

**THE DAYTON ACCORDS:
A VIEW FROM THE GROUND**

HEARING
BEFORE THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED SEVENTH CONGRESS

FIRST SESSION

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JULY 25, 2001
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THE DAYTON ACCORDS: A VIEW FROM THE GROUND

WEDNESDAY, JULY 25, 2001

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to call, at 10:29 a.m. in Room 2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chairman of the Committee) presiding.

Chairman HYDE. The Committee hearing will come to order.

Over the past decade the United States has become increasingly active in the former Yugoslavia in a quest to bring peace and stability to that troubled area. As one region after another has descended into crisis and conflict, our involvement, military, diplomatic and economic, has continued to expand as well. Over and over again, obscure locations and jurisdictions have been presented by advocates of intervention as vital to the United States, to NATO, to European stability, and even to international stability, with American participation always being depicted as essential for one reason or another.

With every new proposal for an expansion of our responsibilities, we have been assured that some particular action was necessary to preserve the peace and prevent a widening of the conflict, only to subsequently discover that this latest intervention was but a precursor to still greater demands for action to counter the spread of instability to yet another area.

I am not questioning the motives of these advocates, merely the soundness of their judgment and recommendations. After several such predictions and reassurances, it would appear that the most salient characteristic of those, both here and abroad, who have argued for an ever more ambitious agenda for the United States and our European allies is one of constant surprise at the course of events. A reasonable amount of error is to be expected in any forecast of the future, but for advocates of an ever greater effort to so consistently misread the situation must inevitably devalue their advice and their warnings.

Despite assurances that each new intervention would be narrowly focused and time-limited, our involvement continues to deepen and without an obvious end point. With public discussion often dominated by the media's coverage of events, I believe we in government have been insufficiently rigorous in the questions we have posed to ourselves, and that we have been negligent in seeking out dissenting opinions.

Have our efforts brought us any closer to a lasting solution? To many observers, it seems that the goal of genuine peace and stability is further away than ever. Do our solutions enjoy sufficient support among the inhabitants of the region, in whose name we are seeking to impose a peace? Or are we faced with the prospect of imposing a settlement on unwilling peoples and then permanently policing it with armed force?

Has our view of the situation been overly simplistic? Given our propensity to divide the protagonists into those with good and bad motives and characters and to label them accordingly, are we simply misleading ourselves? Guided by such definitions, we have repeatedly aligned ourselves with what appeared to be the appropriate side in the various conflicts, only to find ourselves in the embarrassing position of having to rethink our position and reassess the actors when the former good guys begin to follow their own agendas in preference to the ones we have set for them.

These are not abstract questions. In the West's efforts to impose and police what may be unworkable settlements, we have arrogated to ourselves sweeping powers that are dangerous in their extent and in the absence of restraints, and which, therefore, inevitably risk abuse and failure. History has taught us to be wary of the belief that any action may be justified if the cause it seeks to advance is sufficiently worthy. Even more troubling is that our approach does not appear to be working.

We are fortunate to have before us today several distinguished individuals who will hopefully shed some useful light on these and other questions, and I would like to extend a very warm welcome to them. But, first, Mr. Gilman is recognized.

[The prepared statement of Mr. Hyde follows:]

PREPARED STATEMENT OF THE HONORABLE HENRY HYDE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS, AND CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS, AND CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS

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With every new proposal for an expansion of our responsibilities, we have been assured that some particular action was necessary to preserve the peace and prevent a widening of the conflict, only to subsequently discover that this latest intervention was but a precursor to still greater demands for action to counter the spread of “instability” to yet another area.

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We are fortunate to have before us today several distinguished individuals who will hopefully shed some useful light on these and other questions, and I would like to extend a warm welcome to them:

His Eminence Vinko Cardinal Puljic, Archbishop of Sarajevo;

His Excellency the Most Reverend Dr. Patko Peric, Bishop of Mostar; and

Dr. Ejup Ganic, a professor Mechanical Engineering at the University of Sarajevo and former President of the Federation of Bosnia and Herzegovina.

Mr. GILMAN. Thank you, Mr. Chairman, and thank you for arranging this very important briefing.

Before I engage in an opening remark, I would like to remind our colleagues that the Iran-Libya Sanctions (ILSA) measure that was debated last night will be coming up for a vote very shortly on the floor. I hope we can get a good resounding vote.

Mr. Chairman, I am both pleased and concerned about Bosnia. Pleased, first of all, that Bosnia remains basically at peace, I am relieved that it is slowly rebuilding its economy. It is also gratifying that the international peacekeeping forces have not been the recent victims of any violence. That country, in short, is slowly finding its way back to normality after a savage war.

At the same time, I do remain concerned that our troops are still in Bosnia. The concerns expressed by many of our congressional colleagues, including myself, about an open-ended commitment seem to have been borne out. The continued U.S. troop presence comes at a price. It requires financial expenditures that could be used to modernize our Armed Forces. The prolonged absences of our troops weighs on military morale. At a time when the armed services are finding it extremely difficult to meet their recruiting goals, prolonged peacekeeping missions do not make that problem any easier.

To summarize, our Nation has played a constructive role in Bosnia. Our military forces there deserve an enormous amount of credit, and I hope however that they are not going to be engaged in an open-ended commitment. The sooner that we will be able to have them come home, the better.

I look forward to hearing the testimony of our distinguished witnesses. Thank you, Mr. Chairman.

[The prepared statement of Mr. Gilman follows:]

PREPARED STATEMENT OF THE HONORABLE BENJAMIN A. GILMAN, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF NEW YORK

I am both pleased and concerned about Bosnia. I am pleased that Bosnia remains basically at peace. I am relieved that it is slowly rebuilding its economy. I am pleased that the international peace-keeping forces have not been the victims of violence. The country, in short, is slowly finding its way back to normality after its savage war.

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To summarize, the United States has played a constructive role in Bosnia. Our military forces there deserve an enormous amount of credit. I hope, however, that they are not engaged in an open-ended commitment. The sooner they come home, the better.

Mr. SMITH OF NEW JERSEY. [Presiding.] Chair recognizes Mr. Berman.

[Mr. Berman indicated he had no opening remarks.]

Mr. SMITH OF NEW JERSEY. I just have a very brief opening statement, and then I will ask my colleagues if they have any statements that they would like to make.

The Dayton Agreement ended the nearly 4 years of brutal conflict in Bosnia-Herzegovina. During this conflict and other conflicts associated with the former Yugoslavia's violent demise from 1991 to the present, we have seen millions displaced, hundreds of thousands killed, tens of thousands raped or tortured. We have seen atrocities which constitute war crimes, crimes against humanity and genocide. The victims, as we all know, were largely innocent civilians.

The culprits were people who deliberately perpetrated their evil intents, not the myths of ancient hatreds which propaganda has attempted to convince us made the conflict historically inevitable. Among the culprits, of course, and first of them, is Slobodan Milosevic. While he signed the Dayton Agreement in 1995, Milosevic remained the greatest threat to its implementation while he remained in power. To some extent, we could not expect quick and significant progress while he was around.

Finally, Milosevic is now in The Hague. The new situation, I believe, gives new hope to the Dayton implementation. In fact, my expectation for salvaging the principles which Dayton enshrined is on the increase.

Unfortunately, while Milosevic may be out of Serbia, his legacy of extreme nationalism and criminal activity lives on. Last May, for example, we saw the mobs brought out to attack those seeking to rebuild mosques destroyed in the campaign of ethnic cleansing. We saw similar mobs brought out in Mostar and elsewhere when the international community sought to break the financial links of organized crime. We can hope, however, that these are the last gasps of those who have fomented conflict for personal power and fortune. We can hope that the international community will not let them succeed.

To date there has been minimal progress. Some have returned to their homes and villages, and there has been increased freedom of

movement. The frequent elections which have been conducted in Bosnia have given moderate forces an increasing share of power. However, the progress has not been sufficient. As our witnesses will detail today, many people have yet to be able to return to their homesteads due to legal obstacles and harassment. Dozens of persons indicted by the tribunal in The Hague remain at large, especially in the Republica Srpska. Meanwhile, time is running out. Windows of opportunity have closed or are in the process of closing.

Among the proposals worth considering is one presented to me by General Joseph Ralston, NATO's Supreme Allied Commander. The proposal calls for intensified police training in both entities of Bosnia, similar to that done under the auspices of the OSCE in Kosovo. The training would help transform the police into a professional body serving the people and protecting them, and not a force used to violate their rights and to keep criminals in power. Recently Franjo Komarica, the Bishop of Banja Luka, also presented me a proposal on getting serious about returns, including the development of an infrastructure that permits returnees to survive once they come home. Both those documents will be included in the record, and, without objection, it is so ordered.

[The information referred to follows:]

COMMANDER IN CHIEF
UNITED STATES EUROPEAN COMMAND

6 July 2001



Dear Mr. Chairman,

I enjoyed the opportunity to exchange views with you yesterday at the Normandy American Cemetery. Per your request, I am providing a follow-up on my perspective concerning the potential for future progress in the Balkans. As I mentioned yesterday, we have made significant progress in reducing American troop levels in Bosnia, but I do not believe that we will be able to make further force reductions, or reach the point where we can return Bosnia to a point of self-governance, without making some fundamental changes to the way we are currently conducting business there.

Any exit strategy for the international forces located in both Bosnia and Kosovo, must begin with re-establishing the rule of law and creating the civil institutions necessary to make and uphold the rule of law. In Kosovo, thanks to the recognized leadership of a single entity, the United Nations Mission in Kosovo (UNMIK), we have made measurable progress in this area in a relatively short period of time. This progress has been made in spite of the fact that we do not have a political framework in Kosovo as we do in Bosnia. The U.N. has published more than 100 regulations with the force of law. They have also appointed more than 400 local judges and prosecutors, with five district courts and some lower courts, in operation. Additionally, ten international judges and five international prosecutors have been appointed to the district courts, and an international judge now sits on the Supreme Court.

Another success story in Kosovo is the UNMIK police operation. UNMIK's 4,384 man strong police contract force, complemented by new officers trained in the OSCE's Kosovo Police Service School (KPSS), is the only law enforcement unit recognized in Kosovo. As one of the pillars of the UNMIK strategy in the province, the OSCE is working to produce enough trained, indigenous, multi-ethnic officers to eventually replace the U.N. contract force that currently maintains law and order. I strongly encourage you to visit this school. The KPSS graduated its 15th class on 12 May, essentially achieving its mandated goal of placing 4,000 new officers on the beat since opening its doors in September 1999. This effort has been so successful that the school's mission has been extended to produce at least two additional classes, or 600 officers, and indications are the effort will be expanded to train and supervise another 4,000 officers. The KPSS is a tangible first step toward transferring the internal security of Kosovo back to civilian authority where it belongs.

While we have a political framework in Bosnia (the Dayton Accords), the situation there is complicated by an ethnic reality that has three highly dispersed and intermingled groups with few agenda items in common. As a result, the indigenous police forces in Bosnia have, in many ways, remained separate and ineffective fiefdoms. This stands in stark contrast to the successful UNMIK and OSCE cooperative

law enforcement effort in Kosovo. Despite the presence of over 2,000 U.N. International Police Task Force (IPTF) monitors in Bosnia, the existing police and state border services there continue to be ineffective against organized crime. There is no effective means in place to recruit new officers and imbue them with a respect for the rule of law. As a result, organized crime in Bosnia continues to threaten its political and economic future.

In short, Mr. Chairman, I strongly believe that we need to reexamine the law enforcement structures currently in place in Bosnia and reorganize to facilitate re-establishing the rule of law there. The cooperative UNMIK and OSCE effort in Kosovo should serve as a model in this effort. The costs associated with training and fielding police officers from the indigenous populace is miniscule when compared to the costs of maintaining the international military presence currently deployed to the Balkans. If Bosnia is to ever stand on its own, we must set the conditions for economic success. This success is dependent upon capital investment (both fiscal and human), and capital investment will not occur in an area threatened by crime and corruption and characterized by a vacuum in the rule of law.

I hope you find this perspective useful as you continue your efforts both in the OSCE and on Capitol Hill. Should the USEUCOM staff or I be of any further service to you, please do not hesitate to call.

Sincerely,



JOSEPH W. RALSTON
General, USAF

The Honorable Christopher H. Smith
U.S. House of Representatives
Washington, DC 20510

AN APPEAL OF THE BISHOP'S CONFERENCE OF BOSNIA-HERZEGOVINA TO THE
SIGNING STATES OF THE DAYTON AGREEMENT

Your Excellency,

We the undersigned Bishops of the Catholic Church in Bosnia and Herzegovina, primarily are involved with the spiritual care of the Catholic faithful in our country. Yet as citizens of Bosnia and Herzegovina, during and after the war years as well as today, we maintain that our moral responsibility involves sharing in the sufferings and hopes of all of our co-citizens, regardless of their faith and ethnicity. We raised our voices in the past and still cry out today for respect towards the inviolable dignity of mankind and for fundamental human and citizen's rights and freedoms, both personal and national, against all lawlessness, violence and abuse of power, regardless of whoever exercises it. On numerous occasions we have sent pleas and appeals to local authorities and the representatives of the International community in Bosnia and Herzegovina, to put an end to violence and lawlessness and that the great injustices committed during and after the war may be corrected.

