessels or aircraft, or any activity that
13 promotes or is intended to promote such expor-
14 tation.

15 (3) Any dealing by a United States person in—

16 (A) property originating in Serbia or ex-
17 ported from Serbia;

18 (B) property intended for exportation from
19 Serbia to any country or exportation to Serbia
20 from any country; or

21 (C) any activity of any kind that promotes
22 or is intended to promote such dealing.

23 (4) The granting of permission to any aircraft
24 to take off from, land in, or overfly the United
25 States, if the aircraft, as part of the same flight or

1 as a continuation of that flight, is destined to land
2 in or has taken off from the territory of Serbia.

3 (5) The performance by any United States per-
4 son of any contract, including a financing contract,
5 in support of an industrial, commercial, public util-
6 ity, or governmental project in Serbia.

7 (f) EXCLUSION OF TRANSSHIPMENTS.—Nothing in
8 this section shall apply to the transshipment through Ser-
9 bia of commodities and products originating outside Yugo-
10 slavia and temporarily present in the territory of Yugo-
11 slavia only for the purpose of such transshipment.

12 (g) DEFINITIONS.—In this section, the terms “Gov-
13 ernment of Serbia” and “Government of Yugoslavia” in-
14 clude the governments of Serbia and Yugoslavia, including
15 any subdivisions thereof or local governments therein,
16 their respective agencies, instrumentalities and controlled
17 entities, and any persons acting or purporting to act for
18 or on behalf of any of the foregoing.

19 **SEC. 304. PROHIBITION ON ISSUANCE OF VISAS AND ADMIS-**
20 **SION TO THE UNITED STATES.**

21 (a) PROHIBITION.—The Secretary of State shall deny
22 a visa to, and the Attorney General shall not admit to
23 the United States, any alien who—

1 (1) holds a position in the senior leadership of
2 the Government of Yugoslavia or the Government of
3 Serbia; or

4 (2) is a spouse, minor child, or agent of a per-
5 son inadmissible under paragraph (1).

6 (b) SENIOR LEADERSHIP DEFINED.—In subsection
7 (a)(1), the term “senior leadership”—

8 (1) includes—

9 (A) the President, Prime Minister, Deputy
10 Prime Ministers, and government ministers of
11 Yugoslavia;

12 (B) the Governor of the National Bank of
13 Yugoslavia; and

14 (C) the President, Prime Minister, Deputy
15 Prime Ministers, and government ministers of
16 the Republic of Serbia; and

17 (2) does not include the President, Prime Min-
18 ister, Deputy Prime Ministers, and government min-
19 isters of the Republic of Montenegro.

20 **SEC. 305. ADDITIONAL RESTRICTION ON RESTORATION OF**
21 **NORMAL TRADE RELATIONS WITH YUGO-**
22 **SLAVIA.**

23 Section 1(c) of the Act of October 16, 1992, as
24 amended (Public Law 102–420; 19 U.S.C. 2432 note) is
25 further amended—

1 (1) by striking “and” at the end of paragraph
2 (2);

3 (2) in paragraph (3), by striking the period and
4 inserting “; and”; and

5 (3) by adding at the end the following:

6 “(4) has a freely elected government that is
7 based on democratic principles and the rule of law,
8 and that respects internationally recognized human
9 rights.”.

10 **SEC. 306. PROHIBITION ON STRATEGIC EXPORTS TO YUGO-**
11 **SLAVIA.**

12 No computers, computer software, or goods or tech-
13 nology intended to manufacture or service computers may
14 be exported to or for use by the Government of Yugoslavia
15 or by the Government of Serbia, or by any of the following
16 entities of either government:

17 (1) The military.

18 (2) The police.

19 (3) The prison system.

20 (4) The national security agencies.

21 **SEC. 307. PROHIBITION ON LOANS AND INVESTMENT.**

22 (a) UNITED STATES GOVERNMENT FINANCING.—No
23 loan, credit guarantee, insurance, financing, or other fi-
24 nancial support may be extended by any agency of the
25 United States Government (including the Export-Import

1 Bank and the Overseas Private Investment Corporation)
2 with respect to Yugoslavia.

3 (b) TRADE AND DEVELOPMENT AGENCY.—No funds
4 made available by law may be available for activities of
5 the Trade and Development Agency in or for Yugoslavia.

6 (c) THIRD COUNTRY ACTION.—The Secretary of
7 State is urged to encourage all other countries, particu-
8 larly European countries, to suspend any of their own pro-
9 grams providing support similar to that described in sub-
10 section (a) or (b) to Yugoslavia, including rescheduling
11 Yugoslavia debt under more favorable conditions for Yugo-
12 slavia.

