

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

Original OA/ID Number: 2065				
Document ID: 9807179				
Stack: v	Row: 45	Section: 5	Shelf: 11	Position: 3

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9807179
RECEIVED: 20 OCT 98 14

TO: BERGER

FROM: HEFFERNAN, JOHN
BANG JENSEN, NINA

DOC DATE: 06 OCT 98
SOURCE REF:

KEYWORDS: KOSOVO
REFUGEES

NATO
NSA CORRESPONDENCE

PERSONS: MILOSEVIC, SLOBODAN

SUBJECT: COALITION FOR INTL JUSTICE LTR OF CONCERN RE HUMANITARIAN
SITUATION IN KOSOVO

ACTION: FOR RECORD PURPOSES

DUE DATE: 31 OCT 98 STATUS: C

STAFF OFFICER: NONE

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO

MCELDOWNEY
NSC CHRON
SCHULTE
SCHWARTZ
WITKOWSKY

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSDMK

CLOSED BY: NSDMK

DOC 1 OF 1

UNCLASSIFIED

UNCLASSIFIED
ACTION DATA SUMMARY REPORT

RECORD ID: 9807179

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001

X 98102014 FOR RECORD PURPOSES

UNCLASSIFIED

7179

COALITION FOR INTERNATIONAL JUSTICE

STAFF
FYI.740 Fifteenth Street, N.W.
Washington, DC 20005-1009

FAX	Date: # of pgs. including cover:
TO: Mr. Samuel Berger Fax: Phone: 456-2883 cc:	FROM: COALITION FOR INTERNATIONAL JUSTICE John Heffernan: (202) 662-1595 Nina Bang-Jensen: (202) 662-1684 Fax: (202) 662-1597 E-mail - coalition@cij.org

REMARKS:

OCT 7 12:01

**PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949, AND RELATING
TO THE PROTECTION OF VICTIMS OF NON-INTERNATIONAL ARMED CONFLICTS
(PROTOCOL II)**

Article 17 - PROHIBITION OF FORCED MOVEMENT OF CIVILIANS

- 1. The displacement of the civilian population shall not be ordered for reasons related to the conflict unless the security of the civilians involved or imperative military reasons so demand. Should such displacements have to be carried out, all possible measures shall be taken in order that the civilian population may be received under satisfactory conditions of shelter, hygiene, health, safety and nutrition.*
- 2. Civilians shall not be compelled to leave their own territory for reasons connected with the conflict.*

Article 18 - RELIEF SOCIETIES AND RELIEF ACTIONS

- 1. Relief societies located in the territory of the High Contracting Party, such as Red Cross (Red Crescent, Red Lion and Sun) organizations may offer their services for the performance of their traditional functions in relation to the victims of the armed conflict. The civilian population may, even on its own initiative, offer to collect and care for the wounded, sick and shipwrecked.*
- 2. If the civilian population is suffering undue hardship owing to a lack of the supplies essential for its survival, such as food-stuffs and medical supplies, relief actions for the civilian population which are of an exclusively humanitarian and impartial nature and which are conducted without any adverse distinction shall be undertaken subject to the consent of the High Contracting Party concerned.*

October 6, 1998

Honorable William Jefferson Clinton
President of the United States
The White House
Washington, DC

Dear President Clinton:

We write to express our dismay over the rapidly deteriorating human rights and humanitarian situation in Kosovo, and the complete vulnerability of noncombatants, principally women and children, to the depredations of the Serbian police and military authorities. As American diplomats are meeting with President Milosevic and he is taking action to defuse NATO's use of force against him, this is the moment to demand immediate compliance with international humanitarian and human rights law. Our greatest concern at this moment is the butchering of noncombatants, the separation of men and boys from their families and their subsequent detention and potential disappearances, and the fate of those individuals arrested and detained by Serbian forces. Many have been killed, tortured, or "disappeared" while in custody, and the Serbian authorities have prevented the International Committee of the Red Cross (ICRC), despite many promises, from carrying out their lifesaving work of visiting and registering the detainees.