Unfortunately till now all of this appears to have been in vain. This especially regards the appeals we made in favor of the members of our local Church, who predominantly belong to the Croatian nation. As the smallest of the three constitutive national groups in B-H, from the signing of the Dayton Agreement to this day, the Croats find themselves in an even more difficult and discriminatory position! The Croatian national question, regarding its status as a constitutive nation in Bosnia and Herzegovina, has not been resolved yet.

According to the official statistics of the High Representative for Bosnia and Herzegovina, of all refugees and displaced persons, an incredibly small number of Croats have been able to return to their homes, due to overt obstruction by the local authorities, especially in the *Republika Srpska* entity which comprises one half of the country (even though Serbs make up 31% of the population). Of the 220,000 Croatian displaced persons from this area, at the end of the year 2000, only 3,845 have returned! With great regret we inform you that there has been a lack of legal, political and material aid from the International community enabling a mass return as well as a livelihood for Croatian returnees!

The official representatives of the International community in B-H have taken obvious unjust decisions and measures – especially recently (which are well known to you) – and by doing so, have discouraged those Croats who wish to return to their homes and frightened many others in B-H, thereby coercing them to emigrate.

As Christians we announce and promote forgiveness and reconciliation amongst individuals and nations as one of the basic requirements for a promising future for this country. As citizens of this country we support just judicial procedures against those who have committed crimes. Yet we cannot overlook the fact that the International War Crimes Tribunal in the Hague is quick in condemning Croats and generally reluctant to process war crimes committed against Catholic Croats.

The un-democratic methods and the use of force by the International community in B-H towards resolving the open political problems of the Croats are completely unacceptable, especially since these problems have been caused primarily by the same

community. These actions have only created even greater problems. Constructive dialogue and credible arguments would certainly be more productive.

If the Dayton Agreement marked the cessation of the war and not the final peace plan for the peoples of B-H (as declared by some international representatives), we then appeal to you as a representative of one of the signatory countries of this Agreement, to take the necessary measures so that the main obstacles of the Agreement may be removed and thereby the constitutive nature, that is, the equality of all three national groups on the entire territory of the country may become a reality. This is the only way that the return and survival of Croats and other national groups can be achieved in far greater numbers than is currently going on throughout the country.

Without the Croatian nation as one of the three constitutive national groups in B-H, and without the return of all refugees to their proper homes, Bosnia and Herzegovina cannot exist as a country of unity in diversity and as the proclaimed model for a multi-national and multi-religious Europe.

Trusting that this is your democratic ideal as well, we expect you to consider this appeal of ours seriously and responsibly!

Please accept, your Excellency, our highest regards!

Sarajevo, 11 May 2001.

The members of the Bishops' Conference of Bosnia and Herzegovina:

Vinko Cardinal Puljić
Archbishop of Vrhbosna (Sarajevo) and
President of the Bishops' Conference of Bosnia and Herzegovina

Ratko Perić
Bishop of Mostar-Duvno

Franjo Komarica
Bishop of Banja Luka

Pero Sudar
Auxiliary Bishop of Vrhbosna (Sarajevo)

Mr. SMITH OF NEW JERSEY. It is worth noting that the Bishop said, and this just puts this in perspective, that of the 220,000 Croatian displaced persons from this area at the end of 2000, only 3,845 had been returned. With great regret we inform you there has been a lack of legal, political and material aid from the international community enabling a mass return as well as a livelihood for Croatian returnees, and, again, I would ask that his full statement will be made available to the press as well as would become a part of the record.

I hope that the United States and the international community as a whole will abandon the go-slow approach. I hope that the Dayton Agreement will not be used to maintain the divisions created by conflict, but instead serve as a framework in which Bosnia-Herzegovina would again be a tolerant multiethnic state. With sufficient vigor the international community can work with those Bosnians, including those on the panel today who have not lost their memories of a better past nor their hopes for a better future.

[The prepared statement of Mr. Smith follows:]

PREPARED STATEMENT OF THE HONORABLE CHRISTOPHER H. SMITH, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

The Dayton Agreement, Mr. Chairman, ended the nearly four years of brutal conflict in Bosnia-Herzegovina. During this conflict, and the other conflicts associated with the former Yugoslavia's violent demise from 1991 to the present, we have seen millions displaced, hundreds of thousands killed, tens of thousands raped or tortured. We have seen atrocities which constitute war crimes, crimes against humanity and genocide. The victims, as we all know, were largely innocent civilians.

The culprits were people who deliberately perpetrated their evil intents, not the myths of ancient hatreds which propaganda has attempted to convince us made the conflict historically inevitable. First among the culprits, of course, is Slobodan Milosevic. While he signed the Dayton Agreement in 1995, Milosevic remained the greatest threat to its implementation while he remained in power. To some extent, we could not expect quick and significant progress while he was around.

Finally, Milosevic is now in The Hague. This new situation, I believe, gives new life to Dayton implementation. In fact, my expectation for salvaging the principles which Dayton enshrined is on the increase.

Unfortunately, while Milosevic may be out of Serbia, his legacy of extreme nationalism and criminal activity lives on. Last May, for example, we again saw the mobs brought out to attack those seeking to rebuild mosques destroyed in the campaign of ethnic cleansing. We saw similar mobs brought out in Mostar and elsewhere when the international community sought to break the financial links of organized crime. We can hope, however, that these are the last gasps of those who have fomented conflict for personal power and fortune. We can hope that the international community will not let them succeed.

To date, there has been minimal progress. Some have returned to their homes and villages, and there has been increased freedom of movement. The frequent elections which have been conducted in Bosnia have given moderate forces an increasing share of power. However, the progress has not been sufficient. As our witnesses will likely detail, many people have yet to be able to return to their homesteads, due to legal obstacles and harassment. Dozens of persons indicted by the tribunal in The Hague remain at large, especially in the Republika Srpska entity of Bosnia. Meanwhile, time is running out. Windows of opportunity have closed or are in the process of closing.

Among the proposals worth considering is one presented to me by General Joseph Ralston, NATO's Supreme Allied Commander. The proposal calls for intensified police training in both entities of Bosnia-Herzegovina, similar to that done under the auspices of OSCE in Kosovo. The training would help transform the police into a professional body serving the people and protecting them, and not a force used to violate their rights and keep criminals in power. Recently, Franjo Komarica, the Bishop of Banja Luka, also presented to me a proposal on getting serious about returns, including the development of an infrastructure that permits returnees to survive once they come home. Mr. Chairman, I would like to include both of these documents for the record.

I hope, Mr. Chairman, that the United States and the international community as a whole would abandon the “go-slow” approach. I hope that the Dayton Agreement will not be used to maintain the divisions created by conflict, but, instead, serve as a framework in which Bosnia-Herzegovina would again be a tolerant, multi-ethnic state. With sufficient vigor, the international community can work with those Bosnians, including those on the panel today, who have not lost their memories of a better past, nor their hopes for a better future.

Mr. SMITH OF NEW JERSEY. I would like to again ask if there are other Members of our panel wishing to make an opening statement. If not, I would like to welcome—

Mr. ROHRABACHER. Mr. Chairman, I would just like to associate myself with Henry Hyde’s opening statement. Chairman Hyde was very clear that we were told one thing when we got involved, that the Congress was given commitments that I don’t frankly—and I will be a little more direct than the Chairman—that I don’t believe in terms of the time restrictions on how long we were going to be involved in the Balkans. I don’t believe those people were telling us the truth, and they knew they weren’t telling us the truth when they did it, and the United States should not be engaged in these hot spots around the world without a time limit. I think that unless we make sure that we do not continue on in this way, especially in the Balkans, that you are going to find the American people are going to become very cynical about trying to help people in other parts of the world.

It is one thing about going into an area during a crisis and trying to prevent a crisis. It is another thing of trying to control hot spots around the world from Washington, DC. That isn’t going to work, and it is very costly to us. At a time when we are trying to balance our budget or keep our budget balanced and trying to be responsible in our budgetary issues and decisions, to have our Treasury being expended in this way so far from home, and it seems in an endless commitment, the American people just aren’t going to stand for that.

So I would suggest that those people who are by philosophy intervenists or those people around the world who look to the United States for some sort of help, that we look at this not as a model, but as an example not to follow, because the people of the United States will not sustain another type of operation like this.

Thank you very much.

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Rohrabacher.

Let me just say to our witnesses again, Chairman Hyde and Mr. Lantos have made it very clear they need to be at the White House. They were asked by the President to be there after his return. But it is very important that you are here today, and both the Chairman and Ranking Member have copies of your testimonies. And I think it couldn’t be more timely that you be here, with the President just getting back, given the fact that there is room for us to make some significant changes and move forward.

So I do thank you, and I hope you understand why they are not here. Just for the record, I say to our witnesses as Vice Chairman, that I am also Chairman of the House Commission on Security and Cooperation in Europe.

The first of our witnesses is His Eminence Vinko Cardinal Puljic, Archbishop of Sarajevo, who was born in Banja Luka in the former

Yugoslavia and was ordained as a priest in his local diocese in 1970. He was named Archbishop of Sarajevo in 1971 and ordained Bishop by Pope John Paul II in 1992. Shortly after his pastorship was bestowed, the war in Bosnia-Herzegovina brought the city of Sarajevo under siege, and His Eminence became the bearer of that heavy cross.

Cardinal Puljic was created a Cardinal in 1994, and since that time has become internationally known as a pilgrim for peace. He has been awarded numerous honors throughout the world, has been elected President of the Bishops' Conference of Bosnia-Herzegovina, and is a member of the Pontifical Council for Inter-religious Dialogue as well as the Congregation for Evangelization.

Our second witness will be His Excellency the Most Reverend Dr. Ratco Peric, who was born in Bjelovar, Croatia, and ordained to the priesthood in 1969. He subsequently earned his Ph.D. in 1971 and served as Professor of Theology in Sarajevo through 1980 and in Rome through 1982. During this time he also served as Rector of the Pontifical Croatian College of Saint Jerome in Rome. In 1993, Monsignor Peric was named Bishop Ordinary of Mostar, and he has written extensively on the issue of theology.

And our final witness this morning will be Professor Ejup Ganic, who earned his doctorate in mechanical engineering in 1976 at the Massachusetts Institute of Technology. He has taught throughout the United States and in 1982 became Professor at the University of Sarajevo. He has authored over 100 scientific papers and engineering studies in the area of thermofluid science and is known throughout the world as a leading expert in this area. He has promoted research and development in the Balkan region in association with the activities of the region.

Dr. Ganic has been the most active of political leaders in the Balkan region since 1990. He was elected a member of the Presidency of Bosnia-Herzegovina, has served as Acting President of the Presidency of Bosnia-Herzegovina, and was finally President of the Federation of Bosnia-Herzegovina from 1998 through the year 2000. Dr. Ganic is active in several Balkan and central European organizations dedicated to the development of democracy, to establishing new small businesses, to the sponsorship of women's issues and the development of international cooperative programs of volunteer work in the postwar recovery process.

I want to thank again our very distinguished witnesses for being here, and, Cardinal Puljic, if you could begin.

**STATEMENT OF HIS EMINENCE VINKO CARDINAL PULJIC,
ARCHBISHOP OF SARAJEVO**

[The following testimony was delivered through an interpreter.]

Cardinal PULJIC. I would like to—from the bottom of my heart, I would like to greet you, and I would like to thank you for having me testify here today. In order not to overburden the process, I would like to begin with the reading of my statement via the translator.

Ethnic and political disappointment of Croats in post-Dayton Bosnia and Herzegovina, a presentation by Cardinal Vinko Puljic, Archbishop of Sarajevo, to the Committee on International Relations of the Congress of the United States:

Distinguished Members of the Committee on International Relations, ladies and gentlemen, my utmost thanks to your Chairman, Mr. Henry J. Hyde, for his kind invitation and this unique opportunity to present you with my perspective on the degree to which the United States and other member countries of the international community contribute toward democratic development and economic progress in Bosnia-Herzegovina.

We all know that great religions are universal, and, therefore, through their adherence, they surpass the boundaries of nations and ethnic communities. But since in Bosnia Judaism, Orthodoxy, Catholicism and Islam have been meeting for centuries, ethnic and religious identity in our country coincide in a quite significant proportion: nearly all Bosniaks are Muslims, while Serbs are Orthodox, and Croats are Catholics. Because of the 1991–1995 war for ethnic territories, the Croatian Catholic population of our country has been reduced from 832,000 in 1991 to about 400,000 in 2001.

All citizens and ethnic communities of Bosnia are grateful to United States Government and individual officials, who in November 1995 mediated the Dayton Peace Accord. This action resulted in the immediate cessation of cruel war atrocities and the beginning of building up of a democratic civil society with just peace and equal rights for its individual citizens and its three major ethnic communities.

I am sure that your own diplomatic representatives and other officials of the international community in Bosnia-Herzegovina keep you informed about their achievements and endeavors. Today I would like to share with you the ethnic fears and political disappointment of Croats in post-Dayton Bosnia-Herzegovina and ask your support for ethnically balanced democracy and for the sustainable return of refugees into the entire territory of Bosnia-Herzegovina, especially the Republica Srpska.