13 (d) PROHIBITION ON PRIVATE CREDITS.—

14 (1) IN GENERAL.—Except as provided in para-
15 graph (2), no national of the United States may
16 make or approve any loan or other extension of cred-
17 it, directly or indirectly, to the Government of Yugo-
18 slavia or to the Government of Serbia or to any cor-
19 poration, partnership, or other organization that is
20 owned or controlled by either the Government of
21 Yugoslavia or the Government of Serbia.

22 (2) EXCEPTION.—Paragraph (1) shall not
23 apply to a loan or extension of credit for any hous-
24 ing, education, or humanitarian benefit to assist the
25 victims of repression in Kosovo.

1 (e) EXCLUSION OF GOVERNMENT OF MONTE-
2 NEGRO.—The prohibitions on the provisions of loans, cred-
3 it guarantees, investment, and other financial assistance
4 contained in this section do not apply to the Government
5 of Montenegro if the President determines, and so reports
6 to the Speaker of the House of Representatives and the
7 Committee on Foreign Relations of the Senate, that—

8 (1) the Government of Montenegro is com-
9 mitted to, and taking steps to promote, democratic
10 principles, the rule of law, and respect for inter-
11 nationally recognized human rights; and

12 (2) the financing would not benefit the Govern-
13 ment of Yugoslavia or the Government of Serbia.

14 **SEC. 308. PROHIBITION OF MILITARY-TO-MILITARY CO-**
15 **OPERATION.**

16 (a) IN GENERAL.—Except as provided in subsection
17 (b), no agency or entity of the United States may engage
18 in any form of cooperation, direct or indirect (including
19 the granting of Foreign Military Financing under section
20 23 of the Arms Export Control Act or international mili-
21 tary education and training under chapter 5 of part II
22 of the Foreign Assistance Act of 1961) with the armed
23 forces of the Government of Yugoslavia or of the Govern-
24 ment of Serbia.

1 (b) WAIVER.—The President may waive the applica-
2 tion of subsection (a) if he determines and so reports to
3 the Speaker of the House of Representatives and the Com-
4 mittee on Foreign Relations of the Senate that the waiver
5 is necessary to further the development in Yugoslavia of
6 a government based on democratic principles and the rule
7 of law and that respects internationally recognized human
8 rights.

9 **SEC. 309. MULTILATERAL SANCTIONS.**

10 It is the sense of Congress that the President should
11 encourage all other countries, particularly European coun-
12 tries, to take measures similar to those described in this
13 title.

14 **SEC. 310. TERMINATION OR MODIFICATION OF MEASURES**
15 **AGAINST YUGOSLAVIA.**

16 Whenever the President determines, and so reports
17 to the Speaker of the House of Representatives and the
18 Committee on Foreign Relations of the Senate that the
19 Government of Yugoslavia is a government that is based
20 on democratic principles and the rule of law, and that re-
21 spects internationally recognized human rights, the Presi-
22 dent may terminate or modify any of the measures re-
23 quired by this title, except as otherwise provided in section
24 301.

1 **TITLE IV—MISCELLANEOUS**
2 **PROVISIONS**

3 **SEC. 401. THE INTERNATIONAL CRIMINAL TRIBUNAL FOR**
4 **THE FORMER YUGOSLAVIA.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) United Nations Security Council Resolution
7 827, which was adopted May 25, 1993, established
8 the International Criminal Tribunal for the former
9 Yugoslavia (in this section referred to as the “Tri-
10 bunal”) to prosecute persons responsible for serious
11 violations of international humanitarian law com-
12 mitted in the territory of the former Yugoslavia
13 since January 1, 1991.

14 (2) United Nations Security Council Resolution
15 827 requires full cooperation by all countries with
16 the Tribunal, including the obligation of countries to
17 comply with requests of the Tribunal for assistance
18 or orders.

19 (3) The Government of Yugoslavia has dis-
20 regarded its international obligations with regard to
21 the Tribunal, including its obligation to transfer or
22 facilitate the transfer to the Tribunal of any person
23 on the territory of Serbia who has been indicted for
24 war crimes or other crimes against humanity under
25 the jurisdiction of the Tribunal.

1 (4) The Government of Yugoslavia has publicly
2 rejected the Tribunal's jurisdiction over events in
3 Kosovo and has impeded the investigation of rep-
4 resentatives from the Tribunal, including denying
5 those representatives visas for entry into Yugoslavia,
6 in their efforts to gather information about alleged
7 crimes against humanity in Kosovo under the juris-
8 diction of the Tribunal.