We implore you to instruct those conducting negotiations with President Milosevic to insist that he be required to immediately stop all violations by police and military actions in Kosovo and that he remove all obstacles to human rights monitoring and protection by local and international groups. Events over the past week demonstrate that President Milosevic is engaging in "mopping up" operations which are characterized by atrocities against unarmed men, women, and children and the systematic roundup of suspected "terrorists," who in many cases are actually members of political parties, independent media, and human rights organizations. On October 1, Deputy Prime Minister Vojislav Seselj explicitly threatened human rights advocates, journalists and others, saying, "If we cannot grab all their [NATO] planes, we can grab those within our reach, like various Helsinki committees and Quisling groups... those who we prove have participated in the service of foreign propaganda and those are the Voice of America, Deutsche Welle, Radio Free Europe, Radio France International, and the BBC radio service etc. If we find them in the moment of aggression they shouldn't expect anything good."

President Clinton
Page Two

To date, President Milosevic has prevented or prohibited virtually all efforts by international human rights groups to provide witness to the suffering of Kosovo or protection for its people. He has denied visa requests from human rights monitors, International Criminal Tribunal officials and even your Ambassador at Large for War Crimes issues, David Scheffer. He has refused to permit formal monitoring under the auspices of the European Community or the OSCE and blocked access by KDOM observers to civilians in danger. And he has regularly denied access to the International Committee of the Red Cross throughout Kosovo, including places of detention.

This blanket resistance to human rights monitoring has obscured from international view Belgrade's war against the civilian population, leaving civilians completely vulnerable to further violence and abuse.

We respectfully urge you to undertake the following steps immediately in response to their plight:

- Immediately take decisive measures to ensure that President Milosevic ends his war against the civilian population of Kosovo, withdraws his police and army, and negotiates in good faith a political solution to the conflict;
- Press the chief prosecutor of the International Criminal Tribunal for former Yugoslavia to expand the Tribunal's presence in Kosovo, visit Kosovo immediately, and pursue a serious investigation into the violations of international humanitarian law which have clearly been committed by any parties;
- Make available immediately the resources needed for the establishment of an active human rights monitoring presence under the auspices of the U.N. High Commissioner for Human Rights;
- Insist upon immediate and unimpeded access by the ICRC to Kosovo and Serbia, including all places of detention. In accordance with Article 6 of Protocol II additional to the Geneva Conventions the Serbian authorities should endeavor to grant the broadest possible amnesty to persons who have participated in the armed conflict (excepting those who have committed violations of humanitarian law) or those deprived of their liberty for reasons related to the armed conflict; and
- Expand U.S. diplomatic monitoring under the auspices of KDOM by adding to the number of experienced foreign service officers (including those with human rights monitoring and legal experience) assigned to the U.S. Embassy in Belgrade and directing KDOM to work in close partnership with local human rights monitors. Instruct U.S. diplomats in Belgrade to immediately visit known detention sites, including the Ferronikel iron factory twenty-five miles west of Pristina, where 1,000 are reported to be detained, the site near Prizren where another 500 are reportedly held, and other reported sites in Kosovo and inner Serbia. Further, diplomatic observers should be stationed in areas where the displaced are vulnerable to police actions to screen the population, separate families, and make further arrests.

We are deeply distressed that at the height of diplomatic negotiations and pressure on President Milosevic, forces under his immediate authority are engaged in a continual wave of slaughter, torture, mutilation, disappearances, round-ups, and destruction of villages and crops. We respectfully request that the immediate cessation of atrocities and the protection of all civilians under threat be the first priority.

*President Clinton
Page Three*

Respectfully,

Balkan Action Council
Coalition for International Justice
Codman Square Health Center
Doctors of the World
Freedom House
Human Rights Watch
Hunt Alternatives
International Crisis Group
International Human Rights Law Group
International League for Human Rights
International Rescue Committee
Jacob Blaustein Institute for the
Advancement of Human Rights

Lawyers Committee for Human Rights
Medecins Sans Frontieres USA/Doctors Without
Borders, USA
Network Bosnia
Network for East-West Women
Physicians for Human Rights
Refugees International
The Foundation for a Civil Society
U.S. Committee for Refugees
Union of American Hebrew Congregations
Women's Commission for Refugee Women and
Children

CC:

Hillary Clinton
The First Lady
The White House
Washington, DC

William S. Cohen
Secretary of Defense
Department of Defense
Washington, DC

Madeleine Albright
Secretary of State
Department of State
Washington, DC

Samuel Berger
Assistant to the President for
National Security Affairs
National Security Council
Washington, DC