Point one. Croats are disappointed because international officials in Bosnia-Herzegovina refuse to respect the results of last democratic elections and place effective pressure on the civil authorities of the Republica Srpska to protect returnees and enable a safe return for 220,000 more Croats who would like to return.

I know that international officials in Bosnia-Herzegovina meant well when they changed the election rules immediately before the November elections last year. They wanted to bring into municipal, entity and state structures more representatives from nonethnic parties who would effectively cooperate for the good of all citizens. But in the case of the ethnic Croatian community, this new rule resulted in appointing into different state and Federation functions Croats who were elected by Bosniaks and Serbs on the list of the Social Party (SDP). Formally these officials represent Croats, but they are distrusted or even bitterly rejected by their fellow Croats, 95 percent of whom gave their votes to members of the HDZ Party.

Because of this, together with representatives of several small Croatian parties, the Croatian Democratic Party (HDZ) convened a meeting in October 2000 to look for ways of protecting ethnic Croatian interests in Bosnia-Herzegovina. Upon the invitation of organizers, and hoping that I could shift the existing trend away from requesting a third entity in Bosnia-Herzegovina for ethnic Croats, I attended that meeting as spiritual leader of Croat Catholics in

our country. Later on I was bitterly criticized by international officials in Bosnia-Herzegovina and by the Bosniak Muslim media, but none of my fault-finders paid attention to my speech given on that occasion.

At that meeting a new body was created called the Croatian Ethnic Assembly, HNS (Hrvatski narodni sabor), which claims to represent the political and ethnic interests of the Croat ethnic community, but it is treated by international officials as a self-styled extremist institution. The vast majority of Croats still trust HNS and HDZ more than the rare Croats who as members of the present coalition government are included into the state and Federation structures.

The northern section of the Sarajevo archdiocese and nearly all of the territory of the Banja Luka diocese are integral parts of the 49 percent of Bosnia-Herzegovina territory assigned to Republica Srpska through Dayton Peace Accords. Only about 3,000 Croats have returned to this territory, while about 220,000 more Croats are waiting for a safe return. Without such return, the Dayton Accord will fail in one of its most meaningful and substantial annexes.

Point two. The Herzegovina part of the disappointed Croat community could turn to more extremism, while Croats of central Bosnia and Banja Luka region could gradually move out if they do not get a more effective institutional guarantee that Bosnia-Herzegovina is also their homeland.

My archdiocese runs five Catholic centers with about 3,000 primary and high school students. We are open to accepting non-Catholic students if their parents want to provide in such a way a good education for their children. As a matter of fact, 35 percent of the students in Sarajevo Catholic school center are Muslim, Orthodox or Jewish. These schools are an instrument to cherish Croatian ethnicity and culture and a means to keep within the country the Croatian Catholic families of central Bosnia with school-age children.

In Sarajevo and Tuzla, the salaries of our teachers are being paid by the cantonal education authorities. This is not yet the case in Zenica, Travnik and Konjic. If we do not receive financial support from the respective civil authorities, we will have to close these vital schools.

We all know that in postwar Bosnia-Herzegovina, economic recovery is taking place too slowly, and that hundreds of thousands of our citizens are looking for decent jobs which would enable them to feed their families from the work of their own hands. However, the ethnic minorities in different parts of our country purposely or spontaneously keep dismissing the members of ethnic minorities from their scarce jobs or decisionmaking positions. This is the situation of non-Serbs in Republica Srpska, of non-Croats in western Herzegovina and of non-Bosniaks in central Bosnia.

Although, according to our Constitution, all members of the three ethnic communities should enjoy equal rights in the whole territory of Bosnia-Herzegovina, in practice minorities can barely survive in the present social and economic situation. Refugees who would like to return into their native localities have to face enormous difficul-

ties as an ethnic and social minority in a region where another ethnic majority lives and actually shapes their destiny.

Point three. Given the present frustrations and shared difficulty, all citizens and ethnic communities of Bosnia-Herzegovina need a strong United States presence in order to build up a democratic, economically prosperous and tolerant civil society.

The dispersed and less numerous Croats or Bosniaks in Republica Srpska do not enjoy the rights of constituent ethnic communities. The Federation consists of about 70 percent Bosniaks and 30 percent Croats. In such a population proportion, most Croats feel that a legal Croat entity should be created or that two existing entities should gradually be dissolved and the whole country cantonized. Several democratically elected Croats have been revoked from their municipal, cantonal or Federal positions by the High Representative or by his international collaborators. These depositions, together with raids of post offices and banks only in Croatian localities, raids authorized or ordered by the Office of High Representative, produced in the Croatian population a deep distrust of existing Federal structures and of their international guardians.

To summarize, American and European officials in Bosnia-Herzegovina, in their public statements and in meetings with Catholic Bishops of our country, often emphasize that Croats are welcome in Bosnia-Herzegovina, and that they can contribute toward the ethnic and cultural balance between Bosniaks and Serbs. I believe that this is possible only if our country becomes and remains one country which includes all three of its ethnic communities with truly equal rights and responsibilities for all. We all need democracy at state, cantonal and municipal levels which enables us to cherish our ethnic, cultural and religious identities.

Please influence the United States Government Administration and your officials in our country to continue helping us build up such a democratic and open society.

Thank you for your kind attention.

[The prepared statement of Cardinal Puljic follows:]

PREPARED STATEMENT OF HIS EMINENCE VINKO CARDINAL PULJIC, ARCHBISHOP OF SARAJEVO

Distinguished Members of the Committee on International Relations, Ladies and Gentlemen,

My utmost thanks to your Chairman, Mr. Henry H. Hyde, for his kind invitation and this unique opportunity to present you with my perspective on the degree to which the United States and other member countries of the international community contribute toward democratic development and economic progress in Bosnia-Herzegovina (BH).

We all know that great religions are universal and, therefore, through their adherents, they surpass the boundaries of nations and ethnic communities. But since in Bosnia Judaism, orthodoxy, Catholicism and Islam have been meeting for centuries, ethnic and religious identity in our country coincide in a quite significant proportion: nearly all Bosniaks are Muslims, while Serbs are Orthodox and Croats are Catholics. Because of the 1991-1995 war for ethnic territories, the Croatian Catholic population of our country has been reduced from 832,000 in 1991 to about 400,000 in 2001.

All citizens and ethnic communities of Bosnia are grateful to United States government and individual officials who in November 1995 mediated the Dayton Peace Accord. This action resulted in the immediate cessation of cruel war atrocities and the beginning of building up of a democratic civil society with just peace and equal rights for its individual citizens and its three major ethnic communities. I am sure

that your own diplomatic representatives and other officials of the international community in BH keep you informed about their achievements and endeavors. Today I would like to share with you the ethnic fears and political disappointment of Croats in post-Dayton BH, and ask your support for an ethnically balanced democracy and for the sustainable return of refugees into the entire territory of BH, especially the Republica Srpska.

1. Croats are disappointed because international officials in BH refuse to respect the results of last democratic elections and place effective pressure on the civil authorities of the Republica Srpska to protect returnees and enable a safe return for 220,000 more Croats who would like to return.

I know that international officials in BH meant well when they changed the election rules immediately before the November election last year. They wanted to bring into Municipal, Entity and State structures more representatives from non-ethnic parties who would effectively cooperate for the good of all citizens. But in the case of the ethnic Croatian community, this new rule resulted in appointing into different State and Federation functions, Croats who were elected by Bosniaks and Serbs on the lists of the Social Party (SDP). Formally, these officials represent Croats but they are distrusted or even bitterly rejected by their fellow Croats, who 95% gave their votes to members of HDZ party. Because of this, together with representatives of several small Croatian parties, the HDZ party convened a meeting in October 2000 to look for ways of protecting ethnic Croatian interests in BH. Upon the invitation of organizers, and hoping that I could shift the existing trend away from requesting a third entity in BH for ethnic Croats, I attend that meeting as spiritual leader of Croat Catholics in our country. Later on, I was bitterly criticized by international officials in BH and by the Bosniak Muslim media, but none of my fault-finders paid attention to my speech given on that occasion. At that meeting a new body was created, called the Croatian Ethnic Assembly (HNS—Hrvatski narodni sabor) which claims to represent the political and ethnic interests of the Croat ethnic community, but it is treated by international officials as a self-styled extremist institution. The vast majority of Croats still trust HNS and HDZ more than the rare Croats who—as members of the present Coalition government—are included into the State and Federation structures.

The northern section of the Sarajevo Archdiocese and nearly all of the territory of the Banja Luka Diocese are integral parts of the 49% of BH territory assigned to Republica Srpska through Dayton peace Accords. Only about 3000 Croats have returned to this Territory, while about 220,000 more Croats are waiting for a safe return. Without such return, the Dayton Accord will fail in one of its most meaningful and substantial Annexes.

2. The Herzegovina part of the disappointed Croat community could turn to more extremism, while Croats of Central Bosnia and Banja Luka region could gradually move out, if they do not get a more effective institutional guarantee that BH is also their homeland.

My Archdiocese runs five catholic School centers with about 3000 primary and high school students. We are open to accepting non-Catholic students if their parents want to provide, in such a way, a good education for their children. As a matter of fact, 35% of the students in Sarajevo Catholic School Center are Muslim, Orthodox or Jewish. These schools are an instrument to cherish Croatian Catholic families of Central Bosnia with school age children. In Sarajevo and Tuzla, the salaries of our teachers are being paid by the cantonal education authorities, but this is not yet the case in Zenica, Travnik and Konjic. If we do not receive financial support from the respective civil authorities, we will have to close these vital schools.

We all know that in post-war BH, economic recovery is taking place too slowly and that hundreds of thousands of our citizens are looking for decent jobs which would enable them to feed their families from the work of their own hands. However, the ethnic majorities in different parts of our country purposely or spontaneously keep dismissing the members of ethnic minorities from their scarce jobs or decision-making positions. This is the situation of non-Serbs in Republica Srpska, of non-Croats in West Herzegovina and of non-Bosniaks in Central Bosnia. Although according to our Constitution, all members of the three ethnic communities should enjoy equal rights in the whole territory of BH, in practice, “minorities” can barely survive in the present social and economic situation. Refugees who would like to return into their native localities have to face enormous difficulties as an ethnic and social minority in a region where another ethnic majority lives and actually shapes their destiny.

3. Given the present frustrations and hared difficulties, all citizens and ethnic communities of BH need a strong United States presence in order to build up a democratic, economically prosperous and tolerant civil society.

The dispersed and less numerous Croats or Bosniaks in Republica Srpska do not enjoy the rights of constituent ethnic communities. The Federation consists of about 70% Bosniaks and 30% Croats. In such a population proportion, most Croats feel that a legal Croatian entity should be created or that two existing entities should gradually be dissolved and the whole country cantonized. Several democratically elected Croats have been revoked from their municipal, cantonal or federal positions by the High Representative or by his international collaborators. These depositions, together with raids of post offices and banks only in Croatian localities—raids authorized or ordered by the Office of High Representative—produced in the Croatian population a deep distrust of existing federal structures and of their international guardians.

To summarize, American and European officials in BH in their public statements and in meetings with Catholic bishops of our country, often emphasize that Croats are welcome in BH and that they can contribute toward the ethnic and cultural balance between Bosniaks and Serbs. I believe that this is possible only if our country becomes and remains one country which includes all three of its ethnic communities, with truly equal rights and responsibilities for all. We all need democracy at state, cantonal and municipal levels, which enables us to cherish our ethnic, cultural and religious identities. Please influence the United States government administration, and your officials in our country, to continue helping us build up such a democratic and open society.

Thank you for your kind attention

Mr. SMITH OF NEW JERSEY. Cardinal Puljic, thank you very much for a very comprehensive statement. Your words will be taken very, very seriously by this Committee and by the Congress. We are very appreciative again for your taking the time to be here to personally present them as you have here at the International Relations Committee.

I would like to now invite—we will have some questions, I am sure, of members of the panel after all of our witnesses have testified.

Our second panelist is Bishop Peric. If you could proceed.

**STATEMENT OF HIS EXCELLENCY MOST REVEREND DR.
RATKO PERIC, BISHOP OF MOSTAR**

Bishop PERIC. I would like to extend my greeting to Chairman Hyde and his deputy and other distinguished Members of the House foreign relations panel on giving me the opportunity to speak before you today. I come here to represent my views on the situation of Croatian Catholics in my Diocese of Herzegovina. Now, I would like to have the official translator read a brief statement that I have prepared for you.

[The following testimony was delivered through an interpreter.]

Statement by Monsignor Ratko Peric, Bishop of Mostar, to the Honorable Members of the Committee on International Relations: “How to resolve the crisis in Bosnia and Herzegovina.”

In the dioceses of Herzegovina which have been entrusted to me as Bishop, almost all of the Catholic population, about 200,000, belongs to one of the three constituent peoples of Bosnia and Herzegovina, the Croat people. In the other diocese of Bosnia-Herzegovina, the Catholic population also belongs overwhelmingly to this same constituent group. Hence, working toward the basic human rights and responsibilities of Catholics also means realizing the rights, freedoms and responsibilities of a nation or people and vice versa.