9 (b) POLICY.—It shall be the policy of the United
10 States to support fully and completely the indictment of
11 President Slobodan Milosevic as a war criminal under the
12 relevant statutes of the International Criminal Tribunal
13 for the former Yugoslavia if the Tribunal decides to indict
14 him.

15 (c) IN GENERAL.—Subject to subsection (b), it is the
16 sense of Congress that the Director of Central Intelligence
17 should transfer to the International Criminal Tribunal for
18 the former Yugoslavia any information the intelligence
19 community (as defined in section 3(4) of the National Se-
20 curity Act of 1947 (50 U.S.C. 401a(4)) collects or has
21 collected in support of an indictment and trial of President
22 Slobodan Milosevic for war crimes, crimes against human-
23 ity, or genocide.

24 (d) PROTECTION OF SOURCES AND METHODS.—In
25 carrying out subsection (c), the Director of Central Intel-

1 lidence shall take such steps as may be necessary to ensure
2 adequate protection of intelligence sources and methods.

3 **SEC. 402. OWNERSHIP AND USE OF DIPLOMATIC AND CON-**
4 **SULAR PROPERTIES.**

5 (a) FINDINGS.—The Congress finds the following:

6 (1) The international judicial system, as cur-
7 rently structured, lacks fully effective remedies for
8 the wrongful confiscation of property and for unjust
9 enrichment from the use of wrongfully confiscated
10 property by governments and private entities at the
11 expense of the rightful owners of the property.

12 (2) Since the dissolution of the Socialist Fed-
13 eral Republic of Yugoslavia, the Government of
14 Yugoslavia has exclusively used, and benefited from
15 the use of, properties located in the United States
16 that were owned by the Socialist Federal Republic of
17 Yugoslavia.

18 (3) The governments of Bosnia and
19 Herzegovina, Croatia, the Former Yugoslav Republic
20 of Macedonia, and Slovenia have been blocked by the
21 Government of Yugoslavia in using, or benefiting
22 from the use of, any property located in the United
23 States that was previously owned by the Socialist
24 Federal Republic of Yugoslavia.

1 (4) The continued occupation and use by offi-
2 cials of Yugoslavia of that property without prompt,
3 adequate, and effective compensation under the ap-
4 plicable principles of international law to the govern-
5 ments of Bosnia-Herzegovina, Croatia, the Former
6 Yugoslav Republic of Macedonia, and Slovenia is un-
7 just and unreasonable.

8 (b) POLICY ON NEGOTIATIONS REGARDING PROP-
9 ERTIES.—It is the policy of the United States to insist
10 that the Government of Yugoslavia engage in good faith
11 negotiations with the governments of Bosnia and
12 Herzegovina, Croatia, the Former Yugoslav Republic of
13 Macedonia, and Slovenia on the ownership and continued
14 use of, or on the arrangement for prompt, adequate and
15 effective compensation for, the following properties located
16 in the United States:

17 (1) 2222 Decatur Street, NW, Washington,
18 DC.

19 (2) 2410 California Street, NW, Washington,
20 DC.

21 (3) 1907 Quincy Street, NW, Washington, DC.

22 (4) 3600 Edmonds Street, NW, Washington,
23 DC.

24 (5) 2221 R Street, NW, Washington, DC.

25 (6) 854 Fifth Avenue, New York, NY.

1 (7) 730 Park Avenue, New York, NY.

2 (c) SENSE OF CONGRESS ON RETURN OF PROP-
3 ERTIES.—It is the sense of the Congress that, if the Gov-
4 ernment of Yugoslavia refuses to engage in good faith ne-
5 gotiations on the status of the properties listed in sub-
6 section (b), the President should take steps to return those
7 properties to the possession of the governments of Bosnia
8 and Herzegovina, Croatia, the Former Yugoslav Republic
9 of Macedonia, and Slovenia in accordance with inter-
10 national law.

11 **SEC. 403. TRANSITION ASSISTANCE.**

12 It is the sense of Congress that once the regime of
13 President Slobodan Milosevic has been replaced by a gov-
14 ernment that is committed to democratic principles and
15 the rule of law, and that respects internationally recog-
16 nized human rights, the President of the United States
17 should support the transition to democracy in Yugoslavia
18 by providing immediate and substantial assistance, includ-
19 ing facilitating its integration into international organiza-
20 tions.

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