

**Congress of the United States**  
**Washington, DC 20515**

April 13, 2020

The Honorable Mike Pompeo  
Secretary  
U.S. Department of State  
2201 C St. NW  
Washington, DC 20520

Dear Mr. Secretary:

We are writing to express concern about the role of the United States in the negotiation process between Kosovo and Serbia.

We are encouraged that the Administration has dedicated diplomatic resources to resolving the dispute between Serbia and Kosovo. The United States has historically played a constructive role in the region, from ending the war in Bosnia and shepherding Ohrid Agreement in North Macedonia to recognizing Kosovo's independence and sovereignty and supporting democratic reform in Serbia. The United States is uniquely placed to continue this role, and we support a very active U.S. diplomatic presence across the region. The strength and durability of U.S. diplomatic efforts will only be successful if done in close coordination with our allies in Europe. Serbia and Kosovo are European countries with ultimate aspirations to join the European Union, and Kosovo seeks future membership in NATO. Any effort to negotiate a path forward between Belgrade and Pristina should be done in concert with Brussels and other key capitals across the continent.

However, we have been very concerned that the U.S. has taken a heavy-handed approach toward the elected government in Kosovo. While we agree that Kosovo's tariffs on Serbian goods — which have now been lifted — mainly hurt Kosovo and its citizens, this tool has been used by governments around the world, frequently including the Trump Administration. Kosovo is a close ally of the United States, and we urge you to adopt a patient and constructive approach with its democratically-elected government. We are further concerned that the Trump Administration imposed financial penalties on a Kosovo government that had only taken office weeks earlier. Of course, we take no position on whom the people of Kosovo select as their leaders, but we urge you to give new officials the chance to staff key ministries and announce key policy positions before leaning on a new government.

Moreover, the Trump Administration's pressure on Kosovo comes within a context of Serbia's efforts to delegitimize Kosovo and urge countries to derecognize the country. On January 23, Ric Grenell, the U.S. Ambassador to Germany and Acting Director of National Intelligence who is also serving as Special Presidential Envoy for Serbia-Kosovo Peace Negotiations, urged Serbia to end its derecognition campaign at the same time as he urged

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Kosovo to drop its tariffs. However, since that day U.S. public pressure on Serbia appears to have been dropped amidst the intensified pressure on Kosovo.

The Trump Administration's lack of balance between Belgrade and Prishtina is taking place in the context of Serbia expanding ties with Moscow and increasing imports of Russian armaments. These weapons purchases require the Administration to impose sanctions on Serbia under the Countering America's Adversaries Through Sanctions Act (CAATSA) passed by Congress in the aftermath of Russia's interference in the 2016 elections. In your response, please inform us why the Administration has neither imposed those sanctions nor actively pressed Serbia to end its global derecognition efforts.

Additionally, the Millennium Challenge Corporation (MCC) should immediately restart the implementation of the Threshold Program and end its hold on the development of the proposed compact with Kosovo. The MCC model is based on objective, data-driven indicators and a mutually agreed-upon compact between the U.S. and the recipient country. Nothing in the terms of MCC's proposed compact, nor any marks on MCC's scorecard for Kosovo, specify or qualify any prohibitions or concerns with the Kosovo government's use of tariffs in settling bilateral disputes. For that reason Kosovo's imposition of tariffs on Serbia, regardless of U.S. political posture on this decision, is not a violation of MCC's proposed compact or threshold programs. Withholding this assistance as a bludgeon for actions not related to MCC or its mission twists the agency into just another transactional pressure tool—precisely what it was not intended to be. In your response, please detail the Administration's position on the appropriate role for MCC, and its programs, to play in exerting political pressure in a diplomatic dispute. Does the Administration believe that the grounds for suspending the MCC's programs in Kosovo are in keeping with the MCC's (historically) apolitical mission?

We are encouraged that the State Department has been able to negotiate confidence building measures, including the recent air transit arrangement between Serbia and Kosovo. We appreciate this progress, but we urge that in the days ahead the Administration avoid heavy-handed, unbalanced tactics as it works with Kosovo and Serbia to reach a comprehensive peace settlement that reflects the will of the people of both countries.

We look forward to your response.

Sincerely,



ELIOT L. ENGEL  
Chairman  
House Committee on Foreign Affairs



ROBERT MENENDEZ  
Ranking Member  
Senate Committee on Foreign Relations