In discussing Bosnia and Herzegovina, one has to recognize the existence of three historic nations: the Croats, the Serbs and the Muslims. The historic patrimony of the three national groups car-

ries with it the fundamental constitutional principle upon which any form of state organization should be based. This principle grants us the basic rights as individuals and as members of one of the three national sovereign groups, without regard to its size or number, where none of the three groups are in the absolute majority in the country. Therefore, not only citizens but every single national group must enjoy equal rights with regard to its national, cultural and religious identity, as well as all that regards its political, administrative, social and economic structures.

The sovereign rights of each national group cannot be reduced or eliminated, nor can any groups be assimilated into other groups politically or economically, not by one-sided decisions of the stronger groups or parties, nor by violence or other methods. The sovereign or constituent rights of peoples or nations are well established. They are defined even in a simple dictionary. Those rights include the right to elect own officials and representatives, the right to establish own institutions, and the right among others to self-determination. This means, and I think you can appreciate this, that Croats can be represented by a Serb or a Muslim in institutions established to protect vital interests such as the Presidency, the House of Peoples, if he were elected by the Croat constituent community, but a Croat cannot represent the interests of the same constituent community if he were elected by Serbs or Muslims! Whoever does not respect this, but imposes other, in fact, undemocratic solutions, cannot in the long run count on the success of their plans, even if the entire international community were behind them.

The Dayton Agreement signed in Paris in December 1995 brought about a cessation of warfare, stopped the suffering of the people and provided a certain peace to a devastated country. This is the key result of what is known as the Pax Daytoniana. The second crucial issue of Dayton is that it can and must be changed in those areas where it is evidently not efficient nor just. The Holy Father Pope John Paul II, during the audience in which he received the letters of credence from the Ambassador of Bosnia-Herzegovina on September 11, 1998, said,

“In order to guarantee the identity, development and progress of each of the constituent peoples of Bosnia-Herzegovina, a great responsibility rests upon political powers and government offices. In order to succeed, patience, time and perseverance are required. This effort cannot handle anything done by force. No one should be discouraged by unexpected difficulties in this process, and when these hardships do appear, everyone is invited to be prudent in order to correct and improve previous plans.”

The biggest anomaly of Dayton is the fact that Republica Srpska, as a unitary entity on territory from which 220,000 Catholic Croats and certainly twice as many Muslims were forcibly expelled, and then the Federation in which 10 cantons have been Federated, has become the Bible to some international representatives. They are practically allowing the Serb entity to solidify without resolving the issue of refugees and displaced persons, while the dual nation, Muslim-Croat Federation, continues to muddle along abnormally.

The only similarity that Dayton has with the Bible, and I must note this sadly, is that we read in the first pages of the Bible that at the outset that man fell into original sin. A similar event has happened to the creators of the Dayton Agreement, who wrote original sin into their text by dividing Bosnia-Herzegovina into asymmetric entities. Justice would demand no entities, or entities for each constituent group.

The International War Crimes Tribunal in The Hague from 1996 onward in dealing with the Muslim-Croat conflicts has been dealing only with the accused Croat Catholics, even though it is a well-established fact the Muslim Army's violations of international humanitarian law were systematic and widespread. As a result, the tribunal has lost all credibility among the Croat Catholic community in Bosnia-Herzegovina.

In November 2000, the OSCE organized parliamentary elections according to an ad hoc election law which did not respect Dayton nor the Constitution of Bosnia and Herzegovina. This action produced a political crisis in the country with deep consequences. The election law changes affected only the Croat community. After the elections the Serbs are represented in the new government by a coalition that won the majority of their constituency. The Muslims are represented by a coalition that won the majority among them. The Croats, however, are represented by a handful of parties that received less than 10 percent of the Croat constituency vote.

Dayton demands modifications. Will this happen at an international conference again in Dayton or elsewhere? Videant consules: Let those who are responsible decide. An essential modification would require that the asymmetric entities be dismantled since they are a source of absolute disappointment for the Croats, and neither the Muslims nor the Serbs can be satisfied with such a situation.

Equality in terms of political institution is crucial. The international authority should initiate a dialogue with the legitimate representatives of the Croat community and the Croatian National Assembly and not isolate them and the people by misappropriating the nonpolitical, good nature of Croats chosen by the authority itself. In the same manner it is absolutely imperative that the authority stops its irrational public persecution of Croat politicians in Bosnia-Herzegovina, calling them criminals, yet without any concrete proof. This is the easiest way the international authority can fight against the legitimate wishes of the people. I find it unbelievable to hear in the international circles, we know they are criminals, but we just can't prove it.

How is it possible that the Croat community cannot have a nationwide TV concession in Bosnia-Herzegovina while the other groups have one or more? The right to communicate in one own's language is a basic human right. If we are truly to help the Croat Catholic community, we must begin here, and then address the last elections and the associated election law. I ask for your assistance in these two crucial areas.

May I also ask of you to invite before this Committee other citizens and observers of Bosnia and Herzegovina, people that you have not heard before and people who are brave enough to speak their mind.

I also ask you, if you should not believe me about the despair in the Croat Catholic community, to look into the results of the regular semiannual surveys of public opinion in Bosnia-Herzegovina compiled by the Department of State Office of Research. They should be easily available to this Committee. This is the only way you can be objectively informed about a situation that is not headed for a solution, but for a crisis that is already creating new injustices and violating basic human rights as well as Christian values.

Under such a policy, the Croat Catholics are only being ghettoized socially, politically and economically in their own land. They will therefore either emigrate or continue to struggle in various ways, and by doing so, I am afraid, their leaders and probably the entire national group will be labeled extremists, nationalists, ustaše and the like. My only hope is Christ Saviour and what he has taught us about the goodness of man and the strength of human conscience. Yes, I look at you today and see hope that things in Bosnia and Herzegovina can be different than what I fear.

Thank you.

[The prepared statement of Bishop Peric follows:]

PREPARED STATEMENT OF HIS EXCELLENCY MOST REVEREND DR. RATKO PERIC,
BISHOP OF MOSTAR

HOW TO RESOLVE THE CRISIS IN BOSNIA AND HERZEGOVINA?

In the dioceses of Herzegovina which have been entrusted to me as Bishop, almost all of the Catholic population, about 200,000, belongs to one of three Constituent Peoples of Bosnia and Herzegovina (BiH)—the Croat People. In the other dioceses of BiH the Catholic population also belongs overwhelmingly to this same Constituent group. Hence, working towards the basic human rights and responsibilities of Catholics also means realizing the rights, freedoms and responsibilities of a nation or People and vice-versa.

LOCAL PEOPLES AND FOREIGN PROTECTORS

Three peoples. In discussing BiH one has to recognize the existence of three historic nations: the Croats, the Serbs and the Muslims. This last group has been called differently in the past: undeclared, Yugoslavs, Muslims, and from 1995 onward mostly Bosniacs. Each of these three national groups has its own religion and culture—Serbs are traditionally Orthodox, Croats are Roman Catholics, while Muslims are of the Islamic faith. Of course, we also have other national minorities and religious groups. Every attempt to make BiH a melting-pot of nations and transform these Peoples into yesterday's "Yugoslavs" or the "Bosnians" of today, and each exercise in forming a melting-pot of religions into a syncretism according to the whims of outsiders, has always ended in failure. Policy such as this gives us not state-builders, but state-dissolvers.

Each national group sovereign in BiH. The historic patrimony of the three national groups carries with it the fundamental constitutional principle upon which any form of state organization should be based. According to this principle, each of the three national groups have the "status of sovereignty" countrywide. This principle grants us the basic rights as individuals, and as members of one of the sovereign national groups, without regard to its size or number, as none of the three groups are in the absolute majority in the country. Therefore, not only citizens but every single national group must enjoy equal rights with regard to its national, cultural, and religious identity, as well as all that regards its political, administrative, social and economic structures. This is the essence of the Constitutive nature of the three national groups who are both psychologically and historically bound to the territory of BiH and considers it their own. Thus, this unique situation at times provokes difficult conflicts but also the need for constant cooperation and dialogue.

Vital national interests. The sovereign rights of each national group cannot be reduced or eliminated, nor can any group be assimilated into other groups, politically or economically; not by one-sided decisions of the stronger groups or parties, nor by violence or other methods. The sovereign or constituent rights of peoples or nations

are well-established. They are defined even in a simple dictionary. Those rights include the right to elect own officials and representatives, the right to establish own institutions, and the right, among others, to self-determination. In order to protect such “vital interests” of any national group, we have devised democratic mechanisms of equality, veto power, consensus, and rotating offices. This means, and I think you can appreciate this, that Croats can be represented by a Serb or a Muslim in institutions established to protect vital interests (such as the Presidency, the House of Peoples) if he were elected by the Croat Constituent community, but a Croat cannot represent the interests of the same Constituent community if he were elected by Serbs or Muslims! Whoever does not respect this, but imposes other in fact undemocratic solutions, cannot in the long run count on the success of their plans, even if the entire international community was behind them.

Centuries-old protectorates. The territory of BiH in the last 500 years has been for the most part under the administration of world powers: the Ottoman Empire (1463–1878), the Austro-Hungarian empire (1878–1918), and then the Yugoslav borders (1918–1992, except for the WWII period) and today’s international community (since 1995). The protectorates have never produced ideal relations between individuals and nations in BiH, but neither has there been continual conflict.

Expectations and disappointments. The international community has shown concern indeed for the events that developed on in the territory of the former Yugoslavia since 1990. Yet at the same time, the local people were deeply disappointed with the international community’s behavior as the latter watched, with the help of observer missions, the bloodshed, ethnic cleansing and the conquering of territory in Croatia and in BiH, which occurred mostly against Catholics, and from 1992 onward in BiH also against the Muslims. The well-armed Yugoslav army, which early on sided with the Serb extremists, had full freedom, while the unarmed populace was faced with an embargo on the acquisition of arms.

The recognition of the republics as states. The international community recognized the borders of the former Yugoslav republics (The Badinter Commission, January 1992), and this was received with joy by many. Yet the aggression was stopped only in 1995, thanks to the Croatian Army and the Croatian Counsel of the Defence (HVO), and to some degree the ABiH, as well as by the strong concurrent US diplomatic activity.

Referendum. In the referendum on the independence of BiH, held on 29 February and 1 March 1992, a majority of Muslims and Croats went to vote while the Serbs for the most part abstained. 63% of those who participated voted for the independence of BiH. The process of recognizing BiH internationally as an independent state followed soon after the referendum.

DAYTON’S BOSNIA AND HERZEGOVINA

The Dayton Agreement, signed in Paris in December 1995, brought about a cessation of warfare, stopped the suffering of the people and provided a certain peace to a devastated country. This is the key result of what is known as the Pax Daytoniana. The second crucial issue of Dayton is that it can and must be changed in those areas where it is evidently not efficient nor just. The Holy Father Pope John Paul II during the audience in which he received the Letters of Credence from the Ambassador of BiH on 11 September 1998 said: “In order to guarantee the identity, development and progress of each of the constitutive peoples of Bosnia-Herzegovina a great responsibility rests upon political powers and government offices. In order to succeed, patience, time and perseverance are required. This effort cannot handle anything done by force. No one should be discouraged by unexpected difficulties in this process. And when these hardships do appear, everyone is invited to be prudent in order to correct and improve previous plans”. It is now evident that the plans worked out in Washington in 1994 and in Dayton in 1995, written on 150 pages and into 11 annexes also allowed certain injustices in the political arrangement for the country. For instance, the areas that became ethnically pure have been given to those that participated or supported aggression—the side that took over the territory by forced expulsions and ethnic cleansing without regard for anyone.

In the last six post-war years (1995–2001) anomalies in the Dayton peace accords have crystalized, and they call for an urgent rectification.

Dayton’s “Original Sin”. Despite the already mentioned position of the Serbs regarding the referendum held in BiH, the Dayton agreement gave the Serbs (who made up 31% of the population according to the census of 1991) half the territory of the country (49%), thereby awarding them and granting their entity an exclusive national title “Republika Srpska” with specific attributes common to independent states. The Muslims (44%), Croats (17%) and others (8%) were given the remaining 51% of the territory, called the “Federation of Bosnia and Herzegovina”.

The biggest anomaly of Dayton is the fact that “Republika Srpska” as a unitary entity on territory from which 220,000 Croat Catholics and certainly twice the many Muslims were forcibly expelled, and then the Federation in which 10 Cantons have been federated, has become the “bible” to some international representatives. They are practically allowing the Serb entity to solidify without resolving the issue of refugees and displaced persons, while the dual-nation Muslim-Croat Federation continues to muddle along abnormally. The only similarity that Dayton has with the Bible, and I must note this sadly, is that we read in the first pages of the Bible that at the outset the man fell into “original sin”. A similar event has happened to the creators of the Dayton agreement who wrote “original sin” into their text by dividing BiH into asymmetric entities. Justice would demand: no entities, or entities for each Constituent group. I am afraid that it is rather useless to build up the state of BiH on the foundation of the current Dayton agreement. If one buttons up a shirt with many buttons and starts off with the wrong button-hole, then no matter how logical the rest of the buttoning may be, it all turns out illogical in the end. If this creation of a politically illogical BiH of entities is to be preserved, then nobody should be surprised that everything in the country remains illogical.

Constitutive peoples. According to the Preamble of the Dayton agreement, all three Peoples are Constitutive, but *de facto*—the Constitutive People in the Serb entity are Serbs, and in the Federation entity are Muslims, with the Croats having their rights taken away partially in Dayton, and fully by virtue of the November 2000 election law change by the OSCE. An attempt to rectify one anomaly was made in 2000 with the decision of the Constitutional Court, so that all three Peoples would be recognized as constitutive and equal on the entire territory of the country. Unfortunately, this decision is being negated by the international authority in the country. The authority has established the so-called “constitutional commissions” which is in effect “thin veil” to retain the *status quo* that favours both the Serbs and the Muslims.

A self-styled protectorate. The current international authority, which has been entrusted with the implementation of the Dayton agreement and which is practically functioning as an absolute power, is a curious political machine made up of varying interests, institutions and intentions. It is comprised first of all by the High Representative of the United Nations (OHR), the special envoy of the Secretary General of the UN, the representative of NATO, the representatives of the European Union (EU), representatives of the Organization for European Security and Cooperation (OSCE), and numerous other groups both public and otherwise. Yet one has the impression that the U.S. Ambassador in Sarajevo is at the helm, and in full control.

The return of Croat refugees is not even symbolic. The current implementation of Dayton appears to reinforce the crimes and cleansing of the war. After five years of Dayton and five billion dollars invested, yes, results can be seen in the construction of the infrastructure, public buildings and some homes that were destroyed, as well as the free movement throughout BiH. Yet the return of Croat Catholics to the “Republika Srpska” is more cynical than symbolic. Of the 220,000 refugees, only some 3,000 elderly persons have been able to return.

In eastern Herzegovina, two Catholic parishes along with the churches (Nevesinje and Stjepan Krst) have ceased to exist and no one has returned. In some parishes of the diocese of Mostar (Blagaj, Bijelo Polje, Drežnica, Jablanica, Konjic) the return of displaced persons is hindered by many problems; the main one being that people are not returning unless they can be guaranteed of their national, political, cultural and religious identity. Close to one million people are still waiting to return to their proper homes in BiH.

The International War Crimes Tribunal in the Hague from 1996 onward in dealing with the Muslim-Croat conflicts has been dealing only with the accused Croat Catholics, even though it is a well established fact the Muslim army’s violations of international humanitarian law were systematic and widespread. As a result, the Tribunal has lost all credibility among the Croat Catholic community in BiH. The common view in the community is that the Tribunal trials have no other goal than to serve as a policy tool to implement some of the Dayton anomalies.

The Cross as a “symbol of religious intolerance”? The Catholic Bishopric of Mostar decided to raise a cross on top of the mountain overlooking Mostar on the occasion of the Year 2000 Jubilee—to celebrate the 2000th anniversary of the birth of Christ. The U.S. Ambassador Thomas Miller criticized this action, and in June 2000 said: “Crosses on mountains and other symbols of religious intolerance shall not be tolerated”. I responded (29.6.2000) by asking him a few questions—but I received no reply. How is it that a Catholic cross on a mountain above Mostar disturbs Ambassador Miller so much, yet he is not bothered by the raising of much more numerous new Muslim and Orthodox objects, often financed by foreign governments? The Eu-

ropean observer mission on 11 July 2000 put forth ten unusual questions regarding the Cross to which we replied on 30 August 2000.

Election manipulations. In November 2000, the OSCE organized parliamentary elections according to an ad hoc election law which did not respect Dayton, nor the Constitution of BiH. This action produced a political crisis in the country with deep consequences. The election law changes effected only the Croat community. After the elections, the Serbs are represented in the new government by a coalition that won the majority in their Constituency. The Muslims are represented by a coalition that won the majority among them. The Croats, however, are represented by a handful of parties that received less than 10% of the Croat Constituency vote. The coalition that won the Croat Constituency with 90% of the vote is not able to govern. Therefore the largest number of Croats in the state and entity institutions in Sarajevo, who received less than 10% of the Croatian vote, cannot be considered legitimate representatives of the Croat People. I ask you, do the Croat People like the Serbs and the Muslims have the right to their democratic choice? According to the international authority in BiH, they do not.

The Croatian National Assembly (with 538 representatives) was created as response to the international authority's a single-handed, "silent" revision of Dayton, and as a mechanism to protect the rights of the Croat community engrained in the BiH Constitution (Novi Travnik, October 2000; Mostar, March 2001). The reaction of the international authority: instead of opening a dialogue, it responded with measures that were even more undemocratic, and by all measures, maybe even criminal.

The "Hercegovacka Banka". The people were under the impression that the international authority was here to provide economic assistance and democratic development for the entire population. But on April 6 and 18, 2001, in unheard of fashion, using SFOR tanks, the "Hercegovacka Banka" in Mostar was entered, along with its branches in Herzegovina, leaving 90,000 depositors and 4,500 companies without their daily needs, thereby violating basic human rights and private ownership. Three and one half months later, they haven't reopened the banks nor indicted any of the so-called criminals. Needless to say, the economy in the region has suffered tremendously. Peace cannot be established in this fashion, only injustice can. This type of international intervention is not welcome in Herzegovina and certainly has no future there, nor is it welcome in Bosnia.

It seems as if a similar fate is in the making for the "Aluminij" enterprise in Mostar, with an attempt to impose a new administrative body. The factory has been the most successful company in BiH, and has capital partners in the US.

POSSIBLE RESOLUTIONS

a) *Relative satisfaction.* The representatives of the three Peoples in BiH have not shown so far that they can get along in a harmonious way and run the country satisfactorily on their own. Neither has the international authority shown that it is capable of governing the people nor the country. So whatever new solutions might be presented, the national groups will always remain relatively satisfied, because the current arrangement is absolutely unsatisfactory to at least one People. Nevertheless, I must say, it would not be wise to abandon BiH.

b) *Modifying Dayton.* Dayton demands modifications. Will this happen at an international conference again in Dayton or elsewhere—*videant consules* (let those who are responsible decide)! An essential modification would require that the asymmetric entities be dismantled since they are a source of absolute disappointment for the Croats; and neither the Muslims nor Serbs can be satisfied with such a situation. If the international authority persists in enforcing this, then it is building a false peace based upon injustice. It should not be acceptable that one group, after all the crimes committed in that part of the country, has its own parliament and government, and another group, a victim, ostensibly equal under the Constitution, cannot even have its own legitimate voice in the Presidency nor in the Houses of Peoples, where "vital interests" are protected. Nowhere in the world can a single man or nation build their own future on the tombs of other men or nations. This would be the seed of new instability and conflict not only in BiH, but in the entire Balkan region. On the other hand, a careful and proper healing of national and other wounds in BiH could provide the basis for stability in the surrounding states as well.

c) *Cantons.* With the dissolution of the entities, the country could be administered via Cantons. This arrangement would require protective mechanisms of compromise and consensus as in other multi-national states, while providing a high level of self-rule, such as in Switzerland and Belgium. It would be an injustice if all three Peoples were not given the same rights and obligations in government. Furthermore,

as has been noticed by many analysts, many modern federations have collapsed the Soviet Union, Czechoslovakia, Yugoslavia. The federation of BiH is currently in crisis. Everyone agrees that the outer framework of BiH should remain untouchable, but life within the country must be balanced and harmonized.

d) *Democratic mechanisms.* The political stability of a state can only be guaranteed by the institutionalization of uniform principles and rules of political activity: negotiations, equality, compromise, consensus and cooperation of the political representatives of all three Constitutive nations. Equality in terms of political institutions is crucial. The international authority should initiate a dialogue with the legitimate representatives of the Croat community and the Croatian National Assembly, and not isolate them and the people by misappropriating the non-political, good nature of Croats chosen by the authority itself. In the same manner it is absolutely imperative that the authority stops its irrational, public persecution of Croat politicians in BiH, calling them criminals, yet without any concrete proof. This is the easiest way the international authority can fight against the legitimate wishes of the people. I find it unbelievable to hear in the international circles: "We know they are criminals, but we just can't prove it!"

e) *Freedom of the press.* The West is very sensitive to the question of freedom of the press. Yet Croats in BiH have been denied a national television channel in their own language (*Erotel* was dissolved in Mostar), and is forcing them to accept a common program with the Muslims which hasn't been able to get going for over two years now. How is it possible that Croat community can not have a nationwide TV concession in BiH, while the other groups have one or more? The right to communicate in an own language is a basic human right.

If we are truly to help the Croat Catholic community we must begin here, and then address the last elections and the associated election law. I ask for your assistance in these two crucial areas.

May I also ask of you to invite before this Committee other citizens and observers of BiH; people that you have not heard before, and people who are brave enough to speak their mind. I also ask you, if you should not believe me about the despair in the Croat Catholic community, to look into the results of the regular semi-annual surveys of public opinion in BiH, compiled by the Department of State Office of Research. They should be easily available to this Committee. This is the only way you can be objectively informed about a situation that is not headed for a solution, but for a crisis that is already creating new injustices and violating basic human rights, as well as Christian values.

f) *Protectorate.* The international authority has created a protectorate in BiH. The unique element is that it has taken upon itself all rights and freedoms, and it has left the responsibilities and obligations to the local politicians. I ask myself, how can the international authority not see that the social problems are not being resolved in this fashion but only increased? The Croat Catholics will not accept the authority's objectives to dissolve their political and economic institutions and subjugate them to the rule of others. Under such a policy, the Croat Catholics are only being ghetto-ized socially, politically and economically in their own land. They will therefore either emigrate or continue to struggle in various ways. And by doing so, I am afraid, their leaders and probably the entire national group will be labeled extremists, nationalists, ustaše and the like. My only hope is Christ Saviour, and what he has thought us about the goodness of man, and the strength of human conscience. Yes, I look at you today, and see hope that things in BiH can be different than what I fear.—Thank you.

Mr. SMITH OF NEW JERSEY. Bishop Peric, thank you very much for your very incisive commentary as well as the very significant recommendations you have made on possible solutions. I think you have made a number of very important points that the community and the Administration need to ponder and act upon, and I do hope that we do so.

You mentioned the importance of modifying Dayton. While you have not highlighted in your oral presentation the information that you have related with regard to the outrage of our Ambassador in his statements, I have just read your letter you had written, to which you never got a response to your concerns about raising the Jubilee Cross as an act of intolerance. I think his comments were intolerant and totally uncalled for and reprehensible, and, frankly,

I had not heard that before, I deeply regret to say. And I personally will follow up on that myself as well.

But I do want to say we have a vote going on right now on the floor of the House. That is why everyone has left. We will come back. We will take a very short recess and then hear from our final witness and then go to questions. But again, you have made a number of very, very important recommendations that the international community ignores at its own peril and at the peril of the peace and stability of Bosnia-Herzegovina. So thank you so much for your statement.

The Committee stands in recess for about 10 minutes.

[Recess.]

Mr. SMITH OF NEW JERSEY. The Committee will resume, and I would like to invite Professor Ganic to make his presentation at this time.

STATEMENT OF EJUP GANIC, PROFESSOR, FACULTY OF MECHANICAL ENGINEERING, UNIVERSITY OF SARAJEVO; FORMER PRESIDENT, FEDERATION OF BOSNIA AND HERZEGOVINA

Mr. GANIC. Thank you, Mr. Chairman. Ladies and gentlemen, it is a great privilege to be here and to have the opportunity to talk to you and to the respective audience concerning my thoughts about the key questions that you raise through this testimony.

We have many problems in Bosnia, but let me summarize. The main problem is the refugee return. The country has been ethnically cleansed, and we have to help people to go back to their homes. There are two problems now. We don't have enough money for refugee return, and the international community provided funds for all international organizations, but not for refugee return. So we need more money for refugee return.

The second big problem is that the Republika Srpska, which is an entity created through Dayton that occupies half of the country, is opposing the return of refugees. So basically the government of Republika Srpska has systematically and consistently prevented, obstructed and discouraged the return over the last 5 years since the Dayton agreement was signed. Therefore, in implementing Dayton, they have taken only the parts they like and those parts which give basically Republika Srpska state-like jurisdiction, while ignoring those parts that work toward integration of Bosnia-Herzegovina and the return of refugees. They oppose any discussion of upgrading the tools to implement Dayton. And they hope that our voice, your voice, the voice of refugees for return will diminish as time goes by. In addition, they encourage movements called ostanak. It means stay wherever you are. And they have funded those projects.

Now, I would like to say something about Croats. Many of them, 200,000 as you know, have been ethnically cleansed, especially from the northern part of Bosnia called Posavina. This area has been closed for return by the Republika Srpska, so those Croats are wandering around. I don't know where they are. We would like to have them back; otherwise, the country is not balanced, and the Croatian issue is not balanced, and everything is left to western Herzegovinians in terms of politics. And they quite often raise the

issue, how come we don't we have an entity. When Serbs live very well with an entity, how come we don't have one? And there are more voices in that respect, which is not good news for Bosnia, because they obstruct the return in West Mostar and other parts of western Herzegovina. But this issue with Croats has to be dealt with in a transparent and open way.

Let me just say a few more words. We have a very credible international force in Bosnia-Herzegovina. They should arrest Karadzic and Mladic. Our populations see these competent forces, where your troops are included, as the "sleeping tigers." Of course, they are useful there, because we doubt them things will fall back, but they should do the job. They should arrest these people.

Of course, the international community is very large in Bosnia, and they write progress reports very often. All of these reports are positive ones. But the progress is very questionable. The return of refugees, as you know, is a big problem, because we didn't make enough progress, and we have to deal with that.

At the same time, the Dayton agreement will be betrayed if we don't have the return of refugees, and the Republika Srpska will then remain there as the only entity created by Dayton.

Now, the international community makes many decisions, but this is like avoiding, as I say, every small piece of ice in the Titanic's water, but then ignoring the big iceberg in front of it. Now, you all saw the recent events in Banja Luka and Trebinje, where the religious monuments were supposed to be rebuilt, and of course huge crowds of people have prevented that. There was an attempt to call it a group of extremists, but basically it was a huge and violent population well organized by the Republika Srpska.

Now, the solution for Bosnia is to help the return of refugees and to help the country to survive economically. But the key question, which is always raised here in this country, is how long will our troops be there, and when should we come back. First of all, let them do the job that they came for. Let them arrest Karadzic and Mladic. Let us help the refugee return and create multiethnic beliefs, and then your troops will be back home soon. But if you just keep the situation there frozen, and keep the country divided, then I don't know the answer. So let us move in and do the work. Let us arrest those guys who created all that tragedy, and let us help refugee return. And your troops will proudly leave Bosnia, and the civilization will remember that you restored that country, which is truly multiethnic in the Balkan region.

Thank you very much.

[The prepared statement of Mr. Ganic follows:]

PREPARED STATEMENT OF EJUP GANIC, PROFESSOR, FACULTY OF MECHANICAL ENGINEERING, UNIVERSITY OF SARAJEVO; FORMER PRESIDENT, FEDERATION OF BOSNIA AND HERZEGOVINA

In principle, the presence of the international community in Bosnia-Herzegovina is contributing to democratic political development and social and economic progress. The peacekeeping forces in Bosnia do keep peace by preventing return to the situation that existed before their arrival. However, much more could be accomplished with proper adjustment of resources and clear defining of priorities.

1. In Bosnia these days there are not enough funds to support the return of refugees (to rebuild their homes and provide basic supplies). The amount of money devoted to refugee return is miniscule when compared with the funds provided for SFOR, OSCE, UN and other international organizations whose

task is to facilitate refugee return. On the other hand, refugee return is the main problem to be solved if we are to achieve stable peace based on the Dayton agreement. The money seems to be provided for many branches that lead to the implementation of the peace agreement in Bosnia—but not for refugee return. This is like building an expensive hospital with all the high-tech equipment, but not buying the sheets to put on the beds for the patients.

2. Republika Srpska, the “Dayton entity” with 49% of the territory of Bosnia-Herzegovina, opposes the refugee return program systematically. This entity is not open for refugee return especially in the cities such as Banja Luka, Bijeljina, Visegrad, etc. where before the war non-Serbs often constituted over 50% of the population. What Republika Srpska (RS) has done, in order to demonstrate its “good will” and to deal with pressure from the International Community, is to allow (to some extent) the return of refugees to remote villages where sustainable return is questionable—these are areas with no roads, no electricity, and no water. The government of RS has systematically and consistently prevented, obstructed, and discouraged return over the last five years since Dayton was signed. Therefore, in implementing Dayton, they have only taken the parts that they like and which give RS state-like jurisdiction, while ignoring those parts that work towards the integration of Bosnia-Herzegovina. They have opposed any discussion of upgrading the tools for implementing Dayton, in hopes that the desire and conditions for return will diminish as time goes by. In addition, they have encouraged what they call “ostanak”—keeping people where they are. The bulk of the funds intended for refugee return in RS are, in fact, used to aid “ostanak”.
3. The low return in Republika Srpska provided the Croatian Democratic Party (HDZ) with an argument for “Croat self-governance”. Northern Bosnia, known as Posavina, has the richest soil and most cultivated land in Bosnia-Herzegovina. Croats, who were the majority in Posavina before the war, were ethnically cleansed from this land, which has since been kept virtually closed for return by the authorities of Republika Srpska. This leaves the radical Hercegovinians to thinking that they should also have their own “Republic”. We have witnessed extreme resistance to allowing the return of those expelled from their homes in the area of west Herzegovina, especially West Mostar, which is now predominantly Croat.
4. Failure to arrest Karadzic and Mladic and the apparent reluctance to even limit their movements to a confined area, has encouraged continued defiance on the part of RS leadership. Their general policy is to resist all forms of cooperation on the arrest of war criminals, while maintaining the spirit of Karadzic politics. SFOR—a capable machine—keeps the situation from slipping back into the way it was (which is what would happen if they were to pull out or if their numbers were to be significantly reduced). They haven’t arrested Karadzic and Mladic because they say they were given no order to do so. In that respect, many ordinary citizens see them as “sleeping tigers”.
5. The international community (OHR, OSCE, etc.) authorities are constantly altering the state of affairs in B-H political life, which enables them to avoid every small piece of ice floating in the Titanic waters, while they remain blind to the big iceberg that is looming in front of them. This iceberg consists of hundreds of thousands of refugees—over a quarter of Bosnia’s total populations—who have been robbed of everything and are being denied their right and the means for return. It must be stressed that without refugee return, Bosnia will remain a divided country and the essence of the Dayton Agreement will be betrayed. Dayton will be remembered as the place at which Republika Srpska was legally created.
6. If you look at the various reports passed on by the B-H International Community, you will note significant progress. You will see numbers that suggest refugees are returning, you will see that a new democratic government is constituted and that common institutions are functioning. However, one must always be aware of what the numbers given and progress described represent. The current government is led by the Alliance for Change, painstakingly created by the International Community and plagued with problems. Both the Parliament and the Council of Ministers are functioning but are far from functioning well. All this can be clearly seen through the present difficulties with passing of the election law. Lack of consensus is apparent not only across entity lines but within the Alliance itself. Needless to say, the Alliance has little to no influence in Republika Srpska and HDZ-

dominated areas (specifically Herzegovina). There is a trend in Bosnia today to call things what they are not in bursts of International Community's optimism or, more realistically, in the desire to justify their presence and budget. This is why recent violence in Banja Luka and Trebinje is not called a clear sign of organized efforts by the RS government to discourage return, but an act of extremist groups (numbering thousands and unchecked by the government) who throw stones and burn busses because they realize they are losing power. It is an interesting argument.

7. There is only one solution for Bosnia-Herzegovina. This solution lies in return of refugees and improving and strengthening of the desperate economic situation. The ordinary citizens of Bosnia—Bosniaks, Croats and Serbs—all want this. Thousands and thousands of young, educated people could make a difference but are instead occupied with looking for ways to leave the country in which they see no future.

Mr. GILMAN [presiding]. Well, I want to thank our panelists for their excellent analysis. I regret I had to go to another meeting, but we are continuing our hearing. Let me pose to the entire panel a question. Does the international administration in Bosnia, particularly the Office of the High Representative, treat all of the ethnic groups equally? I welcome any panelist who would like to respond to that.

Cardinal? Your Eminence?

Cardinal PULJIC. I openly request before this Committee that you urge the government of the United States to apply the same standards and the same attitude toward all three constituent peoples in Bosnia-Herzegovina. The community that I represent, the Croats in Bosnia-Herzegovina, are the smallest of three constituent peoples in that country, and Croats, as a result of their small numbers, are not treated equally as with the other two constituent peoples in that country. What I would like to ask you to do is to pressure the government of the United States to apply the same and equal approach to all three ethnic groups in Bosnia-Herzegovina.

Mr. GILMAN. Thank you very much. Would any of the other panelists—yes?

Mr. GANIC. Mr. Gilman, I would like to tell you that in general, they treat all people the same in terms of ethnicity, but the politics of, let us say, the Republika Srpska, is not and has not been politics of cooperation. You pretty much tolerate their, so to speak, misbehavior on the refugee return and so on. So in that respect, you were not tough enough on those guys who have obstructed return, and that means the politics of Republika Srpska.

Mr. GILMAN. Well, Professor Ganic, is there any discrimination amongst the religious groups?

Mr. GANIC. Well, maybe—let me tell you, the highest degree of discrimination one can have is when you do not allow the people to come back to their backyards, and frankly, Bosnians and Croats were not able to return to the Republika Srpska, and anyone can extrapolate it from there on other discrimination. But the fact that one is not allowed to return to his backyard, for me it is the highest degree of discrimination. And of course, there has been objection to rebuilding the religious monument, as was the case in Banja Luka, Trebinje and other places.

Mr. GILMAN. Your Excellency, Bishop Peric?

Bishop PERIC. I would like to say that according to the constitution of Bosnia-Herzegovina and also international documents reflecting rights of individuals, that all of the three constituent

groups in the country are supposed to be afforded de jure protection.

However, de facto, there are numerous examples of discrimination throughout the country. Most of these were the result of the underpinnings of the war, and I am here with Cardinal Puljic as representative of the Croatian Catholic population and Mr. Ganic, who was also asked to testify by other individuals.

We are here to come and speak our mind about the issues that we think are before our people. Concretely, I would like to give an example of one form of discrimination that has been rendered against the Croats. During the last parliamentary elections, Croats were not allowed to elect their representatives. I believe that this represents a severe form of injustice and a form of discrimination that has been endured by that people.

Mr. GILMAN. Was that prohibition of an election? Did that come down from the President? Who instituted that prohibition about the election among the Croats? Your Eminence, Bishop Peric? Or your Eminence, Cardinal Puljic?

Cardinal PULJIC. The elections were undertaken according to the laws promulgated by the OSCE. Meanwhile, an alliance was created that excluded the Croats who were legally represented, and that alliance included good-natured Croats. However, the Croats who are members of the alliance do not enjoy the support of Croat citizens.

Mr. GILMAN. Thank you very much. Let me ask another question. Is there currently—do you consider that currently there is a crisis in Bosnia and Herzegovina, and if so, what is the cause of that crisis? Any solutions that you might be able to offer? Your Eminence?

Cardinal PULJIC. Sure, there is a crisis that is political and also economical. The main problem is how to create a state where all three peoples will enjoy equal rights. That is why it is important to promulgate a law on the state level that will be a democratic election law that will protect equally all three constituent peoples. We need democracy that is balanced from an ethnic perspective.

The second most important principle is to provide for the return of refugees, because you cannot have a free society if individuals cannot return and reclaim their private property.

Third, it is important that people can survive on the basis of their own labor and not live off of humanitarian assistance.

Mr. GILMAN. Your Excellency, Bishop Peric?

Bishop PERIC. We believe that the cause of the injustice is the fact that Bosnia and Herzegovina is divided into two entities. The Republika Srpska has all the basic attributes of a state. It has its own parliament, its own government, its own army. However, it does not have its own ministry of foreign affairs. The second entity was also asymmetrically created between two ethnic groups, Croats and Muslims, with the Croats being the smaller of the two in population.

As long as the international community continues either de facto or de jure to protect the interests of the Republika Srpska, there will be continued dissatisfaction among the ethnic groups in the other entity, as well as dissatisfaction amongst the Serbs themselves.

I also think it is important that ethnic groups are allowed institutionalized rights, for example, political, social, cultural and other institutions.

Another institutional right that I would like to add, that we Croats are prohibited from having, is our own national television that we cannot get because we are prevented from doing this by laws made by the international community.

Mr. GANIC. I just wanted to add a short point. This complicated problem is very simple if you look at the essence of that Dayton agreement. The country is divided into two entities, under the assumption that you allow the refugees to return, and that is the only way Milosevic will sign the Dayton agreement. He accepted the first part but has resisted in actual fact the other part. So basically he got half of Bosnia.

So the catch is there. Without the return of refugees, Dayton will be remembered as the place where you divided Bosnia. So please help us to get the refugees back. Once those people are back in their backyards, you will see a change of situation on the ground.

Mr. SMITH OF NEW JERSEY. Mr. Chabot?

Mr. CHABOT. Thank you. I will be brief so that we can get to the other member of the panel. I just have one question. One of the criticisms by many here in the United States and many in the Congress about the United States becoming involved in the terrible situation which has gone on for such a long time in Bosnia-Herzegovina was that if we got involved, that it would be very difficult for us to get out. President Clinton had assured the people of the United States that we would be in for only 1 year, and then we would be out, and it has obviously been much longer than that now. And the argument goes that there is so much hate between the groups, so much distrust, and there have been so many atrocities on the various sides for such a long time, that we would have great difficulty getting out.

That continues to be a problem, and a concern, and what is the realistic potential that if and when the United States does get out, that there will truly be a stable peace as opposed to the parties going back to the bloodshed that we saw for far too long a period of time?

Cardinal PULJIC. I will try to give you a picture. Let us say Dayton has a baby child. The child has to grow. It has to begin to walk. It has to become independent. I would like America to realize that it should not leave the child alone, that it must teach it to walk democratically. It has to help it act independently. The dignity of a democratic country like America cannot allow America to leave that child alone to whatever would happen to him. You must help that child. You must help that child in Bosnia-Herzegovina to become independent and to begin to walk on its own. And that is a guarantee for stable peace in those areas.

Just like it takes time to develop the wounds from the war in Bosnia-Herzegovina, they are also going to take time to heal things, and that is why time is necessary.

Bishop PERIC. I would like to say that over the last 500 years, more or less, Bosnia and Herzegovina was governed by foreign authorities, the Ottoman Empire, the Austrian-Hungarian empire, and also Yugoslavia recently. We were very happy and were able

to exhale after peace was established according to the 1995 Dayton peace accords. We rejoiced in the arrival of the Americans, because we knew that they were bringing with themselves a very good form of democracy. And we also welcomed them as friends of our peoples. But if you do not allow us and help us with what Cardinal Puljic mentioned, that we be allowed to have harmonized democratic institutions that will be in accord with each other and also that we can stand on our own feet in every aspect, then and only then would we be able to greet Americans as people who are exiting Bosnia-Herzegovina.

We request that your democracy and your assistance remain with us as long as it is necessary for us to be independent.

Mr. CHABOT. Thank you very much. Thank you.

Mr. GANIC. May I volunteer just to add one thing?

Mr. CHABOT. Surely.

Mr. GANIC. There is not really something very special about us, about people there. We lived there for centuries together. It is true that we had guidance from outside, but the problem to solve here is to respect private property. This ethnic cleansing created a terrible situation. You know, people took property that doesn't belong to them, and you cannot love your neighbor if he took your backyard. So let us have a return of refugees. Let us, everyone, go back to his home, and then we will pretty much become a normal society. If we allow ethnic cleansing in the 21st century become a way to become rich or to enlarge your piece of land, then where we go?

So there is nothing special in this. Dayton agreement is an agreement that assumed that everybody will regain his backyard, his house. It didn't happen. So let us get tools to get it done. And then, of course, you will see a small multiethnic country moving along.

Mr. CHABOT. Thank you. I thank all the witnesses for their testimony here this morning. I yield back the balance of my time.

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Chabot. Again, I want to thank our very distinguished panel. This is a major wake-up call, and one certainly is needed, because I do think time and complacency make for the possibility of an explosive situation, and then many Americans will wonder, oh, wasn't that resolved by the Dayton accords? I think all three of your testimonies need to be heard, not just in this building, but down at the White House and at the State Department as well.

And, again, I can promise you, Bishop Peric, that I will follow up on Ambassador Thomas Miller's reprehensible statement when he said crosses on mountains and other symbols of religious intolerance shall not be tolerated. Obviously that shows intolerance itself, and I think, as the representative of the United States Government, he should not be making such comments.

And I also think this ought to be a wake-up call as well about the UN Office of the High Representative that in the name of democracy, they can't act undemocratically and do by decree and by caprice and whim that which no other democratically loving country would ever embrace. I think the Croats, in particular, have unfairly felt the impact of that kind of heavy-handedness. And, again, your testimony is filled with example after example. It should serve as a wake-up call.

I do want to ask you a question with regard to references in my opening comments when General Ralston, in a letter, talked about what's happening on the ground, and he, too, was very concerned. Our delegation came away from that briefing very disturbed that things were afoot that could very quickly lead to an unraveling. It may not rise obviously to the level of previous hostilities, but an unraveling of the Dayton accords, and I take your point. They need to be relooked at in their essence. But General Ralston makes a point as to the need for a modern police force that would be multi-ethnic, and also very committed to human rights and transparent, that people who committed the atrocities in the past would not be carrying a badge and carrying a gun enforcing law arbitrarily, which is unfortunately what seems to be happening.

What is your view—I would ask our three distinguished panelists—of perhaps an OSC-type police academy, like we have in Kosovo, which thankfully has worked, because, again, the actual enforcement of the law—you can have all the great laws on the books, but if it is not being enforced impartially and fairly, they are not worth very much. As a matter of fact, it leads to a sense of impunity. Would any of you like to respond to that?

Bishop PERIC. Upon the creation of the federation, I think there were a few incidents involving policemen in the federation. However, through the passage of time, I think that the number of incidents has decreased, and to the best of my knowledge, there has not been interpolice strife in the area of Herzegovina where I reside. But I do believe that the police force in the federation is dissatisfied when they see their fellow policemen in the Republika Srpska wearing the emblems, the Serbian emblems on their sleeves and badges. Whereas, the policemen of all ethnic groups in the federation are forced to wear non-national symbols on their badges.

I think that what I just mentioned could be a source of discontent among the police force, but as it pertains to the international police force, I can only note the action relating to the Herzegovina bank that was recently undertaken by the international police force, as well as some other incidents involving different buildings. Other than that, there isn't any more examples of dissatisfaction that I could provide you with.

Mr. SMITH OF NEW JERSEY. Cardinal?

Cardinal PULJIC. I would like to just mention one fact that is preventing people from believing in police. The representation of the police force in the federation is done according to the 1991 census. However, in the Republika Srpska, the proportion of the police force is done in accordance with the 1995 census after the signing of the Dayton accords. That is an example of legalized ethnic cleansing in the police force. That is why it is imperative to make sure that the proportion of the police force in the entire territory of Bosnia and Herzegovina is done according to the 1991 census. As a member of the church, I cannot explain to you how the police force should be built or developed, but I can tell you one thing that is very important, that the police as an institution provide security and through the provision of security, people will have safety.

Mr. SMITH OF NEW JERSEY. Let me ask you, Cardinal Puljic, you in your testimony talk about the disappointment of the Croats because of the international efforts to respect the results of the last

democratic elections and to place effective pressure on civil authorities in the Republika Srpska to protect returnees among the 200,000 who would like to return. The 3,000 who have returned that you have mentioned, what has been their experience upon returning, and what responses do you get from government officials, as well as international officials, as to this unbelievably slow and pathetic repatriation of the 200,000? Why are they just so hesitant?

For the record, we have had hearings in the Helsinki Commission on this pathetically slow pace and we have always gotten responses back—in that case it was during the previous Administration—that they are working on it, that they hope that more people will be coming back soon and that they will be repatriated. But it is, you know, next week, next year, you know, next decade. It would seem to me that this is one of those issues that has just dropped out, and unless a major fuss and a major argument is made to these officials, including our own Administration here in the United States, nothing will be done.

Cardinal PULJIC. I will give you one example. It is an example of a priest who has returned to his village, which is without electricity and water. Approximately 50 families returned to that village. It is the municipality of Teslic, within the Republika Srpska. I spent 3 days with the priest—with the pastor. I wanted to encourage him to stay there because the conditions were horrible. Returnees came—Croat Catholic returnees came and confided to me: I can't return to my home, because Serb neighbors from the surrounding mountains have come down and have taken my home because they like it there.

Since the returnees were not provided with any sort of sustenance, they planted fields and crops and tilled them with their own labor. However, they were prevented from having even the basic right of protecting the fruits of their labor, because their Serbian neighbors would come and claim the crops that were growing. There is no police to protect them. There is no security. That is one example. I will give you another example that relates to the issue of a program for a return of refugees. The proportional amount of Croat refugees that receive assistance from international humanitarian organizations is very small. That is why the people then turn to the church. However, the church does not have the resources, because people do not work and do not help provide resources to the church. So we are in this sort of problem. Caritas tries to help. However, it is just a drop in the ocean.

Mr. SMITH OF NEW JERSEY. Yes?

Mr. GANIC. If I can volunteer, just to add to my statement, Mr. Chairman, somebody has to tell these people, look Republika Srpska, you have got the Republika Srpska in Dayton, assuming that you will allow the refugees to return. If you don't allow the refugees to return, we take your title away.

That is the only thing that will stimulate them to open the door. But someone has to be very firm to say, look, the Dayton agreement assumed that refugees would be allowed to go home, and you got that name, as a separate entity, but we are going to take your title away if you don't allow refugees to return. Something has to look very clever. Everybody is very busy, but nobody has the time with a cool, simple approach to say, where is the problem? You can

create all the ethnic police and all that, and that is fine and that will stabilize and help those who come back, but a key point is they are not allowing them to come back.

So even if you create more ethnic police in the Republika Srpska, there are no Croats, no Bosnians there to be helped. So it is a very simple approach to say, look, Dayton agreement is fine, but it says you get to be the Republika Srpska, and refugees have to come back. Since you don't allow the refugees to come back, we are forced to take the title away unless you do something. It is not very popular to say we change Dayton agreement and so on, because it created the peace. And these are the rules of the game. You see, everybody here is a little bit confused. We need a simple, straight-forward approach.

Mr. SMITH OF NEW JERSEY. I thank you for that, and before we yield to Ms. Davis, would just note that we heard from a number of witnesses in a hearing a year ago when they suggested to us, falsely, that major repatriation was imminent. We had heard from James Pardoe, who testified on behalf of the Clinton Administration; Wesley Clark from NATO; Bob Barry from the OSCE. We had Prime Minister Silajdzic, who testified he was very upset with the whole process, extremely upset; and then the mayor of Tuzla and also a number of other witnesses. So all this time has gone by and nothing has happened. So I think, again, this Committee really needs, and the Commission on Security and Cooperation in Europe as well, needs to very quickly get ahold of the Administration, and we will do it, to say enough is enough. I had told the Bishop when I met with him sometime ago—it was a couple of months ago—in Komarica.

Mr. GANIC. Komarica.

Mr. SMITH OF NEW JERSEY. Komarica—and I plan on leading a delegation on a trip to Banja Luka sometime in the very near future, and we are in the process of trying to get dates for that. I hope as a result of that fact finding, and the fact that he and now you have brought this glaring injustice to our attention, that we initiate action. Shame on us if we do nothing. We have been given platitudes that things are being done for far too long, and now it is time to act decisively. I can assure you I will give you my pledge I will do everything I can, and I know Chairman Hyde, who is very, very committed to this issue, will do likewise, and hopefully in a bipartisan way we can make a difference. We promise to try. That is all we can do. But, again, your testimonies are very, very pivotal.

Ms. Davis? Mr. Kerns to go first.

Mr. KERNS. Thank you, Mr. Chairman. I want to thank the panelists for participating in this very important discussion together. The question I have is, is a stable peace process in Bosnia possible and one that does not require the presence of western peacekeepers, and how would such a settlement differ from that in the Dayton agreements, if at all?

Bishop PERIC. There can't be no peace in Bosnia-Herzegovina until the greatest amount of refugees return to their homes and to their livelihoods. According to the 1991 census, 54 percent of the population of today's Republika Srpska were Serb; however, now in that same territory, the population is 90 percent Serb. This causes us to question the position of the international community. We be-

lieve there can be no peace and reconciliation without the active presence of international forces.

I would also like to say that we are grateful for the work of many western countries in our area. However, we are more reserved toward some other western countries. I am delighted by the statement of Mr. Smith that he will undertake a delegation fact-finding visit to the areas. It is a shame for the international community that out of 220,000 Croats, only 3,000 mainly elderly were able to return to the Republika Srpska. I would also like to stress to you that in Croat majority areas there has been the highest percentage of non-Croat returnees, followed by non-Muslim returnees in Muslim areas, and finally by non-Serb returnees in Serb areas. This does not mean that we are completely satisfied.

Cardinal PULJIC. I would like to add an additional thought. European and American presence is necessary in light of these activities, because the presence of international peacekeepers is oftentimes necessary until mechanisms for self-sustaining peace are able to be established.

Mr. KERNS. May I follow up? Do the people generally support the provisions and implementation of the Dayton agreements, or do you think this is something that is just being imposed by the west and will fall apart eventually once western peacekeepers leave?

Cardinal PULJIC. The fact that no harm was rendered against representatives of the international peace forces is proof that people have accepted the Dayton peace accords. Second, Bosnia-Herzegovina must remain as one single state of three constituent peoples that are recognized according to their diversity. The Dayton peace agreement is the construction of the process that will help the people achieve peace.

Mr. GANIC. May I volunteer to add something? People accept peace, but if you go to a specific group of people and tell them, look, guys, you took land that doesn't belong to you, that you cannot keep land that doesn't belong to you, many of them will say, look, I have more than I used to have. Some of those people, if they can get away with that, they will proceed. But if you say, look, the international law of property has to be applied, we all understand very well and will follow that. So we should not give a chance to them to debate whether they should give back private land or not. In that respect, of course, if they give back private land, restore law and order, then we can live together. We don't have to hang each other every morning if we are from different ethnic groups. You don't do that in America either. But you respect the common law. That is how life gets by.

Mr. KERNS. Thank you, Mr. Chairman.

Bishop PERIC. I would like to tell you what the people think, since you asked. The people are aware that the international community provided large sums of money for the pacification of the people in Bosnia-Herzegovina. However, the people also think that the largest proportion of international monetary assistance remains within international waters. That is why there is great dissatisfaction, especially in the area of Herzegovina, because the people thought that international forces came to help them politically and economically. However, the same international community has destroyed one of the largest and most successful banks in the terri-

tory of Bosnia-Herzegovina. There was no reason that that bank should have been destroyed, because it had 90,000 depositors, and it also had accounts with four and a half thousand companies. It is most important to achieve rule of law using tools that will allow you to achieve that goal. But you cannot use force.

Mr. SMITH OF NEW JERSEY. Thank you, Mr. Kerns.

Mr. Leach?

Mr. LEACH. I have no questions, but I want to thank our witnesses for coming from so far on such an important subject. Thank you, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. Thank you, Mr. Leach. I have no further questions, but I just want to thank Cardinal Puljic, Bishop Peric and Professor Ganic for your very, very compelling and persuasive testimony. It will be acted upon. You have taken the time to come here and to present your views before the Committee; and while there are some Members not here, as you can see, obviously they and their staffs will get the information. More importantly, these will become major action items for follow-up, and I can assure you, I give you my word, I will follow up on it very aggressively.

During the course of all of this, as I have seen, and many of us have seen throughout the world, the church does suffer immensely for the message it bears regarding Christ, but also because it promotes democracy and freedom so vigorously throughout the world. I saw the courage of one particular priest when I was in Bukovac.

Congressman Frank Wolf and I were in Bukovac a few months after the invasion began, and we had to go through a corn field, actually, to get into Bukovac. We went in with some Croat special forces, and there was a priest at Saint Phillips who would not leave his flock. He could have left with us the same way we came in, through the corn field, could have left really at any time. His church actually had a big hole in it from a bomb, a projectile that had gone through it, and he said mass and was ministering to his flock, who would not leave. They were too frightened and scared of snipers to leave, and yet he stayed.

And my understanding is that when Bukovac finally fell, he perished as well when the ghouls and thugs came in and killed. But his faith was unbelievable and truly inspiring. Both Frank Wolf and I walked out of there just thanking God for his witness because he was a part of the church to say, I am not leaving these people. They need me. They need the love and the compassion that the church can provide and does provide.

I am not sure if Saint Phillips was leveled ultimately but it certainly was almost level on our visit. We had to look up to make sure nothing was falling from any plaster or rocks or mortar. But what a priest, and again, Cardinal and Bishop, you carry on that, lead that tradition and we need to listen when you speak. So I want to thank you from the bottom of my heart for your very, very persuasive testimony.

If you don't have anything else?

Cardinal PULJIC. [Through Interpreter.] I would also like to deeply thank you from the bottom of my heart for having the patience to listen to us, and I would also like to invite you to Sarajevo, Banja Luka and Mostar for a visit.

Bishop PERIC. [Through Interpreter.] I was also deeply touched when you said that you do not just accept news provided in reports by American officials but you also listen to the other side of the story.

I would like to thank you for everything that you have done for us up to now and also for everything that you will do for us in the future.

Mr. SMITH OF NEW JERSEY. Thank you.

Mr. GANIC. Thank you very much.

Mr. SMITH OF NEW JERSEY. If there are no further comments, the hearing is adjourned and thank you.

[Whereupon, at 12:34 p.m., the Committee was adjourned.]

A P P E N D I X

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ADDRESS TO THE CROATIAN NATIONAL ASSEMBLY
Mostar, 3 March 2001

**Mr. President,
Honourable members of the Croatian National Assembly,
Distinguished guests,**

As the local Bishop of Mostar, where the second gathering of this important Assembly takes place today, I would like to greet all the participants present, especially the members of the Assembly. The reasons for this gathering are numerous, which cannot be entirely listed.

1) **Democracy.** If in Bosnia-Herzegovina as in other civilized countries of the world, democracy should function as rule of majority of the people – and everyone agrees that it does – then I greet this Assembly as an expression of the civilian will of the voting body of the Croatian people and as the politically elected and morally accepted form of self-defense of this people. And for those who consider themselves teachers of democracy, the rule applies that they cannot evade the law of democracy!

2) **Referendum.** If the Croatian people in B-H have the right to defend their existence and their rights, responsibilities and liberties – and it's evident that they do – then I greet this Assembly as the plebiscite-elected and public decision of this people at last year's referendum. Therefore this Assembly as a social and political institution must remain stable and permanent, even if all the parties were to change with time or to be dissolved by force or all the participants in today's Assembly step down from the historical scene. I repeat: this body should remain "institutional", because that is the political will of the Croatian people and it should therefore constitute itself into the most suitable and self-sustaining national forum in the country.

3) **Equal rights.** If in B-H there exist three nations – and everyone obviously knows there do – they are therefore mutually obliged to respect, cooperate and treat each other with equality of rights. Hence I greet this Assembly as the representative chosen by the Croatian people through democratic elections, which wishes to live with the other national groups on the basis of equal of rights, that is, the right to exist, the right for all to return to their homes, the guarantee of a safe dwelling and decent livelihood, the right to cultural and educational independence, the right to use one's own language, to medical care, to self-defense and the use of *mass-media*, to work and economic sharing of goods, to one's own national symbols, to the basic freedoms of thought, conscience, religion and belief, to national self-determination and sovereignty, while respecting the outer borders of this country. By helping its own nation, the Assembly will also help other nations.

4) **The nation and the International Community.** If the Croatian people sought the intervention of the powerful international community in the recent senseless bloodshedding – and they did so because they were in great peril – then I greet this Assembly which shall show that this nation is grateful for the political intervention that stopped the war, which could have been stopped by the same international community at the very outset. Yet the same Croatian nation did not seek (with this intervention) to shift from one lawlessness to another. Neither could it sign off or give up its identity, sovereignty and subjectivity to that community so that it could redesign it, melt it down and do as they like with it. This nation is prepared to

confront the historical truth, the human justice and wishes to achieve lasting peace and is ready for reciprocal forgiving with one and all, but is not prepared to be a slave to nobody. Nor can a Croat accept that at the international level both in the media and through the courts his sin is multiplied tenfold while the sins and crimes of others are reduced tenfold. The truth begets justice, justice brings peace, while a just peace produces a general reconciliation!

5) **Revision.** If all political institutions are subject to change and improvement – and all agree that this is so – then I greet the representatives of this Assembly as the competent mediators with the representatives of the international political community, that in their search for a way out of the B-H crisis, they find a peaceful, just and lasting state system by revising not only certain unjust laws that are already in force, but mostly by revising the imperfect Washington Agreement of 1994 and the even less perfect Dayton Accord of 1995. We cannot cease to repeat that these international political acts legalized and enabled an unjust division of the country, which left the Croatian people halved, its existence threatened, expelled from Parliament and shamefully nailed to the cross at the Hague tribunal. The representatives of the international community are aware of all of this, yet they have remained more deaf than really concerned at these public outcries.

This Assembly, through its peaceful work can become a clear response to the international political strategy and its tactics with the Hague tribunal, which has – according to the people's understanding – as its main goal, that the country be pacified through the Dayton Accord, that it be constituted in this contradictory fashion, even under the burden of 15, 25 and 45 year sentences to the defenders of the Croatian people, who came forward freely for trial and after many years of waiting for court proceedings to begin, not one individual crime was confirmed.

They say that the international community paid too much for this B-H project to abandon it so easily. A wise man who gets lost knows that it costs him less to go back than to continue wandering on.

This Assembly through its decisive, responsible and serious activities, according to the accepted international norms, can help its own people and save the honour of the deaf and wandering international politics in B-H!

6) **The Nation and not "the remainder".** If the Croats are an independent, self-generating and native people in B-H – and they have been here not since yesterday – then I greet this Assembly which as the competent factor shall tell the international community not to formulate laws which shall promote the other two national groups into true nations with juridical, political and state institutions, and progressively relegate the Croats into "the remainder" category, threatening their political will and therefore name, language, religion, culture and everything that makes the people consider themselves a nation. This should not be allowed by the other two nations either. This Assembly shall communicate with their national representatives on an equal basis and search through consensus for the best possible solutions, and if necessary in the presence of the international community.

7) **Divide et impera.** If the international community – I'm not sure if this is the European Union, the U.S.A. or the United Nations – believes that through the force of SFOR they can implement or actualize a political contradiction, that is, recognize the Croatian nation on paper while ignoring its political votes and desires in practice – then I greet this Assembly as the legitimate co-mediator that shall seek from the

same international community that it stop using the "carrot and stick" method of dealing with the Croatian nation and its legal representatives.

Sanctions undertaken towards arbitrary removal of political representatives, forceful raids of SFOR troops in Croatian institutions, manipulations of the pre-election laws, a biased division of economic aid and the like, are not pedagogical, democratic nor moral measures for any national group. They are not dignified either for those who are trying to implement them.

In the same way, if the international arbitrator arbitrarily changes the federal, state and Dayton constitutions – and he obviously is doing so and then sometimes arbitrarily washes his hands that it is not in his power to recall what he himself imposed – then I greet this Assembly which shall as the legitimate and respectable co-interlocutor demand from the international community that it not use local political individuals, who have not been delegated by the people as such, all the while trying to prove in vain to the people that they are useful, and all this towards its own political compromising and the overall harm of the Croatian people.

Human rights and freedoms are not found in international nor military might, nor in financial wealth, nor in the Hague tribunal, but in God's law, in human and national dignity, which has been given by the Creator. As an prudent nation, Croats shall also accept with gratitude the international "good offices" for the common good.

8) **A legitimate battle.** The Hebrew people lived for 400 years in Egypt not as a nation, but as a crowd, as white and black slaves, working away on Pharaohs' plantations and pyramids. Yet they were always referred to as so-called "citizens" who were without human rights and civilian freedoms, and for a while without even the right to give birth to male children. Therefore they were not second class citizens nor twenty-second nor any-class citizens for that matter.

Moses along with his brother Aaron, inspired by God the creator and liberator, stood before the great Pharaoh and placed himself as the head of those slaves and "citizens". Up until then, amongst the populace there reigned a lawless society: steal, swindle and kill. Just make sure nobody knows and that nobody catches you. That's the way it was until the moment when Moses came down from God's mountain Sinai with two stone tablets in his hands and handed over to the people the Constitution and synthesis of God's commandments: Fear God! Honour your father and mother! Do not kill your neighbour! Do not steal from others! Do not defame others! Do not bear false witness against your neighbour! Do not commit adultery! Even more so, do not covet your neighbours wife nor his goods!

For over four hundred years the Catholic Croats of these B-H areas were on Ottoman plantations or in their prisons instead of being on their own land in freedom. For seventy years in the last century, the Croats were either emigrating or were in Yugoslav prisons and constant fear, than on their own free property. The Croatian people do not wish to be in anyone's chains, whether they be domestic or international, but rather, they wish to be a nation with human dignity, self-respect and respected by others. This nation wants to respect all God's commandments and all just human laws.

Conclusion. A judicial officer of the Austro-Hungarian monarchy, Martin Đurđević, in his "Memoari sa Balkana" - "Memories from the Balkans" - reprinted last year in Stolac, describes a significant story. During the Turkish and Austro-Hungarian war of 1875-1878 upon the recommendation of the Ottoman Sultanate,

which regularly promised the Christian rajjah (rightless persons) everything on earth such as "well-being and reforms" (p. 83) just so that they wouldn't battle for their rights and freedoms; the Western Consuls, as the Sultan's porte-paroles, came forward and began talks with the leaders of South-Eastern Herzegovina. The Consuls of the international community hence came one day to the border between Herzegovina and Dalmatia, somewhere between Dubravica and Bijeli Vir (p. 10). The conversation went as follows:

"Your uprising and behaviour is not justified", said the Consuls.

"Centuries of endured hardship justify our uprising...", responded the leaders.

"But the Sultan is powerful and has a mighty army which will trample all of you down", retorted the Consuls.

"They have been trampling and torturing us for 500 years now, and we're still alive so that we can shed our blood to the last drop for our freedom" – replied the leaders.

"When you eat the little bread you have in your bags, what will you eat then? You shall all die of hunger!", threatened the Consuls with sanctions.

Mijo Ljuban from Sjekose then grabbed a handful of earth in front of him and placed it in his mouth swallowing it all before their eyes and said:

"This food from God will never cease".

They say that the British Consul Holmes wept when he saw this (p. 84).

When this same passage was read to a recent British "Consul for the Balkans" Lord David Owen, he just laughed (p. 8). That is the difference between the former and the modern international politician, who then and now defended only one side, and yet our current situation is the same it was then. Yet we don't want to eat this earth as the legendary Mijo from Bajovci did. But we do want to work it, sow seed in it, water it, invoke God's blessings upon it, because this nation can live on its own land from the fruits of the soil and the work of its hands. When war ends, work and order begin! We in this country, organized according to God's commandments and the human laws of love towards conceived and born life, the laws of family ties and energies, public peace and order, proper international relations, in a land in which seven times more people will not die on the streets than on the front lines, want to respect proper and just laws, and then others will respect us – and then without delaying so long, they will recognize us, value us and include us into the European integrations.

Mr. President.

Honourable representatives of the Croatian National Assembly:

The people have given you their political trust because you gave them concrete promises.

If you forget your promises, the people will quickly forget you!

If you fulfill your promises, learning from the past, even from the negative past, the people will know how to honour you and thank you!

- Thank you for your patience!

Ratko Perić, bishop